

MINUTES OF HUI Ā IWI

VENUE: Huria Marae, 1 Te Kaponga Street, Judea Tauranga

DATE: Sunday 15 October 2023

TIME: 9.30 am

Hui commenced at 10.07 am

Karakia and

Mihi: Charlie Rahiri

Chairman: Charlie Rahiri

Secretary: Ngāti Ranginui Iwi Administration (Kylie Heke)

Present: Charlie Rahiri, Josie Ririnui, Tracey Ngatoko, Andrea Laison, Hemoata Willison, Raua Reihana, Turapaki Gardiner, Piripi Paraena, Carlton Bidois, Mel Tata, Ra Winiata.

Also refer to the attached attendance register

Apologies: Des Tata, Bill Evaroa and Eru Tuhakaraina.

With the following apologies received via email Michael Ngahuka, Pikitia (Marcia)Ririnui – Hennings, Carley Ririnui – Hennings, Brenda Mareroa, Te Pio Kawe, Annaleigh Stills, Alison Flavell, Heemi Savage Alice Scott, Tony Lewis.

Abbreviation Chart

TRoNRI	Te Rūnanga o Ngāti Ranginui Iwi
NRFT	Te Kupenga Hao o Ngāti Ranginui Iwi – Ngāti Ranginui Fish Trust
NHoNRIPSGE	Ngā Hapū o Ngāti Ranginui Iwi PSGE

OPENING COMMENTS

Charlie acknowledged and thanked those present for attending the 2023 Hui ā iwi and proceeded with the hui as per the Agenda.

10.12 Janice Smith and Manu Seddon joined the hui

15 October 2023 - Hui-ā-Iwi Minutes

1. ENTITY UPDATES

10.15 Ra Winiata and Ngairo Eruera joined the hui

1.1. Te Rūnanga o Ngāti Ranginui Iwi

John Koning introduced himself acknowledging his position as a legal representative of Ngāti Ranginui Iwi Society Inc opposing the Port of Tauranga wharf extension. John gave the Ngati Ranginui Iwi Incorporated Society progress report, PowerPoint presentation attached, key points listed:

POTL Application

- In May 2021 POTL applied to the Environment Court for resource consent to further dredge Te Awanui and extend the Wharf at Sulphur point.
- Summary of February 2023 Hearings
- Parties to proceedings were POTL, BOPRC, Te Rūnanga o Ngāi Te Rangi Iwi Trust, Ngāti Kuku, Whareroa Marae, Ngāti Tapu, Ngāti He, Ngā Hapū o Moutere Trust, Ngāti Kaahu a Tamapahore Marae, Ngāti Ranginui Iwi Society Incorporated, Ngāti Ranginui Fisheries Trust, Te Rūnanga o Ngāti Kahu and Tupuna Trust
- The hearing was held at Trinity Church for a week and Whareroa Marae for the Tauranga Moana Hapu/Iwi evidence. The Environment Court heard from 54 witnesses.

POTL Closing Submissions

- Environment Court reserved its decision at the conclusion of the hearing
- POTL were given leave to file written legal submissions in reply by 6 April 2023
- These submissions comprise 169 pages and include final consent conditions proposed by POTL
 - The amended and new conditions as follows:
 - Integrated management involving Tauranga Moana Advisory Group Southern Te Awanui Harbour Health Plan Transitional Iwi Liaison Group Te Awanui Advisory Group Te Paritaha Scientific Baseline Monitoring Cultural Monitoring Matauranga Monitoring Plan Restoration Scholarships POTL State of Environment Report

10.30 Ngawa Hall, Maria Yates and Riki Nelson joined the hui

- Environment Court have not released their final decision
 - John Koning advised it would be likely the final decision may be released before 2023 end.
- Options before the Environment Court are:
 - Approve application as set out in POTL's closing submissions
 - Decline application in its entirety
 - Issue an interim decision that grants application subject to final agreement between parties regarding consent conditions

RECLAMATIONS

- Evidence tabled during the hearing where POTL sort title to two reclamations with in Te Awanui by Gazette notice dated 15 January 2021
- TRoNRI endorsed their legal John, to proceed with an OIA request to Minister of Land Information seeking information with regard to the reclaimed coastal land title.
- Purpose of request to understand the process taken by LINZ in processes reclaimed lands. and the Marine and Coastal Act provides a platform for Ngāti Ranginui to participate in any further POTL applications for title to reclaimed land which was not upheld in the LINZ process.
- POTL's proposed reclamations at Whareroa (1.77 hectares) and Sulphur Point (1.81 hectares)
- Any future decision on reclamations in Te Awanui should be made by MOLI
- Engagement with iwi and hapū
- POTL must engage with Ngāti Ranginui on any future applications

10.59 am Kylie Willison joined the hui

Comments from the floor

Ra Winiata – appreciates the mahi John is doing on behalf of the Iwi and wants it noted that Ngai Tamarāwaho Hapū be acknowledged as Mana Whenua with in any future correspondence regarding the Sulphur point site.

Charlie Rahiri thanked John Koning for his presentation

1.2. Ngāti Ranginui Fisheries

Charlie Rahiri asked the Board members to introduce themselves, he then gave the Fisheries update, PowerPoint attached, with the following key points listed.

10.36 am Eddie Brown and Kirsty Willison joined the hui

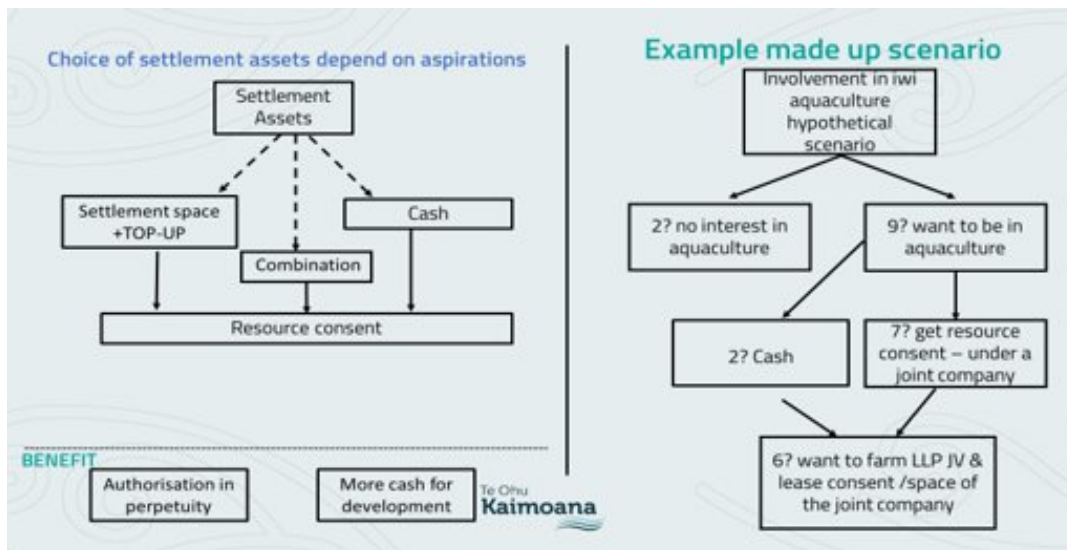
Te Moana a Toi Aquaculture Settlement (offer to settle)

Background Context

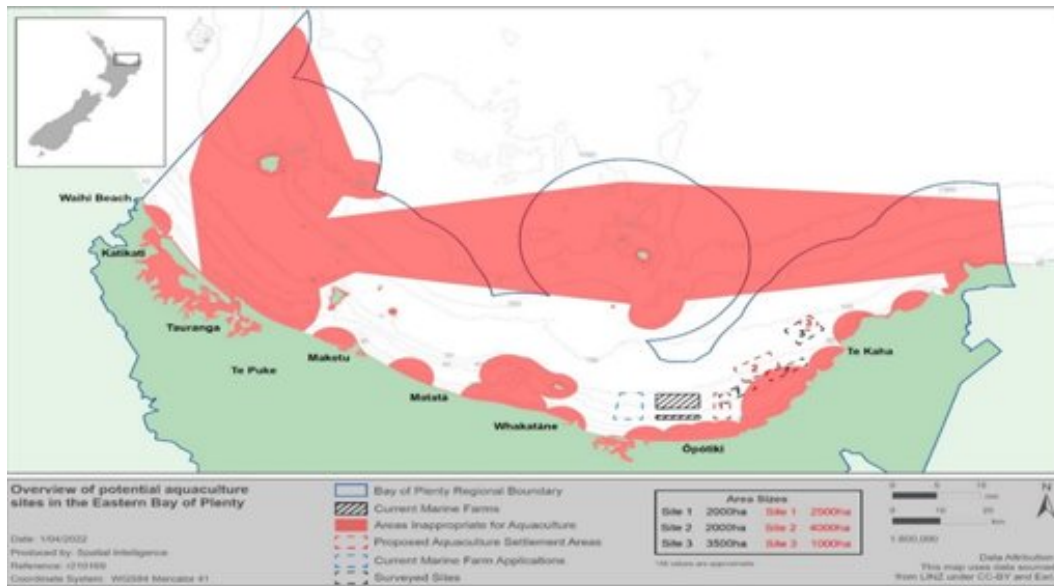
Powerpoint presentation attached

The Māori Commercial Aquaculture Claims Settlement Act 2004 (the Settlement Act) provides for the full and final settlement of Māori commercial aquaculture claims since 21 September 1992. Settlement is achieved by providing Iwi Aquaculture Organisations (IAOs) asset equivalent to 20 percent of all marine aquaculture space in each region.

The Offer



Te Moana a Toi Aquaculture Settlement (offer to settle)



Current

- Participation in Negotiations
- Crown Offer – 23 Million
- Response from iwi collective
- Distributions methodology
- Reinforce our position – Explore mitigation for TM specific
- Negotiation period

10.59 am Tracey Ngatoko left the hui

Te Moana a Toi Aquaculture settlement

Those in attendance agreed for Fisheries to continue to negotiate the best possible outcome for Ngāti Ranginui, and support the proposed Fisheries process to enter negotiations, with regular reporting back to the Iwi before decisions are finalised.

Pursue 2 pathways

1. The Collective Agreement alongside Iwi o Te Moana a Toi
2. Compensation for the restricted areas/redzones placed over the entirety of Tauranga Moana harbour due to Port of Tauranga Operations which inhibit aquaculture ventures.

Discussion from the floor

Ngairo Eruera – *asked* what was the reason for the map outlining?

Charlie Rahiri – *replied* that this is reserved for shipping lanes.

Carlton Bidois – *replied* hence the importance of MACA claims to hold mana in the Port.

Ngawa Hall – *replied* would it be a decision to seek land shares instead of marine due to the loss of economic opportunity caused by the shipping lanes. Land based aquaculture maybe another option to pursue.

Charlie Rahiri - *replied* they have not had these conversations yet and wants to know what our people would like to do and welcomes the expertise of others.

Port of Tauranga

The Fisheries Chair gave background to the current environment court case and the fisheries position of opposition. Acknowledging those parties and individuals who opposed the 2011 Dredging consent, and whose evidence has resonated within the 2023 hearings with further acknowledgement of TRoNRI participation and their Lawyer John Koning, and NRFT Lawyer Lara Burkhardt.

The NRFT Chairman continued to update referring to the 2023 Fisheries AGM update from which it was reported that the legal and technical cost was a point of discussion within the TKHONRIF board due to the amount required for the February 2023 hearings, with further investment into technical and legal support required if an appeal is required. It is a priority for the Fisheries to participate, therefore seek support from uri to do so.

Carlton Bidois:

Carlton advised although he is a member of the NHoNRIPSGE, he does not have mandate to act on behalf of NHoNRIPSGE in the Port space, however is thankful for the work NRFT and TRoNRI are doing, and having the support of these two entities, making it easier to talk.

Carlton acknowledges John Konning and Lara Burkhardts ability to help. Furthermore there is a great need for support regarding the MACCA, this is vital to regaining Mana and cannot be done without our people.

The Port gave ability for groups like Ngā Matarae Trust and Customary Fish to speak on behalf of our people.

Discussion from the floor

Maria Yates – *asked* who the other Iwi as stated in the update that currently work with the Port.

Charlie Rahiri – *replied* Tainui and others, noting Ngai Tahu. Also Ngāti Kahungunu who approached NRFT in the first instance.

Ra Winiata – *advised* Port of Tauranga Limited AGM is coming up, all shareholders are welcome, if you are eligible to attend you need to register your interest early.

Charlie Rahiri - *noted* that NRFT has registered to attend. Noting the chair of the Port has reached out for a conversation with him.

Destiny Leaf - *asked* if anyone can attend?

Melanie Tata - *replied* that you need to be a shareholder.

John Smith – *asked* if TKHONRIF have any shares in the Port?

Charlie Rahiri – *replied* yes.

Shaan Kingi – regarding the port environmental case, it is clear regarding the opposing position of NRFT and TRoNRI however what is the position of Ngāti Ranginui Iwi Settlement Trust.

Charlie Rahiri - *replied* that NHoNRIPSGE have not participated in the court process however have been active participants in the Takutai Moana legislation, upholding customary rights under the Marine and Coastal Area act.

Melanie Tata - *replied* that NHoNRIPSGE were invited to participate in a joint application of evidence for the Stella Passage/Port case. There was no interest, however supported by way of acknowledgement.

11.23 am Matemoana McDonald joined the hui

Riki Nelson – *Advised* of potential funding through the MACA claims process via Te Arawhiti that may aid with legal costs. fund sitting within NHoNRIPSGE and asked would NRFTask for financial support.

Melanie Tata – *Highlighted* the point made with in the Fisheries update regarding legal and technical costs. Is there interest through the people and entities to see a combined approach to the environmental case, in turn alleviating cost.

Ngawa Hall – *agrees* with Melanie Tata that TRoNRI and NRFT should work together, but it should be the people that make the final decisions.

Motion 1: TKHONRI continues to oppose the Stella Passage consent, and will actively participate in the Environment Court proceedings on behalf Ngāti Ranginui Iwi Fisheries interests.

NRFT will designate investment for the purposes of legal and technical support, to pursue an appeal if required.

Furthermore, NRFT will make it a priority to take a united Iwi approach to the case moving forward.

Moved: Charlie Rahiri

Seconded: John Smith

For: All

Against: Nil

Carried: Unanimous

Motion 2: NRFT will negotiate the best possible Aquaculture Settlement outcome for Ngāti Ranginui Iwi, and agree to report back to Ngāti Ranginui Iwi before any final decisions to the Aquaculture settlement are signed off on.

Two areas of focus for the negotiation team,

- 1) Te Moana a Toi collective agreement with 11 Other Iwi
- 2) Pursue compensation for the restricted areas placed over the entirety of Te Awanui.

Moved: Charlie Rahiri

Seconded: Ngawa Hall

For: All

Against: Nil

Carried: Unanimous

1.3. Ngā Hapū o Ngāti Ranginui Iwi PSGE Settlement Update

Powerpoint attached, in the absence of the Chairman Te Pio, the members of NHoNRIPSGE were offered the opportunity to present however declined.

Charlie Rahiri facilitated the Settlement update sharing the presentation provided by NHoNRIPSGE.

NHoNRIPSGE Priorities for 2023/24:

1. Progress our Ngā Hapū o Ngāti Ranginui Claims Settlement Bill through separating it out from the Tauranga Moana Iwi Collective (TMIC) Bill.
 - a) Trust agreed on 28 August to work with Te Arawhiti.
 - b) Māori Affairs Select Committee process.
 - c) Process locked in post-election.
 - d) Settlement reached in July – August 2024 (estimated).

2. Hold the NHoNRIPSGE AGM's and elections in 2024
 - a) Seeking administrative support services
3. Progress the Ngāti Ranginui Iwi MACA application in 2024/25
 - a) Working with Matanuku Mahuika and Kāhui Legal
 - b) Hapū engagement via each Trustee.
 - c) Possible MACA hearings in 2025/26.

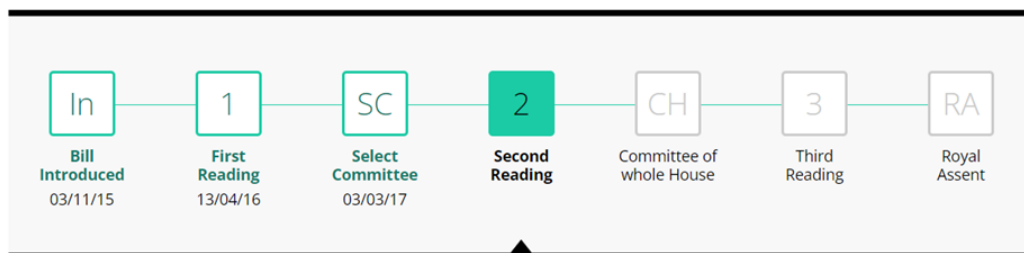
1 - Tauranga Moana Iwi Collective Redress (TMIC) Bill and

2 - Ngā Hapū o Ngāti Ranginui Claims Settlement Bill

Please see the link below and attached picture.

Link to the Omnibus Bills: [Tauranga Moana Iwi Collective Redress and Ngā Hapū o Ngāti Ranginui Claims Settlement Bill 84-2 \(2015\), Government Bill – New Zealand Legislation](#)

Progress of the bill



— What do the symbols mean?

In	Bill Introduced: The bill is made available for the House to consider.	CH	Committee of Whole House: MPs consider the bill in detail and vote on proposed changes.
1	First Reading: MPs debate and vote on the bill. If successful, it is usually sent to a select committee.	3	Third Reading: Final debate and vote. If successful, the bill has been passed.
SC	Select Committee: The select committee gathers information and prepares a report on the bill for the House, including recommending changes to the bill.	RA	Royal Assent: Bill signed by Governor-General and becomes an Act.
2	Second Reading: The House debates the select committee report and votes on the bill.		Fail / Withdrawn: A bill fails if the vote is lost at first, second, or third reading. The member in charge of a bill may withdraw it. <small>Note: this simple progress display does not cover all possible stages for a particular bill. Where a date is shown in brackets, this means the debate has been interrupted. See the Bill History content for more details.</small>

Comments from the floor

Ngawa Hall – *communication* is highly needed.

Charlie Rahiri – *shared* the concern tabled by Ngawa, however noting that he does not hold the trustees who were present accountable for the actions of the NHoNRIPSGE Chair.

Raua Reihana – *wants* it noted that these documents were received from the Chair of NHoNRIPSGE.

Charlie Rahiri – *raised* Uenukurangi/Vision Ranginui and the objectives for the three Ranginui entities to progress this kaupapa. Ngati Ranginui currently holds three boards with a total of 26 Governors, highlighting the cost of operating so many board members and need for review.

Noting that NRFT and TRoNRI are looking at the legalities of merging and presenting final options to uri for review and decision.

Carlton Bidois – advised that he had no knowledge of what the NHoNRIPSGE were presenting today, furthermore, no he had not received communications the Chair of NHoNRIPSGE, noting how difficult things are within this trust. Agrees with the concern raised regarding lack of communication, and shared that most, if not all decisions lay with the 3 trustees on the NHoNRIPSGE Risk Committee. Noting the restrictions on trustees due to confidentiality of information which inhibits them from relaying updates to their respective Hapu. Also states, that he (Carlton) in the past has been frequently accused of breaching confidentiality when updating his Hapū. Carlton stating that none of the trustee's present belong to the Risk subcommittee (which have all the say) and therefore themselves have issues with communication and the lack of trust from the NHONRST Chair.

Melanie Tata spoke as a trustee of Ngai Tamarāwaho PSGE – and shared their concerns of the lack of transparency regarding the current state of the Ngati Ranginui Settlement. Stating that the quantum has significantly changed with one example being Te Papa with McClean Street removed from the Ngai Tamarāwaho settlement. Ngai Tamarawaho strongly advise that they will not accept any progress toward signing of the settlement without having update of the settlement changes, alongside the opportunity to consult and discuss strategies. Melanie requested that the Ngai Tamarawaho concerns be tabled by those trustees present at their next Settlement trust board hui.

Furthermore, raising concerns and requesting the trust to advise what the settlement trust are doing to mitigate the impact of inflation on Hapu settlements, using the significant rise in Market value and the impacts on the 2012 formulas to purchase settlement properties. We will never be able to afford a market rate and advised that this needs to be raised with Te Arawhiti – said on behalf of Ngai Tamarāwaho.

Carlton Bidois – *commented* how his Hapū, also heard of this and wants it noted that, he himself knew nothing whatsoever and feels this was uncalled for and notes the severity of the communication they as trustees receive.

Melanie Tata – *stated* as Ngai Tamarāwaho, we will challenge the NHoNRIPSGE process if the Settlement in its current state goes through to legislation without proper consultation.

Riki Nelson – *spoke* on behalf of his Hapū, Ngati Te Wai, noting his appointment on to the NHoNRIPSGE .

Noting that there are many unresolved disputes that were tabled years ago within NHoNRIPSGE, with Ngati Te Wai, one dispute was, getting their register of Hapū members on the table and it was supported by the majority however then the RISK committee had a hui and the decision was overturned.

Furthermore advising that NHoNRIPSGE have a number of unresolved issues internally that need to be addressed but progress is slow and or not forthcoming

Riki spoke of the need to meet with the people noting that there is currently \$6 million that could be used to help with the Port case.

Carlton Bidois – *replied* that at the last AGM, NHoNRIPSGE passed an Annual Report stating that the trustees get paid on a monthly basis and wants it noted that they have never received a monthly payment.

Charlie Rahiri – *replied* that he did ask the NHoNRIPSGE Chair to nominate someone to speak on behalf of NHoNRIPSGE, but he did not respond.

Kahurangi Johnston – *acknowledged* the mahi done, stating that decisions end with our people, noting that you have your Hapū behind you and if you need support come back to you Hapu. Going forward, put Tikanga back into your processes of decision making, make sure that communication is canvassed throughout all Hapū so that we the people can support and drive you all as Trustees.

Charlie Rahiri – *agrees* with the korero from Kahurangi, also thanking Riki Nelson and Carlton Bidois for the mahi they have done within NHoNRIPSGE.

Noting that their mahi heavily tied up in association to the NHoNRIPSGE deed and recommends they utilize that in order to protect the work that they do.

Motion 3: *A motion from the floor with a vote no confidence in the Chair of the Nga Hapū o Ngāti Ranginui Settlement Trust, therefore recommending Te Pio is removed from the Chairs seat.*

Moved: Ngairo Eruera

Seconded: Ngawa Hall

For: All

Against: Nil

Carried: Unanimous

Motion 4: *NHoNRIPSGE must meet with the people within six weeks.*

Furthermore, if an update is not provided to the people a request for update will occur through an official information act request of all settlement correspondence between NHoNRIPSGE and the Crown, the Ministers and Government Entities.

Moved: Manu Seddon

Seconded: Shaan Kingi

For: All

Against: Nil

Carried: Unanimous

Ngawa Hall – *asked* how the chair is elected? Noting the decision needs to go back to the people.

Matemoana Mc Donald – *asked* what due process has TRoNRI taken to ask for the motions that were passed? also questioning the progress of the PSGE.

Rhondel Reihana - *stated* that her Hapū/Marae did not receive any correspondence that was posted on Ngai Tamarāwaho Facebook page from Rob Urwin on behalf of NHoNRIPSGE.

Ngawa Hall – *replied* everyone needs to go to their Hapū to speak about everything they have heard today.

Raua Reihana – *replied to Matemoana* that the motions made today, have been made from the floor and not TRoNRI, further noting that Hangarau did not receive any correspondence and are not aware of any issues raised today.

Ngawa Hall - *appreciates* the presence of those who have made themselves available to talk about the issues at hand, recognizing the great update from both TRoNRI and TKHONRI.

1.4. Tikanga / Kawa o Ngāti Ranginui

- Have a wananga to speak on Kawa and Tikanga, collectively.
- If you want to be in a group for this speak to TRoNRI CEO Melanie Tata.

Karakia Whakamutunga: Te Moanaroa Ngatoko
Charlie Rahiri declared the meeting closed at 12.34 pm