



TE HAEATA

30 OCTOBER 2008

SETTLING NGATI POROU HISTORICAL TREATY CLAIMS

High Level Agreement Summary – Ngāti Porou and Crown

The high level agreement between Ngāti Porou and the Crown sets out what has been agreed so far and areas in which we wish to make further progress. Significant further progress is yet to be made in negotiating cultural, historical, reconciliation and other redress if we are to achieve a settlement that meets our aspirations. This progress will be made under the following headings, which we have suggested. The Crown has acknowledged our goals and agreed on ways in which we can make progress under each heading.

1. Ngā mea hei whakamāramatanga – Ngāti Porou matters of historical record, sacrifice and contribution to New Zealand. So far, the agreement includes a number of ways in which Ngati Porou can tell our story and have that story acknowledged. Progress so far includes Crown commitments to:

- A Crown acknowledgement and apology, including a Crown acknowledgement of Ngāti Porou's service to New Zealand
- An agreed historical account of our interaction with the Crown - the Crown acknowledgement and apology will be based on this historical account
- Facilitating and funding historical research for Ngāti Porou to produce a comprehensive Ngāti Porou history
- A process that will enable Ngāti Porou to air our historical Treaty of Waitangi grievances before a Crown representative or independent commissioner
- Honouring the military service of Ngāti Porou including service as part of Te Hokowhitu a Tu and C Company, Māori Battalion;

2. Ngā mana me te tino rangatiratanga o Ngāti Porou – Ngāti Porou matters of authority and autonomy. Progress so far includes commitments to:

- A process for establishing a suitable governance entity to receive the redress on behalf of Ngāti Porou

- Settling any Ngāti Porou claims in the foreshore and seabed that are not addressed as part of the current Ngāti Porou foreshore and seabed negotiations.

3. Kō te ū o ngā mana tūturu me ngā taonga tuku iho o Ngāti Porou – the resources and other means by which Ngāti Porou, and our hapu, sustain our distinctive identities, languages, knowledge and practices. This includes:

- Crown support for the retention and development by Ngāti Porou of our language, knowledge and customary practices
- Other matters of cultural interest such as marae development grants
- Consideration of the use of conservation land to protect and develop our culture, including the guardians of Hikurangi in Crown ownership (Taitai, Aorangi and Whanokao); Whangaokeno (East Island), wāhi tapu, and awa, particularly the Waiapu its tributaries and catchment
- Exploring interests in geothermal and other resources

4. Erā atu kaupapa e ū ai te tino rangatiratanga o Ngāti Porou – matters concerning the ongoing partnership between Ngāti Porou and the Crown outside the settlement of (Treaty) claims. This category:

- Includes enhanced infrastructure (such as roads, utilities and erosion control) and social services (such as health and education)
- Involves a Crown commitment that although the matters in this category are outside the Crown's historical Treaty settlement framework there will be a separate stream of work progressed alongside the settlement negotiations.

Financial and Commercial redress

The financial and commercial redress includes:

- Cash of \$90m
- Interest on this sum from 23 October 2008 for up to two years with a possible extension if we have not signed a Deed of Settlement within that time

We are also considering:

- a right of first refusal over Housing New Zealand Corporation properties in the Ngāti Porou rohe if HNZN chooses to dispose of them
- The gift of the five properties in the Crown settlement land bank within our rohe. They are valued at just over \$1.6 million and are:
 - a. Hoia Station, Hicks Bay
 - b. a house at 58 Wainui Road
 - c. the former post office at Te Araroa
 - d. the former Whakaangi school and school house, and
 - e. bare residential land at Whakarua Park Road, Ruatoria (Ruatorea).

Manutahi Forest (administered by Ministry of Agriculture and Forestry) may be available. If so, this would bring the total value of the gifted properties to just over \$2 million

- the right to buy land subject to Crown Forestry licences - Ruatoria (Ruatorea) and Tokomaru Forests - at fair market valuation. Once purchased we would receive \$10m in rentals that have accumulated since 1989
- an option to buy the land under 26 schools in our rohe and lease them back to the Crown. The land has a provisional valuation of \$7.5m
- consideration of the application of commercial redress mechanisms such as sale, sale and leaseback, or right of first refusal over other Crown properties in your rohe that could be made available, including the purchase of Tauwhareparae Station from the Gisborne District Council for the Crown settlement landbank.

Governance Entity

We have also undertaken to begin a process for establishing a suitable governance entity to receive settlement redress on behalf of Ngāti Porou. This governance entity will be:

- representative of our members
- have transparent decision-making and dispute resolution processes
- be accountable to our members.

Background

In 2007 Te Rūnanga o Ngāti Porou received a mandate to proceed with direct negotiations with the Crown for the settlement of Ngāti Porou historical Treaty claims against the Crown. In accordance with that mandate from Ngāti Porou, the Rūnanga delegated responsibility for directly overseeing the negotiations to a sub committee, Te Haata, seven of whose members are appointed by marae and hapu clusters and three by the Rūnanga.

The marae, whanau and hapu cluster representatives are;

- Rei Kohere – Potikirua ki Whangaokena
- Apirana Mahuika (Chair) – Whangaokena ki Waiapu
- Ned Ihaka – Pohautea ki Onepoto
- Linda Smith – Reporua ki Rahuimanuka
- Selwyn Parata (Deputy Chair) – Rahuimanuka ki Mataahu
- Koromatai (Kody) Pewhairangi – Mataahu ki Kokoronui
- Te Okeroa (Jock) Walker – Kokoronui ki Te Toka a Taiau

The Rūnanga representatives are:

- Rob McLeod
- Whaimutu Dewes
- Herewini Te Koha.

Hapu representatives have facilitated a two-way conversation between Ngāti Porou whanau and hapu and the negotiating team who strive to get the best settlement package for us all.

The Chair of Te Haata manages the overall Iwi-Crown relationship. Leading the negotiating team is Rob McLeod. Other members of his team are: Whaimutu Dewes, Herewini Te Koha, Selwyn Parata, Matanuku Mahuika and Rei Kohere.