

South Island Landless Natives Act 1906

**HĀWEA-WĀNAKA**



# Hāwea/Wānaka SILNA successors

2023 voting process to elect five successors to form a representative body



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## NAU MAI, HAERE MAI

### Note:

- This is a modified version of the presentation being delivered during the 2023 voting period for Hāwea/Wānaka SILNA successors to establish their representation for the period until the Substitute Land transfers in accordance with Section 15 of the Ngāi Tahu Deed of Settlement.
- Videos played at the information hui have been removed to enable sharing of these slides.



# SILNA

- In the second half of the 19<sup>th</sup> century, Ngāi Tahu rangatira asserted that the Crown had failed to fulfil its promises of Māori reserves made during its Te Waipounamu land purchases in the 1840s and 1850s.
- Commissions of Inquiry in the 1880s and 1890s to investigate these matters.
- In 1892 the Native Minister met with Ngāi Tahu rangatira and indicated that the Crown would make land available for those who had no or insufficient land.
- Between 1893-1905, Commissioners, with the assistance of Ngāi Tahu rangatira, compiled lists of South Island Māori who were identified as being landless or without sufficient land, and assigned sections of Crown land to them.
- Approx. 57,652 hectares of land allocated to 4,064 Māori.

## New Zealand.



### ANALYSIS.

- This.
- |   |  |
|---|--|
| 1. Short Title.                             | 7. Lands may be granted to landless Natives.               |
| 2. Interpretation.                          | 8. Particulars to be published and to form basis of title. |
| 3. Temporary reserves for landless Natives. | 9. Restraint on alienation.                                |
| 4. Permanent reserves.                      | 10. Powers of Court.                                       |
| 5. Effect of Proclamation.                  | 11. Land may be leased by Governor.                        |
| 6. Proclamations may be amended.            | 12. Regulations.   |

1906, No. 17.

AN ACT to make Provision for Landless Natives in the South Island. Title.  
[20th October, 1906.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act is "The South Island Landless Natives Act, 1906." Short Title.

2. In this Act, if not inconsistent with the context, — Interpretation.  
"South Island" means the islands known as the Middle and Stewart Islands;

"Landless Natives" means Maoris in the South Island who are not in possession of sufficient land to provide for their support and maintenance, and includes half-castes and their descendants;

"Land" means all land set apart heretofore to make provisions for landless Natives and which may subsequently be set apart for a similar purpose;

"Court" means the Native Land Court as constituted by "The Native Land Court Act, 1894."

3. (1.) For the purpose of providing land for landless Natives Temporary reserves for landless Natives

# Section 15 of the Ngāi Tahu Deed of Settlement

Four untransferred SILNA blocks including Hāwea/Wānaka.

## To-date:

- The first step is identification of the successors by the Māori Land Court
- 2,070 Hāwea/Wānaka SILNA successors are identified as at mid-2023
- Research is completed into 50 original beneficiaries
- Two of the original beneficiaries remain on the list.
- There is ongoing succession to deceased on the list until land transfers



*Te Kooti Whenua Māori*  
  
*Māori Land Court*

- Identified successors are to determine through a 'Part 9' meeting how to receive and hold the land
- Part 9 of Te Ture Whenua Maori Act = Maori Assembled Owners Regulations





The Substitute Land committed to the Hāwea/Wānaka SILNA successors in 1997 ('Sticky Forest')

- the forested area in the centre of this image.
- Lake Wānaka to the north of the land.



- 50.67 hectares
- Elevated above the wider area
- North face – very steep
- While held by the Crown, Te Arawhiti is covering ownership costs: rates, insurance, inspection, pruning.
- Plantation is 42 hectares: Mostly Douglas Fir. Some Pine (6.7ha)
- Rural land in the District Plan
- Public recreational use – mountain bikers and walkers – until further notice. Public use is not a public right
- Surrounded by reserve or private land





# Access to the Substitute Land

- Deed of Access entered by the Crown, Northlake Investments Ltd and Queenstown Lakes District Council (QLDC).
- Northlake **Private Plan Change (PPC) 54** request: if successful, would see an accessway from Stonehenge Road, vested in the Council as a local road providing legal vehicular access to the Substitute Land.
- Northlake PPC 54 –approved by QLDC on 16 November 2023.
- Fallback under Deed of Access is a right-of-way easement in favour of owners of the Substitute Land.



## Outstanding Natural Landscape (ONL) overlays in District Plan

- under section 6 of the Resource Management Act, councils are required to recognise and provide for the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development.
- Approximately 97% of the Queenstown Lakes District subject to these overlays.



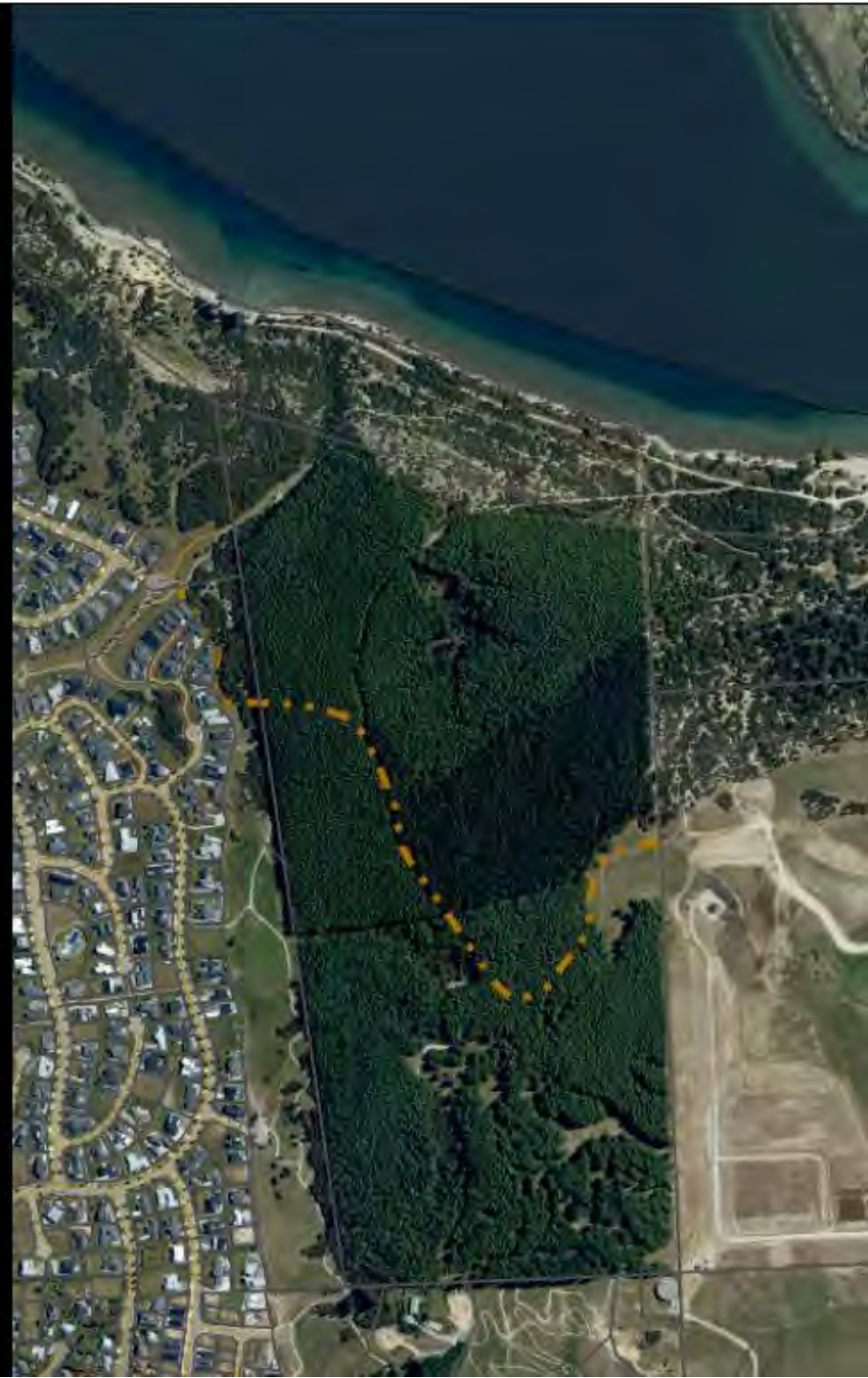


# District Plan – live decision-making processes

- ½ of Substitute Land subject to the Dublin Bay ONL Land above the brown dotted line.
- M. Beresford sought to challenge this in Proposed District Plan as notified. However, general consensus from landscape architects on location.

## Landscape schedule variation:

- Identification of the attributes of priority areas, including the Dublin Bay ONL.
- What are landscape values that must be protected? Capacity for the landscape to accommodate use and development?
- Panel is hearing submitters. Te Arawhiti, TRONT and rūnaka were heard on 7 Nov.
- Panel will report to Council: making recommendations on the text in the schedule.





## **District Plan – live appeal on zoning in Environment Court**

- Current zoning = Rural.

### **Bunker/Rouse rezoning appeal:**

- Seeking upzoning of approx 18 hectares which would allow for residential development.
- Hearing 29-30 November 2023; 6-7 December.
- Attorney-General (for the Crown) is a party to the appeal.



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# Hāwea/Wānaka SILNA successors

Voting process to establish interim representation



# Proposed Representative Body to be formed

Terms of Reference - on [www.electionservices.co.nz/silna2023](http://www.electionservices.co.nz/silna2023)

## Consultation led to:

- 5 elected members who are identified successors
- To be nominated and voted on by identified successors
- Body to appoint a Chair from 5 members
- Once established, can co-opt up to 2 additional members (don't have to be successors)
- Motions to be decided by a majority of votes
- Co-opted members will have voting rights, which will change numbers required to pass a motion
- Minimum of 3 members at all times
- Officials can provide secretariat support to the Rep Body if requested
- Funding available through Te Arawhiti for costs (e.g. travel, independent advice, meeting costs)
- Disclosure as to information held by Te Arawhiti about the land



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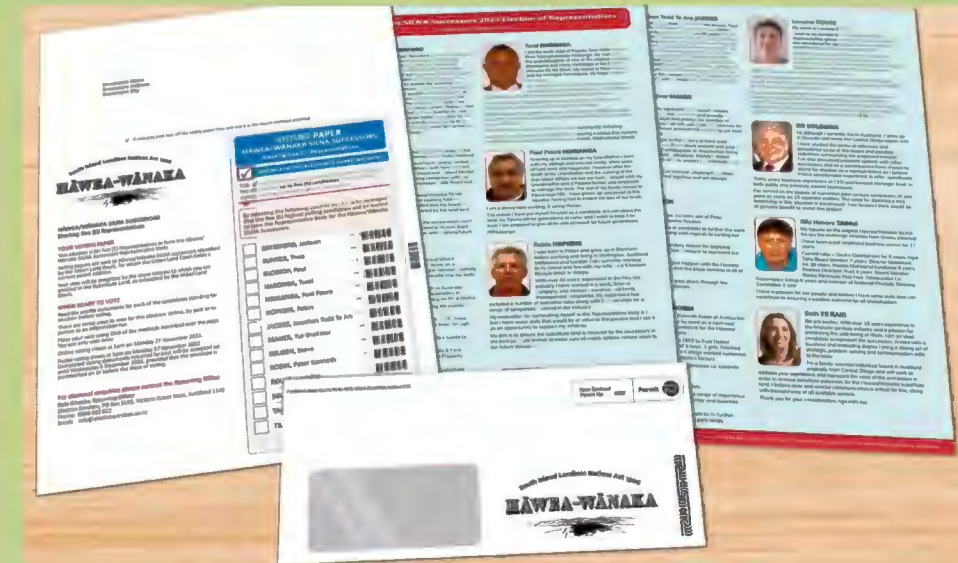
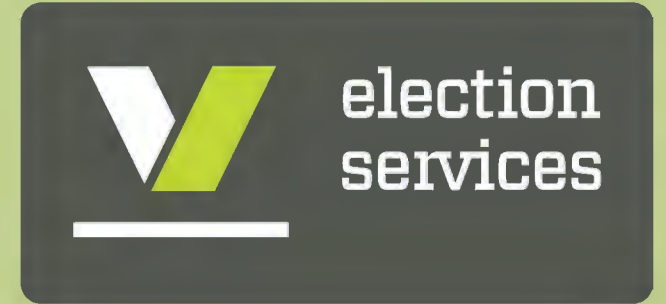
**HĀWEA-WĀNAKA**





# Hāwea/Wānaka SILNA 2023 Election

- Election Services engaged by Te Arawhiti and Te Puni Kōkiri to provide an independent and professional electoral process
- Election being held for successors to form the Representative Body for the Hāwea/Wānaka SILNA successors
- 5 members to be elected to form the Body
- 14 candidates standing for election: vote for your 5 preferred candidates
- Voting now open, closes **5pm, Monday 27 November**
- Vote by
  - return post; or
  - online; or
  - ballot box at the hui during voting period.





# Hāwea/Wānaka SILNA 2023 Election

- Postal votes can be received up until 6 December
  - *if* postmarked on or before 27 November
- Those eligible to vote must have been identified by the Māori Land Court as a successor
  - Court list at 18 May 2023 or
  - Recognised by the Court since – supporting documentation from Court
- Voting weighted by share interest of voter
  - Held in Substitute Land calculated by Māori Land Court
- Voting packs posted to 1,098 successors on 16 October (contact details provided by the Māori Land Court)
- A special vote is available if you:
  - Have not received a voting pack in the mail (eg changed address)
  - Are not on the Māori Land Court list and have been recognised since 18 May 2023



election  
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# Hāwea/Wānaka SILNA 2023 Election

- Special votes are available:
  - By phoning us on 0800 922 822 (Aotearoa New Zealand)
  - By phoning us on 1800 951 355 (Australia)
  - By emailing [info@electionservices.co.nz](mailto:info@electionservices.co.nz)
  - From any of the information hui
- Election results will be reported to Te Arawhiti and Te Puni Kōkiri on 8 December
- The 5 highest polling candidates will be asked to form the Representative Body for the Hāwea/Wānaka SILNA Successors





# *After this election....*



1. Officials will report to Ministers on the voting process and the election outcome.
2. Ministers will be asked to consider whether there is sufficient support from the successors for the Crown to recognise the body
3. Te Arawhiti will convene an initial meeting of the 5 nominees who received the most votes by share interest for them to form the body, appoint a Chair, and to discuss next steps, including how to update the successors at large
4. Te Arawhiti hopes to engage with the representative body along an **18-month timeframe**
5. When the representative body is ready to make recommendations to the successors, the final decision-making meeting for the successor can be convened.





## Me tuku mai ō taipitopito ↗

Provide your details - Hāwea/Wānaka

If your whānau are on the list of successors for the Hāwea/Wānaka substitute block, please provide your current contact details.



## Whakahoungia mai ō taipitopito – te poraka Hāwea Wānaka Substitute SILNA

Update your details - Hāwea Wānaka Substitute SILNA block

- Encourage your whanaunga to update their contact details with the Māori Land Court to receive future communications in relation to this land.
- Contact details can be entered by clicking on 'Me tuku mai ō taipitopito' on the 'SILNA' page on the Māori Land Court website.

Keeping your phone number, email address and postal address up to date is important. Using this form, you can update your details for the potential owners of the SILNA blocks.





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## Contact Election Services:

Email: [info@electionservices.co.nz](mailto:info@electionservices.co.nz)

Phone 0800 922 822

PO Box 5135, Victoria Street West, Auckland 1142

For the terms of reference  
for the proposed representative body and the candidate  
profiles, go to:

[www.electionservices.co.nz/SILNA2023](http://www.electionservices.co.nz/SILNA2023)

**Vote by 5pm, 27 November 2023**



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Voting process for successors to the  
50 original grantees to the Hāwea/Wānaka land



Te Puni Kōkiri  
MINISTRY OF MĀORI DEVELOPMENT