



Summary of the redress between the Maungaharuru-Tangitu Hapū and the Crown

Background

- The Maungaharuru-Tangitu Hapū are: Ngāti Kurumōkihi, Marangatuhetaua (Ngāti Tu) and Ngāi Te Ruruku ki Tangoio and are based at Tangoio marae, approximately 20 km north of Napier on SH2 (Napier-Wairoa Road).
- The Hapū are represented in negotiations by Maungaharuru- Tangitu Incorporated.
- Maungaharuru-Tangitu's mandate to represent the Hapū was recognised by the Crown on 20 October 2009.
- Terms of negotiation, signalling the start of formal negotiations, were signed on 26 June 2010.
- On 22 September 2011, the Hapū will sign an Agreement in Principle with the Crown. The Agreement in Principle summarises what the Crown has agreed to provide as redress to the Hapū for the harm it has caused through breaches of the Treaty of Waitangi.
- The Hapū and the Crown will then develop a Deed of Settlement which will detail the redress summarised in the Agreement of Principle.

Summary of the redress

The redress package includes:

- an historical account and Crown acknowledgements, which form the basis for a Crown apology to the Hapū;
- cultural redress;
- financial redress; and
- commercial redress.

Historical account, Crown acknowledgements, and Crown apology

- The Deed of Settlement will contain an historical account that will outline the historical relationship between the Crown and the Hapū.
- On the basis of this historical account, the Crown will acknowledge that certain actions or omissions of the Crown were a breach of the Treaty of Waitangi and its principles, or caused prejudice to the Hapū.
- The Crown will then offer an apology to the hapū for those breaches.

Cultural redress

- Cultural redress recognises the spiritual, cultural and historical associations of the Hapū with places in their takiwā.
- The Crown is aware of the enduring sense of grievance felt by the Hapū at the extensive raupatu (confiscation) of their land, the wrongful imprisonment of their people following an attack by the Crown, and the operation and impact of the native land laws.
- The redress reflects the significant cultural importance of the Maungaharuru range, Tūtira and coastal areas to the Hapū.
- The Crown will vest 250 ha of the Opouahi Station in the Hapū.
- The Crown will also vest part of the Opouahi Scenic Reserve in the Hapū (approximately 36 ha) subject to various easements.
- Three reserves (part of Opouahi Scenic Reserve, and Boundary Stream Scenic Reserve and Bellbird Bush Scenic Reserve) will be vested in the Hapū on condition that the governance entity gifts the land back to the Crown within a specified period from the date of transfer.
- The Crown will vest part of the lakebed of Lake Tūtira, and the lake beds of Lake Opouahi, Lake Waikopiro, and Lake Orakai subject to reserve status and any existing third party rights.
- Part of the Whakaari Landing Place Reserve (Whakaari pā) on the coast will be vested subject to reserve status.
- The Crown will provide 9 statutory acknowledgements¹ over whenua and 10 statutory acknowledgements over waterways of historical, cultural and spiritual significance to the Hapū.
- Other statutory acknowledgements include the coastal marine area², an acknowledgement over important coastal rocks and reefs, and an acknowledgement over the water column above the lakebeds to be transferred.
- The Crown will provide 9 deeds of recognition³ over whenua and 10 deeds of recognition over waterways of the Hapū.
- The Crown has agreed to provide a fund of \$15,000 to support projects to erect pouwhenua on sites of historical and cultural importance to the Hapū.

Relationship redress

- The Deed of Settlement will also provide for relationship instruments to improve the relationships that the Hapū have with the Crown, local authorities and relevant third parties.
- This includes protocols setting out the way in which specific government agencies will interact with the Hapū in the future, a letter of recognition from the Ministry of Agriculture and Forestry confirming that the Hapū are entitled to participate in the Ministry's fisheries planning processes and the appointment of the governance

¹ Statutory acknowledgements recognise the association the Hapū have with a particular site and enhances their ability to participate in specified Resource Management Act processes.

² the coastal marine area covers an area of 12 nautical miles (22 km) from the coastline out to sea

³ Deeds of recognition require the relevant Crown Minister to consult with the governance entity of the Hapū and have regard to the views of the Hapū in relation to identified areas by way of a statement of association provided by the Hapū.

entity as an advisory committee to the Minister of Fisheries in relation to the Wairoa Hard.

- Other relationship redress includes an annual meeting with the Ministry for the Environment together with other Hawke's Bay iwi and hapū to discuss environmental issues in the region, and an undertaking from the Minister for Treaty of Waitangi Negotiations to write letters of introduction to relevant third parties.
- The Hapū and the Minister of Conservation will enter into a partnership agreement over public conservation land in the takiwā.
- The Deed of Settlement will provide for membership of the Hapū on the Hawke's Bay Regional Joint Planning Committee.

Financial and commercial redress

- The total financial redress amount to be paid under the settlement is \$23 million and an on-account payment⁴ of \$2 million towards the Marae Relocation Fund.
- Interest will accrue on the remaining settlement amount until settlement date.
- The Hapū will have the opportunity to purchase part of the Crown's Esk Forest, subject to agreement about the division of the forest between the Hapū and their neighbours, Ngāti Hineuru.
- The Crown will agree a list of commercial transfer properties for purchase by the Hapū, and a list of proposed deferred selection properties, between Agreement in Principle and Deed of Settlement.
- The Crown will also agree an area within which Crown properties which may be transferred at market value through a right of first refusal, should they become surplus within a period of 172 years.

⁴ The on-account payment will be provided to a Crown-approved entity following the signing of the Agreement in Principle to enable the purchase of land on the open market, prior to settlement date, should any become available for relocation of Tangoio Marae. The on-account payment will be held by a Crown-approved entity for the benefit of all members of the Hapū.