



Comprehensive Settlement Redress Package

Ko Ruawahia te Maunga
Ko Tarawera te Awa
Ko Te Arawa te Waka
Ko Ngāti Rangitahi te Iwi

Mai Maketu ki Tongariro
Ko Te Arawa te Waka
Ko Te Arawa māngai-nui upoko tū-takitaki

Preamble

In shaping an acceptable redress package, the Ngāti Rangitahi Negotiators have had particular regard to the current condition of Ngāti Rangitahi people in the context of their 175-year relationship with the Crown.

In pre-European times Ngāti Rangitahi was widely dispersed in and around the central North Island lakes district, the coastal area westwards of Matatā towards Maketu, and all along the interconnecting waterways holding mana over lands and resources.

After organised European settlement got underway, Ngāti Rangitahi participated in the development of the fledgling colonial economy achieving commercial success founded on flour and flax milling, orchards, farms, fishing and trade, and tourism. This position of pre-eminence was shattered by the outbreak of war in the 1860s, the eruption of Mt Tarawera in 1886, and the resulting 1904 flood and the alienation of their traditional lands and resources. Directly, constructively, or by neglect, the Crown's subsequent actions had a devastating impact on Ngāti Rangitahi people.



The upshot is Ngāti Rangitahi people stand deprived of:

- our connection to our ancestral lands in and around Mount Tarawera and the central North Island and out to Matatā on the Bay of Plenty coastline, our lakes (including Tarawera, Rotomahana, Okaro and Rerewhakaaitu), our waterways and wetlands and tributaries from the upper reaches of the Tarawera Awa down to the lower reaches at Te Awa o Te Atua
 - Moreover, those ancestral lands, rivers and tributaries are seriously degraded by human activities resulting in the loss of traditional food gathering resources to feed our whānau, to welcome, accommodate, host and feed our visitors in a manner expected of an iwi who were once a leading iwi of Te Arawa
- our language, our cultural heritage, our traditional arts and crafts and associated material knowledge, and traditional knowledge
- economic opportunity within our area of influence
- our Rangatiratanga and our ability to fulfil our Kaitiakitanga responsibilities

He nui atu te wehi o Ngāti Rangitahi e noho aua ki etahi atu o ngā moutere, ngā whenua, ngā awa, ngā waitapu, ngā wai ariki, ngā wahi tapu, ā, ngā mea katoa i tuku iho

In what follows, we set out the high-level principles that underpin the Negotiators' thinking about the shape and size of an acceptable redress package and how it will contribute to a settlement of past grievances.



Redress Principles

An acceptable redress package should provide the means to alleviate the current condition of Ngāti Rangitihi people, where that condition is a modern consequence of past Crown behaviours.

The idea that mana can flow into the world through tapu and mauri is an underpinning value of Māori life.

Mauri is sometimes contextualised as effect on “people, planet, profit”, but Māori reasoning additionally accepts that there is a common source from which mauri emanates. Mauri, therefore, additionally encapsulates the cultural and spiritual significance of a source. Every matter and relationship has an original source from which everything that follows is created.

These ideas of mana, tapu and mauri, with their attendant obligations, and purposes require commitment by people in a variety of ways and places. They also inform relationships to whakapapa-specific lands, obliging Māori to profoundly value kaitiakitanga obligations.

In consideration of the principles that inform settlement with the Crown, the Negotiators give primacy to that which is the source from which mauri emanates for Ngāti Rangitihi people:

- re-establishing and sustaining (protecting) Ngāti Rangitihi connection to whakapapa lands, lakes Tarawera, Rotomahana, Okaro and Rerewhakaaitu, and associated waterways and wetlands, wahi tapu, wai ariki, and ngāwhā
- remediation of the lower Tarawera Awa and Te Awa o Te Atua because they are seriously degraded by human activities
- remediation of lakes Tarawera, Rotomahana, Okaro and Rerewhakaaitu, and associated waterways and wetlands

The settlement package should meaningfully contribute to uplifting the mana and rangatiratanga of Ngāti Rangitihi through:

- cultural revitalisation
- building a base of tribal assets that is capable of sustaining and growing an economic base of opportunity for Ngāti Rangitihi people who choose to live within our tribal area of influence

Shape of an Acceptable Redress Package

The Negotiators understand that it is the Crown's position that the Ngāti Rangitahi initial agreed proportion of the CNI Iwi Collective settlement has mostly absorbed the available commercial redress, based on relativities within and between various iwi. We do not agree with the Crown about the weighting to be given to relevant matters such as Ngāti Rangitahi population and method and extent of land alienation that may affect the quantum offer.

Putting the quantum offer question to one side, the Negotiators' thoughts on acceptable redress have a direct relationship with the aspects of the current condition of Ngāti Rangitahi people and the corresponding Crown behaviours that are the proximate causes of that condition. At the heart of an enduring settlement with Ngāti Rangitahi lies recognition by the Crown of the traditional, historical, cultural and spiritual association of Ngāti Rangitahi people within the area of tribal interest.

Cultural redress is intended to recognise such associations of a claimant group with places and sites owned by the Crown within their area of interest, and to provide for cultural revitalisation.

Crown behaviour	Remedies providing Redress
Crown neglect	<ul style="list-style-type: none"> • Recognition and relationships with relevant Crown ministers, agencies and territorial authorities. • Acknowledgement of Ngāti Rangitahi rangatiratanga and their connection to, and relationships with whakapapa lands, lakes, waterways and wetlands.
Territorial deprivation (whakapapa lands, lakes, waterways and wetlands)	<ul style="list-style-type: none"> • Acknowledgement of Ngāti Rangitahi territorial deprivation. • Restored and sustained (protected) relationships with whakapapa lands, lakes, waterways and wetlands and mahi kai. • Return and protection of selected sites of importance. • Return of available lands currently managed by DoC in the vicinity of Tarawera (under various land status and management). • Return of available lands in the vicinity of Matatā (under various land status and management). • Leadership in joint governance and joint management arrangements and remediation of the lower Tarawera Awa and Te Awa o Te Atua including and restoration of the pūwaha o te Awa o Te Atua, and ongoing development and access to mahi kai e.g. pā tuna, inanga. • Reasonable participation in Te Arawa Lakes Trust recognising our rangatiratanga over lakes Tarawera, Rotomahana, Okaro and Rerewhakaitu, and our status and an independent iwi of Te Arawa.
Cultural deprivation	<ul style="list-style-type: none"> • Relationships with relevant Crown ministers, agencies and organisations such as Māori Affairs, Education, Arts Culture and Heritage, Internal Affairs, Te Papa Tongarewa, Auckland and Rotorua Museums. • Restoration of language, culture and taonga. • A resource centre at Matatā to be a focus for cultural revival including: <ul style="list-style-type: none"> - a museum of Ngāti Rangitahi art, history and culture - a centre for research, teaching and learnings - a tangible demonstration of Ngāti Rangitahi mana - employment and training - a tourist destination providing employment and income to contribute to the Ngāti Rangitahi economic base • Restoration to Ngāti Rangitahi ownership and custody of artefacts held in domestic and overseas collections and those taonga not yet discovered or identified as belonging to Ngāti Rangitahi.
Economic deprivation	<ul style="list-style-type: none"> • Relationships with relevant Crown ministers and agencies dealing with Finance, Economic Development, Māori Affairs, Tourism, and Social Welfare. • Opportunities to re-build a tribal economic base: <ul style="list-style-type: none"> - Cultural tourism offering at Matatā - Eco-tourism offering at Matatā following the restoration of Tarawera Awa and Te Awa o Te Atua - Eco-tourism offering at Mt Tarawera - Papakāinga development - Transfer of available productive land, e.g. Landcorp farms and DoC kiwifruit orchards to provide assets to support economic revitalisation.
Other matters	<ul style="list-style-type: none"> • Adequacy of settlement quantum. • Consideration of special factors: <ul style="list-style-type: none"> - Greater relative social deprivation from Crown actions and neglect: disconnection from their economic base, destruction of traditional food gathering, and loss of key economic infrastructure (sea port at Matatā) - Exceptional loss of life through economic hardship causing premature death • Contemporary matters: <ul style="list-style-type: none"> - Progress relative to the “high priority” promise in the CNI Deed - Wrongful contemporary acts e.g., whenua rāhui interest in the Lake Tarawera Scenic Reserve to Tuhourangi, and share of Te Ariki freehold - Te Arawa Lakes Settlement (including the vesting of customary Ngāti Rangitahi title to the “100-acre block”) - Challenges facing Ngāti Rangitahi in obtaining cultural redress out of the CNI Iwi Collective settlement as a consequence of the Crown Agreed Proportion expiring on 1 July 2015 meaning that Ngāti Rangitahi will have to negotiate redress with the other seven iwi • Interest on CNI settlement between Deed and Settlement • Relationships related to health and wellbeing and Whānau Ora. • Water, ngāwhā and geothermal

Further explanation of the acceptable redress package elements is provided on the following page.

An aerial photograph of a natural landscape. The top half shows a dense forest of dark green trees. Below the forest, a winding river flows through a valley with patches of green grass and some bare earth. In the foreground, a large, calm body of water, possibly a lake or a wide river bend, is visible. The water is a deep blue, and the surrounding land is a mix of green vegetation and brownish, possibly wetland or sediment-filled areas. The sky is not visible, as the image is a top-down view.

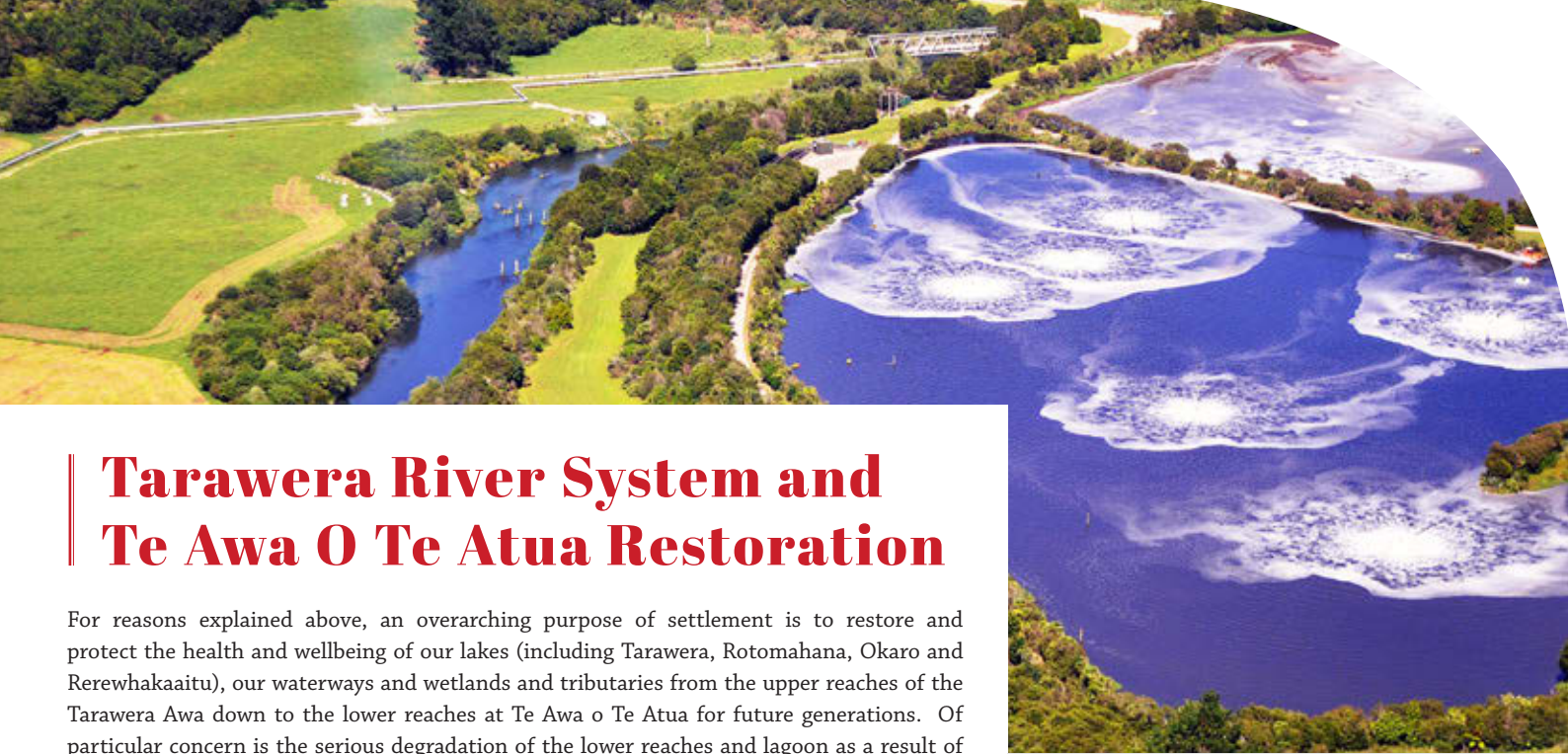
Whakapapa Lands, Lakes, Waterways and Wetlands

In pre-European times Ngāti Rangitihi people were to be found in a widely dispersed zone in and around the central North Island lakes district, the coastal area westwards of Matatā towards Maketu, and all along the interconnecting waterways. The mana whenua adjudications under the CNI Iwi Collective settlement, although a work in progress, demonstrate an acknowledgement that a much larger territory was under Ngāti Rangitihi authority than previously recognised. CFL lands aside, little remains of this territory in Crown ownership. What does remain is mainly in conservation areas and reserves in the vicinity of Matatā and Tarawera.

Appendix A on the last page of this newsletter sets out a non-exclusive list of land blocks that are of importance to Ngāti Rangitihi and the Negotiators seek to recover. The list also indicates high-level ideas about potential mechanisms that might be explored with the Crown to overcome potential difficulties and achieve mutual agreement about future ownership, governance and management. It is our expectation that there will be detailed discussion about these lands and mechanisms.

Other land-related matters that the Negotiators want to explore include:

- Place name change for “Ruakopu” to its traditional name of Ruakokopu
- Land vested as sites for schools
- An Otaramuturangi Owihakatihi on Whakatane District Council land that surrounds Otaraomuturangi Urupā
- Certain lands currently controlled by Māori Investments Limited
- Certainty of road access to Tapahoro



Tarawera River System and Te Awa O Te Atua Restoration

For reasons explained above, an overarching purpose of settlement is to restore and protect the health and wellbeing of our lakes (including Tarawera, Rotomahana, Okaro and Rerewhakaaitu), our waterways and wetlands and tributaries from the upper reaches of the Tarawera Awa down to the lower reaches at Te Awa o Te Atua for future generations. Of particular concern is the serious degradation of the lower reaches and lagoon as a result of human activities. Despite reduction in permitted levels of industrial discharge in recently issued resource consents and a proposed wastewater reticulation scheme, the lower river and lagoon will continue to remain among the nation's most polluted for the foreseeable future.

It is our desire that the pūwaha of the Tarawera Awa is restored to its original mouth to the sea at Matatā, not at the Tarawera Cut, that our iwi can access traditional foods and fisheries e.g., mahi kai, pa tuna, inanga, estuary species and be able to develop such resources on a commercial basis.

Ngāti Rangitahi has commissioned Wildlands Consultants Ltd to make an independent investigation of the restoration options for Te Awa O Te Atua and the lower Tarawera Awa. Wildland Consultants has undertaken many projects in this area and has strong experience with wetland assessment, restoration and management in many parts of New Zealand. The Wildlands Consultants' report will be an important resource informing our discussions. The report is expected late July 2016.

While the focus of the Wildlands Consultants report is Te Awa o Te Atua and the lower Tarawera Awa, the condition of the entire Tarawera River System is in need of attention to halt its degradation.

The Negotiators' preliminary ideas about how a clean-up might be achieved are informed by the accords in respect of the Whanganui and Waikato Rivers. At this stage, however, we have established some objectives and what we see as elements contributing to redress.



Ngāti Rangitahi objectives for the Tarawera River System:

- Restoration and protection of the health and wellbeing of the lower Tarawera Awa and Te Awa o Te Atua
- Restoration and protection of the relationship of Ngāti Rangitahi with the lower Tarawera Awa and Te Awa o Te Atua, including economic, social, cultural, and spiritual relationships
- An integrated approach to management of the natural, physical, cultural and historic resources
- Adoption of a precautionary approach and avoidance of adverse cumulative effects
- Protection and enhancement of significant sites, fisheries, flora and fauna

Ngāti Rangitahi redress:

- Statutory recognition of the significance of the lower Tarawera Awa and Te Awa o Te Atua to Ngāti Rangitahi
- Legislative recognition of the vision and strategy for the lower Tarawera Awa and Te Awa o Te Atua restored to a natural condition
- Recognition of the customary activities of Ngāti Rangitahi and the allowance for future opportunities for commercial activity e.g. tuna
- A Tarawera River Authority (including Ngāti Tūwharetoa, Ngāti Awa and relevant territorial authorities) to provide joint governance and joint management of the clean-up
- Tarawera River Restoration Trust of a size to be determined
- Goals for the future health of the lower Tarawera Awa and Te Awa o Te Atua

Cultural Revitalisation

Census statistics tell us that Ngāti Rangitihi people are on par with the Māori population in terms of natural and bilingual speakers of Te Reo Māori. But in truth, where this matters, where Te Reo Māori is the currency of cultural connection, we come up well short in comparison to other iwi.

The ambition that led to the founding of Te Whare Wānanga o Awanuiārangi, Te Wānanga o Raukawa, and Te Wānanga o Aotearoa and the reflection upon the paepae of their respective marae is prescient. The Negotiators share a vision that our future lies in Ngāti Rangitihi people who have the knowledge of whakapapa, the skills of oratory, karanga and waiata, and are functional in Te Reo Māori in order to uphold our mana on our own marae and across our whānau, hapū and iwi.

The Negotiators are seized of the need for significant resources to be applied to the recovery of Ngāti Rangitihi people's proficiency through research, teaching and learning. Therefore, the Negotiators seek to have constructive discussions with the Crown about the possible means of creating a permanent centre for research, teaching and learning in association with an existing tertiary institution.

In shaping the elements of an acceptable redress package, the Negotiators are conscious that every element needs to be dual or multi-purpose. Elements whose primary purpose is cultural revitalisation must nevertheless also contribute to economic strength and social wellbeing. To this end, the Negotiators have conceived of a multi-functional resource centre to be built at Matatā with assistance from the Crown.

Te Whare Taonga o Ngāti Rangitihi would encompass:

- a museum of Ngāti Rangitihi art, history and culture
- a focus for cultural revival including fluency in Te Reo Māori
- a centre for research, teaching and learning about Ngāti Rangitihi cultural practices, knowledge and materials
- a tangible demonstration of Ngāti Rangitihi mana and centre for tribal administration
- a centre for employment training
- a tourist destination providing a high-quality visitor experience
- providing local employment and income to contribute to the Ngāti Rangitihi economic base

The Negotiators want to have discussions with the Crown about possible arrangements relating to Te Whare Taonga o Ngāti Rangitihi. The concept was sparked by the ambition to recover ownership and custody of key artefacts now held in multiple museums and private collections here and overseas. In this respect Ngāti Rangitihi will need:

- on-going relationships with relevant Crown ministers and agencies in the arts, culture and heritage, and science portfolios
- a fund to identify and buy-back artefacts of Ngāti Rangitihi origin
- assistance with conservation and safe care of the collection, staff training, and development of displays and interpretation materials
- the opportunity to showcase the artistic talents of Ngāti Rangitihi craftsmen and women in national displays and travelling exhibits
- assistance to rediscover the knowledge and recover the skills now lost that make the Ngāti Rangitihi artefacts so desirable in modern collections





Economic Opportunities

To sustain an enduring revival of Ngāti Rangitīhi culture there needs to be in place a base of tribal assets that is capable of sustaining and growing an economic base of opportunity for Ngāti Rangitīhi people who choose to live within our tribal area of influence. According to the 2013 Census, 30 percent of Ngāti Rangitīhi people receive a benefit and 60 percent have housing costs in excess of 30 percent of gross weekly income. Building an economic base within the tribal area of influence means creating jobs and higher incomes, and places for people to live.

The principal opportunities are in tourism and its related and supporting industries (including commercial fisheries):

- At Matatā, creation of a “stopover” tourism destination based on a cluster of products and services including:
 - Recognition of Matatā as the gateway to the Eastern Bay of Plenty
 - Te Whare Taonga of Ngāti Rangitīhi and associated food and beverage service, souvenirs, and eco/cultural/education activities
 - Development of a coastal wetland ‘park’ encompassing Te Awa o Te Atua restored and the surrounding coastal landscape
 - The gradual development of retail and accommodation servicing the above
- At Matatā, the opportunity to develop a pā tuna commercial fishery
- At Tarawera, the creation of another great walk in the environs of Mt Tarawera with guiding services, eco- and cultural interpretation, and lodge-style accommodation provided by Ngāti Rangitīhi people
- Papakāinga development

A 2015 report prepared for the ‘Tarawera Landowners and Iwi Group’ and funded by the Department of Conservation (with support from both the Bay of Plenty Regional Council and Rotorua Lakes Council) supported the Tarawera Trail concept. The review found that the Tarawera Trail would provide a new, relevant addition to the Rotorua tourism sector, and it has the potential to be a very important cultural and economic

driver of change for iwi. Visitor estimates presented in the report are around 42,000 visitors per year after Year 5 and \$8.7 million in total economic impact. Direct visitor expenditure/total output is estimated to be \$13.7 million with much of that being retained in the region. Approximately 136 jobs could be associated directly and indirectly with the Tarawera Trail.

These opportunities play to recognised strengths in the Bay of Plenty’s regional tourism offerings and especially the cruise ship market (Tauranga) and six of the top 20 visitor attractions to the region. Tourism products must be continually developed or upgraded to address changes in the market and visitor expectations. The enhancement of existing products or development of new products can access new or niche markets, such as special interest or educational groups and will generate increased visitation. As cultural tourism markets mature, authenticity becomes a key element. There is growing recognition of the synergy between eco, cultural and educational tourism and the need to consider these together and not in isolation.

Establishment of papakāinga at Matatā and Rerewhākaitu with assistance from the Crown has economic, social as well as important cultural dimensions. As much as anything else, papakāinga is a cultural concept. It creates living communities with high levels of community support to the residents and marae. There are financial benefits to the residents who become less dependent on whānau. Government health and well-being programmes are better co-ordinated, and the improved housing results in better health which is a benefit to the country as a whole.

The Negotiators want to explore avenues for Ngāti Rangitīhi to become involved in providing papakāinga housing developments including accessing current programmes providing capital grants, lending an access to income-related rent subsidies available through Housing New Zealand and a relationship with the Māori Housing Unit in MBIE.





Insufficient Independent Resources to Implement Tribal Revitalisation Vision

The Ngāti Rangitihi Negotiators have an ambitious vision for the revitalisation of their people based on a cultural and economic revitalisation, that has as its foundation reconnection with a healthy lower Tarawera Awa and Te Awa o Te Atua.

The resources and assets necessary to implement this vision will need to come from the Ngāti Rangitihi comprehensive settlement with the Crown. This is because Te Mana o Ngāti Rangitihi has few resources and assets of its own, and as a matter of justice.

The CNI Iwi Collective settlement provided Ngāti Rangitihi with 3.6125 percent of the accumulated rental and ground rents. The recurring rents and investment income are sufficient to meet the expense of general tribal purposes but do not provide a pool of liquid uncommitted assets available to invest in the cultural and economic revitalisation vision. Until the CNI arrangement settles in 28 years' time, Ngāti Rangitihi is in limbo, knowing we are entitled to a greater proportion of ground rent based on the current adjudication decision relating to nine of the 23 Crown Forest Licences.

Therefore, the Negotiators are seeking as cultural redress under the comprehensive settlement:

- Access to Crown resources under current policies and programmes through the mechanisms of relationship protocols to address pressing social and economic deprivation
- Transfer of commercial assets to bolster the tribal economic base:
 - Landcorp Rotomahana (556 hectares) and Landcorp Deep Creek (455 hectares).
- Other assistance and financial accommodation.
 - The CNI Iwi Collective Deed of Settlement continued a promise of “high priority” to be given by the Crown to the settlement of the comprehensive claims of the eight iwi in the Collective
 - The Negotiators seek payment of interest on the CNI settlement between Deed and Settlement, and in respect of the intervening years until completion of the Ngāti Rangitihi comprehensive settlement

Reserved matters

- Water
- Geothermal
- Ngāwhā
- Minerals

Conclusion

After 175 years of a turbulent and unsatisfactory relationship with the Crown, Ngāti Rangitihi people look forward to establishing a new relationship. The pillars of that relationship are:

- Due recognition of Ngāti Rangitihi rangatiratanga
- Reconnection with, rehabilitation and protection of whakapapa lands, lakes, waterways and wetlands
- Cultural revitalisation
- A base of tribal assets that is capable of sustaining and growing an economic base of opportunity for Ngāti Rangitihi people who choose to live within our tribal area of influence

That package of redress must provide sufficient compensation to settle the claims against the Crown for its past behaviour towards the people of Ngāti Rangitihi.

Appendix A - Significant Lands

The Negotiators seek return of the following available land blocks:

• Te Ariki Site	Transfer to Ngāti Rangitahi of its 50 percent interest in the site. Recognition of a contemporary matter due to the Crown settlement with another iwi without Ngāti Rangitahi agreement.
• Te Tapahoro Scenic Reserve (including a 500m strip from Te Tapahoro to the Falls (250m either side of the river) and a 500m strip from Te Tapahoro to Humphries Bay along the side of the Lake).	We seek the return of all or part of the current campgrounds due to this area being a significant site of interest and return of lands: <ul style="list-style-type: none"> a. From Tapahoro to north of the Tarawera Falls as within this area are sites of significance to Ngāti Rangitahi b. From Tapahoro to the Bay now known as Humphries Bay as within this area are sites of significance to Ngāti Rangitahi c. To enable Ngāti Rangitahi participation in eco-tourism We propose a mechanism for vesting land currently used as campgrounds when it is no longer reasonably required to provide campsites and access. DoC would pay ground rent to Ngāti Rangitahi at market rates on land used for providing campsites and access.
• Lake Rerewhakaaitu camp ground	We propose the same mechanism as in respect of Te Tapahoro as set out immediately above.
• Lake Tarawera Scenic Reserve	We seek return of the lands in the first instance. We are open to exploring a joint stewardship mechanism: <ul style="list-style-type: none"> • Ngāti Rangitahi has sole and exclusive rights in respect of licencing tourism operators (including subsidiaries and associates) and in respect of the construction and maintenance of tourist facilities • A joint DoC and Ngāti Rangitahi management plan that reasonably reflects Ngāti Rangitahi objectives • Recognition of the overlay whenua rāhui granted to Tuhourangi without Ngāti Rangitahi agreement over our traditional and undisputed traditional lands • DoC continues to manage the reserves including pest and weed control, restoration of natural habitat, and access by the public • Recognition of sites of significance to Ngāti Rangitahi including pa sites and wahi tapu. Note: some sensitive sites will not benefit from public identification.
• Moura Burial Reserve	• We seek the return of this wahi tapu to Ngāti Rangitahi ownership.
• Awakaponga Cemetery	• (Yet to be determined)
• Waimangu Scenic Reserve	• We seek return of the land in the first instance
• The Matatā Wildlife Refuge Reserve	(Yet to be determined)
• The Tarawera Cut Wildlife Management Reserve	(Yet to be determined)
• The Bregman Wildlife Management Reserve	(Yet to be determined)
• Matatā Lot 108A	(Yet to be determined)
• Ohinekoao Recreation reserve and Ohinekoao scenic reserve	(Yet to be determined)
• Matatā Recreation Reserve including DoC camp ground	We propose a mechanism for vesting land currently used as campgrounds when it is no longer reasonably required to provide campsites and access.
• Pikowai Campground (Whakatane District Council)	DoC would pay ground rent to Ngāti Rangitahi at market rates on land used for providing campsites and access.
• Whakatane District Council land from Clem Elliot Place to and including Murphy's Motor Camp.	(Yet to be determined)
• Matatā Scenic Reserve	(Yet to be determined)