

Ngāi Tūmapūhia ā Rangi Treaty Claim Report

21 September 2014

The Kahungunu ki Wairarapa Tamaki nui a Rua Treaty Trust (KKWTNAR) representing hapu groupings including Ngāi Tūmapūhia ā Rangicontinues to make good progress in the Settlement of Historical Claims.

Since 2010 Kahungunu whanau whanui have moved through the various stages of Settlement process set by the Crown:

Stages:

1. Collectively agreeing to a representative body to represent the Wairarapa/Tamaki Nui a Rua rohe, i.e. setting up of the NKKWTNAR Trust.
2. Seeking the Mandate from the claimant community. A process involving a visit to all major areas in New Zealand where the census showed population numbers.
3. Appoint Negotiators.
4. Work with Office of Treaty Settlements (OTS) to agree on Terms of Negotiation (TON). Signed March 2013.
5. Enter into Negotiations to agree on an Agreement in Principle (AIP) October 2014.

After ratification by the claimant community, the final step is Deed of Settlement (DOS) and: Parliamentary Legislation. The plan is to sign DOS in June 2015.

Ngāi Tūmapūhia ā Rangi is well represented in the Settlement process; I Chair the NKKWTNAR Trust, Bob Hill is our hapu advisor on Cultural issues, Jack Morris is our hapu advisor on Commercial and Post Settlement Governance Entity establishment, Leah Bain is the Trust Administrator, Matt Paku has attended Customary Fisheries hui, Delphine Morris is contracted to the Cultural Team assisting with reporting procedures.

I am also a Negotiator along with Robin: Potongaroa, Hayden Hape, Haami Te Whaiti and Ron Mark (Lead).

There is a strong hapu strength right throughout the Trust and Negotiations team. This aligns with the Ngāi Tūmapūhia ā Rangistance.

AS you will be aware, one of our major claims in Ngāi Tūmapūhia ā Rangi's Wai 429, is our Landlessness along with:

- The Crowns failure to set aside adequate Reserves .
- Failure to protect against rapacious land purchasing from the NZ Company.
- The Crowns halting of the profitable leasing regime which breached the principle of active protection.
- In breach of the Treaty of Waitangi, the Crown adopted policies and practices and tactics to alienate the majority of the hapu's lands.

- The Crown failed to provide promises and guarantees referred to as the Five Percents.
- It breaches the Treaty including the Principles of partnership and good faith.
- Failed to respond to protests by the hapu during the post purchase period.
- Established the Native Land Court which further facilitated and fragmented land loss.
- The Crown failed to provide an economic base for the hapu.
- In the 20th Century the Crown continued to act in a manner that further facilitated the alienation of the already meagre land holdings of the hapu.
- It failed to ensure that landlocked land had access.
- Breached the Treaty in the principles of partnership and active protection in regard to environment issues and representation on local bodies within the hapu's rohe to ensure its kaitiaki responsibilities.
- Failed to protect the hapu in their ownership of their inland waterways and associated taonga.
- Undermined the spiritual and cultural relationships and whakapapa connections with the natural environment.
- Failed to recognise and protect the hapu in their customary ownership and management of their foreshore, seabed and marine reserves.
- The Crown has caused the hapu to suffer evident poverty, economic stress, poor housing, health and education. All breaches of the Treaty of Waitangi.
- Failed to protect the Reo.

Many members of the hapu have over the years since 1992 worked hard to get us to this point.

Other matters to speak to:

1. Rangitane AIP – without prejudice.
2. Ngaumu Forest -
 - Trust position
 - Letter from OTS
3. Overlapping Claims – List
4. Cultural Sites -
 - Footprint
 - List
5. Commercial Properties –
 - Report (Jack)
 - Land bank
 - Crown Asset Audit list
 - LINZ (Forest)
 - MOJ, MOE, DOC, MFE, Police, Defence

6. Post Settlement Governance Entity –
 - Hapu position
 - Process
7. Relationships –
 - District Council
 - Regional council

The KKWTNAR Trust is completing work required by the Crown to enable an AIP to be signed in March 2015.

The Crown has extended the AIP phase of the Negotiations for the following reasons:

1. The Minister has identified that after receiving aspiration presentations from the Trust and after two recent site visits to the rohe that this claim is significantly bigger than he was led to believe by his OTS staff.

His words: “This Claim is a very, very significant Claim.” Therefore will require more work to satisfy him that every aspect has been covered.

2. The Elections:

The Trust will continue to work on further requirements of the Crown.

- i. Post Settlement Governance Structures.
- ii. Other relationships, i.e. Te Papa, KKW, NKII.
- iii. Relative hapu interests.

This is a huge kaupapa for the hapu. The Settlement process is managed through Te Runanga o Ngāi Tūmapūhia ā Rangi. In 2 years’ time the work will fall on its members to carry on with the mahi. Are you ready for that? Can you see yourself involved?

We must never forget the hardship felt by our old people and the mamae created by colonisation and subsequent Crown actions.

You are invited to attend any Runanga hui. Contact our Secretary Debbie Donaldson, 16c William Donald Drive, phone 06 3780689 for details.

Thank you,

Ian Perry