

MINUTES OF MACA HUI

Co-ordinated by Te Rūnanga O Whaingaroa

Held Online Wednesday 9th March 2022

Commencing 6pm

Karakia: Anaru Kira

Mihimihi: Raniera Kaio, Mariameno Kapa-Kingi

Present

Bryce Smith, Frances Goulton, Hinemoa Pourewa, Anaru Kira, Benjamin Diaz, Jessica Williams, Liarne Mc Manus, Nyree Manuel, Makere Rika Heke, Ngaire Pera, Roger Kingi, Pat Tauroa, Stephen Rush, Makere Riwhi, Mere Apiata, Jess Hona, Mariameno Kapa-Kingi (TRoW) Raniera Kaio (TRoW) Marlene Pivac (TRoW)

1. APOLOGIES:

Bree Davis; Toa Faneva

2. Recap on Hui to date

- Hui-ā-Iwi held in March 2019 at which a request was received for TRoW to coordinate a hui and invite MACA Applicants to attend. The purpose of that hui was to discuss the MACA kaupapa and assess whether there was an appetite and opportunity for the claimants to collaborate.
- TRoW would look to facilitate discussions around a joint approach that benefitted the wider community.
- TRoW submitted a MACA Application under both the High Court and Crown Engagement pathways in order to meet the deadline imposed by the Act, this application was submitted as a holding pattern to ensure that all of those that TRoW represents were catered for and to ensure no one missed out.
- No new applications can be made under the Act.
- A number of hui have been held by TRoW over the past 3 years with very little progress.
- An MOU was drafted by Tamaki Legal and distributed to the collective for their consideration and input. No progress has been made in relation to this MOU and it is still on the table for discussion. If this document is not able to be modified to the satisfaction of the collective, then a determination needs to be made on what might be acceptable.
- Some hapū have been working behind the scenes on their individual claims and continue to do so

3. Round Robin

Makere Riwhi - sitting at this table regarding the Boards application – Requested list of all applicants across Whangaroa. Who do we need to talk to? Mem of tribal areas 1946 this process will illustrate that. Not an applicant but members of my whanau are.

The rūnanga “blanket” claim is an iwi claim to capture all.

We need to hold tradition.

Anaru Kira – To formulate a process of how we can work together. Hapū boarders were fluid if they ever existed. Complexity when dealing with Historical factors and being mindful of that

Jess Williams – Claimant for Ngāi Tūpango and project manage the claim. Have secured historian, will be researching for the claim. Gathering affidavits to support the Historian evidence and research from other whanau. Have been communicating with overlapping claimants, not all have responded as some of the contact details are incorrect. Hold regular hui online. Have applied under both the High Court and Crown engagement. Crown engagement has been pushed to the side for the time being as High Court appears to be coming up first. Under the advice of the lawyer, should we not be successful in one pathway, then

we back it up with the second. Did not want to limit as a hapū so applied under both pathways. Lawyer is Darrell Naden, Tamaki Legal, who drafted the MOU.

Remaining open minded.

If you have not heard from your lawyers, perhaps check to see which pathway you nominated to take. It is understood that Crown Engagement has not moved anywhere, which may be the reason you have not heard anything.

From the list shared – there are 63 Crown Engagement Applications – do they all come from Whangaroa. Do they whakapapa to our rohe

In the 16 High court applications – 12 do not whakapapa to the rohe – some are blanket claims which come from outside the rohe but include our coastline. We need to contact all claimants to speak to their claims.

Some claims have gone cold and not being proactive.

Lawyers attached to claims – Funding was available and should have been applied for

Frances Goulton – Acknowledges Hoki Tua and the work he carried for this Kaupapa.

MOU needs further investigation, should it not be acceptable, then what is. The system has not been designed by or for us. Talked about principles. A number of issues that need to be addressed.

Pat Tauroa – Do not have a claim. Terry Tauroa (holds hapū claim) through Waitangi Tribunal process – no movement at all in the hearings process although advised Te Arawhiti were to contact claimants, but no contact to date. Listening to some of the korero at Te Tii last year was disappointed that did not hear anyone within their submissions challenge the foreshore and seabed act.

MOU reduces the number of people sitting around the table.

Liarnie Mc Manus – Have not been part of the process since the 90's. Will leave it to others within the Rohe and will listen and get up to speed.

Roger Kingi – At the completion of the signing of the settlement of Ngāti Kahu ki Whangaroa, Kahukuraariki, we were given the opportunity to submit a MACA claim – submitted to OTS on behalf of the iwi.

Bryce Smith – A lot of time between hui. Reminded the collective that it was a joint agreement to request the lawyer to draft an MOU to assist

If this MOU is not accepted, then a further agreement of some description needs to be compiled.

Significant agreement was unanimously reached in terms of the Whangaroa boundary – Northern boundary, Oruaiti & Southern boundary, Ruapurapura.

Other issue is the two pathways that the Government has forced, causing division.

Have a researcher ready – will brief lawyer after this hui

Believe we will not get anywhere unless we are and move as Whangaroa. Until that happens, the fault is all ours. Last point, Matua Hoki, read out the position of the Runanga. Second generation claimant was my father's claim. Whanau will need to try to come together as one unit.

Need some sort of Whangaroatanga to determine claimants applications.

Claim is proof of customary usage; an MOU can be found in tikanga.

Jess Hona – Here to listen and learn.

Hinemoa Pourewa – filled in the application in 2017 – 2022 we haven't moved that far. What have we done about those that don't sit at this table or have the ability to zoom? Has any due diligence been carried out? How do the whanau fit into this space? How do we move forward as Whangaroa? How do we educate ourselves if we don't share information, some do not have lawyers? Who's sharing the coms, what role is the Runanga playing. Were they not to capture those that did not lodge claims?? With the Runanga having its own claim, is it "How do we come together to sit under that claim"? is that the correct assumption?

Mere Apiata – Have read the minutes and here to listen.

	<p>Nyree Manuel – Understanding was in line with what Bryce has spoken too. A boundary was agreed upon. Explanation from the lawyers around the two different processes. TRoW’s claim will capture those that did not manage to lodge claims prior to the cut-off date. Karangahape supported the Runanga’s blanket claim.</p> <p>MOU there to formalise how we might all work together</p> <p>Stephen Rush – Held mana over the water historically. The Government are the ones who have put the laws upon us. TRoW used as the vehicle to show collaboration as already represents 17 marae. Hoping we can move forward as a collective.</p> <p>Ngairi Pera – Looking back at the position statement sent out last year, the reason makes a lot of sense. TRoW still has a fair amount of work to do. Wanting to get an understanding of where Whangaroa is now and what the intentions are moving forward.</p> <p>MOU personally, not in support of. Believe there is another way</p> <p>A previous Te Tāpui marae hui discussed aims and objectives of the claimants moving into high court proceedings, and other claimants following other paths.</p> <p>Benjamin Diaz – Opportunity to meet and become fluent with what is happening at home.</p> <p>Mariameno Kapa Kingi – Toa’s intention was to have Te Arawhiti attend this forum at a date yet to be determined – to be useful to this hui.</p> <p>Runanga’s role is to facilitate and resource where we can so that we can move together. What that looks like is part of this refreshed discussion.</p>
4.	Overlapping MACA Applications
	<ul style="list-style-type: none"> • Shared on Screen and emailed to collective
5.	Collective Intent going forward
	<ul style="list-style-type: none"> • Confirmation of the intent to work together • How to? • MOU – if not acceptable, then what is • What would an agreement look like, how would it be drawn up to reflect the collective intent?
6.	Timeframes/Next Steps
	<ul style="list-style-type: none"> • What is the way forward if not an MOU? • Crown engagement currently not progressing • 63 overlapping claims visible – claimants need to be checked, do they whakapapa to Whangaroa • TRoW to provide facilitator for the process • Hui will need to be called to address claims from outside the rohe • Initially, meetings to be scheduled on a 2-weekly basis • Priority to continue to gather evidence
7.	Next Meeting: Wednesday 23rd March 2022
	<p>Karakia: Raniera Kaio</p> <p>Meeting Closed 6.05pm</p>

Actions			
Date	Task	Who	Completed
9/3/2022	Distribute list of claimants to collective	Marlene	Emailed during meeting 9/3/2022
9/3/2022	Te Arawhiti to be invited to an upcoming hui	Toa/Meno	
9/3/2022	Revision of applications to determine legitimacy	TRoW	
9/3/2022	Framework MOU or some form of Tikanga based Document	Collective	
9/3/2022	TRoW Position Statement	TRoW	
9/3/2022	TRoW to Hui before the next MACA meeting on the 23 rd – to discuss its own claim	TRoW Board	
9/3/2022	Collective to come together to wananga 1 – 2 day		
9/3/2022	Follow up on Funding for coordination of process	TRoW	