

11 May 2018

Te Warena Taua M.N.Z.M.
Chairman
Te Kawerau Iwi Tribal Authority & Settlement Trust
2/3 Airpark Drive
Airport Oaks
Auckland 2022

By email: TeWarena.Taua@tekawerau.iwi.nz

Tēnā koe Te Warena

Re: Te Henga Marae and Papakainga (Te Henga Kainga Whakahirahira)

Auckland Council highly values its relationship with Te Kawerau ā Maki. We also understand that development of a marae and papakainga at 240A Bethells Road, Te Henga (the land) is crucial to this relationship.

This letter signals the next key step in a process to enable the development of the marae and papakāinga for Te Kawerau ā Maki on its ancestral lands at Te Henga.

We write to seek confirmation from you on the proposed approach, as discussed with you by Council staff on 3 May 2018. This approach is set out in more detail as follows:

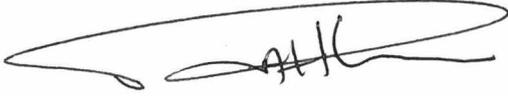
- Staff will commence the process to seek a Public Works Act 1981 section 40 waiver from the former owner of the land.
- Staff will prepare a report to the 24 May 2018 meeting of the Waitākere Ranges Local Board to consider revocation of Reserves Act 1977 status of the land. This report will also seek support for the disposal of the land to Te Kawerau ā Maki.
- Staff will prepare a report to the 12 June 2018 meeting of the Environment and Community Committee to consider revocation of the Reserves Act 1977 status of the land and seeking a decision from the Minister of Conservation.
- Staff will prepare a report to the 19 June 2018 Finance and Performance Committee to consider disposal of the land to Te Kawerau ā Maki, subject to completion of required statutory processes and a term of transfer that the land is to be used as a marae and papakāinga.
- Subject to the completion of required statutory processes, the decisions of Auckland Council and the Minister of Conservation, preparation of a Public Works Act 1981, section 40, report and memorandum of transfer to Kawerau ā Maki.

Please also note that section 77 of the Local Government Act 2002 requires a local authority to identify all reasonably practicable options for the achievement of the objective of a decision, including an assessment of the advantages and disadvantages of each option. As such, we need clear written confirmation, ideally before 31 May 2018, from Te Kawerau ā Maki on its position on the above proposal and any other possible options, in particular a lease under the Reserves Act.

We are conscious there is a long history on this issue and that Te Kawerau ā Maki has previously expressed its view on a lease, but we ask that you please confirm your position on this, which will be included in the above reports.

We look forward to hearing from you very soon.

Nāku noa, nā



Councillor Penny Hulse
Chairperson
Environment and Community Committee
Committee



Councillor Ross Clow
Chairperson
Finance and Performance



Te Kawerau Iwi Settlement Trust & Tribal Authority

2/3 Airpark Dr
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PO Box 59-243
Mangere Bridge
Auckland 2151

18.05.2018

Councillor Penny Hulse
Chairperson
Environment and Community Committee.

Councillor Ross Clow
Chairperson
Finance and Performance.

Tena korua Clr Hulse and Clr Clow,

Thank you for your letter dated 11 May 2018 setting out Auckland Council's proposed process for seeing the transfer of the marae and papakainga land at Te Henga to Te Kawerau a Maki as originally intended.

I can confirm that the Trustees of Te Kawerau Iwi Settlement Trust seek:

1. That the land at 240A Bethells Road identified for a Te Kawerau a Maki marae and papakainga be transferred in fee simple to Te Kawerau Iwi Settlement Trust.
2. That the Reserve Status be revoked.
3. That the Trustees confirm the purpose of the land is for marae and papakainga.

This option is the only option that makes good on the intention of the agreement between the former Waitakere City Council and Te Kawerau a Maki. This option is also the only option that is culturally acceptable, in that a mana whenua marae can only be built on whenua/lands wholly owned by mana whenua.

No other alternative options are acceptable, including any form of lease.

We also seek Council to meet the reasonable expenses of our legal advisors as per prior agreement.

I can further confirm in relation to the Henderson Civic Buildings at 6 Henderson Valley Road that Te Kawerau a Maki:

1. Assert a residual financial or commercial interest in the buildings which were enabled in part through Te Kawerau a Maki Treaty Settlement land for the purposes of Waitakere City Council specifically.
2. Assert cultural interest in the buildings which were designed in partnership with Te Kawerau a Maki.
3. Assert our ownership of and seek the return of our pou and other sacred carvings within the Civic Centre which were commissioned by Waitakere City Council but are not under public ownership. Council had a custodianship role with the pou which ended when Waitakere City Council ended.

Please find attached further supporting evidence for your information.

He oi ano.



Te Warena Taua.

TE KAWERAU A MAKI



"Kawerau Iwi, Kawerau Mana, Kawerau Tangata"

Te Warena Taua N.Z.O.M

Executive Chair

Te Kawerau Iwi Tribal Authority & Settlement Trust

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