

Summary of Māori submissions on the Marine and Coastal (Takutai Moana) Bill 2010

This is a summary of the 72 submissions received by the Māori Affairs Select Committee from marae, hapū, iwi, Māori land owners, organisations and collectives. It does not include those submissions made by Māori individuals. It has been prepared by a collective of concerned people, Kaitiaki o te Takutai, who wanted to know what hapū and iwi said about the Marine and Coastal Bill. It is our hope that their voices will be listened to.

All submitters said they were opposed to the Foreshore Seabed Act 2004 and supported its repeal. Almost half of the submitters (33) said that the Bill was not materially different from the Act and many expected that more would have resulted from the Ministerial Review process.

Of the 72 submissions received, only one supported the passage of the Bill as it is. This was from Te Rūnanga o Ngāti Porou who have sought to have their rights recognised in the Nga Hapū o Ngāti Porou Foreshore and Seabed Deed of Settlement.

Of the remaining 71 submitters, just under half (34) said that the Bill is problematic and needs significant amendment for them to support it. The main concerns requiring amendment are that the Bill:

- 1) Fails to properly recognise and provide for the mana of hapū and iwi
- 2) Continues the original confiscation via vesting in the 'common space'
- 3) Sets the use and occupation tests too high
- 4) Limits the content of a customary marine title
- 5) Introduces a costly, adversarial and complicated court process;
- 6) Remains discriminatory to Māori, and
- 7) Continues to breach Te Tiriti o Waitangi, tikanga Māori, common law principles and international human rights standards including the United Nation's Declaration on the Rights of Indigenous Peoples.

Of the rest of the 37 submitters who did not support the bill or outrightly opposed it, nearly a third (20) recommended that the Bill be put aside or withdrawn and that a new Treaty-based "longer conversation" takes place to recognise and give effect to the mana of hapū and iwi.

Submissions by electorate (some cross boundaries but are listed only once)

Te Tai Tokerau

- 1) Hapū of Ahipara: oppose bill, start process again to recognise ahi ka

- 2) Ahipara Hāpu Environmental Protection Group: oppose bill, start new process
- 3) Te Rūnanga o Te Rarawa: oppose bill, seek rights through Māori Land Court
- 4) Waipuna marae, Te Rarawa: oppose bill
- 5) Wai 2003 claimants on behalf of Ngāti Korokoro, Ngāti Wharara and Te Pouka, nga hapū o te wahapū o te Hokianga nui-ā-Kupe: oppose bill
- 6) Hokianga collective of hapū: oppose bill, explore tipuna title to resolve issue
- 7) Te Rūnanga o Ngāti Kahu: oppose bill
- 8) Kuia of Ngapuhi Nui Tonu and Ngāti Rahiri ki Waitangi: oppose bill
- 9) Waikare Māori Committee on behalf of Te Kapotai hapū, Bay of Islands: amendment
- 10) Ngāti Kuta me Patukeha ki Te Rawhiti: oppose aspects, further conversation to recognise mana whenua and mana moana
- 11) Ngāti Rahiri ki Waitangi and Ngāti Manu ki Kororareka: unable to view
- 12) Te Maara a Hineamaru (formerly Te Rūnanga o Ngāti Hine): oppose bill
- 13) Te Rūnanga A Iwi o Ngapuhi: oppose bill, start again to find enduring solution
- 14) Ngātiwai Trust Board: amendment
- 15) Patuharakeke Te Iwi Trust Board: oppose bill
- 16) Te Hapū o Ngāti Rēhia: oppose bill, work together to find lasting solution
- 17) Ngāti Whatua ki Kaipara: amendment
- 18) Te Uri o Hau Settlement Trust: amendment

Tamaki Makaurau

- 1) Te Rūnanga o Ngāti Whātua: oppose bill

Hauraki Waikato

- 1) Ngaitai Iwi: oppose bill, find new way forward
- 2) Waikato-Tainui Te Kauhanganui Inc: amendment, longer conversation needed
- 3) Hauraki Māori Trust Board: oppose bill
- 4) Tainui hapū of Whaingaroa: oppose bill, engagement with Māori needed
- 5) Te Rūnanganui o Ngāti Hikairo: oppose bill, work together to find solution
- 6) Nga Tai o Kawhia Regional Management Committee: oppose bill
- 7) Wai 788 hapū claimants Te Rohe Potae: oppose bill, amendment

Waiariki

- 1) Te Rūnanga o Ngai Te Rangi Iwi Trust: oppose in parts, amendment
- 2) Te Rūnanga o Ngāti Ranginui Iwi Inc Society: oppose bill, amendment
- 3) Te Rōpū Whakamana o Ngā Hapū o Ngāti Ranginui: oppose bill, amendment
- 4) Ngāti Te Wai, hapū of Ngāti Ranginui: oppose bill, amendment
- 5) Ngāti Taka, hapū of Ngāti Ranginui: oppose bill, amendment
- 6) Ngāti Ruahine, hapū of Ngāti Ranginui: oppose bill, amendment
- 7) Ngai Tamarawaho, hapū of Ngāti Ranginui: oppose bill, amendment
- 8) Ngāti Hangarau, hapū of Ngāti Ranginui: oppose bill, amendment

- 9) Pirirakau, hapū of Ngāti Ranginui: oppose bill, amendment
- 10) Ngāti Ranginui Fisheries Trust: oppose bill, amendment
- 11) Maketu Taiapure Committee of Management: oppose bill
- 12) Ngāti Makino: oppose bill, meaningful engagement to settle issue
- 13) Ngāti Kohokino, hapū of Ngāti Pukenga and Te Whānau Whero o Ngāti He: amendment
- 14) Ngāti Rangitahi Raupatu Trust Inc: amendment
- 15) Te Arawa Lakes Trust: amendment
- 16) Te Rūnanga o Te Whānau on behalf of hapū of Te Whānau-ā-Apanui: oppose bill, broader solution from Treaty-based longer conversation

Ikaroa Rawhiti

- 1) Ruawaipu Tribal Authority: oppose bill
- 2) Kaimoho A1 and other blocks Inc, Ruatoria: oppose bill
- 3) Te Rūnanga o Ngāti Porou: support bill
- 4) Te Aitanga-ā-Hauiti Iwi Inc: amendment, further conversation needed
- 5) Ngai Tamanuhiri Whānui Trust: oppose bill, amendment (Treaty Tribes Coalition submission)
- 6) Ngāti Kahungunu Iwi Inc: oppose bill, longer conversation consistent with Te Tiriti
- 7) Ngāti Pahauwera Development Trust: amendment
- 8) Te Hika o Papauma hapū, Wairarapa: amendment, further conversation with hapū

Te Tai Hauāuru

- 1) Marokopa marae, Ngāti Kinohaku, Ngāti Peeti, Ngāti Te Kanawa: amendment, more discussion with hapū needed
- 2) Maniapoto Māori Trust Board: amendment
- 3) Maniapoto ki Te Raki Regional Claims Forum: oppose bill
- 4) Te Pakakohi: oppose bill, inquiry needed
- 5) Ngā Rauru Kīitahi: amendment, more engagement needed
- 6) Whanganui River Trust Board: amendment
- 7) Te Rūnanga o Ngāti Ruanui Trust: oppose bill
- 8) Rangitaane o Manawatu: oppose bill, longer conversation for shared understanding
- 9) Te Rūnanga o Toa Rangatira Inc: oppose bill

Te Tai Tonga

- 1) Ngāti Koata Trust Board: oppose bill, amendment
- 2) Ngāti Tama Manawhenua ki Te Tau Ihu Trust: oppose bill, amendment
- 3) Te Atiawa Manawhenua ki Te Tau Ihu Trust: oppose bill, amendment
- 4) Puketapu and Onauku hapū, Arapaoa, Totaranui: oppose bill, amendment
- 5) Te Rūnanga o Ngai Tahu: oppose bill, amendment
- 6) Te Rūnanganui o Waitaha me Maata Waka Inc: oppose bill, amendment

- 7) Ōraka Aparima Rūnaka: oppose bill, amendment
- 8) Waihopai Rūnaka: oppose bill

Pan-iwi / Māori organisations

- 1) Treaty Tribes Coalition (Hauraki Māori Trust Board, Ngāti Kahungunu Iwi Inc, Ngai Tamanuhiri Whānui Trust, Te Rūnanga o Ngai Tahu): oppose bill, amendment
- 2) Te Hunga Roia Māori o Aotearoa: oppose bill
- 3) Federation of Māori Authorities: oppose bill, amendment
- 4) Ngai Tahu Māori Law Centre: oppose bill, amendment
- 5) Te Tai Tokerau Electorate of Māori Party: oppose bill, establish group to develop replacement bill
- 6) Te Upoko o te Ika branch, Māori Party: oppose bill.