

Treaty issues – Media clips

Week ending 4 May 2012

Te Puni Kokiri up for review

Radio Waatea Thursday, 3rd May, 2012

Maori Affairs Minister Pita Sharples has unleashed a major review of his ministry.

Dr Sharples has asked a four-member outside panel to report how Te Puni Kokiri can be refocused and strengthened.

He says Maori and iwi are seeking stronger relationships with the Crown, so the ministry needs to work out how it can best advise on and facilitate Maori interests.

The group will be chaired by Piri Sciascia from Ngati Kahungunu, the pro vice chancellor of Victoria University.

Other members are Parekawhia McLean, who became Waikato-Tainui chief executive after serving in the department of prime minister and cabinet, Ngati Whatua chair Naida Glavish, and former deputy state services commissioner Ross Tanner.

The Prime Minister's department and SSC will also be represented on the panel, which is due to report in July.

Meanwhile, Dr Sharples has extended the contract of Te Puni Kokiri chief executive Leith Comer a further three months.

Wayne Walden to chair TVNZ

Radio Waatea Thursday, 3rd May, 2012

Ngati Kahu businessman Wayne Walden is the new chair of Television New Zealand.

Mr Walden joined the board of the state broadcaster last year after chairing Maori Television for four years.

He was formerly the managing director of retailer Farmers, Deka, and also chaired TranzRail.

Govt hires Tukoroirangi Morgan as iwi treaty consultant

RNZ 3 May 2012

The Government has appointed the former chairperson of the Waikato-Tainui executive, Tukoroirangi Morgan, to work with iwi to help them settle their treaty claims.

After being involved in bitter squabbles within the tribe, Mr Morgan decided to leave the iwi executive, Te Arataura, at the end of March to consider several job offers.

He says he's excited to gain the new position, and aims to do his best to help iwi.

Mr Morgan says his knowledge gained through work by him and Lady Raiha Mahuta on the Waikato-River settlement will be hugely valuable in helping other tribes to settle their claims.

He says he'll be able to advise iwi about risk or challenges that may arise through talks with the Crown.

Mr Morgan says he's helping iwi such as Te Whakatohea, Ngati Haua, Ngati Hinerangi and Ngai Tai.

New Treaty claim for Ngati Kahu

Northern Advocate Thursday, May 3, 2012 11:20

Ngati Kahu has lodged a new claim with the Waitangi Tribunal, alleging Crown negotiations with Te Aupouri will deprive Ngati Kahu of their interests in commercial and cultural properties, particularly in the Aupouri State Forest.

The Treaty of Waitangi grievance settlement claim Wai 2364 and an application for an urgent hearing was filed by the Venerable Timoti Flavell on behalf of himself and Te Runanga-a-Iwi o Ngati Kahu.

Judge Stephen Clark has been delegated the role of determining the application for an urgent hearing alongside Professor Pou Temara and Joanne Morris as members of the Muriwhenua Land Claim Tribunal.

As presiding officer of the Waitangi Tribunal, Judge Clark issued a memorandum at Hamilton on April 24 saying that in the past 12 months, the Waitangi Tribunal had experienced an unprecedented increase in the number of urgency and remedies applications received and subsequently granted.

Seven applications that had been granted urgent inquiries included the Ngati Kahu remedies inquiry Wai 45.

Five urgency applications arising from Crown negotiations with Te Hiku iwi which the Waitangi Tribunal was still considering are:

- Wai 2344: the Hokianga (Taylor and Hohepa) and Te Rarawa deed of settlement claim.
- Wai 2350: the Nga Hapu o Te Wahapa o Hokianga nui a Kupe and Te Rarawa deed of settlement claim.
- Wai 2348: the Ngati Wairupe-Ngati Kuri and Te Rarawa deed of settlement claim.
- Wai 2360: The Ngati Uri a Ngati Kuri settlement (Neho) claim.

- Wai 2364: Ngati Kahu claim regarding the Te Aupouri deed of settlement.

Judge Clark said that while the Waitangi Tribunal would always give priority to urgency and remedies applications, the increase in applications of this type was straining the tribunal's financial, staff and judicial resources.

As a result, applications had to be assessed to find those that needed to be heard more urgently than others.

The increase in urgency applications had also delayed the writing of a report on the first stage of the Waitangi Tribunal's Te Paparahi o Te Raki inquiry.

Judge Clark said that Ngati Kahu lawyers appearing before the Muriwhenua Land Claim Tribunal on March 22 had submitted the tribe would seek urgent hearings in relation to the Crown's settlement negotiations with Te Aupouri, Te Rarawa and Ngai Takoto.

He gave Ngati Kahu until April 27 to tell the Waitangi Tribunal when they expected to apply for these urgent hearings.

Waitangi Tribunal asks water questions

Radio Waatea Thursday, 3rd May, 2012

Maori water claimants have won the right to have their claims heard before the Government starts selling shares in the state power generators.

The Waitangi Tribunal has agreed to a two-stage hearing process.

The first hearing in July will consider what rights and interests in water and geothermal resources were guaranteed and protected by the Treaty of Waitangi, and whether selling shares in the power companies will affect the Crown's ability to recognise those rights.

The second hearing will look at wider issues of Maori rights to water and geothermal.

The claim is being led by the New Zealand Maori Council, but many iwi are also lining up to take part.

Iwi prepared to use 'reasonable force' to stop mining

RNZ 3 May 2012

Far North iwi Ngati Kahu is taking a stand against mining saying it will use reasonable force to remove any prospectors from its land.

It says neither the Crown nor any council has the authority to issue permits in its rohe (district).

Ngati Kahu says it's never been slow in standing up for itself and saying no.

Iwi chief executive Anahera Herbert-Graves says it's up to each hapu to decide how to deal with mineral companies.

She says that would include telling them to get off whenua and using reasonable force if necessary.

The Government says it's committed to unlocking any mineral resources to create a wealthier and more prosperous New Zealand.

The Crown says it's consulting with iwi about sensitive land - but Ngati Kahu says no-one from the Ministry of Economic Development has been in touch.

An aeromagnetic survey of Northland, to map out potential mineral deposits, is due to be made public sometime this month.

Cast a vote for equality

RINO TIRIKATENE Nelson Mail 03/05/2012

OPINION: As Kiwis, we believe in giving things a fair go. New Zealand is famed for its egalitarian society, or in other words we're famed for our willingness to work for equality.

However, the opposition to Maori seats on the Nelson City Council displays none of this.

The Nelson City Council should be commended for supporting the establishment of a Maori ward. In 2001 less than 2 per cent of all local body politicians identified as Maori, in 2007 it was less than 5 per cent, and on the Nelson City Council I'm only aware of one councillor ever identifying as Maori.

Maori make up 8 per cent of Nelson's population. So in a world of perfect representation there should be at least one Maori councillor from term to term.

However, that isn't the case. Instead, the non-Maori majority has retained a monopoly on decision-making at local government level. Maori wards will rectify this and add welcome fairness to the makeup of the council.

Creating Maori wards doesn't mean Maori will win an extra vote. Maori will only be able to vote in one ward – the Maori ward – and rightly so.

Local Maori aren't arguing for an extra right, only a fair go. In an independent report in 1998 Judge Peter Trapski held that Maori wards are "constitutionally sound and democratic".

In other words, Maori seats don't contravene the law nor violate the principle of one man, one vote.

The ward system is predicated on the notion that wards safeguard representation for distinct communities of interest. Local Maori are a distinct community of interest with issues and views different from the rest of the community.

Where the majority of the community may not be interested in, for example, resource management policy, Maori are impacted heavily as resource management encompasses Maori cultural values such as kaitiakitanga.

This is true across other issues too, where Maori are impacted in ways the rest of the community is not. With this in mind, it's important that Maori are given a voice on the council and the ward system is created to do exactly that.

The Local Government Act 2002 provides for and encourages the establishment of Maori wards. Parliament has signalled that Maori wards are an important part of our democracy and a mechanism for achieving equality of representation for Maori. Maori wards also satisfy the partnership principle under the Treaty of Waitangi. Government in New Zealand, at both local and national level, is a partnership between Maori and non-Maori, or at least this is how it was meant to be under the Treaty. In practice, governing in New Zealand is lopsided with Maori interests rarely served, if at all. Put simply, Maori wards give effect to the Treaty.

The fantasy that Maori wards are some sort of apartheid measure is just that, a fantasy. The apartheid regime believed blacks were lesser human beings and, as a result of this fantasy, they treated them as barely human at all. Any comparison with apartheid is plain wrong, but also offensive.

Furthermore, the idea that Maori wards are racist is incorrect and misleading. How can it be racist to work towards achieving equality of representation?

It would be racist to continue under the current settings – settings that continually exclude Maori, and other minorities too, from representation.

It is offensive and paternalistic to argue Maori should get off their bums and vote. Even if all Maori voters voted at the next local government election, the likelihood of a Maori councillor winning is almost zero.

Remember that the Maori candidate would also have to win the votes of non-Maori as well as Maori. Something that, historically at least, does not happen.

Maori exclusion from local government is the chief cause of voter apathy. Many Maori do not see the point in participating in a system that is seen not to serve them and, indeed, does not serve them. The current settings have failed to deliver for Maori.

For the reasons I've given above, I strongly support local Maori and the Nelson City Council in their efforts to create a Maori wards. They are champions of equality. When your voting papers on Maori wards arrive, please keep in mind the points I've made and vote for equality.

Rino Tirikatene is the MP for Te Tai Tonga.

Building Stronger Relationships in Te Urewera

Press Release - **Te Kotahi a Tuhoe**

“Te Kotahi a Tuhoe will continue building relationships with stakeholders in Te Urewera National Park at a meeting in Rotorua on May 3 and May 4.

“We have invited a wide range of stakeholders in Te Urewera National Park to discuss the park, how they value it and the principles and priorities which might guide the management of the park in the future.

“Tuhoe initiated contact with stakeholders in 2009 and we want to continue to build solid relationships with them and understand their views. Te Urewera is our home and the place all Tuhoe originate from. We also recognize and welcome that others greatly value Te Urewera.

“Building relationships with stakeholders is part of a wider effort to engage with all those with whom we share interests and with whom we believe we can work productively.

“We expect to have a more active role in the park than in the past, whatever the result of the settlement negotiations, and we think stakeholders share this understanding. It makes sense for a better Te Urewera that Tuhoe and park stakeholders build relationships that allow all our interests to be recognized and accommodated.

“This meeting is another step forward in a process designed to build those relationships. It follows the Relationship Agreement Tuhoe signed with the Crown in July 2011 and a Relationship Declaration & Engagement Protocols with the Department of Conservation in November 2011.

“The meeting will be attended by a wide variety of stakeholder groups, including recreation groups and local authorities. Tuhoe has retained Landcare Research to provide expert objective assistance to the meeting. Representatives from Tuhoe, the Department of Conservation, and the Office of Treaty Settlements will also attend as observers. The Minister for Treaty Negotiations will be one of the speakers.

“I will hold a joint press conference with Hon Chris Finlayson, the Minister for Treaty Negotiations, at 12.30 on Friday. Speeches from key meeting speakers will be distributed. Media are also invited to hear Mr Finlayson’s address to the meeting. This will take place at 11.45am. The remainder of the meeting will be restricted to participants. The venue is the Distinction Hotel, Fenton St.”

Treaty lawyer says Govt will miss 2014 settlement target

RNZ 1 May 2012

A lawyer representing several tribes says the Government will miss its goal of settling all historical claims by 2014.

Te Kani Williams says the timeframe is too tight.

His comment follows the Waitangi Tribunal decision to re-prioritise its workload by dealing with an unprecedented number of urgent claims first, which will delay regular hearings for other iwi and hapu.

Mr Williams says the Government will not meet its own deadline.

He says the 2014 date is what he and the Crown have said is an aspirational goal.

But he says he does not believe the Crown will meet that deadline - and whether it formally shifts the date is a matter for the Government.

Mr Williams acts for clients in te Urewera, Whanganui, Tamaki, Rohe Potae, Te Paparahi o te Raki, Porirua to Manawatu, Taihape, and Muriwhenua.

Iwi gains greater stake in management of Waikato river

RNZ 1 May 2012

Raukawa Charitable Trust in Tokoroa says an agreement it has signed with Waikato Regional Council over co-managing part of the Waikato river is very significant for the iwi.

The agreement relates to the iwi's interest in the river from Karapiro to Huka Falls.

The Trust's environment group manager, Stephanie O'Sullivan, says it follows on from an accord reached last year with various government departments over management of the river.

She says the regional council has far ranging responsibilities for the river in the catchment where Ngati Raukawa has rights and responsibilities including kaitiakitanga (guardianship).

The catalyst for the joint management agreement was Parliament passing the Waikato River Settlement Act in May 2010.

Auckland Maori board consults on wellness plan

Radio Waatea Tuesday, 1st May, 2012

Auckland's Independent Maori Statutory Board has started a series of six hui to discuss its plan to improve Maori well being in the super city.

Chairperson David Taipari along with identifying issues of significance and its audit of the council's treaty responsibilities, the wellness plan is a tool it can use to ensure the council's long term plan includes Maori.

He says Waikato University's Te Kotahi research unit held some hui when it was helping to develop the wellness plan.

"So we've walked people through this, we're back again now to tell people where we've got to on that, to be accountable back to the people, to assure ourselves they are aware of what is going on, and we will continue to work with the Maori community right throughout as we implement the plan and use the advancement plans that are going to come with the Maori plan," Mr Taipari says.

The Maori statutory board will be at Ruapotaka Marae in Glen Innes from 10am Wednesday and at the Ngati Te Ata office in Waiuku starting at 5.30 pm on Thursday.

OTS built up Ngati Tama leader

Radio Waatea Tuesday, 1st May, 2012

A spokesperson for an overlapping hapu is blaming the Crown for the collapse of the Ngati Tama settlement.

Ngati Tama treaty negotiator and chief executive Greg White quit last month when it emerged he lost more than 90 percent of the North Taranaki tribe's settlement through bad investments.

Russell Gibbs says Poutama got squeezed out of the settlement process in the mid-1990s because it was not willing to go along with Crown policies.

He says Mr White was, so the Office of Treaty Settlements decided he was the authentic voice of Ngati Tama.

"They choose who they want to negotiate with first and they choose the iwi structure that they want to negotiate with and they also choose the iwi leadership. When the Crown doesn't get what they want in negotiations, they just break off contact," Mr Gibbs says.

He says Ngati Tama settlement's settlement seems to have been treated as a business proposition, rather than having a wider vision of social, cultural and economic development.

'Waka on the rocks' - Iwi head

Taranaki Daily News 30/04/2012

Former Ngati Tama chief executive Greg White has accepted responsibility for losing most of his tribe's Treaty of Waitangi settlement money.

Mr White broke his silence in a statement to TV One's Marae Investigate programme aired yesterday. The tribe exclusively revealed their near \$20 million loss to the Taranaki Daily News earlier this month.

Mr White told the programme he could not be interviewed because he was overseas, but acknowledged that while he was appointed by the iwi board as chief executive of the Ngati Tama Development Trust, he did not follow the conservative conventional approach "and accordingly things have not gone as planned".

"Our waka has hit some bad weather and ended up on the rocks," he wrote.

The choice for the iwi was either to give up or "repair the waka and set ourselves further horizons".

The Daily News has sought comment from Mr White, without success, since revealing Ngati Tama's plight.

Mr White's uncle, Haumoana White, told Marae his nephew had made decisions in isolation.

"He had no option but to admit what he did was wrong. The real question is where is the money?"

Maori commentator Willie Jackson said it was good that Greg White admitted he made mistakes but the tribe now had to recover and set a new course.

He said the tribe's main mistake was taking a "pitiful settlement" and in doing so undermining the future of most of Taranaki iwi.

He said Government support should ensure a high-level iwi plan was in place.

Ngati Tama announced Mr White's resignation at the same time the losses were revealed. Iwi at a hui at Pukearuhe Marae were told that of \$19.8m of invested iwi funds, it might recoup \$1.5m.

A total of \$12.5m was invested with Australian software company My Virtual Home Ltd which is in liquidation and has no assets, \$1.9m with Open Group Ltd which has no current estimated value and \$4.39m with Tu Ere Fishing, which was offering minimal returns.

The new advisory board handling Ngati Tama's plight is headed by Hamilton consultant Richard Batley.