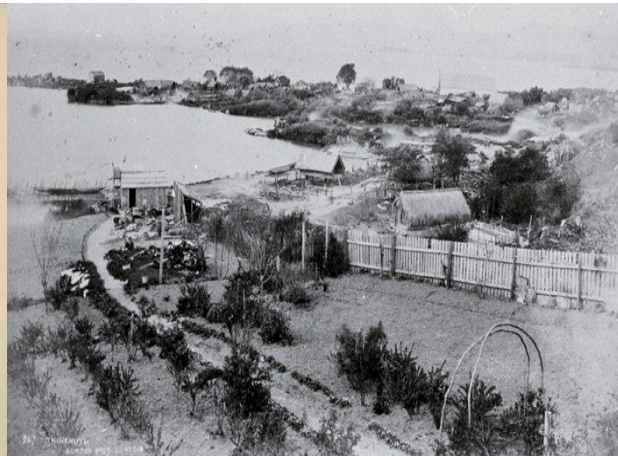


TE KOMITI NUI O NGĀTI WHAKAUE

Historical Treaty Claims

MANDATE PRESENTATION



Agenda

1. Karakia Whakatau
2. Apologies
3. Introduction & Purpose (Why we are here)?
4. Presentation Overview
5. Q & A
6. Re-cap
7. Vote on the Resolution
8. Next Steps
9. Karakia Mutunga





Introduction



Trustees

Rawiri Bhana

Mokonuiarangi Kingi

Aleisha Ewa Makarita Mitchell

Maru Tapsell

Tipene James

Represent the 6 Koromatua hapū and Ngāti Whakaue's central interest

Ray Pou Poasa

Selwyn Insley

Represent Ngāti Hurunga, Taeotu me Te Kahu and Ngāti Whakaue's eastern and southeastern interests

Karena Te Awa Bird

Represents the Maketū and Ngāti Whakaue's sea and coastal interest

Hokimate Kahukiwa

Represents Mamaku Horohoro and Ngāti Whakaue's western interests

Purpose - Why are we here?



The purpose of the hui is to seek endorsement, or not, from Ngāti Whakaue:

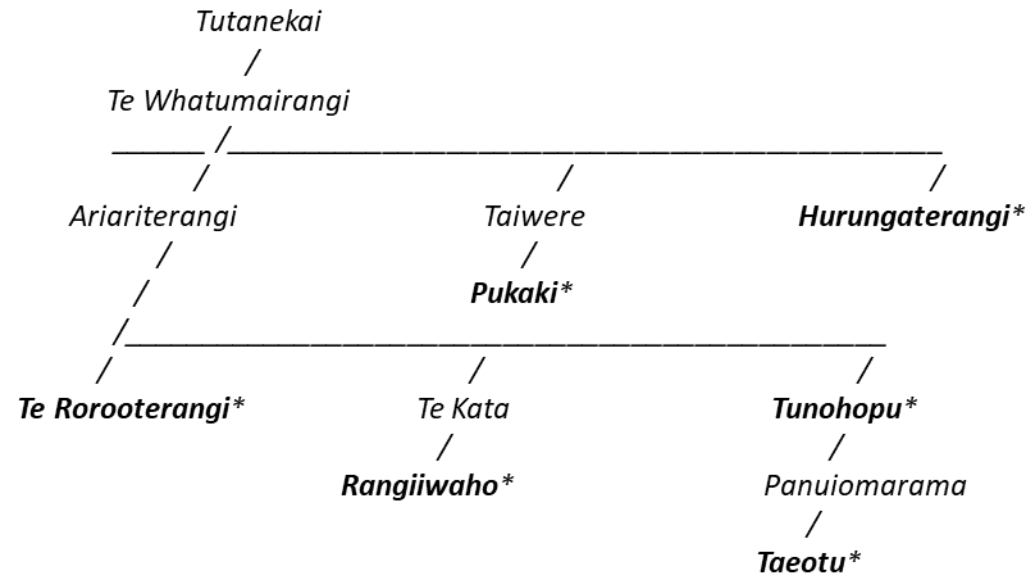
“ that Te Komiti Nui o Ngāti Whakaue has a *fresh* mandate to re-enter negotiations with the Crown to secure a comprehensive settlement of all Ngāti Whakaue extant historical Treaty of Waitangi claims”.

Ngāti Whakaue - Whakapapa



For the purpose of negotiations for Ngāti Whakaue historical treaty claims, Ngāti Whakaue derives its name from the eponymous ancestor, Whakaue Kaipapa, and more accurately descend from Whakaue Kaipapa's youngest son Tutanekai and his issue.

We, the uri of Tutanekai, share common descent from the following tupuna as depicted below:



* Nga Koromatua Hapu o Ngati Whakaue



Overview

- Context
- Background
- Status of Te Komiti Nui and Ngāti Whakaue negotiations
- Ngāti Whakaue Area of Interest and Claims to be settled
- What Te Komiti Nui o Ngāti Whakaue is seeking from this hui – what is a mandate? Approach to settlement negotiations

- Resolution to be voted on
- Q & A
- Voting
- Next Steps



Context



- From 2004 to 2007 Ngāti Whakaue participated in the Waitangi Tribunal's Rotorua District Enquiry hearing
- as well as during the urgent hearing of the Waitangi Tribunal on the Te Arawa Mandate Report in 2005, the
- Report on the Impact of the Crown's Policy on Te Arawa 2007, including the Whakarewarewa and other land matters, and
- The WAI 1200 Central North Island Inquiry

Background



- The Crown confirmed Ngāti Whakaue as a Large Natural Grouping for the purpose of treaty settlement negotiations on the 30 January 2009 ie: Ngāti Whakaue ki Uta Ngāti Whakaue ki Tai, in particular descendants of or Uri o Tutanekai and the 6 Koromatua o Ngāti Whakaue.
- Te Komiti Nui o Ngāti Whakaue (the Trust) was formalised by way of resolution at a hui-a-iwi of Ngāti Whakaue held in Tamatekapua whare tipuna, Ōhinemu on Sunday 19 April 2009.
- Te Komiti Nui o Ngāti Whakaue is constituted under or by way of a private or common law trust as the representative and mandated group which Ngāti Whakaue may treat and engage with the Crown, in the negotiation, resolution and settlement of their outstanding Treaty claims
Clause E of the Deed of Trust adopted on the 19 April 2009.

Background contd



- Te Komiti Nui o Ngāti Whakaue's primary purpose is to: 'procure from the Crown, by way of engagement and negotiation the comprehensive settlement for all of Ngāti Whakaue's extant historical treaty claims'.
- Te Komiti Nui o Ngāti Whakaue **received it's mandate from the people** following a series of hui held in Auckland 18 June 2009, Hamilton 19 June 2009, Rotorua 20 June 2009 and Maketū 21 June 2009, subsequently recognised by the Ministers for Treaty Negotiations and Minister for Māori Development in 2010, by way of letter.

Status of Ngāti Whakaue's negotiations

- Following negotiations between 2014 and 2016 it became apparent the expectations of the Crown and settlement aspirations of Ngāti Whakaue were too far apart. The Crown stated their position for settlement with Ngāti Whakaue in May 2016.
- The then Negotiators and Board of Trustees agreed the Crown's position for settlement with Ngāti Whakaue did not go far enough to settle Ngāti Whakaue's extant historical claims and called a Ngāti Whakaue Registered Voting hui

Status contd

- At the 4 September 2016 Ngāti Whakaue Registered Voting hui, a resolution was put forward to accept or not the Crown's position.
- Ngāti Whakaue voted to reject the Crown's position for settlement with Ngāti Whakaue and was subsequently removed off the Office of Treaty Settlement's (Te Arawhiti) active negotiations work programme, effective from September 2016.
- From late 2016 to early 2022 with a new strategy and new approach, the Trustees made several attempts to re-engage with the Crown. Unfortunately, even with the change in government in 2018 the Crown remained unwilling to re-engage.

Re-engagement with the Crown



- With the change in TKN leadership and management (May 2022) TKN wrote to the Minister for Treaty Negotiations in July 2022 requesting he direct his officials to commence a process for re-engagement with Ngāti Whakaue.
- The Minister included in his response that Te Komiti Nui o Ngāti Whakaue seek a re-freshed mandate given the time lapse from 2016 to 2022.
- At a meeting with officials in late December 2022 the parties agreed to undertake a process to refresh its mandate, following the same line as what was undertaken in 2009.
- Refreshed updated Mandate Strategy and draft Deed of Mandate was approved by Te Arawhiti and lodged May 2023 on their website for public submissions, closing on 17 July 2023.

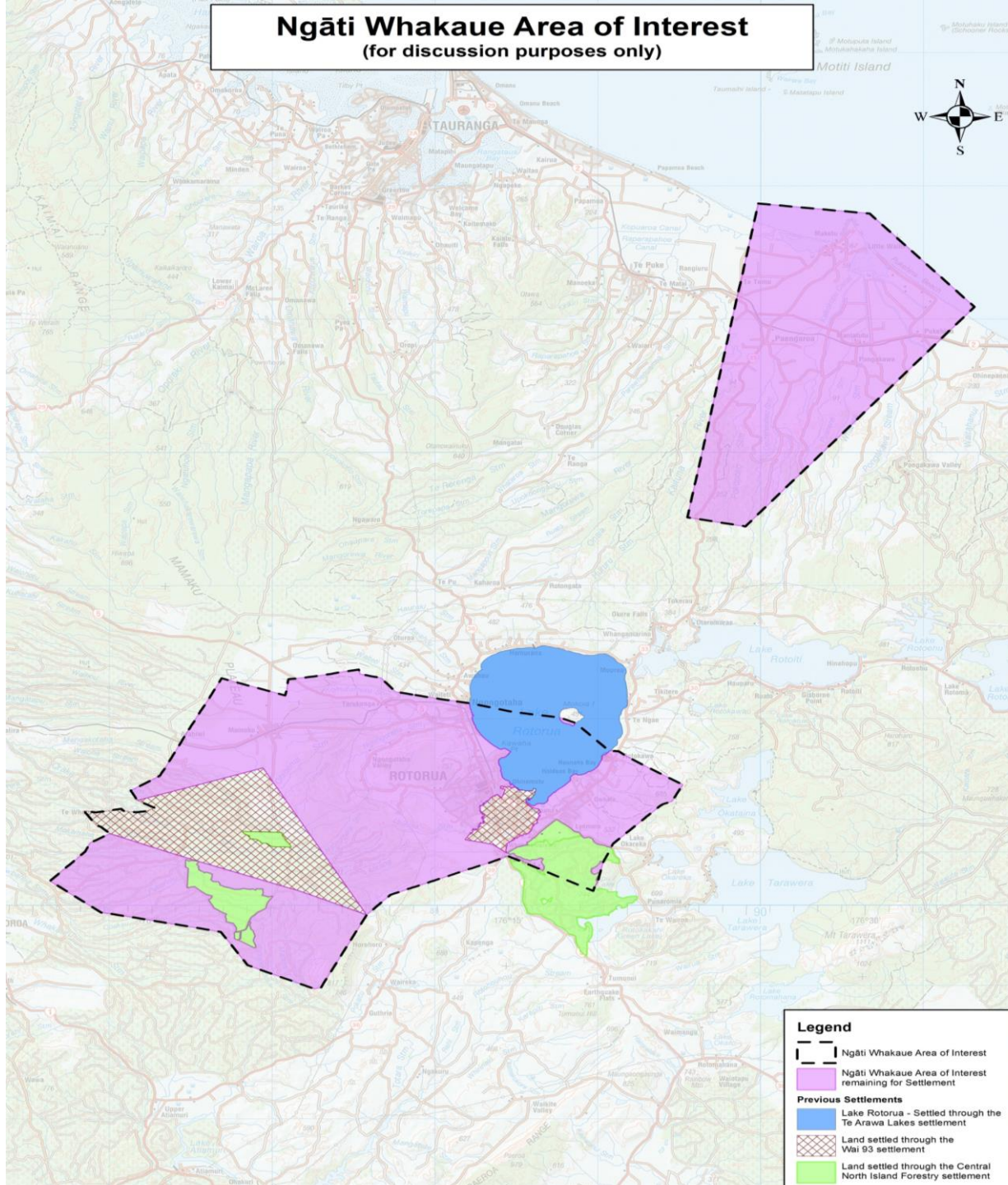
Challenge to re-mandate



There were:

- 4 submissions against the draft re-mandate strategy,
 - 1 generally in support but want discussion for overlapping non-settled claims and
 - 2 in support of the re-mandate strategy and TKN.
-
- Over the past 12 months, and with best endeavours, Te Komiti Nui has tried to bridge the impasse. The main issues were lack of communication, loss of confidence and trust in getting the job done.
 - It has been almost 12 months to the date since the challenges were lodged. While kanohi ki te kanohi hui have occurred the parties have been unable to agree on expectations.
 - Te Komiti Nui has determined the re-mandate hui to proceed, hence we are here.

Ngāti Whakaue Area of Interest (for discussion purposes only)



Ngati Whakaue Area of interest

Since the early 1830's possession of key parts of Maketu from the mouth of the Waihi, up to Kaikokopu stream thence across to Pakotore and the Kaituna River, then down the Kaituna to Te Kopua, thence in a straight line to the mouth of the Waiarakei Creek on the Coast, thence along the coast to the starting point overlaid across the blocks that are wholly or partly included in the boundary. Key features in our coastal area of interest is Maketu Peninsula, Ongatoro Estuary Te Awa o Ngatoroirangi, Bledisloe Park (Te Kahuirangi)

The extent of Ngati Whakaue's inland domain (traditional tribal estate) is outwards from Mokoia Island west to Waimihia stream (north of Ngongotaha) and east to Waikawau Stream (Hannahs Bay) thence South to the Mihi Bridge.

Ngati Whakaue traditional estate area includes key features; Rotorua nui a Kahumatemoemoe, the Waiteti, Ngongotaha, Utuhina, lower reaches of the Puarenga streams/rivers, Waipa & Hemo Fresh Water Springs, nga maunga Ngongotaha me Moerangi, the Horohoro Bluff, the Patetere Kaokao Ranges, geothermal resources.

Claims to be covered by the mandate

WAI CLAIM	CLAIM TITLE	CLAIMANT HAPU
WAI 268	Whaka Thermal Valley	Hurunga, Taeotu & Te Kahu
WAI 316	Mamaku Railway Endowment Rotohokahoka & Okoheriki Blocks	Pukaki, Waoku, & Rautao Te Ririu, Te Hika, Karenga
WAI 317	Whaka & Horohoro Forests	Ngati Whakaue x 6
WAI 335	Geothermal Resource	Ngati Whakaue x 6
WAI 384	Ohinemutu Village Rates	Ngati Whakaue hapu x 6
WAI 410	Kouramawhitiwhiti/Rotorua Primary School	Hurungaterangi
WAI 553	WHAKA THERMAL VALLEY & WHAKAREWAREWA FOREST	HURUNGATERANGI, TAEOTU & TE KAHU
WAI 1101	Maketu Peninsula	Nga Uri o Haerehuka & Rakitu

Claims to be negotiated



WAI 1204	Ngongotaha Maunga	Ngati Whakaue x 6
WAI 1357	Estate of Rotohiko Haupapa	Descendants of Rukingi Wharetutaki Haupapa
WAI 1963	Ngati Whakaue Lands & Taonga Pukeroa Hill and the Fenton Agreement of 1880	Ngati Whakaue
WAI 1475	Maketu A Sec 72 land claim	Ngati Whakaue ki Maketu & Tapsell whanau
WAI 1791	Ngati Whakaue ki Maketu Land Claim	Ngati Whakaue ki Maketu
WAI 676	Ongatoro Estuary	Raewyn Bennett
WAI 2227	ANCESTRAL LANDS CLAIM	NGATI HURUNGATERANGI, NGATI TAEOTU ME NGATI TE KAHU O NGATI WHAKAUE
WAI 2083	Land alienation Claim	Hurungaterangi, Ngati Korouateka, Ngati Tamahika me Ngati Manawa hapu
WAI 2286 & WAI 2286	Land Claim	6 Koromatua hapu & Te Arawhata Taro whanau
WAI 2459	Land Claim	Ngati Whakaue, Ngati Pukaki & Rika Whakau

What is a Mandate?

- When a claimant group (Ngāti Whakaue ki Uta me Ngāti Whakaue ki Tai as the large natural grouping), gives a representative body, (in this case Te Komiti Nui o Ngāti Whakaue), the authority to engage and enter into negotiations with the Crown on their behalf.

Limits to the Mandate

- Only gives the representative body the authority to negotiate a draft Agreement in Principle (AIP) and a draft Deed of Settlement (DOS), the draft AIP & DOS will be presented to Ngāti Whakaue for acceptance and on acceptance a signing ceremony will be organised with the Crown.

Approach to settlement negotiations

- Ngāti Whakaue ki Uta me Ngāti Whakaue ki Tai will work collaboratively for our collective and respective interests ‘at place’.
- The relationship requires a willingness for open, transparent kōrero, and a ‘generosity of spirit’ for the collective well-being of whenua, wai, me tāngata katoa
- This approach may also require collaboration with other Ngāti Whakaue entities, whanau and hapu as and when required.
- An analysis of the Statements of Claim undertaken and categorised



Resolution to be voted on:



*“that Te Komiti Nui o Ngāti Whakaue has a **fresh** mandate to re-enter negotiations with the Crown to secure a comprehensive settlement of all Ngāti Whakaue extant historical Treaty of Waitangi claims”*

Q & A Session

You have an opportunity now to ask any questions before we move to voting on the Resolution.



VOTING



- Call for scrutineer or TPK observer/representative in attendance.
- Voting will be by show of hands by those who are 18 years and over, are of Ngāti Whakaue descent, in attendance at this hui.
- Ideally, we would want a 100% count in favour of the Resolution, Te Komiti Nui has put 60% of those in attendance would be acceptable .
- Although the Crown do not set a ceiling in favour of the Resolution, it would accept broad support assessed against the extent and character of any opposition to the mandate.
- If you are unsure on how you want to Vote, we can pause for a short break for you to kōrero amongst yourselves and/or with a trustee

VOTE

Number in attendance voting

Votes for:

Votes against:

Next steps

At the completion of the final hui on the Saturday 27 July at Te Papaiouru:

- The independent observer/s will complete individual reports for each of the 4 hui and present to Te Arawhiti
- Te Arawhiti will take the time to assess the reports and prepare a Briefing Paper for the Minister for Treaty Negotiations (this could be as late as September)

Closing comments

Karakia whakamutunga