

## Summary of the Agreement in Principle



### TE TOMOKANGA KI TE MATAPIHI

*Ko te rangawhenua te mātāpuna o te ora*

*Mai te whare toka ki te tokatū*

*He matapihi ki uta, he matapihi ki tai, he matapihi ki te ao*

*He ao āpōpō, he ao tea*

Nau Mai! Haere Mai!

Pūpungia te Kākaho, Whiria te Taura

On behalf of the Whanganui Iwi and Hapu the Whanganui Land Settlement Negotiation Trust (WLSNT) extend an invitation to attend our

## Te Tomokanga ki te Matapihi



## Agreement in Principle Signing Ceremony

**Date:** 30 August 2019  
**Time:** 10.00 am – 2.30 pm  
**Venue:** Putiki Marae, Takarangi Street, Whanganui

### Brief Order of Events

10.00 am	Powhiri
10.30 am	Signing Ceremony <ul style="list-style-type: none"><li>• Whanganui MC – Program Overview</li><li>• Speeches<ul style="list-style-type: none"><li>○ <b>Minister Andrew Little</b> - Minister for Treaty of Waitangi negotiations.</li><li>○ <b>Ken Mair</b> - Whanganui Land Settlement Negotiation Trust</li></ul></li></ul>
11.45 am	Signing of the AIP <ul style="list-style-type: none"><li>• Whanganui Land Settlement Negotiation Trust and Minister Little.</li></ul>
12.15 pm	Karakia
12.30 pm	Kai Haakari
	Poroaki
2:30 pm	Minister Departs

## Agreement in Principle (AIP)

The Agreement in Principle signed between Whanganui Land Settlement Negotiation Trust and the Crown is the first milestone to settling Whanganui's historic Te Tiriti o Waitangi claims.

### Agreement in Principle

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- Is a non-legally binding agreement that sets out redress negotiated to this point
  - Lays the foundation to continue negotiations toward a Deed of Settlement and settlement legislation
  - Is subject to negotiating the detail, addressing overlapping claims and exploring further redress
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While our settlement will never fully atone for wrongs of the past, this Settlement lays the foundation for a future relationship/partnership between Crown and Whanganui Iwi. A relationship/partnership rooted in Te Tomokanga ki te Matapihi which provides an opportunity for us to improve the social, economic and cultural wellbeing of our whānau and whenua.



# Te Tomokanga ki te Matapihi

**Te Tomokanga ki te Matapihi** is a framework that is specific to the land settlement between the Crown and Whanganui Iwi. This relationship framework is based upon the premise that the Crown is genuine in its intention to build a real relationship with Whanganui.

Physically, Te Tomokanga ki te Matapihi is a ceremonial gateway.

Spiritually and symbolically, Te Tomokanga ki te Matapihi is a gateway through which one must pass to fulfil the formal ritual of encounter. The kaupapa of te tiaki whenua are carved into the entrance way. Once manuhiri enter through the gateway those values are shared by te tiaki whenua with every individual who makes a conscious decision to embody those same values.

There are two arms to the gateway, Te Uku and Te Rino:

- **Te Uku** represents Whanganui iwi, and the inherent right to exist, survive and thrive within Whanganui. There is a responsibility for Whanganui Iwi to ensure that their participation and relationship with the Crown, and any other party endures for the benefit of future generations.
- **Te Rino** represents the Crown, and the Crown's responsibility to enhance and uphold its Te Tiriti o Waitangi responsibility.

In the AIP the Crown acknowledges and respects the importance of Te Tomokanga ki te Matapihi to Whanganui and acknowledges our desire to have a relationship underpinned by Te Tomokanga ki te Matapihi

## Types of redress in the AIP

There are three branches to redress in the AIP:

- Historical account, acknowledgement and apology
- Cultural redress (including relationship redress)
- Commercial and financial redress





## **Te Pae Whakarauhi – Historical Account, Crown Acknowledgement and Apology**

In this section the Crown will recognise wrongdoings of the past and acknowledge actions and omissions which breached Te Tiriti o Waitangi. This provides background as to why the Crown is settling with Whanganui and demonstrates a desire from the Crown to reset the Crown-Whanganui relationship.

## **Te Pae Whakamahu – Cultural Redress**

The Cultural redress is made up of three parts:

- **Te Tomokanga Hāpori** – Community Engagement Pathway
- **Te Tomokanga Oranga Whānau** – Whānau Social Wellbeing Pathway
- **Te Tomokanga Oranga Whenua** – Whenua Wellbeing Pathway

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### **Te Tomokanga Hāpori – Community Engagement Pathway**

#### **Department of Conservation**

A significant part of our settlement is establishing a working partnership with DOC. The details of the relationship agreement to be negotiated post-AIP. We seek to:

- Establish a relationship with DOC that gives life to Te Tomokanga ki te Matapihi
- Have meaningful input into the responsibilities and obligations with the conservation estate



## Whanganui District Council

Through this settlement we will engage with Council to improve the social and economic wellbeing of Whanganui. The Council is a critical party to foster a prosperous region and we seek to enter a relationship underpinned by Te Tomokanga ki te Matapihi.

In parallel to this settlement we seek to jointly own and manage sites in the City which are of cultural importance. Of particular importance is the return of Pākaitore (also known as Moutoa Gardens) as a Historic Reserve.

Post AIP we will explore with the Council:

- The transfer of grazing lands at Airport Road and South Spit
- Explore ownership and administration arrangements with Council over Queen's Park/Pukenamu, Part Gonville Domain/Tawhero, Kai Iwi Beach/Mowhānau Reserve (Nukumarū Domain), Part of Lake Wiritoa bed and Recreation Reserve adjoining Lakes Wiritoa and Pauri

## Other relationship redress

There are a number of mechanisms we will use through our settlement to improve our relationship with Crown agencies and give effect to Te Tomokanga ki te Matapihi.

## Relationship Agreements

The following agencies have agreed to look at relationship agreements which provide a framework to work with Whanganui to establish and maintain a positive and enduring relationship

Ministry for the Environment

New Zealand Police

Ministry for the Environment

Ministry of Social Development

Ministry of Business, Innovation and  
Employment

Department of Corrections

Ministry of Justice

Oranga Tamariki

Ministry of Education

## Whakaaetanga Tiaki Taonga

This redress will be a joint agreement with Whanganui, based on Te Tomokanga ki te Matapihi with various cultural and heritage related departments

## Letters of Introduction

The purpose of a letter of introduction is to raise our profile and put forward an offer to various agencies to engage in Te Tomokanga ki te Matapihi. We will work with the following agencies post AIP:

Housing New Zealand	New Zealand Transport Agency
Ministry for Primary Industries	Taranaki Regional Council
Ruapehu District Council	Ngā Taonga Sound and Vision
Manawatū-Whanganui Regional Council	Transpower New Zealand

## Letter of recognition

A letter of recognition to Ministry for Primary Industries. This allows Whanganui to:

- Participate in fisheries management processes
- Appoint advisory committee to Minister of Fisheries

## Protocol

We will enter into a protocol with Ministry of Energy and Resources – which sets out how the Crown will work with us in this space.

### ADDITIONAL CULTURAL REDRESS

- Official correction of the City name to **Whanganui**
- Recognition of harm caused by this mis-spelling
- Reservation of Nohoanga sites
- Whangaehu River Redress – giving us a seat at the table with Ngāti Apa and Ngāti Rangi over the awa
- The Crown will engage with us on the Whanganui National Park Negotiations and the Tongariro National Park Negotiations

## **Te Tomokanga Oranga Whānau – Whānau Social Wellbeing Pathway**

A unique part of the AIP is the Te Tomokanga Oranga Whānau proposal. The AIP sets out that the Crown committed to explore a multi-sector partnership between Crown, Whanganui and Council to improve the social and economic wellbeing of our people.

The following agencies have agreed to explore this:

Ministry of Education	Ministry of Social Development
Oranga Tamariki	Ministry of Justice
Department of Corrections	New Zealand Police
Ministry of Business, Innovation and Employment	

We also seek to have Whanganui District Council and Whanganui District Health Board to join in planning hui around this redress.

## **Te Tomokanga Oranga Whenua – Land Wellbeing Pathway**

This redress recognises the traditional, historical, cultural and spiritual associations we have with places and sites within our rohe.

### **Sites of Transfer**

We have been offered 22 sites of transfer. A site of transfer is the return of land to Whanganui, the land will be vested in the Whanganui post-settlement governance entity (PSGE).

### **Overlay classification**

We will have overlay classifications over 5,000 ha of land in DOC estate – this is not the transfer of sites, but ensures the sites are managed/governed in line with our principles and values and that DOC engages with us.

### **Statutory Acknowledgements and Deeds of Recognition**

We have several Statutory Acknowledgements and Deeds of Recognition over DOC land, which will require the Crown to consult with us on specified matters (such as eradicating pests and wildlife protection) and have regard to our views and their special associations with certain areas.



## Te Ngako o Te Miro – Financial and Commercial Redress

### Te Tomokanga Kaipakihi – Business Enterprise/Commercial Pathway

#### Crown Forest Lands

- Transfer of part Lismore hill (1,644 ha), and part Lismore Sand CFL forest (479 ha), with accumulated rentals.

#### Deferred Selection Properties/lease backs

- There are around 60 properties listed as Deferred Selection Properties (DSP) – they have 3-year DSPs
- This will give the yet to be established PSGE 3 years to complete due diligence on these properties before it decides to acquire them

#### Right of First Refusal (RFR)

- There are properties on offer as a right of first refusal – this gives us the first opportunity to acquire a surplus Crown property within an area when it becomes available
- Applies for 179 years from settlement
  - All Crown owned property within our area, including health, transport and education properties

#### Other Commercial redress to be explored

**UCOL (Justice Hub)** - We are working with the Ministry of Justice to explore a Justice hub, including a possible new courthouse building at the old UCOL site.

We are also exploring the potential redress over the **Whanganui Prison** site.

#### Financial Redress

Our quantum is **\$30 million** – Interest will accrue from AIP signing.



**by Whanganui Land Settlement Trust**

30 August 2019

**Whanganui Iwi takes a new approach to Treaty settlement**

Whanganui Iwi have taken a major step towards settling their historical te Tiriti claims by signing an Agreement in Principle, which focusses on having a values-based relationship with the Crown as a major part of the settlement. Whanganui Iwi strongly believe that a values-based relationship will enable the Iwi to fully meet its responsibilities and obligations for the health and wellbeing for both the whenua and our Iwi/hapu, who are inherently linked.

The signing of the Agreement in Principle was held at Putiki Marae on Friday 30 August 2019 and attended by a large number of Iwi members, the Minister for Treaty of Waitangi Negotiations, Hon. Andrew Little, and the Mayor of Whanganui.

Signing the Agreement in Principle is an important milestone towards a final settlement and comes on the back of years of work through the Waitangi Tribunal, followed by over two years of robust negotiations with the Crown.

A fundamental settlement aspiration for Whanganui Iwi is to reset the Whanganui Iwi-Crown relationship and have it based on core Whanganui Iwi values which would be the basis of the relationship between Treaty partners.

This values-based approach is referred to in the settlement as “Te Tomokanga ki Te Matapihi” which, from the Whanganui Iwi perspective, underpins all settlement redress captured in the Agreement in Principle. It draws on the Whanganui Iwi notion of a ceremonial gateway - Te Matapihi - where those, including the Crown, enter into the Whanganui tribal domain through the gateway and from there, the relationship is governed by values known as Ngā Mātāpono o Whanganui which are Toitū te Kupu, Toitū te Mana and Toitū te Whenua.

Kahurangi Simon spokesperson for Whanganui Iwi, says that, “The focus has been on resetting a values-based relationship as opposed to focussing solely on the standard commercial and cultural redress that is normally provided by the Crown to address our historical claims. Whilst we do not diminish the importance of the redress in the AIP, our settlement is really about ensuring that the relationship is right and reset on the correct basis. The reason why we are in Treaty settlement negotiations is because the Crown ignored our values in 1840 and effectively imposed its own values-based system which, in many respects, was contrary to our world views and values. It is now time to reset that relationship on terms that our tūpuna sought from the 1840s”.

Simon continues, “Whilst we haven’t been able to fully realise our aspirations of a values-based relationship, we are very pleased with where things have landed at this point in time. We are happy that the Crown is willing to explore further in the post-Agreement in Principle phase how it and its agencies can give life to Te Tomokanga ki Te Matapihi in the context of the Whanganui Iwi settlement.”

Whanganui Iwi are also pleased that there is a great opportunity to build a values-based relationship with the Whanganui District Council.

The Agreement in Principle also puts to bed once and for all the issue of the correct spelling of Whanganui.

The settlement, once finalised, will confirm that the correct spelling of Whanganui is with an “H”, with settlement legislation proposing to confirm that there is only one official spelling of Whanganui City.

Whanganui Iwi have also been able to convince the Crown and some of its agencies to explore how a social partnership arrangement could work for Whanganui. That is, Iwi, Council and Crown agencies working together to find solutions to local social and economic issues for Whanganui. This relates to a key Whanganui Iwi aspiration to improve the social and economic wellbeing of their people.

This work has been led by Tracey Waitokia who sees this opportunity as one of the more exciting forward-thinking redress items in the draft settlement - local issues being solved through local solutions and local people. “We know what the challenges are and we want to work with agencies and Council to find our own solutions.”

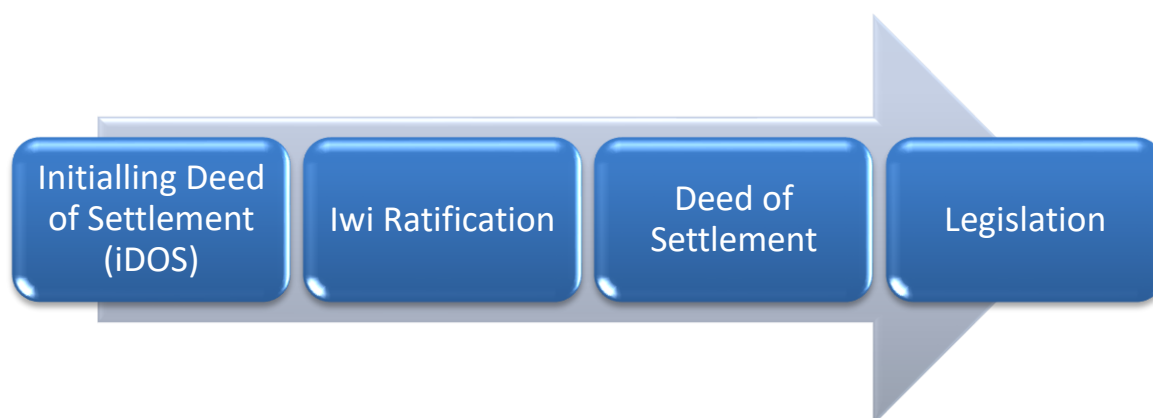
Apart from exploring the above key redress items, the next phase of the negotiations is working on the detail towards a Deed of Settlement. If approved by the Iwi, a Deed of Settlement will be signed, followed by settlement legislation. The Iwi will also be working on establishing an appropriate governance entity to receive settlement redress and to be the keeper of the Tomokanga ki Te Matapihi aspiration as the relationship with the Crown is reset.

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## Ko ngā mahi kua mahia (our timeline to date)



## Ko ngā mahi kei te heke tonu (work on the horizon)



## For more information

Visit our website at [www.wlsnt.maori.nz](http://www.wlsnt.maori.nz) , or <https://www.facebook.com/whanganui.lands>, or our office at 249 Victoria Avenue, Whanganui.