



Hui-a-Iwi
1pm Sunday 31 March 2019
Rangitahi Marae, Matata

Present: Leith Comer, Kenneth Raureti, Delwyn Rondon, Tiipene Marr, Anthony Olsen, Melanie Cheung, Darcy Stoneham, Rita Costar, Alana Hunter, Monica Te Aonui, Maurice Warbrick, Clara Marks-Falwasser, Raponi Wilson, Marlena Ihaia, Pania Comer, Pia Mason, Francis Whata, Ngaire Whata, Paul Warbrick, Harina Rupapera, Theresa Rondon-Harvey, Peri Perenara, Cathy Dewes, Tunis Perenara, Freda Semmens, Kanapu Rangitauira, Janet Mason, Maria Minarapa, Hannah Swale, Merepeka Raukawa-Tait, Tia Warbrick, Tame Minarapa, Nola Ihaia, Caroline Takotohiwi, Nick Marr, Kiri Potaka-Dewes

Apologies: Orini Marr, Peri Marks, John Marks, Fay Patrick, Mere Butler, Ruby Rondon, Muriaroha Marjorie

1. **Hui Timatanga:** Tiipene at 1.10pm

2. **Welcome from the Chairman**

Leith welcomed everyone to the hui and acknowledged those who have passed over the past few months.

The PowerPoint presentation, including video on the different aspects of the settlement, was shown. Hana Tapiata (Ngāti Rangitahi, Tūhourangi) is the voice-over for the videos. There are seven videos available on the website www.ngatirangitahi.iwi.nz

3. **Overview of our Agreement in Principle**

i. **Journey to the AIP**

video played

Q: Can the campground be turned into a papakāinga?

A: Legislation states it must be kept as a public access piece of land.

Q: It was understood that we were getting Tapahoro back but it does not seem like that. Are there still rules and restrictions on it?

A: The Crown has never before given a campground back so we are lucky to be in this position, but it still has its encumbrances. There are also 5 hectares adjacent to Tapahoro with far less encumbrances.

ii. **Historical Account, Crown Acknowledgement and Apology**

video played

Anthony acknowledged the work of historian Bruce Stirling.

In order to write the Ngāti Rangitahi Story, he and Bruce needed to follow the Crown's process by providing a minimum of two independent sources.

Q: Are some of the pieces of evidence affidavits from whānau?

A: No, the information was sourced from primary evidence.

Peri Perenara spoke on the after effects of the Tarawera eruption and the loss of many lives.

Q: Will there be Crown acknowledgements regarding health issues?

A: Yes, they have been included.

Q: Is there no compensation for the historical undertakings of the Crown?

A: Compensation is made up of financial, lands, apologies and acknowledgments. Our historical account will include breach and non-breach acknowledgements.

Q: Is there data on how many fish species were lost from our lake?

A: This was part of the Te Arawa Lakes Trust settlement.

iii. **Financial and Commercial Redress**

video played

Merepeka pointed out that she can now see that the financial redress is not compensation.

Freda showed comparison to the Ngāti Awa Settlement; they received \$40M and have twenty-three hapū and marae, we have one marae.

Q: Is there a compensation component in the settlement?

A: Yes, compensation is made up from all aspects of the settlement, ranging from where the Crown apologises to the return of our land.

Q: As they are ancestral lands, why do we need to buy the farms back?

A: There are various ways in which the Crown offers land; some lands are given back and some we have the right to buy. With the farms, we have the right of first offer to buy them back.

Q: Were we able to negotiate what factors made up the quantum?

A: Yes, showing that we were an iwi of 9,500 and had mana whenua over a much wider area than at Ruawāhia were major factors in the increase of quantum.

Q: What happened to the other Ngāti Rangitihi claims?

A: Te Mana o Ngāti Rangitihi Trust is the mandated entity to negotiate all Ngāti Rangitihi claims. If a Wai claimant did not want the Trust to negotiate on their behalf, they could have pulled their claim, but have not done so.

Q: Will you be engaging with all the iwi or is this it?

A: This hui is just the start. We will try and engage with everyone.

iv. **Cultural Redress**

video played

Q: What type of reserve is Tapahoro?

A: it is currently a Scenic Reserve.

Q: Could there be a commitment from the Crown to assist financially in building a whare oranga at Rangiaohia?

A: Building relationships with Government agencies can help us to achieve something like this.

Q: Do you believe we can still show our tinorangatiratanga over these lands with all these restrictions?

A: All DOC land under the Reserves Act has some type of restriction and they vary depending on the reserve classification. The 5ha has less restrictions than the campground. We can go there now as Ngāti Rangitihī; DOC will know who we are, we are not just another face paying camp fees to stay there.

Q: What tools and strategies do we have to deal with management of these areas?

A: We will be developing a relationship agreement with DOC to ensure the land is managed properly.

Paul Warbrick - there are various layers of legislation over reserves. Buildings can be erected on some areas as long as the values of the land aren't conflicted.

Detail of the relationship agreement is key to the settlement; for example, the relationship the Okataina Reserve Board has with the Crown is longstanding and very successful.

There is a need for Ngāti Rangitihī to define what tinorangatiratanga means to us.

Anthony – Ngāti Rangitihī is already showing its rangatiratanga over the area that will become a historical reserve, to stop building over the area where our kōiwi lay.

Q: To practise our tinorangatiratanga, can pou be built on the areas we get back?

A: As part of the PSGE going forward, that is something we can look at, how we are going to re-connect to the lands.

Kenneth – the biggest part of our settlement is the cultural redress. Tinorangatiratanga is bought about by our actions, what we do. Constraints on our land should not limit our ability to exercise our authority.

Q: Do the negotiators see a burden on the Iwi with the return of these lands?

A: A relationship with DOC is an important part of the negotiation process, to form a management agreement over the lands so that financially we don't have that burden.

Q: Can an administering body be appointed before settlement, so that it is already in place?

A: Yes, that is the plan.

Q: Have the negotiators looked at partnerships to upskill our youth in conservation studies?

A: One of the tasks in forming the new PSGE is maximising opportunities by building relationships with Government agencies.

v. **Building Relationships with Government Agencies**

video played

Delwyn spoke on some of the different Government agencies the Trust will build relationships with.

Q: What is the letter of introduction for?

A: Ngā Taonga Whitiāhua Me Ngā Taonga Kōrero is another agency we wish to form a relationship with. The letter of introduction is to make a connection with the agency and to let them know who we are. They may have Ngāti Rangitahi taonga in their resources.

Tia works in the new developmental agency, Te Arawhiti. The purpose of the agency is to ensure agencies are giving good effect to the Maori-Crown relationships. It is important to note that, as well as the relationship agreements, the reason for the letter of introduction is that some of the organisations that fulfil part of the Crown responsibilities don't always have the same mechanisms so the Crown can't put the onus on them to do things.

Paul Warbrick said it was important that the negotiators go through the Settlement with the Crown to agree on the definitions within it; for example, what is the Crown's definition of kaitiaki?

vi. **Restoration of Tarawera Awa**

video played

Anthony - Ngāti Rangitahi has a direct relationship with the Minister relative to the Awa Restoration relationship agreement.

There are millions of dollars available in contestable funding for projects created to clean up our waterways.

4. **Next steps**

Once settlement has been reached, there is a need for a new Trust Deed. A ratification process will begin in July.

Under the current trust deed, a trustee election would take place in October; Cathy and Merepeka would have had to stand down, Leith and Donna would have to stand down but could put their names forward for re-election. Under the new Trust Deed, Trustees would stand for a term of three years but could re-stand as long as the people wanted them.

If the new PSGE is ratified, when the Deed of Settlement is signed, a trustee election would take place within a year of signing or before the 2022 AGM. All current

trustees would need to stand down, but are able to put their names forward for re-election.

Q: Are there going to be hui about the new PSGE?

A: Yes, Campbell Squared is currently a communications strategy together.

Q: Will we be keeping the same Trust name?

A: Yes, the current Trust name will be retained.

Q: Will the trustee election still take place?

A: Yes, there will be an election. If the Trust Deed is ratified, the election will not take place under the current Trust Deed. The timing of the election will cause some issues with regard to stability of the Trust. The cost of holding an election is between \$30K and \$50K. If new trustees were voted in, they would only be there for about a year before they'd have to stand down then another election would be required. Under the new Trust Deed the five-year term will change to three years.

Q: Can the iwi come together at hui to agree on another format?

A: It is possible but there is a set Crown template that the Trust must follow for populating the Trust Deed. The only issue is when the next trustee election will take place and whether or not the current trustees should remain as interim trustees until that first election.

Melanie believed the amount of money the Trust could spend without Iwi consultation was also an issue.

Leith explained that there is a major transaction level in the Trust Deed which is 50% of the assets. Above that level, you would need the iwi to agree on the transaction, which is common practise across most Trusts.

Q: What are the assets and will we get the Trust's financial statements?

A: The assets that came from the CNI Settlement. All audited financial statements are in the Annual Reports which show what the assets are and the Trust's current financial situation.

Q: What is the amount of money you can spend without going back to the Iwi?

A: It currently stands at \$3.5M. If the Trading Trust wants to enact a proposition over that amount, an SGM would be required.

The Waimangu deal was under that threshold, so no SGM was required.

That is why the Iwi must be very careful about who is elected as trustees, as we put a lot of trust in them to make good decisions.

Leith thanked Campbell Squared for the amount of work they put in to create the videos.

Attendees agreed that the material in the videos was valuable.

Q: What did the videos cost?

A: About \$12,000

Q: What would happen with Waimangu if we don't reach agreement with Tūhourangi?

A: Waimangu will not be part of the Agreement in Principle. If that happens, we will ask the Crown what else they can offer us.

Q: Because we are latecomers, is there a window of opportunity for Ngāti Rangitihi to claim some of the significant sites that were lost in other claims?

A: All sites of significance to Ngāti Rangitihi are in the Agreement in Principle in some form.

Ngāti Rangitihi does see the whenua rāhui placed on part of the Tarawera Scenic Reserve by Tūhourangi and the 50/50 award of Te Ariki as a contemporary breach.

Q: What percentage of Ngāti Rangitihi lands are we getting back?

A: It is a very difficult question to answer. If the question was are we in a better position than when we started negotiations? Then yes, we are.

Tiipene - every other iwi got about 5% of what they had lost.

Melanie - it is about the quality of the land not just the quantity.

Q: Because the Crown Offer was 'full and final' are we able to negotiate the CNI deal again?

A: The outcome of the Mana Whenua process saw Ngāti Rangitihi go from 3% to 19%, which will not come into effect until 2044. We cannot use this settlement to bring it forward, only unanimous agreement by the eight Iwi can.

Delwyn – Tamati Kruger (Ngai Tūhoe) told Ngāti Rangitihi negotiators that the hardest part of Treaty Settlements is going forward post-settlement.

The aim of negotiators is to set up mechanisms so that the future trustees can act responsibly going forward.

Our aspiration around the awa is critical. How the Tarawera Restoration Entity is constructed is very important.

Leith – if anyone has any ideas on how the Trust can improve on its information and communications to the iwi, please let us know.

Q: Is there a timeframe for the Settlement?

A: Yes, we are looking at getting the Deed of Settlement initialled and agreed by the Crown before the first quarter of 2020 as there is a general election next year. This will give the current Government time to get the legislation through the House before the election. If that does not happen, we would have to wait until at least 2021.

Q: With the new entity, will there will be a totally new election?

A: There will be seven trustees in the new entity and all seven trustees will be elected in the first election under the new Trust Deed. That will happen either within one year of the signing of the Deed of Settlement or by the 2022 AGM, whichever is sooner.

Rita Costar has been temporarily employed to find everyone who has changed address (GNA's).

Action Point: Te Mana staff are to bring a list of GNA's to the next hui-a-iwi

Leith encouraged everyone to share the information from today's hui with their whānau.

Karakia Whakamutunga: 4.15pm