The Orakei Claim

For the benefit of Auckland

Ngāti Whātua’s land at Orakei was the focus of one of the most famous protests in New Zealand history – the occupation of Bastion Point, also known as Takaparawhau.

In 1840, Ngāti Whātua of Orakei were major landowners in the Auckland area. A little over 100 years later they were virtually landless.

Today, as part of a settlement of the Orakei Claim, most of Bastion Point along with the Okahu Bay reserve and beach have been restored to their ownership – for the use and benefit of all the people of Auckland.

The path to landlessness

- In 1840, Apiahu Te Kawau and two other Ngāti Whātua chiefs signed the Treaty of Waitangi. Apiahu then invited the first governor to set up his government on the Waitakere Harbour.
- Ngāti Whātua parted with 1500 acres of land for the new township of Auckland.
- By 1855, the hapū had lost title to all their lands except the 700-acre CMA Anchorage Drain Reserve. The Native Land Court declared it to be insalubrious in 1869.
- In 1869, however, the Native Land Court partitioned the block among individuals. The hapū as a whole was no longer able to use the land. The Crown then pressured various individuals to sell their shares. Once the Crown had a majority of shares in any one partition, it forced the remaining owners to relinquish the land.
- In 1951, the Crown compulsorily acquired the last 32.5 acres (5 hectares) of the block, including the marae and some homes. All the buildings were demolished except the chapel and marae (renovated). Those exiled from the marae were relocated as tenants to stable issues in nearby Kelmewa Street.
- Apart from the cemetery, the hapū was now landless. A final blow came in 1959 when the Crown used the ancestral lands of the hapū to establish a ‘national marae’, on which Ngāti Whātua had no control.

A first win

At the time of the Bastion Point protest, hapū elders were working for the return of some land taken under the Public Works Act and not used for the intended purpose.

In 1978, the land was returned – to be managed by the Ngāti Whātua Orakei Trust Board for the hapū as a whole.

Setting the claim

In 1986, Ngāti Whātua lodged a claim to the Waitangi Tribunal concerning the breakaway of the 700-acre Orakei Block. In its 1987 report, the Tribunal found that the Crown had failed to protect the rights and property of the hapū, as promised in the Treaty, and failed to refrain from buying land the hapū wanted to keep.

The government agreed with the findings. It paid an endowment of $3 million to the hapū and passed a law that recognised Ngāti Whātua as Orakei Trust Board as the legal entity to represent the hapū.

An area of land was returned to the hapū – some for its commuting facilities, some that could be used for new development.

Whenua Rangatira

The settlement restored the mana of the hapū. From this came an agreement that another area of land would be set aside as a reserve for the benefit not only of the hapū but also of the people of Auckland. It would be known as Whenua Rangatira.

The Ngāti Whātua Orakei Rangatira Board, comprising three representatives of the hapū and three Auckland City councillors, was established in 1992 for the joint management of this land.

Fighting back

Between 1972 and 1981, Ngāti Whātua launched a stream of complaints and legal actions against sales, withdrawals.

In 1976, plans were announced to develop high-cost housing and parks on the land at Takaparawhau (Bastion Point) that the Crown had acquired. This sparked a protest by the Orakei Maori Action Committee, a group from the hapū. The group and their supporters occupied the point for 106 days before being ejected by a massive force of police and army.

The section of the Bastion Point occupation in the UDC, courtesy of the New Zealand History.