

*Kia Tūpato!  
Ka tangi a Tūkaiaia kei  
te moana, Ko Ngātiwai  
kei te moana e haere ana;*

*Ka tangi a Tūkaiaia  
Kei tuawhenua, ko Ngātiwai kei  
tuawhenua e haere ana*

*Beware!  
When Tūkaiaia calls at sea,  
Ngātiwai are at sea;*

*When Tūkaiaia calls  
inland, Ngātiwai are inland*

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If you or anyone else you know that is of Ngātiwai descent would like to register to receive this e-panui, please contact us with an email address or register with us online.

If you have already registered but we don't have your current postal or email address let us know by emailing: [ngatiwai@ngatiwai.iwi.nz](mailto:ngatiwai@ngatiwai.iwi.nz)

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## Ngātiwai Welcome Findings of Waitangi Tribunal

### Hauraki Overlapping Claims

On Tuesday, 17th December 2019 the Waitangi Tribunal released their report on the Hauraki Overlapping Claims Urgent Inquiry. The affected hapū and iwi claimant groups came together to hold the Crown to account for their implementation of the Overlapping Claims Settlement process with Hauraki Iwi.

The Ngātiwai Trust Board's Treaty Claims Committee Chairman, Aperahama Edwards says, "This report validates the claims we have made and affirms the rightful place of tikanga Māori in resolving our overlapping interests".

In April 2019, Ngātiwai uri travelled to Wellington to defend the mana of their hapū and iwi at Waiwhetu Marae in front of the Waitangi Tribunal. Along with other groups in a similar position, Ngātiwai asked the Tribunal to look into the Crown's flawed overlapping claims policies, practices and processes that was set to offer redress within the Ngātiwai rohe to iwi from the Hauraki district. At the heart of the claim was the mana of the iwi of Ngātiwai.

Treaty  
Settlement  
UPDATE

"Our claim to the Waitangi Tribunal was upheld - this is a win for the important role of tikanga Māori in working in the Treaty negotiations space", states Aperahama Edwards.

The Waitangi Tribunal said in summarising the findings and recommendations:

**"Having thus found that the Crown acted inconsistently with the Treaty principles of partnership and active protection; failed in its duties to act honourably and in good faith, and to avoid creating fresh grievances; and failed in its obligation to protect or preserve amicable tribal relationships, we find that the Crown had prejudicially affected...Ngātiwai.**

**Accordingly, we recommend:  
That the legislation giving effect to the Pare Hauraki Collective Settlement Deed, and the individual Hauraki iwi settlement deeds, does not proceed until the contested redress items have been through a proper overlapping claims process..."**

The tribunal elaborated on what a proper tikanga-based process would involve and we agree with the tribunal that a tikanga-based process must take place early on and that all parties should participate in the design of the process.



Some of the Ngātiwai whānau that traveled to Waiwhetu Marae for the Hauraki Overlapping Claims hearings



Ngāti Rehua uri and WAI 1544 claimant, Huhana Lyndon says, “The Urgency was called because once again the Crown sought to settle our hapū and iwi interests without our consent. Further, despite our calls for time to work through our issues, the Crown ignored our position and pushed forward with Hauraki for full and final settlement. This undermines our rangatiratanga guaranteed under Te Tiriti o Waitangi”.

The Tribunal recognised that Ngātiwai have expressed a genuine intention to try and resolve the issues raised in this inquiry through tikanga, and suggested the Crown should do all it can to facilitate this process, including by providing funding, administrative support, access to facilitators or mediators, and more.

Huhana Lyndon says, “Tikanga Māori is our foundation, the Crown through their application of the Red Book approach to Treaty negotiations fails to allow hapū and iwi to move at their own pace and time”.

Aperahama Edwards says, “Our experience in the Crown’s overlapping claims process was that tikanga was never engaged in early-on and we were certainly not invited to be part of designing what that tikanga process looked like. With these findings from the Tribunal, I would hope the Crown can go back and get this fundamentally right”.

“I am proud of our people, particularly the determination and mana they have shown through this. It is not easy to collectivise yourselves logistically and financially, but it was important that we did so to ensure that the mana of Ngātiwai was upheld. For me it shows that when our people need to come together as one to defend our rights, that we are able to do so”.

Ngātiwai uri in the affected areas will now meet internally to discuss how to approach the next steps.

### Mandate Mediation

During the last quarter of the year the Board continued to work through the Waitangi Tribunal’s recommendations for an agreed mediation process to take place, funded by the Crown.

Funding for mediation and making this available and fair for all involved has always been a priority for the Board. The Board have made recommendations that the Crown independently and directly fund claimants so that all parties can equally participate in mediation.



*Some of the Ngātiwai whānau that traveled to Waiwhetu Marae for the Hauraki Overlapping Claims hearings*

The Board and the Crown have written to claimants in the inquiry inviting them to prepare their funding request.

The Board and the Crown have been communicating with claimants to begin this process, and are currently in communication with hapū Patuharakeke, Te Waiariki, Ngāti Korora/ Ngāti Takapari and Te Whakapiko hapū o Ngāti Manaia. The Board is also conscious of our Whangaruru whanau claimants and encourage them to discuss with Te Arawhiti their options regarding funding.

Hui will need to be held prior to any mediation beginning for all parties to agree on the Terms of Reference for the mediation (i.e. agree facilitators/mediators, specialist advisors, number of hui, venues, milestones, etc.) as recommended by the Tribunal.

With the work that is being done, and the communication beginning to happen between all parties there are encouraging signs that the process of trying to begin mediation is moving in a positive direction.

### Marine and Coastal Area Act

#### Ngātiwai MACA Applicant Hui

The Ngātiwai Trust Board Treaty Claims Committee hosted a MACA hui on 13th November 2019 at the Ngātiwai Trust Board. The purpose or kaupapa of the hui was to discuss, “What is the best approach to take to the MACA Act?”.

Over recent times traversing our own journey through a Treaty Settlement, we as an iwi have had our challenges in being able to work together collectively or collaboratively. However with this kaupapa and the potential impact that it could have on our local whanau, hapū and our iwi, it was pleasing to see that we could come together to discuss the MACA, with a very good turnout of approximately 30 participants.



*MACA claimant hui held at the Ngātiwai Trust Board.*



Discussions were very respectful with everyone being able to present their applications to the hui and talk about where they are up to in advancing them. A number of positive suggestions were made but a lingering concern was raised that the Trust Board was potentially attempting to take over their applications.

The Board's position in relation to all Ngātiwai MACA applications in the High Court has been to support "in principle" those applications and to provide a protective blanket for any Ngātiwai whānau, hapū or marae who were unable to file their own applications by the deadline of 3rd April 2017. The Treaty Claims Committee has been working to identify who those groups are, to offer to include them in the Board's application.



Left to Right: Stuart Henderson (Ngātiwai Legal Counsel), Paula Wilson (Ngātiwai Legal Counsel), Tania McPherson (Treaty Claims Manager) and Aperahama Edwards (Treaty Claims Committee Chairman)

#### Historical Research

Tony Walzl of Whalghan Partners has been engaged by the Board to provide technical support in collating Ngātiwai Historical Research for the purpose of MACA. The Board contracted Tony to produce a report that contains information on land tenure within the Ngātiwai rohe by identifying things like Maori land titles that is adjacent to the Common Marine and Coastal Area and for land that has gone out of Maori title and when this occurred. Land ownership or retention since 1840 is a significant factor in meeting the tests under the MACA Act, which requires that applicants must show

that they have continuously occupied or used the coastal marine area in question since 1840.

#### Oral History Research

The Treaty Claims Committee begun work with Tony Walzl in November 2019 to start collecting oral history interviews. Oral history research is a key piece of evidence to prove another test under the Act which requires that the area in question has been used or occupied since 1840 AND that any customary rights have been exercised in accordance with tikanga. This work will continue during 2020.

#### MACA Kaupapa Inquiry

The Marine and Coastal Act Kaupapa Inquiry - Stage 2 hearings, are expected to take place in Te Tai Tokerau in April or May 2020.

The Treaty Claims Committee will be holding another MACA hui early in 2020, and it is hoped that as a collective of Ngātiwai whānau, hapū and Iwi that we continue to work together collaboratively in opposition to the MACA Act and that we can achieve a positive collective approach to and submit strong evidence in this inquiry.

## Te Waka Reo o Ngātiwai

Kura Reo  
Takahiwai Marae  
14 - 16 Feb 2020

Ko te tumanako, i whiwhi wā koutou ki te whakatā ā-tinana, ā-wairua, ā-hinengaro hoki. Heoi ano, me haere tonu mātou ki runga i to mātou hikoi, ara ki te ako i ngā waiata a o mātou tupuna.

From the 14th - 16th of February 2020, we will be holding our first Kura Reo. If you are interested in attending this wānanga, please email your interest to [elliott@ngatiwai.iwi.nz](mailto:elliott@ngatiwai.iwi.nz) or 0226769248.

Nau mai haere mai!





# He kōrero mo te kōhi kaimoana – A story of seafood harvesting



*Humans Big and Small by Howard Reti*

**“Tāngata Nunui, Tāngata Nohinohi - Humans Big and Small” is a children’s book written by Howard Reti of Whangaruru.**

It’s a book that has been written specifically to help educate children and their parents on kaimoana gathering in an environmentally and culturally friendly way.

Howard Reti spent many hours interviewing Ngātiwai kaumātua and undertook research in his community to understand more about the traditional ways of gathering kaimoana such like our tupuna (ancestors) did in years gone by, and how many of our people still practice this today.

So Howard decided he wanted to make a children’s book all about it

It was always Howard’s vision to have a book written both in Māori and English, so he asked his Aunty Meri Barber to join his team to complete the translations into Te Reo Māori. Kawiti Waetford also assisted with translations.

Meri Barber said in her work in translating the book, “It was always important to me that Ngātiwai kupu and mita were prominent in my translation work. Some of the kupu may at times seem very simple, but these words are tuturu to Ngātiwai, and that was the most important thing.”

Dorothy Waetford and Tepara Jennings from Matapouri were brought into the team to bring Howard’s story to life through their illustrations.



*Howard Reti and Meri Barber present their book to the Ministry of Primary Industries*

Howard says, “Dorothy and Tepara have done a great job in telling my story through their illustrations, and I think it is wonderful that we have people with their talent in Ngātiwai.”

“When I interviewed my elders in researching for this book, there were many things I learnt. One example was one kaumātua who talked of being thrown in the water to gather kaimoana. It may seem harsh, but this was how some were taught how to swim, the old way, but this helped them to learn very quickly how to swim to float and how to swim to stay alive. This all helped them become experts in kaimoana gathering.”

“Through this process we learnt a lot more than just making this book.”

“It is my hope that through this book the things we learnt can also get into the hearts and minds of our mokopuna and their parents.”



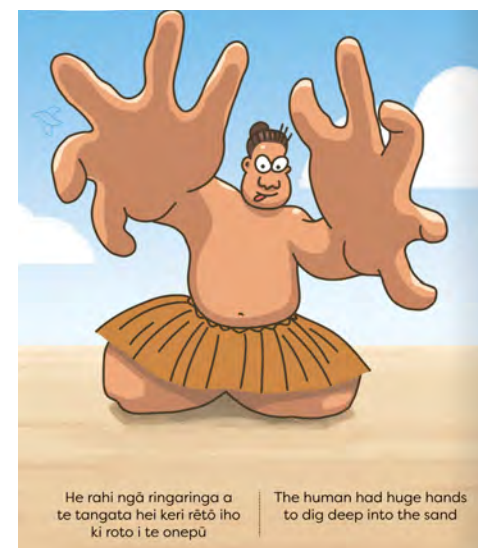
“The main kaupapa of the book is that we are all taught when we are young about the tikanga of going to collect pipi. When I went around interviewing people for my research for this book, in most cases they could remember three rules or tikanga when collecting pipi. But Howard found that there are lots of different tikanga around collecting pipi, and included ten of them in his book.

These tikanga relate specifically to tikanga of collecting kaimoana, but also in essence is the tikanga of being a kaitiaki.

Howard calls these “Mother Nature’s Ten Golden Rules” for gathering kaimoana.

Howard says, “We are encouraging schools and communities to find out and understand what their tikanga is or Golden Rules for collecting kaimoana in their area, and I think through this we can all educate ourselves together.

“None of us had written a book before, and none of us had illustrated a book before. It was done by us in Ngātiwai, and we just had a go.”





# David fought Goliath and won!



*Whānau and supporters of Aotea bring Auckland's Queen St to a standstill to protest against marine dumping*

**Towards the end of 2019, a group from the small community of Aotea, Great Barrier Island ("David") were successful in appealing the Environment Protection Authority's decision to grant Coastal Resources Limited ("Goliath") permission to increase the amount of sediment it dumped off Aotea, Great Barrier Island.**

The Environment Protection Authority (EPA) gave permission to Coast Resources Limited (CRL) to increase its sediment dumping from 50,000 cubic metres to 250,000 cubic metres annually for 35 years, just 25 km of the east coast of Aotea, Great Barrier Island.

In its determination, the High Court found that the EPA erred in approving the CRL application and in its judgment ordered the matter be referred back to EPA for reconsideration.

The High Court also said that the EPA needed to take into consideration the advice of its Māori Advisory Committee for "meaningful" engagement with local iwi authorities and groups that may be affected by CRL's application.

Ngāti Rehua Ngātiwai ki Aotea uri and Protect Aotea representative, Kelly Klink, welcomed the High Court decision blocking an increase in the amount of dredging waste from Auckland that can be dumped off Aotea, Great Barrier Island.

Kelly says, "For the tangata whenua and local community, desecration of our environment is not acceptable. As an island community, who live in and on the sea, we believe the time has come for archaic practices, such as marine sludge dumping, to come to an end. We therefore welcome this decision, which we see as a step forward to better marine environmental protection."

"The Crown must reconsider CRL's application in light of its obligation to actively engage with the local community. Either way, Protect Aotea will be ready to speak on behalf of our community and for our unique and special home."

"We would like to thank the tangata whenua and local community for their support, as well as all others who have contributed to our campaign. We would also like to, in particular, dedicate this decision to Uncle Serb, our beloved kaumātua who sadly passed away at the end of last year."

Kelly says that they they will continue to represent the interests of the island home and speak up against dated environmental practices. As the group prepare for their next steps in this case, they are now also turning their attention to challenging CRL's existing consent to dump 50,000 cubic meters per annum of marine sludge off the coast of Aotea as well as the Ports of Auckland's recent consent to dump marine dredging near Reponga, Cuvier Island.

## UPDATE YOUR DETAILS

**We are updating our tribal database. Please make sure we have the correct details for you.**

**If any of your contact details have changed since you registered please call Toni-Marie Sweeney on 09 972 7347 or email [registrations@ngatiwai.iwi.nz](mailto:registrations@ngatiwai.iwi.nz) to let us know.**

# NOTICE OF DAY OF ELECTION OF TRUSTEES



Under the Ngātiwai Trust Board Deed of Trust notice is hereby given that the following persons have been nominated as Trustees to the Ngātiwai Trust Board:

**Kawa** (one vacancy)  
KLINK, Carla Denise  
NGAWAKA, James Stewart  
NGAWAKA, Phillip  
**Matapouri** (one vacancy)  
EDWARDS, Aperahama  
MACDONALD, Kristan John  
**Omaha** (one vacancy)  
BAINES, Annette Moana  
CHAPMAN, Jessie Rose  
**Otetao** (one vacancy)  
RETI, Gary Brian  
RETI, Howard William Gabrielle

**Punaruku** (one vacancy)  
BARTON, Miriama  
EDMONDS, Haydn T  
PIRIPI, Morore  
SYMONS BUSBY, Lorraine  
**Tuparehuia** (one vacancy)  
DIAMOND, Robert Junior (Rōpata)  
PHILLIPS, Loren De Mar  
**Whananāki** (one vacancy)  
CALDWELL, Kathleen  
MOORE, Allan  
RIINI, Hohi

As there are more candidates than there are vacancies to be filled for each of the above, elections will be held between the listed candidates on Monday 3 February 2020 under the First Past the Post electoral system by postal voting.

## ELECTIONS NOT REQUIRED

As there was only one nomination received for one vacancy for each of the following marae, no election is required and the respective candidate is declared elected unopposed:

**Mōkau** (one vacancy)  
SADLER, Arepata  
**Motairehe** (one vacancy)  
CLEAVE, Martin

**Ngaiotonga** (one vacancy)  
HENLEY, Merepeka I C

There will be no elections for Ngunguru Marae and Oākura Marae.

## CALLING FOR FURTHER NOMINATIONS

As there were no nominations received for Pātāua Marae, the nomination period has been extended to 5pm Friday 7 February 2020.

Nomination forms are available at the Ngātiwai Trust Board office, 129 Port Road, Whangarei, by accessing [www.ngatiwai.iwi.nz](http://www.ngatiwai.iwi.nz) or by phoning 0800 922 822.

## VOTING PAPERS

Voting papers have been posted to eligible voters for the Ngātiwai Trust Board. Votes can be returned by post using the freepost envelope provided, and must be received by the Returning Officer no later than 5pm, Monday 3 February 2020.

## SPECIAL VOTING

Special votes are available to eligible voters who have lost, damaged or not received their ordinary voting papers and can be requested by phoning 0800 922 822.

## SPECIAL GENERAL MEETING

A Special General Meeting will be held at the Ngātiwai Trust Board office, 129 Port Road, Whangarei on 4 February 2020 commencing at 9.30am to announce the results of the Ngātiwai Trust Board election and confirmation of trustees.

Dale Ofoske, Returning Officer  
Independent Election Services Ltd

Phone 0800 922 822

[www.ngatiwai.iwi.nz](http://www.ngatiwai.iwi.nz)





# Summary of the Ngātiwai Trust Board Meeting of Trustees on 13 December 2019

## **Audited Management Accounts:**

Adele Albion provided an explanation of the Audited Management Accounts.

## **Annual Report:**

The Annual Report 2019 was adopted by the Board.

## **Communications:**

Provided an update on the recent pānui for the NTB Election, the AGM and the Resource Unit Manager's position.

## **Education:**

A brief summary was provided regarding the various Education contracts, also that the Kaumātua Kapa Haka will be participating in the annual Kaumātua Kapa Haka festival in Ponēke 2020.

## **Financials:**

A summary of the Consolidated Group Financials to the 30th September and 31st October 2019 was provided.

## **Treaty Claims:**

The 3 main areas of work for the unit are the Treaty Claims, overlapping claims and MACCA. A recommendation was resolved by the Board that the TCC facilitate the constitutional change processes in conjunction with representatives from Ngātiwai kaumātua, hapū and marae as part of the Board's mandate mediation process.

## **Te Waka Reo:**

The course is drawing to an end for the year and will recommence in the early months of 2020, significant progress has been made overall with the paramount theme being the revitalisation of Ngātiwai reo and tikanga tawhito. There is a digital hub component so whānau are able to join in via live stream, classes are held on Tuesday mornings at the Education unit and in the evening at the Trust Board. There has also been a series of noho marae wānanga held, the most recent in Tamaki makaurau and the first wānanga for 2020 will be held at Takahiwai. The kaupapa has been inspirational for our kaumātua whom have been very supportive.



# Summary of the Ngātiwai Trust Board Meeting of Trustees on 29 November 2019

## **Annual Report 2019:**

The NTB Annual Report for 2019 was received by the Board.

## **Sponsorships:**

Were approved to support Ngātiwai teams to attend the Poitukohu NZ Māori Basketball tournament \$4500, Whangaruru School Festival \$2000, The Education Unit's, 2 indoor netball teams \$420, Te Whanau A Rangiwhakaahu kaitiaki training \$500 and the Kawa Marae Matariki Festival \$2000.

## **Aquaculture:**

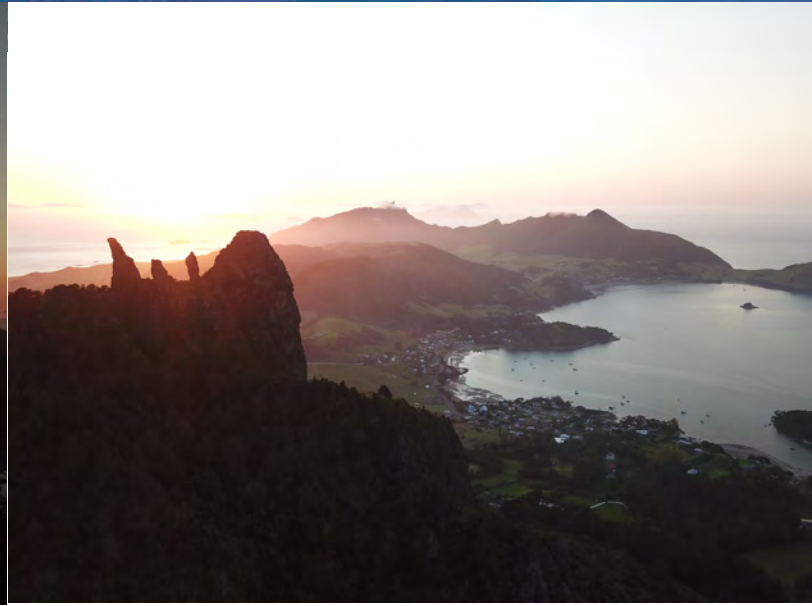
That the decision to use settlement funds is taken to the AGM for discussion

## **Motu Kauri Management Plan:**

That the Board seek consent from the Department of Conservation to transfer the rights and responsibilities pursuant to the Motu Kauri Management Plan to Nga Marae.

# Te Rohe o Ngātiwai

Manaia



## Important Dates 2020



WHAT	WHERE	WHEN
Board Meeting of Trustees	Ngātiwai Trust Board, Whangārei	Friday, 31 January 2020, 10am
NTB Special General Meeting - Trustee election results	Ngātiwai Trust Board, Whangarei	4 February 2020, 9.30am
Te Waka Reo o Ngātiwai - Kura Reo	Takahiwai Marae	14 - 16 February 2020
Ngātiwai kaumātua kapa haka. Please bring a plate for a shared lunch	Level 1, Semenoff Stadium, Whangarei - Ngaitwai Education	Every Tuesday, 10.30am