



PART OF THE MINISTRY OF JUSTICE

# Office of Treaty Settlements

*Te Tari Whakatau Take e pā ana ki te Tiriti o Waitangi*

## Quarterly Report

**1 January 2016 – 31 March 2016**

[www.govt.nz/organisations/office-of-treaty-settlements/](http://www.govt.nz/organisations/office-of-treaty-settlements/)

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# Overview

This report brings together information on the key outputs of the Office of Treaty Settlements (OTS) for the nine month period ending 31 March 2016.

OTS 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, OTS 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.

OTS also manages surplus Crown properties that are available for settlement redress. Properties that are not used for settlement purposes are sold on the open market once the relevant settlements have been agreed.

OTS has the responsibility for the implementation and administration of the Marine and Coastal Area (Takutai Moana) Act 2011 which came into force on 1 April 2011. OTS engages with applicant groups under the Act for recognition agreements and supports the Crown Law Office with representation of the Crown in applications to the High Court for recognition orders under the Act.

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

For current information on applications under the Marine and Coastal Area (Takutai Moana) Act 2011, please refer to the following website: [www.justice.govt.nz/macaa](http://www.justice.govt.nz/macaa)

## Progress of Settlements

Twenty eight significant milestones were reached with claimant groups in the nine months ending 31 March 2016.

Group	Milestone	Date
Ngāi Tai ki Tāmaki	Deed of Settlement initialled	3/07/2015
Taranaki Iwi	Deed of Settlement initialled	7/07/2015
Ngāti Kahungunu ki Heretaunga Tamatea	Deed of Settlement initialled	9/07/2015
Ngāruahine	Legislation introduced	14/07/2015
Hawkes Bay Regional Planning Committee Bill	Legislation enacted	12/08/2015
Taranaki Iwi	Deed of Settlement signed	5/09/2015
Te Aupōuri	Legislation enacted	9/09/2015
Te Rarawa	Legislation enacted	9/09/2015
Ngāi Takoto	Legislation enacted	9/09/2015
Ngāti Kuri	Legislation enacted	9/09/2015
Te Kawerau ā Maki	Legislation enacted	9/09/2015
Te Atiawa (Taranaki)	Legislation introduced	9/09/2015
Ngāti Kahungunu ki Heretaunga Tamatea	Deed of Settlement signed	26/09/2015
Ngātiwai	Mandate recognised	21/10/2015
Tauranga Moana Iwi Collective	Legislation introduced	30/10/2015
Ngāti Ranginui	Legislation introduced	30/10/2015
Ngāti Rangitahi	Terms of Negotiation signed	31/10/2015
Ngāi Tai ki Tāmaki	Deed of Settlement signed	7/11/2015
Rangitāne o Manawatū	Deed of Settlement signed	14/11/2015
Rangitāne o Manawatū	Legislation introduced	7/12/2015
Taranaki Iwi	Legislation introduced	7/12/2015
Ngāti Hinerangi	Agreement in Principle signed	12/12/2015
Ngatikahu ki Whangaroa	Deed of Settlement signed	18/12/2015
Ngāti Pūkenga	Legislation introduced	29/02/2016
Ngatikahu ki Whangaroa	Legislation introduced	10/03/2016
Moriori	Terms of Negotiation signed	14/03/2016
Moriori	Mandate recognised	21/03/2016
Ngāti Maru	Mandate recognised	26/03/2016



# 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
<b>Te Taitokerau</b>						
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						Terms of Negotiation were signed on 22 May 2015
Ngatikahu ki Whangaroa						Legislation for this settlement was introduced on 10 March 2016
Ngātiwai						A Deed of Mandate was recognised by the Crown on 21 October 2015
<b>Tāmaki Makaurau</b>						
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
Te Rūnanga o Ngāti Whātua						Terms of Negotiation were signed on 14 October 2008
Ngāti Manuhiri						Legislation for this settlement was passed on 19 November 2012
Ngāti Rehua						An Agreement in Principle was signed on 18 June 2011
Tāmaki Collective						Legislation for this settlement was passed on 24 July 2014
Ngāti Tamaoho						An Agreement in Principle was signed on 20 December 2012
Ngāti Koheriki						Terms of Negotiation were signed on 6 June 2013
Ngāti Te Ata						Terms of Negotiation were signed on 29 June 2011
Te Akitai Waiohua						Terms of Negotiation were signed on 23 November 2012
<b>Hauraki</b>						
Hauraki Collective						An Agreement in Principle was signed on 22 July 2011

GROUP	Mandate recognised by Crown	Terms of Negotiation	Agreement in Principle signed	Deed of Settlement signed	Enacted through legislation	Negotiation status
Marutūāhu Collective						<i>A Record of Agreement was signed on 17 May 2013</i>
Ngāi Tai ki Tāmaki						<i>A Deed of Settlement was signed on 7 November 2015</i>
Ngāti Rahiri Tumutumu						<i>An Agreement in Principle was signed on 22 July 2011</i>
Ngāti Hako						<i>An Agreement in Principle was signed on 22 July 2011</i>
Ngāti Hei						<i>An Agreement in Principle was signed on 22 July 2011</i>
Ngāti Paoa						<i>An Agreement in Principle was signed on 22 July 2011</i>
Ngāti Porou ki Harataunga ki Mataora						<i>An Agreement in Principle was signed on 22 July 2011</i>
Ngāti Tara Tokanui						<i>An Agreement in Principle was signed on 22 July 2011</i>
Ngaati Whanaunga						<i>An Agreement in Principle was signed on 22 July 2011</i>
Te Patukirikiri						<i>An Agreement in Principle was signed on 22 July 2011</i>
Ngāti Tamaterā						<i>An Agreement in Principle was signed on 22 July 2011</i>
Ngāti Maru (Hauraki)						<i>An Agreement in Principle was signed on 22 July 2011</i>
<b>Waikato</b>						
Waikato-Tainui (Raupatu Claim)						<i>Legislation for this settlement was passed on 3 November 1995</i>
Waikato-Tainui (River interests)						<i>Legislation for this settlement was passed on 6 May 2010</i>
Raukawa (River interests)						<i>Legislation for this settlement was passed on 21 October 2010</i>
Te Pūmautanga o Te Arawa (River interests)						<i>Legislation for this settlement was passed on 21 October 2010</i>
Ngāti Tūwharetoa (River interests)						<i>Legislation for this settlement was passed on 21 October 2010</i>
Ngāti Maniapoto (River interests)						<i>Legislation for this settlement was passed on 28 March 2012</i>
Raukawa (Comprehensive)						<i>Legislation for this settlement was passed on 12 March 2014</i>
Ngāti Koroki Kahukura						<i>Legislation for this settlement was passed on 10 December 2014</i>
Ngāti Hauā						<i>Legislation for this settlement was passed on 10 December 2014</i>
Maraeroa A and B Blocks (Rereahu)						<i>Legislation for this settlement was passed on 31 July 2012</i>
Ngāti Hinerangi						<i>An Agreement in Principle was signed on 12 December 2015</i>
<b>Te Moana a Toi</b>						
Ngāti Tūwharetoa (Bay of Plenty)						<i>Legislation for this settlement was passed on 23 May 2005</i>
Ngāti Awa						<i>Legislation for this settlement was passed on 24 March 2005</i>
Ngāti Ranginui						<i>Legislation for this settlement was introduced on 30 October 2015</i>
Ngāti Pūkenga						<i>Legislation for this settlement was introduced on 29 February 2016</i>
Ngāi Te Rangi						<i>A Deed of Settlement was signed on 14 December 2013</i>
Tauranga Moana Iwi Collective						<i>Legislation for this settlement was introduced on 30 October 2015</i>
Ngāitai (ki Tōrere)						<i>A Deed of Mandate was recognised by the Crown on 4 June 2014</i>

GROUP	Mandate recognised by Crown	Terms of Negotiation	Agreement in Principle signed	Deed of Settlement signed	Enacted through legislation	Negotiation status
<b>CNI</b>						
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						An Agreement in Principle was signed 6 March 2015
<b>Te Arawa</b>						
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 Rangitihi						Terms of Negotiation was signed on 31 October 2015
<b>Te Tairāwhiti</b>						
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
<b>Takitimu</b>						
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 introduced on 5 June 2015
Ahuriri Hapū						A Deed of Settlement was initialled on 19 June 2015
Ngāti Kahungunu ki Heretaunga Tamatea						A Deed of Settlement was signed on 26 September 2015
Te Tira Whakaemi o Te Wairoa						An Agreement in Principle was signed on 11 June 2014
Rangitāne o Wairarapa-Tāmaki Nui ā Rua						An Agreement in Principle was signed on 28 March 2014



GROUP	Mandate recognised by Crown	Terms of Negotiation	Agreement in Principle signed	Deed of Settlement signed	Enacted through legislation	Negotiation status
Ngāti Kahungunu ki Wairarapa-Tāmaki Nui ā Rua						Terms of Negotiation were signed on 17 July 2013
Hawkes Bay Regional Planning Committee Bill						Legislation was passed on 12 August 2015
<b>Te Tai Hauāuru</b>						
Ngāti Ruanui						Legislation for this settlement was passed on 5 May 2003
Ngāti Tama						Legislation for this settlement was passed on 25 November 2003
Ngāa Rauru Kiitahi						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)						A Deed of Settlement was signed on 5 August 2014
Rangitāne o Manawatū						Legislation for this settlement was introduced on 7 December 2015
Te Ātiawa (Taranaki)						Legislation for this settlement was introduced on 9 September 2015
Ngāruahine						Legislation for this settlement was introduced on 14 July 2015
Taranaki Iwi						Legislation for this settlement was introduced on 7 December 2015
Ngāti Rangī						Terms of Negotiation were signed on 27 February 2015
Ngāti Maru						A Deed of Mandate was recognised by the Crown on 26 March 2016
<b>Te Whanganui ā Tara / Te Waipounamu</b>						
Ngāi Tahu						Legislation for this settlement was passed on 1 October 1998
Taranaki Whānui ki Te Upoko o Te Ika						Legislation for this settlement was passed on 30 July 2009
Muaūpoko						Terms of Negotiation were signed on 14 December 2013
Ngāti Kuia						Legislation for this settlement was passed on 17 April 2014
Ngāti Apa ki te Rā Tō						Legislation for this settlement was passed on 17 April 2014
Rangitāne o Wairau						Legislation for this settlement was passed on 17 April 2014
Ngāti Toa Rangātira						Legislation for this settlement was passed on 17 April 2014
Ngāti Kōata						Legislation for this settlement was passed on 17 April 2014
Te Ātiawa o Te Waka-ā-Mauī						Legislation for this settlement was passed on 17 April 2014
Ngāti Rārua						Legislation for this settlement was passed on 17 April 2014
Ngāti Tama ki Te Tau Ihu						Legislation for this settlement was passed on 17 April 2014
Ngāti Tama (Wellington)						Terms of Negotiation were signed on 28 March 2014
Mōriōri						Terms of Negotiation were signed on 14 March 2016
Ngāti Mutunga o Wharekauri						Terms of Negotiation were signed on 16 March 2015

## 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.

\$73.740 million was paid in various types of claimant funding from 1 January 1996 to 31 March 2016. In the nine months ending 31 March 2016, \$3.744 million was paid as claimant funding.

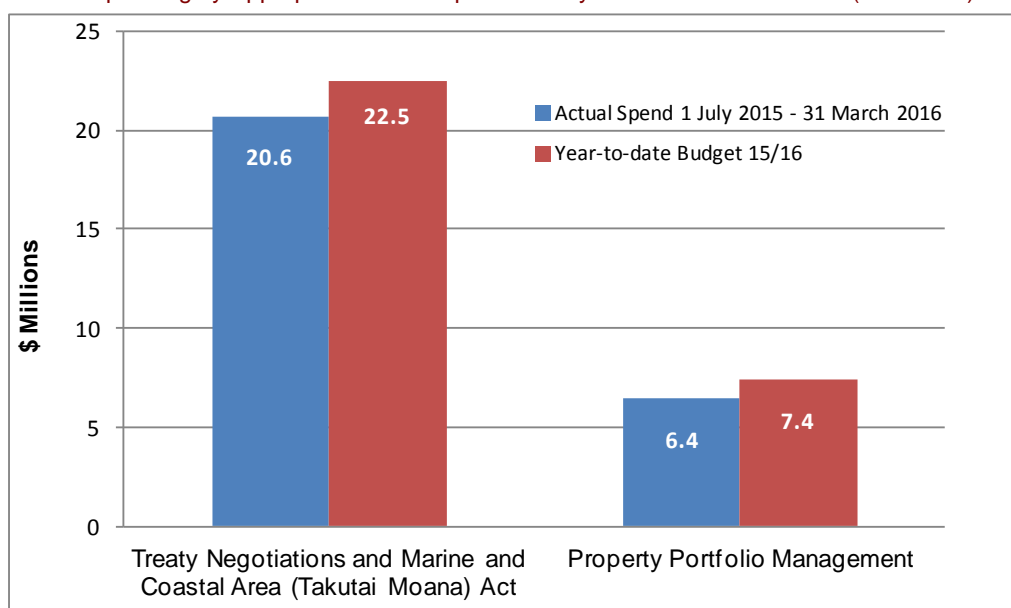
**Note:** These figures do not include some payments made to Te Ariki, Te Whanganui a Orotu, Tūhourangi, Waimakuku, Waiwhetu, Ngāti Manuhiri, and Ngāti Rangatahi (totalling \$107,603). Additional payments, including ex gratia/one-off payments, have been made from specific appropriations.

## Spending by Appropriation

For the nine months ending 31 March 2016, OTS spent \$27.049 million against a departmental budget of \$29.872 million. The following table shows actual spending by appropriation:

APPROPRIATION	COMMENTS
Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act MCA <b>\$29.144m</b>	This appropriation includes: <ul style="list-style-type: none"> <li>- 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;</li> <li>- costs relating to Crown representation in the Waitangi Tribunal and in the Courts on matters concerning Treaty claims;</li> <li>- 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.</li> </ul> <p>Actual expenditure in this appropriation to 31 March 2016 was \$20.640m against a budget of \$22.503m.</p>
Property Portfolio Management <b>\$11.538m</b>	This expense includes all costs associated with the OTS Property Portfolio. Actual expenditure in this output expense to 31 March 2016 was \$6.409m against a budget of \$7.369m.

**FIGURE 2:** OTS Spending by Appropriation for the period 1 July 2015 to 31 March 2016 (GST Excl.)



# Property Portfolio Information

The Office of 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, the Office of Treaty Settlements will purchase the property and hold it in a regional landbank until a Treaty Settlement is signed.

Details of the protection mechanism process and a list of properties held in Regional Landbanks is contained on the Office of Treaty Settlements website: <http://crownassets.ots.govt.nz/>. The Office of Treaty Settlements contracts a property management company to assist with the day to day management of the landbanked properties.

In the nine month period ending 31 March 2016, OTS purchased 2 properties for potential use in historical Treaty settlements, 36 properties were disposed of, leaving the total value of the property portfolio (by acquisition value) at \$234.570 million (excl. GST) or \$244.965 million (incl. GST).

The current market value of the property portfolio as reported in the Crown financial statements at 31 March 2016 is \$369.223 million excluding GST (net book value).

**FIGURE 3: Total value of landbanked properties by region**

