



**Te Kāhui Whakatau
(Treaty Settlements)**

**12 Month Progress Report
1 July 2021 – 30 June 2022**

www.govt.nz/organisations/te-kahui-whakatau-treaty-settlements

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Overview

The Office for Māori Crown Relations – Te Arawhiti was established as a departmental agency on 1 January 2019. Te Arawhiti was created to consolidate a range of distinct but related government functions that support Māori Crown partnerships and help the Crown build on the sense of renewal in Māori Crown relations established through the Treaty settlement process.

Te Arawhiti comprises of:

- Te Kāhui Whakatau (Treaty Settlements);
- Te Kāhui Takutai Moana (Marine and Coastal Area);
- Te Kāhui Whakamana (Settlement Commitments);
- Te Kāhui Hīkina (Māori Crown Relations); and
- Te Hāpai Ō Policy and Operations.

This report brings together information on the key outputs of Te Kāhui Whakatau (Treaty Settlements) for the 12-month period ending 30 June 2022.

Te Kāhui Whakatau (Treaty Settlements) negotiates settlements of historical Treaty of Waitangi claims (claims relating to Crown acts and omissions prior to 21 September 1992) on behalf of the Crown. There are numerous claimant groups from around the country currently involved in negotiations with the Crown, or in pre-negotiation discussions. The map and tables on the following pages provide an overview of these.

Along with several other government departments, Te Kāhui Whakatau (Treaty Settlements) has an ongoing role in the implementation of the settlements agreed to date. This includes transferring settlement properties, farms and forest land, putting agreed settlement instruments into effect and monitoring the Crown's compliance with obligations under the deeds of settlement.

Properties surplus to Crown requirements are available as potential redress in Treaty Settlements. Land Information New Zealand manages this property portfolio. Properties that are not used for settlement purposes are sold on the open market once the relevant settlements have been agreed. For more information, please refer to the following website: www.linz.govt.nz/treaty-settlements-landbank-protection-mechanism

Te Kāhui Takutai Moana has responsibility for the implementation and administration of the Marine and Coastal Area (Takutai Moana) Act 2011 (te Takutai Moana Act). Te Kāhui Takutai Moana lead implementation and engagement with applicants on the recognition of customary rights, work with the Crown Law Office for applications considered by the High Court, and provide advice to the Minister of Treaty of Waitangi Negotiations.

Applications for recognition of customary interests under te Takutai Moana Act closed on 3 April 2017. Close to 500 applications were received, and of these approximately:

- 203 were for determination by the High Court;
- 382 were for determination by the responsible Minister, of these 175 also applied for a High Court determination.

As well as providing a statutory framework for determining whether customary rights exist in the common marine and coastal area, te Takutai Moana Act also provides for the legal arrangements and the general management of the area. This includes arrangements relating to the management of roads, minerals, structures, access, navigation and recreation rights, and reclaimed land.

Te Kāhui Takutai Moana also administer applications for customary marine title under the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019. Part of this Act provides a framework to apply for recognition of customary rights within ngā rohe moana o ngā hapū o Ngāti Porou.

For more information please refer to the following website:

<https://tearawhiti.govt.nz/te-kahui-takutai-moana-marine-and-coastal-area>

Progress of Settlements

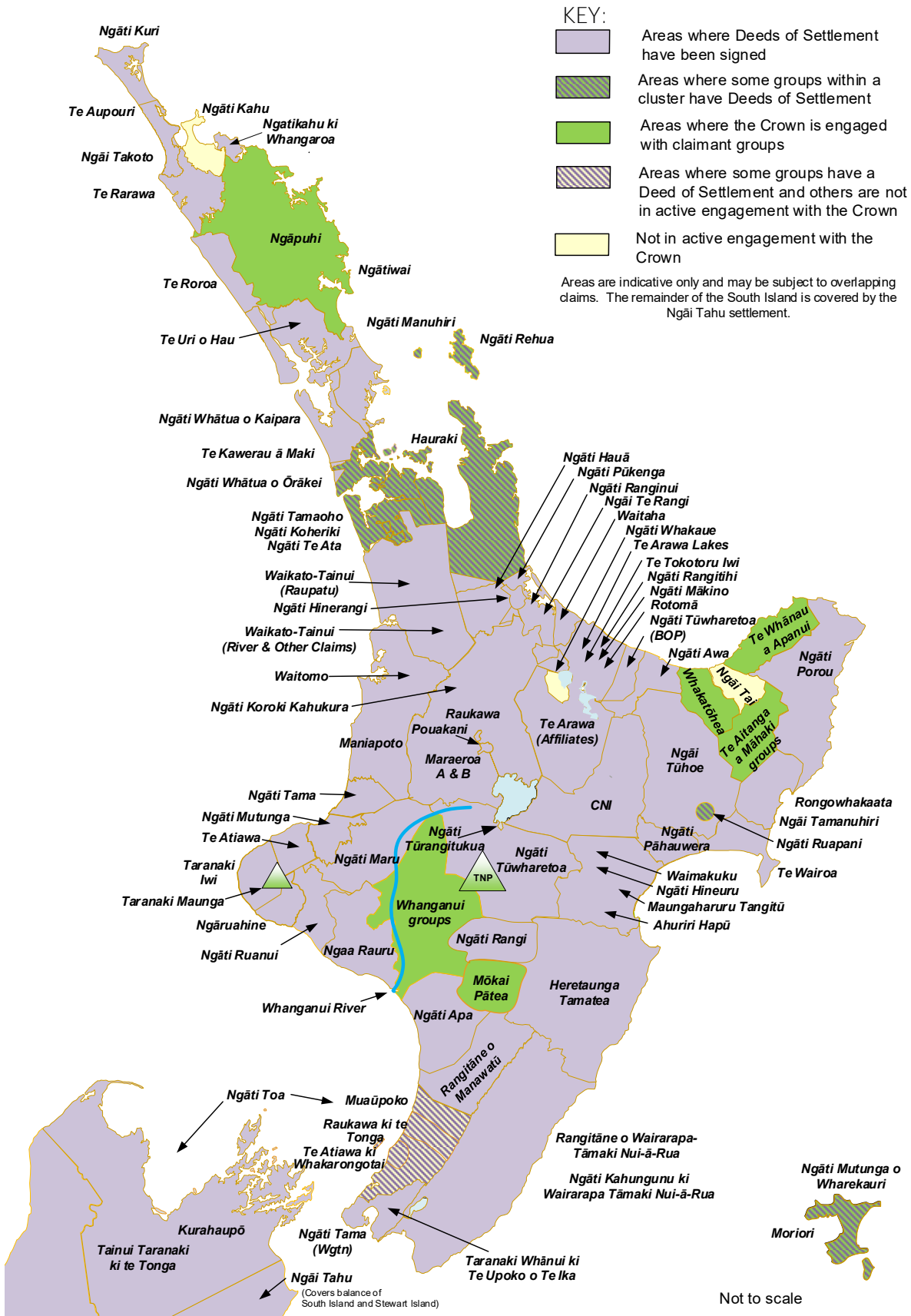
Twelve significant milestones were reached with claimant groups in the 12 months ending 30 June 2022.

| Group | Milestone | Date |
|--|-------------------------------|-------------------|
| Mōkai Pātea | Terms of Negotiation | 20 September 2021 |
| Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua | Deed of Settlement signed | 29 October 2021 |
| Maniapoto | Deed of Settlement signed | 11 November 2021 |
| Te Ākitai Waiohua | Deed of Settlement signed | 12 November 2021 |
| Moriōri | Legislation enacted | 23 November 2021 |
| Maniapoto | Legislation introduced | 3 December 2021 |
| Ahuriri Hapū | Legislation enacted | 7 December 2021 |
| Whakatōhea | Deed of Settlement initialled | 23 December 2021 |
| Te Rohe o Rongokako Joint Redress Bill | Legislation introduced | 3 February 2022 |
| Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua | Legislation introduced | 4 February 2022 |
| Ngāti Rangitīhi | Legislation enacted | 15 March 2022 |
| Ngāti Maru (Taranaki) | Legislation enacted | 29 March 2022 |

Progress Map

The map below provides an overview of the areas where Treaty settlements have been completed and areas currently subject to negotiations or preparing for negotiations.

FIGURE 1: Completed Treaty Settlements and Current Negotiation



Claimant Group Status Summary by Stages in the Negotiation Process

The following table indicates the progress and status of claimant groups in negotiations. It includes settlements that have been implemented. The table is broken down into regional groupings.

| GROUP | Mandate recognised by Crown | Terms of Negotiation | Agreement in Principle signed | Deed of Settlement signed | Enacted through legislation | Negotiation status |
|--|-----------------------------|----------------------|-------------------------------|---------------------------|-----------------------------|---|
| Te Taitokerau | | | | | | |
| Te Uri o Hau | | | | | | Legislation for this settlement was passed on 17 October 2002 |
| Te Roroa | | | | | | Legislation for this settlement was passed on 25 September 2008 |
| Te Rarawa | | | | | | Legislation for this settlement was passed on 9 September 2015 |
| Te Aupōuri | | | | | | Legislation for this settlement was passed on 9 September 2015 |
| Ngāi Takoto | | | | | | Legislation for this settlement was passed on 9 September 2015 |
| Ngāti Kuri | | | | | | Legislation for this settlement was passed on 9 September 2015 |
| Ngāti Kahu | | | | | | A collective Agreement in Principle for Te Hiku iwi was signed on 16 January 2010 |
| Ngāpuhi | | | | | | Working towards recognition of regional hapū groupings |
| Ngatikahu ki Whangaroa | | | | | | Legislation for this settlement was passed on 16 August 2017 |
| Ngātiwai | | | | | | A Deed of Mandate was recognised by the Crown on 21 October 2015 |
| Tāmaki Makaurau | | | | | | |
| Ngāti Whātua Ōrākei | | | | | | Legislation for this settlement was passed on 19 November 2012 |
| Ngāti Whātua o Kaipara | | | | | | Legislation for this settlement was passed on 6 June 2013 |
| Te Kawerau ā Maki | | | | | | Legislation for this settlement was passed on 9 September 2015 |
| Ngāti Manuhiri | | | | | | Legislation for this settlement was passed on 19 November 2012 |
| Ngāti Rehua-Ngātiwai ki Aotea | | | | | | A Deed of Settlement was initialled on 19 December 2016 |
| Tāmaki Collective | | | | | | Legislation for this settlement was passed on 24 July 2014 |
| Ngāti Tamaoho | | | | | | Legislation for this settlement was passed on 5 July 2018 |
| Ngāti Koheriki | | | | | | Terms of Negotiation were signed on 6 June 2013 |
| Ngāti Te Ata | | | | | | Terms of Negotiation were signed on 29 June 2011 |
| Te Ākitai Waiohua | | | | | | A Deed of Settlement was signed on 12 November 2021 |
| Ngāti Whātua remaining and Kaipara Harbour | | | | | | An Agreement in Principle was signed on 18 August 2017 |

| GROUP | Mandate recognised by Crown | Terms of Negotiation | Agreement in Principle signed | Deed of Settlement signed | Enacted through legislation | Negotiation status |
|---------------------------------------|-----------------------------|----------------------|-------------------------------|---------------------------|-----------------------------|---|
| Hauraki | | | | | | |
| Hauraki Collective | | | | | | A Deed of Settlement was signed by the Crown and 7 iwi in August-September 2018 |
| Marutūāhu Collective | | | | | | A Record of Agreement was signed on 17 May 2013 |
| Ngāi Tai ki Tāmaki | | | | | | Legislation for this settlement was passed on 28 June 2018 |
| Ngāti Rahiri Tumutumu | | | | | | A Deed of Settlement was initialled on 13 July 2017 |
| Hako | | | | | | An Agreement in Principle was signed on 22 July 2011 |
| Ngāti Hei | | | | | | A Deed of Settlement was signed on 17 August 2017 |
| Ngāti Paoa | | | | | | A Deed of Settlement was signed on 20 March 2021 |
| Ngāti Porou ki Harataunga ki Mataora | | | | | | An Agreement in Principle was signed on 22 July 2011 |
| Ngāti Tara Tokanui | | | | | | A Deed of Settlement was initialled on 1 June 2017 |
| Ngaati Whanaunga | | | | | | A Deed of Settlement was initialled on 25 August 2017 |
| Te Patukirikiri | | | | | | A Deed of Settlement was signed on 7 October 2018 |
| Ngāti Tamaterā | | | | | | A Deed of Settlement was initialled on 8 September 2017 |
| Ngāti Maru (Hauraki) | | | | | | A Deed of Settlement was initialled on 8 September 2017 |
| Waikato | | | | | | |
| Waikato-Tainui (Raupatu Claim) | | | | | | Legislation for this settlement was passed on 3 November 1995 |
| Waikato-Tainui (River interests) | | | | | | Legislation for this settlement was passed on 6 May 2010 |
| Waikato-Tainui (remaining claims) | | | | | | Terms of Negotiation were signed on 14 December 2020 |
| Raukawa (River interests) | | | | | | Legislation for this settlement was passed on 21 October 2010 |
| Te Arawa Affiliates (River interests) | | | | | | Legislation for this settlement was passed on 21 October 2010 |
| Ngāti Tūwharetoa (River interests) | | | | | | Legislation for this settlement was passed on 21 October 2010 |
| Ngāti Maniapoto (River interests) | | | | | | Legislation for this settlement was passed on 28 March 2012 |
| Maniapoto | | | | | | Legislation for this settlement was introduced on 3 December 2021 |
| Raukawa (Comprehensive) | | | | | | Legislation for this settlement was passed on 12 March 2014 |
| Ngāti Koroki Kahukura | | | | | | Legislation for this settlement was passed on 10 December 2014 |
| Ngāti Hauā | | | | | | Legislation for this settlement was passed on 10 December 2014 |
| Maraeroa A and B Blocks (Rereahu) | | | | | | Legislation for this settlement was passed on 31 July 2012 |
| Ngāti Hinerangi | | | | | | Legislation for this settlement was passed on 6 April 2021 |
| Te Moana a Toi | | | | | | |
| Ngāti Tūwharetoa (Bay of Plenty) | | | | | | Legislation for this settlement was passed on 23 May 2005 |
| Ngāti Awa | | | | | | Legislation for this settlement was passed on 24 March 2005 |
| Ngāti Ranginui | | | | | | Legislation for this settlement was introduced on 30 October 2015 |

| GROUP | Mandate recognised by Crown | Terms of Negotiation | Agreement in Principle signed | Deed of Settlement signed | Enacted through legislation | Negotiation status |
|-----------------------------------|-----------------------------|----------------------|-------------------------------|---------------------------|-----------------------------|---|
| Ngāti Pūkenga | | | | | | Legislation for this settlement was passed on 10 August 2017 |
| Ngāi Te Rangi | | | | | | Legislation for this settlement was introduced on 2 May 2016 |
| Tauranga Moana Iwi Collective | | | | | | Legislation for this settlement was introduced on 30 October 2015 |
| Ngāitai (ki Tōrere) | | | | | | A Deed of Mandate was recognised by the Crown on 4 June 2014 |
| Whakatōhea | | | | | | A Deed of Settlement was initialled on 23 December 2021 |
| Te Whānau a Apanui | | | | | | An Agreement in Principle was signed on 28 June 2019 |
| Central North Island | | | | | | |
| Central North Island Collective | | | | | | Legislation for this settlement was passed on 25 September 2008 |
| Ngāti Manawa | | | | | | Legislation for this settlement was passed on 28 March 2012 |
| Ngāti Whare | | | | | | Legislation for this settlement was passed on 28 March 2012 |
| Ngāi Tūhoe | | | | | | Legislation for this settlement was passed on 24 July 2014 |
| Ngāti Tūwharetoa | | | | | | Legislation for this settlement was passed on 13 December 2018 |
| Ngāti Ruapani | | | | | | Terms of Negotiation were signed on 19 March 2020 |
| Te Arawa | | | | | | |
| Te Arawa Lakes | | | | | | Legislation for this settlement was passed on 25 September 2006 |
| Te Arawa Affiliates | | | | | | Legislation for this settlement was passed on 25 September 2008 |
| Ngāti Mākinō | | | | | | Legislation for this settlement was passed on 31 July 2012 |
| Waitaha | | | | | | Legislation for this settlement was passed on 6 June 2013 |
| Pouakani | | | | | | Legislation for this settlement was passed on 12 December 2000 |
| Ngāti Tūrangitukua | | | | | | Legislation for this settlement was passed on 14 October 1999 |
| Ngāti Rangiteaorere (Te Tokotoru) | | | | | | Legislation for this settlement was passed on 9 April 2014 |
| Tapuika (Te Tokotoru) | | | | | | Legislation for this settlement was passed on 9 April 2014 |
| Ngāti Rangiwewehi (Te Tokotoru) | | | | | | Legislation for this settlement was passed on 9 April 2014 |
| Ngāti Whakaue | | | | | | Terms of Negotiation were signed on 3 April 2014 |
| Ngāti Rangitihī | | | | | | Legislation for this settlement was passed on 15 March 2022 |
| Te Tairāwhiti | | | | | | |
| Tūranganui-a-Kiwa | | | | | | An Agreement in Principle was signed on 29 August 2008 |
| Rongowhakaata | | | | | | Legislation for this settlement was passed on 31 July 2012 |
| Ngāi Tamanuhiri | | | | | | Legislation for this settlement was passed on 31 July 2012 |
| Ngāti Porou | | | | | | Legislation for this settlement was passed on 29 March 2012 |

| GROUP | Mandate recognised by Crown | Terms of Negotiation | Agreement in Principle signed | Deed of Settlement signed | Enacted through legislation | Negotiation status |
|---|-----------------------------|----------------------|-------------------------------|---------------------------|-----------------------------|---|
| Takitimu | | | | | | |
| Ngāti Pāhauwera | | | | | | Legislation for this settlement was passed on 29 March 2012 |
| Maungaharuru Tangitū Hapū | | | | | | Legislation for this settlement was passed on 9 April 2014 |
| Ngāti Hineuru | | | | | | Legislation for this settlement was passed on 29 June 2016 |
| Ahuriri Hapū | | | | | | Legislation for this settlement was passed on 7 December 2021 |
| Ngāti Kahungunu ki Heretaunga Tamatea | | | | | | Legislation for this settlement was passed on 21 June 2018 |
| Te Tira Whakaemi o Te Wairoa | | | | | | Legislation for this settlement was passed on 6 September 2018 |
| Rangitāne o Wairarapa-Tāmaki Nui ā Rua | | | | | | Legislation for this settlement was passed on 10 August 2017 |
| Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua | | | | | | Legislation for this settlement was introduced on 4 February 2022 |
| Te Rohe o Rongokako Joint Redress Bill | | | | | | Legislation for this settlement was introduced on 3 February 2022 |
| Hawkes Bay Regional Planning Committee Act | | | | | | Legislation was passed on 12 August 2015 |
| Te Tai Hauāuru | | | | | | |
| Ngāti Ruanui | | | | | | Legislation for this settlement was passed on 5 May 2003 |
| Ngāti Tama | | | | | | Legislation for this settlement was passed on 25 November 2003 |
| Ngaa Rauru Kiiitahi | | | | | | Legislation for this settlement was passed on 27 June 2005 |
| Ngāti Mutunga | | | | | | Legislation for this settlement was passed on 21 November 2006 |
| Ngāti Apa (North Island) | | | | | | Legislation for this settlement was passed on 9 December 2010 |
| Te Iwi o Whanganui (River Claim) | | | | | | Legislation for this settlement was enacted on 15 March 2017 |
| Rangitāne o Manawatū | | | | | | Legislation for this settlement was passed on 7 December 2016 |
| Te Ātiawa (Taranaki) | | | | | | Legislation for this settlement was passed on 30 November 2016 |
| Ngāruahine | | | | | | Legislation for this settlement was passed on 30 November 2016 |
| Taranaki Iwi | | | | | | Legislation for this settlement was passed on 30 November 2016 |
| Ngāti Rangī | | | | | | Legislation for this settlement was passed on 25 July 2019 |
| Mōkai Pātea | | | | | | Terms of Negotiation were signed on 20 September 2021 |
| Ngāti Maru (Taranaki) | | | | | | Legislation for this settlement was passed on 29 March 2022 |
| Te Korowai o Wainuiārua | | | | | | An Agreement in Principle was signed on 23 November 2018 |
| Taranaki Maunga | | | | | | A Record of Understanding was signed on 20 December 2017 |
| Whanganui iwi – Ngāti Hāua | | | | | | Terms of Negotiation were signed on 24 July 2017 |

| GROUP | Mandate recognised by Crown | Terms of Negotiation | Agreement in Principle signed | Deed of Settlement signed | Enacted through legislation | Negotiation status |
|--|-----------------------------|----------------------|-------------------------------|---------------------------|-----------------------------|---|
| Whanganui Lands | | | | | | <i>An Agreement in Principle was signed on 30 August 2019</i> |
| Te Ture Haeata ki Parihaka / Parihaka Reconciliation Act | | | | | | <i>Legislation was passed on 24 October 2019</i> |
| <i>Te Whanganui ā Tara / Te Waipounamu</i> | | | | | | |
| Ngāi Tahu | | | | | | <i>Legislation for this settlement was passed on 1 October 1998</i> |
| Taranaki Whānui ki Te Upoko o Te Ika | | | | | | <i>Legislation for this settlement was passed on 30 July 2009</i> |
| Muaūpoko | | | | | | <i>Terms of Negotiation were signed on 14 December 2013</i> |
| Ngāti Kuia | | | | | | <i>Legislation for this settlement was passed on 17 April 2014</i> |
| Ngāti Apa ki te Rā Tō | | | | | | <i>Legislation for this settlement was passed on 17 April 2014</i> |
| Rangitāne o Wairau | | | | | | <i>Legislation for this settlement was passed on 17 April 2014</i> |
| Ngāti Toa Rangātira | | | | | | <i>Legislation for this settlement was passed on 17 April 2014</i> |
| Ngāti Kōata | | | | | | <i>Legislation for this settlement was passed on 17 April 2014</i> |
| Te Ātiawa o Te Waka-ā-Maui | | | | | | <i>Legislation for this settlement was passed on 17 April 2014</i> |
| Ngāti Rārua | | | | | | <i>Legislation for this settlement was passed on 17 April 2014</i> |
| Ngāti Tama ki Te Tau Ihu | | | | | | <i>Legislation for this settlement was passed on 17 April 2014</i> |
| Ngāti Tama (Wellington) | | | | | | <i>Terms of Negotiation were signed on 28 March 2014</i> |
| Moriori | | | | | | <i>Legislation for this settlement was passed on 23 November 2021</i> |
| Ngāti Mutunga o Wharekauri | | | | | | <i>Terms of Negotiation were signed on 16 March 2015</i> |

Claimant Funding

In 1997 the government amended its policy so that claimant funding was paid separately from negotiated settlement redress. For settlements prior to this, claimant funding was deducted from the negotiated settlement redress. The amount of money paid as claimant funding differs for each group depending on the stage they have reached in the negotiation process, the size of the claimant group, and the complexity of the issues negotiated.

From 1 January 1996 to 30 June 2022 \$114.274 million was paid in various types of claimant funding. In the 12 months ending 30 June 2022 \$5.989 million was paid as claimant funding.

Note: These figures do not include some payments made to Te Ariki, Te Whanganui a Orotū, Tūhourangi, Waimakuku, Waiwhetu and Ngāti Rangatahi (totalling \$100,103). Additional payments, including ex gratia/one-off payments, have been made from specific appropriations.

Spending by Appropriation

For the 12 months ending 30 June 2022, Te Kāhui Whakatau (Treaty Settlements) [and Te Kāhui Takutai Moana] spent \$40.034 million against a departmental budget of \$45.983 million. The following table details what this appropriation is spent on.

| APPROPRIATION | COMMENTS |
|---|--|
| Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act \$45.983 million | <p>This appropriation includes:</p> <ul style="list-style-type: none"> • provision of advice to support decision making by Ministers on government policy matters relating to Treaty negotiations and the Marine and Coastal Area (Takutai Moana) Act 2011; • costs relating to Crown representation in the Waitangi Tribunal and in the Courts on matters concerning Treaty claims, and associated research into historical Treaty grievances to support representation; • costs relating to the negotiation and implementation of historical Treaty claims, and the administration and implementation of the Marine and Coastal Area (Takutai Moana) Act 2011. <p>Actual expenditure in this appropriation to 30 June 2022 was \$40.034 million against a budget of \$45.983 million.</p> |

Property Portfolio Information

Te Kāhui Whakatau (Treaty Settlements) operates a mechanism to protect surplus Crown, District Health Board and Crown Research Institute land for potential use in settling historical Treaty of Waitangi claims. When the land is declared surplus, Māori are invited to express an interest in the Crown purchasing the surplus land. If the Crown agrees that the property meets the protection mechanism criteria, it will be purchased and held in a regional landbank until a Treaty settlement is signed.

Properties held in the Treaty Settlements Landbank are managed and maintained by Land Information New Zealand (LINZ). Details of the protection mechanism process and a list of properties held in Regional Landbanks is contained on the following website:

www.linz.govt.nz/treaty-settlements-landbank-protection-mechanism

In the 12 months ending 30 June 2022, five properties were purchased for potential use in historical Treaty settlements, 30 properties were disposed of, leaving the total value of the property portfolio (by acquisition value) at \$645.929 million (excluding GST). This left 925 landbank properties on the LINZ Crown Balance Sheet as at 30 June 2022.