

Ngātiwai Trust Board & Office of Treaty Settlements

Treaty Settlement Information Hui

Saturday 21 December 2013 9:30am

Haydn Edmonds Welcome and Introductions

Introductions



Ngātiwai Trust Board

- Haydn Edmonds
 - Chairman
- Kris MacDonald
 - Trustee
- Tania McPherson
 - Treaty Claims Manager

Office of Treaty Settlements

- Tim Townsend
 - Manager
- Patrick Southee
 - Principle Analyst
- Jess Maynard
 - Historian



Notified Purpose of Hui



The purpose of this hui is to outline changes that have been made to the mandate strategy:

- since it was publicly notified in July 2013; and
- in converting it into a Deed of Mandate for consideration by the Crown.

Ngātiwai Trust Board

- 1st established 1966 in Whangaruru
- Became a Charitable Trust 1984
- The purpose of the Trust is to benefit Te Iwi o
 Ngātiwai
- The Trust Deed sets out the management and governance arrangements
- The Trustee's are appointed through Marae elections held every three years
- The Trustee's decision making process is by a simple majority (>50%)
- Each Marae may also elect an alternate Trustee
- NTB are ultimately accountable to Te Iwi o Ngatiwai







Ngātiwai Trust Board (NTB)

- Any adult (18 years +)
 registered member of
 Ngātiwai Trust Board is
 eligible for election
- Registered members can also receive information and participate in voting on Treaty Settlement milestones (via the post)
- Please register or check your postal address is up to date

Ngātiwai Trust Board



129 Port Road, Whangarei 0110, P O Box 1332, Whangarei 0140, New Zeala Telephone +64 9 430 0939 Fax +64 9 438 0182 Email: ngātiwai@ngātiwai.iwi.nz Website: www.ngātiwai.iwi.nz

APPLICATION FOR REGISTRATION

I, the undersigned, being a member of Ngātiwai Iwi, hereby enrol myself and my dependants under the age of 18 as beneficiaries of the Ngātiwai Iwi

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Marae	Trustees	Alternates
Tūparehuia	Kathy Pita	Dick Pene
Ngaiotonga	Merepeka Henley (Deputy Chair)	Jury Greenland
Punaruku	Haydn Edmonds (Chair)	
Otetao	Gary Reti	Elvis Reti
Mokau	Donna Tamaki	Adrianne Taungapeau
Oakura	Henry Murphy	
Whananāki	Allan Moore	Isha Waetford
Matapōuri	Kris MacDonald	Marion Kerepeti-Edwards
Ngunguru	Erica Wellington	Mike Rundlett
Pātaua	Hori P Mahanga	
Takahīwai	Grant Pirihi	
Pākiri	Annette Baines	NG. N.
Motairehe	Andrea Munro	Jeff Cleave
Kawa	George Ngāwaka	TAUST BOARD

NTB Elections February 2014



Ste	ps to be completed	Target Date
1.	Public Notice of Election - Calling for Nominations	Saturday 16 November 2013
2.	Nominations Open	Friday 22 November 2013
3.	Close of Nominations (5pm)	Friday 13 December 2013
4.	Public Notice of Election	Saturday 11 January 2014
5.	Issuing of voting packs	Monday 13 January 2014
6.	Close of voting period (5pm)	Monday 10 February 2014
7.	Results announced	Tuesday 11 February 2014

Important Note:

- Elections will only be held where more than one nomination is received for each Marae.
- Where only one nomination is received no election will be held for that Marae.

Independent Election Services

- Appointed by the Ngātiwai Trust Board to manage the voting process independently and professionally
- Dale Ofsoske, Independent Returning Officer
- Voting packs will be sent out only where there has been more than one nomination received for each Marae
- Members can vote by either:
 - posting back completed voting paper (freepost envelope)
 - voting online using credentials shown on voting paper
- Can only vote once using one method (checks in place)



0800 922 822

Context



The context of this presentation is to provide information about our Treaty Settlement journey including:

- 1. Where have we come from & Where are we now?
- 2. Where are we going & How will we get there?

Kris MacDonald Where have we come from?

NTB Work to date



- 1987 NTB WAI 244 Claim Lodged
- 2008 NTB fund \$225,000.00 toward research
- Completed for northern cluster
 - All Whangaruru Marae
- Part complete for central cluster
 - Ngunguru, Matapouri, Whananaki
 - Waiting for Pataua
- Part complete for southern cluster
 - Pakiri, Motairehe, Kawa
 - Waiting for Takahīwai

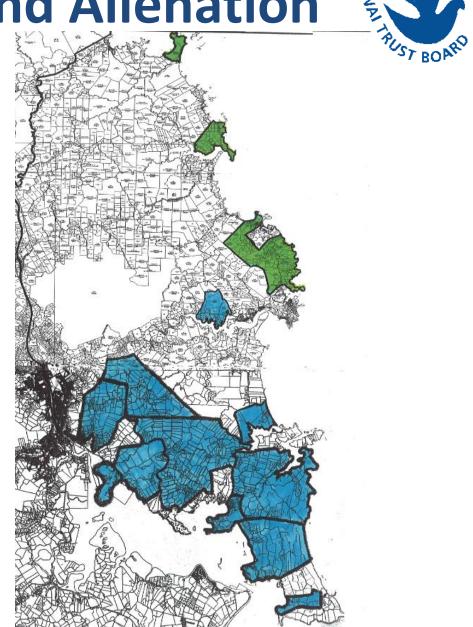
Research



- The research we have completed is sufficient to enter direct negotiation.
- We must be able to:
 - "demonstrate harm" and show the "extent of loss"
 - further research can be completed as we negotiate the settlement
- The Crown now accepts that land alienation was in breach of the Treaty of Waitangi
- We will have a big job to clarify that our sea alienation claim is also a breach of the Treaty of Waitangi but it is a big issue for us to tackle

Land Loss to 1865

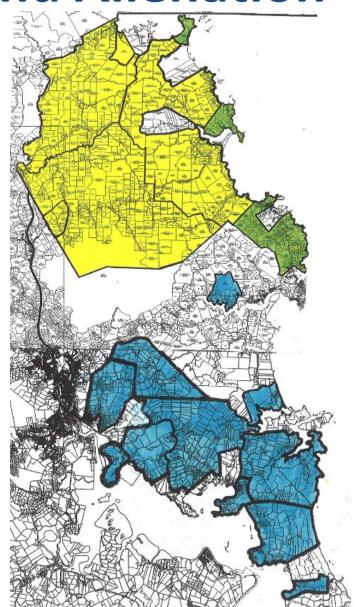
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 - Old land claims
 - pre 1840
- Green
 - Crown Purchases
 - 1840 to 1865



NGATIWAL TRUST BOARD

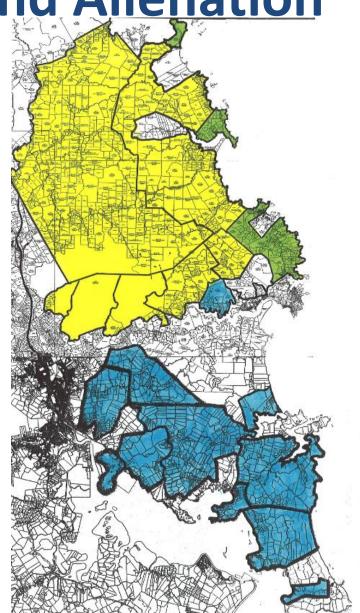
Land Loss 1865 to 1885

- Yellow
 - -Land Court



Land Loss 1885 to 1905

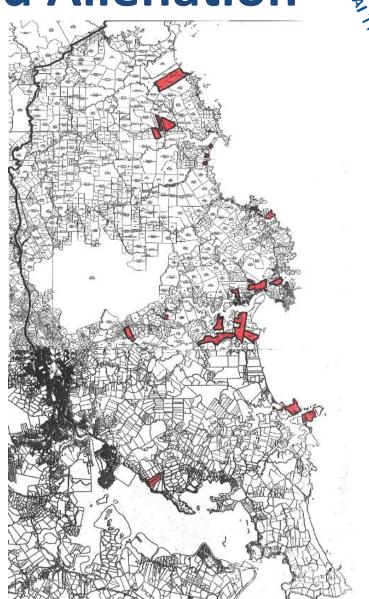
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NGATIWAL TRUST ROARD

Remaining Māori Land

Red



Ngātiwai Sea Alienation

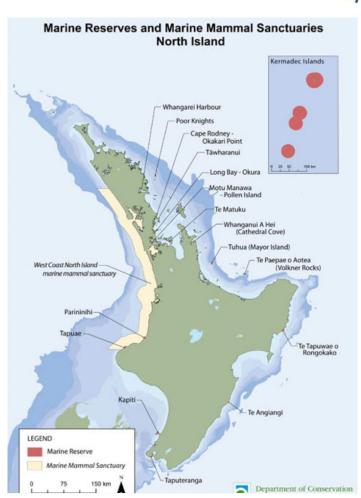


Historical Claims

21 September 1992

Marine Reserves

- 1975 Goat Island, Leigh
- 1981 Poor Knights Islands



Engagement With the Crown

Date	Event
June 2009	Crown include Ngati Manuhiri and Ngati Rehua in "Tamaki Collective" to settle their claims separately from the rest of Ngatiwai
Aug 2009	NTB approach Crown to enter direct negotiations for remainder of Ngātiwai
Oct 2009	Crown decline request due to overlapping claims with Ngapuhi
Nov 2009	NTB respond with case for Ngātiwai to settle separately
May 2010	Crown decide to lump Ngātiwai in with Ngapuhi/Northland Inquiry
2010-12	Engagement with Crown/Minister to further discuss matters
Oct 2012	Crown recognise Ngatiwai as a Large Natural Grouping and confirming that Crown is open to direct negotiations – subject to mandate
March 2013	NTB write to Minister requesting priority in the Crown's work program & develop DRAFT mandate strategy
May 2013	Crown confirm priorities for NTB on the 2013/14 work program
July 2013	NTB submit mandate strategy and Crown endorse it for implementation

Engagement with Te Iwi o Ngatiwai

Date	Event
March/April	Three Information Sharing Hui (Ngaiotonga, Whangarei and Auckland)
13 April	DRAFT Mandate Strategy (v3) released for feedback (6 weeks total)
19 July	Revised Mandate Strategy (v6) submitted to OTS/TPK
24 July	OTS/TPK endorse strategy and call for submissions (3 weeks)
27 July	Public Notice of Mandate hui and Mandate Poll including notification of submission period (3 weeks closing at 5pm on 17 August)
17 Aug	Submissions close (although late submissions accepted)
24 Aug to 14 Sept	Mandate hui (Ngaiotonga, Tauranga, Wellington, Matapouri, Rotorua, Hamilton, Auckland, Whangarei, Pakiri) Additional information hui in Sydney x2 and Brisbane
14 Sept	Public Notice of extended voting period (8 weeks total)
21 Oct	IRO advised NTB of poll results
26 Oct	Public Notice of Declaration of Vote

Declaration of Result of Mandate Poll



I hereby declare the result of the Mandate Poll held on 13 October 2013.

RESOLUTION:

That the Ngātiwai Trust Board is mandated to represent Te Iwi o Ngātiwai in direct negotiations with the Crown for the comprehensive settlement of all the remaining historical Treaty claims of Ngātiwai including registered and un-registered claims.

Option	Votes Received
YES/ĀE	636
NO/KAO	131
(Blank votes 5)	

2,735 voting papers were issued and 772 votes were cast, this being a 28.2% return.

Of those who cast their vote, 82% were in favour of the Ngātiwai Trust Board's mandate proposal.

Dated at Auckland, 21 October 2013.

Dale Ofsoske, Returning Officer Independent Election Services Ltd for Ngātiwai Trust Board

Kris MacDonald Where are we now?

Who is Te Iwi o Ngātiwai? Crown Claimant Definition?

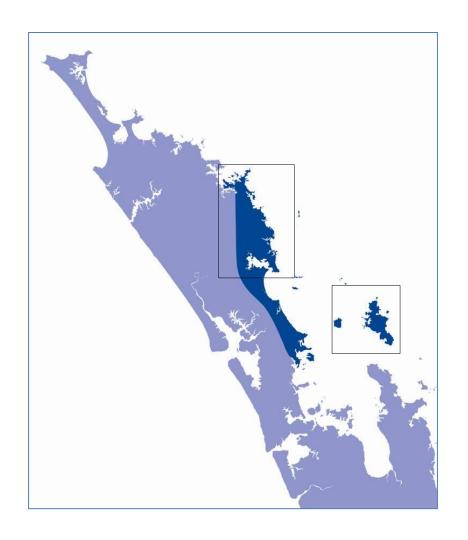


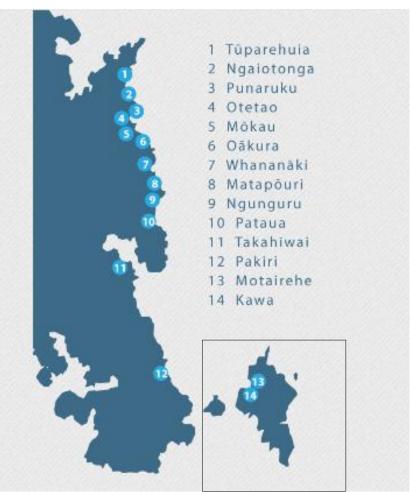
The **Ngātiwai Trust Board** is seeking a mandate to represent the claims related to our:

- 1. Marae
- 2. Rohe/Area of interest
- 3. Founding Tupuna or ancestors
- 4. Hapu

Our Marae and Rohe







Our Founding Tupuna



- Manaia II
- Te Rauotehuia
- Tahuhunuiorangi
- And other key tupuna

(See full description in the mandate strategy page 11)



Our Hapu

Ngātiwai Hapu			
Ngāti Kuta	Te Kainga Kurī		
Patu Keha	Ngāti Toki ki-te-moana		
Te Kapotai	Te Patuharakeke		
Ngāti Tautahi	Ngāti Takapari		
Te Uri o Hikihiki	Ngāti Kororā		
Te Aki Tai Te Whānau ā Rangiwhakaahu			
Te Whānau Whero-mata-mamoe			



Changes to our Hapu

Current Ngātiwai Hapu			
Ngāti Kuta	Te Kainga Kurī (removed)		
Patu Keha (removed)	Ngāti Toki ki-te-moana		
Te Kapotai	Te Patuharakeke		
Ngāti Tautahi	Ngāti Takapari		
Te Uri o Hikihiki	Ngāti Kororā		
Te Aki Tai	Te Whānau ā Rangiwhakaahu		
Te Whānau Whero-mata-mamoe			
Ngati Pare (current)	Te Waiariki (added)		





Hapu	Ngatiwai Tupuna
Ngāti Kuta/Ngare Raumati	Hurumaiterangi, Te Wairua
Patu Keha (removed)	N/A
Te Kapotai	Hoterene Tawatawa, Tamaroa
Ngāti Tautahi	Te Kauwhata
Te Uri o Hikihiki	Hikihiki I & Wairua
Te Aki Tai	Rongorongoitaua, Te Ruaki
Te Whānau Whero	Tamati Te Maru
Ngati Pare (current)	Pare



Hapu and Key Tupuna

Hapu	Ngatiwai Tupuna
Te Kainga Kurī (removed)	N/A
Ngāti Toki ki-te-moana	Rangitukiwaho II
Te Patuharakeke	Te Rangapu
Ngāti Takapari	Rangitukiwaho I
Ngāti Kororā	Te Mahanga
Te Whānau ā Rangiwhakaahu	Rangiwhakaahu Te Awa
Te Waiariki (added)	Te Kahuwhero

Crown settlement policy

- The Crown negotiates Treaty settlements with Large Natural Groups
 - The Minister for Treaty of Waitangi negotiations has recognised Ngatiwai as a Large Natural Group
- The Crown negotiates **comprehensive** Treaty settlements
 - This means all hapu and WAI claims are included in the mandate sought from Te Iwi o Ngatiwai

WAI Claims

- Historical Treaty claims are those arising out of Crown actions an omissions before 21 September 1991.
- Contemporary claims relate to actions of the Crown that occurred after 21 September 1991 – separate process later



WAI Claims Included

WAI No.	Claim Title	Claimants
67	Oriwa 1 B3	Jean Applehof & and Ors
156	Oriwa Block (Whananāki)	Marie Tautari
244	Te Iwi o Ngātiwai historical claims	Uru Palmer/Ngātiwai Trust Board
262	Flora & Fauna	Saana Murray, Te Witi McMath & Ors
343	Otetao A Block	Wayne Peters
504	South Whangārei Land & Seabed	Tamihana Paki
511	Matapōuri Bay Council sections	Chris Koroheke & Ors
745	Patuharakeke Hapū Lands & Resources	Luana Pirihi & Ors
1308	Pukekauri & Takahīwai	Grant Ngāwaka Pirihi & Ors
1384	Whāngaruru Lands	Elvis Reti & Ors
1392	Pukekauri 1A, 2A & 2B. Wiki Te Pirihi & ors	Ephie Pearly Pene



WAI Claims Included

WAI No.	Claim Title	Claimants
1512	Descds of Wiki Pirihi & Raiha Te Kauwhata	Michael Leulua'i
1528	Native Land Court: Te Kauwhata	Carmen Hetaraka
1529	Native Land Court: Hetaraka & Herewini	Toru Hetaraka
1530	Native Land Court: Hetaraka & Herewini	Te Rina Hetaraka
1539	Native Land Court: D Kereopa & S Pirihi	Te Aroha Going
1544	Ngātiwai Land Blocks	George Davies & Ors
1677	Orokawa 3B Perpetual lease	Hūhana Seve
1711	Te Whānau ā Rangiwhakaahu Hapū	Kris MacDonald, James Mackie & Ors
1712	Native Land Court: Toi te Huatahi & Te Mawe	Marino Māhanga
1717	Native land Court: Te Whānau Whero	Alan Moore & Takapari Waata
1719	ML Blocks: Hone & Erana Murphy	Henry Murphy



WAI Claims Included

WAI No.	Claim Title	Claimants
1723	Crown's Environmental Policies	John Paki (Removed)
1726	Paremata Mōkau A13 Block etc	Robin Paratene
1786	Actions of the Crown: Reweti whānau	Ike Reti, Gary Reti & Ors
1954	Native Land Court: Haika & Te Kauwhata	Eta Haika
1960	Rangatiratanga: Tamihana & Kaupeka	Kapotai Tamihana
1961	Native Land Court: Pita Tunua & ors	David Carpenter
1955	Partitioning land: Patu Harakeke & Ngātiwai	Juanita De Senna
1973	Native Land Court: Hone Pita & Marara Pita	Robert Carpenter
2022	Foreshore Seabed Motokokako Island	Edina Colston (Patuone Hoskins on behalf of the Ahuwhenua Trust and owners of Motokokako
2243	Little Barrier Is Acquisition Act	Tamihana Paki

Supplementary Claims

WAI	Claim Title	Claimants
245	Hinetapu Maihi Mahanga whanau	Hoori George Moanaroa Munro Parata
620	Te Waiariki/Ngati Korora Hapu	Colin Malcolm & Ors
688	Nga Hapu o Whangarei (inc. Ngati Toki)	Richard John Nathan & Ors (Removed)
887	Himi Tataiarangi Watene Tautari Whakapapa Whanau Trust	Timi Tahana Watene & Ors
1307	Ngati Kuta Ke Te Rawhiti	Matiutaera Te Nana Clendon & Ors
1411	Te Waiariki/Ngati Korora/Ngati Taka	Violet Sade & Ors
1412	Te Waiariki/Ngati Korora/Ngati Taka	Violet Sade & Ors
1413	Te Waiariki/Ngati Korora/Ngati Taka	Violet Sade & Ors
1414	Te Waiariki/Ngati Korora/Ngati Taka	Violet Sade & Ors
1415	Te Waiariki/Ngati Korora/Ngati Taka	Violet Sade & Ors
1416	Te Waiariki/Ngati Korora/Ngati Taka	Violet Sade & Ors
1464	Te Kapotai and Ngati Pare	Te Riwhi Whao Reti & Ors
1513	Te Roopu Whakamana	Elizabeth Kopa & Ors
1546	Te Kapotai	Edward Henry Cook





Ngātiwai Trust Board & Office of Treaty Settlements

Treaty Settlement Information Hui

Saturday 21 December 2013 9:30am