

# HE TOA TAKITINI

"Our Strength is in Unity"

# 8 December 2011

## Pānui ki te Iwi

### Who is He Toa Takitini?



*He Toa Takitini is the group mandated to represent Heretaunga-Tamatea in direct negotiations with the Crown for the settlement of all historical Treaty claims within the Heretaunga-Tamatea area of Interest. The He Toa Takitini Deed of Mandate is dated 25 August 2010 and was recognised by the Crown on 15 October 2010.*

### Post Election 2011 – Implications for Treaty Settlements

- Hon. Chris Finlayson retains the portfolio as Minister for Treaty of Waitangi Negotiations (MFTOWN). He also picks up Associate Minister of Maori Affairs.
- The Office of Treaty Settlements (OTS) workprogramme for 2012 – 2014 will be announced during MFTOWN'S national hikoi in January 2012. Expectations are that the 2014 deadline for Treaty Settlements will be extended to 2016 and OTS will reduce the number of claims being progressed by the office at any one time. At this stage, it is not known whether the Minister will visit Heretaunga during the 2012 Hikoi, nor have we been advised of any change to the HTT timetable for achieving a Deed Settlement, currently thought to be December 2013.
- From 1 January 2012 the Office of Treaty Settlements will be sole government agency responsible for contributing towards the costs associated with the settlement negotiation process. Funds previously available under legal aid for legal costs are now administered by OTS, with a maximum eligibility of \$150,000.
- The Government confirmed Mighty River Power will be the first state-owned enterprise to be sold in the second term of the National Government with an initial public offering early next year. Iwi are to be consulted in the process but that consultation does not cover investment opportunities for Iwi.
- OTS is not renewing the contracts of many of its contractors. This will mean fewer OTS staff working on the Heretaunga-Tamatea claim. The OTS team for Heretaunga-Tamatea is:
  - Director OTS** Peter Galvin
  - Deputy Director** Andrew McConnell
  - Negotiations & Settlement Manager** Marian Smith
  - Senior Analyst** Kathryn Haliburton
- The OTS team is expected to come to Hastings in April/May to assist with the Aspiration workshops. The workshops will be open to all claimants who will have the opportunity to raise any questions about their claims.



### Inside this issue:

HTT Workplan for 2012	2
CFRT Research Programme	2
Appointment of Negotiators	2
Whare Korero (Oral & Tradition)	3
Overlapping Claims Process	3
Terms of Negotiation	4
Mandate Maintenance	4

## HTT Workplan for 2012

Key workstreams in the HTT Workplan for 2012 include:

- Gap Research Programme
- Whare Korero Oral History
- Marae/Hapu Aspiration Hui
- Engagement with Overlapping Claimant Groups
- Appointment of Negotiators
- Registration Database
- Communications Programme
- Website Development

2012 will be a busy year for the Taumata and the Project Team, involving a great deal of interaction with the marae, hapu and claimants.

The website will be updated regularly and anyone wishing to participate is encouraged to visit the website: [www.hetoakitini.iwi.nz](http://www.hetoakitini.iwi.nz).

He Toa Takitini now has a facebook page. Check it out!!! Feel free to post any comments you wish to make.



## Appointment of Negotiators

Once the Terms of Negotiation have been ratified, the next stage of the process involves the appointment of negotiators who will negotiate the settlement with the Crown.

He Toa Takitini will undertake an open recruitment process to appoint its negotiators. Notices calling for applications will be advertised widely in newspapers, on the HTT website and on all other relevant websites. HTT expects to be advertising for negotiators in February/March 2012.

### The role of the negotiator

The roles and responsibilities of the negotiators are clearly set out in the He Toa Takitini Deed of Mandate. The negotiators are required to follow the direction of the Taumata.

An important point to note is that the negotiators do not have the authority to accept a Crown offer or sign any Deed of Settlement until

- they have presented the proposed settlement to the iwi, hapū, whānau, marae and claimants of Heretaunga-Tamatea; and
- have received ratification of the proposed settlement by them through properly notified hui and postal ballot.

SETTLEMENT MILESTONES	TIMELINE 2003
Deed of Mandate	Oct 2010
Terms of Negotiation	Dec 2011
Agreement In Principle	* (Estimate) Dec 2012
Deed of Settlement	Dec 2013 *
Ratification	
Legislation	June * 2014

## CFRT RESEARCH PROGRAMME



The sixth Research Hui associated with Crown Forestry Rental Trust funded Heretaunga-Tamatea Phase 1 Research programme was held on Sunday 6 November 2011. The Hui allowed claimants an opportunity to hear presentations by the Trust's contractors, Mr Bruce Stirling and Ms Heather Bassett on their draft technical research reports. Those reports were:

1. Heretaunga-Tamatea 1865-1900 Overview – Bruce Stirling; and
2. Maori Reserves from Crown Purchases – Heather Bassett

David Tipene-Leach met with Bruce Stirling about the Repudiation Komiti letters of Henare Matua. Copies of those that Bruce thought relevant to the Heretaunga Tamatea claim were provided to him and these will be considered in relation to the "Heretaunga-Tamatea Land and Politics: 1865 – 1900" Overview Report.

#	Report	Status
1	Pre-Treaty to 1864 Heretaunga Tamatea Overview	Finalised
2	Twentieth Century Overview	Finalised
3	Demographic & Statistical Analysis	Finalised
4	Heretaunga-Tamatea Environmental Overview	Finalised
5	Heretaunga-Tamatea 1865-1900 Overview	Being finalised
6	Maori Reserves from Crown Purchases	Being finalised

### PHASE 2 CFRT GAP RESEARCH PROGRAMME

Phase 2 of the CFRT Research Programme will commence early in February 2012. This research will supplement any gaps identified in the Phase 1 Research reports.



## “WHARE KORERO”

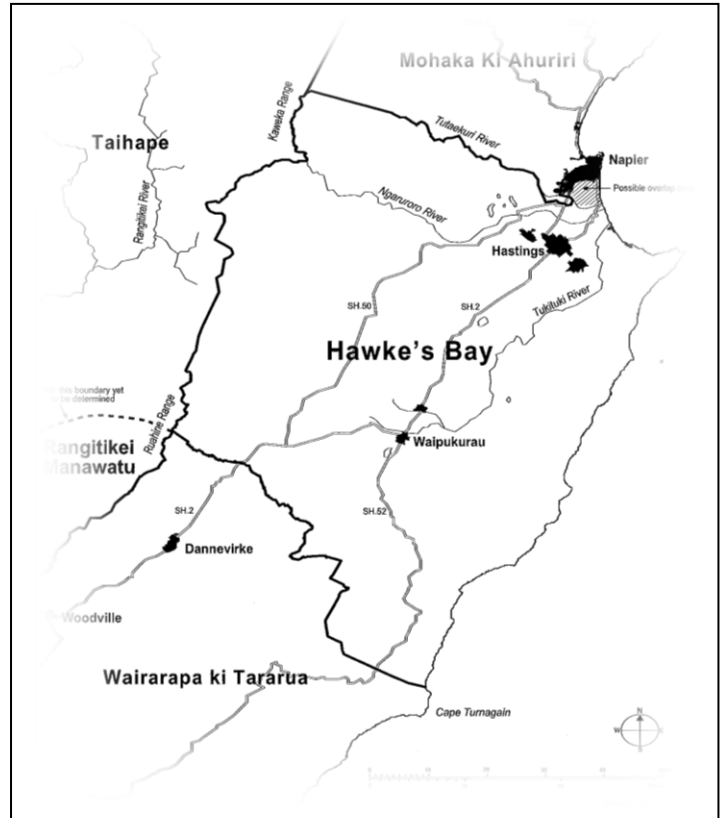
Proceeding to settle the claims by direct negotiation with the Crown has meant the Heretaunga-Tamatea claimant community has not had the opportunity to tell their stories and publicly air their grievances which for generations have been painfully ignored.

The “Whare Korero” will provide this opportunity that would have otherwise been available through the Waitangi Tribunal process.

He Toa Takitini recognises the “Whare Korero” is possibly the most important part of the restorative process.

Planning is currently underway and details will be notified early in the New Year. He Toa Takitini expects to stage the Whare Korero in April/May 2012.

It will be a fairly formal process, very similar to an Oral and Tradition hearing. Claimants will be able to present their evidence to a member of the judiciary. The proceedings will be formally recorded and will be available to inform the negotiation. The claimants may also wish to subsequently have their stories published. This will be entirely at their discretion.



## OVERLAPPING CLAIMS

The Heretaunga-Tamatea area of interest is bordered by three distinct Inquiry Districts: Mohaka ki Ahuriri in the north, Taihape: Rangitikei Ki Rangipo in the west and Wairarapa ki Tararua in the South. Certain shared boundaries or overlapping interests are being claimed by other iwi and/or claimants, raising issues of claimant definition and serious concerns to ensure respective interests are appropriately protected whilst the negotiations proceed with the Crown.

He Toa Takitini recognises the importance of establishing a clear process for addressing overlapping interests and reaching early agreement. Memoranda of Understanding are currently being developed with claimant groups in the Taihape Inquiry District. Similar agreements will be needed with Mana Ahuriri, Kahungunu ki Wairarapa and Rangitane.

In July 2011 the Rangitāne Settlement Negotiations Trust (“the Trust”) was recognised by the Crown as the mandated body to negotiate the settlement of the Rangitāne o Tamaki Nui-ā-Rua and Rangitāne o Wairarapa historical Treaty claims. In clause 5.7, the Trust makes provision to use its best endeavours to develop agreed overlapping claims policy documents with other groups, including He Toa

Takitini, early in the negotiation process.

The project brief for the Wai 2180 Taihape Tribal Landscape Overview Project Brief has been released. This is one of a number of final project briefs released recently in the Taihape: Rangitikei ki Rangipo Inquiry. A key issue for He Toa Takitini is how the history of Ngati Hinemanu in the Taihape and Heretaunga-Tamatea Inquiry Districts is to be depicted. At this stage the role for He Toa Takitini is to provide support to its hapu whose interests extend into the Taihape Inquiry District. A more active role will be taken if that is the wish of those hapu.

*The expectation of the Crown is that engagement with neighbouring groups will take place earlier in the negotiation process than has previously been the case.*

### Registrations

Online registration with He Toa Takitini is now possible. Check out our website: [www.hetoatakitini.iwi.nz](http://www.hetoatakitini.iwi.nz); For those who prefer, hard copy registration forms are also available. Please feel free to ring our 0800 number **0800 TAKITINI (0800 825 484)**



## Heretaunga-Tamatea Claim Profiles

He Toa Takitini represent approximately 65 claims that are all located within the Heretaunga-Tamatea Waitangi Tribunal Inquiry District. We would like to recognise and acknowledge each of the claims by profiling them in a rotational cycle to inform and share the information to the wider public. Below we provide an outline of selected claims.

WAI402	26 November 1993	Pt Ngaruroro Riverbed	Mare Kupa	
WAI516	7 June 1995	Waingongoro Stream	John Ngamoā and others	Ngāti Kurukuru, Ngāti Whakaiti
WAI527	24 July 1995	Paki Paki School House	Heke Morris and others	
WAI536	15 August 1995	Pakowhai Native Reserve & Ngaruroro Riverbed*	Ashley K Apatu and others	Apatu whānau
WAI574	29 March 1996	Karanema Reserve	Mereana Wickliffe and another	Te Heipora descendants
WAI579	1 April 1996	Estate of Taite Whitiwhiti Heremia	Christine Heremia	
WAI595	12 July 1996	Heretaunga Aquifer	Marei Apatu and others	Ngāti Kahungunu ki Heretaunga
WAI596	12 July 1996	Ngatarawa Block	Irimana Heemi Totoru (Alex)	
WAI610	2 August 1996	Omarunui Lands	Matenga*	
			Angela Margaret Harmer	

## Negotiation Process

### Terms of Negotiation

The aim of this part of the process is for the mandated group to agree Terms of Negotiation with the Crown.

The purpose of Terms of Negotiation are:

- to set out the scope, objectives, general procedures and "ground rules" for the formal discussions the parties will conduct in order

to settle the Heretaunga Tamatea Historical claims.

Terms of Negotiation also include:

- Guiding Principles, including the principle of good faith engagement;
- Tikanga to guide interpretation of the Guiding Principles;
- A commitment to address overlapping claims; and

d) Mandate maintenance.

A key Crown requirement is for HTT to continually confirm that it retains the mandate to negotiate the claims. In the Terms of Negotiation, HTT has agreed to provide the Office of Treaty Settlements with reports on the state of the mandate every three months, and the Crown agrees to advise HTT of any correspondence it receives about the mandate of HTT.

## HE TOA TAKITINI TAUMATA

Roger Maaka (Chairman)  
Te Rongo a Tahu Marae

**Aorangi Māori Trust Board**  
John-Barry Smith

**Houngarea Marae**  
Tanira Te Au

**Kahurānaki Marae**  
Haami Hilton

**Kairākau Lands Trust**  
Ripia Waaka

**Kohupātiki Marae**  
Margaret McGuire

**Korongatā Marae**  
Kevin Tamati

**Mangaroa Marae**  
Cordry Huata

**Matahiwi Marae**  
Tom Mulligan

**Mataweka Marae**  
Kohine Rata

**Mihiroa Marae**  
Kellie Jessup

**Omahu Marae**  
Hinehau Whitiwhiti

**Pourerere marae**  
Jill Munro

**Pukehou Marae**  
Elizabeth Graham

**Rākautātahi Marae**  
Frank Kotua

**Rongomaraeroa Marae**  
David Tipene-Leach

**Ruahāpia Marae**  
Peter Paku

**Runanga Marae**  
Paora Gemmell

**Taraia Marae**  
Robert Clarke

**Tapairu Marae**  
Cathy Pekepo

**Te Awhina Marae**  
Lisa Tuhi

**Te Whatuiāpiti Marae**  
Fiona Conrad

**Te Whatuiāpiti Tribal Authority**  
Keith Hape

**Waimārama Marae**  
Ngamoā Gillies

**Waipatu Marae**  
Ngatai Huata

### Contact Details

**Postal:** PO Box 2643 - Stortford Lodge - Hastings 4156

**Physical:** 821 Orchard Road - Camberley - Hastings

**Phone:** 06 873 0978 - **Fax:** 06 873 0976 - **Email:** [info@hetoakitini.iwi.nz](mailto:info@hetoakitini.iwi.nz) - **Web:** [www.hetoakitini.iwi.nz](http://www.hetoakitini.iwi.nz)

0800 TAKITINI (825484)



[www.hetoakitini.iwi.nz](http://www.hetoakitini.iwi.nz)

