

Whakatohea Pre-Settlement Claims Trust

Annual Report 2019 -2020



CHAIR'S REPORT

I am pleased to be able to present the Whakatohea Pre-Settlement Claims Trust (WPCT) Annual Report for the 01 July 2019– 30 June 2020 financial year which includes an unqualified set of Financial Statements our auditor KPMG. The previous financial reporting year July 2018 to June 2019 noted the suspension of negotiations due to the Vote and the subsequent deliberations of the Crown determining the way forward for Whakatōhea. Leading into this year WPCT advocated for a dual process that would allow for both Settlement and a Waitangi Tribunal Hearing. On the 4th of June 2019 the Waitangi Tribunal announced the North-Eastern Bay of Plenty district inquiry and then in late September the Minister of Treaty Settlements issued his decision to recommence negotiations. WPCT are pleased to now have a decision that endorses a Waitangi Tribunal inquiry alongside the continuation of our settlement negotiations. This decision is making an exception for Whakatōhea and ensures that any settlement does not close the door on a Waitangi Tribunal Inquiry taking place.

WPCT promptly embarked on the October 2019 Hui ā Rohe round to share the information about the dual process, the key areas to begin engagement on as well as a goal date of September 2020 for Ratification. The Trust came out again in February 2020 with an update on negotiations as well as a workshop on the PSGE. We had great turn outs with whānau providing valuable whakaaro into what was important to you and what you wanted to see in the PSGE. Then March arrived bringing Covid with it and our online communications not only shared our negotiations progress, but it also became a place for whānau to connect in such a challenging time.

The term of service for the inaugural trustees expired in the early part of this reporting year. The hapū delegates are selected in the same process as it is for the Trust Board; nominations are received and if there is more than 1 nomination there will be a vote; if there is only one nomination that nomination automatically becomes the delegate. The selection for the marae representative is managed by the marae trustees of each marae while the Trust Board position is appointed by the WMTB Board. Your current Trustees are listed below.

Within this reporting period a request for a Waitangi Tribunal urgent enquiry was lodged by Te Ringahuaia Hata and Tuariki Delamere on behalf of Ngati Patumoana concerning the Whakatōhea mandate and the negotiating process. Urgency was not granted.

The achievements made towards settlement in this reporting year have only been possible because of you our whanau, who attended our hui a rohe, watched our Zui putting through questions and feedback, our Te Roopu Āwhina working groups our Komiti Whiriwhiri Hitori and the Taumata Kaumatua. Listed in the appendix are the significant dates of meetings discussions forums and workshops held throughout this reporting period.



Graeme Riesterer
Chair

SUMMARY OF NEGOTIATIONS COMPLETED BY 30 JUNE 2020

1. Historical Account - A first draft of the Historical Account is on the new website for whanau to download and provide comments. There are still a few chapters to add including Mokomoko, Public Works, and Social and Economic Issues in the 20th Century.
2. Valuations Disclosures Commercial properties - Investment and Valuation working group have had discussions. Instruction process on valuations about to begin. This piece of work will also determine the Deferred Property selection
3. Place name changes changes for properties being returned to Whakatohea –Komiti Whiriwhiri Hitori have commenced work on these
4. Statutory acknowledgements - Draft statutory acknowledgements have been created.
5. Iwi Neighbour Discussions – commenced includes overlapping claims discussions, Right of First Refusal properties, important component determines extent of our influence in the Conservation Management Strategy and our natural resource redress
6. Relationship agreements - WPCT has signed off on the DOC relationship agreement. More to come seeking a comprehensive spread of agreements across Crown agencies.
7. Natural resources / CMS chapter - Discussions underway with Te Arawhiti about Natural Resources redress at the moment. Natural resources working group has been asked to consider proposals.
8. PSGE –first draft of Trust Deed under development to be informed by surveys, workshops feedback.

TE ROOPU ĀWHINA WORKING GROUPS

WPCT advised their negotiators that there was no appetite to take any money out of the Settlement on advance to fund the mandate process. This meant the Trust would be reliant only on the funds that the Crown provide to a mandate process, as unlike many other Iwi negotiations Te Whakatōhea are not eligible for any Crown Forest Rental funds. Instead of engaging contracted specialists for many of the workstreams that required expert advice, we have called on our own. Te Roopu Āwhina has become the backbone of advice support and plain hard mahi from uri of Te Whakatōhea. Within this support network are

- Komiti Whiriwhiri Hitori
- Valuation & Property working group
- PSGE working group
- Environmental Natural resources working group
- Taumata Kaumatua

KOMITI WHIRIWHIRI HITORI

Komiti Whiriwhiri Hitori meet weekly and have been the driver of shaping the Historical Account meetings and negotiations with the Crown historian, providing the Place Name Changes, Statements of Association as well as whatever else we needed to seek advice and guidance on.

VALUATION PROPERTY WORKING GROUP

The Valuation & Property support group worked on the valuation process, sitting in with negotiations with the Crown to establish the agreed format for valuations. As you can appreciate with such a large portfolio of land which includes both the Cultural and Commercial properties it has been a major piece of work that has not yet been completed at the end of this reporting year

PSGE WORKING PARTY

Our PSGE (Post Settlement Governance Entity) support group kicked into gear in late December 2019 and put together surveys, analysed feedback, attended our hui a rohe, hui a Iwi providing prompts and questions for whānau to consider and respond to. Our PSGE workshop held within the February 2020 hui a rohe round were hugely successful in attendance and feedback. All that mahi and feedback was fed back into the Trust with recommendations presented to the Trust in June 2020 which was the last month of this reporting cycle.

TAUMATA KAUMATUA

The Taumata Kaumatua are not a working group of the Pre-Settlement Trust, they are a stand alone roopu of our pakeke who come together monthly. The Pre-Settlement Trust takes the opportunity to report into their forum on a regular basis to seek feedback, advice, and guidance. Over this work period the Taumata Kaumatua have been regularly consulted the Historical Account, and the PSGE work programme.

ENVIRONMENT NATURAL RESOURCES WORKING PARTY

the group provided the sounding board for the proposed changes to the CMS due to it straddling 2 different conservation areas, and the subsequent need to redesign the principles

RATIFICATION GROUP

In late June of this reporting year, we put out the call for whānau interested to sit on our ratification working party, with this work to come on stream in the next reporting period.

YOUR TRUSTEES

Hapū		Marae	
Ngai Tama	Dave Ngātai	Ōpape	Audrey Renata
Ngāti Rua	Pare Mafi	Ōmarumutu	Linda Grave
Ngāti Patu	Graeme Riesterer	Waiau	Erin Moore
Ngāti Ngāhere	Mana Pirihi	Terere	Tahu Taia
Ngāti Īra	Anau Apanui	Ōpeke	Jason Kurei
Ūpokorehe	Muriwai Kahaki	Roimata	vacant
		Kutarere	Bruce Pukepuke
		Maromahue	Keita Hudson
Whakatōhea Maori Trust Board		Robert Edwards	

APPENDIX SIGNIFICANT DATES

2019					
JUL		AUG		SEP	
06	Focus Group to review explanatory statement	11	Update to Te Roopu Āwhina	10	Ōpōtiki District Council letter Te Arawhiti supporting transfer of reserves to Whakatōhea
24	WPCT meet with Te Arawhiti to discuss election for Delegates & Hui a Rohe	13	Waitangi Tribunal EBOP Historic Inquiry Directions seeking reports commissioned for the purpose of negotiations to be filed	19	Nominations for Hapū reps closed. One nomination received for Ngai Tama, Ngati Ngahere, Ngati Ira & Upokorehe Two nominations received for Ngati Rua and Ngati Patu
29	WPCT meet with Te Arawhiti to discuss election process for Trustee Delegates	14	Letter to Marae and Hapū includes WPCT Panui	25	WPCT meet with Te Arawhiti
		22	Nominations opened for Hapū representation to WPCT	25	Voting packs posted to Ngati Rua & Ngati Patu Hapu registers
		29	Update to Te Roopu Āwhina	30	Voting opens
				30	Minister letter confirms recommencement of negotiations in a parallel process
				30	WPCT issues response to Minister's announcement
				30	WPCT letter to Marae & Hapū

2019**OCT**

01 WPCT meet with Te Arawhiti

11 Written Response to Minister announcement

14 WPCT Hui

19 WPCT meet with Kutarere Marae Upokorehe Hapū

29 Hui a rohe Whakātane

30 Hui a Rohe Rotorua

31 Hui a Rohe Mount Maunganui

NOV

01 Hui a Rohe Hamilton

02 Hui a Rohe Auckland

03 Hui a Rohe Wellington

11 WPCT meeting

13 Negotiations with Te Arawhiti

25 WPCT meeting

DEC

02 WPCT meeting

02 Meeting Adrianna Edwards to discuss “what does post settlement look like”

03 Meet Joe Kahika with Maui Hudson & Arihia Tuoro “What does post settlement look like”

03 Zoom Meeting with Te Roopu Āwhina support group for PSGE

04 Hastings Hui a rohe

05 Gisborne hui a rohe

09 WPCT meeting

13 Meeting with Komiti Whiriwhiri Hitori re HA

17 Phone conference Te Roopu Āwhina support group for PSGE

2020					
JAN		FEB		MAR	
01	Meet with Sharon Callaghan (working party member for research survey PSGE model)	03	WPCT meeting	02	WPCT meeting
13	WPCT meeting	06-07	WPCT stall at Mataatua Kapa Haka Regionals	07	Hui with Ngati Patu Hapu / Waiau Marae
20	WPCT meeting	09	Ngati Ngahere Hapu Workshop	08	Hui with Claimants
26	Ūpokorehe Hapū hui	10	Te Roopu Āwhina Investment Valuations group meeting	10	Komiti Whiriwhiri Hitori – Statements of Association Project Manager Attended hui KWH taken through sites of significance on google earth
31	WPCT meet with Adriana Edwards & supporters for Ngāti Muriwai recognition	11	Investment Valuations group meeting	14	Hui with Ngai Tama/Opape Marae
31	WPCT meet with Ngai Tai	11	Hui a Rohe Whakatane	16	WPCT meeting & PSGE workshop
		12	Hui a Rohe Rotorua	22	Hui with Ngati Ira / Waioweka Marae
		13	Hui a Rohe Mount Maunganui	23	PSGE working group Zoom meeting
		14	Hui a Rohe Hamilton	30	WPCT meeting
		15	Hui a Rohe Auckland		
		16	Hui a Rohe Wellington		
		17	WPCT meeting		
		20	WPCT update to Taumata Kaumatua hui		
		24	Hui a Rohe Hastings		
		25	Hui a Rohe Gisborne		
		26	Komiti Whiriwhiri Hitori Hui - Place Name changes		
		27	Government Relationship Working Party		
		28	WPCT stall main street of Opotiki distributed Panui, information advert for AGM next day		
		29	WPCT AGM /Hui a Iwi		

2020					
APR			MAY		
06	PSGE working group Zoom Meeting review of workshop feedback to develop up online survey	04	WPCT Hui includes Withdrawal Mechanism Resolution Draft PSGE Survey and Draft DOC RA	06	WPCT Wananga on details of settlement and what and how trustees will present to whanau hapu
09	PSGE working group Zoom Meeting follow on from 6 th to develop survey questions	07	WPCT meet with Whare PR Comms	15	WPCT Hui – reviewed and updated draft RA & ratification strategy template presented. Received full report on PSGE survey
20	WPCT Zoom meeting	12	PSGE working party Zoom on Trust Deed	16	Ratification Working Party inaugural meet
29	PSGE working group Zoom meeting on Trust Deed format	13	Valuation & Investment Working Party Zoom	17	PSGE Working Party meet to discuss recommendations to WPCT
30	Valuation & Investment Working Group Zoom workshop	14	Valuation Working Party discussion on valuers	18	Trust Deed Working Party – draft for comments
30	PSGE sent revised Survey questions	18	WPCT Hui	22	Ratification Working Party meet with Whare PR
				24	PSGE working party Zoom on PSGE survey and vs 2 recommendations to WPCT
				25	PSGE working party vs 3 recommendations based on feedback of 24 th June
				26	WPCT Negotiators Project Manager & Whare PR
				29	WPCT Hui –PSGE recommendations received from Working Party
				29	Trust Deed format reviewed with working group
				29	WPCT meet with Tuhoe