THE ESTABLISHMENT OF TE RUNANGA O NGATI WHATUA

By Marama Henare

This report was commissioned by the Waitangi Tribunal
for the Railways Surplus Lands claim (Wai 264)

Any conclusion drawn or opinions expressed
are those of the author.

April 1993
INTRODUCTION

Tena koutou.

My name is Marama Henare. I am employed by the Waitangi Tribunal Division in an acting capacity as legal officer. These duties I have carried out since January 1993.

I was originally employed as a research officer in May 1992.

I have a Bachelor of Laws degree with which I graduated from the University of Auckland in 1992. I completed a Professional Legal Studies Course at the Victoria Centre of Professional Legal Studies in December 1992 and will be admitted to the Bar as a barrister and solicitor of the High Court of New Zealand in April this year.

I was commissioned by tribunal direction dated 15 February 1993 to enquire into and report on the steps taken to establish the Runanga o Ngati Whatua and to have that ratified by Parliament. I have carried out this research under the supervision of Tom Bennion, legal officer and acting research manager. Mr Bennion has a conjoint degree in law and history. As a member of the tribunal staff, I am required to be impartial in fulfilling the terms of my commission.

Under the terms of my commission I have structured my research on the
following basis:

- How was Te Runanga o Ngati Whatua established? Was it established with the mandate of iwi?
- Since 1988 did Te Runanga operate with the mandate of iwi? At the present time, does Te Runanga have this mandate?

To this end I have focused my research upon:

- that evidence which relates to the time period 1986 to 1988;
- that evidence which relates to the time period 1988 to 1993;

Since the enactment of the Te Runanga o Ngati Whatua Act in 1988, many hui of Ngati Whatua iwi occurred. These, and other incidents which have occurred since 1988 directly relate to the status of Te Runanga as an iwi authority.

For the purposes of this report, required as a matter of urgency on a narrow focus, the writer has not dealt in depth with government policy previous to 1986, for example, the Tu Tangata policy of the late 1970's, or with accounts and records of hui held before 1986.
There were difficulties in locating the relevant Department of Maori Affairs files, due to the restructuring of the department since 1988. Despite this, however, the majority of official sources of information have been located as outlined below. A document bank containing those documents referred to in the report has been compiled.

It is my view that this report reflects a fair representation of those sources.

Sources of Information

Official sources of information have been the relevant Department of Maori Affairs, Iwi Transition, Te Puni Kokiri and Maori Affairs Select Committee files. I have also studied the relevant New Zealand Parliamentary Debates, statutes and regulations.

These official records have been supplemented by documentation provided by the Secretary for Te Runanga, Mr T Parore, also Mr M Powell and Mr B Tito.
**TE RUNANGA O NGATI WHATUA ACT 1988**

The Act which gave legislative recognition to Te Runanga o Ngati Whatua was passed in 1988 and was originally formed as an amendment to the Maori Trust Boards Act 1955.

The Maori Trust Boards Act had established 10 boards before 1988. The amending Bill introduced into the House on 26 July that year by the Minister of Maori Affairs, the Honourable Koro Wetere, sought to establish a further five.

Two Maori trust boards had been established under special legislation, namely, the Ngati Whatua o Orakei Maori Trust Board and the Tauranga-Moana Maori Trust Board.

The Maori Trust Boards Amendment Bill 1988:

- enabled the establishment of kaumatua and rangatahi councils;

- provided power for Trust Boards to enter contracts and accept grants from government agencies for programmes relating to employment, education, health, housing and enterprise development;
enabled trust boards to accept the appointment of the Maori Land Court to exercise management functions over a Maori incorporation;

implemented a procedure by which trust board electoral disputes could be adjudicated by the Maori Land Court;

and empowered regulations to restrict the rights of absentee beneficiaries to stand for election, nominate candidates or vote. 4

The Bill sought to establish Te Runanga o Ngati Awa, the Hauraki Maori Trust Board, the Maniapoto Maori Trust Board, the Whanganui River Maori Trust Board and Te Runanga o Ngati Whatua.

The Devolution Policy - Te Urupare Rangapu

The establishment of these new trust boards was, in part 5, a response to the Labour Government’s devolution policy, such policy being outlined in the 1988 papers He Tirohanga Rangapu and Te Urupare Rangapu.

One objective of the devolution policy was to restore and strengthen the operational base of iwi. The intention was to encourage the establishment of iwi authorities to whom certain functions previously performed by government departments could be devolved. It established an Iwi Transition Agency for a five-year period to facilitate this objective.
The Government expects that five years should be enough time to enable most - if not all - iwi to have their respective authorities fully operational and capable of entering into contracts with government agencies to take on any government programme. The need for the Iwi Transition Agency would cease at the end of these five years, and the agency would be disbanded. For those few iwi authorities which still need assistance to become fully operational, a limited amount of government funds will be available through the Ministry of Maori Affairs. The principal function of the ministry, however, will be to provide advice on all matters of government policy-making that affect Maori affairs.\(^6\)

The separation of operations and policy advice was an objective of the devolution scheme and reflected in the creation of these two entities which were to play parallel and complementary roles.

**Status of Trust Boards as Iwi Authorities**

The status of trust boards as iwi authorities was discussed in the Report of the Department of Maori Affairs to the Maori Affairs Select Committee on the Bill. In that report, the department commented that:

the essential purpose of the Maori Trust Boards Act 1955 and the proposed Bill is to establish and provide for Trust Boards, who must function and administer their assets and monies in accordance with the
The Maori Trust Boards Act 1955 gave trust boards a wide mandate to provide benefits for beneficiaries and other Maori generally, but this was limited by section 24(3), which provided that no individual benefit be conferred on any person other than a beneficiary.

Clause 24D of the Bill proposed to enable trust boards to administer government programmes on a contractual basis for any Maori person, which amended the situation under section 24(3) of the Act 1955, however, the department stated that trust boards as they existed at the time were different entities from those which represented an iwi. It stated that to transmute a trust board into an iwi authority was beyond the scope of the Bill and would require further drafting.

This statement appears to refute the idea that the trust boards yet to be established, including Te Runanga o Ngāti Whatua, could ever be iwi authorities.

The matter was raised by the Honourable Peter Tapsell at the third reading of the Bill.

The final section of the original Bill related to the formation of the new Runanga o Ngāti Whatua. Initially there was some misunderstanding about the powers and functions of that runanga. Government members
pointed out that the runanga will be responsible for the affairs of the Ngati Whatua as a whole, in contradistinction to the small hapu of Ngati Whatua of Orakei, who were compensated after Waitangi Tribunal recommendations recently.  

This point is reiterated in the House by the Honourable Whetu Turikatene-Sullivan, who refers to Te Runanga as the parent body with specific rights relating to the total assets of the tribe.  

Earlier correspondence between the Secretary of Maori Affairs and the Minister seems to resolve the matter.  

Te Runanga o Ngati Whatua Maori Trust Board will cover all the Ngati Whatua people (i.e. all the descendants of Haumoewarangi Tangatawhenua).  

The Trust Board will be an Iwi Authority for the purposes of the devolution of the Maori Affairs Department.  

The proposal comes from a general hui of the Ngati Whatua people.  

It is clear that Parliament’s intention in establishing Te Runanga o Ngati Whatua was that it be the parent body representative of the whole of Ngati Whatua.
The intention of the iwi of Ngati Whatua in the campaign for the establishment of Te Runanga o Ngati Whatua is dealt with in a later part of this report.

**Passage Through the House**

The Minister of Maori Affairs stated in his introductory speech to the House that the five trust boards seeking to be established in 1988 originated in the hui taumata held in 1984. This gathering had called for the establishment of some form of tribal organisation within the various tribal areas. Discussion amongst the iwi involved had resulted in the proposal that the trust boards be constituted under the Maori Trust Boards Act 1955. The Minister said that interim committees had been appointed in each of the five areas and had been involved in the initiatives on behalf of their people to 1988.

In the case of Te Runanga o Ngati Whatua, a steering committee had been established since a Hui Whanui o Ngati Whatua held 19-21 September 1986.

Part V of the Bill established Te Runanga o Ngati Whatua. Clause 40(2) provided that the beneficiaries of Te Runanga would be the descendants of Haumoewarangi, a tupuna o Ngati Whatua.

Membership was restricted to a maximum of 11 persons by clause 41(1).

The functions of Te Runanga were delineated under section 24 of the Maori
Trust Boards Act 1955. Subsection (1) stated:

The functions of each Board shall be to administer its assets in accordance with the provisions of this Act for the general benefit of its beneficiaries, and, for that purpose, a Board may, in its discretion, provide money for the benefit or advancement in life of any specific beneficiary, or of any class or classes of beneficiaries.

Under that section, money could be applied towards the promotion of health, social and economic welfare, education and vocational training of beneficiaries, as well as to such other purposes the board might determine.

Once established, Te Runanga was to prepare a roll of all its adult beneficiaries. Nominations for members of Te Runanga could then be called for and elections held.

Te Runanga was required to consult with other tribal authorities concerned with the administration of resources for the benefit of members of the Ngati Whatua tribe, with the objective of "bringing the assets of the whole tribe under a unified administration, thereby reaffirming tribal identity, while still preserving local autonomy." 14

The Bill established the kaumatua council, Te Kauhanganui, whose principal function was to advise Te Runanga on all matters involving Ngati Whatua
The Bill further set down requirements regarding annual hui and a bank account.

The Maori Trust Boards Amendment Bill was divided into six separate bills, including an amendment to the Tauranga-Moana Maori Trust Board Act 1981.\textsuperscript{16}

The Te Runanga o Ngati Whatua Act was passed into law on 21 December 1988 to take effect 18 January 1989.
ESTABLISHMENT OF TE RUNANGA - 1986 TO 1988

A hui whanui, held at Oruawharo 19-21 September 1986, was called to discuss the historical flag of Ngati Whatua, Te Awe Awe o te Rangi, "its history, its symbolism and its challenge."¹⁷

The flag had been out of circulation for some 30 years and had become frail and tattered. A new one had been made to replace it and the discussions centred around what should happen to the old one, and who should have custody of both. The record provides a fuller history of the flag.¹⁸

The hui was anticipated to be "a grand opportunity for Ngati Whatua to come together and plan other strategies."¹⁹

The Oruawharo Hui Whanui also discussed issues of tribal unity. The decision was made to establish a runanga for Ngati Whatua, the area to cover would be "Mai Tamaki ki Maunganui"²⁰ and the basis would be the 30 or so marae of Ngati Whatua.

Three interim trustees were appointed to be responsible for the custody and administration of the use of the new flag. The trustees were interim only as the runanga, once set up, would take over this duty.
The hui further resolved the original organising committee would continue as an interim steering committee pending the establishment of the runanga. This committee’s role, inter alia, was:

to investigate all aspects relating to the setting up of the Runanga and to follow up other matters arising from the hui as well. The Department of Maori Affairs is to give assistance with this. The committee is to have the power to co-opt other members.  

The members of the organising committee numbered some 30 or so people. The chairman was B Nathan, the secretary, T Marsden, and the treasurer, J Connolley.

The hui promoted a theme of kotahitanga, the bringing together of the Ngati Whatua people, the assertion that everyone was important and that the big marae were nothing without the support of the smaller ones.

At this time, Government administration of the Ngati Whatua rohe broke the area into two parts, north of the Topuni River and south of the Topuni River. The push for kotahitanga evidenced a desire to bridge this gap.

The records show that the Oruawharo Hui Whanui was attended by approximately 100 people.
At a hui of the steering committee at Te Pouna Marae, held 15 October 1986, Taki Marsden presented a discussion paper on how the runanga for Ngati Whatua could be set up. The paper was viewed by the hui as a starting point and the request was made for further statements of aims and objectives of the runanga.  

It was agreed that T Marsden and T Parore would draw up an outline of the proposed runanga.

The status of the steering committee, as the forerunner of the runanga, was further affirmed.

The notice of a Hui Whanui o Ngati Whatua, to be held 14 - 15 November 1986, described how the runanga proposal was viewed at the Oruawhara Hui. It was envisaged that the runanga be an organisation that would be representative of the whole of Ngati Whatua and be the focal point of advancement for the tribe and research into history and knowledge of the people. At the same time, links with other Taitokerau tribes would be maintained.  

There was strong support for the runanga proposal evidenced at a hui of approximately 70 people held 17-18 January 1987. Dissatisfaction with the status quo was expressed and the need to set an "overall unifying and forceful Runanga" and "to have full representation of the whole of Ngati Whatua" was
Various models of representation on the runanga were submitted.

Another hui whanui to set up the runanga was set for 21-22 February of that year, at Taumata-a-Rangi marae. In the meantime, a group would meet to prepare a draft on the matter.

The draft paper was submitted at a steering committee meeting held 4 February. It set down the following:

- the name of the runanga would be Te Runanga o Ngati Whatua;

- the runanga would be established under the Maori Trust Board’s Act 1955.

The record does not give specific detail of the discussion as to why special legislation should be sought to constitute the runanga. A discussion with the secretary of Te Runanga suggests that the Orakei Maori Trust Board, having been set up under special legislation, was a proposed model for Te Runanga. T Parore felt that the mana of the iwi should be recognised at the highest level available.

- Boundaries were to be researched by a sub-committee with a view to
presenting recommendations at the next meeting. Representation on and elections to the runanga board could be based upon such boundaries.

- Beneficiaries of the runanga were defined as the members of the Ngati Whatua tribe and their descendants. Spouses were given certain beneficiary rights, though voting and election rights were excluded.

- The number of trust board members could be 7-11.

- The objects of the runanga would be in accordance with Sections 24-27 of the Maori Trust Boards Act 1955 with additional provisions for "Ngati Whatua kaupapa, spirituality, etc, history and culture, economic and business development, and power to administer funds and make grants etc on various Government funding programmes.

T Marsden and T Parore were to draft suitable provisions to accommodate this latter aspect.

- Links with the Taitokerau Maori Trust Board were to be maintained on matters significant to unity and developments in the Taitokerau as a whole, however, the autonomy of the Ngati Whatua runanga and the Ngati Whatua people would be retained.
The hui whanui scheduled for 21 - 22 February 1987 was attended by approximately 70-80 people on the first day. An updated draft of the 4 February paper was the basis for discussion. The draft was approved with minor adjustments. Boundaries to the north, south and internally were yet to be decided, and a further objective of the runanga should be to encourage representation on local authorities and other community positions. The status of the steering committee as an interim runanga pending the establishment of an official body, was reaffirmed. Any draft legislation was to be referred to this Committee.

A draft dated 16 March 1987, dealt to some extent with the name of the runanga, beneficiaries, membership of the runanga board, objectives and other general matters. Tribal boundaries, though set down generally, required more precise definition. Other legal entity options such as a charitable trust or an incorporated society were considered unsuitable. The record does not give reasons for this decision, though a charitable trust was later set up as an interim entity until special legislation had been passed to recognise Te Runanga.

A discussion of this draft, at a hui of the steering committee on 16 March 1987, included these comments:

- objectives should include the keeping of a tribal register which would identify Ngati Whatua people and their skills and should provide for the recognition of Awe Awe o Te Rangi;
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- one person could represent each of the 7 areas proposed - the voting age would be 18 and elections would be 3 yearly;

- the runanga and local takiwa should meet at least quarterly;

- the runanga was to be the matua committee for Ngati Whatua.

At a hui whanui held 11 April 1987, the use of the Maori Trust Boards Act as the basis for establishment of the runanga was questioned. However, no resolution was put to rescind the decision, nor any alternative suggested. The matter of draft legislation was discussed, although further research was needed under several of the headings thereunder. Some concern was expressed by Kaipara representatives that they were missing out on Access Programme monies. The General Access programme was and still is administered by the Ministry of Education as a skills programme for unskilled workers. The equivalent programme for Maori was Maori Access administered by the Department of Maori Affairs.

It is unclear whether this reference is to Maori or General Access funding. However, the statement was made that the Kaipara representatives felt that they had been "caught in the middle between Ngati Whatua O Orakei and the Taitokerau Maori Trust Board". The setting up of a runanga was of some urgency as it could secure a share of Access monies for Ngati Whatua.
There was some reference to the runanga being a political platform "to influence decisions and not have these made by other organisations". Concerns that the Minister of Maori Affairs may be overly involved in controlling the runanga were also expressed. Further, it was noted that there was increasing demand by government departments for community representation on interview panels. T Te Rangi summarised the reasons for formation of a runanga put forward at previous hui:\(^{35}\)

unity, involvement, a share in decision making affecting Ngati Whatua.

Professor H Kawharu hoped the runanga could also be set up to administer the Maori Authorities New Alliances (MANA)\(^{36}\) and Access programmes.

The status of the proposed runanga and its relationship to the Ngati Whatua o Orakei Trust Board, was discussed at a hui at Orakei Marae, held 16-17 May 1987.\(^{37}\) The Orakei Maori Trust Board, as the only legally constituted Ngati Whatua board at the time, was receiving funds from the government for Ngati Whatua. It was suggested that the trust board structure, coupled with a provision for kaumatua, was a viable option.\(^{38}\)

A consensus was reached to form a runanga kaumatua for Ngati Whatua, that a trust board be set up under the Maori Trust Boards Act \(^{39}\) and that a sub-committee of Ngati Whatua o Orakei act in relation to access and other matters. The attendance list shows 41 people attended the hui.
Draft legislation dated 24 July 1987 incorporated the proposed runanga kaumatua, such "council of elders" to be "the custodians of tribal lore and values". Their role was to review policies or procedures which might conflict with such values.

At a Ngati Whatua hui at Arapaoa, on 24-25 July 1987, G Sutherland emphasised the urgent need for a runanga and referred to certain matters regarding the status of kaumatua for the hui. A resolution recognised that further liaison with Ngati Whatua marae was needed to appoint a kaumatua council.

A meeting of representatives of Nga Iwi O Taitokerau held 11-12 August 1987, discussed the general devolution policy of the government and in particular, the need for iwi authorities to be prepared to assume various functions carried out at the time by government departments such as Maori Affairs.

A Ngati Whatua hui at Taita Marae on 21 August 1987 reviewed the runanga proposal. The status of kaumatua within the runanga structure was a major point of concern with some stating legal recognition of kaumatua was necessary, and others saying kaumatua have status irrespective of such recognition. The point was apparently resolved, however, and a decision was made to name the kaumatua council "Te Kauhanganui o Ngati Whatua".

At a Te Kauhanganui hui held 25 September 1987 and attended by
approximately 66 people, seven members of the interim steering committee were elected. These were T Te Rangi, M Marsden, H Sutherland, H Grey, T Te Rore, T Paki and H Walker. M Marsden urged kaumatua to strongly support Te Runanga. H Kawharu saw Te Runanga as a forum for future development to cater for Government divesting of interest.

An apparent lack of response from various marae within Ngati Whatua was voiced at a hui-a-iwi held 4-5 March 1988. It is unclear from the record whether this was with regard to the runanga as such, or with regard to support requested for a waste management sub-committee to the Auckland Regional Authority. Nevertheless, G Sutherland and M Larsen offered to accompany a group who might speak to the various marae and other Maori organisations about the runanga and its objectives, and a letter to all marae seeking their measure of support was drafted.

At the same hui, H Kawharu was issued a mandate to negotiate on behalf of Ngati Whatua to expedite the passage of the Te Runanga o Ngati Whatua Bill through to enactment. A decision that representation within Te Runanga be on the basis of hapu was made at the same hui, to take effect once the legislation was passed.

A hui held 15-16 April 1988 at Rewiti Marae expressed concern at the delay in legislation being passed to legally constitute the runanga. In response, a resolution to register in the interim as a charitable trust was passed.
Department of Maori Affairs records show that at the time the draft legislation was near completion. Correspondence between Te Runanga's legal adviser and the department's solicitor conveyed Ngati Whatua's urgent wish to have the legislation passed.

At this time, T Paki and E Manukau had filed a claim with the Waitangi Tribunal in respect of certain Ngati Whatua lands and fisheries. This claim, registered with the tribunal as Wai 121, has since been amended to include other properties within the original claim region.

At a hui of Te Runanga held at Haranui 26-27 May 1988, Ngati Whatua expressed dissatisfaction with He Tirohanga Rangapu, the government discussion paper on the devolution policy. A resolution was passed stating that Ngati Whatua did not support the paper in its form at the time. Also, Te Runanga was to write to government and other agencies informing them that it was the iwi authority of Ngati Whatua. The attendance list for the hui shows 24 names.
Draft Legislation

The approval from the Minister of Maori Affairs for the drafting by the department of legislation to establish Te Runanga was received 11 November 1987. The original intention was that four new trust boards, including Te Runanga o Ngati Whatua, be provided for in the 1987 Maori Purposes Bill. This did not occur and as stated earlier, the Bill was introduced as an amendment to the Maori Trust Boards Act 1955.

H Kawharu was given a mandate to expedite the passage of the draft legislation at a hui held in March 1988. However, a substantial part of the groundwork had already been laid by this time.

A draft bill dated late 1987 included the foundations for what was to become the final Te Runanga o Ngati Whatua Act. The bill dealt with the boundaries of the rohe of Ngati Whatua, constitution of the board, membership, objectives and powers of Te Runanga and the establishment of a runanga bank account.

One clause which was later deleted set down that Te Runanga was to have the "like objects and powers of a company as set out in the second schedule of the Companies Act 1955 as if it were a company incorporated pursuant to that Act." Draft clause 5(4) made the approval or written consent of the Minister of Maori Affairs unnecessary in certain instances relating to the acquisition of lands, the borrowing of money and guaranteeing of loans, the
There may indeed be good reason to remove this requirement (particularly, I should have thought, in respect of section 28). But if so, the question again arises as to why the same relaxation should not be extended to the other Trust Boards.

I am not, of course, arguing that all Trust Boards must be treated the same way in all respects and in all circumstances. My point is that any departure from the norm must be justified by good reason.

The requirement of the minister's consent in the instances outlined was viewed by a meeting of the constitution committee of Te Runanga as unnecessary and inappropriate to Te Runanga which was not going to administer any ceded land or compensation monies as other trust boards did. However, the final bill did not include the draft clause and the submissions made on behalf of Ngati Whatua to the select committee on the Bill did not refer to the matter. These latter submissions dealt only with small adjustments to the wording of specific clauses.

General Comment
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deposit and withdrawal of funds and the making of payments in excess of $200. The Parliamentary Counsel Office stated with regard to this matter:

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General Comment
The records show that some problems were experienced by the runanga with regard to establishing itself as the body through which government funding should be paid. For example, Community Organisation Grants Scheme (COGS) funding was channelled through the Ngati Whatua of Orakei Maori Trust Board as was some MANA and Access funding. The remaining portion of the MANA and Access funding, along with Matua Whangai Funding, was conveyed through the Tai Tokerau Maori Trust Board.

This situation may have been due to the fact that the Ngati Whatua o Orakei Maori Trust Board had been the only legally constituted trust board in Ngati Whatua for some time. This certainly was the case with respect to the MANA and Access funding.

Conclusions

It is clear from the records studied that at least two major forces influenced the establishment of Te Runanga o Ngati Whatua.

The first was the iwi desire to create a unified body representative of the whole of the tribe, Ngati Whatua. The runanga would be an authoritative entity which would be recognised by other iwi and their authorities, as well as government funding agencies.

The second major influence was the Government’s devolution policy which
encouraged the formation of iwi authorities. The runanga would be a statutory body which could accept the delivery of functions previously carried out by government agencies.

Strong iwi support for the establishment of Te Runanga is evidenced in the minutes of the many hui held prior to and during 1988. The initiative is advocated by kaumatua.

The exact parameters of the iwi mandate are not specifically outlined in the record, though the strength of iwi support is obvious. Certainly, draft legislation recognised one objective of the Runanga as being to consult with other tribal authorities for the benefit of members of the Ngati Whatua tribe.63

This was legislatively recognised, with minor adjustment under section 6 of the Te Runanga O Ngati Whatua Act 1988:

...Te Runanga shall consult with other tribal authorities concerned with the administration of resources for the benefit of members of the Ngati Whatua tribe, with the objective of bringing the assets of the whole tribe under a unified administration, thereby affirming tribal identity, while still preserving local autonomy.

Accordingly, it is my view that at the time of its establishment by statute, Te Runanga had the strong support of iwi as the entity representative of Ngati
Whatua with respect to matters affecting the whole of Ngati Whatua. That mandate was recognised and validated by parliament under the Act. The only limit upon this authority was that the local autonomy of each marae would be preserved.
TE RUNANGA O NGATI WHATUA SINCE 1988

This part of the report is concerned with those events relevant to the establishment of Te Runanga since the Te Runanga o Ngati Whatua Act was passed in late 1988.

Records obtained by the writer documenting events which occurred during this period include minutes of hui held by Te Kauhanganui (the kaumatua council of Ngati Whatua), the Runanga Poupou (the body representative of the 32 marae of Ngati Whatua), the trust board itself as well as various meetings held with representatives of Te Tira Ahu Iwi, the Iwi Transition Agency.

It is not difficult to see from these records that there have been troubled periods in Te Runanga’s existence. However, the issue to be dealt with here is whether these records show any loss of the iwi mandate held by Te Runanga in late 1988.

For the purposes of the narrow question to be answered, the report deals only with those major incidents which may have affected Te Runanga’s status in the eyes of the iwi it represented to the extent that the iwi mandate was retained, or removed.

As stated above, the Te Runanga o Ngati Whatua Act 1988 was passed into law 21 December 1988 and took effect from 18 January 1989.
The appointment of the interim trustees, elected 16 months previous at the 25 September 1987 hui, was effected by warrant approved on the 27 January 1989.  

During 1989 the runanga continued to operate. There is reference to a hui held 29 July at Otamatea Marae, which passed a resolution that reaffirmed the status of Te Runanga as the iwi authority for Ngati Whatua.

A meeting of trustees was called for 22 February 1990 to discuss the financial situation of Te Runanga. At that hui, it was disclosed that Te Runanga had been robbed. The deficit was estimated to be in excess of $50,000. The meeting also covered the outstanding issue of MANA and Access funding which continued to be channelled through the Ngati Whatua o Orakei Maori Trust Board. The matter of the misappropriated monies was resolved to be referred to the police by resolution at a trust board meeting 17 April 1990. The appointment of an accountant and an auditor was set down for the next meeting.

With regard to the misappropriation of funds, the writer intends to mention it only insofar as it may have affected the iwi mandate possessed by Te Runanga. A fuller history of the matter is provided in the record.

An emotionally charged hui was held at Otamatea Marae 21 April 1990, to discuss the affairs of Te Runanga, including the deficit in funds which had recently come to light. The attendance list shows at least 52 people attended.
Heated discussion centred around the roles of the interim trustees, the structure of Te Runanga and the beneficiary list. Claims that the runanga had been inactive since 1988 were made. There were calls for the sacking of trustees, though caution was voiced by kaumatua at this proposal. The matter was not resolved though general dissatisfaction with the status quo is obvious from the record.

A further hui was held a week later. There, two options were put forward. Firstly, the hui could call for the abolishment of the interim committee, or it could elect further trustees. A motion which called for the sitting panel of runanga trustees to be abolished and a new panel to be selected was passed.

However, the motion was interpreted as a plea for restructuring and further discussion resulted in no action being taken upon the resolution until representatives from each marae were gathered to elect the new trustees. It was necessary to put in place an effective runanga before doing away with the old one. Each of the Ngati Whatua marae were to be informed of the restructure and requested to supply representatives for a selection hui. In the meantime, it was resolved that the interim runanga go into recess and that an independent audit of affairs be carried out. The hui was attended by some 80 people.

In a panui dated 24 May 1990, Sir H Kawharu reported on investigations he
had carried out as a result of the resolutions of the 28 April hui. Under the legislation, the interim trustees could not be abolished other than by legal and ministerial action. The options available included the creation of another trust board, not officially recognised, or the filling of the 6 trustee vacancies available. Sir Hugh favoured the latter option, stating that to have two separate runanga would be disastrous "for the general confusion it would create, and much worse, because it would divide the loyalties of our people."n72

The hui a iwi to select the further trustees was held at Otamatea Marae on 9 June 1990.73 The attendance list shows 55 names though the minutes record an attendance of 96 people at one point. The purpose of the hui to elect further trustees was disputed. It was said that the purpose was to abolish the board and replace it. A comment was made that only the marae could get rid of the representatives. Much discussion ensued on the matter and finally, in view of the length of the hui and the absence of representatives from all the marae, it was resolved that:

(a) a delegation selected by this hui approach the Runanga and admin of Ngati Whatua for a meeting to thrash out how we can act responsibly together;

(b) this meeting be properly advertised so that all the rohe decision-makers will be there; and
(c) Taki Marsden will personally take responsibility to contact the marae and iwi. 74

A further hui-a-iwi was set down for 30 June 1990.

A meeting of Te Runanga on 19 June 199075 discussed the topic of iwi development funding. It was resolved that T Parore be appointed as chief executive, and that T Marsden carry out those tasks set down at the 9 June hui-a-iwi, that is, that he visit all the marae of Ngati Whatua to encourage them to provide representatives so that a hui could be held to decide the future of Te Runanga.

M Marsden gave notice of his resignation as trustee as he had committed himself to do once the Runanga was established. 76

The hui called for 30 June at Haranui Marae was one widely representative of the iwi of Ngati Whatua with numbers up to 200 present at one point, and an average of 70 throughout. 77

Twenty-seven of the 32 marae of Ngati Whatua were represented at the hui. The options of abolishing the runanga and electing a new one, or adding to the existing one were put to the hui. Extensive discussion covered the establishment of a system of marae representation in conjunction with increasing the membership of the Board up to eleven.
It was resolved that a representative from each marae be the Runanga o Ngati Whatua Tuara, or the back-bone of Ngati Whatua. It was further resolved that the runanga consist of the present five members plus an additional six.

Throughout the discussions, though dissatisfaction at the runanga’s performance was obvious, and the resolution to abolish the board of trustees had been passed at previous hui, there was no suggestion that the runanga, as the iwi authority for the Ngati Whatua tribe, be done away with completely.

Whatever options were discussed, on the record, there was no attempt to take steps to obtain ministerial or legislative abolition of Te Runanga which H Kawhatu’s panui had stated was required. In fact, the hui of 30 June passed a further resolution that Te Runanga was the representative body to deal with funding and other issues relating to Ngati Whatua, and that Te Tira Ahu Iwi and other organisations were to be informed accordingly.

A four-weekly schedule of runanga meetings was also agreed to and the further six members of the board selected. These were J Marsden, D Barrett, N Puru, N Pou, E Watts and T Hill. T Eruaera was nominated to replace M Marsden. The selections were given effect by warrant approved by the Governor-General 2 October 1990.

At a runanga hui held 13 July 1990, T Parore was elected secretary for Te Runanga. This decision was given effect by the Minister of Maori Affairs.
Te Runanga o Ngati Whatua: report by M Henare

under section 19(1) of the Maori Trust Boards Act 1955.\footnote{82}

The status of Te Runanga as the representative authority of the whole of Ngati Whatua was discussed at a special hui of Te Runanga and Orakei Trust Board representatives, held at Orakei Marae on 17 October 1990.\footnote{83} In particular, the relationship between the Ngati Whatua of Orakei Trust Board and Te Runanga was debated. Some of the main points to emerge from the hui were that:

1. The Runanga and Orakei were there to help each other.

2. Orakei play an important role in Tamaki, Te Runanga have an important role in covering the whole of the Ngati Whatua rohe.

3. Orakei had carried the responsibility for the whole of Ngati Whatua in a number of areas and this was acknowledged and appreciated. Now that the Runanga was up and running, it was now appropriate for the Runanga to become more directly involved.

The hui was attended by 17 people, including four of Te Runanga’s trustees.

A further statement on the status of Te Runanga was made at a Runanga Poupou hui held 27 October 1990 where it was resolved that the runanga trust
board be the authorised body to administer Maccess programmes on behalf of Ngati Whatua. That hui was attended by 47 people.

A progress report dated 18 December 1990 on the general running and business of Te Runanga was submitted by the secretary to the Iwi Transition Agency. This provided an effective summary of Te Runanga's financial and general situation at the time. Accounts for the four financial years from 1986/87 to 1989/90 had been submitted to the Audit Office with an audit set to commence. Iwi development funding had been received to settle outstanding accounts, although there was insufficient left to enable operations to continue. Further funding was anticipated though not confirmed. Civil action had been completed regarding the misappropriation of funds, and police action was proceeding.

A charter, corporate plan and portfolios were developing and the runanga organisations had held an extensive series of hui to discuss and deal with policy issues. The preliminary tribal roll, required under the legislation, had been prepared, and a ward system needed to be set up.

The situation regarding MANA and Access remained the same, as these were still administered by the Orakei Trust Board. The runanga had joined the National Maori Congress, and there were developments in the fisheries area. Planning issues and representation on boards and committees requiring tangata whenua input were matters under action by Te Runanga.
A proposal for an iwi mandate for the runanga under the Runanga Iwi Act 1990 had been put and considered at several Runanga Poupou hui, though no decision had been made. The Runanga Iwi Act 1990 provided that all runanga, incorporated under that Act, would be recognised by the Crown and all local and public authorities as the authorised voice of the iwi. The mandate requirement appears to be wider than that granted by iwi to Te Runanga before its establishment, however, the point is unclear. The secretary asserted in the progress report that Te Runanga, in practice, was the authorised voice of Ngati Whatua in matters to do with the whole of the tribe. The writer would tend to agree, the difference being apparently in the particular wording of the legislation.

Previous hui exhibited reluctance to decide the issue, however, there is some suggestion that this may have been a response to the legislation. The record does not clarify this.

Relations with other iwi continued, though formal discussion with Tainui, Ngati Paoa and other Maori groups over Ngati Whatua's position were still to be held regarding boundary and other issues.

The activities outlined by the secretary in this progress report appear consistent with the view that Te Runanga was representative of Ngati Whatua as a whole, and that it continued to act in that capacity throughout 1990.
During 1991 and into 1992, the record shows that Te Runanga experienced some financial and funding difficulties. The situation is clearly outlined in T Parore’s memorandums to the Acting General Manager of Te Tai dated 7 and 22 of February and 25 September 1991 respectively. The situation of the runanga was cause for some concern at a Poupou hui of 15 February 1992.

A runanga trust board meeting of 1 May 1992 was attended by the claimants for Wai 121 who asked for the runanga’s support for their Waitangi Tribunal claim. The runanga resolved to support the claim insofar as that claim affected land within the rohe of Ngati Whatua. It also resolved that a land portfolio be established to deal with land and related issues.

On 28 July 1992, H Walker and T Parore, on behalf of themselves and Te Runanga o Ngati Whatua, lodged a claim with the Waitangi Tribunal. Amongst other things, they claimed that as the tribal authority for Ngati Whatua, all claims yet to be heard by the tribunal made by Ngati Whatua within the Ngati Whatua rohe should be brought under this umbrella claim, to be merged for joint inquiry by the tribunal. The claims listed numbered 10. The claim was registered by tribunal direction dated 25 August 1992 and assigned Wai number 303.

At a hui of Runanga Poupou on 7 November 1992, the legal status of Te Runanga was questioned and a motion that the executive be suspended was made. However, the latter motion was not dealt with. Some objection was also
voiced to the runanga’s Waitangi Tribunal umbrella claim Wai 303.

E Manukau, a claimant under Wai 121 to Ngati Whatua lands and fisheries and M Powell, cited an agreement of 18 May 1992 with Orakei as the start of the Te Tinana group.95

Te Tinana o Ngati Whatua Nui Tonu is an organisation consisting of eight trust boards representing seven regions of the Rohe of Ngati Whatua and claims status as the overall representative body in that area.96

Extensive discussion ensued regarding the relationship of Te Runanga to the Te Tinana group with the minutes recording an apparent dissension between the two. A comment was made that the Runanga structure needed to be revamped to be more democratic. Dissatisfaction with the trustees was also expressed. A Te Tinana representative stated that the organisation would support Te Runanga, however, it required certain procedures to be put in place. A resolution was passed that Te Runanga complete the tribal roll and hold elections for trustees within 6 months.97

The apparent absence of trustees at meetings was raised at a trust board meeting 20 November 1992.98 A letter of resignation had been received from one trustee, and another tendered a resignation at the meeting, the latter being dissatisfied with a number of matters regarding Tahi Holdings, a company Te Runanga had considered investing in, and the Ngati Whatua Maccess situation.
A letter dated 22 January 1993 expressed the dissatisfaction of another trustee with the workings of Te Runanga. 99

The status of trust boards was discussed at a Runanga Poupou hui, attended by approximately 40 people and held 16 January 1993100. Sir H Kawharu responded to comments that such boards were subject to government policies and pointed out that the legislation provided a system of accountability similar to incorporations which was useful. He stated that the Orakei and runanga trusts were complementary.

The matter of the Railcorp settlement was also discussed. With regard to this matter, Sir Hugh stressed the importance of presenting a unified administration. Two resolutions were passed:

That the hui support the joint attempt by Orakei and Te Runanga to clarify with the Minister the justification and the basis for the $4m on account settlement for Railcorp Properties in Auckland.

and

That the hui support the kaupapa of giving priority to return of land as settlement of grievances.101

A further resolution was passed relating to the casino project being developed
by the New World Company and the National Maori Congress. The resolution stated:

that the hui support any action that will enhance the Casino application provided it does not offend against Ngati Whatua tikanga.

The status of the Wai 303 umbrella claim was also clarified in another resolution made at the same hui. The hui resolved to support that claim:

for the purpose of ensuring that claims are coordinated to ensure they are being properly made and to prevent instances of individuals making claims on behalf of hapu without authority of hapu.102

This latter resolution was to be a mandate for the secretary who was to attend the Waitangi Tribunal hearing held 19 on January 1993.

At this hui, attended by approximately 100 people, extensive discussion on the status of Te Runanga as the iwi authority for Ngati Whatua occurred. The Waitangi Tribunal hearing of 19 January 1993 had brought a need to clarify the status of Te Runanga.
M Marsden said the runanga was the umbrella organisation and marae and hapu were to have autonomy in their own area and lend support to each other. Sir H Kawharu reiterated that the runanga was set up to provide a unified administration whilst not prejudicing local autonomy. Ngati Whatua needed to be unified. A challenge to the status of the runanga was voiced, however, this does not appear to have received much support.

The hui resolved:

That resolutions of previous Ngati Whatua hui, 29 July 1989, 30 June/1 July 1990, and 16 January 1993 be reaffirmed to make it absolutely clear that the Runanga is the sole representative body and authorised voice to deal with issues affecting the whole of Ngati Whatua.¹⁰⁴

This resolution was passed with 3 votes against and 4 abstentions. Signatures of support were obtained from representatives of 31 of the 32 marae which Te Runanga represents.¹⁰⁵

Conclusions

As stated, the existence of Te Runanga since 1988 has been unsettled at times. The funds dilemma of 1990 and other concerns evidenced in hui records of the time, galvanised the iwi of Ngati Whatua into action. Dissatisfaction and disappointment with the interim board appeared widespread and this is evidenced in the calls for the sacking of trustees, and abolition of the board.
However, a resolution to abolish the board and set up a new one, was interpreted more as a plea for restructuring than a complete scrapping of the runanga. It was ascertained that legislative or ministerial action was required to disestablish the runanga, though the record does not show any attempt to move along this path. Admittedly, the former would not be an iwi requirement, if the mandate of iwi were to be withdrawn. However, throughout the records of hui held during this period, the theme of kotahitanga, originating from the early hui of 1986, is restated. This appears to suggest that the mandate of iwi remained.

Efforts to set up a more effective and accountable runanga were made. Additional trustees were elected, a chief executive officer appointed and a more accountable and open schedule of activities set in place. The financial situation for the moment seemed to stabilise, though difficulties were experienced again in 1991.

Despite this, the runanga remained the basis for activities which involved the whole of Ngati Whatua, and acted in a capacity consistent with that authority. The minutes show wide-spread involvement of Te Runanga in activities which accord with the status of an iwi authority. For example, the establishment of an iwi radio station\textsuperscript{106}, the development of a corporate plan and charter\textsuperscript{107}, involvement with the National Maori Congress\textsuperscript{108}, the drafting of a ward system and other steps taken to hasten the compilation of a tribal roll and to hold elections of trustees\textsuperscript{109}.
A challenge to its status does not seem to have affected that mandate, indeed, the hui of 20 February 1993 appears to reaffirm the strength of iwi support for Te Runanga.

Accordingly, it is my view that Te Runanga retains its status as an iwi authority representative of the Ngati Whatua tribe.
FOOTNOTES

1. See Table: Constituting Acts & Beneficiaries of Maori Trust Boards, Department of Maori Affairs File, Trust Boards, 26/1 Vol 2

2. Under the Orakei Block (Vesting & Use) Act 1978


5. A move towards the establishment of trust boards for all areas of the country is evidenced in earlier documentation. For examples, see:

   Minister of Maori Affairs Speech Notes at the National Conference of Maori Trust Boards, 1985

   Draft of Remits for the same Conference

   File note, B S Robinson, 18 March 1985

   (refer Department of Maori Affairs Files, Head Office, Wellington 26/1/3)

   The Government’s Maori Enterprise Development Scheme, released in 1986, further envisaged the powers and functions of trust boards in existence at the time being extended to cope with a wider range of activities, for example, the administration of funds under the scheme.

   See:

   Maori Enterprise Development Scheme - Operating Instructions & Guidelines

   Memorandum, W Gardiner to P Park, 14 March 1986, Amendments to the Trust Boards Legislation

   (refer Department of Maori Affairs Files, Head Office, Wellington 26/1/4)

6. Te Urupare Rangapu - Te Rarangi Kaupapa, November 1988, pp 5,6 (English section)

7. Report of Department of Maori Affairs to Maori Affairs Select Committee, Select Committee Files, MA/88/51 - the Report was tabled in the House of Representatives by Dr B Gregory, 6 December 1988
8. New Zealand Parliamentary Debates, Vol 495, pg 8852
10. Copy of letter Secretary of Maori Affairs to Minister of Maori Affairs, 2 November 1987, Department of Maori Affairs File, 26/3/1
13. The original bill used the term "te tupuna o Ngati Whatua". This was amended to "a tupuna o Ngati Whatua" so as to reflect the recognition of other Ngati Whatua tupuna.

See Letter of Secretariat of Te Runanga o Ngati Whatua to Committee Secretary, Maori Affairs Committee, 2 September 1988, Select Committee files, MA/88/39, 9A
15. The original bill stated the function of Te Kauhanganui was to advise Te Runanga on all matters involving "tikanga, te reo, and kawa". These terms were perceived as exclusive and confusing, so the all-inclusive English word "lore" was substituted and the section now reads as stated.

See Letter, I H Kawharu, Chairman, Ngati Whatua of Orakei Maori Trust Board, to Secretary, Maori Affairs Committee, 25 August 1988, Select Committee Files, MA/88/43, 12
16. Supplementary Order Paper number 84, dated 7 December 1988
17. Decisions from Hui Whanui o Ngati Whatua, Oruawharo Marae, 19-21 September 1986 p4
18. Refer letter (and attachment) T Marsden to T Parore, 16 May 1986, Department of Maori Affairs, Whangarei, File 30/6/5/5
19. ibid final page
20. A shortened version of the whakatauki outlining the rohe of Ngati Whatua.

"Mai Tamaki ki Maunganui i te Hauauru,
Mai Tamaki ki Manaia i te Rawhiti,
Manaia titiro ki Whatatiri,
Whatatiri titiro ki Tutamoe,
Tutamoe titiro ki Maunganui."
Provided by Mr T Parore.


22. Earlier hui had made reference to this. See Minutes of Steering Committee Meeting, Te Pounga Marae, 1 October 1986

23. Refer Report of Hui Whanui, Oruawharo Marae, 19-21 September 1986, clause 1

24. Minutes of Meeting of Steering Committee, Te Pounga Marae, 15 October 1986, Clause 9

25. Notice of Hui Whanui o Ngatiwhatua to be held 14-15 November 1986, Korokota Marae, page 1


27. Minutes of Meeting of Steering Committee, Whangarei, 4 February 1987, page 1, paragraph 3

28. Sections 24 to 27 of the Maori Trust Boards Act 1955 provided, inter alia:

that the functions of each Board would be to administer its assets for the benefit of its beneficiaries; s24(1)

that the Board could apply monies towards the promotion of health, social and economic welfare, education and vocational training of its beneficiaries, and to such other purposes as it determined; s24(2)

for loans and grants to be made by the Board; ss24A, 25

for the acquisition of land; s26 and

the power to borrow money and guarantee loans. s27

29. Notes of Hui Whanui, Araparera, 21-22 February 1987


31. Refer Minutes of Hui, Rewiti Marae, 15-16 April 1988, Department of Maori Affairs File, Whangarei, 30/6/5/5, Clause 9; and

Certificate of Incorporation, 26 September 1990, Department of Maori Affairs File, Whangarei, 30/6/12/5
32. Notes of Steering Committee Meeting, Whangarei, 16 March 1987

33. Notes of Hui Whanui, 11 April 1987, see page 3.

34. ibid, page 4

35. ibid, page 5

36. The Maori Authorities New Alliances programme originated in initiatives from the 1984 hui taumata. It was a loans scheme intended to facilitate Maori into business.

37. Notes of Ngatiwhatua hui, Orakei Marae, 16-17 May 1987

38. ibid, Clause 4(g)

39. Note "Te Kotahitanga o Ngatiwhatua" was a suggested name for the Runanga, however, the matter was unanimously resolved at a Ngatiwhatua Hui held 24 July 1987, minutes cited below, where it was decided the name "Runanga o Ngatiwhatua" would be retained.

40. See draft legislation, T Parore, 24 July 1987, clause 9

41. Refer Notes of hui, Araparoa, 24-25 July 1987

42. Minutes of meeting of Nga Iwi o Taitokerau, Kaikohe, 11-12 August 1987

43. Notes of Ngatiwhatua hui, Taita Marae, 21 August 1987 - attendance list shows 41 people attended.

44. Attendance List, Te Kauhanganui o Ngati Whatua hui, Oruwharo Marae, 25 September 1987

45. Notes of Te Kauhanganui o Ngati Whatua Hui, Oruwharo Marae, 25 September 1987 Department of Maori Affairs File, Head Office, Wellington, 26/3/1

46. Notes of Hui-a-iwi, Orakei Marae, 4-5 March 1988, T Parore and also Issues Paper, Department of Maori Affairs file, Whangarei, 30/6/5/5, at page 1

47. Letter "Te Runanga o Ngati Whatua" from T Te Rangi, Department of Maori Affairs file, Whangarei, 30/6/5/5

48. Minutes of Hui, Rewiti Marae, 15-16 April 1988, Department of Maori Affairs File, Whangarei, 30/6/5/5, Clause 9

49. Letter J McSoriley to Prof H Kawharu, 29 March 1988, Department of Maori Affairs file, Head Office, Wellington, 26/3/1
50. Letter T Paki to J McSoriley, 11 April 1988, Department of Maori Affairs File, Head Office, Wellington, 26/3/1, refer page 2

51. Waitangi Tribunal Claim Wai 121, Statement of Claim, dated 28 March 1988, Record of Inquiry, Document # 1.1

52. See Waitangi Tribunal Record of Inquiry, Wai 121

53. Minutes of hui, Haranui, 26-27 May 1988, Department of Maori Affairs File, Whangarei, 30/6/5/5, See clause 20

54. ibid, clause 9

55. Attendance List, Te Runanga Hui, Haranui, 26-27 May 1988

56. Refer Copy of letter, 10 November 1987, T Reedy to Minister of Maori Affairs, Department of Maori Affairs File, Head Office, Wellington, 26/1/4 Vol 1, Trust Boards 1985 - 1989

57. Refer Note and Draft Legislation, T Paki, 9 October 1987, Department of Maori Affairs File, Head Office, Wellington, 26/3/1

58. See Maori Trust Boards Act 1955, sections 26-28, 32(3)

59. Letter R Barker to J McSoriley, 13 November 1987, Department of Maori Affairs File, 26/3/1

60. See Notes of Meeting of Te Runanga Constitution Committee, 8 December 1987, Department of Maori Affairs File, Whangarei, 30/6/12/5

61. Refer Letter, J McSoriley to Chief Parliamentary Counsel, 23 February 1988, Department of Maori Affairs Files, Head Office, Wellington, 26/3/1

62. Letter, 2 September 1988, Te Runanga o Ngati Whatua Secretariat to Secretary of Maori Affairs Select Committee, Select Committee files, MA/88/39, 9A

Letter, 25 August 1988, H Kawharu to Secretary of Maori Affairs Select Committee, Select Committee files, MA/88/43, 12

63. See Draft Legislation, T Paki, 9 October 1987, clause 5(1)

Also Note and Draft Legislation, T Paki to H Kawharu, 9 October 1987, clause 5(1)

64. See Warrant dated 19 January 1989, Department of Maori Affairs File, Head Office, Wellington, -----
65. Minutes of Hui, Otamatea Marae, 29 July 1989. The minutes of this hui were not available, however, reference is made to it at the hui held 20 February 1993 at Otamatea, see Minutes of that Hui, page 5

66. See Minutes of Special Meeting, Epsom, Auckland, 22 February 1990, Department of Maori Affairs File, Whangarei, 30/6/12/5

67. See Minutes of Trust Board Meeting, Whangarei, 17 April 1990, Department of Maori Affairs File, Whangarei, 30/6/12/5

68. Notes of Ngatiwhatua Hui, Otamatea Marae, 21 April 1990

69. See Minutes of Meeting, Otamatea Marae, 28 April 1990

70. ibid, refer page 2

71. Panui H Kawharu, 24 May 1990, Iwi Transition Agency File, 2205-03-V1

72. ibid, Paragraph 4

73. Minutes of Hui A Iwi, Otamatea Marae, 9 June 1990, Iwi Transition Authority File, Auckland, 2205-03-V1

74. ibid, Page 10

75. See Minutes of Runanga Meeting, Whangarei, 19 June 1990, Iwi Transition Agency File, 30/6/12/5

76. ibid, page 5

77. See Report of Hui, Haranui Marae, 30 June - 1 July 1990, Paragraph 1, and Attendance List.

78. This title was later changed to Te Runanga Poupou of Ngati Whatua, see Minutes of Runanga Poupou Hui, Waikaraka Marae, 28 July 1990

79. See Letter T Marsden & H Walker to Minister of Maori Affairs, 12 July 1990, Iwi Transition Agency File, Whangarei, 30/6/12/5

80. See Warrant, dated 25 September 1990, Iwi Transition Authority Files, Head Office, Wellington

81. Minutes of Runanga Meeting, Oruawharo Marae, 13 July 1990, see page 2, R57

82. Copy of Letter, P M Park to H Walker, 17 August 1990, Iwi Transition Authority File, 26/3
83. See notes of Special Hui, Orakei Marae, 17 October 1990

84. See Report of Runanga Poupou Hui, Te Kowhai Marae, 27 October 1990, page 5, paragraph 32

85. Refer Progress Report, 18 December 1990, Iwi Transition Agency File, Auckland, 2205-03-V2

86. Refer Section 26(1) of the now repealed Runanga Iwi Act 1990.

87. Refer:


Report of Runanga Poupou hui, Te Kowhai Marae, 27 October 1990, page 5, paragraph 29

Report of Runanga Poupou Hui, Arapaoa Marae, 22 September 1990, page 6, paragraph 33

88. Minutes of Runanga Trust Board Meeting, Auckland, 30 November 1990, Iwi Transition Agency File, Auckland, 2205-03-V2, page 2

89. Refer Memorandums T Parore to E Henare:

7 February 1991, page 2, paragraph 7
22 February 1991, paragraphs 2, 6
25 September 1991, paragraphs 1, 4

Iwi Transition Authority File, Auckland, 2205-03-V2

90. Refer Minutes of Poupou Hui, Waiaotea Marae, 15 February 1992

91. Refer Minutes of Runanga Trust Board Meeting, 1 May 1992, Auckland, final page

92. Statement of Claim, Wai 303, 22 July 1992

93. See Waitangi Tribunal Directions, Wai 303, 25 August 1992

94. Report of Runanga Poupou hui, Otamatea Marae, 7 November 1992

95. The written agreement referred to has already been produced in evidence before the Tribunal, see Document D1 on the Record of Inquiry for Wai 264.

96. Refer letter Te Tinana o Ngati Whatua Nui Tonu, Waitangi Tribunal File, Wai 264/0 Vol 2
25 August 1990
7 September 1990
30 November 1990

108. Refer minutes of hui:

25 August 1990
1 September 1990

109. Refer minutes of hui:

12 February 1993
20 February 1993
16 January 1993
17 April 1990
28 July 1990
17 November 1990
25 August 1990
19 December 1990
9 February 1991
1 March 1991
24 May 1991
25 June 1991
12 July 1991
2 November 1991
20 June 1992
98. Minutes of Trust Board Meeting, Auckland, 20 November 1992
99. See Letter T Hill to T Parore, 22 January 1993
100. Report of Poupou hui, Takahiwai Marae, 16 January 1993
101. ibid, page 4
102. ibid, page 5
103. Refer Report of Poupou Hui, Otamatea Marae, 20 February 1993
104. ibid, page 5
105. Refer Document of Signatures
106. Refer minutes of hui:
   24 May 1991
   22 September 1990
   5 October 1990
   15 March 1991
   2 November 1991
   9 February 1991
   15 February 1991
   1 March 1991
   6 April 1991
   20 June 1992
   4 July 1992
107. Refer minutes of hui:
   13 July 1990
   28 July 1990