

Ngāpuhi

this is our time
nō tātou tēnei wā!



Te Rōpū o Tūhoronuku Deed of Mandate Hui

August & September 2011



Rārangi take

Agenda



1. The purpose of this hui
2. Ngāpuhi today - a snapshot
3. Settlement journey to date
4. About Te Rōpū o Tūhoronuku
5. Structure of Te Rōpū o Tūhoronuku
6. Te Rōpū o Tūhoronuku representatives
7. Responsibility
8. Accountability
9. Decision making
10. Reporting
11. Map of settlement area
12. Settlement process
13. Crown policy and procedures

Rārangi take

Agenda



14. What is a Treaty settlement?
15. Historical redress
16. Cultural redress
17. Financial and commercial redress
18. What is mandate?
19. Deed of Mandate (DoM)
20. Historical Ngāpuhi claims
21. Ngāpuhi Hapū
22. Ngāpuhi Marae
23. Voting
24. Ngāpuhi mandate hui schedule
- 25. Deed of Mandate resolution**
26. What happens next?

Purpose of this hui



- » For Ngāpuhi to vote on accepting or rejecting Te Rōpū o Tūhoronuku holding the mandate to negotiate a comprehensive settlement on behalf of Ngāpuhi.

Ngāpuhi today



- » 1 in 5 (20%) of all Māori
- » Biggest iwi
- » Estimated 140,000 *
- » 13% live in rohe
- » 60% live in Auckland
- » 200-300 hapū
- » 39% are under 15
- » 3% are 65 or older

** 2011 - based on percentage growth of last three Census*

Settlement journey



- » **2008** Te Rūnanga-Ā-Iwi-O-Ngāpuhi Annual General Meeting
- » **2009/10** Three rounds of hui with Ngāpuhi – throughout Aotearoa & Australia
- » **January 2011** Deed of Mandate Strategy endorsed by the Crown
- » **August 2011** Te Rōpū o Tūhoronuku seeks a mandate from Ngāpuhi to negotiate a comprehensive settlement of Ngāpuhi Treaty claims

About Te Rōpū o Tūhoronuku



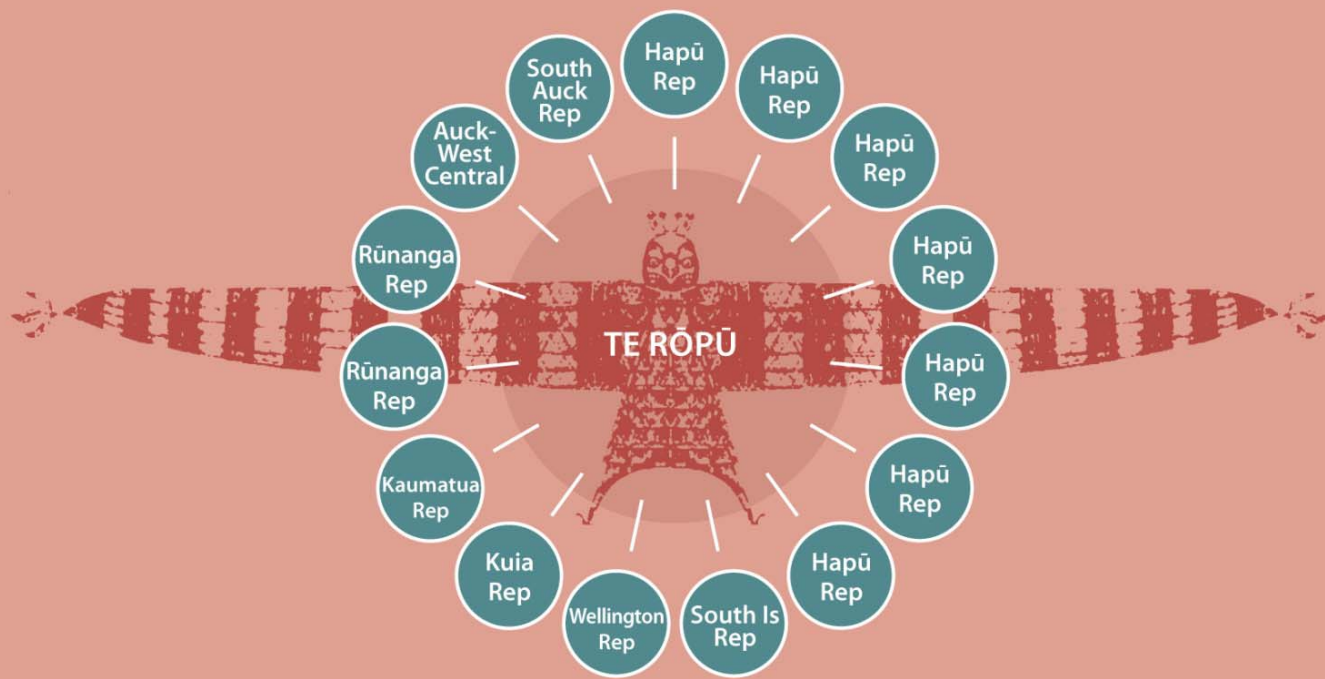
- » The sole purpose is to secure a mandate from Ngāpuhi for the journey to settlement.
- » Represents all Ngāpuhi, no matter where we live. Rahiri being the primary ancestor.
- » Is an independent sub-committee of Te Rūnanga-Ā-Iwi-O-Ngāpuhi, by agreed Terms of Reference.
- » Decisions made by Tūhoronuku **can not** be vetoed by the Rūnanga board.

About Te Rōpū o Tūhoronuku



- » Allows all Ngāpuhi to vote and be involved in our settlement. You do not have to be registered with the Rūnanga to vote.
- » Will operate until new entity is formed to receive and manage Ngāpuhi settlement assets.
- » The official spokesperson is Raniera (Sonny) Tau.

Tūhoronuku structure



Te Rōpū O Tūhoronuku representatives



- » Hapū Representative: Kyle Hoani
- » Hapū Representative: Toko Tahere
- » Hapū Representative: Sam Napia
- » Kaumātua representative: John Klaricich
- » Kuia representative: Titewhai Harawira
- » West/Central Auckland Rohe: Denis Hansen
- » South Auckland Rohe: Hōne Sadler
- » Wellington Rohe: Ben Dalton
- » South Island Rohe: Tana Cooper
- » Rūnanga Board: Carol Dodd
- » Rūnanga Board: Raniera (Sonny) Tau

Four Hapū representative positions remain open

Te Rōpū O Tūhoronuku responsibility



- » Providing information for dissemination to their Hapū and other Ngāpuhi they represent.
- » Appointing, instructing and providing information to Negotiators from Hapū Kaikōrero.
- » Providing Ngāpuhi the opportunity to participate in strategic settlement negotiation outcomes.

Te Rōpū O Tūhoronuku accountability



- » Te Rōpū o Tūhoronuku, as the mandated group, will be fully accountable to Ngāpuhi.

Negotiators

- » They will be fully accountable to Te Rōpū o Tūhoronuku as the mandated group representing Ngāpuhi. They will take their instructions from Tūhoronuku.

Te Rūnanga-Ā-Iwi-O-Ngāpuhi

- » By agreed Terms of Reference, the Rūnanga **can not** veto decisions made by Te Rōpū o Tūhoronuku.

Te Rōpū O Tūhoronuku decision-making



- » Te Rōpū o Tūhoronuku will approve and sign off all decisions recommended by the Negotiators.
- » No final settlement package can be agreed on or be binding on Ngāpuhi until it is ratified by Ngāpuhi.
- » Tūhoronuku will replace, remove and appoint Negotiators by way of majority resolution.

Te Rōpū O Tūhoronuku reporting



Negotiators

- » They will report to Tūhoronuku monthly, or sooner if necessary, in writing and/or by way of hui on their work plans, financial matters and issues of a strategic bearing that may arise in the course of negotiations.

Tūhoronuku and Hapū Kaikōrero

- » They will report back to their members in writing, by way of hui and via the website (bi-monthly or sooner if necessary) on the following :
 - Ngāpuhi objectives for negotiation
 - The appointment of Negotiators
 - Sign off on terms of negotiation, AIP & initialled Deed of Settlement
 - Planning and development of a Post Settlement Governance Entity.

Map of Settlement Area



Settlement process



- » Deed of Mandate Strategy – Crown endorsed Jan. 2011
- » Mandate sought – **we are at this point**
- » Mandate recognised
- » Terms of Negotiation
- » Agreement in Principle
- » Initial Deed of Settlement
- » Ratification of Deed and Governance Entity
- » Sign Deed of Settlement
- » Passage of Legislation in Parliament

Crown policy & procedures



- » All claims, Hapū and Marae are to be available at DoM hui
- » Settlement of historical breaches and/or omissions that occurred before September 1992
- » Settlements are “comprehensive” - all historical claims are settled whether registered or unregistered
- » Settlements are with “large natural groupings”
- » Settlements must be fair, final and durable
- » Crown duty to protect interests of other iwi
- » Crown duty to act in best interests of all New Zealanders, including protecting third party/public interests

What is a Treaty settlement?



- » Has three main components:
 1. **Historical redress** - Historical account, Crown acknowledgements & Crown apology
 2. **Cultural redress**
 3. **Financial & commercial redress**

Historical redress

Historical Account

Historical narrative of interaction between iwi/Hapū & the Crown

Must be able to withstand scrutiny

Factual basis for acknowledgements & apology

Negotiated between the parties



Crown Acknowledgements

Acknowledgements of acts & omissions of Treaty breaches

Recognition of impact & consequences of Treaty breaches

Prepared by the Crown & agreed between the parties



Crown Apology

Formal Crown apology to iwi/Hapū

Intended to restore honour of the Crown & promote reconciliation

Prepared by the Crown

Cultural redress



» **Intended to:**

- Restore ownership, guardianship, provide recognition, access and participation in decision-making

» **Interest-based negotiations**

» **Key issues for the Crown:**

- Crown land and resources only (not private property)
- Protection of public and third party interests
- Overlapping interests
- Existing statutory framework applies (e.g. Public Works Act)

Financial & commercial redress



- » Quantum = cash + assets
- » Crown framework for developing quantum offer:
 - Amount of land lost
 - Nature of Treaty breaches
 - Benchmarks set by existing settlements
 - Other factors (population, special factors)
- » Intended to provide a contribution towards restoring an economic base
- » Recognition that it is not full compensation for true economic loss

What is mandate?



- » Signals the mandated entity has widespread support from members to carry out one specific task – negotiate a settlement.
- » The entity or body that has mandate conferred by its members, and recognised by the Crown, is called a “mandated body”.
- » In this case it is **Te Rōpū o Tūhoronuku**

Deed of Mandate



- » Ngāpuhi give the authority to Te Rōpū o Tūhoronuku to represent Ngāpuhi in the negotiation of all historic Ngāpuhi claims and Crown breaches against Te Tiriti o Waitangi (Treaty of Waitangi) that relate to the actions or omissions of the Crown prior to 21 September 1992.
- » The Crown recognises Te Rōpū o Tūhoronuku as the entity to negotiate a comprehensive settlement on behalf of Ngāpuhi.
- » It is **NOT** a mandate to receive and manage assets.

Historical Ngāpuhi claims



- » It is Crown policy to list all historical Ngāpuhi claims.
- » Potentially, up to 1000 claims are involved.
- » This includes any claims:
 - Formally registered with the Waitangi Tribunal.
 - With partial interest(s) in Ngāpuhi & other iwi. Other iwi will settle their portion and we will settle the Ngāpuhi portion.
 - Claims as yet unregistered, or
 - Claims yet to be expressed but which relate to breaches of Te Tiriti o Waitangi (the Treaty of Waitangi) that occurred prior to 21 September 1992.
- » A list of registered claims is available at this hui and can also be viewed at *www.tuhoronuku.com*

Ngāpuhi Hapū



- » It is Crown policy to list all settlement Hapū.
- » There are estimated to be between 300 to 600 Hapū within Ngāpuhi.
- » A list of Ngāpuhi Hapū is available at this hui and can also be viewed at *www.tuhoronuku.com*.
- » Ngāpuhi Hapū are not limited to this list.

Ngā Marae o Ngāpuhi



- » It is Crown policy to list settlement Marae.
- » There has been no attempt to differentiate between those Marae that have buildings and other structures on them and those that do not.
- » A list of Ngāpuhi Marae is available at this hui and can also be viewed at *www.tuhoronuku.com*.
- » The Marae of Ngāpuhi include, but are not limited to, this list.

Voting



- » Opens 10 August 2011 and closes 21 September 2011.
- » All persons aged 18 years and over who affiliate to Ngāpuhi will be eligible to vote on the resolution.
- » If you are registered with Te Rūnanga-Ā-Iwi-O-Ngāpuhi you may vote:
 - At a mandate hui
 - By mail
 - Online
 - Freefax
- » If not registered with the Rūnanga and wish to vote, you will need to:
 - attend a mandate hui, or
 - phone electionz.com on (0508) 666 447 to request a “non-registered voting form”

Ngāpuhi Mandate Hui - 2011



Central/West Auckland	Friday 19 August	12.30 – 03.30pm	Avondale Community Centre 99 Rosebank Rd, Avondale
Central/West Auckland	Friday 19 August	06.30pm – 09.30pm	Hoani Waititi Marae, 451 West Coast Rd, Glen Eden
South Auckland	Saturday 20 August	10.00am-01.00pm	Otara Leisure Centre, 115 Bairds Rd, Otara
South Auckland	Saturday 20 August	06.30pm – 09.30pm	Mangere Memorial Hall 23 Domain Rd, Mangere Bridge
Wellington	Monday 22 August	06.30pm – 09.30pm	Waiwhetu Marae, 4 Puketapu Grove, Lower Hutt
Nelson	Tuesday 23 August	06.30pm – 0.930pm	MOE Building, 19 Haven Road, Nelson
Invercargill	Wednesday 24 August	0.600pm – 09.00pm	Te Tomairangi Marae 54 Eye Street, Invercargill
Hokianga	Wednesday 31 August	10.00am – 01.00pm	Whakamaharatanga Marae Waimamaku Beach Rd
	Wednesday 31 August	06.30pm – 09.30pm	Pukerata Marae Mangatawa Rd, Otatau
	Thursday 1 September	10.00am – 01.00pm	Piki te Aroha Marae, Harris Road, Okaihau

Ngāpuhi Mandate Hui - 2011



Bay of Islands	Thursday 1 September	06.30pm – 09.30pm	Mahuhukiterangi Marae Mangakahia Rd, Tautoro
	Friday 2 September	10.00am – 01.00pm	Parihaka Marae
	Friday 2 September	06.30pm – 09.30pm	Te Iringa Road, Kaikohe Kawakawa Primary School Hall Albert St, Kawakawa
	Saturday 3 September	10.00am – 01.00pm	Kaeo Rugby Club Whangaroa Road
	Saturday 3 September	06.30pm-09.30pm	Kaeo Rugby Club Whangaroa Road
	Whangarei	Monday 5 September	10.00am – 01.00pm
Monday 5 September		06.30pm – 09.30pm	Whangarei Cricket Pavilion
Tuesday 6 September		10.00am – 01.00pm	Flames International Hotel 2 Waverley Street, Onerahi
Perth	Thursday 15 September	07.30pm – 10.30pm	Hamersley Community Centre Belvedere Road Hamersley WA
Sydney	Saturday 17 September	10.00am-01.00pm	Te Wairua Tapu 587 Elizabeth Street, Redfern

Purpose of this hui



- » For Ngāpuhi to vote on accepting or rejecting Te Rōpū o Tūhoronuku holding the mandate to negotiate a comprehensive settlement on behalf of Ngāpuhi.

Deed of Mandate Resolution



That Te Rōpū o Tūhoronuku is mandated to represent Ngāpuhi in negotiations with the Crown for the comprehensive settlement of all Ngāpuhi historical claims and Crown breaches against Te Tiriti o Waitangi/The Treaty of Waitangi.

What happens next?



- » DoM strategy endorsed - **completed**
- » Mandate Hui process - **in progress now**
- » Deed of Mandate application – **to be submitted**
- » Crown advertises Mandate & calls for public submissions
- » Once Mandate is recognised by the Crown
 - » Terms of Negotiation are agreed
 - » Settlement negotiations with the Crown begin
 - » Agreement in Principle is reached
 - » Ngāpuhi are consulted
 - » Initialled Deed of Settlement
 - » Ratification - Settlement offer endorsed by Ngāpuhi
 - » Legislation - Settlement passed into law



TŪHORONUKU

Te Manu Aute A Rāhiri



Ngāpuhi *this is our time*
nō tātou tēnei wā!