



PART OF THE MINISTRY OF JUSTICE

# Office of Treaty Settlements

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

## **Year-to-Date Progress Report** **1 July 2018 – 30 September 2018**

[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 3 month period ending 30 September 2018.

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.

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](http://www.linz.govt.nz/treaty-settlements-landbank-protection-mechanism)

OTS has the responsibility for the implementation and administration of the Marine and Coastal Area (Takutai Moana) Act 2011 (the Act) 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.

Applications for recognition of customary interests under the Act closed on 3 April 2017. OTS received 385 applications.

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/maori-land-treaty/marine-and-coastal-area](http://www.justice.govt.nz/maori-land-treaty/marine-and-coastal-area)

# Progress of Settlements

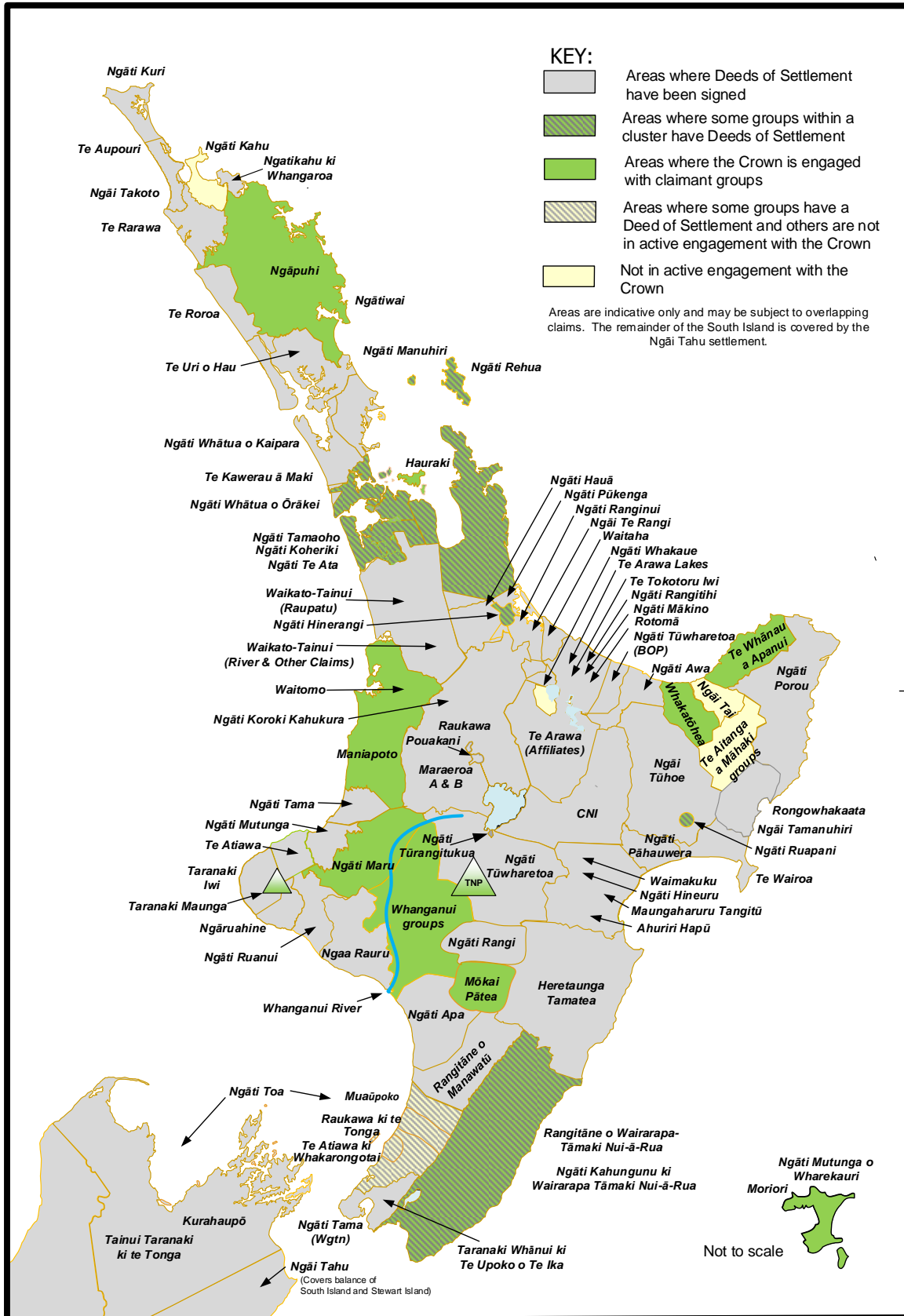
3 significant milestones were reached with claimant groups in the 3 month period ending 30 September 2018.

<b>Group</b>	<b>Milestone</b>	<b>Date</b>
Ngāti Tamaoho	Legislation enacted	5/07/2018
Marutūāhu Collective	Deed of Settlement initialled	28/07/2018
Te Wairoa	Legislation enacted	6/09/2018

# 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
<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 passed on 16 August 2017
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
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						An Agreement in Principle was signed on 16 December 2016
Ngāti Whātua remaining and Kaipara Harbour						An Agreement in Principle was signed on 18 August 2017

<b>Hauraki</b>						
Hauraki Collective						A Deed of Settlement was initialled on 22 December 2016
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 initialled on 18 August 2017
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 initialled on 8 September 2017
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
<b>Waikato</b>						
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
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						An Agreement in Principle was signed on 15 August 2017
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						An Agreement in Principle was signed on 12 December 2015
<b>Te Moana a Toi</b>						
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
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 Tōreire)						A Deed of Mandate was recognised by the Crown on 4 June 2014
Whakatōhea						An Agreement in Principle was signed on 18 August 2017

Te Whānau a Apanui						<i>Terms of Negotiation were signed on 7 September 2017</i>
<b>CNI</b>						
Central North Island Collective						<i>Legislation for this settlement was passed on 25 September 2008</i>
Ngāti Manawa						<i>Legislation for this settlement was passed on 28 March 2012</i>
Ngāti Whare						<i>Legislation for this settlement was passed on 28 March 2012</i>
Ngāi Tūhoe						<i>Legislation for this settlement was passed on 24 July 2014</i>
Ngāti Tūwharetoa						<i>Legislation for this settlement was introduced on 1 August 2017</i>
<b>Te Arawa</b>						
Te Arawa Lakes						<i>Legislation for this settlement was passed on 25 September 2006</i>
Te Arawa Affiliates						<i>Legislation for this settlement was passed on 25 September 2008</i>
Ngāti Mākinō						<i>Legislation for this settlement was passed on 31 July 2012</i>
Waitaha						<i>Legislation for this settlement was passed on 6 June 2013</i>
Pouakani						<i>Legislation for this settlement was passed on 12 December 2000</i>
Ngāti Tūrāngitukua						<i>Legislation for this settlement was passed on 14 October 1999</i>
Ngāti Rangiteaorere (Te Tokotoru)						<i>Legislation for this settlement was passed on 9 April 2014</i>
Tapuika (Te Tokotoru)						<i>Legislation for this settlement was passed on 9 April 2014</i>
Ngāti Rangiwewehi (Te Tokotoru)						<i>Legislation for this settlement was passed on 9 April 2014</i>
Ngāti Whakaue						<i>Terms of Negotiation were signed on 3 April 2014</i>
Ngāti Rangitihī						<i>Terms of Negotiation was signed on 31 October 2015</i>
<b>Te Tairāwhiti</b>						
Tūranganui-a-Kiwa						<i>An Agreement in Principle was signed on 29 August 2008</i>
Rongowhakaata						<i>Legislation for this settlement was passed on 31 July 2012</i>
Ngāi Tamanuhiri						<i>Legislation for this settlement was passed on 31 July 2012</i>
Ngāti Porou						<i>Legislation for this settlement was passed on 29 March 2012</i>
<b>Takitimu</b>						
Ngāti Pāhauwera						<i>Legislation for this settlement was passed on 29 March 2012</i>
Maungaharuru Tangitū Hapū						<i>Legislation for this settlement was passed on 9 April 2014</i>
Ngāti Hineuru						<i>Legislation for this settlement was passed on 29 June 2016</i>
Ahuriri Hapū						<i>A Deed of Settlement was signed on 2 November 2016</i>
Ngāti Kahungunu ki Heretaunga Tamatea						<i>Legislation for this settlement was passed on 21 June 2018</i>
Te Tira Whakaemi o Te Wairoa						<i>Legislation for this settlement was passed on 6 September 2018</i>
Rangitāne o Wairarapa-Tāmaki Nui ā Rua						<i>Legislation for this settlement was passed on 10 August 2017</i>
Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua						<i>A Deed of Settlement was initialled on 22 March 2018</i>
Hawkes Bay Regional Planning Committee Bill						<i>Legislation was passed on 12 August 2015</i>



<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
Ngaa Rauru Kīitahi						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 introduced on 21 June 2018
Ngāti Maru						An Agreement in Principle was signed on 20 December 2017
Te Korowai o Wainuiārua						Terms of Negotiation were signed on 2 February 2017
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
Whanganui Lands – Southern Groups						Terms of Negotiation were signed on 24 July 2017
<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-Maui						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
Moriori						An Agreement in Principle was signed on 16 August 2017
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.

From 1 January 1996 to 30 September 2018 \$90.328 million was paid in various types of claimant funding. In the 3 months ending 30 September 2018 \$1.227 million was paid as claimant funding.

**Note:** These figures do not include some payments made to Te Arika, 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 3 months ending 30 September 2018, OTS spent \$9.603 million against a departmental budget of \$35.330 million. The following table details what this appropriation is spent on:

APPROPRIATION	COMMENTS
Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act MCA <b>\$35.330 million</b>	<p>This appropriation includes:</p> <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 30 September 2018 was \$9.603 million against a budget of \$35.330 million.</p>

## 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, 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. 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](http://www.linz.govt.nz/treaty-settlements-landbank-protection-mechanism)

In the 3 month period ending 30 September 2018, 5 properties were purchased for potential use in historical Treaty settlements and nil properties were disposed of, leaving the total value of the property portfolio (by acquisition value) at \$224.720 million (excluding GST) or \$233.699 million (including GST).

The current market value of the property portfolio as reported in the Crown financial statements at 30 September 2018 is \$458.157 million excluding GST (net book value).