



Kaihautu Korero

DECEMBER 2005

A newsletter for Te Arawa descendants about the direct Treaty negotiations with the Crown

Consultation document to be released early next year on governance entity

A document looking at proposed models for the governance entity that will manage assets returned in a settlement with the Crown, will be released next month for consultation.

The document will be sent to all people registered with Nga Kaihautu o Te Arawa. Consultation hui will also be held early next year with affiliate iwi and hapu which will provide further opportunity for registered members to give feedback on the document.

The document is the result of work undertaken by a team appointed by the Executive Council to investigate governance models.

That team consists of Dr Candy Cox, Maureen Waaka, Bob Young, Pinder Pirika and Kere Cookson-Ua.

The team undertook extensive research investigating national, international and indigenous governance models and has received expert advice from a range of sources.

The team also met with other iwi, including Ngai Tahu, to learn of their experiences in managing settlement assets.

The consultation document explores options and issues relating to the post-settlement governance entity needed to receive, hold and manage the settlement assets on behalf of the affiliate iwi and hapu of Nga Kaihautu o Te Arawa.

To have your say on the proposed model for the governance entity you must register with Nga Kaihautu o Te Arawa.



Kaihautu Korero

Kaihautu Korero is produced every six weeks by Nga Kaihautu o Te Arawa Executive Council. It aims to inform Te Arawa descendants about the direct negotiations the council is undertaking with the Crown to settle the historical Treaty of Waitangi claims of its affiliate iwi and hapu. Because of the high demand for information *Kaihautu Korero* will be supplemented by *Kaihautu Korero Update* every three to four weeks.

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E-News

To receive our newsletters and updates by email, please contact us. Kia ora!

Message from the Chairman



Tena koutou katoa,

Another year is almost over but not without the Executive Council achieving significant milestones in the face of adversity and litigation.

The Executive Council is in its third year of operation. This time last year we signed the Terms of Negotiation with the Crown, which paved the way for formal negotiations between the parties to begin.

We have now entered into an Agreement in Principle with the Crown, seeking to settle the historical Treaty of Waitangi claims and grievances of the affiliate iwi and hapu.

While the offer does not compensate for the true economic loss, we believe it a platform for economic growth and the enhancement of the affiliate iwi and hapu mana.

However, what lies before us is to negotiate the detailed provisions of the settlement offer (in the form of a Deed of Settlement) and to establish the governance entity that will receive and manage the settlement assets.

Both the Deed of Settlement and the post-settlement governance entity need to be approved by you, the members of the iwi and hapu affiliated to the Executive Council. Therefore, these processes will directly involve you, as 'only the people can mandate and only the people can ratify.'



Last month the Executive Council were once again forced to defend their mandate in the High Court.

Much to our continued disappointment, this has required the Executive Council to spend money in defending these claims, which could have been used in more productive ways.

The outcome of the High Court litigation will not be known until next year.

By this time next year, we hope the Deed of Settlement and the post-settlement governance entity will have been ratified.

The settlement legislation will

hopefully be completed and passed in 2007/2008. Then the real work of looking after our people, our taonga, our marae and our future can progress more effectively.

With the festive season upon us, the Executive Council and I wish you and your whanau a safe and happy Christmas and New Year.

ERUGEORGE

Chairman

Nga Kaihautu o Te Arawa Executive Council

Go email not snail mail and get the news faster!

If you have registered with Nga Kaihautu o Te Arawa and you want to get *Kaihautu Korero* and all of our communications faster, then let us know. As of next year, all registered members who provide us with their email address will receive our newsletters and communications as soon as they are ready, which can be more than three days before the hardcopies come hot off the press. If we haven't already got your email address, email us at: admin@nkota.org.nz Kia ora!

If you have not yet registered, or know someone from an affiliate iwi or hapu that has not yet registered, please contact us. Being on the Executive Council's register is the only way you can have the final say on the Crown's settlement offer for the affiliate Te Arawa iwi and hapu, and on the post-settlement governance entity that will receive, hold, and manage our settlement assets on behalf of the affiliate Te Arawa iwi and hapu.

He Tangata

In this edition of *Kaihautu Korero* we also begin a series called *He Tangata*. The series will contain stories of the grass-roots people who have been influential in helping their iwi and hapu to settle their historical Treaty of Waitangi claims.

Bill Galvin: Three decades of homework

For more than 30 years, Bill Galvin has been gathering information on Crown processes.

In that time, the Ngati Tahu-Ngati Whaoa man has researched how his iwi came to lose so much of their land.

The work has seen Bill travel from his home in Turangi to the Māori Land Court in Rotorua to look at award records, gazettes, minute books and almost every other land acquisition record the Court has on file.

He has attended numerous iwi meetings, too many for the 73-year-old to recall.

For Bill, the work has also meant recording on paper the oral histories he was told as a young boy by his kuia and koroua.

So when Bill was given the opportunity to present the main



Bill delivers a korero to Crown officials earlier this year when they were taken on a hikoi of Ngati Tahu-Ngati Whaoa lands under claim.

findings of his research to the Crown earlier this year, he did not hold back.

“I have done my homework for 30 odd years,” he told them.

“We are small in numbers, we have been suppressed for so long but not any more.

“If you’re going to take from Ngati Tahu-Ngati Whaoa and give it to someone else I’m going to be on the watch.”

Significant offer

Te Arawa signs Agreement in Principle settlement offer

The Arawa iwi and hapu represented by Nga Kaihautu o Te Arawa have more than 20,000 members.

The historical grievances of our iwi and hapu relate to the operation of the Native Land Court, 19th century land purchases by the Crown, Maori land administration in the 20th century, and public works and scenery preservation takings in which hundreds of thousands of hectares of Maori land was taken through Crown processes.

The impact of the Crown's land takings caused severe economic, social and cultural deprivation for our people and severely affected potential economic growth that could have reflected in more positive statistics today. This settlement offer made to Te Arawa today is hugely discounted from what is recognised by our iwi and hapu as being our true economic loss. We are making a significant contribution to Rotorua and the wider Bay of Plenty region by not being fully compensated.

In 2003 Nga Kaihautu o Te Arawa Executive Council (Executive Council) was mandated by our affiliate iwi and hapu to negotiate their Treaty of Waitangi claims.

The Crown recognised the mandate of the Executive Council in April 2004, and negotiations on the settlement package began with the signing of Terms of Negotiation in November 2004. Prior to this of course, a lot of planning and preparations went into negotiations. On 5 September 2005, the Crown and the Executive Council signed an Agreement in Principle settlement offer. We had planned in late 2003 that we would aim to achieve an Agreement in Principle with the Crown by September 2005. We have done exactly that. The Executive Council now wants to move on and achieve a Deed of Settlement in the shortest period of time.

The settlement negotiation process is basically low cost for the present day public purse in that the quantum or cash value of the settlement comes from Treaty settlement funds set aside a decade ago and Crown forestry rentals agreed back in 1989 to progress claims relating to Crown forestry licensed lands. We have seen hundreds of thousands of dollars of taxpayer money spent on litigation against this settlement negotiation process. We do not want to see anymore taxpayer money than is necessary spent on this process because of long drawn out litigious battles. We ask the Crown to also aim for the shortest timeframe based on this agreement to work on a detailed Deed of Settlement to minimise escalating costs. We also want to ensure that our affiliate iwi and hapu and the wider community have a general knowledge of this settlement offer.

What's being offered?

A financial and commercial redress package, the settlement quantum being \$36million (plus interest), as well as:

The opportunity to take in kind more than 10,000ha of Crown forest licensed lands along with the accompanying accumulated Crown forest licence rentals, in the vicinity of \$12-\$15 million, in addition to the quantum; The opportunity to purchase under a deferred selection process, at any time up to six months following settlement date, Crown-owned commercial properties, Crown-owned geothermal assets, Further Crown forest licensed lands (with the exclusive rights to purchase up to 40,000 ha from within the Kaingaroa, Whakarewarewa, Highlands / Waimangu, Horohoro, Rotoehu forests).

er for Te Arawa

A cultural redress package:

The vesting of 23 sites of cultural and spiritual significance totalling 758 ha; Overlay Classifications over three sites owned by the Crown - Rainbow Mountain Scenic Reserve, north-west slope of Mt Tarawera, part-Mt Ngongotaha Scenic Reserve. Under the overlay classifications the Crown will acknowledge a statement by the iwi and hapu of their values in relation to the sites; Statutory Acknowledgements over three rivers – part of the Tarawera River; part of the Kaituna River; part of the Waikato River (Huka Falls to Atiamuri) and the Waiteti and Ngongotaha streams; Statutory Acknowledgement and Deed of Recognition over the Matahāna Ecological Area at Horohoro; Statutory Acknowledgement over the Lake Rotokakahi, Lake Tikitapu Covenant Area. Statutory Acknowledgement over the geothermal water and geothermal energy located in the Rotorua Region Geothermal System; Protocols with the Department of Conservation, the Ministry for Culture and Heritage and the Ministry of Fisheries and a relationship agreement with the Ministry for the Environment; A ministerial letter to the Rotorua District Council seeking its agreement to redress enabling the Council to take into account the values of the iwi and hapu in relation to the management of three Council-owned reserves (subject to continuing public access) - Hannah's Bay Recreational Reserve (plus recognition of Otairua Swamp and Karamuramu Baths), Waiteti Stream Recreation Reserve and the Recreation Reserve at Lake Okarcka; Ministerial letters to the Rotorua District Council, Environment Waikato and Environment Bay of Plenty encouraging these local authorities to enter into memoranda of understanding with the iwi and hapu; An undertaking to explore one place-name change; An undertaking to explore the vesting of the Whakarewarewa Thermal Springs Reserve totalling 45 ha subject to reserve status and the existing perpetual lease to the New Zealand Maori Arts and Crafts Institute and in consultation with the institute and overlapping iwi groups; and the future vesting of two sites, Matawhaura and Otari Pa (totalling 35 ha), subject to existing reserve status and consultation with an overlapping iwi group.

A historical account: Recognises the aspects of the relationship between the Crown and the iwi and hapu represented by the Executive Council that gave rise to breaches of the Treaty of Waitangi. The historical account will be further developed for inclusion in the Deed of Settlement which will include Crown acknowledgements and a Crown apology for breaches of the Treaty based on the historical account.

The 23 sites to be returned

<u>Maunga Tapu - Iconic Peaks</u>	<u>Hectares</u>
Ngongotaha - around summit	50
Rangitoto - peak	50
Moerangi - around summit	50
Horohoro Bluff - adjacent site	75
Paeroa Ranges - two peaks	100
Matawhaura - around summit	32*
<small>The peak of Tarawera and the Horohoro Bluff are currently in Maori ownership. Maunga Kakaramea (Rainbow Mountain) in this settlement offer is subject to an Overlay Classification status.</small>	
<u>Waahi Tapu, Waahi Whakahirahira - Sacred sites, sites of traditional significance</u>	
Te Wairoa (Rotoiti)	1
Pateko Island	0.2
Te Koutu Pa (Rotoiti / Okataina)	2
Otari Pa	2*
Land under Okataina lodge	1.5
Land under Okataina Outdoor Ed. Centre	20
Rotongata (lake bed)	0.7
Rotoatua (lake bed)	7.5
Te Ariki (Tarawera)	45
Punaromia	10
Rotomahana (dry land)	1.5
Kakapiko	5
Roto-a-Tamaheke	4.3
Rotokawa (lake bed and adjoining land)	7.5
Waiotapu	123
Orakei Korako	125
Whakarewarewa Thermal Springs Reserve	45*

* Future arrangements and further explorations to be considered.



Waahi

In this edition of *Kaihautu Korero* we begin a series called *Waahi*. The series tells the stories of the sites of significances the Crown has offered for return to the respective affiliate iwi and hapu. In this, the first edition, we will look at two of the five maunga or iconic peaks offered back by the Crown.

Rangitoto

Following the conquest of Te Motu Tapu a Tinirau (Mokoia Island) by Rangiteaorere and Uenukukopako, Rangiteaorere went back to Rangitaiki to visit his mother. It was Rangiteaorere who had planned the conquest of Mokoia.

In his absence, those hapû who assisted in the conquest of the island divided areas of it for them but left Rangiteaorere the smallest portion. Upon his return to the island, Rangiteaorere became annoyed with the portion left to him. He turned toward the Whakapoungakau Range in the east and said: “Ka whakapau atu taku ngakau mo te maunga e tu mai ra.” - My heart will be satisfied if I possess that mountain yonder.

The maunga he was referring to was Rangitoto which stands at the northern end of the Whakapoungakau Range within the rohe of Ngâti Rangiteaorere.

Ngati Rangiteaorere and Ngati Uenukukopako lived on Mokoia as one people but after they were involved in a skirmish with another hapû, they decided to leave the island and settle on the mainland. Uenukukopako settled at Te Ngae and Rangiteaorere at Rangitoto. Ahikaroa was maintained by continued use of the cultivations on the island by those hapû members who travelled from the mainland.

Hapeta Te Hou Te Hohoro gave evidence at the title investment hearing for Mokoia Island. He named Rangitoto as being one of the urupâ in the Whakapoungakau block. As is tradition with Maori, Rangiteaorere would have been buried at the top of Rangitoto as befitting a person his status. Ngati Rangiteaorere lost the right to exercise their kaitiakitanga and their mana over their sacred mountain due to the actions of the then Native Land Court and the failure of that Court to protect the interests of Ngati Rangiteaorere. Today the maunga is owned by the Crown and administered by the Department of Conservation.

WHAT THE CROWN IS OFFERING

Up to 50 hectares around the summit of Rangitoto (within Okataina 12). The return will be subject to existing scenic reserve status and consultation with the Lake Okataina Scenic Reserve Board. The area to be returned will exclude that part around the existing radio beacons.



Horohoro

In the 1880s the whole of the Horohoro Mountain was awarded to Ngati Kea Ngati Tuara except for an area of 125 hectares at the southern end.

This part was awarded to some people of another iwi, wrongfully according to Ngāti Kea Ngāti Tuara tupuna at the time. Those people later sold it and it has changed hands several times. About 75 hectares of the original 125 hectares was bought by the Department of Conservation (DOC) and has been administered by them ever since.

The full name of the maunga is *Te Horohoroinga o nga ringa o Kahumatamomoe*.

The mountain was, and still is, the most valued part of Nga Kea Ngati Tuara's rohe.

Long ago its steep cliffs and dense bush provided a place of refuge for the iwi in troubled times. Today the iwi take great pride in preserving its natural beauty.

Soon after the Land Development Scheme started in 1930, people from the iwi pressed the Maori Land Court for the bulk of the land they still owned (about 470 hectares) to be declared The Horohoro Mountain and Bush Reserve.

Ngati Kea Ngāti Tuara intends to work towards incorporating the new area into the existing reserve. They also look forward to a cooperative relationship with DOC caring for that area of land behind the mountain under DOC's control.

WHAT THE CROWN IS OFFERING

Site on Horohoro Bluff. Approximately 75ha (all of Section 1 SO 60473) being part of the Horohoro State Forest. Subject to a conservation covenant to maintain conservation values.

REGISTER NOW - don't miss the waka

If you are a descendant of any of the iwi and hapu represented by Nga Kaihautu o Te Arawa, you are entitled to register with us and have your say on what the Crown is offering to settle your iwi and hapu's historical Treaty claims and grievances. To get a registration form you can phone, email or write to us. If phoning over the holidays, or after office hours, leave your details on our answering phone and we will contact you. You can also download the form from our website www.nkofa.org.nz

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