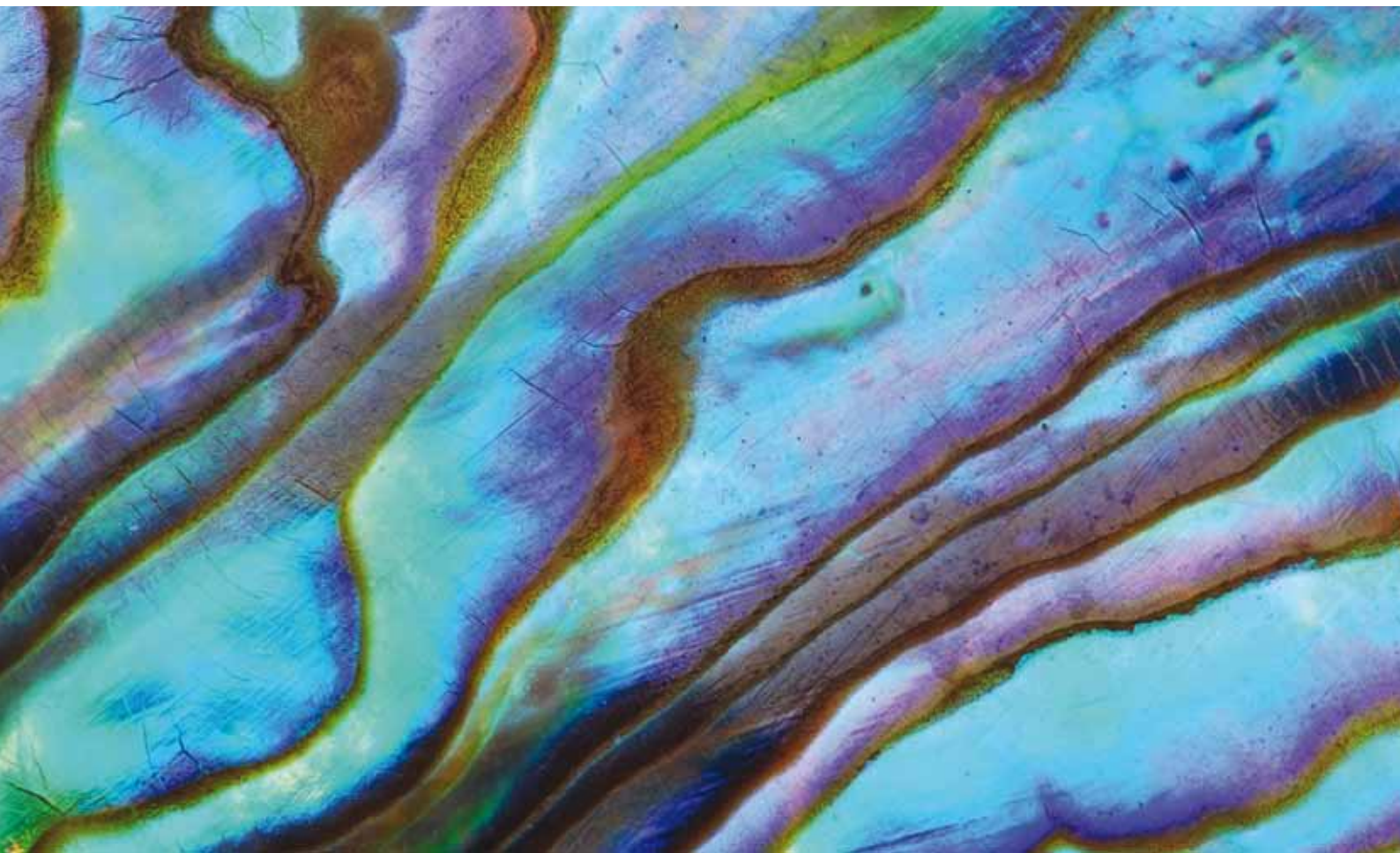


# To Mana – A Right to Decide

A summary of Te Whakatau the Ngāti Kuia Deed of Settlement of historical Treaty claims for ratification



**Te Runanga o**  
Ngāti Kuia Trust

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## Voting Form

# Glossary of Terms

## Te Whakatau Ngāti Kuia Deed of Settlement

A legal Document between the Crown and Te Runanga o Ngāti Kuia Trust for a proposed Treaty settlement package that will settle all historical claims of Ngāti Kuia in Te Taihū.

## Fee Simple Title

The strongest form of land ownership that describes full legal ownership of land.

## Historical Claims

Those Treaty of Waitangi Claims relating to Crown actions or omissions prior to 1992.

## Overlapping Claimants

These are Iwi other than Ngāti Kuia who also have an interest in Te Taihū.

## Ratification

The process by which all adult registered members of Ngāti Kuia get to democratically vote via secret ballot as to whether they accept the proposed Ngāti Kuia Deed of Settlement or not.

## Resumptive Memorial

Statutory notes on certificates of title of land owned by State-owned enterprises of the power of the Waitangi Tribunal to order resumption of the land by the Crown for Māori.

## Verification

The process by which applications for registration are processed to validate the entitlement of the applicant to participate in the settlement of the Ngāti Kuia Te Taihū claims based on the eligibility criteria set down on the registration form.

Ko Matua Hautere te tangata  
Ko Kaikāiawaro te taniwha  
Ko Te Hoiere te waka

Maranga mai e nga maunga  
Maranga mai e nga awa  
Maranga mai Ngāti Kuia

Tena koutou  
E nga morehu pakiaka ora o  
te whenua  
E nga uri o Ngāti Kuia

Ka nui te mihi ki a koutou  
i roto i nga ahauatanga o  
tenei kaupapa nui.

## Introduction

We are pleased to bring you the Ngāti Kuia Deed of Settlement “Te Whakatau” negotiated by your mandated representatives with the Crown. The Ngāti Kuia Deed of Settlement provides for significant inter-generational financial, commercial and cultural opportunities.

Last year the new Te Runanga o Ngāti Kuia Trust (TRONK) was ratified as the post settlement governance entity in preparation to receive settlement. This has now been established and is ready to receive the settlement should this be ratified and passed through legislation.

## Background

It has been nearly ten years since the Waitangi Tribunal Hearings began in Te Taihū. We have been in negotiations with the Crown for the last five years. During this time we have been able to identify and negotiate our historical treaty grievances.

<b>2000 to 2004</b>	<b>Waitangi Tribunal Hearings:</b> Ngāti Kuia and other Te Taihū Iwi went through the Waitangi Tribunal Hearings process. We had ours in April 2003.
<b>2005</b>	<b>Ratification of Mandate:</b> We sought a mandate from the Iwi membership to be recognised by the Crown to enter into negotiations.
<b>2006</b>	<b>Terms of Negotiation:</b> In this we identified what would be negotiated and entered into negotiations on the types of redress to be offered
<b>February 2009</b>	<b>Letter of Agreement:</b> This letter recorded the scope of the total cultural redress, financial and commercial redress package agreed with the Crown, and noted a small number of matters still to be explored and finalised in negotiations before the deed of settlement stage.
<b>November 2009</b>	<b>Ratification of PSGE, Te Runanga o Ngāti Kuia Trust (TRONK):</b> Ngāti Kuia Iwi membership ratified TRONK to be the PSGE to receive the Ngāti Kuia settlement
<b>August 2010</b>	<b>Initialling Ngāti Kuia Deed of Settlement:</b> We agreed with the Crown to take out the final settlement offer to the Iwi for ratification.



## Overview of the Ratification Process

### Ratification (Te Tikanga)

Ratification is through a majority vote, of the Ngāti Kuia Deed of Settlement by all adult registered members of Ngāti Kuia who choose to vote. It is necessary to ensure that the Ngāti Kuia Deed of Settlement agreed to in principle by TRONK is a fair representation of what Ngāti Kuia Iwi members want. This ratification process meets the requirements of Te Runanga o Ngāti Kuia Trust Deed and in particular the clauses covering Members' Register of Ngāti Kuia and voting.

### Beneficiary Register (Te Kohinga)

The Register will remain open until two weeks before voting closes, on Friday 24th September 2010. One further day will then be taken after the closing of the Register to ensure that all the new applications are valid. Registrations must be on the correct form noting name, address and date of birth. They must record their affiliation by descent (or whangai) from a primary ancestor from the tupuna list. Where an application for registration is declined the person concerned may dispute that decision by referral to the Whakapapa Committee whose decision shall be final. The process shall be as defined in Te Runanga o Ngati Kuia Trust Deed.

### Eligibility to Vote (To Take)

All registered adult members (aged 18 years or over) are eligible to vote. Those who turn 18 during the voting period but before the closing date are able to vote by means of a special voting process. Postal voting papers will be sent to all registered adult members of TRONK.

### Special Voting

Members must complete a special voting form if they:

- a) turn 18 years during the voting process but before the closing date, or
- b) register during the voting period but before the closing date

These forms must be requested from TRONK's Nelson Office. Special votes close on the same date as all other votes.

### Voting (To Mana)

We want you to exercise your right to decide "To Mana" and to vote. Ratification of the Ngāti Kuia Deed of Settlement will be decided by a postal or electronic vote. The voting form will ask registered Iwi members whether or not they accept the proposed Ngāti Kuia Deed of Settlement. A free-post return envelope will be with the voting paper and the website address.

Electronic voting and voting papers must be received by post no later than **12pm Friday 8 October 2010**. This is being managed independently by Electionz. All registered members' votes will be counted by Electionnz as the independent returning officer. If you have not received voting papers and believe you are entitled to vote as a member of Ngāti Kuia on this important matter, please contact:

Te Runanga o Ngāti Kuia Trust  
Free phone 0800 NGATIK (0800 642 845)  
P.O Box 968, NELSON  
Nelson Office, 47 Bridge Street, 03 546 7556

Votes that are illegible, duplicates, not linked to a registered member of TRONK, or received after the close of voting will be invalid.

The full settlement documentation can be viewed on the Office of Treaty Settlement website; [www.ots.govt.nz](http://www.ots.govt.nz).

Hard copies are available for viewing at Te Puni Kokiri offices Regional Offices. Registered Iwi members may request copies from the Nelson Ngāti Kuia office.

A copy of this booklet "To Mana – A Right to Decide" is on our Ngāti Kuia website [www.ngatikuia.com](http://www.ngatikuia.com).

### Information Hui

There will be a series of information hui to give you the opportunity to raise questions and discuss specific issues on the proposed Ngāti Kuia Deed of Settlement. No resolutions will be sought at the hui, as voting is by postal vote only. There will be independent observers provided by Te Puni Kokiri at each information hui. These hui will be held in Blenheim, Nelson, Christchurch, Wellington, Levin and Auckland. The dates for these hui have been advertised in the newspaper and in the private notices sent to registered Iwi members. You can find out more information by contacting the TRONK Offices.

We need you. If you know of any Ngāti Kuia descendants that are not registered members of Te Runanga o Ngāti Kuia Trust, they may still vote by requesting a ballot paper and returning this before the closing date together with a duly completed registration form. Their vote will be treated as provisional until their membership has been verified and registration completed. We wish to encourage you to use your right to decide "To Mana" and to vote.

### Voting Results

Electionz returning officer will pass on the results of the voting to TRONK who will then inform the Crown within one week. Each member on the Ngāti Kuia Register will also be informed of the results of the voting.

## Ngāti Kuia Iwi definition for settlement

An Iwi definition is required for settlement by the Crown. Ngāti Kuia developed this during the Waitangi Tribunal Hearing and for the Kurahaupo ki te Waipounamu mandate and Post Settlement Governance Entity (PSGE) ratifications. A full claimant definition can be found in Te Runanga o Ngāti Kuia Trust Ngāti Kuia Deed (The PSGE) and the Te Whakatau Ngāti Kuia Deed of Settlement and Legislation. The registration form “Te Kohinga Pakohe” also has this information. The claimant definition provides a means to legally define the claimant Iwi community which is represented by Te Runanga o Ngāti Kuia Trust (TRONK) to settle and receive the Ngāti Kuia settlement.

## Historical Claims being settled

The Ngāti Kuia Deed of Settlement settles all historical claims made by Ngāti Kuia descendants. The specific claims which are being settled through the Te Whakatau Ngāti Kuia Deed of Settlement are:

Wai 561; Ngāti Kuia Iwi claim, lodged by Peter Chester Hemi and others, Dated 1 November 1995, Consolidated with Wai 102, 785

Wai 829; Whakapuaka, Nelson Tenth and Stewart Island, lodged by Te Kenehi Teira and Kahurangi Hippolite, 25 August 1999. Filed with the Waitangi Tribunal under Wai 561.

Wai 2092; Descendants of Amiria Hemi Lands (Wedderspoon) Claim, filed by Wayne Wedderspoon, 01 September 2008 for Anakoha Bay and other places.

## Impact of settling claims

The settlement of the historical claims is intended to restore a relationship between the Crown and Ngāti Kuia, and enhance ongoing relationships with the Crown under the Treaty of Waitangi and its principles.

Acceptance of the Ngāti Kuia Deed of Settlement means Ngāti Kuia will not be able to bring further historical claims (including Treaty of Waitangi Claims) against the Crown in the future. Ngāti Kuia will be able to retain the right to file contemporary claims of Treaty breach against the Crown, in relation to events after 1992.

Ngāti Kuia will recognise that by settling the historical claims no further redress can be sought through legal remedies, Waitangi Tribunal or other avenues. This also means we agree to the lifting of all resumptive memorials (see glossary) within Te Kupenga a Kuia / Crown redress area of interest in Te Taihū.

## Crown Offer to Settle

The Crown offers to settle with Ngāti Kuia through Te Runanga o Ngāti Kuia Trust (TRONK the PSGE) and the Te Whakatau Ngāti Kuia Deed of Settlement and draft Settlement Bill. We have chosen to name our settlement “Te Whakatau” to acknowledge this as a taonga. Our tipuna down through to today’s generations have carried the burden of the grievances caused by Crown action and in action. It is now time to remember this and to settle it. Te Whakatau means to make settle. It will comprise of three main Pou as forms of redress. These are;

Te Pou Aronui represents the knowledge and understanding for the reasons for the grievances and making peace with this. This is addressed through the Historical Account, Breach Acknowledgements and Crown Apology.

Nga Pou o Te Hoiere represents the recognition and acknowledgement of our Iconic cultural associations in Te Taihū. Te Hoiere is the name of the waka which was guided by Kaikai-a-warō to Te Taihū, bringing our tipuna Matua Hautere, and is synonymous with Ngāti Kuia. This represents the Cultural Redress being offered by the Crown in Tuku whenua (Cultural Redress Property Vestings), Ngāti Kuia Te Iwi Pakohe Kaitiaki, Ngāti Kuia Titi Kaitiaki, Whenua Rahui (Overlays), Pou Rahui (Statutory Acknowledgements), Pou Whakaaro (Pou Whakaaro), Hineparawhenua (Statutory Coast Acknowledgement), Hineparawhenua is the atua of coastlines, Te Kohinga Rakahore (Mineral Fossicking) Rakahore is the atua for rocks and stones, Nga Pou Taunaha (Place names), Protocols, River and Freshwater Statutory Advisory Committee and Relationships with Local Authorities.

Nga Pou o Pakohe represents the Commercial and Financial Redress. Pakohe is synonymous with Ngāti Kuia and was an economic resource used by our people and considered a taonga. The redress provided will provide an intergenerational resource to sustain our Iwi.

Following ratification by Iwi, Settlement redress will be provided to TRONK when the Ngati Kuia Deed of Settlement is signed and the legislation(the draft Settlement Bill)has been enacted.

## Nga Pou Aronui

## Historical Account

The historical account is a text negotiated between Ngāti Kuia and the Crown. It provides an account of the relationship between Ngāti Kuia and the Crown on key historical accounts. The full text is found in Te Whakatau, the following is a summary.

In 1839 the New Zealand Company signed deeds with Māori that purported to purchase the entire northern South Island. Ngāti Kuia was not consulted. The validity of the Company’s purchases was investigated in 1844 by a Crown-appointed Commissioner. The Commissioner deemed that the Company had made a limited purchase of land in Te Tau Ihu. However the Crown failed to investigate the rights of Ngāti Kuia before granting land to the Company and Ngāti Kuia did not receive any payment for their interests or a share in the Nelson Tenth reserves that were set aside from the Company’s land.

Between 1847 and 1856 the Crown sought to purchase the remaining Māori land in Te Tau Ihu. In 1853 the Crown signed the Te Waipounamu deed with other Iwi that purported to purchase all remaining Māori land in the region. Ngāti Kuia was not present at negotiations or signatories to the deed. Under the deed a share of the purchase money was to be distributed among resident Te Tau Ihu Māori. In 1854 Ngāti Kuia at Te Hoiere disputed the notion that the Waipounamu

Deed had taken away their interests in the land. They demanded a fair payment directly from the Government. The Crown did not meet with resident Māori to finalise the Te Waipounamu purchase until 1856. The Crown used the 1853 deed to pressure resident Māori, including Ngāti Kuia, to agree to the alienation of their land. Ngāti Kuia signed a deed with the Crown and were paid £100 for their interests in Te Tau Ihu and granted reserves in the Te Hoiere district.

The 790 acres of reserves provided to Ngāti Kuia were insufficient for the Iwi to either maintain their customary practices of resource use or develop effectively in the new economy. As a result Ngāti Kuia became economically marginalised. In 1889 the reserves granted to Ngāti Kuia were investigated by the Native Land Court. Title to the land was given to individual Ngāti Kuia rather than to Iwi or hapū collectives. Over time the reserves became increasingly fragmented and uneconomic as individuals sold their shares and as titles became crowded through succession. By the end of the twentieth century Ngāti Kuia retained less than 230 acres of their reserves.

In 1883 and 1892 the Native Land Court investigated the ownership of land that had been excluded from Crown purchases and the Nelson Tenth reserves. Ngāti Kuia made several claims before the Court. In the Te Tai Tapu and Nelson Tenth ownership investigations the Court deemed that Ngāti Kuia did not have rights and they were excluded from ownership. Ngāti Kuia unsuccessfully protested against the Court's Nelson Tenth decision.

Ngāti Kuia also made claims to islands in Te Hoiere Sound they considered had not been sold. These included the Titi Islands, which were an important mahinga kai (harvesting area) for Ngāti Kuia. Over the first half of the twentieth century Ngāti Kuia, under an agreement with the Crown, was able to harvest titi (mutton birds) and other resources from the islands. From the mid-twentieth century the Crown denied Ngāti Kuia permission to land on the islands owing to declining numbers of titi. Ngāti Kuia expressed strong opposition to this decision.

By 1900, Ngāti Kuia was landless. Ngāti Kuia submitted a petition to the Government requesting additional land to live on and described themselves as “The Poorest Tribe under the Heavens.” The Crown attempted to alleviate their position through the provision of ‘Landless Natives Reserves’. The reserves, however, were in isolated locations, of poor quality and generally unable to be developed for effective economic use. Ngāti Kuia was also allocated land on Stewart Island but the Crown never granted them title to the land. Ultimately the reserves granted did little to alleviate the landless position of Ngāti Kuia in Te Tau Ihu.

## Crown Acknowledgements

On the basis of the negotiated historical account, the Crown gives detailed acknowledgements that certain historical acts and omissions to Ngāti Kuia were in breach of the Treaty.

It has failed to deal with the longstanding grievances of Ngāti Kuia in an appropriate way and that recognition of these grievances is long overdue. The Crown further acknowledges that at relevant times it has failed to carry out an adequate inquiry into the nature and extent of Ngāti Kuia customary rights and interests across Te Tau Ihu. This meant that the Crown failed to recognise or protect Ngāti Kuia rights and interests to their full extent, which resulted in prejudice to the Iwi. This was a breach of the Treaty of Waitangi and its principles.

The Crown acknowledges that it failed to adequately investigate the customary rights of Ngāti Kuia before granting land to the New Zealand Company. As a result the Crown did not consult, negotiate and compensate Ngāti Kuia for their rights in those lands. Consequently the Crown failed to actively protect the interests of Ngāti Kuia and this was a breach of the Treaty of Waitangi and its principles.

The Crown failed to adequately protect the interests of Ngāti Kuia when it arranged the completion of the New Zealand Company's Nelson purchase and did not establish a process in a timely manner that ensured Ngāti Kuia received the full consideration, including a share in the tenths, for this purchase. This was a breach of the Treaty of Waitangi and its principles.

The Crown acknowledges that its failure to adequately investigate the rights of Ngāti Kuia and include the Iwi at the time of the Spain Commission and protect the interests of Ngāti Kuia when completing the New Zealand Company's Nelson purchase had an ongoing effect on Ngāti Kuia. From this point, the ability of Ngāti Kuia to represent and protect their interests, including at pivotal Native Land Court cases in 1883 and 1892, and to maintain their connections to the whenua, was significantly affected. The Crown acknowledges that this negative impact has continued down to the present day.

- The land allocated to members of Ngāti Kuia was mostly poor quality, in remote locations, of little economic utility and therefore inadequate.
- It did not consult or negotiate with Ngāti Kuia prior to signing the 1853 Te Waipounamu deed;
- Ngāti Kuia were heavily pressured by the Crown into accepting the Te Waipounamu purchase and alienating their interests in Te Tau Ihu for a small price; and
- The reserves set aside for Ngāti Kuia from the Waipounamu purchase were insufficient for the immediate and future needs of Ngāti Kuia.

The Crown acknowledges that these failures were in breach of the Treaty of Waitangi and its principles.

The Crown acknowledges that for Ngāti Kuia the 1856 deed of sale with the Crown represented more than a transfer of land. The Crown further acknowledges that the collateral benefits Ngāti Kuia expected in entering into the Te Waipounamu sale agreement with the Crown were not always realised.

The Crown acknowledges that during the late nineteenth century Ngāti Kuia made several claims to the Crown for islands and land areas they did not believe had been sold in the Waipounamu transaction. This included the Titi Islands, which were an important mahinga kai source for Ngāti Kuia. The Crown's 1933 agreement with Ngāti Kuia over harvesting from the Titi Islands enabled the Iwi to exercise a kaitiaki role over their use of the resource. The Crown acknowledges its decision in the mid-twentieth century to withhold permission for Ngāti Kuia to harvest titi from these islands has been an ongoing source of frustration for the Iwi.

The Crown acknowledges that the operation and impact of the native land laws on the reserves granted to Ngāti Kuia, in particular the awarding of land to individual Ngāti Kuia rather than to the Iwi or its hapū, made those lands more susceptible to partition, fragmentation and alienation. This further contributed to the erosion of the traditional tribal structures of Ngāti Kuia. The Crown failed to take adequate steps to protect those structures and this was a breach of the Treaty of Waitangi and its principles.

The Crown acknowledges that under the “landless natives” scheme:

The land allocated to members of Ngāti Kuia was mostly of poor quality, in remote locations, of little economic utility and therefore inadequate;

- Members of Ngāti Kuia were never issued title to land allocated to them on Stewart Island;
- It failed to issue title to the Ngāti Kuia owners of the Te Māpou and Te Raetihi reserves until 1968; and
- The provision of land to Ngāti Kuia did little to relieve their landless position in Te Tau Ihu.

The Crown acknowledges that it failed to effectively implement the scheme designed to alleviate the landless position of Ngāti Kuia in Te Tau Ihu. This failure was a breach of the Treaty of Waitangi and its principles.

The Crown acknowledges that its actions have impacted on the ability of Ngāti Kuia to access many of their traditional resources, including the rivers, lakes, forests and wetlands. The Crown also acknowledges that Ngāti Kuia has lost control of many of their significant sites, including wahi tapu, and that this has had an ongoing impact on their physical and spiritual relationship with the land.

The Crown acknowledges that by 1900 Ngāti Kuia were landless. The Crown failed to ensure that Ngāti Kuia were left with sufficient land for their immediate and future needs and this failure was a breach of the Treaty of Waitangi and its principles.

### The Crown Apology

The intent of the Crown apology is to make it clear the Crown unreservedly regrets and apologises for those past actions and omissions that have affected the Treaty rights of Ngāti Kuia.

## Nga Pou o Te Hoiere: Cultural Redress

The Cultural Redress mechanisms provided for in Te Whakatau, the Ngāti Kuia Deed of Settlement, are designed to recognise the importance to Ngāti Kuia of the traditional, historical, cultural and spiritual associations to specific sites and areas within Te Taihū. The cultural redress also includes relationship protocols with four Ministries and Departments.

### Tuku whenua: Cultural Redress Properties

The cultural redress provides to Ngāti Kuia 9 properties totalling approximately 15 hectares, some with various conditions. There is one property which is also vested in other Iwi along with Ngāti Kuia. The cultural redress properties are, please see map 1:

#### Properties vesting in fee simple

- Nga Tai Whakauu; Harvey Bay, Te Hoiere / Pelorus Sound.

#### Properties vestings in fee simple with reserve status

- Oaie urupa; Tarakaipa Island, Tawhitinui Reach, Te Hoiere / Pelorus Sound, Marlborough
- Moenui; Priestly Reserve at Moenui, Mahakipaoa, Te Hoiere / Pelorus Sound, Marlborough
- Te Poho a Kuia; Cullen's Point, Havelock, Te Hoiere / Pelorus Sound, Marlborough

#### Properties vesting in fee simple with conservation covenant

- Titiraukawa; Pelorus Bridge, Pelorus Valley, Marlborough
- Titirangi; Waitui Bay, Te Au-a-Kaikaiawaro / Outer Marlborough Sounds

#### Property vestings in fee simple subject to being leased back to the Crown

- Canvastown School, Canvastown, Pelorus Valley, Marlborough (Te Hora)
- Appleby School, Waimea, Nelson (Waimea Pa)

#### Property vested in fee simple with six other Iwi (Ngāti Apa, Rangitāne, Ngāti Koata, Ngāti Rarua, Ngāti Tama, and Te Ati Awa)

- Matangi-A-Whio; Queens Road Reserve, Nelson

#### Commercial property purchased as cultural redress

- 4 Nicholson St, Havelock, Marlborough



## Titi Kaitiaki Instruments

### Ngāti Kuia Titi Kaitiaki Instrument

The Crown proposes to acknowledge the association of Ngāti Kuia with Titi Island, the Chetwode Islands and associated rocks and the Titi species on these islands. The instrument provides for kaitiaki appointed by Ngāti Kuia to provide advice directly to the Minister of Conservation on the management of titi on the islands and to harvest titi in the event that the Minister of Conservation decides that the titi population can withstand ecologically sustainable harvesting. Please see map 2

### Ngāti Kuia Te Iwi Pakohe (argillite) Kaitiaki instrument

The Crown will acknowledge Ngāti Kuia association with Pakohe through a Statement of Cultural Association over Te Kupenga a Kuia (please see map 1) and Ngāti Kuia the right to remove Pakohe by hand in agreed rivers without a permit on rivers within the Department of Conservation estate. There are some conditions and provisions such as to remove by hand. Department of Conservation will be required to consult with Ngāti Kuia before undertaking activities which may impact on Ngāti Kuia relationship with pakohe.

### Te Kohinga Rakahore: Non Crown owned Minerals fossicking rights

The Crown proposes to acknowledge Ngāti Kuia association with non Crown owned minerals through the right to remove non-Crown owned minerals, like sand and stones, without a permit in rivers within the Department of Conservation estate. There are some conditions and provisions such as to remove by hand. Please see map 1

## Whenua Rahui: Overlay Classification

The declaration of an area as an overlay classification provides for the Crown to acknowledge Ngāti Kuia values in relation to the management of that area. Overlay classification are sometimes used in historical settlements and are non exclusive.

Ngāti Kuia has two Overlay Classifications, please see map 2 and 3, over:

- Te Pakeka; Maud Island, Te Hoiere / Pelorus Sound, Marlborough
- Nga Motutapu Titi; Titi Island and the Chetwode Islands and associated rocks, Te Au-a-Kaikai-a-warō / Outer Marlborough Sounds

## Pou Rahui: Statutory Acknowledgements

A Statutory Acknowledgement registers the association between Ngāti Kuia and a particular site or area and enhances Ngāti Kuia ability to participate in specified Resource Management Act processes. In legislation the Crown acknowledges a “Statement of Association” by Ngāti Kuia in relation to specific sites of significance. It also strengthens the notifications under the Resource Management Act 1991 and the Historic Places Act 1993, and requires the relevant authorities to provide Ngāti Kuia with summaries of all resource consent applications that may affect these sites of significance.

There are a number of acknowledgements for Sites of Significance for Ngati Kuia, see map 1 and 3, these are;

- Lake Rotoiti
- Lake Rotoroa
- Te Ope o Kupe (Anamahanga/Port Gore)
- Puhikereru Maunga / Mount Furneaux (Anamahanga/Port Gore)
- Nga Whatu Tipare and Whatu Kaipono / The Brothers Islands
- Tarakaipa Island
- Te Taero-a-Kereopa, (Nelson)
- Parororangi / Mount Stoke (Kenepuru Sound)
- Nga Motu Titi; Titi Island Nature Reserve and Chetwode Islands Nature Reserve and associated rocks
- Te Hoiere / Pelorus Sound
- Titirangi
- Te Aumiti-a-Te- Kawau-a-Toru ( French Pass Scenic Reserve)
- Te Matau (Separation Point)

## Hine-parawhenua Coastal Statutory Acknowledgements

A coastal statutory acknowledgement has been too provided to Ngāti Kuia from Parinui-a-whiti (White Bluffs) to Kahurangi Point. This coastal statutory acknowledgement is offered over coastal marine area north of the Ngāi Tahu takiwā. This will provide enhanced opportunity to participate in Resource Management Act consent processes for activities affecting the coastal marine area, except for any parts where benefits are waived by Ngāti Kuia. Please see map 1



Pou Whakaaro: Ngāti Kuia Deeds of Recognition

Ngāti Kuia Deeds of Recognition oblige the Crown to consult with Ngāti Kuia on specified matters and “have regard” to their views regarding their special associations with certain areas. The Ngāti Kuia Deeds of Recognition apply to Crown-owned lands and specifically relate to sites over which Statutory Acknowledgements have been made. There will be a Ngāti Kuia Deed of Recognition over 15 Ngāti Kuia sites of significance, see map 1 and 3:

- Nga Whatu Tipare and Whatu Kaipono / The Brothers Islands
- Te Ope o Kupe (Anamahanga/Port Gore)
- Puhikereru Maunga / Mount Furneaux (Anamahanga/Port Gore)
- Parororangi / Mount Stoke (Kenepuru Sound)
- Nga Motu Titi; Titi Island Nature Reserve and Chetwode Islands Nature Reserve and associated rocks
- Titirangi Bay
- Te Hoiere / Pelorus Sound
- Parikarearea at Maungatapu
- Tarakaipa Island
- Pouwhakarewarewa / Takapourewa (Stephens Island)
- Te Aumiti-a-Te- Kawau-a-Toru (French Pass Scenic Reserve)
- Te Taero a Kereopa, (Nelson)
- Te Matau (Separation Point)
- Lake Rotoiti
- Lake Rotoroa

Nga Pou Rahui me nga Pou Whakaaro

There are five Statutory River Acknowledgements with Deeds of Recognitions and these also include the river catchments.

- Te Hoiere River (Pelorus River)
- Kaituna River
- Mahitahi River (Maitahi River)
- Motupiko / Motueka Rivers
- Anatoki River

Ngā Pou Taunaha: Place name changes

The settlement legislation will change place names in respect to specific sites / areas. These changes have been approved by Ngā Pou Taunaha o Aotearoa / the New Zealand Geographic Board. Changed names can provide recognition of Ngāti Kuia historical / traditional association to these sites. The Crown will undertake to use the changed name in regard to departmental signage and official publications. It will advise local authorities and Transit New Zealand of these changes and encourage the use of new official names on road signs as and where appropriate. A total of 67 name changes have been authorised by the New Zealand Geographic Board in Te Taihū, these are non exclusive to Iwi. However, we know it was our tipuna who named them. These names are

New geographic name	Geographic feature type
Te Punawai Pā	Pā
Te Ope-a-Kupe Rock	Rock
Ōmāhuri	Isthmus
Te Ana-o-Rongomaipapa Bay	Bay
Te Araruahinewai	Locality
Paratītahi Tarns	Pond
Matapihi Bay	Bay
Kahuroa Hill	Hill
Pukekoikoi Hill	Hill
Paraumu Tarn	Pond
Otauirā Pā	Pā
Mangatāwhai	Locality

Existing geographic name (gazetted, recorded or local)	Altered geographic name	Geographic feature type
Queen Charlotte Sound	Queen Charlotte Sound / Tōtaranui	Sound
Port Underwood	Te Whanganui / Port Underwood	Sound
Pelorus Sound	Pelorus Sound / Te Hoiere	Sound
Glenduan	Horoirangi / Glenduan	Hill
Cloudy Bay	Te Koko-o-Kupe / Cloudy Bay	Bay
Separation Point	Separation Point / Te Matau	Point
Lake Angelus	Rotomaninitua / Lake Angelus	Lake
Mount Campbell	Pukeone / Mount Campbell	Peak
Fighting Bay	Ōraumoā / Fighting Bay	Bay
Angelus Peak	Maniniaro / Angelus Peak	Peak
Mount Freeth	Te Tāra-o-Te-Marama / Mount Freeth	Hill
Greville Harbour	Greville Harbour / Wharariki	Harbour
Goulter Hill	Hikurangi / Goulter Hill	Hill
Pupu River	Te Waikoropupū River	River
Whakitenga Bay	Whakakitenga Bay	Bay
Onamalutu River	Ōhinemahuta River	River

Existing geographic name (gazetted, recorded or local)	Altered geographic name	Geographic feature type
Tasman Bay	Tasman Bay / Te Tai-o-Aorere	Bay
Port Gore	Te Anamāhanga / Port Gore	Bay
Church Hill	Pikimai / Church Hill	Hill
Pickersgill Island	Matapara / Pickersgill Island	Island
Mount Robertson	Tokomaru / Mount Robertson	Peak
Tory Channel	Tory Channel / Kura Te Au	Sound
Robin Hood Bay	Waikutakuta / Robin Hood Bay	Bay
Torrent Bay	Rākauroa / Torrent Bay	Bay
Lake Constance	Rotopōhueroa / Lake Constance	Lake
Attempt Hill	Takapōtaka / Attempt Hill	Hill
Rabbit Island	Moturoa / Rabbit Island	Island
Mount Robert	Pourangahau / Mount Robert	Peak
Split Apple Rock	Tokangawhā / Split Apple Rock	Rock
Gowan River	Te Kauparenuī / Gowan River	River
Travers Saddle	Poukirikiri / Travers Saddle	Saddle
Opawa River	Ōpaoa River	River
Whareata Bay	Whareātea Bay	Bay
Golden Bay	Golden Bay / Mohua	Bay
Cable Bay	Rotokura / Cable Bay	Bay
Pelorus River	Te Hoiere / Pelorus River	River
Boulder Bank	Te Pokohlwi / Boulder Bank	Boulder bank
Blue Lake	Rotomāirewhenua / Blue Lake	Lake
Howard River	Hinemōatū / Howard River	River
Ship Cove	Meretoto / Ship Cove	Bay
Te Aumiti (French Pass)	Te Aumiti / French Pass	Strait
Canaan Downs	Pikikirunga / Canaan Downs	Area
Arthur Range	Wharepapa / Arthur Range	Range
Whites Bay	Pukatea / Whites Bay	Bay
Ruby Bay	Te Mamaku / Ruby Bay	Bay
Speargrass Creek	Te Horowai / Speargrass Creek	Stream
Adele Island	Motuareronui / Adele Island	Island
Red Hill	Maungakura / Red Hill	Hill
Arapawa Island	Arapaoa Island	Island
Riwaka River	Riuwaka River	River
Tutumopo	Tūtūmāpou Hill	Hill
Vernon Lagoon	Waikārapi Lagoon	Lagoon

Existing geographic name (gazetted, recorded or local)	Altered geographic name	Geographic feature type
Gibsons Creek	Ruakanakana Creek	

### Relationship Protocols

Te Whakataū, the Ngāti Kuia Deed of Settlement provides for protocols setting out the way in which specific government agencies will exercise its functions within a protocol area of interest with Ngāti Kuia. Although these relationship protocols are enforceable, compensation for damages is not available.

A relationship protocol involves the Minister issuing a statement setting out how a department / ministry will operate within the Ngāti Kuia Area of interest (Te Kupenga-a-Kuia, see map 1) as well as engage Ngāti Kuia in key planning and decision making processes. Ngāti Kuia Protocols will be issued by the Minister of Conservation, the Minister of Fisheries, the Minister of Energy; and the Minister for Arts, Culture and Heritage.

#### Letters to local authorities

Letters to the following councils encouraging Memoranda of Understanding between Councils and Iwi:

- Nelson City Council
- Tasman District Council
- Marlborough District Council
- Buller District Council

### Statutory Rivers and Freshwater Board redress

Ngāti Kuia will be able, along with other Te Tauīhu Iwi, to represent our opinions on the board. This will enable Ngāti Kuia to provide advice to Te Tauīhu Local Councils on River and Freshwater management.

# Nga Pou o Pakohe: Commercial and Financial Redress

Ngāti Kuia as part of the Kurahaupo ki te Waipounamu Trust, Large Natural Grouping was able to negotiate a collective Commercial and Financial Redress. This package has been divided equally amongst the three constituent Iwi.

## Commercial Redress Properties

Ngāti Kuia has been provided the opportunity to purchase or to purchase and lease back certain Crown properties. These properties were selected from a pool of Crown properties in Te Taihū through a ballot process with other Te Taihū Iwi.

Ngāti Kuia could have purchased properties to be transferred at the date of settlement following the passing of the settlement legislation. These properties would be purchased from the Quantum. We have elected not to do this. Ngāti Kuia has instead chosen to have the option of purchasing properties under the deferred property selection process, except for 4 Nicholson St, Havelock, Marlborough.

### Deferred Selection Properties

These properties may be purchased for up to three years from Settlement Date. The valuation date for these properties will be the date Ngāti Kuia gives notice to the Crown that it seeks to purchase them. These properties are listed in Tables 1 to 3 below.

**Table one:** Deferred selection properties for purchase and leaseback (3 year period, land only)

Agency	Site
Ministry of Education	Blenheim School
	Marlborough Girls' College/ Bohally Intermediate
	Hira School
	Wakefield School
	Nayland Primary School
	Mapua School
	Whitney Street School
	Witherlea School
	Linkwater School
	Nelson Central School

**Table two:** Deferred selection properties for purchase (3 year period, land and improvements)

Agency	Site
Office of Treaty Settlements	Vacant industrial section, Dillons Point Rd, Blenheim
	Vacant industrial site, Opawa St, Blenheim
	21-23 Opawa St, Blenheim
	16 Opawa St/38 Kinross St, Blenheim
	104 Nayland Rd, Nelson
	Central portion of holiday camp, Canterbury St (Cambridge Tce), Picton
	House on rural section, Pine Valley, Marlborough
	58 Waikawa Rd, Picton
	70 Abraham Heights, Nelson
	72 Abraham Heights, Nelson
Dept of Conservation	Manaroa
	Anakoha / Outer Sounds

**Table three:** Joint deferred selection properties (3 years, with two other Iwi)

The three Iwi will jointly decide following settlement date which Iwi may purchase each of these sites.	
New Zealand Transport Authority	Former Gravel Pit, SH 1, Tuamarina
	Former Gravel Pit, SH 1, Tuamarina
Land Information New Zealand	Spring Creek/Gum Tree Site
	Tuamarina - RC O'Sullivan
	Tramway Reserve, Puponga

### Right of First Refusal

This is the right to be offered certain Crown properties should they become surplus and available for sale. Ngāti Kuia will have the opportunity to purchase:

- 1 Certain Housing New Zealand Corporation properties should they come up for sale within the next 169 years. There are 112 properties in the Te Taihū area over which we have this option.
- 2 Properties not purchased under the deferred property selection process should they come up for sale within the next 100 years. This right is shared with six other Te Taihū Iwi and a methodology on how this will work has to be agreed with the other Iwi.
- 3 All Crown properties in Te Tau Ihu not already specified in an Iwi settlement should they come up for sale within the next 100 years. This right is shared with seven other Te Taihū Iwi and a methodology on how this will work has to be agreed with the other Iwi.
- 4 The area covered by the Titirangi Ngāti Kuia Deed of Recognition and Statutory Acknowledgement for sixty years and Takaka Primary School.
- 5 Am RFR over Waitaria Bay for 60 yrs.

Financial and Commercial Redress

Cash quantum

The commercial and financial redress component of the settlement package also includes a payment of \$11,883,333.66, which the \$676,666.66 on account payment and \$120,000.00 for the 4 Nicholson Street property will be deducted.

Interest

In addition a payment of interest accrued from the signing of the Letter of Agreement on 9 February 2009 on \$8,083,000 through to the settlement date, potentially in 2011. The interest will be calculated at the Official Cash Rate on a non-compounding basis and subject to normal taxation law. The interest payment will be divided equal amongst Ngāti Kuia, Ngāti Apa and Rangitāne.

Redress in Lieu of Crown Forest Licensed land Redress

In negotiations with the Crown Ngāti Kuia elected not to seek redress over Crown Forest Licensed land in return for:

- 1 A payment of \$1 million on settlement date,
- 2 A payment of \$7,323 721.38 which is equivalent to one eighth of the accumulated rentals associated with the Crown Forest Licensed lands in Te Taihu (this payment will increase if settlement date is later than 30 June 2011).
- 3 A payment of \$4,123,333.33 in lieu of receiving a share of New Zealand Units associated with Crown Forests Licensed land.
- 4 The opportunity to purchase land and improvements at Woodburn Airbase, subject to the satisfactory accommodation of the operational interests of the New Zealand Defence Force.

Summary

\$11,883,333.66	Cash quantum
\$1,000,000.00	In lieu of the opportunity to purchase Crown Forest Licensed Land
\$7,323,721.38	In lieu of Crown Forest Licensed land accumulated rentals
\$4,123,333.00	In lieu of Crown Forest Licensed land New Zealand Units
<b>\$24,330,388.04</b>	<b>Total Financial and Commercial Redress</b>

Key Contact Information

The full settlement documentation can be viewed on the Office of Treaty Settlement website; [www.ots.govt.nz](http://www.ots.govt.nz). Hard copies are available for viewing at Te Puni Kokiri offices. A number of hui are being held and we encourage you to attend. Details can be obtained from the Ngāti Kuia website [www.Ngatikuia.com](http://www.Ngatikuia.com) and by contacting our offices.

Contact details

For any enquiries relating to the ratification process, voting, hui etc you can contact Te Runanga o Ngāti Kuia Trust (TRONK):

Lea-Jane Hemi or Billy Wilson  
Te Runanga o Ngāti Kuia Trust  
P.O Box 968  
Nelson

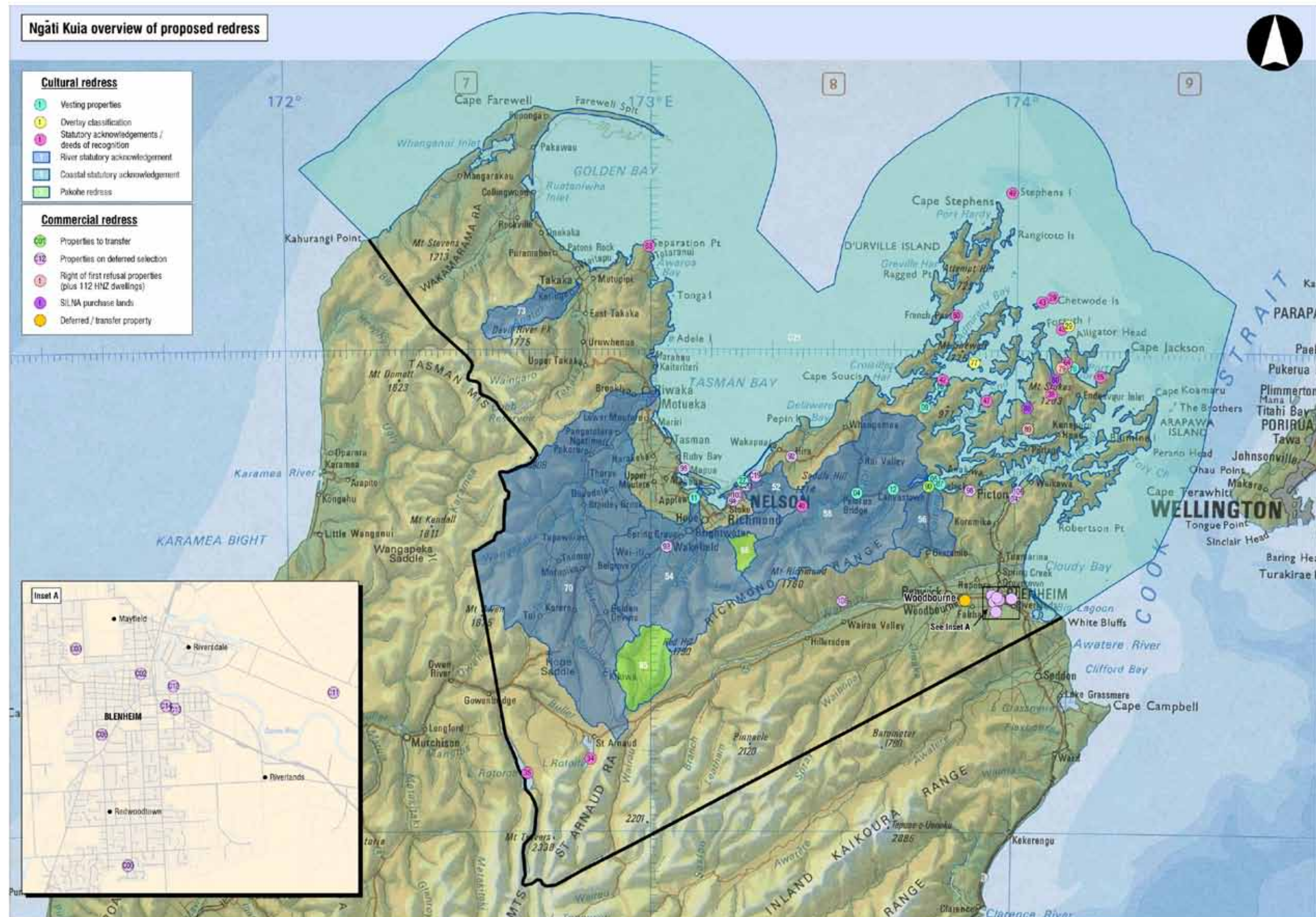
[billy.wilson@ngatikuia.com](mailto:billy.wilson@ngatikuia.com)  
[admin@ngatikuia.com](mailto:admin@ngatikuia.com)

Phone 03-546-7556  
0800NgātiK (0800-642845)



## Te Kupenga o Ngāti Kuia; Area of Redress Offer

Map 1



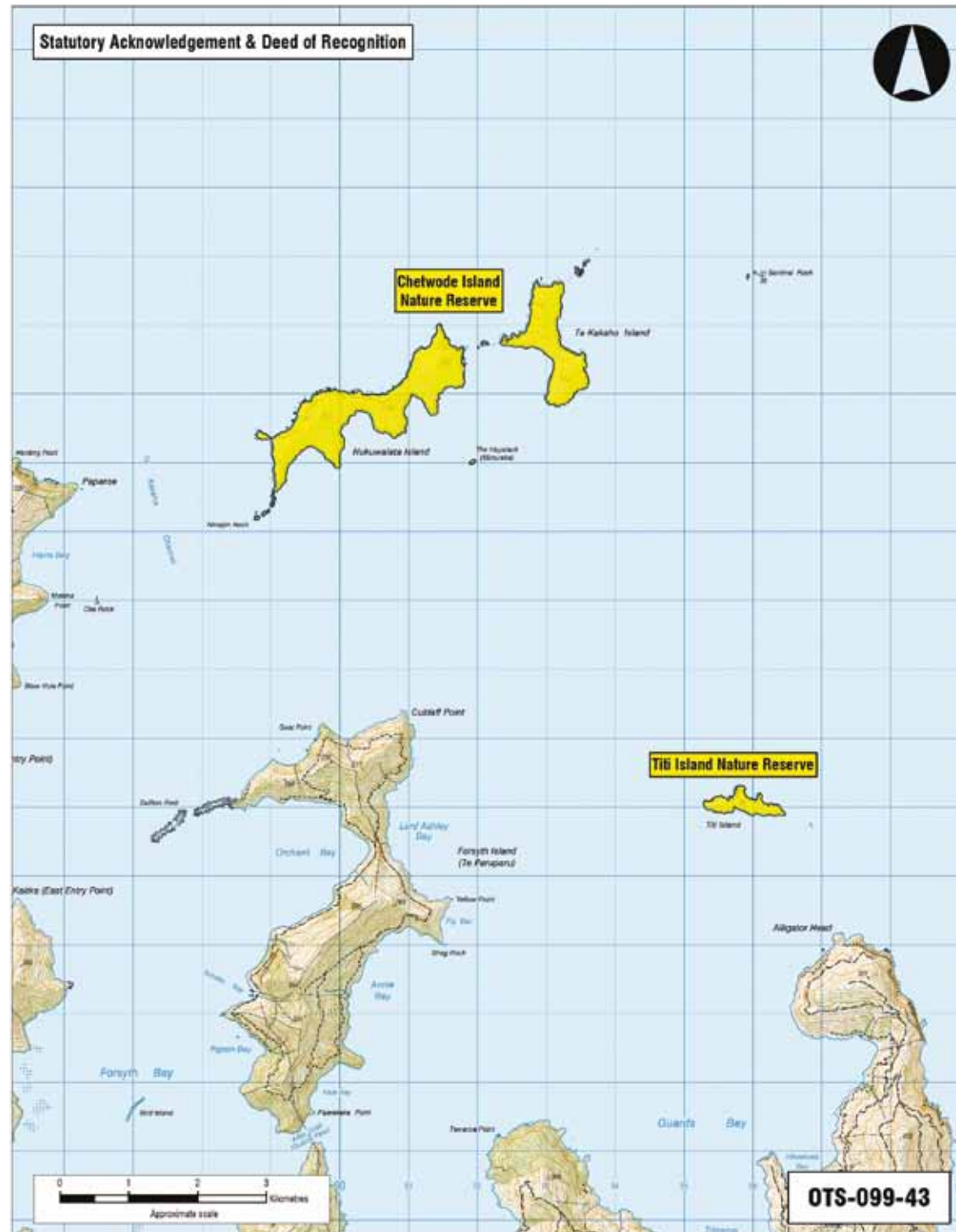


Legend for map 1 Te Kupenga a Kuia; Area of Redress Offer

Plan ID	Site	Redress
	<b>Cultural Redress</b>	
04	Titiraukawa (Pelorus Bridge)	vest fee simple
05	Cullen Point (Havelock)	vest fee simple
07	Moenui	vest fee simple
09	Ngā Tai Whakaū (Kawai, World's End)	vest fee simple
11	Waimea Pā (Appleby School)	vest fee simple
12	Te Hora (Canvastown School)	vest fee simple
16	Tarakaipa Island Urupā	vest fee simple
29	Titi Island Nature Reserve and Chetwode Islands Nature Reserve (Ngā Motutapu Titi)	overlay classification & statutory acknowledgement
34	Lake Rotoiti (Nelson Lakes NP)	statutory acknowledgement
35	Lake Rotoroa (Nelson Lakes NP)	statutory acknowledgement
38	Mt Stokes (Parororangi)	statutory acknowledgement
42	Tarakaipa Island	statutory acknowledgement
43	Titi Island Nature Reserve and Chetwode Islands Nature Reserve (Ngā Motutapu Titi)	statutory acknowledgement
47	Pelorus Sound / Te Hoiere	statutory acknowledgement
48	Maungatapu (Parikarearea)	statutory acknowledgement
49	Stephens Island (Pouwhakarewarewa)	statutory acknowledgement
50	Te Aumiti (French Pass Scenic Reserve)	statutory acknowledgement
52	Maitai (Mahitahi) River and its tributaries	river statutory acknowledgement
54	Waimea River	river statutory acknowledgement
56	Kaituna River (near Havelock)	river statutory acknowledgement
57	Motupiko River	river statutory acknowledgement
58	Te Hoiere / Pelorus River and its tributaries	river statutory acknowledgement
63	Separation Point / Te Matau	statutory acknowledgement
64	Titirangi Bay	statutory acknowledgement
65	Te Ope o Kupe (Anamahanga/Port Gore)	statutory acknowledgement
73	Anatoki River	river statutory acknowledgement
77	Maud Island (Tom Shand Scientific Reserve) (Te Pākeka)	overlay classification
78	Titirangi Bay Site	vest fee simple
79	Titirangi Bay	right of first refusal property

Plan ID	Site	Redress
80	Anakoha	right to purchase lands
85	Recognised pakohe area (Motueka River)	Pakohe redress
86	Recognised pakohe area (Hacket Creek)	Pakohe redress
88	Manaroa	right to purchase lands
89	Waitaria Bay	right of first refusal property
	<b>Commercial Redress</b>	
C01	4 Nicholson Rd	transfer property
C02	Blenheim School	deferred property
C03	Marlborough Girls' College/ Bohally Intermediate	deferred property
C04	Hira School	deferred property
C05	Wakefield School	deferred property
C06	Nayland Primary School	deferred property
C07	Mapua School	deferred property
C08	Whitney Street School	deferred property
C09	Witherlea School	deferred property
C10	Linkwater School	deferred property
C11	Vacant Industrial Section (Dillons Point Rd, Blenheim)	deferred property
C12	Vacant Industrial Site (Opawa St, Blenheim)	deferred property
C13	21-23 Opawa St, Blenheim	deferred property
C14	16 Opawa St / 38 Kinross St, Blenheim	deferred property
C15	104 Nayland Rd	deferred property
C16	Holiday Camp, 2 Canterbury St	deferred property
C17	House on Rural section, Pine Valley	deferred property
C18	58 Waikawa Rd, Picton	deferred property
C19	70 Abraham Heights, Nelson	deferred property
C20	72 Abraham Heights, Nelson	deferred property
C21	Te Tau Ihu coastal marine area north of the Ngai Tahu takiwa	coastal statutory acknowledgement
Woodbourne	NZDF Base Woodbourne	deferred / transfer property

Map 2



Map 3

