

## **CHIEF NEGOTIATORS REPORT**

Please find attached an outcomes report covering 87 Negotiation Hui.

Further find enclosed a rough work plan set out by the Crown.

## **QUANTUM OFFERED BY CROWN**

The Crown made an offer towards the end of last year revising an initial quantum of \$80 million to an increase of \$90 million in settlement of the Hauraki Claim. A distribution formula known as apportionment was required and by default the Crown also tabled its apportionment decision. The net result of that decision was that Ngati Porou were deemed to share in the quantum by way of a 2.4% apportionment.

Firstly your negotiators on the basis of this apportionment offer, have not done well.

For reasons which we will discuss in greater detail we recommend that our Hui a Iwi confirm our negotiators stance that we reject this appointment offer.

The difficulty we have as a people is that we are not part of a large natural grouping and therefore have very few iwi allies amongst the other 11 Iwi that are sharing in this settlement.

Settlements are about ensuring that an iwi has a settlement package that restores as best as possible our ability to have a just economic platform to launch us into the future. 2.4% does not do this.

We are severely handicapped in our ability to participate in the commercial redress options and opportunities on the table. We cannot have a discussion for example, over participation in the Crown held landbank properties, we cannot participate in the purchase of Pouarua Land Corp Dairy Farm and we may not be able to participate in the purchase of two crown forests.

Even if we could participate in this commercial redress, we would be lucky to participate in anything other than as a marginal minority interest with very little leverage, no Governance opportunity and no leverage opportunities from the commercial positions we would take.

We are further prejudiced by not being able to have a settlement envelope that takes in settlement monies from other enquiry districts.

The package we have to settle is solely with in the Hauraki enquiry district.

As is our Ngati porou style, we have handled our negotiation position in a professional, respectful and dignified manner.

Regretfully the Crown has taken our respectful approach as a sign of a weak group and this cannot be tolerated.

I attach our Historical Record that we are utilising in this negotiation.

On the basis of the above I will move a recommendation to the Hui that your negotiators be instructed to reject firstly the Offer of Settlement quantum and secondly, the apportionment attributed to Ngati Porou.

I refer you respectfully to another document that identifies our Sites of Significance and when taken with the Historical Record sets up a platform for our negotiation that specifically looks at cultural redress to us.

### **THE P.G.S.E. POST GOVERNMENT SETTLEMENT ENTITY**

We presently operate under the Incorporated Societies Act 1908 in regard to our Runanga. This Constitution came about after three years of Hui amongst ourselves and we will be looking to import, in large part, this Constitution across to our Post Government Settlement Entity.

### **FORESHORE AND SEABED**

The negotiators have concluded and agreed to a historical record that is presently being put out the by Crown to third parties. Once the third parties have responded in regard to shared interests, or a desire to exclude us, we will then have an opportunity to review the third party interests.

Notwithstanding this, we intend moving forward to some form of agreement under the Coastal and Marine Act 2011. It is important that we have your feedback in regard to the way in which these rights are firstly expressed and secondly, applied by us as a Collective.

The only analogy I can use as a way forward is to apply some form of Ngati Porou ki Hauraki Maori Marine Reserve over the areas we hold exclusively.

Another work stream that has been developed by your negotiators looks at Sites of Significance in Ngati Porou ki Hauraki and once again this forms evidence as to our cultural redress rights.