



He kōrero whakamārama mō te Puretumu Ohu Iwi o Tauranga Moana me te Pire Whakatau i Ngā Kerēme a Ngā Hapū o Ngāti Ranginui

Te Pūrongo a te Komiti o Ngā Take Māori

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He kōrero whakamārama mō te Puretumu Ohu Iwi o Tauranga Moana me te Pire Whakatau i Ngā Kerēme a Ngā Hapū o Ngāti Ranginui

Tūtohunga

Kua whiriwhirihia e te Komiti o Ngā Take Māori te kōrero whakamārama mō te Puretumu Ohu Iwi o Tauranga Moana me te Pire Whakatau i Ngā Kerēme a Ngā Hapū o Ngāti Ranginui, me te tūtohu kia aro mai te Whare ki tēnei pūrongo.

Te tono a Ngā Hapū o Ngāti Ranginui Settlement Trust

I te 27 o Poutūterangi 2017 i whiwhi te Komiti o Ngā Take Māori i tētahi reta mai i Ngā Hapū o Ngāti Ranginui Settlement Trust e pā ana ki ngā kōrero i roto i te takinga kōrero ki te pire i te komiti mō te Puretumu Ohu Iwi o Tauranga Moana me te Pire Whakatau i Ngā Kerēme a Ngā Hapū o Ngāti Ranginui.¹

Kua te tono tarahiti kia āta whakamāramahia e mātau ētahi take i roto i tā mātau takinga kōrero. I te mea kāore e taea e mātau tētahi pūrongo te whakatika i muri i te tukutanga ki te Whare, ko tā tēnei pūrongo he whakamārama i ētahi take.

Te whakamārama i te takinga kōrero ki te pire

I kī mātau i te whārangi 2 o tā mātau takinga kōrero he "iwi ngā Hapū o Ngāti Ranginui kei roto ko ēnei hapū ka whai ake: Ngāti Te Wai, Ngāti Taka, ngā hapū o Wairoa (Ngāti Rangī, Ngāti Paho, Ngāti Kahu), Ngāti Hangarau, Ngāi Tamarāwaho, Ngāi Te Ahi, ā, me Ngāti Ruahine". Ko te hiahia o te tarahiti kia whakaurua anō a Pirirākau ki tēnei rārangi, ā, ko Ngāti Pango kē te ingoa tika e hāu ko Ngāti Paho.

I taua kōwae anō, i kī mātau e "7,500 tata atu pea te taupori o Ngā Hapū o Ngāti Ranginui e nohonoho haere ana ki roto, ā, huri rauna i te takiwā o Tauranga". Ko te kī a te tarahiti i te tauranga whānui o te 2013 e 8,967 ngā Māori i kī nō Ngāti Ranginui rātau, ā, ko te nuīnga o rātau (4,638) kei roto o Toi Moana.² Ko ngā kōrero i whakamahia e mātau he mea tuku mai i tā mātau whakamāramatanga tuatahi mai i Te Tari Whakatau Take e Pā Ana ki Te Tiriti o Waitangi.

I kī anō te tarahiti i te rārangi mema o te komiti, i te āpitihanga, i tāhapatia ētahi tino mema i whakawhitiwhiti me te tarahiti i roto i te tukanga tāpaetanga. Ko te take i tāhapatia he mea whakarerekē te komiti whiriwhiri i te wā i whiriwhirihia ai te pire. Ka pūrongo te komiti i ngā mema o te komiti i te wā o ngā whiriwhiringa. I te mea ko ētahi o ngā mema i whai

¹ I tukuna tā mātau takinga kōrero ki te pire ki te Whare i te 3 o Poutūterangi 2017.
https://www.parliament.nz/en/pb/sc/reports/document/SCR_72443/tauranga-moana-iwi-collective-redress-and-ngā-hapū-o-ngāti

² Tatauranga Aotearoa. Kōrero mō Ngāti Ranginui Iwi, Tatauranga Whānui 2013.
<http://www.stats.govt.nz/Census/2013-census/profile-and-summary-reports/iwi-posters-individual.aspx>. He mea toro i te 20 o Hōngongoi 2017.

wāhi mai ki te pire i te wāhanga tāpaetanga kua kore kē e noho i te komiti, kāore i whakaurua mai ō rātau ingoa. Kia mōhio noa, ko ngā mema i tae atu ki te whakawātanga o te pire ko Hon Nanaia Mahuta (i noho hei tiamana), Kelvin Davis, Mārama Fox, Joanne Hayes, Todd Muller, Jono Naylor, Pita Paraone, Denise Roche, me Meka Whaitiri.

Te Te Pou Tarāwaho o Tauranga Moana

I roto i tā mātau takinga kōrero i matapakitia te Pou Tarāwaho o Tauranga Moana (TMF). Ko te TMF he whakaritenga poari whakahaere ngātahi o ngā rawa tūturu me te 50:50 o ngā mema o te Karauna/kaunihera me ngā māngai ā-iwi, ka taka mai i raro i te whakaaetanga ā-tuhi o te Ohu Iwi o Tauranga Moana (TMIC). Kei raro te TMF i te mana whakahaere o te Kohinga Whakahaere o Tauranga Moana (TMGG).

I te māharahara Te Ohu o Hauraki ki te hukihuki o te TMF me tōna whai wāhitanga mai me tōna āhei ki te rapu whakatau mōna mai i ngā kōti mēnā i whakakāhoretia mai ia e te TMGG. E rima ngā iwi o Hauraki i whakahou i tā rātau tonu mō tētahi whakawātanga kōhukihuki ki te tukanga whakatau raruraru, ā, i whakaaetia tēnei e Te Rōpū Whakamana i Te Tiriti o Waitangi i te Hereturikōkā 2015. Nā tēnei, i whakaae te Karauna me te TMIC ki te tango i te TMF mai i te pire. Ko te hiahia o te tarahiti kia whakatikahia mai te kōrero, nā te Karauna te whakaaro ki te tango mai i te TMF mai i te pire kia pai ai te anga whakamua o ngā pire e pā ana ki ngā iwi o Tauranga, ā, ka whakaturetia mai te TMF ā tōna wā.

I waitohua e Ngā Hapū o Ngāti Ranginui te whakaaetanga ā-tuhi hei menemana i runga i te mōhio ka whakaūhia ētahi here whāiti. Ko te whakaaro o te tarahiti kāore anō kia whakaūhia ēnei here. Engari, i te mea kei roto tēnei i ngā whakariterite haere tonu i roto i te whakaaetanga ā-tuhi o Te Ohu o Hauraki, ki ō matau whakaaro kāore e taea e mātau tēnei take te whakarite i roto i tēnei pūrongo.

I kī mātau i roto i tā mātau whakamāramatanga i whakamōhiohia mai mātau i te wā i whiriwhirihia e matau te pire, kua whakahētia e Ngā Hapū o Ngāti Ranginui ināianei kia whai wāhi mai Te Ohu o Hauraki ki te tūru tuarima. Ko te kī a te tarahiti mai anō te whakahē a Ngā Hapū o Ngāti Ranginui ki te whai wāhi mai o Te Ohu o Hauraki ki te tūru tuarima o te TMGG. E whakaae ana mātau kei te tika tonu pea tēnei, engari kihai mātau i whakamōhiohia mai i te wā e whiriwhirihia ana te pire, ā, koinā i pērā ai te takoto o ngā kupu i roto i tā mātau takinga kōrero.

Ētahi atu take i whakaarahia e te tarahiti

I kōrero anō te tarahiti i roto i te tana reta mō tō rātau pōuri he kore i whakawhitiwhiti kōrero mai nō te Komiti o Ngā Take Māori me Te Tari Whakatau Take e Pā Ana ki Te Tiriti o Waitangi. E āwhiti ana kāore i tika te whakamōhio haere i te tarahiti mō te āhuatanga o te pire. I kōrero atu mātau ki Te Tari Whakatau Take e Pā Ana ki Te Tiriti o Waitangi mō te kore o te whakawhitiwhiti kia kaua anō e pā mai tēnei āhuatanga. Kua whakapā atu te tari ki te tarahiti me te whakapāha atu mō te kore o ngā whakawhitiwhiti kōrero.

Ko tā mātau tikanga, kāore he whakawhitiwhiti a tētahi komiti whiriwhiri me ngā kaitāpae ina whakatauhia he pūrongo. Kei te tiroirohia mai e Te Tari o te Manahautū o te Whare Māngai, te kaiwhakarato ratonga hekeretari ki ngā komiti whiriwhiri, ētahi tikanga kia māmā ake ai te tuku i ēnei kōrero ki ngā kaitāpae.

Āpitihianga

Ngā whakahaere a te komiti

I hui te komiti i waenga i te Paengawhāwhā me te 2 o Hereturikōkā 2017 ki te whiriwhiri i ngā kōrero tohutohu. I rongō mātau i ngā whakaaturanga mai i Te Tari Whakatau Take e Pā Ana ki Te Tiriti o Waitangi i te 24 o Haratua 2017.

Ngā mema o te komiti

Tutehounuku Korako (Tiamana)
Hon Chester Borrows
Mārama Davidson
Kelvin Davis
Mārama Fox
Peeni Henare
Pita Paraone
Tākuta Shane Reti



Briefing on the Tauranga Moana Iwi Collective Redress and Ngā Hapū o Ngāti Ranginui Claims Settlement Bill

Report of the Māori Affairs Committee

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Briefing on the Tauranga Moana Iwi Collective Redress and Ngā Hapū o Ngāti Ranginui Claims Settlement Bill

Recommendation

The Māori Affairs Committee has considered a briefing on the Tauranga Moana Iwi Collective Redress and Ngā Hapū o Ngāti Ranginui Claims Settlement Bill, and recommends that the House take note of its report.

Request from Ngā Hapū o Ngāti Ranginui Settlement Trust

On 27 March 2017 the Māori Affairs Committee received a letter from the Ngā Hapū o Ngāti Ranginui Settlement Trust regarding the content of the committee's bill commentary on the Tauranga Moana Iwi Collective Redress and Ngā Hapū o Ngāti Ranginui Claims Settlement Bill.³

The trust has asked us to clarify a number of points in our commentary. As we cannot amend a report once it has been presented to the House, we are using this report to clarify a number of matters.

Clarification of bill commentary

We stated on page 2 of our commentary that “Ngā Hapū o Ngāti Ranginui is a hapū-centric iwi containing the following hapū: Ngāti Te Wai, Ngāti Taka, Wairoa hapū (Ngāti Rangī, Ngāti Paho, Ngāti Kahu), Ngāti Hangarau, Ngāi Tamarāwaho, Ngāi Te Ahi, and Ngāti Ruahine”. The trust would like it noted that Pirirākau should have been included in this list, and that Ngāti Pango was incorrectly referred to as Ngāti Paho.

In the same paragraph, we stated that “Ngā Hapū o Ngāti Ranginui has a population of about 7,500 people located in and around the Tauranga area”. The trust has noted that the 2013 census showed 8,967 Māori identifying as belonging to Ngāti Ranginui, the majority of whom (4,638) are located in the Bay of Plenty.⁴ The information we used was that given to us in our initial briefing from the Office of Treaty Settlements.

The trust also noted that the committee membership, listed in the appendix, omits key members the trust engaged with during the submission process. The omissions are due to a reshuffle of select committee membership during our consideration of the bill. Committee reports list the committee membership at the time of deliberation. As some of the members who had been involved with the bill during the submission stage were no longer on the committee, their names were not included. For reference, the committee members

³ Our commentary on the bill was presented to the House on 3 March 2017. https://www.parliament.nz/en/pb/sc/reports/document/SCR_72443/tauranga-moana-iwi-collective-redress-and-ngā-hapū-o-ngāti

⁴ Statistics New Zealand. 2013 Census Ngāti Ranginui Iwi Profile. <http://www.stats.govt.nz/Census/2013-census/profile-and-summary-reports/iwi-posters-individual.aspx>. Accessed 20 July 2017.

who attended the hearing on the bill were the Hon Nanaia Mahuta (who acted as chairperson), Kelvin Davis, Marama Fox, Joanne Hayes, Todd Muller, Jono Naylor, Pita Paraone, Denise Roche, and Meka Whaitiri.

Tauranga Moana Framework

In our commentary we discussed the Tauranga Moana Framework (TMF). The TMF is a natural resources co-governance arrangement with 50:50 membership of the Crown/council and iwi representatives, which is provided for in the Tauranga Moana Iwi Collective (TMIC) deed. The TMF is governed by the Tauranga Moana Governance Group (TMGG).

The Hauraki Collective was concerned about the drafting of the TMF as it related to its participation and ability to seek recourse from the courts if it was excluded by the TMGG. Five Hauraki iwi renewed their application for an urgent hearing into the disputes resolution process, which was granted by the Waitangi Tribunal in August 2015. Because of this, the Crown and TMIC agreed to remove the TMF from the bill. The trust would like to clarify that the Crown proposed the removal of the TMF from the bill so that bills relating to Tauranga iwi could proceed and the TMF would be legislated at a later time.

Ngā Hapū o Ngāti Ranginui signed the deed to amend with the understanding that certain conditions would be met. The trust feels that these conditions have not been met. However, as this is part of the ongoing negotiations within the Hauraki Collective deed, we do not feel that this issue is one we can address in this report.

We stated in our commentary that we were notified during our consideration of the bill that Ngā Hapū o Ngāti Ranginui now objects to the Hauraki Collective participating in the fifth seat. The trust notes that Ngā Hapū o Ngāti Ranginui has always objected to the Hauraki Collective participating in the fifth seat on the TMGG. We accept that this may be the case, but it was not something that we were informed of when we considered the bill, which explains the wording in our commentary.

Other matters raised by the trust

The trust also noted in its letter that it was disappointed with the lack of communication from the Māori Affairs Committee and the Office of Treaty Settlements. We regret that the trust was not kept adequately informed of the status of the bill. We discussed the lack of communication with the Office of Treaty Settlements to ensure that something similar does not happen in the future. The office has been in contact with the trust and has apologised for the lack of communication.

By convention, a select committee does not communicate with submitters when a report has been finalised. The Office of the Clerk, which provide secretariat services to select committees, is looking at ways to easily share this information with submitters.

Appendix

Committee procedure

The committee met between 5 April and 2 August 2017 to consider the briefing. We heard evidence from the Office of Treaty Settlements on 24 May 2017.

Committee members

Tutehounuku Korako (Chairperson)
Hon Chester Borrows
Marama Davidson
Kelvin Davis
Marama Fox
Peeni Henare
Pita Paraone
Dr Shane Reti