



# Kaihautu Korero

MAY 2005

A newsletter for Te Arawa descendants about the direct Treaty negotiations with the Crown



**CONNECTING WITH THE TRANS TASMAN WHANAU:** Eru George and Nero Panapa meet with Te Arawa whanau in Sydney to update them on the direct negotiations process and registration.

**REGISTER NOW!**

**Hop on board the waka -  
make sure you're registered to vote!**

## Kaihautu Korero

Kaihautu Korero is produced every six weeks by Nga Kaihautu o Te Arawa Executive Council. It aims to inform descendants of Te Arawa about the direct negotiations the council is undertaking with the Crown to settle the historical Treaty of Waitangi claims of its affiliate iwi and hapu.

Because of the high demand for information Kaihautu Korero will be supplemented by Kaihautu Korero Update every three to four weeks.

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## E-News

To receive our newsletters and updates by email, please contact us. Kia ora!

## Message from the Chairman

Tena koutou katoa,

The past two months can only be described as a great relief for the Executive Council. This comes as a consequence of the release of the last Waitangi Tribunal Urgent Inquiry report into our mandate. Most importantly, the Tribunal did not find the Crown in breach of the Treaty by their recognition of our mandate, and their decision to enter into formal talks with us.

In saying this, we rest assured that the litigation taken against the Executive Council's mandate is now at an end in the Tribunal. We can firmly push on with negotiations.

Despite all of this, we who sit around the Executive Council table are mindful of the other Te Arawa iwi and hapu who have decided against the direct negotiation process with the Crown. We want them to know that our door remains open, and if there are matters they want to talk about, I'm happy for them to contact me in the first instance.

I am willing and open to talk with all our whanaunga and I sincerely hope that they will take up this opportunity. I lay down this 'tono' as we continue to proceed with substantive negotiations with the Crown.

However, discussions in terms of entering, or re-entering the direct negotiations process is now more constrained. This is because of the stage we are at in the process and constraints of the Terms of Negotiation we have with the Crown.

The Crown itself will also have its own policy issues to deal with. Nonetheless, we are still open to talk. At present the Executive Council along with its management team are undertaking a huge project to get as many Arawa descendants registered to vote on the settlement offer. To stress how important registering is, I would say it is just as important as making sure you are registered to vote at the forth-coming general elections.

**ERU GEORGE**

**Chairman, Nga Kaihautu o Te Arawa**



## Registration project makes good progress

**Registration forms to vote on the Crown's settlement offer to the iwi and hapu of Nga Kaihautu o Te Arawa are readily available.**

Unless registered, descendants will not be able to vote on any settlement offer at the time that the Deed of Settlement is taken out for ratification.

Over the next two months the Executive Council will undertake an intensive registration programme.

Already it has a team of 10 people working at the coal-face and two others to deal with data entry and co-ordinate the validation process.

The aim is to have 25,000 descendants registered by September next year and completed forms are rolling in.

The registration strategy will target descendants at whanau, hapu and iwi levels.

Although descendants will only be entitled to one vote each, on the registration form they will be able to affiliate with one or more iwi and hapu listed. This however, is more for internal purposes.

As much help as possible will also be given to those who do not know their specific iwi and hapu details.

The validation process will involve Executive Council representatives



**REGISTRATIONS BEGIN TO ROLL IN:** Ngaroma Maika collects and enters data into our new registration system.

working with kaumatua who are acknowledged authorities on whakapapa within their respective iwi and hapu.

**Please contact the Nga Kaihautu office on 0800 524 428 to request registrations forms. Kia ora!**

## Ngati Rangiteaorere representation finalised

By DENNIS POLAMALU

**We have been deluged with calls from across Te Arawa regarding the reported stand-off at Mataikotare marae which recently made national headlines.**

Confusion regarding Ngati Rangiteaorere's role in direct negotiations has been on-going and I take this opportunity to clarify some of the issues.

Ngati Rangiteaorere kaumatua called a hui-a-iwi in early April to enable the election of Kaihautu members to replace representatives who resigned last October. This point is important, as some have mistakenly believed the hui was called by Nga Kaihautu.

Three marae trustees, with Donna Hall as their lawyer, applied to the Maori Land Court for an injunction to prevent the hui being held at Mataikotare.

This followed a week in which trustees attempted to over-ride their kaumatua's decision by publicly notifying cancellation of the hui. The trustees also served trespass notices on kaumatua to prevent use of the marae to elect Kaihautu members. Their application was subsequently denied by Judge Pat Savage on the grounds that the trustee's decision to cancel the hui was motivated by their personal opposition to settling Ngati Rangiteaorere's claims through direct negotiations.

The Executive Council received a mandate from Ngati Rangiteaorere to negotiate on their behalf at a hui in August 2003.

In September that year the iwi's representatives confirmed their support for the overall structure of Nga Kaihautu o Te Arawa and its executive body.

In December 2004 a faction within Ngati Rangiteaorere attempted to use the marae trust's AGM as a platform to withdraw the iwi's mandate.



This was rejected by the iwi, with support for Nga Kaihautu and direct negotiations being reaffirmed.

When Ngati Rangiteaorere kaumatua and their supporters arrived at Mataikotare on Saturday 30 April they found access to the marae blocked and were confronted by a small but vocal group of detractors.

The kaumatua unsuccessfully attempted to negotiate passage onto the marae.

Ten kaumatua eventually agreed to discuss the *tikanga* and *kawa* relating to who has authority to call hui-a-iwi with the trustee's representatives.

Kaumatua indicated that if talks broke down and iwi were prevented from using this venue, the hui would proceed at Pikirangi Marae with the trustees and their supporters being welcomed to attend.

Unfortunately, an agreement on access to Mataikotare could not be reached and the hui was reconvened at Pikirangi. A resolution was put to the iwi with five members of Ngati Rangiteaorere being elected to represent the iwi on Nga Kaihautu.

An interim Executive Council representative was also elected. The Executive Council is pleased that this issue was successfully resolved by Ngati Rangiteaorere itself.

Nga Kaihautu's mandate has been rigorously tested in the Waitangi Tribunal, where none of the claims brought against the Executive Council's mandate have been upheld. The Tribunal has made it clear that their investigation into the mandate of the Executive Council has ended.

Ngati Rangiteaorere and the other Kaihautu affiliate iwi and hapu can now look to the future and fully participate in negotiating the settlement of their historical Treaty of Waitangi claims.

The process remains on track to achieve an Agreement in Principle settlement offer by August 2005. He aha te mea nui o te ao. He tangata, he tangata, he tangata.

# Amendments made to the Deed of Trust

**Clauses within the Executive Council's Trust Deed have been changed following a series of hui with representatives from affiliate iwi and hapu.**

The council held two regional hui on March 16, and a collective hui on March 30, to give Kaihautu members the opportunity to raise and discuss the rules of Nga Kaihautu o Te Arawa Executive Council.

Presentation papers were circulated to all Kaihautu members a week before the hui along with excerpts from the Waitangi Tribunal August 10 report which highlighted three key observations.

The collective Kaihautu hui considered a number of recommendations including those



relating to representation and the use of the four regions approach for administrative purposes.

The Executive Council believes that as a consequence of the review process its Trust Deed will be more transparent, robust, relevant and practical to meeting the evolving demands.

# Message from Sydney

By **NERO PANAPA**  
Operations Manager,  
Nga Kaihautu



**Just recently Eru George and I were in Australia on private business and took the opportunity to hold a hui with our whanau in Sydney.**

The purpose of the hui was to update Te Arawa whanui on Nga Kaihautu o Te Arawa's progress in direct negotiations. A good number attended the hui, including, Kainamu (Dickie) Maika, Eileen Jones, Butch and Fanny Mikaere and Wally and Moirangi Ruha. Our presentation took just over an hour and was very well received. The whanau's knowledge of our achievements prior to the hui ranged from "zilch" to "we've heard stories from home."

Now they are fully informed and eager to be involved.

Two hundred registration forms, one hundred Kaihautu Korero newsletters and one hundred Kaihautu Korero Updates were snapped up.

On Saturday night my wife and I were off to *The Lion King* in downtown Sydney.

The cast consists of a number of young Maori including Miritana Hughes and Turanga Merito from Rotorua.

I remember Turanga from Rotorua Lakes High. He came through at the same time as my son, Taimona, and was always an entertainer.

No wonder, just look at his genes! Turanga literally leapt on stage at the end of the first act singing *Hakuna Matata*.



From left: Te Raina Anderson, Michael Carrington, Moeroa Tiatoa.



Arawa whanau ki Sydney after the hui had ended.

Watching his controlled, powerful and sophisticated portrayal of the adult Simba was a revelation. He is undoubtedly a star. His maturity astounded me and he gave a commanding performance.

In Turanga Merito, we have a young man we can all be proud of.

He was given an opportunity and he seized it with both hands.

He is the master of his own destiny.

So, what does all this have to do with Nga Kaihoutu o Te Arawa?

Te Arawa has been given the opportunity to settle its historical Treaty of Waitangi claims right here, right now.

This is the opportunity to get out of grievance mode and take control of our destiny.

## Arawa faces at the Sydney hui...



Dickie Maika (left) and Kapua Bargh.



Fanny Mikaere (left) and Moirangi Ruha.



Wally Ruha and Eru George.



Moana and Xander (pepi) Mikaere.

## The Tuhourangi claim

**Tuhourangi were in a state of mourning when the Crown began to take possession of their lands in the late 1880s.**

The infamous 1886 Tarawera eruption had just killed many of their people and destroyed their booming tourism ventures.

However, by 1888 Tuhourangi had another battle on their hands – fighting to save what was left of their homeland in the then Native Land Court. In between 1886 and 1899 the iwi lost much of their land to the Crown including the Whakarewarewa State Forest land, parts of Mt Tarawera, the Whakarewarewa geothermal field, land that runs from the Buried Village to the Tarawera Jetty, Kotukutuku Bay and Punaromia Bay.

According to Anaru Rangiheuea, an elder of the tribe, the Crown took advantage of the misfortunes of the tribe, which after the eruption was suffering serious deprivation, poverty and hunger.

As a result, the tribe’s resources and core customary lands were taken through various statutes including the Public Works Act, the Thermal Springs Act and the actions of the Native Land Court.

“The lands were neither sold nor exchanged and these transactions blatantly negate articles one and two of the Treaty,” he says. All of these lands are whenua tupuna – ancestral lands of the Tuhourangi iwi.

“Since time immemorial, our tribe dwelled upon these lands cultivating and harvesting their gardens and gathering food from the forests, lake and streams.”

The Tarawera Landing held immeasurable value in the early history of the area and Punaromia Bay was considerably larger prior to the 1886 Tarawera eruption and waka were once able to be rowed further inland.



At the time, tourism in the Tuhourangi rohe grew with the popularity of the Pink and White Terraces.

Today, Tuhourangi retain only about one percent of their original lands.

As a result of the eruption and the taking of their land, Tuhourangi were forced to move closer to Rotorua city to live.

In their negotiations with the Crown, Tuhourangi will be seeking “full restoration” of their mana over their customary tribal lands. They will also be vying for the return of all Tuhourangi lands currently owned by the Crown, rights to geothermal resources as well as waters and minerals in their rohe.

# Te Rangipuwhe Maika:

## Whakahoki ki nga taonga tuku iho

**Te Rangipuwhe Maika has every faith in Nga Kaihautu o Te Arawa Executive Council to represent his iwi.**

That’s because, he says, it was “born from the bosom of marae in Te Arawa.”

As a representative for Tuhourangi on the Executive Council, Te Rangipuwhe will be pursuing a return of “nga taonga tuku iho o Tuhourangi me Te Arawa” – *the treasures of Tuhourangi and Te Arawa.*

Te Rangipuwhe brings to the Executive Council 38 years of bureaucratic experience having worked for government bodies including the Department of Labour.

Prior to his retirement in 1990, Te Rangipuwhe was the area general manager of the New Zealand Employment Service for the eastern region. The position involved overseeing 13 managers and a staff of 130.

“I purposely did not take up any more positions offered to me by the government and the local authority because I did not want to dedicate my whole life, my loyalties, to the government.”

In the past 15 years, Te Rangipuwhe has instead dedicated himself to his iwi. It is work that nevertheless pays less, but is extremely rewarding, he says.

At present he is the chairman of Te Whanau Poutiri Rangiora – the Maori



health authority for the Bay of Plenty.

He is also the chair of Te Whare Taonga o Te Arawa Kaumatua Komiti, Te Pukenga Koeke o Te Arawa.

Furthermore he is also a seasoned trustee on a number of land trusts including Rotomahana Parekarangi 663B.

## Eva Moke:

**Keen to get back what belongs to Ngati Pikiao**

**Eva Moke is more than aware that Treaty settlements are never “just” and that they can never give Maori “100 per cent satisfaction.”**

But at the very least, she is hoping that the Crown’s offer to the iwi and hapu of Nga Kaihautu will give them a chance to build their own economic base, and start determining their own destiny.

As a representative on the Executive Council for Ngati Pikiao, Eva brings valuable skills and the ability to see through the rubble.

“The settlement will never give us 100 per cent satisfaction. It is simply part compensation of our true economic loss which I hope will set us on a path to looking after our whanau, kaumatua, marae and other things.

“Ngati Pikiao, along with every other iwi and hapu with Nga Kaihautu, wants back what specifically belongs to us. I think they are all clear about that.”

At present Eva works at Te Wananga o Aotearoa’s Te Arawa campus as the administrator for Te Arataki Manu Korero programme – a course where koeke can build on their strengths.

The mother of two holds a degree in Maori and an honours degree in history.

About four years ago she worked with the Crown Forestry Rental Trust putting



together a database on Maori and Crown lands in the central North Island.

Eva is one of two females on the Executive Council, which has 15 members, and at the age of 40-something she is also the youngest.

“You can guarantee that a women’s perspective will always differ to that of a male view, but at the end of the day it’s not about what gender you are but who can do the job.”

## Edwin McKinnon:

### Need for Ngati Pikiao's tinorangatiranga to be respected

**Edwin McKinnon is a man used to hard work, but he admits that dealing with the Crown is perhaps one of his biggest challenges yet.**

That's because the representative for Ngati Pikiao on the Executive Council is more than aware that the outcome of this particular wero will affect everyone in his iwi.

"I feel aroha for our people when I have to tell them that the settlement will not be fully just, fully fair and that it will not fully right the wrongs of the past.

"The reality is that we are unlikely to get everything back except for what they call an 'equitable settlement.'"

Edwin is currently a member of the Federation of Maori Authorities for Te Arawa and a trustee on three major Maori land blocks in the Ngati Pikiao rohe.

As a youngster Edwin took over his father's farm in Te Awamutu and from there began a series of work as a bushmen, coalminer through to being a psychiatric



nurse at the now closed Tokanui Hospital. His overall aim for Ngati Pikiao is to ensure that the iwi become the deciders of their own future.

"I want Ngati Pikiao's tinorangatiranga to be respected by both the Crown and other iwi."

## From the desk of the General Manager

### RAWIRI TE WHARE

**Settlement negotiations rely a lot on the quality of information put up by both parties for each other to seriously consider. In particular, the quality of information relates to historical, cultural, financial and commercial redress.**



The process to amass and focus all relevant information in these areas of redress is not only demanding, but it also requires precision judgement. Obtaining the best information requires high level strategic planning along with engaging highly skilled people with wide experience in the required fields of expertise.

It also means that the direct negotiations project leaders must be focussed, committed and always insisting on greater project organisational efficiency.

The Executive Council and its management team are committed to this level of project operation to achieve the three areas of settlement redress.

#### 1. Historical Account Redress

This form of redress is where the Crown and Kaihautu agree the Treaty breaches and their impact economically, socially and culturally on the claimant group. This historical account draws down from the Crown.

- a) Crown acknowledgements; and the
- b) Crown apology

#### 2. Cultural Redress

This form of redress is iwi/hapu specific. It focuses on waahi tapu, waahi whakahirahira as well as non site specific interests. The hope is to seek the return of ownership of sites; co-management of sites; access to, or

recognition of sites for traditional and spiritual purposes. Cultural redress should give greater validity and recognition to the traditional and spiritual values of claimant iwi and hapu, enhancing their mana moving forward.

#### 3. Financial & Commercial Redress

This form of redress is the dollar value placed on the settlement. It may consist of cash and kind. Commercial properties and forests lands still in Crown ownership can be considered in settlement negotiations as “kind.”

The total dollar value of the settlement is referred to as the settlement quantum. Historical and cultural redress are NOT included in the quantum.

Financial and commercial redress quantum is not full compensation for true economic loss. The Crown considers the agreed level of compensation to be “fair in the circumstances.”

The Executive Council is committed more than ever to achieve a historical, cultural, financial and commercial redress Agreement in Principle settlement offer by August 2005.

### Kaihautu's Forward Planning

**August 2005: Agreement in  
Principle Settlement Offer  
August 2006: Deed of Settlement  
Initialled (draft)**

**September 2006: Registrations  
ready for ratification process**

**December 2006: Deed of  
Settlement ratified;  
Post-Settlement governance  
structure proposed for ratification  
2007: Legislation**