

Chronology of the Ohaaki Marae Working Party Origins & Process

6 Sept 1989 – Maori Land Court makes an order vesting Tahorakuri A1 Sec 1 as a Maori Reservation “*for the purpose of an urupa reserve, ngawha and bathing reserve, Marae and meeting place and fertility rock for the common use and benefit of the Maori people of New Zealand generally*”. The order vests the land in a trust (12 trustees are named) to “hold and administer [the land] for the benefit of the beneficiaries named in the said notice”.

19 June 1997 – Maori Land Court makes an order setting out the terms of the trust for Tahorakuri A1 Sec 1. This order empowers the trustees to (among other things) consent to the erection of dwellings on the land (or their removal) and “*to represent the beneficial owners on any negotiations or questions of compensation for lands taken under the Public Works Act or other statutory authority with the Government or any local authority or in any litigation that they may bring or be involved in relating to the use and effect of the Ohaaki Geothermal Power Station*”.

10 Dec 1997 – Trustees and Contact Energy sign a Memorandum of Understanding. The MOU agrees on investigations and the establishment of a working party of up to 9 members and agrees to Contact paying the cost of these investigations and for any subsequent relocation / re-establishment of the Marae and other affected property.

July 1998 – Members of the 338 Trust travel the country running a series of hui for Ngati Tahu people in various centres (Auckland, Napier, Taupo, Wellington & Christchurch) to canvas opinion on options for Ohaaki Marae.

6 Dec 1998 – 338 Trust formally confirm approval of ‘Option 5’ (to raise the level of the ground beneath the existing Marae) as the preferred option.

16 April 1999 – A letter to Contact Energy from the Secretary of the 338 Trust advises that at the 14 Aug 1999 AGM of the Ngati Tahu Tribal Trust (438 Trust) a resolution was passed confirming the 338 Trust’s jurisdiction, that “*subsidence issues affecting the reserve are being handled by the 338 Trust*”.

17 May 2000 – ‘Option 5’ re-considered by 338 Trust. Trust now feel that a bigger area of infill would be needed. Progress on the implementation of Option 5 effectively halted.

29 Nov 2001 – Maori Land Court hearing on an application (from Mr Peter Staite) for removal of 5 trustees from the A1 Sec 1 [338] Trust. The Court orders the trust to conduct a meeting of beneficiaries by mid-Feb 2002 and put their names forward for re-election. A final hearing of application to be heard by the Court after this.

16 Feb 2002 – Meeting at Ohaaki Marae for (re-) election of 338 Trust.

9 Dec 2002 – Meeting of Contact Energy and 338 & 438 Trust representatives joined by Ada, Paula Edwards & Nick Edwards (occupants of houses near the Marae). It is agreed that Option 5 may not be the best solution and that other options, including relocation, need to be further explored.

12 Feb 2003 – Contact, 338 & 438 Trusts and house occupants meet again and agree that a joint working party needs to be convened. Meeting agrees to prepare a Terms of Reference for this Working Party.

21 Feb 2003 – First official meeting of Te Ohaaki Marae Working Party.

13 June 2003 – Terms of Reference for the Working Party agreed and signed. TOR focuses on further assessment of concepts for ‘Option 5’.

13 Aug 2003 – Maori Land Court directs 338 Trust to hold a hui for beneficiaries (on or before 31/8/2003). Hui was subsequently held and independently chaired by Mr Timi Rutene of the Office of the Maori Trustee.

9 Sept 2003 – Maria Johnston files an application to the Maori Land Court for removal of all 338 Trustees. Application heard on 15 Sept and adjourned sine die.

15 Sept 2003 – Maori Land Court directs the 338 & 215 Trusts to hold an AGM before the end of the year to assess the level of support for ‘Option 5’.

1 Nov 2003 – AGM for 338 & 215 Trusts (as directed by MLC). Direction sought on the Working Party options and fertility rock issues. Little support for Option 5. A wide range of alternative options proposed, including Option 4 (relocation). Agreement that the fertility rock should not be moved. ‘No confidence’ petition tabled at this meeting by Peter Staite, but no motion was put to this effect.

13 Nov 2003 – Peter Staite written to and invited to nominate 3 observers for future Working Party meetings (this letter being followed up with a phone call). Terms of Reference for Working Party amended to allow observers.

24 Nov 2004 – Working Party meeting. 6 observers also attend. Peter Staite does not attend, although invited to do so. Updated Terms of Reference signed.

25 Feb 2004 – Maori Land Court Conference. Court advised, as per minutes of 1 Nov meeting, that all options are back on the table for consideration including, in particular, Option 4 (relocation). The Judge agrees to appoint a solicitor to give the beneficiaries a legal opinion on what their options are.

14 May 2004 – Rodney Harrison QC appointed to advise the beneficiaries “as to their rights and remedies if any in respect of their [sic] subsidence and inundation of the Reservation”.

17 June 2004 – Working Party meeting at Ohaaki Marae with 14 whanau observers in attendance. The meeting completes a structured assessment of the 7 alternative options. The assessment used a scoring system and also recorded comments for and against each of the options.

July 2004 – Draft Working Party Report completed (minus recommendations section – with this section to be written once the Working Party have re-convened and decided what to recommend).

21 July 2004 – Working Party meeting with 13 whanau observers present. Draft report presented at the meeting. No formal recommendation decided.

27 July 2004 – Update letter sent to MLC.

18 Aug 2004 – Working Party meeting at Ohaaki Marae with 15 observers present. Meeting was in two parts (before & after lunch) with second half involving WP members on their own for final decision on recommendations. Working Party agree on Option 4 (relocation) as their recommended option.

20 Aug 2004 – Further update to MLC.

2 Sept 2004 – Working Party Report (including recommendation for Option 4, relocation) finalised and signed off by Working Party.

20 Sept 2004 – Further update to MLC.

22 Dec 2004 – Information web site set up for Ohaaki Marae. Web site address is www.ohaakimarae.org.nz. Site is still running and is updated periodically.

Jan 2005 – Invitations (approx 300) sent out to beneficiaries, accompanied by a summary report, ahead of February hui-a-iwi. Public notice also sent to the papers.

19 Jan 2005 – Working Party meeting at Ohaaki Marae with 16 whanau observers present. Meeting discusses preparations for hui-a-iwi.

27 Jan 2005 – Further update to MLC.

12 Feb 2005 – Hui-a-iwi Special General Meeting to consider report and recommendations of the Working Party. Approximately 150 people attending. A representative of the MLC (Mr Wepa) also present. The hui voted on, and approved by majority (54 vs 33), the resolution “*That the recommendations of the Te Ohaaki Working Party Report, September 2004, be accepted in principle; and That the Te Ohaaki Marae Working Party be instructed to investigate options and feasibilities for an alternative site for the marae, should an alternative site be required, and report back no later than 26 November 2005*”.

17 March 2005 – Further update to MLC.

18 May 2005 – Working Party Terms of Reference updated for next stage of work (focussing on identification of potential sites for relocation).

13 April 2005 – Working Party meeting defines a set of site selection criteria and selection priorities.

18 May 2005 – Working Party meeting to draw up ‘long list’ of possible sites.

15 June 2005 – Working Party meeting to narrow down on possible sites.

9 July 2005 – Field trip to look at possible sites. Field trip open to observers, friends & whanau (of whom 6 attend).

20 July 2005 – Working Party meeting to further narrow down options. Each option assessed in a structured way against criteria and priorities set out in the Working Party Terms of Reference.

10 Sept 2005 – Hui-a-hapu ‘Feedback Day’ at which the Working Party present their recommendations for possible sites. Three short-listed options put forward for consideration. Buses provided for those present at the hui to take a look at each of the sites. Feedback forms supplied for attendees to indicate their preference and make other comments as they see fit. Scrutineers nominated to count votes for each option. The votes (counted later by the scrutineers) showed 47 in favour of Site C; 3 in favour of Site A; 1 in favour of Site B; and 7 opposed to all options. Site C (the most preferred site) is located on high ground on the other side of the highway and owned by Tahorakuri A1 Sec 3 Trust.

26 Sept 2005 - Further update to MLC.

Nov 2005 – Beneficiary owners advised by post, and by public notice in newspapers, of results of the 10 Sept Hui-a-hapu. The Office of the Maori Trustee contacted by the Working Party to determine who are the owners of Tahorakuri A1 Sec 3 and to enter discussions with them about procuring the site.

17 Nov 2005 – Office of the Maori Trustee advises the Working Party that it will be difficult to locate a sufficient number of owners of A1 Sec 3 to negotiate a sale. The trust has been largely inoperative and the ownership list is out of date.

Early 2006 – Work undertaken to compile a list of owners for A1 Sec 3 and make contact with them. Processes for facilitating a purchase of the land (which is covered by the Maori Land Act) are also explored. Report from Rodney Harrison QC completed and submitted to 338 Trust and Ngati Tahu Tribal Trust.

March 2006 – Four-yearly ground level survey completed. Results show that since 1998 there has been a drop in ground level, near the marae, of about 1.3 metres over this 8-year period (an average of 17cm/year).

June 2006 – Office of the Maori Trustee (OMT) post out an information pack and voting form to A1 Sec 3 owners for the proposed land purchase. Only a few responses received back. The OMT convenes an AGM for the A1 Sec 3 Trust on 9 June 2006 but turnout is small.

Late 2006 – Working Party focus on making direct individual contact with A1 Sec 3 owners. A land swap is now decided upon as the best process for securing the site. It is decided by the Working Party that about 10 ha of freehold land (yet to be purchased) will be offered in exchange for 6 ha of land at Tahorakuri A1 Sec 3.

Early 2007 – Attempts are made by the Working Party to find and purchase a suitable sized area of land that can be offered as exchange land to the owners of A1 Sec 3.

9 March 2007 – Further update to MLC.

July 2007 – Schumacher property identified by Working Party as a possible candidate for purchase of land for a land-swap with Tahorakuri A1 Sec 3.

28 Nov 2007 – Further update to MLC.

2008 – Negotiations commence for purchase of 8.9 ha on the Schumacher property. Negotiations continue with the OMT (as administrators of A1 Sec 3).

12 Sept 2009 – Update presented to iwi at a hui-a-iwi at Ohaaki Marae. AGM for the Tahorakuri A1 Sec 3 Trust held the same day. The A1 Sec 3 Trust attendees agree unanimously to support the proposed land swap. The wider hui also resolve to take possession of the site; to hold it for the purpose of a future marae; and to vest it in the Marae Reservation Trust. The hui further resolves to seek a change of classification of the marae reservation (to be a marae for the benefit of the people of Ngati Tahu, rather than for the benefit of the Maori people of New Zealand generally).

March 2010 – Four-yearly ground level survey completed. Results show that the rate of subsidence has slowed significantly. Contact's subsidence experts suggest this means that the marae might not (quite) go under water after all. The Working Party seek a peer review of this finding. An independent peer reviewer (SKM) is appointed. SKM are also asked to review general flood risk.

June 2010 – SKM peer reviewers conclude that the slow-down in subsidence is only a temporary lull and predict that ground levels will start to drop again, at an accelerated rate, within the next 5 years. This advice is contrary to the opinion of Contact's experts. SKM also conclude that previous flood modelling has underestimated the flood risk at Ohaaki and that the Marae is already at risk in a one-in-50 or one-in-100 year size flood event. The grounds of the Marae would be under about 1m of water for 12 – 24 hours in such a flood. The Working Party agree to accept the SKM findings (in preference to the opinion and advice from Contact's experts).

December 2010 – MLC approves an application to amend the status of Ohaaki Marae Reservation to a marae “for the benefit of the people of Ngati Tahu”.

16 Oct 2010 – Further update presented to the iwi at a Hui-a-iwi at Ohaaki Marae. About 100 beneficiaries attending. SKM present their findings. An architect appointed by the Working Party also presents initial concept plans for how a new marae might look. Hui resolves to approve the concept plans in principle, subject to further consultation with reservation beneficiaries on overall design. Working Party are instructed to continue negotiations with Contact and to continue with initial site works in expectation of a relocation of the marae within 3 years. The Working Party are directed to seek direction from Ngati Tahu kaumatua on appropriate cultural observations for any relocation and to give Reservation beneficiaries at least 2 months prior notice before commencing any physical works on the site.

Jan 2011 – Working Party appoint a project manager (Rob Marshall from Cheal Consultants) to oversee planning for future relocation / re-building of the marae.

2 Feb 2011 – MLC consents to the Tahorakuri A1 Sec 3 / Schumacher land-swap and for the A1 Sec 3 site (6 ha) to be set aside for the purpose of a marae.

March 2011 – Engineering assessment of existing marae buildings concludes that these buildings are able to be lifted and relocated if required.

12 June 2011 – First of a planned series of workshops, open to the wider iwi, and notified in advance, to consider design options for a future relocated marae.