



TE MANA O
Ngāti Rangitihi
TRUST

Hui-a-Iwi

10am Sunday 22 July 2018

Rangitihi Marae, Matata

Present: Leith Comer, Kenneth Raureti, Tiipene Marr, Delwyn Rondon, Peri Perenara, Ian Dickson, Cathy Dewes, Melanie Cheung, Alana Hunter, Larissa Renata, Chris Clarke, Margaret Burton, Fay Patrick, Monica Te Aonui, Freda Semmens, Paul Warbrick, Rob Dawson, Carly Waitemata, Tracey Raureti, Te Atawhai Karauria, Irirangi Mako, Kirikowhai Arama, Mike Perenara, Tracey Rogers, Vanessa Allen, Janet Mason, Maria Minapara, Tunis Perenara, Aneta Wright, Puti Rowe, Tanira Raureti, Marty Hunia

1. Karakia Timatanga: Tiipene Marr

2. Apologies: Rihi Vercoe, Jim Rota, Audrey Rota, Bernie Marr, Taichi Playle, Fred Savage, Luana Green, Rachel Park, Donna Semmens, Kanapu Rangitauira, Orini Marr

3. Introduction: Leith Comer

Other business to be added to the agenda - Otakiri Springs resource consent application

4. Treaty Update

a. Crown Acknowledgements Delwyn Rondon

Delwyn gave background information regarding Treaty claims and spoke on the grievances relating to Ngāti Rangitihi. Included were the Tarawera Awa pollution and loss of land due to high survey costs and excessive public works takings.

b. Ngāti Rangitihi Presence at Matata Delwyn Rondon

Dr Merata Kawharu was commissioned by OTS as an independent historian to research Ngāti Rangitihi 1840-1860. The report shows clearly that Ngāti Rangitihi had mana whenua at Matata during this time and the Crown has accepted the report.

c. Cultural Lands at Matata Tiipene Marr

Tiipene spoke on the history of the lands being offered back at Matata; Whakapoukarakia, Oniao, Mihimarino, part Arawa Street recreation reserve, part White Sands recreation reserve, part unnamed recreation reserve near Otaramuturangi. The DOC campground at Matata was not offered because of Crown legislation. There is also a Joint Advisory Committee over the area consisting of Ngāti Awa, Tūwharetoa Kawerau and once we settle, Ngāti Rangitihi will join the group.

There were questions regarding DOC encumbrances on the pieces of land. The Crown's Cultural Redress Instruments document was handed out to help people understand what the different encumbrances were.

Paul Warbrick explained that agencies like DOC and LTNZ are arms of the Crown. It is Cabinet that stops Iwi from getting lands back, and their tool is OTS. OTS And Cabinet set the rules with Government agencies. Iwi need to understand encumbrances, right down to obligations and defining actions. Paul suggested creating a team of people to narrate exactly what the intentions of the Iwi are.

d. Claim at Tarawera Leith Comer

Leith talked about the history of Ngāti Rangitihi at Tarawera, specifically in the Ruawāhia block. Approximately 3/4 to 4/5 of that land was sold to the Crown by willing sellers after the eruption, despite the Chiefs of the time trying to stop the Crown from buying the land. The Crown has acknowledged this was a breach of the Treaty.

It was the determination of non-sellers that kept Ruawāhia 2B in Ngāti Rangitihi hands.

After the Pokohu swap for Hauani, there was a block of land left in Ngāti Rangitihi ownership. In 1975, Te Arawa Trust Board turned the Ruawāhia 2B block and a 100-acre block (Pokohu A3) into reserves and became the responsible trustee for Ngāti Rangitihi generally. In 1990, Ngāti Rangitihi became the responsible trustee for Ruawāhia 2B, which then set up its own trust. At that time nothing was done about the Pokohu block. After the Te Arawa Trust Board claim settled, the land was transferred to the Te Arawa Lakes Trust. Te Mana o Ngāti Rangitihi Trust are currently negotiating the change of responsible trustee from the Lakes Trust back to Ngāti Rangitihi.

Te Ariki was agreed upon by both Ngāti Rangitahi and Tūhourangi as being 72% Rangitahi and 28% Tūhourangi. When Tūhourangi settled, the Government gave Tūhourangi 50% and left the remaining 50% for Rangitahi which was an injustice to Ngāti Rangitahi.

e. Cultural Lands at Tarawera Kenneth Raureti

Kenneth spoke on Ngāti Rangitahi history pertaining to the lands being offered back at Tarawera; up to 5ha Te Tapahoro Bay, Moura, Adjacent to Moura, 20ha Ōmanuhiri, Ngahereta to Ruakōkōpū, Niheta, two sites part Lake Tarawera Scenic Reserve, up to 142ha part Crater Block and three sites at Waimangu. All the lands are subject to some sort of DOC encumbrances.

The return of Te Tapahoro DOC campground was requested but it is legislated that campgrounds do not get offered back. Cabinet met to discuss its return and they asked that we work with OTS to come up with some ownership options.

It was asked how we could use the land to generate an income. Leith said there could be development on some of the land but it is up to Ngāti Rangitahi to decide what it is, as long as it is in line with the Reserves Act.

The Crown has offered back discreet areas of land within larger blocks. They have a formula to work out how much land iwi gets back but we do not know what that is. We could look at foregoing some areas offered back to get entire blocks.

Through their Treaty claim, Tūhourangi placed a whenua rāhui over a large part of the Tarawera Scenic Reserve. As this has already been legislated, the best option for Ngāti Rangitahi is to put our own whenua rāhui over it and have the Government admit that the Tūhourangi whenua rāhui is a contemporary grievance.

f. Crown Apology Tarawera Awa Leith Comer

The Crown has apologised and acknowledged that they allowed the Awa to be polluted by the establishment of Mills in Kawerau and creating the 1954 Enabling Act. This enabled the Mill owners to discharge all trade wastes into the Awa.

g. Tarawera Awa Restoration Entity Peri Perenara

As a result of the Crown apology, the negotiators are seeking compensation to clean the Awa. The Crown has been asked to create a legislative entity made up of the iwi with interests in the area and Government agencies. The entity would require \$200,000/year over 5 years to enable it to plan and assess how best to clean the Awa. In order to do the bulk of the work, there will be a need to apply for contestable funding.

h. Financial Redress Matters Ian Dickson

Ian explained commercial and financial redress. For the Crown, the most important part of treaty settlements is the historical account, acknowledgements and apology. Cultural redress comes next and lastly the financial and commercial redress.

Commercial redress is the opportunity to buy Crown-owned land that is forest licence land, surplus to their requirements, available for purchase and lease back and first right to buy or deferred selection, which is the right to buy within a specified time.

Generally, a price cannot be set now, for payment at a later date but anything is negotiable. Commercial redress does not normally apply to state-owned enterprises.

Financial redress, also known as Quantum, is solely based on relativity amongst claimant groups. The formula was established with the Tainui and Ngai Tahu settlements. The redress is based on the area of land alienated, raupatu, current beneficiary population and other special factors which include contemporary issues. Beneficiary population has been the focus for the Ngāti Rangitihi negotiation with the Crown about financial redress. The negotiators believe that the Crown has failed to take reasonable care to understand how many people make up the iwi. There were only 1,000 registered Ngāti Rangitihi in the 2001 census, 1,533 in 2006 and 2,298 in 2013. There were almost 4,000 on the iwi register in 2013.

Government Statistician, Len Cook, was hired to measure the size of the Ngāti Rangitihi population from the Census and also from the 1949 Eastern Maori Electoral role. He came up with 12-16,000 living people who whakapapa to Ngāti Rangitihi. This was peer reviewed by Dr Tahu Kukutai and the numbers were decreased to 9,500 – almost 14,000. The findings can significantly increase the amount of quantum.

The CNI settlement was an on-account commercial redress which means that the iwi paid for the land received through their settlements. Ngāti Rangitahi received 3.6% of the land, which was valued at \$7.3M. The \$9M received from the settlement was outside of settlement negotiations, as it was an accumulation of funds from the Crown Forestry Rental Trust.

i. Next Steps Leith Comer

There is still work to be done before we receive the next Crown offer; ownership options of Te Tapahoro campground, detailed siting of areas around Tarawera, Awakaponga cemetery, define what the Post Settlement Governance Entity would be, agree Agreement in Principle (AIP) ratification programme and continue with overlapping claims discussions.

The AIP will be taken to hui-a-iwi around the country and our people will get the chance to vote on whether the document is accepted or not. It was asked if there is a percentage of votes needed to accept the document. The vote isn't based on a fixed arbitrary number, but the Crown should be able to see if the document has the iwi support or not.

Overlapping iwi hui are progressing well.

The iwi register is just under 5,000 which could rise significantly after settlement.

There was an observation that there was a lack of young people at the hui and there must be ways to encourage young people to attend.

5. Otakiri Springs (Nong Fu/Cresswell) Resource Consent Application

Robbie Dawson said that when the initial strategy for the expansion of the Springs came out, part of the process was to meet with local iwi and hapū. To get iwi on board, Nong Fu focussed on the creation of employment. Twenty-two hapū strongly opposed the application.

Chris Clarke responded that he was contacted in June last year by Cresswell, concerning a resource consent to extend their bottling plant. His initial response was that he was impressed with the effort they had put into their application, the consultation process and the amount of jobs that would be supplied to local iwi. Chris's thoughts on the employment opportunities was that it would help keep our rangatahi at home instead of having to move away for work.

A submission from members of a Pahipoto Trust, Rihi Vercoe and Hemana Eruera, fully supported the application. In response, Chris decided to support the application.

Last week, Chris attended a hui at Awakaponga Hall, where he heard the environmental concerns of the local people. He then decided that it was in the best interests of Ngāti Rangitihi to withdraw all support for the application.

Debbie Tate from BOP Regional Council confirmed via email that Ngāti Rangitihi did not make any submissions, therefore the response Chris made to the application in June last year was null and void.

Chris apologised to the people attending the hui.

Paul Warbrick raised a point about people locking up water rights. For example, Nong Fu has water rights for the next 30 years, anyone else wanting water will have to wait until Nong Fu decide they don't need it anymore.

A point was made that Ngāti Rangitihi supported the cultural impact part of Cresswell's resource consent. Chris responded that he will contact the Regional Council and ask that Ngāti Rangitihi support be removed.

Tiipene suggested that Ngāti Rangitihi lodge a notice of interest as a Section 274 interested party.

Action Point: Tiipene will speak to Chris in regard to Section 274

Karakia Whakamutunga: 1.15pm