

CHAPTER 7

TURANGI TOWNSHIP: FURTHER DEVELOPMENTS

7.1 THE WATER SUPPLY RESERVE

7.1.1 Possible sources

The possible sources of a supply of fresh water for the new town included the Tongariro River, bores in the alluvial material to the south of the town site, or the streams and springs on the slopes of Pihanga. The Tongariro River was discounted very early in these investigations because the riverbed was too unstable and it was prone to flooding and discolouration of the water. Bore supply had served the old Public Works depot, but the costs of maintaining pumping equipment to supply a whole town would be high and it was doubtful whether a sufficient quantity of water could be obtained. By September 1964, attention focused on the springs that fed the Tokaanu River. The meeting of Maori owners on 20 September 1964 was told that it was proposed to draw water from these springs for the town's water supply, and that a corresponding water supply reserve would be needed to protect both the water supply and a trout hatchery which the Department of Internal Affairs intended to establish on the Tokaanu River (A7:77).

The initial intention was to take water from the springs at the source of the Tokaanu River, Te Matapuna o te Awa. However, the Wildlife Service of the Department of Internal Affairs drew the Ministry of Works investigators' attention to 'the extremely valuable trout spawning beds immediately downstream from the springs'. The Wildlife Service asked, therefore, that this source be left alone. Furthermore, a second source, downstream from the spawning beds and further from the township, was thought to provide 'more than adequate water' (B4:4-5).

7.1.2 Location of water reservoir and survey of catchment area

A decision had already been made on locating the water reservoir on the ridge to the south of the town site, Kohatu Kaioraora. The area containing the water intake, reservoir, and access road was first occupied by the Ministry of Works on 1 October 1964 and construction work was completed during 1965 (fig 19).

During 1966 the catchment area of the springs was surveyed and, in January 1967, a draft proclamation and plan prepared to take an area of approximately 349 acres

for a water supply reserve and rubbish tip under the Public Works Act 1928. This proclamation was not proceeded with because the matter was included in the representations being made to

Turangi Township: Further Developments

the Government by the Tuwharetoa Maori Trust Board about the greater extent of land apparently now required by the Ministry of Works. A large portion of the proposed water supply reserve lay outside the boundaries described in the First Schedule to the Turangi Township Act 1964. As already discussed in chapter 5, Gibson had explained to the Commissioner of Works in April 1967 that the size of the water supply reserve had not been specified to the owners at the September 1964 meeting and the southern boundary of the reserve on the plan 'was dictated by the size of the sheet of paper on which the plan was drawn', as was the township boundary. The reserve's eventual size was dictated by watershed divisions rather than the size of a sheet of paper (B4:9-10).

The Ministry's principal concern was to maintain the catchment area with its vegetation cover intact. The debate centred on whether adequate protection could be maintained on a leasehold tenure or whether the Crown should take the freehold. Representatives of the trust board suggested that a controlled afforestation programme in the catchment area should be implemented, with the land remaining in Maori ownership. However, it was argued that the public health requirements of the water supply would restrict timber extraction in the catchment area and there would be little economic benefit for the owners. The Taupo County Council, which had agreed to take over the control of the Turangi water supply, was opposed to any afforestation scheme or any form of leasehold tenure and wished to retain the land in its virgin state. The District Commissioner of Works told the Ministry's head office in October 1969 that:

Although it is technically possible to protect this area by the acquisition of a lease in perpetuity, or even a perpetually renewable lease, the Maori owners must realise that the land is lost to them and that for them to retain ownership of the freehold would be of no practical significance. From an administrative viewpoint acquisition of the freehold is the only common-sense thing to do. . . . In my opinion . . . formal acquisition of the freehold should proceed. (B4:14)

There is nothing in Ministry of Works files to suggest that Maori values, attitudes towards wahi tapu in this area, or concepts of mana and rangatiratanga were considered relevant to this debate. An exchange of this area for other lands was not considered feasible because this would involve lands formerly owned by different sets of Maori owners and might create a cause for complaint. One exchange block suggested was between the old and new routes of SH1, but Gibson stated that this land was not really surplus to requirements. The option of exchange of other Crown land for the water supply reserve was not pursued.

7.1.3 Part of water supply reserve outside Turangi Township Act 1964 boundaries

Because part of the proposed water supply reserve was outside the boundaries in the Turangi Township Act 1964, the notification provisions of the Public Works Act 1928 had to be complied with. In May 1970, the Crown's intention to take 308 acres under the Public Works Act 'for a waterwork' was notified (B4:18). Two objections were lodged (only one of which was heard) when it was realised that some adjustments to the boundaries of the proposed reserve would be needed to make it contiguous with a proposed fisheries reserve. Officers of the Department of Lands and Survey, on behalf of the Wildlife Service, were negotiating with the Maori owners over the protection of the banks of the upper Tokaanu River and the trout spawning grounds. It was decided to extend the water supply reserve to the left bank of the Tokaanu River and make other boundary adjustments to incorporate a total of some 539 acres in the proposed reserve. In October 1971, the District Commissioner of Works explained that the additional area was required because 'it was subsequently found that the area then proposed to be taken [ie, 308 acres in 1970] did not cover the water shed area, which fact could have given rise to further objections by the owners'. He added that 'to avoid this possibility a geological investigation was carried out and a fresh survey ordered accordingly' (B4:21-22). The geological report suggested that there was extensive faulting in the rocks in the springs' catchment area and a large surface area would need to be protected from any contamination of the groundwater supply (fig 19).

The Crown's intention to take this larger area 'for a water work' and a separate area for an access road was notified in December 1971 (B4:21). Several objections were lodged, including one from Hepi Te Heuheu and Pat Hura, who had just been

appointed by the Maori Land Court as trustees of the Waipapa 1F4, 1K, 1L5, 1M, 2A, 2D, and 2A2B2 blocks covered by the notice of intention. The trustees had the power to negotiate an agreed settlement and/or 'prosecute an action to determine the validity of any proclamation or proposed proclamation' under the Public Works Act 1928 or the Turangi Township Act 1964 (B4(a):90).

7.1.4 Objections to the acquisition of the water supply area

In January 1972, the Tuwharetoa Maori Trust Board wrote to the Prime Minister expressing its concern over the additional land required for the Turangi township and suggesting that the taking of such a large area for a water supply, along with the industrial area, was contrary to the original undertaking given in 1964. As noted in chapter 5, a deputation from the board met with the Prime Minister in January 1972 and, at subsequent discussions in Turangi, Maori concerns about wahi tapu in the proposed reserve were expressed. In June 1972, the Commissioner of Works wrote to the board's solicitor setting out, among other things, a basis for agreement over the water supply reserve and access road. Under this proposal, the owners would agree to the taking of the land, subject to the payment of compensation and the exclusion of wahi tapu. The excluded areas were not to exceed 30 acres and would become reserves under section 439 of the Maori Affairs Act 1953 (B4:36).

In November 1972, the Crown's notices of intention to take the land for the water supply reserve and access road were confirmed by the Minister of Works on the same day that he signed a package agreement with the trustees, Te Heuheu and Hura. The deal was along the lines proposed by the Commissioner of Works, with a period of 12 months provided for the identification of 'areas of historic interest', and the Crown was to pay interest from the date of entry until settlement (B4:39).

The other objectors were subsequently heard and expressed their concerns about the excessive area required and the fact that the trustees had not consulted with the owners or had their appointment confirmed by any meeting of owners. Te Reiti Grace sought to have the whole area, excluding the road, water intake, and reservoir, set aside as a Maori reservation. The possibility of an exchange of land was raised again. The recommendation to the Minister of Works, after the hearing of these objections, was that the Crown should proceed with the taking of the land (B4(a):168–170). A proclamation taking 539 acres for the water supply reserve and road was issued on 2 October 1974 (B4(a):173).

7.1.5 Agreement reached on compensation for land taken

It was not until August 1977 that negotiations began with the solicitor representing the owners of all the blocks taken for the water supply reserve except Waipapa 1M. With the passing of the Maori Purposes Act 1974, the statutory obligation to negotiate compensation on behalf of multiple owners of Maori land taken under the Public Works Act 1928 was removed from the Maori Trustee. In 1976 new trustees (Fearon Grace, Ruaiterangi Mary Patena, and Hariata Hura) had been appointed for the Waipapa 1M block by the Maori Land Court (B4(a):221). Hepi Te Heuheu and Pat Hura were still the trustees of the remaining blocks. After some negotiation, an offer was made for all the blocks taken except Waipapa 1M. The offer was \$23,705, plus 5 percent interest since the date of agreement (30 November 1972), plus valuation and legal fees of \$1425. This was accepted and a total of \$30,615 was paid in September 1978 to the trustees' solicitor (A14:G). The Waipapa 1M trustees did not accept the November 1972 agreement, but the Ministry of Works took the line that they were bound by it because they were successors to the trustees who had made the agreement. The two parties did not agree and a claim for assessment of compensation was lodged with the Land Valuation Tribunal. The claim was heard in July 1982 but, soon after the proceedings commenced, agreement was reached to accept a total of \$28,500 for the land, which included a valuation of \$10,000 and severance and injurious affection of \$950, plus interest. An additional payment of \$2800 was made for valuation and legal fees, making a total of \$31,300, which was paid to the trustees' solicitor before the 7 August 1982 deadline (B4:51–52).

The area taken in 1974 on Waipapa 1M was 108 acres and was valued at \$10,000. The area of the other blocks combined was about 431 acres and was valued at \$23,705. On the face of it, the Maori owners of Waipapa 1M perhaps obtained a higher price by going to the Land Valuation Tribunal. However, without the details of the valuations of each block (which were not available to us), it is not possible to confirm this interpretation of the figures. It may be that the apparent discrepancy is accounted for by the considerable variation in the topography and farming potential of some of the blocks.

The interim agreement negotiated between the Ministry of Works and the Taupo County Council in 1968 provided for the transfer of various public utilities to the county. This agreement was finally signed in March 1980 and provided for the transfer of the water supply reserve and water supply facilities. On 15 January 1985, the lands taken for waterworks in 1974 were vested in the council.¹ No Maori reserves had been set aside within this area, although, on adjacent blocks, the residual Waipapa 1M and Waipapa 1G Maori reserves had been set aside by the Maori Land Court under section 439 of the Maori Affairs Act 1953. Several wahi tapu of significance to Ngati Turangitukua, including urupa and pa sites, remain within the water supply reserve taken by the Crown.

7.2 THE RUBBISH TIP

The provision of a rubbish tip was essential for the new town. Much of the negotiation for a tip site on the Waipapa 1F block was tied up with the adjacent water supply reserve. The rubbish tip area was first occupied by the Ministry of Works on 1 October 1964, and was used initially as a supply of pumice for the development of the industrial area. 'Pumice Pit No 2', as it was then known, was proposed in March 1966 as a likely alternative to the county tip which had served the old Turangi village, but which would not be large enough to service the new town. The new tip on the Waipapa 1F4 block was within the area intended to be protected for water supply purposes, but would not affect the water supply catchment area because the land sloped down toward the Kahurau Stream (fig 20). Not only was the proposed site out of sight to the south of the town but it had plenty of pumice material handy for covering. The new tip, an area of 34 acres, came into operation on 6 June 1966 (B4:6-7).

In September 1967, the tip was included in discussions between the Ministry of Works and the Tuwharetoa Maori Trust Board over the extent of additional land required for the industrial area and water supply reserve. The Ministry said that it desired to take the tip area by proclamation but the Crown 'would consider leasing in some way to secure its use as a rubbish tip for as long as required' (A8:88-89). In subsequent discussions, the Maori owners indicated that they would be prepared to lease the site but would not agree to a sale. The tip was mostly outside the boundary set out in the First Schedule to the Turangi Township Act 1964.

The Ministry of Works had negotiated an agreement in 1968 to hand over the operation of public utilities in Turangi to the Taupo County Council. The council was adamant that the freehold of the land should be obtained before there was any transfer to council control. The District Commissioner of Works, however, felt that, because the tip would have a limited life of around 50 years, there seemed 'no reason why proclamation action to take a suitable lease of this area should not proceed without further ado' (B4(a):48). The possibility of an exchange of land was briefly considered but was discarded on the ground that it might involve land formerly owned by a different group of Maori. The leasehold option was accepted by head office and became the Ministry of Works' proposed course of action.

However, no lease agreement was negotiated with the Maori owners because the Taupo County Council continued to insist that the freehold be obtained. The county clerk wrote to the Minister of Works on 14 May 1970 to say that a leasehold was unacceptable (B4(a):95).

Turangi Township: Further Developments

The Minister, advised by the Commissioner of Works, responded that ‘the owners have given me an assurance that they would agree to a lease which ensures that the area is available as a tip on a long term basis’. He also indicated that further inquiries would be made to see if it ‘may be possible to overcome the objections to the taking’ (B4:26). There ensued some debate (recorded in Ministry of Works files) about the basis for valuation – the current market value or the value at the date of entry – and the question of betterment, both from the provision of road access and from the improvement of the site by filling and levelling. All this remained academic, however, because no lease was negotiated and the land was not taken by the Crown. It remained in Maori ownership but was used as a tip site throughout the 1970s.

In early 1972, the tip site was included in the discussions which led to the Maori Land Court appointing Hepi Te Heuheu and Pat Hura as trustees for the land with the authority to negotiate a settlement and their subsequent approach to the Prime Minister to settle all outstanding land matters at Turangi. By November 1972, an agreement had been reached between the two trustees and the Minister of Works to lease the 34 acres of the rubbish tip on the following terms: the land would be available at a peppercorn rent to the Crown or the Taupo County Council for as long as it was required for rubbish disposal; on termination of the lease, the Crown would return the land, with new topsoil and sown in grass; and the owners would not be liable for any maintenance or local authority rates during the lease period (B3(a):96).

In 1974 the adjacent water supply reserve was taken by the Crown (B4(a):173).² In 1973 an application by Te Reiti Grace to have all the area of Waipapa 1M, part of which was within the water supply reserve, declared a Maori reservation, was heard by the Maori Land Court. However, since the trustees, Te Heuheu and Hura, had already agreed in 1972 to its taking, this application was adjourned sine die because it was suggested there might be a judicial review. There remained a balance area of Waipapa 1M adjacent to the tip site that was not taken for the water supply reserve, and Mrs Grace’s application for this to be set aside by the Maori Land Court as a Maori reservation was heard in March 1977. As we relate in chapter 8, the Court recommended that the area should be set aside as a Maori reservation, and this was duly done.

The effect of setting aside the Maori reservation on part of Waipapa 1M was to curtail the further use of the rubbish tip to ‘a matter of weeks rather than years’ (B4:46). The Taupo County Council sought an alternative site and, after some negotiation, settled on an area in the south-west corner of the Ministry of Works’ industrial area. This site was formally transferred to the council in 1980. The remaining excavation on the old tip was filled with material from the northern end of the Waipapa 1F4 block, and some further restoration work was carried out in the mid-1980s. The area remained Maori land, but no rent or compensation was ever paid to the Maori owners for the Crown’s use of the land as a pumice pit and rubbish tip. It is now covered in rough scrub and some pine trees.

7.3 THE TONGARIRO RIVER

7.3.1 A brief description

In its lower reaches where it flows past the Turangi township, the Tongariro River is an inherently unstable, braided river made up of meandering channels and gravel banks. With a large catchment area, it was, in its natural state, also subject to periodic floods which filled the whole bed and overflowed into the swamp lands between Tokaanu and Motuoapa (fig 21).

The instability of the river and its propensity for flooding had to be taken into account in the design of both the township and the Tokaanu power project. In 1958 a major flood had inundated the northern end of the Turangi village, breaking through on the left bank into Hirangi Stream and scouring out a new channel which came to be known as the ‘Hirangi Arm’. At the junction of Hirangi Stream and the Tongariro River, an area later known as ‘Bennion’s Bend’, the flood waters broke through to the Tokaanu swamp lands and were reported as flowing three feet deep over Awamate Road (B5(a):81). The name ‘Awamate’ literally means ‘dead river’, and the road marks a former course of the Tongariro. In local Maori tradition, it is said that the taniwha Huruhurumahina was responsible for turning the river to its present course.

In the early stages of the planning for the Tokaanu power project, Sir Alexander Gibb and Partners had proposed that a ‘drainage channel’ be dredged through the Tokaanu swamp lands to carry any flood waters from the Tongariro River directly to Lake Taupo. The main concern was to protect the eastern margin of the tailrace. This proposal was later dropped, and ‘riprap protection works’ were put in place on the eastern berm of the tailrace to prevent scouring by Tongariro flood waters. The tailrace work is outlined in see paragraph 7.5. The Turangi township itself was located on a terrace above the flood level, but the oxidation ponds were vulnerable and would need some form of protection. Another factor that had to be taken into account in any scheme was the impact of flood control on the Tongariro River fishery. The trout fishing lobby was important in the planning of both the TPD and the Turangi township, influencing the decisions not to divert the Whangaehu River – which is polluted by sulphur from Mount Ruapehu’s crater lake – into the Moawhango Dam and not to increase the Tongariro River’s flow during fishing hours, which would have put those fishing at risk.³

7.3.2 Trout fishing interests

The potential for conflict with trout fishing interests was greatest when the Tongariro River fishery was threatened by the Ministry of Works' proposal to extract metal from the riverbed for the Turangi township and the Tokaanu power project. The Wildlife Service of the Department of Internal Affairs was responsible for the control of the trout fishery. The District Conservator of Wildlife, Pat Burstall, took an active role in a series of meetings on flood control and the proposed metal extraction which were held in late 1964 and 1965 between representatives of interested Government departments, the Waikato Valley

Turangi Township: Further Developments

Authority, and the Taupo County Council. At a meeting on 10 December 1964, Burstall made it very clear that anglers did not want to see fishing rivers disturbed. Gibson, in turn, gave an assurance that 'there would be no destruction or despoliation of the fishing' (B5(a):51).

Trout fishing had been identified by Government officials at an early stage as one of the potentially controversial issues to be considered. However, the early reports of Gibb and Partners had identified the gravel bed of the Tongariro River as the most economic source of aggregate both for roading and for making concrete at the Tokaanu power project. The issue was not whether Tongariro River gravel should be used, but how to extract it with the least disturbance to the fishery. At the 10 December meeting, Burstall stressed that the river should be protected wherever possible and pointed out the economic benefits which fly fishing brought to the region (B5(a):52–53). Indeed, the number of trout fishing licences issued in the Taupo district increased from roughly 10,000 in 1948–49 to about 50,000 in 1959–60 and 77,000 in 1983–84.⁴

If, therefore, the Ministry of Works were to extract most of the gravel that was required for the township and the power project from the Tongariro River bed, agreement would have to be reached with the Waikato Valley Authority on flood control matters and the Wildlife Service on the protection of the trout fishery from unnecessary disturbance. The strategy that the Ministry evolved was to view the metal extraction, to be undertaken mainly by contractors, as a significant contribution to both flood control and the improvement of the Tongariro River bed by the stabilisation of the channels through which it flowed. At the 10 December meeting, Gibson suggested this, and Burstall conceded that the Tongariro River would be improved for anglers in several areas by the extraction of metal from the bed, which would include the diverting of the river back to its old course prior to the 1958 flood (B5(a):52–53).

Through 1965, meetings of Ministry of Works engineers with other Government officials and representatives of the Waikato Valley Authority and the Taupo County Council focused on the legal and technical issues relating to the extraction of metal from, and the flood control of, the Tongariro River between Turangi Bridge and De Lautour's Pool (fig 21). The main problem was that the river was increasingly following the Hirangi Arm, the new course formed in the 1958 flood, and frequently overlapping its banks at Bennion's Bend. It was feared that in a future flood the river would take the Hirangi Arm course and flood the oxidation ponds on Awamate Road. Gibson felt that diverting the river away from the Hirangi Arm back towards the right bank would be a considerable step towards flood protection. He informed the Commissioner of Works in September 1965 that the extraction of metal from this area could be 'carried out with little inconvenience to fishermen and will be of long term benefit to the trout fishing sport' (B5(a):77).

Turangi Township: Further Developments

7.3.3 The metal extraction programme

The Ministry of Works' metal extraction programme, in effect, became part of the Waikato Valley Authority's flood control scheme for the Tongariro River (fig 22). Metal extraction began in 1964 in the Swirl Pool area and in the metal pit between Herekieke Street and SH1. Throughout 1965, excavation was continued in the 'flood relief channel'. Strippings and other material unsuitable for construction purposes were used to block off the Hirangi Arm of the river, and this work was completed by mid-1966. With the development of the Turangi township, the Log Crossing Road access to the river was no longer used and a new haul road was put in across the Waipapa 1D2B3B block. Some three acres of this land, which was leased and farmed by Te Reiti Grace, had already been excavated for metal. The new road became the principal access route to the metal extraction area through the 1960s. By the early 1970s, the metal extraction had moved downstream to a Maori-owned island which was part of the Hautu 3E4A block (fig 22 inset).

Strippings were used to build up levels in the vicinity of Bennion's Bend and a stopbank downstream of the haul road carried a 'fishermen's access road'. Part of the Ministry of Works' agreement with the Wildlife Service was to allow anglers access to their favourite pools along the haul roads. Initially, Bailey bridges were used to span river channels, although the bridge over the Hirangi Stream was replaced in 1972 by a culvert. Subsequently, the culvert became blocked, causing flooding upstream. Complaints about this from the Rawhiti Rangataua family led to the removal of the culvert by the Ministry of Works in 1985, but not without some remonstrance from Pat Burstall on behalf of anglers (B5:44-45). Whatever informal agreement may have been reached between the Ministry of Works and the Wildlife Service, no agreement with the Maori owners of Waipapa 1D2B3B, whose land was crossed by the haul road, had been reached to allow for permanent access for anglers. The Ministry of Works had entered the land, relying on the 1958 Order in Council, but this did not give any powers to provide permanent public access. There were proposals to take the haul road but these were not implemented, and Waipapa 1D2B3B remained Maori land, although the amount of compensation payable for its use, the metal extracted, and the restoration of the land to pasture became issues for subsequent argument with the Te Rangi family and the lessee, Te Reiti Grace. The excavation of metal from the Maori-owned island, part of Hautu 3E4A, also became the subject of dispute and proceedings in the Supreme Court in 1976. These compensation issues are considered further in chapters 14 and 19.

7.3.4 The Tongariro River control scheme

Turangi Township: Further Developments

In June 1966, the Waikato Valley Authority produced a ‘Tongariro River Control Scheme’, the main objectives of which were the protection of the Tokaanu tailrace and Turangi township from flooding; the retention of river features for the benefit of fishing interests; and the acquisition of any land which was required for flood protection works or was adversely affected by them (B5(a):97). The scheme, designed for a flood of the magnitude of the 1958 flood, included building stopbanks on both banks of the lower reaches of the river downstream from the Turangi village. Although at this stage it was estimated that some 700,000 cubic yards of metal and overburden would be excavated from the flood relief channel, it was also noted that infilling would continue as more gravel was carried by the river into the excavated areas. It was also assumed that the Ministry of Works would make a substantial contribution to the river protection works. However, the Ministry was interested solely in protection work on the left bank and considered that stopbanking was only necessary in the Awamate Road area for the protection of the oxidation ponds. In chapter 9, we consider the oxidation ponds in more detail. The ‘riprap protection works’ to be put into the eastern berm of the tailrace were considered adequate without further stopbanking.

On the right bank of the river, it was considered that stopbanks should be put in between Turangi Bridge and De Lautour’s Pool but that a spillway could be built here to allow flood waters to enter directly into Stump Bay. Lands to be taken for river protection works on the right bank were identified and, after several modifications to the boundaries, were taken by proclamation in the mid-1970s.⁵ In 1987 part of the land taken in 1975 was returned to Maori ownership when the 1975 proclamation was revoked.⁶ Tuatea Smallman commented in his submission to the Tribunal:

This island was also apparently given back under that *Gazette* notice but of course the Ministry of Works had already excavated the whole island out of existence. The problem is that the land we were given back used to be pasture land but is now covered in light scrub . . .

The removal of the island has caused massive damage, because there is now continuous flooding . . .

Erosion of the river bank has occurred, along with silting of the riverbed and favourite fishing pools. The flooding has damaged the urupa where our great grandmother, Marotoa Takinga, a direct descendant of Tuwharetoa, [who] was struck by lightning and [was] laid to rest. We cannot protect the resting place from the water which is a cause of sorrow to us.

This flooding situation came about because to remove the island without losing any of the metal a diversionary canal was excavated into Hautu 3E4A to take the major flow of water. The diversion was never cut off or filled in. (A23:8)

When the first notice of intention to take lands on the right bank was issued in 1969, the Tuwharetoa Maori Trust Board's solicitor, Russell Feist, wrote to the Minister of Works on behalf of the Maori owners:

It appears from discussions with representatives of the [Waikato Valley] Authority that their proposals have been largely influenced by requests from fishing interests not to interfere with the trout fishing on the river. The Tuwharetoa people have no wish to interfere with any fisherman's paradise, but I would seriously question whether this is a factor that is relevant when it involves the compulsory taking of land for purposes of a public work. I had the distinct impression from the meeting at Hamilton that were it not for the fishing interests, the Authority's proposals would follow a completely different course. (B5(a):173)

7.3.5 Maori participation not sought

There is no doubt that the trout fishing interests were an influential group, whose concerns were diligently pursued by the District Conservator of Wildlife, Pat Burstall. It is also noted that in the meetings on the flood control of, and metal extraction from, the Tongariro River there was no Maori participation – from either the Department of Maori Affairs or the owners' representatives – to consider matters that were of some concern to Maori landowners on both sides of the river.

The taking of lands for river protection purposes along the northern boundary of the Turangi township has remained a sore point with the local people. Eileen Duff explained in her submission to the Tribunal:

Whereas our family land [Waipapa 1F3B2B3B] formerly had a natural connection with the Hirangi Stream and with the Tongariro River, subsequent actions by government have cut us off from that connection. This causes us a lot of grief.

The thing that galls me is that nothing has ever been done to the land that was taken to effect protection of the land from the river. Big wide bits of Maori land were taken all along that stretch of the Tongariro River, but no works have ever been done to stop the river encroaching.

In a letter to my Uncle George of 6 June 1947 . . . the office of the Minister of Native Affairs said that the land needed to be taken for river protection purposes because otherwise ‘many land owners both Maori and Pakeha’ would lose land to erosion. But it is really obvious from looking at the Taupo County [planning] map that when the land abutting the river was European land, much less land was taken. Those skinny strips taken from European land owners have been justified by building flood control barriers, so less land was needed. When it was Maori land, they just took a big wide strip, and then did nothing to it. The conclusion is inevitable that taking larger quantities of Maori land was thought to be quite acceptable. (A22(2):2–4)

Further areas of Waipapa 1F3B2B3B were taken in 1966 and 1971.⁷ Mrs Duff continued:

Although the Gazette Notice says that the land taken from us in both 1966 and 1971 was for the Establishment and Development of Turangi Township, a good deal of what was taken is now in the hands of Department of Conservation and was never used for the establishment of the township.

We still regard the areas [taken] as our family land, even though we know that legally speaking others have title of it. Morally and spiritually, it is ours, and we still regard ourselves as the kaitiaki of it. As a result, what has happened to the land since it passed out of our ownership has affected us deeply. (A22(2):5–6)

7.3.6 Legal status of riverbed unclear

The legal status of the riverbed was not clear. As figure 22 illustrates, the Tongariro River had not remained in its legal bed as defined by survey in 1928. In March 1965, a Department of Lands and Survey representative at a meeting of officials with the Waikato Valley Authority and the Taupo County Council noted that the Crown Law Office’s opinion was that the definition of a riverbed remained ‘the same as it was at the date of proclamation notwithstanding subsequent changes in the river course’. If the Crown wished to own all of the present bed, he noted, a new proclamation would be required, which would lead to substantial compensation claims (B5(a):60). In effect, the Crown did acquire all the new riverbed areas in the vicinity of the Turangi township. In 1939 a ‘river protection reserve’ on the left bank had been taken under the Public Works Act 1928.⁸ Lands between this reserve and the old SH41 were taken

under the Turangi Township Act 1964, although only part of this area was used for township purposes, mainly as a residential area. All the lands below the terrace on which the houses were built, including the Hirangi Stream, are effectively, if not legally, part of the Tongariro River bed. The area is low-lying, subject to flooding, and cannot be built on. It is covered in scrub, interspersed by stream channels, backwaters, and gravel banks, and there are vehicle and foot tracks through it which provide access for anglers.

In the 1920s, negotiations between the Crown and Ngati Tuwharetoa led to an agreement, embodied in section 14 of the Native Land Amendment and Native Land Claims Adjustment Act 1926, in which the public were granted access to the Lake Taupo fishery and the bed of the lake was vested in the Crown. Sections 14 and 15 provided for compensation in the form of an annual payment and a share of the fishing licence revenue, and this was to be administered by the Tuwharetoa Maori Trust Board, which was set up for this purpose. The beds of rivers and streams flowing into Lake Taupo were subsequently declared Crown land by proclamation on 7 October 1926.⁹

The compensation awarded for the bed of Lake Taupo did not include the tributary rivers and streams, but this was determined in December 1948 by the Lake Taupo Water Claims Compensation Court. The claims were not settled earlier because of a doubt over interpretation, which was settled in section 8 of the Native Purposes Act 1946. The Court stated:

Without question the right that the Maori owners enjoyed prior to the Proclamation of reserving to themselves or their grantees the right of access to fishing waters was a right of very considerable value. The difficulty before us is to assess the value of this right as it existed prior to the passing of the Act of 1926.

The Tongariro River from the junction of the Whitikau Stream to its mouth in Lake Taupo was listed in the 1926 proclamation, but the Tokaanu River was not. In the 1920s, local Maori derived some income from fees charged to anglers for access to, and the letting of camp sites on, the Tongariro River.

In 1965 the Maori Land Court was asked to determine the beneficiaries of the Tuwharetoa Maori Trust Board. Although the court was not required to consider ownership as the basis of a Maori freehold title to the lake, it noted that in other cases, such as those dealing with Lakes Rotoaira and Waikaremoana, ownership had been determined on the basis of ownership of riparian blocks around the lake. On this basis, the roll of beneficiaries of the Tuwharetoa Maori Trust Board is based on descent from owners listed in the blocks, as determined in the original investigation of title by the Native Land Court, which are adjacent to Lake Taupo, the Waikato River downstream to and including Huka Falls, and the tributary streams and rivers listed in the 1926 proclamation. All these are collectively known as 'Taupo waters'.

On 28 August 1992, a deed of agreement between the Minister of Conservation and the trust board was signed and, following ratification of the agreement by Tuwharetoa beneficiaries, it was confirmed by the board on 4 February 1993. The deed acknowledged the earlier negotiations and agreements set out in the 1926 Act and currently provided for in section 10 of the Maori Trust Boards Act 1955. The trust board sought the return of title to the beds of Taupo waters, asserting that it was not intended in the original negotiations, which were concerned with fishing rights, that title be vested in the Crown. Under the agreement, the beds were re-vested in Ngati Tuwharetoa; the public's freedom of entry to and access upon the waters (including their beds) was preserved; and their management was to be shared

between the Crown and Ngati Tuwharetoa. Half of the members of the management board were to be appointed by the trust board and half by the Minister of Conservation, who would 'represent the public interest'.

On 22 September 1993, at a special sitting of the Maori Land Court at Tapeka Marae in the Waihi village, an application by the Minister of Lands to vest in the trust board 'the beds of Lake Taupo and the Waikato River up to and including the Huka Falls' was heard under section 134(e) of Te Ture Whenua Maori Act 1993. The application noted that the agreement also included tributary streams and rivers which are part of Taupo waters, but that these would be the subject of 'a separate application upon completion of technical investigations'. Specifically excluded from the Tongariro River bed were the section within the 'Tongariro Hatchery Camping Ground' and the islands in the river which were not taken by the Crown in 1926.

The technical investigations which have delayed the re-vesting of the beds of the streams and rivers include the requirement for new surveys to determine the actual location of the riverbeds. As we have seen with regard to the section of the Tongariro River reviewed here, the river has strayed well outside its legal bed, and even the efforts of the Ministry of Works in the 1960s and 1970s have not entirely succeeded in confining it to its surveyed route of 1928. We leave the specific task of defining the riverbed to the technical expertise of surveyors, but venture to suggest that, given the behaviour of the Tongariro River in recent decades, a broader definition than that used in 1928 needs to be applied.

7.3.7 Changes to the flow regime

A related technical matter is the change in the flow regime of the Tongariro River which has occurred following the commissioning of the Rangipo Power Station in 1983. This station, and the dams and diversions upstream, have significantly altered the hydrological regime of the Tongariro River, which is controlled by the Electricity Corporation. A Waikato Valley Authority report concluded that there has been a reduction in the river's overall discharge because of the diversions. The flows are held as close to a constant level as possible, thus reducing the variability of flow, the magnitude of flood events, and the recession times when flooding does occur.¹⁰ A significant issue for the Church family, whose farm is on the lower reaches of the Tongariro, is the occasional 'artificial floods'. These are caused by deliberate discharges, usually at night, from Rangipo, which come without warning and flood their lands downstream from the oxidation ponds (A15; A15(a)). The section of the Tongariro River adjacent to the Turangi township has been permanently changed by the Ministry of Works' metal extraction, by the flood control works, and by the subsequent build-up and erosion of sediments, which have, for example, significantly affected the Hautu 3E4A block (A23). While a review of the whole Tongariro River system and the impact of the TPD is beyond the scope of this inquiry, the section of the river adjacent to Turangi which formed part of the boundary of the areas described in the First and Second Schedules to the Turangi Township Act 1964 does need to be considered in the context of this inquiry.

7.4 THE TOKAANU RIVER

7.4.1 'He taonga tapu, he awa tapu'

The Tokaanu River was described as 'he taonga tapu, he awa tapu' by Bill Asher in his submission to the Tribunal (A12:5). The Tokaanu is a sacred river, a highly valued resource, and a taonga in the perception of local people. Te Matapuna is the source in the springs below the headland named Kohatu Kaioraora. There are also springs, or puna, which feed the Tokaanu on the left bank in the vicinity of Te Reporepo. The ultimate source of the river is said to be Rotopounamu, a lake high up on the mountain Pihanga. The lake waters flow underground and reappear in the several springs that flow out of the broken and faulted andesitic rocks of old lava flows.

Te Matapuna is the abode of two taniwha, Tikatakata and Tihorehore (Tioreore). These taniwha sometimes travelled to the springs downstream at Te Reporepo. The taniwha are protective beings and are closely associated with healing and with the tapu quality of the waters of these springs. Tikatakata and Tihorehore are also the names of the stars which Pakeha call the Magellan Clouds. In this form,

Turangi Township Report 1995

they also have a protective role. Their relative positions in the sky were used to predict the wind and bad weather. As one of Best's informants put it, 'When wind rises, one of them goes to obstruct it; thus their

Turangi Township: Further Developments

permanent task is to protect their people'.¹¹ The headwaters of the Tokaanu River, with its

taniwha and the many urupa in caves and clefts in the cliffs, was a sacred area, entered only by a few on specific occasions. It was not an area to be entered by outsiders.

The Tokaanu River once flowed to the east of Maunganamu, past Te Waiariki into the lagoon in the swamp known as Te Awa o Taringa. The river was turned from its course by another taniwha, Kohuru Kareao, later known as Huri Kareao, who now dwells in the hot springs near the present Tokaanu village. This taniwha caused the earth movement that diverted the river. The Tongariro River was also diverted by a taniwha; it once flowed westward into the Tokaanu River (fig 23), but was turned to its present course by Huruhurumahina, a name which is still used by local people for the area south of Maunganamu where the two bodies of water once joined. Once settled in its present course, the Tokaanu River became the main highway for canoe traffic between the many kainga along its banks.

The volcanic origin of the mountains south of Lake Taupo meant that periodic earthquakes and associated earth movements occurred, which were recorded in traditional accounts and usually ascribed to a taniwha. Huruhurumahina was responsible for the uplift that created the waterfall, or wairere, on the Hangarito Stream. Earth movements also caused some former settlements to be submerged under the waters of Lake Taupo. There are two old kainga beneath the lake waters near where the water from the tailrace flows into the lake. Their submergence is also ascribed to a taniwha. A woman tohunga named Aratukutuku had been disturbed at her tuahu by a man, who had thereby broken the tapu tikanga. He had been on his way to the lake to go fishing but he did not return. Aratukutuku was beaten to death by his relatives for allegedly causing his death. Before she died, she was able to call on her taniwha to submerge the land and engulf the two kainga and their inhabitants in the lake. In the 1930s, local elders stated, the pallsades of the old kainga were still visible on the lake bed.

7.4.2 Loss of resource areas

The Hangarito Stream and its tributary the Kahurau often dried up in the late summer, but at other times carried a considerable flow of water into the Tokaanu River. A dam would be made in the dry watercourse, and when flushed during a flood was useful for transporting heavy objects such as logs or a partially-completed canoe. This was how local people obtained timber from the bush on the higher slopes of Pihanga. Te Reporepo was the name of a large canoe, or waka taua, which was constructed at the place of the same name on the bank of the Tokaanu River. As noted by J Te H Grace in his history of Tuwharetoa:

Te Reporepo was the pride and flagship of the Ngati Tuwharetoa fleet of war canoes. Its ownership was one of the visible signs of paramount chieftainship. It was built in the forest above the source of the Tokaanu River under the direction of Te Rangitautahanga [son of Turangitukua].¹²

Arthur Grace referred to the canoe in his submission:

In those days there were massive totara trees, and it was from one of these that Te Reporepo was made. It was so long that some of the sharper bends in the Tokaanu river had to be excavated when they floated Te Reporepo down to the lake. (A21(1):46)

Downstream from Te Reporepo, there were numerous kainga and cultivations on the banks of the river. Some of the old kainga names included Te Ngutu o Te Manu, Korokoro, Te Hiwi o Te Kotukutuku, and Te Pukeapoapo. Te Hurumahinahina (or Huruhurumahina) was one of the cultivations, which were typically located near the edge of the swamp where the soil was more fertile. Bill Asher stated:

When I lived there as a boy there was a large cultivation area where we grew maize, potatoes, watermelon, kumara, kamokamo, and other vegetables, all of which fed the whanau which comprised the hapu of Ngati Kurauia. (A12(2):5)

The marae of Ngati Kurauia is in the Tokaanu village. Mr Asher also described the area now occupied by the Tokaanu Power Station and the start of the tailrace as 'he kohanga mahi kai tenei wa', or an important food production area. The foods that were cultivated were supplemented by the foods that were gathered, hunted, or snared in the forests and scrub on the slopes of Pihanga, Tihia, and Kakaramea or fished from Lake Taupo and the Tokaanu River.

Mr Asher talked about the impact of the Tokaanu power project construction on the food resources of the Tokaanu River:

There is no doubt in my mind that our river has changed to the detriment of our people. The Ministry of Works directed it from its natural course so that it now goes through an aqueduct, and overflows into the tailrace. The river has been badly affected by runoff from the pumice excavation area on Waipapa 2A2D. . . Sediment runs off in the rain, and lies in the bed of the river along to its confluence with Lake Taupo. This sediment is thickest in the deepest pools and interferes with the ecology of the river. Effectively, the river has been destroyed as a place of harvest for us. Many species, most of them native, have disappeared altogether. These include inanga, toitoi, kokopu and morehana. You never see them shoaling any more, where once they were present in large numbers. It is still possible to take koura in some places, but in vastly reduced numbers. Watercress, too, has become a rarity whereas once it used to grow in profusion all along both sides of the river. Watercress was a staple food for our people, but is now not usually available . . .

With the passing of the natural features of our rohe has passed a way of life for our people. The taking of koura in particular was full of significance and ceremony. There were certain families which had the job of gathering particular caterpillars (called 'mounu') from the fields. They would sew the caterpillar onto threads, and they would be used as bait. The families who gathered them would distribute them to the people who went out to do the harvesting at selected days in the year, and at selected places. All that has gone now, although the practices were still in place right up to the time the project came to Turangi.

It is a real loss to me that I cannot share with my mokopuna the way of life I once knew. (A12(2):5-6)

7.4.3 Trout fishing interests

As already noted in the discussion on the water supply reserve, the Wildlife Service of the Department of Internal Affairs, and in particular the conservator for the

Rotorua–Taupo district, Pat Burstall, was very active in protecting the interests of the trout fishery. From 1955 on, the Wildlife Service had collected ova from the trout spawning in the upper section of the Tokaanu River between the two groups of springs. It was to protect the spawning grounds that the Turangi water supply intake was established at the springs downstream of the spawning grounds. The ova collected from the Tokaanu River were raised at the Tongariro River hatchery and supplied to other parts of New Zealand as well as to sports fishing organisations overseas. Burstall explained that the Tokaanu River was:

with its 800 yards of spawning area . . . , without any question of doubt, the most valuable source of wild Rainbow trout ova in the world, and it is mandatory on us to ensure that every effort and means is undertaken to maintain and protect this asset.
(B8(a):150)

With the prospect of a new township and a large immigrant population, the Wildlife Service was anxious both to protect this resource from poaching and to prevent the upper reaches of the Tokaanu River from being polluted or otherwise physically damaged. By December 1964, the threat of the Tokaanu River being polluted by stormwater drainage from the industrial area flowing into the Hangarito Stream was averted by the diversion of the stream into a drain alongside the new SH41 to an outfall in the swamp near the oxidation ponds. The impact of this diversion is reviewed in chapter 10. A related concern was the design of the ‘cross-over’, where the Tokaanu River was to be carried across the tailrace so that there would be minimum disturbance to trout during the spawning season from June to November.

The prospect of a fishery reserve five chains wide on each bank of the Tokaanu River from the source to the tailrace was raised at the 20 September 1964 meeting of owners. Some concern was expressed about the need for such a large

reserve and the subsequent loss of grazing land, and the matter was deferred for discussion with the Department of Internal Affairs. In May 1965, the Ministry of Works had identified an area proposed for a fishery reserve as part of a review of land requirements for the TPD. The Ministry undertook to survey the area but had no authority to acquire it. The District Commissioner of Works advised the Secretary for Internal Affairs in September 1965 that, because the reserve was not essential to the TPD, it would be up to Internal Affairs to obtain the necessary authority and finance to acquire it under the compulsory provisions of the Public Works Act 1928 (B8(a):162).

There was no immediate action but, in July 1967, the Valuation Department in Rotorua was asked to supply an assessment of the 330 acres required for the fishery reserve. It may be that the total assessment of capital value at \$16,300 (B8(a):168) discouraged the taking of the whole area. In May 1968, Internal Affairs sought a valuation of 17 acres on the right bank of the Tokaanu River. A fence was constructed here in December 1965 to keep out poachers. By this time, it had been decided that part of the left bank of the Tokaanu River suggested as a fishery reserve would be incorporated with the proposed water supply reserve. In July 1968, the Minister of Works, Percy Allen, wrote to the Minister of Internal Affairs, David Seath, advising that, since fish hatcheries in excess of 20 acres could not be compulsorily acquired under the provisions of the Public Works Act 1928, negotiations should be initiated with the owners by the Department of Lands and Survey under Part XXIII of the Maori Affairs Act 1953 (B8(a):170).

A report to the Minister of Internal Affairs from the secretary suggested that it was essential to acquire the 17-acre area, and very desirable to obtain control of the

larger area in the longer term. In April 1969, approval was given to have Lands and Survey negotiate the purchase of the 330 acres for the sum of \$16,300 (to be paid for by Internal Affairs). In July 1972, the Secretary for Internal Affairs reported that the land purchase officer of the Department of Lands and Survey had been 'endeavouring to negotiate with the owners of the land for its purchase', but it was evident that the negotiations would 'take a considerable time to finalise . . . In fact he is finding a strong reluctance . . . to enter into any negotiations for the sale of the land' (B8(a):174). Up to this time, the Ministry of Works still held the Board of Maori Affairs lease that had been purchased from Arthur Grace, which included part of the area proposed for the fishery reserve. The Department of Internal Affairs investigated the possibility of taking over this lease, but there were some difficulties because only part of the leasehold was required. Internal Affairs had made a contribution towards the rent in recognition of its occupation of part of the leased area. This arrangement was maintained until the Ministry of Works terminated the lease in 1979. During the late 1980s, the Department of Conservation (to which the Wildlife Service was assigned following the restructuring of Government departments in the mid-1980s) reached an agreement with the owners of Waipapa 1L and 1M to lease an area of about five hectares on the right bank of the Tokaanu River with access by a right of way.

7.5 THE TOKAANU POWER STATION AND TAILRACE

7.5.1 The areas of land taken by the Crown

The construction of the Tokaanu Power Station and tailrace comprised the second stage of the TPD and impinged on the area described in the First Schedule to the Turangi Township Act 1964. In July 1965,² Gibson set out the areas he considered were required to be taken for the Tokaanu project:

In the vicinity of the powerhouse most of the flatter land is swampy and it may be necessary to reclaim parts of this land in order to provide a suitable area for the site industrial facilities. The boundaries in the surge tank-powerhouse area have been chosen such that adequate areas for tunnel and powerhouse spoil are available . . .

Excavation from the tailrace by dredging will require all of the land shown on the west side of the tailrace for spoil disposal. This will cause the area between Tokaanu township and the tailrace to be raised perhaps 3–4 feet and provision will have to be made for stormwater drainage of this area along the western boundary. The boundary has been chosen to avoid

Turangi Township: Further Developments

intensely subdivided areas where possible. It is not planned to dispose of spoil on the right side of the tailrace and no land, other than a nominal strip 3 chains wide, has been included in the area to be taken.

The excavation of the drainage channel will necessarily involve the temporary occupation of the area bounded by the oxidation ponds, the Tongariro River and the Tokaanu tailrace, and this area has been shown as being taken to form a wildlife refuge. (B9(a):1)

The areas referred to are shown in figure 24. At this stage, Sir Alexander Gibb and Partners had designed the tailrace to go further east of its eventual location, to join up with a proposed 'drainage channel' intended to take any overflow from the Tongariro River. The tailrace route was subsequently shifted westward, causing the destruction of the pa and urupa at Te Waiariki (see paras 8.4, 8.5). Part of the tailrace and construction area for the Tokaanu Power Station, but not the powerhouse itself, was within the area described in the First Schedule to the Turangi Township Act. In due course, the lands occupied by the power station, the penstocks, the surge chamber access road, and the tailrace between the powerhouse and Maunganamu were taken under the Public Works Act 1928 for electricity generation purposes.¹³

Over several months in 1965, there was consultation between the Ministry of Works and other Government departments, particularly Internal Affairs, and some debate over the potential use of the reclaimed area to the west of the tailrace between Maunganamu and Lake Taupo. Agreement was reached with Internal Affairs about a wildlife reserve to the east, but concerns expressed about the impact of the proposed drainage channel led to it being dropped from the plans. The means of Crown acquisition of the area had yet to be determined. The Commissioner of Works had responded to Gibson's report on land requirements (see para 5.4) by pointing out that

section 311 of the Public Works Act 1928 and the 1958 Order in Council gave powers of entry for construction purposes but that taking 'land permanently however is another matter altogether'. He noted that the Electricity Department would want minimum areas only and that, if Internal Affairs or the local body wished to acquire the occupied area for recreational or other purposes, this would be 'a separate matter altogether which will have to be dealt with under different approvals' (B9(a):5).

Attention was focused initially on the Crown's acquisition of the area needed for the tailrace and the area between it and the Tokaanu village which would be used for dumping spoil. This reclaimed swamp area would then be developed for recreational purposes, and a marina, golf course, motel, and camping ground were to be sited there. In November 1965, a committee of officials representing the Ministry of Works, the Electricity Department, and the Departments of Internal Affairs, Tourist and Publicity, Lands and Survey, and Maori Affairs 'agreed that the Crown should acquire the land on which the spoil from . . . the tailrace was to be deposited and that the Department of Lands and Survey should be requested to undertake the necessary investigation and negotiations' (B9(a):9). The area involved was estimated to be about 200 acres. According to the officials' committee, the rationale for the Crown's acquisition of a much larger area than was needed for the tailrace was that:

It could serve as a recreation area for the new town at Turangi and also meet some wildlife and tourist needs, and the Crown would thereby benefit from the betterment of the land. While the acquisition of the land did not come within the field of the power project as such, the Crown was creating the new town and had a definite responsibility to provide recreation facilities. (B9(a):8)

By mid-1966, the Crown's land acquisition proposals had expanded to the purchase of some 1075 acres, comprising all the swamp lands between the Tokaanu village and the Tongariro River. A proposal was prepared for circulation among Maori landowners. Three areas were indicated. Area A was the strip required for the

tailrace, which could be taken by proclamation under the Public Works Act 1928 if negotiations to purchase failed. Area B was the proposed recreation area of some 270 acres between the tailrace and the Tokaanu village, which would be administered by the Department of Lands and Survey. It was felt that the Crown's acquisition of this area was essential for its development 'as the finance required to undertake such a major project could only come from Government' (B9(a):10-11).

Area C, between the tailrace and the Tongariro River, comprised some 700 acres and was described as 'mostly undevelopable swamp'. It was to be retained in its natural state as part of the Tongariro River flood control scheme being worked on by the Waikato Valley Authority, but precise details of the 'river protection works' had not yet been decided. The Crown's proposal explained that, upon the completion of works in this locality, the Department of Internal Affairs' Wildlife Service was interested in taking over the swamp lands as a wildfowl habitat, safeguarding breeding and controlling shooting. The Crown's main intention in doing this, the proposal continued, was to put to use land which, 'if left in its present state, has no potential at all'. It was felt that the proposed use would ensure the natural ground cover did not deteriorate, thus lessening the threat of flooding to nearby areas (B9(a):11).

7.5.2 16 July 1966 meeting

A meeting was held at Tokaanu on 16 July 1966 to consider the Crown's proposals. In attendance were officials from the Ministry of Works, the Departments of Lands and Survey, Internal Affairs, and Maori Affairs, and the Taupo County Council. The meeting was chaired by Jack Asher 'and some 25 people were present, presumably affected land owners' (B9(a):16). Much of the discussion was in Maori and was not recorded in the Ministry of Works' summary of the meeting, but it was clear that the Maori owners present were not in favour of the proposals. The summary records that the owners accepted the sale of area A as inevitable, but felt that the sale of area B was unnecessary but they would allow the Ministry of Works to dump spoil there. The proposed sale of area C 'seemed to meet with the greatest resistance'. Since the area was already a shooting area, the owners could see no point in selling it so that it could become a controlled shooting area (B9(a):17-18).

Turangi Township Report 1995

Crown officials pushed the potential for tourism and the attraction of a marina and accommodation and sporting facilities. 'However, the land owners were very little impressed by this argument' (B9(a):18). The suggestion was made that an exchange of land might be considered, and more information was needed both on the prospects for residential development and on the precise area required for the tailrace works. The report on this meeting that was sent to the Commissioner of Works concluded with the following comments:

The owners' reluctance to sell is caused by four factors:

- (a) **Sentiment: attachment to ancestral ground;**
- (b) **Suspicion: we asked them to sell the land for Turangi Village. Now we ask for a second lot. When is it going to stop?**
- (c) **Irritation: they have not received any money yet for Turangi village.**
- (d) **Self Interest: Possibilities of residential development on reclaimed land. As servicing will be expensive and exclusion of enrichment of the lake impossible this must be resisted. (B9(a):18)**

7.5.3 24 September 1966 meeting

Another meeting was called for 24 September 1966. It was attended by Crown officials from the various Government departments and an unrecorded number of Maori owners. The Crown was interested in acquiring all the land between SH41 in the Tokaanu village and the Tongariro River, but the higher ground suitable for farming around the oxidation ponds could be leased back. This was currently farmed by William (Ned) Church. The same arguments about attracting tourists to the southern end of Lake Taupo by providing appropriate facilities in the Tokaanu area

were traversed. However, the possibility of negotiating an exchange was put by the Lands and Survey representative, Graeme Crocker, and much of the discussion focused on this. It was also suggested by the local people that part of the swamp should be retained 'for Maoris only so that they can continue duck shooting in this same area' (B9(a):22). Concerns were also raised about wahi tapu; in particular, the burial places in the lagoon. Because the water was so deep, it was felt that the recovery of remains and reinterment elsewhere was impossible and the entire area should be excluded and set apart as a burial ground (B9(a):22).

Pat Burstall was not happy about this, 'as his department's activities concerning Wild Life would be restricted'. Crocker indicated that 'it could be done provided it can be definitely defined on the ground'. The Crown officials retired for a time while the Maori owners discussed the proposals. No decision was made but there was acceptance that work on the tailrace would proceed anyway. The owners felt, though, that more time was needed for them to discuss the future of their lands. An assurance was also sought that an exchange of Crown lands on the Hautu block could be negotiated, as well as an assurance by the Crown 'that the burial ground in the deep waters of the lagoon be left intact and others reinstated' (B9(a):23).

When they returned, the officials agreed that more time was needed and another meeting was set for 29 October 1966. It was also suggested by Lands and Survey that there should be either an outright sale to the Crown or an exchange, but not a combination. The Ministry of Works gave an assurance that any burial grounds disturbed by the tailrace construction would be reinstated elsewhere and that, if the area could be properly defined, the burial ground in the lagoon would be set apart. Burstall agreed, provided the area was about three to five acres, as stated by Fearon Grace (B9(a):24).

Gibson was not happy about Lands and Survey's 'all or nothing' attitude, maintaining that if people were prepared to sell, the Crown should purchase and an exchange should be negotiated with the rest. He suggested to the Minister of Works that 'If we could get Lands and Survey to agree to this more flexible attitude negotiations might go smoother'. He also stressed that any reclaimed land at Tokaanu should be zoned recreational rather than residential, because any residential development would incur prohibitive water supply and sewerage costs and 'become a liability on the rest of the community'. Similarly, he continued, any attempts to establish motels should be resisted (B9(a):26).

7.5.4 29 October 1966 meeting

Another meeting between Crown officials and Maori owners was held on 29 October 1966, but no decision was made on the sale or exchange of land. Much of the discussion was taken up with the westward shift of the tailrace route and the fate of the pa and urupa at Te Waiariki (see paras 8.4, 8.5).

A joint planning committee, comprising the Taupo County Council and several Government department representatives, was set up in December 1966 and reported in April 1967. Among other things, the committee recommended that the Tokaanu swamp lands should be acquired by the Crown for the proposed lakeshore reserves 'as a matter of urgency' (B2(a):247).

The pressure was thus increasing on the Maori owners to accept the Crown's acquisition of this area. In October 1966, work on excavating the tailrace had begun at the power station end, and this proceeded through 1967 in the section curving around Maunganamu. Little progress was made on negotiating the acquisition of the swamp lands, but Lands and Survey was actively investigating possible Crown lands which could be used in an exchange. On 24 March 1969, Cabinet authorised Lands and Survey to negotiate 'for the exchange of up to 750 acres of Maori land in the Tokaanu area, including that required for the Tokaanu tailrace' (B9(a):42). Further investigation of the marina and golf course proposals (see para 7.5.1) was to be carried out by an interdepartmental committee. On 20 April 1970, Cabinet authorised Lands and Survey 'on behalf of the Crown to negotiate the acquisition by way of exchange of all the Maori-owned land' between the Tokaanu village and the Tongariro River (B9(a):42).

7.5.5 Tailrace excavation by draglines

In December 1970, the Minister of Works advised Cabinet that the tailrace excavation should be completed by the use of draglines, which had been used on the work to date, rather than by dredging the Lake Taupo end of the tailrace, as previously suggested. This was the best method for dealing with trees buried in the swamp or with geothermal water and steam, which had already been encountered near the power station (B9(a):43). However, a dragline operation meant that spoil would be dumped in a bund on either side of the tailrace, and additional costs would be incurred in shifting the spoil for the swamp reclamation. Because it had now been decided to build a bund on the eastern side, there would be less spoil available for reclamation on the western side, where the golf course was to be located. The Minister of Tourism was concerned about the abandonment of the golf course proposal, but, on both technical and cost grounds, the Ministry of Works settled for the dragline operation for the whole tailrace excavation.

7.5.6 Trustees appointed

By mid-1970, agreement was reached on the 'Tokaanu swamplands exchange' (fig 25). The negotiator for the Crown was Graeme Crocker of the Department of Lands and Survey. On 11 December 1969, the Maori Land Court appointed nine trustees (John Grace, Pat Hura, Katerina Wikaira, John Asher, Takutai Turoa, Lang Grace, Fearon Grace, Robert Biddle, and Mihimamao Te Rangitū) under section 438 of the Maori Affairs Act 1953 to negotiate an agreement to exchange the Tokaanu lands with other Crown lands, a proposal described by the court as a 'commendable one'.¹⁴ Some of the sections in the Tokaanu village were Maori reserved lands, which were administered by the Maori Trustee, and these had to be revested in the trustees, who took over the existing leases in some cases. Some of the Tokaanu blocks were still administered by the Board of Maori Affairs under Part XXIV of the Maori Affairs Act and were leased to Ned Church, who was farming there. The exchange agreement reached was a complex one, and the trustees were advised by Russell Feist, the Tuwharetoa Maori Trust Board's solicitor. The details need not be reviewed here, but they involved the exchange of the Tokaanu swamp lands for Crown lands in the Hautu block on the other side of the Tongariro River (which had been part of the Tokaanu development scheme and were now leased by Lang Grace) and a substantial area of land in the Opawa–Rangitoto and Tauranga–Taupo blocks (which are now part of the Maori-owned Lake Taupo Forest). Exchange orders completing the transaction, subject to survey by the Crown, were issued by the Maori Land Court at a sitting at Tokaanu on 8 July 1970.¹⁵

Turangi Township Report 1995

References

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1. *New Zealand Gazette*, 1985, p 251
 2. *Ibid*, 1974, p 2132
 3. B Cooper, *Te Mata o Tauponui a Tia: The Head of the Lake*, Turangi District Historical Society, 1982, p 123
 4. D J Shaw, M Fletcher, and E J Gibbs, *Taupo – A Treasury of Trout*, Taupo, Department of Internal Affairs: Wildlife Service, 1985, p 11
 5. *New Zealand Gazette*, 1974, p 1649; 1975, p 364
 6. *Ibid*, 1987, p 636
 7. *Ibid*, 1966, p 1487; 1971, p 286
 8. *Ibid*, 1939, p 1142
 9. *Ibid*, 1926, pp 2895–2896
 10. M Davenport (et al), *Tongariro River – Overview*, Hamilton, Waikato Catchment Board, 1988
 11. E Best, *The Astronomical Knowledge of the Maori*, Dominion Museum Monograph No 3, Wellington, Government Printer, 1922, p 40
 12. J Te H Grace, *Tuwharetoa: The History of the Maori People of the Taupo District*, 2nd ed, Wellington, Reed, 1970, p 160
 13. *New Zealand Gazette*, 1974, p 414
 14. Tokaanu Maori Land Court minute book 49, pp 292–293
 15. Tokaanu Maori Land Court minute book 50, pp 26–30