



**TAINUI TARANAKI**  
ki te Tonga

# *Information Hui re Letter of Agreement*



**TAINUI TARANAKI**  
ki te Tonga

*Te Ara Tapu - OUR JOURNEY TO SETTLEMENT*

Ngāti Koata • Ngāti Rārua • Wakatu • Ngāti Tama • Te Ātiawa



*16-20 February 2009*



**TAINUI TARANAKI**

ki te Tonga

# *Introduction and Overview*



**TAINUI TARANAKI**

ki te Tonga

## ***Agenda***

- **Tainui Taranaki – journey until now**
- **Letter of Agreement – overview of types of redress**
- **Financial & Commercial Redress**
- **Cultural Redress Overview**
- **Cultural Redress – Specific Iwi**
- **Next Steps**



**TAINUI TARANAKI**

ki te Tonga

## *Who are we?*

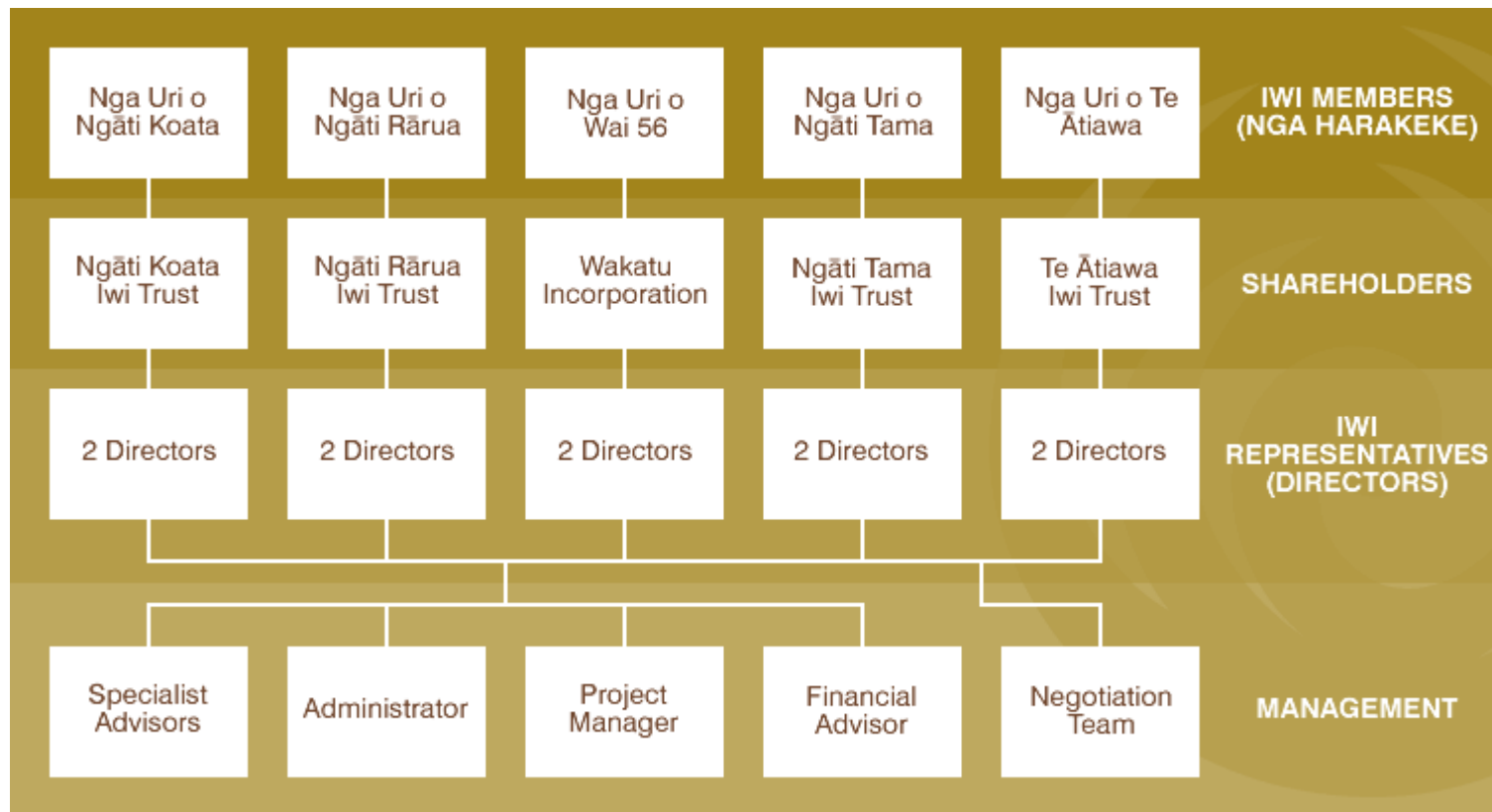
- A legal entity to settle historic treaty claims
- Limited liability company with charitable status
- Four Iwi trusts plus Wakatu have equal shares
- Offices are based in Nelson
- 10 Directors
- To be replaced by iwi agreed/established post settlement arrangements



# TAINUI TARANAKI

ki te Tonga

## Organisation Structure





**TAINUI TARANAKI**

ki te Tonga

## ***Negotiations Timeline***

- 2000 – 2004 - Waitangi Tribunal claims heard
- 3 October 2006 – mandate recognised to negotiate a comprehensive settlement
- 27 November 2007 – Terms of Negotiation signed with the Crown
- November 2008 – Final Waitangi Tribunal report released
- 11 February 2009 – Letter of Agreement signed



**TAINUI TARANAKI**

ki te Tonga

## ***OTS Redress Model - Revisit***

- Comparison with Past Settlements indicated that quantum offered by OTS could be between \$21 million and \$41 million
- Population Based Model
  - 8,000 Iwi members @ \$5,121 each = \$41M
- Land Based Model
  - 3,500,000 acres @ \$6 per acre = \$21M



**TAINUI TARANAKI**

ki te Tonga

# *Letter of Agreement - Overview*



**TAINUI TARANAKI**

ki te Tonga

## *Summary Of Redress*

- Historical accounts for each of the Iwi, Crown acknowledgements and a Crown apology
- Financial and Commercial Redress including cash, property and Crown forest land redress
- Cultural Redress, including vesting of specific sites, recognition of Iwi interests in other sites through other specific redress, relationship redress and special redress



**TAINUI TARANAKI**

ki te Tonga

## ***Financial And Commercial Redress***

- \$35 million cash (including \$2.034 million paid on account) plus interest from Letter of Agreement
- Reimbursement of \$3 million in Waitangi Tribunal costs
- Opportunity to acquire up to 50% by value of the 78,000 hectares of licensed Crown forest land
- Right to accumulated rentals (approx \$28 million)
- Right to New Zealand emission units (estimated at \$17.6 million but dependant on outcome of emissions trading scheme review)
- Gifting of Crown commercial properties with cultural associations up to \$12.04 million



**TAINUI TARANAKI**

ki te Tonga

## ***Financial And Commercial Redress***

- Sale and leaseback arrangements over Crown-owned properties, including 4 with improvements
- Right of deferred selection over specified properties not purchased or gifted
- A right of first refusal to purchase specified surplus Crown-owned properties for up to 169 years from Settlement Date
- \$300k for endowment lands in Motueka
- Total value of commercial offer - approx \$97m



**TAINUI TARANAKI**

ki te Tonga

## ***Cultural Redress - overview***

- Vesting of sites (with or without conditions)
- Overlay classifications & Kaitiaki Instruments
- Statutory Acknowledgements
- Deeds of Recognition
- Coastal Statutory Acknowledgements
- Place name changes
- River Statutory Acknowledgements and Deeds of Recognition
- Relationship redress
- Special redress



**TAINUI TARANAKI**

ki te Tonga

## *Vesting of sites - overview*

- 26 sites to be vested in the Iwi in some cases subject to specific conditions such as protection of public access
- Up to 4 commercial Crown owned properties in Nelson to be deducted from \$12.04 million agreed for the gifting of Crown commercial properties with cultural associations
- 4 sites to be vested in fee simple in the Iwi jointly with one or more of the other Te Tau Ihu groups



**TAINUI TARANAKI**

ki te Tonga

## *Relationship Redress - Overview*

- Protocols:
  - ❑ the Minister of Conservation
  - ❑ the Minister of Fisheries
  - ❑ the Minister of Energy
  - ❑ the Minister for Arts, Culture and Heritage
- The Crown encouraging entry into Memoranda of Understanding by:
  - ❑ the Nelson City Council
  - ❑ the Tasman District Council
  - ❑ the Marlborough District Council
  - ❑ the Buller District Council



**TAINUI TARANAKI**

ki te Tonga

## *Special Redress - Overview*

- Is still to be agreed with the Crown
- Involves possible redress in relation to:
  - ❑ Waikawa Bay and Waikawa Marina
  - ❑ French Pass school and teachers' residence
  - ❑ Te Kōwhai pā (Wairau Bar)
  - ❑ Moawhitu (D'Urville Island Scenic Reserve)
  - ❑ Ngāi Tahu takiwa
  - ❑ Whanau claims
  - ❑ Wai 56
  - ❑ River/Freshwater management
- Also to discuss further vestings, coastal statutory acknowledgement and redress in other recent settlements not offered such as joint management boards



**TAINUI TARANAKI**

ki te Tonga

***Letter of Agreement – Iwi Specific  
Cultural Redress***



**TAINUI TARANAKI**

ki te Tonga

## *Iwi Cultural Redress – Ngati Koata*

- Vestings in fee simple
  - ❑ Waihinau Bay, sec 55 & 56 – 0.2024ha
  - ❑ Anakawau Bay, transfer surface title – 1.2ha
  - ❑ Catherine Cove School - surface title – 1ha
  - ❑ Collinet Point – 0.8ha
  - ❑ Penguin Bay – 1.0ha
  - ❑ The Cove – 2.0ha
  - ❑ Queens Road (jointly with Kurahaupo)



**TAINUI TARANAKI**

ki te Tonga

## ***Iwi Cultural Redress – Ngati Koata***

- **Statutory Acknowledgements**
  - ❑ Matapihi - 20ha around summit
  - ❑ Anakawau & Wainui Bays – 76.5ha
  - ❑ Askews Hill Quarry site in Taipare conservation area – 20ha
  - ❑ Moawhitu Bay – 626ha
  - ❑ Penguin Bay – 55ha
  - ❑ Samson Bay quarry site – 20ha
  - ❑ Maungatapu – 50ha (with Ngati Rarua)
- **Deeds of Recognition**
  - ❑ Same areas



**TAINUI TARARAKI**

ki te Tonga

## ***Iwi Cultural Redress – Ngati Koata***

- River SA & DoR
  - ❑ Maitai River (Mahitahi)
  - ❑ Pelorus River or Te Hoiere River
  - ❑ Waimea River (including Wairoa and Wai-iti Rivers)
- Overlay classifications
  - ❑ D'Urville Island Scenic Reserve
  - ❑ Part French Pass Scenic Reserve
  - ❑ Takapourewa
  - ❑ Whakaterepapanui
- Kaitiaki instruments
  - ❑ Moawhitu (D'Urville Island/Rangitoto) – eels
  - ❑ Takapourewa & Whakaterepapanui (Tuatara, Frog, fairy prion, geckos)



**TAINUI TARARAKI**

ki te Tonga

## *Iwi Cultural Redress – Ngati Koata*

- Special Redress
  - French Pass School & teacher's residence
  - Moawhitu (D'Urville Island Scenic Reserve) - exchange of up to 2 ha
  - Whanau Claims
- Contested sites
  - Nil



**TAINUI TARANAKI**

ki te Tonga

## *Iwi Cultural Redress – Ngati Rarua*

### ■ Vestings

- ❑ Melbourne Point/Pah Point – 1ha
- ❑ Puponga Farm (3 sites totalling 19.2 ha)
- ❑ Te Tai Tapu – 10ha & 20ha
- ❑ Karaka/Kaka Point – 2.02ha
- ❑ Puketawai – 11.31ha
- ❑ Rarangi – 0.25ha
- ❑ Wairau Pa – 1.46ha
- ❑ Glasgow Island – 2ha
- ❑ Pukatea/Whites Bay (jointly with Ngati Toa & Rangitane)
- ❑ Horahora Kakahu (jointly with Ngati Toa & Rangitane)
- ❑ Tokomaru/Mt Robertson (jointly with Ngati Toa)
- ❑ Queens Road (jointly with Kurahaupo)



**TAINUI TARANAKI**

ki te Tonga

## *Iwi Cultural Redress – Ngati Rarua*

- Statutory Acknowledgements
  - ❑ South of Ligar Bay – 1.3ha
  - ❑ Westhaven (Te Tai Tapu) Marine & Wildlife reserve – 2,607.7ha
  - ❑ Pukeone (Mt Campbell)
  - ❑ Wharepapa (Mt Arthur)
  - ❑ Lake Rotoiti
  - ❑ Lake Rotoroa
  - ❑ Para Swamp – 38.8ha
  - ❑ Maungatapu – 50ha (with Ngati Koata)
- Deeds of Recognition
  - ❑ Same areas except Westhaven



**TAINUI TARARAKI**

ki te Tonga

## ***Iwi Cultural Redress – Ngati Rarua***

- River SA & DoR
  - ❑ Anatori River
  - ❑ Aorere River
  - ❑ Motueka River
  - ❑ Maitai River (Mahitahi)
  - ❑ Patarau River
  - ❑ Riwaka River and Resurgence
  - ❑ Takaka River
  - ❑ Waimea River (including Wairoa and Wai-iti Rivers)
  - ❑ Wairau River (including Omaka River)
- Overlay classifications
  - ❑ Farewell Spit – 11,432 ha
  - ❑ Waikoropupu Springs – 27.5ha
  - ❑ Wairau Lagoon (excluding 10ha)



**TAINUI TARANAKI**

ki te Tonga

## *Iwi Cultural Redress – Ngati Rarua*

- Special Redress
  - Te Kowhai Pa (Wairau Bar)
- Contested sites
  - Heaphy Track
  - Parapara
  - Glasgow Island
  - Wharepapa
  - Karaka/Kaka Point
  - Puketawai
  - Pukeone/Mt Campbell



**TAINUI TARARAKI**

ki te Tonga

## ***Iwi Cultural Redress – Ngati Tama***

- Vestings in fee simple
  - ❑ Puponga Farm (3 sites totalling 19.2 ha)
  - ❑ Takaka River Mouth – 3.6ha
  - ❑ Te Tai Tapu – 10ha & 20ha
  - ❑ Karaka/Kaka Point – 2.02ha
  - ❑ Wainui Road – 0.2ha
  - ❑ Puketawai – 11.31ha
  - ❑ Hori Bay – 100ha
  - ❑ Queens Road (jointly with Kurahaupo)



**TAINUI TARARAKI**

ki te Tonga

## *Iwi Cultural Redress – Ngati Tama*

- Statutory Acknowledgements
  - Parapara
  - Westhaven (Te Tai Tapu) Marine & Wildlife reserve – 2,607.7ha
  - Pukeone (Mt Campbell)
  - Wharepapa (Mt Arthur)
  - Lake Rotoiti
  - Lake Rotoroa
  - Cable Bay – 0.5ha
- Deeds of Recognition
  - Same areas except Westhaven



**TAINUI TARARAKI**

ki te Tonga

## ***Iwi Cultural Redress – Ngati Tama***

- River SA & DoR
  - ❑ Anatori River
  - ❑ Aorere River
  - ❑ Motueka River
  - ❑ Maitai River (Mahitahi)
  - ❑ Patarau River
  - ❑ Takaka River
  - ❑ Waimea River (including Wairoa and Wai-iti Rivers)
- Overlay classifications
  - ❑ Farewell Spit – 11,432 ha
  - ❑ Waikoropupu Springs – 27.5ha



**TAINUI TARANAKI**

ki te Tonga

## *Iwi Cultural Redress – Ngati Tama*

- Contested sites
  - Heaphy Track
  - Parapara
  - Te Matau - Separation Point



**TAINUI TARANAKI**

ki te Tonga

## *Iwi Cultural Redress – Te Atiawa*

- Vestings in fee simple
  - ❑ Pakawau Inlet – 1.62ha
  - ❑ Puponga Farm (3 sites totalling 19.2 ha)
  - ❑ Te Tai Tapu – 10ha & 20ha
  - ❑ Karaka/Kaka Point – 2.02ha
  - ❑ Puketawai – 11.31ha
  - ❑ Tapu Bay, Kaiteriteri – 0.2ha
  - ❑ Totaranui (QCS) – CFL – 100ha
  - ❑ Momorangi Point – 0.2ha
  - ❑ Picton Conservation area – 1.77ha
  - ❑ Wedge Point – 2.0ha
  - ❑ Ngakuta Bay – 2.33ha
  - ❑ Queens Road (jointly with Kurahaupo)



**TAINUI TARANAKI**

ki te Tonga

## ***Iwi Cultural Redress – Te Atiawa***

- Statutory Acknowledgements
  - Parapara
  - Westhaven (Te Tai Tapu) Marine & Wildlife reserve – 2,607.7ha
  - Pukeone (Mt Campbell)
  - Wharepapa (Mt Arthur)
  - Lake Rotoiti
  - Lake Rotoroa
  - Hura, Arapawa Is – 165.4ha
  - Titi Island Nature Reserve – 32.4ha
  - QCS & Islands (size to be discussed)
  - Waikawa Bay – 0.89ha
- Deeds of Recognition
  - Same areas except Westhaven



**TAINUI TARANAKI**

ki te Tonga

## ***Iwi Cultural Redress – Te Atiawa***

- River SA & DoR
  - ❑ Anatori River
  - ❑ Aorere River
  - ❑ Motueka River
  - ❑ Maitai River (Mahitahi)
  - ❑ Patarau River
  - ❑ Pelorus River or Te Hoiere River
  - ❑ Riwaka River and Resurgence
  - ❑ Takaka River
  - ❑ Waikawa Stream
  - ❑ Waimea River (including Wairoa and Wai-iti Rivers)
  - ❑ Waitohi Stream



**TAINUI TARĀNAKI**

ki te Tonga

## *Iwi Cultural Redress – Te Atiawa*

- Kaitiaki instruments
  - ❑ Pickersgill, Blumine, Allports Island, Moioio Scenic Reserve
  - ❑ Queen Charlotte Sound coastal marine area
- Overlay classifications
  - ❑ Farewell Spit – 11,432 ha
  - ❑ Waikoropupu Springs – 27.5ha
  - ❑ Arapawa Island (East Head) – 60.7ha
  - ❑ The Brothers Islands – 8ha
- Special Redress
  - ❑ Waikawa Bay & Waikawa Marina
  - ❑ Whanau claims



**TAINUI TARANAKI**

ki te Tonga

## *Iwi Cultural Redress – Te Atiawa*

- Contested sites
  - Heaphy Track
  - Parapara
  - Te Matau - Separation Point
  - Ships Cove
  - Endeavour Inlet
  - Anamahanga/Port Gore, Tinui Bay
- Further sites offered to Ngati Toa and Kurahaupo but not previously disclosed



**TAINUI TARANAKI**

ki te Tonga

## *Next Steps*



**TAINUI TARANAKI**

ki te Tonga

## *Next Steps*

- Reach agreement on remaining issues including outstanding cultural redress such as further vestings, coastal statutory acknowledgements, overlapping claims disputes, and the special redress
- Agree and if necessary establish Iwi governance and asset holding arrangements
- Ratification of Deed of Settlement and governance arrangements
- Signing of Deed of Settlement and introduction of settlement legislation



**TAINUI TARANAKI**

ki te Tonga

## *Questions*



# TAIUI TARAŌAKI

ki te Tonga



TAIUI TARAŌAKI

ki te Tonga

*Te Ara Tapu - OUR JOURNEY TO SETTLEMENT*

Ngāti Kōhanga • Ngāti Pārua • Wakatu • Ngāti Tama • Te Ātiawa

