

2 ISSUES FOR TANGATA WHENUA

2.1 Introduction

Toitu te marae o Tane
Toitu te marae o Tangaroa
Toitu te iwi.

***If the domain of Tane survives to give sustenance,
and the domain of Tangaroa likewise remains,
so too will the people.***

Over many centuries, Maori forged a close relationship with the environment and developed a sophisticated set of resource management practices that sustained people and natural resources over succeeding generations. Since 1840, Maori systems of resource management have seldom been recognised by European approaches to resource management and planning.

As a first step towards redressing the balance, this Plan incorporates issues of importance to Maori into resource management practices. Where the potential exists for significant cultural values to be compromised, Maori have been included in the resource consent process. For example, excavation or development of wahi tapu/sacred sites is an issue of great concern to tangata whenua who may wish to impose constraints or prohibitions on such activity. Maori wish to be involved whenever activities have the potential to affect Maori interests and aspirations.

Maori precincts, sites and tracks are included on the District Plan Maps to indicate the historical Maori presence on the land. Maori resource management concepts will eventually be refined and applied more widely. Where iwi management plans are developed, these too, will be used to expand the role of tangata whenua and Maori in the management of Wellington. An Iwi Management Plan will be produced for the Wellington area during the life of this Plan.

Maori participation in resource management offers an opportunity to add another dimension to the systems that govern how Wellington's natural and physical resources are used. The exercise of tino rangatiratanga and kaitiakitanga offer different cultural perspectives, but the goals of these concepts in physical terms are the same as those for sustainable management: to sustain people and resources into the future.

The addition of a more explicit spiritual connection to resources and resource use provides for a wider appreciation of tangata whenua and Maori interests and expands the management of resources beyond purely physical constraints.

The following sections provide an introduction to the connections that tangata whenua and Maori have with the land through mythology and through the important role of history, a whakapapa/genealogy of the land. They will be used to assist Council in its interpretation of Maori issues.

2.2 Maori Values and Environmental Management

2.2.1 Maori Version of Creation

Maori beliefs about the way the natural world was created explain the philosophy behind the strong conservation ethic within traditional Maori society.

Maori tradition has it that all elements of the natural world are related through whakapapa/genealogy. The Maori world was created through the union of Ranginui (Skyfather) and Papatuanuku (Earthmother). In the beginning, these primal parents lay clasped together, and bore many children who became atua/deities. The first-born, Tane Mahuta, grew tired of living in the dark, cramped space between his parents. With his feet placed against Rangī and his hands braced against Papa, he forced them apart, creating the space between earth and sky. He and his siblings, including Tangaroa, Tawhirimatea, Haumia and Rongo escaped into Te Ao Marama/the world of light.

The atua began to fight for dominance. Tangaroa became god of the sea. Tawhirimatea decided to remain with his parents as the god of war, and Haumia and Rongo became the gods of wild and cultivated foods.

Tane's dominion was the trees, birds, insects and living things. He succeeded in creating human life, fashioning a female figure from earth, and breathed life or mauri into her nostrils.

There were seventy atua/deities in all, each with their own domain. These atua became the first kaitiaki/guardians of the domains of the natural world.

This view of creation embodies both the spiritual and physical elements of the natural world: the earth representing those beings that are transitory, and the sky the realm of the undying.

2.2.2 The Domains of Atua and the Maori Environmental Management System

The domains of atua provide linkages across resources, giving the basis for a holistic approach to environmental management. The Maori environmental management system was fully operational throughout Aotearoa at the arrival of Europeans. The system of management was gradually replaced by the influence of colonisation, but elements of the system persist today, along with much of the ethos and ideology. There is, however, a marked reduction in practice. One part of the system which has persisted in this context is the practice called **kaitiakitanga**.

2.2.3 Kaitiakitanga

Kaitiakitanga or guardianship is inextricably linked to tino rangatiratanga and is a diverse set of tikanga or practices which result in sustainable management of a resource.

Kaitiakitanga/guardianship involves a broad set of practices based on a world and environmental view. The root word is *tiaki*, to guard or protect, which includes the ideas and principles of:

- guardianship
- care
- wise management

- resource indicators, where resources themselves indicate the state of their own mauri.

The prefix *kai* denotes the agent by which *tiaki* is performed. A *kaitiaki* is the person or other agent who performs the tasks of guardianship. The addition of a suffix brings us *kaitiakitanga* or the practice of guardianship, and contains the assumption that guardianship is used in the Maori sense meaning those who are genealogically linked to the resource.

Kaitiakitanga is practised through:

- maintaining *wahi tapu*/sacred sites, *wahi tupuna*/ancestral sites and other sites of importance
- the management and control of fishing grounds
- good resource management
- environmental protection through formal processes such as the Waitangi Tribunal or informal ones such as protesting the dumping of raw sewage adjacent to *wahi tapu*/sacred sites.

Kaitiaki can be *iwi*, *hapu*, *whanau* and/or individuals of the region. Whilst tribal authorities themselves may not be considered *kaitiaki*, they can represent *kaitiaki* and can help to identify them.

2.2.4 Mauri

Through the creation process, divine forces visited the domains of the *atua*/deities, giving them a life force principle or *mauri*. This life essence, which is found in both animate and inanimate resources, is important to Maori for two reasons: firstly it holds a binding force that is able to inter-relate one resource to every other element in the natural order (including people), and secondly it binds the resource to the spirituality of the gods. Despite the diversity of all forms of life and the natural world, it is unified through *mauri*.

Tikanga/practices were observed to maintain the *mauri* of parts of the natural world. These *tikanga* evolved into the ethic of *kaitiakitanga*. Complex sets of *tikanga* were developed in relation to resources. These are largely based on spiritual notions such as *tapu* (sacredness) and *rahui* (temporary restriction), both of which imply some form of prohibition. They were grouped by their sphere of significance.

taha wairua - spiritual significance

taha hinengaro - intellectual significance

taha tinana - physical and economic significance

taha whanaunga - social and cultural significance

The major objective of the Maori resource management system is to sustain the mauri of resources.

2.2.5 Taonga

Within the domains of *atua* there are a variety of sites, resources, environmental phenomena and cultural institutions that are of particular significance to *tangata whenua*. The term *taonga* is used in section 6(e) of the Act and in Article 11 of the Treaty. *Taonga*/treasures encompass all things tangible and intangible and derive their meaning at both the physical and spiritual levels. At a spiritual level *taonga* include the three great states of reality: *Te Korekore* (the void), *Te Po* (the night) and *Te Ao Marama* (the world of light) and all that was created out of those states. At a physical level, *taonga* include *papatuanuku*/land, *moana*/waterbodies and *wai*/water.

Papatuanuku

Toitu te whenua

Whatungarongaro he tangata

The land persists even when the people have disappeared.

Land is the basis of much of Maori ideology. A Maori viewpoint should be sought wherever decisions are made about a particular land use which may result in erosion or may reduce, or even negate, the land's capacity to support life. It should also be remembered that the land - *Papatuanuku* - possesses the capacity to regenerate water polluted or made *tapu* by human waste.

Associated with land are such things as *wahi tapu*/sacred sites, *wahi tupuna*/ancestral sites and other sites of significance or importance. These sites in and on the land constitute a major element of Maori heritage and decisions about the use of land or water should aim to respect and conserve them.

Moana

Moana is a word that can denote large bodies of fresh water, or as *Te Moana-nui-a-Kiwa*, the open sea. *Moana* derives its *mana atua*/divine authority from *Tangaroa* who holds dominion over the sea. The sea is the food basket of the people. Practices and uses that would defile the *mauri* and the *mana* of the sea are abhorrent. The discharge of pollutants into the sea is an obvious example.

Wai

Water is a very significant resource to Maori, and plays a central role in both the spiritual and physical worlds and has an ability to bond or unify. The creation myths tell the Maori that the lineage of their unique relationship with the environment, and how it is perceived, is the living, breathing, delicate source of life. They also explain the connection that Maori have with the divine forces inherent in the environment.

Mauri (or life essence) in relation to water means life and the living. Water has the capacity to generate, regenerate and uphold creation. Because of this, all living things (including people) in the water and its environs are dependent on the *mauri* for their well-being and sustenance. There are various qualities of water, each with a different "*mauri*". *Waiora* is water in its purest form and is used to *whakanoa*/lift *tapu* off objects or people.

Waimaori/ordinary water and *waimate*/polluted water do not hold the same values. Each water type is seen as a *taonga*/highly prized possession, and is sacred due to the potential prosperity it can give to Maori associated with it.

The *mauri* of each waterbody is a separate entity and cannot be mixed with the *mauri* of another.

2.2.6 Summary of the Maori Environmental Management System

The goal of environmental management is the maintenance of *mauri*/life essence through the exercise of *kaitiakitanga*/guardianship. Sustainable management involves sustaining the *mauri* of natural and physical resources.

The Maori environmental management system was developed by a system of trial and error over at least one thousand years. It is based on the spiritual beliefs of Maori, starting with the understanding of creation. In maintaining the mauri within the domain of atua, a set of cultural practices were developed and became the tikanga/practice of tribal groups. There are some similarities of tikanga across tribes and some significant differences or variations.

Tikanga used the concepts of tapu (sacredness or beyond common usage) and rahui (temporary restraint on use, or timeliness of harvest) which are common to all tribes with variations on the way in which they are used. Tikanga sought to unify the elements of all things in a holistic way so that there were not significant separations of te taha tinana/the physical plane, te taha hinengaro/the intellectual plane, te taha wairua/the spiritual plane and te taha whanaunga/the social and cultural plane.

The Maori environmental management system is complex, and tikanga is a developing process able to adapt to modern circumstance.

2.3 Matters of Resource Management Significant for Tangata Whenua

The Resource Management Act has over 30 sections which require the Council to consider matters of significance to tangata whenua. The most important of these are:

- the principles of the Treaty of Waitangi and their application to the management of resources [section 8]
- recognition and protection of Maori and their culture and traditions with their ancestral lands, waters, sites, wahi tapu and other taonga [section 6(e)]
- having particular regard to the exercise of kaitiakitanga or the iwi's exercise of guardianship over resources [section 7(a)]
- recognition of any planning document recognised by an iwi authority [section 74(2)b]
- the obligation to consult with iwi over consents, policies and plans [all the sections cited].

2.3.1 Principles of the Treaty of Waitangi

Much has been written about the raft of principles of the Treaty of Waitangi which have been enunciated by, amongst others, the Court of Appeal, the High Court and the Waitangi Tribunal. This is a developing area of understanding and new principles will be deduced as further understanding of the implications and intent of the Treaty is developed.

What follows is a list of principles which are of primary significance for the District Plan process. This list will provide guidance for practitioners and decision makers in the interpretation of Section 8 of the Act.

The Principle of Mutually Beneficial Relationship

This includes the duties to act reasonably and in good faith. Both iwi and the Council have a duty to interact in the best possible way with reason and respect. This implies a partnership that is fundamental to the compact embodied in the Treaty of Waitangi. This principle underscores the nature of the relationship between the Council and the iwi and hapu of Wellington.

The Principle of Active Protection

This has been identified by the courts to ensure that Maori interest in resource management is not simply a passive one but is in all senses active. Providing active protection implies providing adequate resourcing for tangata whenua in resource management activities.

The Principle of Tribal Self-Regulation

This recognises that Maori could retain responsibility and control of the management and allocation of those resources over which they wish to retain control.

Applying this principle takes the various levels of government towards a recognition of the exercise of tino rangatiratanga by tribal groups.

The Principle of Consultation

This is seen now more as a duty, rather than a principle. Consultation, in this context, does not mean simply informing tangata whenua of impending actions, but implies duties derived from actioning the previous principles. The duty is an active one, requiring the Council to consult early and in good faith, as is implied in the principle of a mutually beneficial relationship. Consultation involves:

- a genuine invitation to give advice and a genuine consideration of advice given
- providing sufficient information and allowing enough time for the consulted party to be adequately informed, to appraise the information and make useful responses
- keeping an open mind, being ready to change and seeking consensus.

The Principle of Shared Decision-Making

This principle is derived from the requirement to balance the kawanatanga/ governance role of Article I of the Treaty and the rangatiratanga role of Article II of the Treaty. This requires Council to allow tangata whenua to be a full party in the decision-making process.

The Principle of Development Rights

The Waitangi Tribunal in both the Muriwhenua Fishing Report 1988 and the Ngai Tahu Fisheries Report (1992) point out the Crown's acceptance of the right to employ new techniques, knowledge and equipment for commercial purposes. The principle here is that Maori are not bound, in the exercise of rangatiratanga and kaitiakitanga, to solely those methods and technologies available at the time of the signing of the Treaty of Waitangi, but have the right to take advantage of new technology. Examples of this would include having modern building forms on marae complexes, or using computers to teach the Maori language.

2.3.2 Giving Effect to the Principles of the Treaty in the District Plan

2.3.2.1 The tangata whenua are not merely an interest group, but are Council's partner. A relationship between Council and tangata

whenua needs to be maintained throughout all the activities of Council. In the further refinement and development of this Plan, tangata whenua will be assisted so that they may become a full party to the process.

- 2.3.2.2 Active protection would extend not only to matters related to the recognition and protection of wahi tapu/sacred sites, urupa/burial grounds and sites of significance to tangata whenua, but also to pro-active policies related to the maintenance of tangata whenua culture and identity. Pro-active policies in relation to marae, papakainga (housing on ancestral land or traditional housing areas) or whanaungatanga housing (kinship grouping of houses allowing extended family groups on a single site) and the like would be carefully developed with the cooperation of tangata whenua.
- 2.3.2.3 Rangatiratanga, or the unqualified exercise of chieftainship, would be recognised and provided for in such things as the management and control of selected resources. The particular resources and type of control would be identified by tangata whenua in consultation with Council. Matters to be identified would include the management and control of wahi tapu/sacred sites and wahi tupuna/ancestral sites, and the appropriate form of management and planning for adjacent areas.
- 2.3.2.4 Consultation will be guided by a Resource Management Strategy to be produced by tangata whenua. This will provide detailed guidance to resource managers on matters of significance to tangata whenua. This will allow a measure of practicality in matters of consultation by identifying matters of importance to tangata whenua. The Resource Management Strategy will be a "planning document" for the purposes of section 7(a) of the Act.

2.3.3 Resource Management Issues and Tangata Whenua

Three issues are of particular concern to the tangata whenua of Wellington City: water, pollution and sacred sites. Water quality and quantity are a major issue for tangata whenua. Water to Maori is more than just the lubricant of life. It is the medium by which things are made useable by people. Fresh water and the waters of the harbour are equally important. There is therefore a strong support for adopting the best practical options for sewage treatment, with a definite preference for land-based treatment of both human and industrial waste.

Discharges of untreated sewage, offfal and various waste products into the harbour, rivers and the sea have consistently offended Maori. Regular protests have been recorded over the past 150 years. Efforts to return the waters to a state acceptable to Maori and appropriate to the status of Wellington as the capital city will be supported.

Wahi tapu/sacred sites, wahi tupuna/ancestral sites and other important sites in and around Wellington have been severely modified over a period of time and there is little evidence of their original location or condition. Te Atiawa together with their Ngati Toa allies occupied various areas around the harbour, formerly the domain of earlier tribes. The tangata whenua have a duty to ensure that the wahi tapu of all the tribes who have lived in Wellington are given proper recognition.

2.4 The Maori History of Wellington

The Maori history of Te Upoko o Te Ika a Maui (the head of the fish of Maui), the historic name for the Wellington area, is a complex one and a number of tribes have a claim to be regarded as tangata whenua.

About 950 AD, Kupe was the first Maori to visit this area, and he named many places in and around Wellington harbour. A few examples of these are Te Tangihanga-a-Kupe (Barrett's Reef), Te Turanganui-a-Kupe (Seatoun Beach), Te Aroarao-a-Kupe (Steeple Rock), Matiu (Somes Island), and Makaro (Ward Island).

Kupe and his people did not stay to populate the area but returned to Polynesia. The Wellington harbour area has been occupied by a number of tribes, often in succession. At times, different tribes were living there simultaneously. At other times, areas around the harbour were not occupied at all.

Tribes from the area sometimes moved out for political or territorial reasons or were forced out. Tribes from the north, east and west coasts moved south because of increasing pressure on land coupled with an urge to explore and control new territory. The east coast tribes were the first to move south, encountering early tangata whenua who probably never described themselves as tribes. Ethnologists subsequently called them "moa hunters" or "kahui-tipua". The most complex and turbulent time was the period of European arrival in and around the area at the beginning of the nineteenth century until the time of the arrival of the New Zealand Company settlers in 1839.

Tautoki, the Rangitane tribe which he founded, occupied the Wairarapa with their boundary up the Heretaunga River (Hutt River) and along the Taranaki range. Between 1700 and 1800 his brother Tara and the Ngai Tara occupied the area to the west and the southern coast. The harbour itself is named for Tara - Te Whanganui a Tara/Tara's great harbour.

Ngati Mamoe of Napier and Ngai Tahu of Wairoa are said to have co-existed around the harbour with the Ngati Ira people in the late 16th or early 17th century.

Although Ngati Ira were considered to have been absorbed into Ngati Kahungunu some went south. At the time of the arrival of the last of the Taranaki tribes in 1832, people of Ngati Ira were still resident in this area. Ngati Kahungunu were finally driven from this area just prior to the arrival of the settlers. They followed their Ngati Mamoe relations who had already been forced to leave for the Wairarapa and the Eastern coastlines by Taringa Kuri and Ngati Tama and Ngati Mutunga.

Ngati Toa Rangatina first came to Te Upoko o Te Ika with Nga Puhī, Ngati Whatua and Te Atiawa in the taua/war party of 1817 and subsequently migrated from Kawhia, arriving in Ohau around 1822. Ngati Toa quickly established prominence along the Kapiti Coast and on Kapiti Island. Ngati Toa's occupation of Kapiti Island gathered in strength as they moved and settled along the coast from Pukerua Bay south, and their excursions into the South Island reaffirmed Te Rauparaha's unquestioned dominion over the southern part of the North Island and the northern part of the South Island.

Just prior to 1840 the history was one of strengthening the foothold of the Taranaki tribes around the environs of the Wellington harbour, although Ngati Mutunga held substantial sway in the area from 1819 onwards. It should be noted that the special relationship between the Taranaki tribes and Ngati Toa by way of whakapapa, by way of intermarriage, by common interest and, above all by alliance in war, served to secure the occupation of the Taranaki tribes in the environs of Te Whanganui a Tara, and similarly of Ngati Toa in the greater Wellington region.

The net result of all this is an extraordinarily complex situation where the term "tangata whenua" needs to be couched in historical context.

2.4.1 A Brief Colonial and Post-Colonial History

The Treaty of Waitangi was signed at Wellington on 29 April 1840 by thirty-four signatories, including Te Rau o te Rangi who is also of Ngati Toa descent. The chiefs in Taranaki did not sign the Treaty, so when the paramount chiefs in Wellington signed, it effectively brought their Taranaki kin into the Treaty.

Maori and European settlers began to co-exist in the early 1840s, when rapid colonisation surprised the tangata whenua. The transfer of the original colony from the Hutt delta to the flood-free regions in what is now Wellington had a profound and lasting effect on the people of the pa in Wellington, in particular Te Aro Pa, Kumutoto, Pipitea, Pakuao, Tiakiwai and Kaiwharawhara.

Te Atiawa have occupied the area continuously from 1819 through Ngati Mutunga to the present day. Te Atiawa is the name for a confederation of tribes in northern Taranaki (Taranaki, Atiawa, Ngati Maru, Ngati Mutunga and Ngati Tama. Further the confederation pledged its loyalty to the prophet Te Whiti O Rongomai. This is important in the context of the settlement of Wellington because Ngati Toa pledged their loyalty to Te Rauparaha. Te Atiawa had to change more radically than most other tribal groups as a result of the rapid influx of colonial settlers. Their large areas of gardens and horticulture supplied the new colony with primary produce for a period of nearly twenty years, which gave way to pastoral farming, which was in turn overtaken by industry, commerce and general urban expansion.

The period from World War I to the present time has been a time of the migration to the city. Thousands of Maori came from other parts of New Zealand to work and live in Wellington City. The tangata whenua welcomed those manuhuri/visitors as they had the European settlers over a hundred years before.

Pipitea Marae is now the only functioning tangata whenua marae left in Wellington City. Situated on the original Pipitea Pa site on what is now Thorndon Quay, it dates back to one of the earliest occupations of Te Atiawa/Taranaki in Te Whanganui a Tara, preceded by Ngati Mutunga at Te Aro Pa.

Urupa/burial grounds, wahi tapu/sacred sites and other sites of significance have been largely destroyed or overbuilt in this area, but a number remain to confirm the continuing presence of the present day tangata whenua in the Wellington District.

2.5 Tangata Whenua in the Landscape

Maori believe that it is important to recognise clearly that the present is shaped by the past. In Maori terminology, we go into the future with our past before us.

Little of the Maori landscape is left visible in Wellington and what is left is extremely valuable to the whole community. A landscape exists, however, which is not visible and which relates to certain sites whose mana or standing remains even after their physical manifestation has disappeared. These are the places of the Maori ancestors, the wahi tapu and wahi tupuna. Principal among these are pa sites, some of which persist today in name only. The pa site which is currently occupied is Pipitea Pa, now partially occupied by Pipitea marae in Thorndon Quay.

Some former pa sites are currently unoccupied. These include:

- Te Aro Pa: Part of the original site is now occupied by Te Aro Park.
- Kumutoto Pa: This pa, which stood near today's Woodward Lane, was occupied by the chief Ngatata-i-te Rangi of the Taranaki tribe.
- Kaiwharawhara Pa: This pa at the mouth of the Kaiwharawhara Stream was occupied early in Atiawa settlement by the Ngati Tama chief Te Kaeaea (later called Taringakuri).
- Ngahauranga Pa: This small pa, the site of a principal tauranga waka/canoe landing site, was the pa of the chief Wharepouri.
- Pakuao Pa: This pa, located near the end of Tinakori Road as it joins Thorndon Quay, was used as a visitor pa.
- Tiakiwai Pa: This was another visitor pa located along Thorndon Quay between Pipitea Pa and Pakuao.

Urupa, Wahi Tapu and Wahi Tupuna

Most of the urupa/cemeteries of Te Whanganui a Tara's successive tangata whenua have been severely modified or totally overbuilt as Wellington City developed. A recent example of this process was the urupa incorporated into the Bolton Street cemetery and subsequently destroyed for the motorway.

Some work has been carried out to identify these sites, but many have not been recorded and careful work is needed to accurately list all the sites.

2.5.1 Who Represents Tangata Whenua

The Wellington Tenth Trust (refer to Appendix 1) is the longest-standing organisational structure for Te Atiawa ki Te Upoko o te Ika, having taken over the management role of lands owned by a group of beneficial owners who represent some of the hapu of Te Atiawa/Taranaki around the harbour.

No other group has represented that interest in the past or does so now. The Wellington Tenth Trust is an iwi authority under the Resource Management Act 1991.

Te Runanga o Toa Rangatira is also an iwi authority under the Act. It is a relatively new organisation evolving from the Ngati Toa Trust that existed last century. The runanga promotes the interests of Ngati Toa in all aspects of social, economic and environmental developments.

Appendix 1. The Creation of the Wellington Tenth

When the New Zealand Company purchased the Port Nicholson Block in 1839 it made provisions for Maori in the new economic and social order. These provisions were contained in land purchase agreements. The Company promised that when land was purchased, one-tenth of the territory ceded in every contract would be set aside as reserve to be held in trust for the benefit of the chief families of the tribe. The reserved areas were chosen by ballot and scattered throughout the settlement:

"[T]he intention of the Company is not to make reserves for the native owners in large blocks [...] whereby settlement is impeded, and the savages are encouraged to continue savage, living apart from the civilised community - but in the same way, in the same allotments, and to the same effect, as if the reserved lands had been purchased from the Company on behalf of the natives...".

The 1839 deed included an explicit commitment to establish reserves in consideration for the extinguishment of the title, and that these reserves would be held in trust for the future benefit of the said chiefs, their families, and heirs for ever.

The tenths were considered to be vested in the Crown which took control of their management at a very early stage in their history.

The company instituted its reserve scheme. In the ballot of 1,100 one-acre sections, every eleventh one was selected on behalf of Maori by Captain Mein-Smith, the company surveyor-general. Although this was in apparent fulfilment of Company obligations within the deed of sale, Commissioner Spain later found that the reserves were inadequate to meet Maori needs. Sections were chosen with little consideration for their cultivation and living requirements or for the complex social and economic ties that bound Maori to their land. In Wellington itself, 600 acres were in actual occupation by the Maori but only 100 acres were allocated to them, and these were well scattered about town. Of the nine pa in the Port Nicholson district, only three were reserved for Maori. In this sense, the occupants of Pipitea Pa were fortunate; their pa was chosen as a reserve, with other reserves close by on their former property. On the other hand, they were given only 2.35 percent of the 1,500 acres traditionally claimed by them and they had not even consented to the sale (N. Gilmore, "Kei Pipitea taku kainga - Ko te Matehou te ingoa o taku iwi: The New Zealand Company 'Native Reserve' Scheme and Pipitea, 1839-1888." M.A. thesis, La Trobe University, p.29). Petone and Te Aro pa were also reserved but Tiakiwai was "wiped off the map" (Burns, P. Fatal Success: A History of the New Zealand Company, 1989, p.158).

In the subsequent selection of "country sections", the Maori were allocated approximately 4,200 acres in one-hundred acre lots (Jellicoe, R.L. The New Zealand Company's Native Reserves, 1930, p.30). Many of these were located across country so hilly that they were impossible to cultivate. Others were selected on bare hills near the sea coast without good soil. Pipitea missed out on country sections, as did Tiakiwai. Pito-one retained their gardens as well as their pa, but the lands of Kaiwharawhara, Ngauranga and Waiwhetu were taken.

The idea of reservation, as conceived by the Company, was also largely unintelligible to Maori, because it entailed movement onto lands traditionally occupied by another whanau. As Ward points out:

"the difference between Maori and settler concepts, evident in the pre-1840 transactions, still remained. Notwithstanding the deeds [...] the resident Maori clearly had no intention of handing over both the ownership and control of this vast territory and putting themselves at the disposition of the Company's officers."

Ward, "Report on Historical Evidence," Wai 27, Doc. T 1, p.75.