

# Te Whakaaetanga Trust

## 2024 Annual General Meeting

### Chair Report - Herb Rihari (NTKM)

#### Opening Statement

Throughout the 7 years of WAI1040 tribunal hearings a clear message and theme began to crystalize in the minds of the tribunal, Ngāpuhi Nui Tonu and the Crown – ***Hapūtanga is paramount***. This was further affirmed by the Tuhoronuku Mandate ‘Urgency’ tribunal who once again highlighted the need for hapū to have a greater part to play in the Treaty Settlement process.

Hapūtanga lies at the core of this Trust and everything we do is geared towards ensuring hapū rangatiratanga and their right to shape their own destiny within the framework of our combined Treaty Claim campaign is respected, protected, and upheld.

Tihei mauri ora.

#### 1. Operations of the Trust

- Trust establishment

Having concluded laying down their Stage 2 mamae before the Waitangi Tribunal between 2013 and August 2017, hapū throughout Ngāpuhi began looking toward the next phase – Crown approval as a LNG.

In 2016 a series of hui were held amongst southern Pewhairangi hapū which culminated towards forming the Te Whakaaetanga forerunner, He Kawenata. Further subsequent discussions took place which led to Ngāti Kuta, Patukeha and Ngāti Manu formally deciding to collaborate under Te Whakaaetanga Alliance in 2018, and later joined by Ngāti Torehina Ki Matakā in May 2019.

With the Crown recognition of the TIMA mandate officially removed on 4 Dec 2019, Te Whakaaetanga entered into formal discussions with the Crown which led to Minister Little confirming us as a hapū grouping on 21 Dec 2020.

Over the following two years the representatives of the four hapū worked on developing a Trust Deed and their own working relationships and protocols. This finally culminated towards the Te Whakaaetanga Trust Deed being signed and approved by the four hapū in Kerikeri on 14 Jan 2023.

Since the signing the Trust has been focussed on the first main goal of developing a Mandate Strategy and having it endorsed by the Crown. In addition to festidiously striving to achive this milestone, TWT has also had to manage and work through some challenging situations. (I will talk more on this in my concluding remarks).

- Purpose - Te Whakaaetanga Trust (TWT)

- Has been established for the purpose of seeking a mandate on behalf of the affiliate hapū;
- Is designed to be a vehicle through which Ngā Hapū Te Whakaaetanga can collectively participate in the Crown negotiation process, with the ultimate goal of achieving hapū

based settlement that is durable and recognises that each hapū maintains their own mana and rangatiratanga;

iii. Is NOT THE PSGE.

- Interim trustees

Following the Deed signing, all trustees were deemed “initial trustees” for their first 6 months to:

- Allow each trustee a trial period to get a feel for the responsibility;
- Allow hapū a trial period to determine whether their trustees would/should remain;

Whilst allowing the Deed to have effect and allowing the Trust to operate and establish systems and protocols that would assist the Trust in achieving its purpose.

- Continuing trustees

To date, all interim trustees have completed their 6 months and have now been reconfirmed by their respective hapū as ‘trustees’. These are:

	Patukeha	Ngāti Kuta	Ngāti Manu	Ngāti Torehina Ki Matakā
Initial trustees as at 14 January 2023	Shirley Hakaraia Jamie Hakaraia	Dean Clendon Natasha Clarke Nathan	Scott Smith Kelly Batistich	Herb Rihari Gideon Rihari
Continuing trustees appointed by their hapū post 1 July 2023	Shirley Hakaraia Jamie Hakaraia	Dean Clendon Natasha Clarke Nathan	Scott Smith Kelly Batistich	Herb Rihari Gideon Rihari

Additionally, TWT have also taken on two shadow trustees in an effort to:

- Retain the accounting expertise of Kelly Wederkind (nee Batistich);
- Allow Suz Te Tai, to support Ngati Manu reps Scott Smith and Kelly from a cultural perspective; and
- Blood in a potentially new Patukeha member – Te Maoi Clarke as a future trustee replacement.
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- How powers are exercised

Ultimately, the Trust is instructed by and accountable to our affiliate hapū who have the power to:

- Remove/change trustees,
- Call Special Meetings;
- Propose resolutions to have the Deed amended, and even;
- Withdraw from TWT.

The operational powers of the Trust, however, are exercised in accordance with the terms set out in the Deed and decided by way of 75% approval of the trustees.

## 2. Updates on Treaty Settlement Matters

### Summary of 2023 – Milestones achieved to date

2023 has been a gruelling and challenging year fraught with contentious moments, uplifting moments, sad moments but overall, we can stand here and look back on the year and feel grateful for each other and our hapū who's belief and support has got us through.

- Milestones achieved to date
  - Hapu Grouping Status (21 Dec 2020)
  - Te Whakaaetanga Trust established (14 Jan 2023)
  - Mandate Strategy drafted (Aug 2023)
  - Mandate Strategy Endorsed (20 Dec 2023)

### Forecast of our target goals over the next 12 months

With the Mandate Strategy endorsed we now have a busy 6 months of Hapū run 'Information Hu'i, culminating towards Hapū run 'Endorsement Hui'. Once these have concluded we'll be looking to develop:

- Milestones still to come
  - Deed of Mandate confirmation
  - Deed of Mandate endorsement
  - Appointment of negotiators
  - Draft Terms of Reference
  - Negotiations

## 3. Seeking a Mandate from Hapū

With the Mandate Strategy now having received Crown endorsement, TWT & our affiliate hapū simply need to 'roll out' or 'action' our mandate strategy. This will be the focus of all our hapū over the coming five months. Here are the phases of the Mandate Strategy.

- Information Hui  
Information hui are the initial part of the Mandate process. It is an opportunity for trustees to explain what the Mandate process is all about whilst giving broad opportunity for hapū members to attend, learn, enquire and ultimately participate in the 'endorsement' hui and phase of the Strategy.  
These Hui have been scheduled as follows:

Mandate Hui Dates			
LOCATION	DATE	VENUE	TIME
<b>Patukeha Hapū</b>			
Te Rāwhiti	Sun 11 Feb 2024	Te Rāwhiti Marae	10:00am
Online	Sat 17 Feb 2024	Online	10:00am
Tāmaki	Sat 24 Feb 2024	Hoani Waititi Marae	10:00am
Online	Sat 2 Mar 2024	Online	10:00am
<b>Te Rāwhiti</b>	<b>Sat 9 Mar 2024</b>	<b>Te Rāwhiti Marae</b>	<b>10:00am</b>
<b>Ngāti Kuta Hapū</b>			
Rāwhiti	Sat 9 Mar 2024	Te Rāwhiti Marae	10:00am
Whangārei	Sat 30 Mar 2023	Kensington Stadium	10:00am
Online	Sat 6 Apr 2024	MS Teams	10:00am
Auckland	Sat 13 Apr 2024	Te Mahurehure Marae 65/73 Premier Ave, Point Chevalier	10:00am
Online	Sat 27 April 2024	Online	10:00am
<b>Rāwhiti</b>	<b>11 May 2024</b>	<b>Te Rāwhiti Marae</b>	<b>10:00am</b>
<b>Ngāti Manu, Te Uri Raewera, Te Uri Karaka</b>			
Karetu	Sat 17 Feb 2024 (Te Rā o Pomare)	Karetu Marae	10:00am

Online	Sun 3 Mar 2024	Online	6:00pm
Auckland	Sat 16 Mar 2024	Auckland (TBC)	10:00am
Auckland	Sat 16 Mar 2024	Auckland (TBC)	2:00pm
Online	Wed 27 Mar 2024	Online	6:00pm
Karetu	Sat 14 Apr 2024	Karetu Marae	12:00pm
Online	Sat 14 Apr 2024	Online	6:00pm
<b>Karetu</b>	<b>Sat 27 Apr 2024</b>	<b>Karetu Marae</b>	<b>10:00am</b>
<b>Ngāti Torehina ki Matakā</b>			
Auckland	Sat 17 Feb 2024	Conifer Grove School, Takanini	10:00am
Kerikeri	Sat 24 Feb 2024	St James Hall 209 Kerikeri Road, Kerikeri	10:00am
<b>Wharengare</b>	<b>Sat 30 Mar 2024</b>	<b>Wharengaere Beachfront marquee</b>	<b>10:00am</b>

- Endorsement Hui

The highlighted hui listed are the scheduled 'Endorsement' hui. These hui are crucial in terms of hapū member participation and determining whether TWT advances into the next stage or go back to the drawing board. Once these have all concluded a Summary Report of all the Hui will be provided to TA & TPK.

From here a 'Deed of Mandate' will be drafted by TWT and submitted to TA & TPK initiating an exchange of feedback and positions towards having it agreed and released for public consultation – the 'Submissions' process.

- Submissions process

The submission process is an open feedback process for anyone who may be impacted by the Deed of Mandate to submit their whakaaro. It is run by TA & TPK and the window of opportunity to submit is 21 days.

From this point the Draft Deed of Mandate will be amended by TWT & TA, as required, and finalised in light of the feedback.

TA & TPK will then report to Ministers on recognition of the deed of mandate to have the Mandate recognised.

This point will signify another major milestone in our combined and respective Hapū Treaty Claim campaigns.

#### 4. Key points pertaining to TWTs Funding provided by the Crown.

- Funds are special purpose funds provided by Te Arawhiti for Mandate and Treaty Settlement Negotiations – it is not hapū funds or Treaty Settlement Funds.
- Budgets are provided by Te Whakaaetanga as a best guess on what funding required for each milestone and to release funds
- Te Whakaaetanga Trustees are responsible for accounting to Te Arawhiti for the Funds Received on all expenditure by providing Activity Reports.
- Financials are being provided to hapū on a "no surprises basis" and to keep you informed about progress.

## Closing Remarks

One of our hapū have been sorely burdened with a faction of member dissatisfaction and although their trustees possess the strength and philosophical nature to persevere for the greater good, there's no hiding the unnecessary drain and weight they've had to bear. Distrust, misunderstanding and scepticism is what I feel lies at the core of this groups dissenting opinions.

Whether it is warranted and acceptable or not is not for TWT to determine nor resolve, this can only come from within the hapū. What I can offer as a long serving memebr of my hapū, however, is a broad observation of our people today in the hope that it may bring some understanding and perhaps healling for all of us, because the mamae and hara has been inflicted on all of us.

What is this mamae and hara?

Trauma is a condition that is endured and often handed down through the generations - *Inherited trauma* – through Crown inflicted oppression. That trauma begat, doubt and distrust compounding to the point where we become reluctant and fearful to open our hearts again as a form of protection. When we have generational trauma, (trauma handed down over several generations), the distrust and doubt morphs from a condition into a habit or practice where the abused becomes the abuser, the oppressed become the oppressor.

Once upon a time, our people were an honourable people, a proud caring people, a people of mana and integrity, a loving welcoming people, and when necessary a staunch courageous people willing to stand to defend their tamariki, whānau, hapū and hapū whānau and I strongly believe, along with my fellow trustees that we still are people of these great qualities. We simply need to awhi each other and push through or tear away this veil of oppression and trauma, that we've inherited, and walk in the footprints and light that we are meant to – rangatira, mana, aroha.

Our Treaty claim isn't just about reclaiming what land or the economic opportunities we've lost, nor is just about reclaiming our language and rights to operate autonomously under our own respective hapū authority, it's also about reclaiming our mana as a single individual who is courageous enough to look themselves in the mirror and ask: "What can I bring or do to help our kaupapa?" "What have I contributed so far?" "Can I do more?"

TWT know there's a lot of mahi to undertake in terms of repairing our respective hapū fabric. Supporting each other as individuals to think and behave as rangatira. To communicate with kindness. To be dutiful and conscientious. To be a fair and just protector of the flock and to even know when we've reached our "best before date".

This is the political and cultural journey we TWT trustees each signed up to and there are many more miles to cover, and much more mountains to climb before we can hang up our spade and hard hat, climb out of the trench and celebrate a new horizon.

Mea ana te kōrero: "He nui te mahi, ki te kore mahi tonu. He tāwhiti te haere ki te kore haere tonu."

This is my Report.

13 Jan 2024



Herb V Rihari