

Rangitāne Settlement Negotiations Trust

March 2014

Issue 12

Update on Negotiations

Post Settlement Governance Entity

Following on from our last newsletter, the Trust has received confirmation from the Minister that the results of the ratification process for the post settlement governance entity have been approved.

The ratification results have been advertised now and the Trust is in a position to sign the Trust Deed and establish the Rangitāne Tū Mai Ra Trust prior to signing of the AIP. We do note that there are some minor amendments required to the claimant definition to ensure that it is consistent with all earlier discussions.

Agreement in Principle

The Trust last updated the iwi at the AGM held in November 2013 on the expected timeframe for an Agreement in Principle ("AIP"). At that stage we had expected the signing of an AIP to take place in December 2013 but unfortunately, due to delays outside of the Trust's control, the AIP is now scheduled for the end of March 2014.

That all said, the Trust has now received a Crown offer on the various aspects of the settlement package as proposed and is continuing with the drafting of the AIP text. The Trust looks forward to the signing of an AIP shortly and the work beyond that towards Deed of Settlement.

The Trust will continue to keep the iwi updated and will discuss the progress to AIP at the hui-ā-iwi on Friday 14 March 2014 at Pukaha, Mt Bruce.

*Tini whētū ki te rangi, ko
Rangitāne ki te whenua.*

*In this edition of the
Trust's newsletter:*

- Negotiations update;
- Notice of hui-ā-iwi;
- Overview of the types of settlement redress which may be negotiated.

*Ngā mihi ki a koutou,
ngā uri o Rangitāne.*

Hui-ā-Iwi

Āhea: Friday 14 March 2014, 6pm-7.30pm

Kei hea: Pukaha/Mt Bruce Visitors' Centre

Kaupapa

1. Mihi Whakatau/Karakia
2. Update on Settlement Negotiations/Progress to AIP
3. Communications Overview and Next Steps
4. General Business



Types of Settlement Redress

As you may know, there is a set framework within which Treaty settlements are negotiated and there are limitations to what can and can't be offered as part of a settlement.

As the Trust draws closer to signing an AIP, we thought it appropriate to outline some of the key types of settlement redress available under Treaty settlements with the Crown. This list is not exhausted but covers some of the common redress mechanisms.

Financial Quantum Amount

Settlements will generally include a dollar value of financial quantum. The purchase of commercial properties is deducted from this and, in recent times, the value of cultural properties purchased is also deducted from this.

In deciding quantum, the Crown takes into account the amount of land loss, the seriousness of the Crown's breaches of the Treaty, population size and other settlements (precedents).

Commercial Properties

Crown properties located within an iwi area of interest can be purchased as commercial properties, particularly properties held in the landbank. These are transferred at market value and deducted from the overall quantum amount.

Rights of First Refusal

Some Crown land, useful to the claimant group, is not available for immediate use on settlement. Where this is the case, a Right of First Refusal may be negotiated to provide the iwi with the opportunity to purchase that land, at market value, ahead of any other purchaser.

Cultural Properties

Crown properties of key cultural significance to the iwi are often returned as part of a settlement. These arrangements can vary and may include specific provisions around the reserve status of particular sites.

Where sites are considered of high significance to New Zealand, there is the poten-

tial for them to be vested with the iwi and then gifted back to the Crown for the benefit of all New Zealanders.

Overlay Classifications

These can be applied to highly significant sites that are Crown-owned and are administered by the Department of Conservation. Statements are drafted to recognise the values of the iwi in relation to the site and principles are developed.

Deeds of Recognition

Down from the overlay classification, deeds of recognition are available to acknowledge the iwi associations with certain Crown-owned land. Under a deed, a Minister agrees to consult with the iwi to obtain their views on specified matters. These may follow on from a statutory acknowledgment as a higher form of cultural redress.

Statutory Acknowledgements

A statutory acknowledgment indicates the iwi association with a specified area of significance, such as maunga, takutai moana or wāhi tapu, where held in Crown ownership. This also enhances the iwi's ability to participate in specified processes under the Resource Management Act 1991.

Place Name Changes

Place names can be changed or created under the Treaty settlement process to correct incorrect spelling, make the Māori name official or create dual Māori/English names. This can provide visible recognition for the iwi and correct long standing errors.

Protocols

Protocols can be developed with various Crown departments. These set out how that department will exercise its functions, powers, and duties in relation to specified matters in the iwi area of interest, and how to interact with the iwi for input on decision making.



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Rangitane o Wairarapa
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Rangitane o Tamaki
Nui-ā-Rua
www.rangitane.co.nz