

OTS, 2017



PART OF THE MINISTRY OF JUSTICE

Office of Treaty Settlements

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

12 Month Progress Report

1 July 2016 – 30 June 2017

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 12 month period ending 30 June 2017.

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.

Until 30 June 2016, OTS also managed surplus Crown properties that were available for settlement redress. This function has now transferred to Land Information New Zealand. 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.lnz.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 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.

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

Progress of Settlements

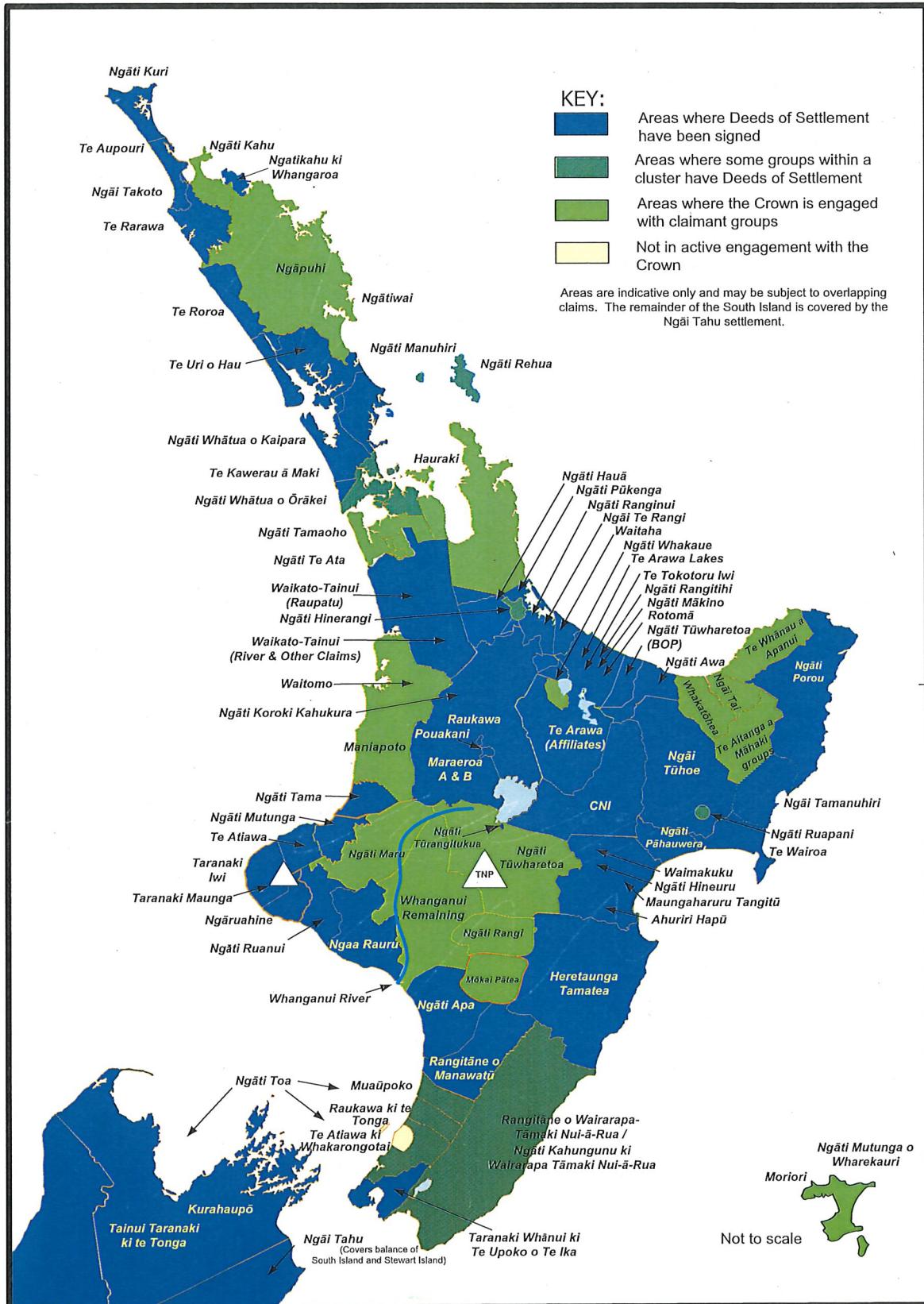
30 significant milestones were reached with claimant groups in the 12 month period ending 30 June 2017:

Group	Milestone	Date
Ngāti Maru (Taranaki)	Terms of negotiation signed	27/07/2016
Rangitāne o Wairarapa Tāmaki Nui-a-Rua	Deed of settlement signed	6/08/2016
Rangitāne o Wairarapa Tāmaki Nui-a-Rua	Legislation introduced	25/08/2016
Ahuriri Hapū	Deed of settlement signed	2/11/2016
Te Wairoa	Deed of settlement signed	26/11/2016
Te Atiawa	Legislation enacted	30/11/2016
Taranaki Iwi	Legislation enacted	30/11/2016
Ngāruahine	Legislation enacted	30/11/2016
Rangitāne o Manawatū	Legislation enacted	7/12/2016
Ngāti Tamaoho	Deed of settlement initialled	9/12/2016
Maniapoto	Mandate recognised	13/12/2016
Whakatōhea	Mandate recognised	13/12/2016
Ngāti Tūwharetoa	Deed of settlement initialled	15/12/2016
Te Äkitai Waiohua	Agreement in principle signed	16/12/2016
Whakatōhea	Terms of negotiation signed	17/12/2016
Maniapoto	Terms of negotiation signed	17/12/2016
Ngāti Rehua-Ngātiwai ki Aotea	Deed of settlement initialled	19/12/2016
Te Wairoa	Legislation introduced	20/12/2016
Hauraki Collective	Deed of settlement initialled	22/12/2016
Te Korowai o Wainuiārua	Terms of negotiation signed	20/02/2017
Taranaki Maunga	Terms of negotiation signed	14/03/2017
Whanganui River (Te Awa Tupua)	Legislation enacted	15/03/2017
Ngāti Rangi	Agreement in principle signed	15/03/2017
Ngāti Tamaoho	Deed of settlement signed	30/04/2017
Ngāti Hei	Deed of settlement initialled	31/05/2017
Ngāti Tara Tokanui	Deed of settlement initialled	1/06/2017
Ngāti Tamaoho	Legislation introduced	22/06/2017
Ngāti Hāua	Mandate recognised	27/06/2017
Whanganui Lands	Mandate recognised	27/06/2017
Ngāti Kahungunu ki Heretaunga Tamatea	Legislation introduced	28/06/2017

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 Negotiations



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 Principle Signed	Deed of Settlement Signed	Enacted through legislation	Negotiation status
Te Taiao kerau						
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	
Kīgāti Takoto ✓					Legislation for this settlement was passed on 9 September 2015	
Ngāti Kuri ✓					Legislation for this settlement was passed on 9 September 2015	
Kīgāti Kahu ✓					A collective Agreement in Principle for Te Hikū iwi was signed on 16 January 2010	
Ngāpuhi ✓					Terms of Negotiation were signed on 22 May 2015	
Ngāi Kahu 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	
Tāmaki Makaurau						
Ngāti Whātua Orākei ✓					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-Ngātiwai ki Aotea ✓					A Deed of Settlement was initiated on 19 December 2016	
Tāmaki Collective ✓					Legislation for this settlement was passed on 24 July 2014	
Ngāti Tamaoho ✓					Legislation for this settlement was introduced on 22 June 2017	
Ngāti Kohereki ✓					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	
Hauraki					A Deed of Settlement was finalised on 22 December 2016	
Hauraki Collective ✓						

GROUP	Mendate recognised by Crown	Terms of Negotiation	Agreement signed in Principle	Deed of Settlement signed	Enacted through legislation	Negotiation status
Marutūāhu Collective					A Record of Agreement was signed on 17 May 2013	
Ngāti Tai ki Tāmaki					A Deed of Settlement was signed on 7 November 2015	
Ngāti Rahiri Tumutumu					An Agreement in Principle was signed on 22 July 2011	
Ngāti Hako					An Agreement in Principle was signed on 22 July 2011	
Ngāti Hei					A Deed of Settlement was initialled on 31 May 2017	
Ngāti Paoa					An Agreement in Principle was signed on 22 July 2011	
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	
Ngāti Whanaunga					An Agreement in Principle was signed on 22 July 2011	
Te Patukirikiri					An Agreement in Principle was signed on 22 July 2011	
Ngāti Tamaterā					An Agreement in Principle was signed on 22 July 2011	
Ngāti Maru (Hauraki)					An Agreement in Principle was signed on 22 July 2011	
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	
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 Tuwharetoa (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					Terms of Negotiation were signed on 17 December 2016	
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	
Maraeora 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	
Te Moana a Toi						
Ngāti Tuwharetoa (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 Pukenga					Legislation for this settlement was introduced on 29 February 2016	
Ngāti 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	

GROUP	Mandate recognised by Crown	Terms of Negotiation	Principle signed	Deed of Settlement signed	Enacted through legislation	Negotiation status
Ngāti (ki Tōrere)	✓					A Deed of Mandate was recognised by the Crown on 4 June 2014
Whakatōhea	✓					Terms of Negotiation were signed on 17 December 2016
CNI						
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
Ngāti Tuhoe	✓					Legislation for this settlement was passed on 24 July 2014
Ngāti Tūwharetoa	✓					A Deed of Settlement was initialled on 15 December 2016
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 Mākino	✓					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 Tūrangitikua	✓					Legislation for this settlement was passed on 14 October 1999
Ngāti Rangiteaore (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 Rangiwehi (Te Tokotoru)	✓					Legislation for this settlement was passed on 9 April 2014
Ngāti Whakaue	✓					Terms of Negotiation were signed on 3 April 2014
Ngāti Rangitīhi	✓					Terms of Negotiation was signed on 31 October 2015
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
Ngāti Tamanuhiri	✓					Legislation for this settlement was passed on 31 July 2012
Ngāti Porou						Legislation for this settlement was passed on 29 March 2012
Tikitimu						
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	✓					A Deed of Settlement was signed on 2 November 2016
Ngāti Kahungunu ki Heretaunga Tamatea	✓					Legislation for this settlement was introduced on 28 June 2017

GROUP	Mandate recognised by Crown	Terms of Negotiation	Principle Agreement in Deed of Settlement	Enacted through legislation	Negotiation status
Te Tira Whakaemī o Te Wairoa	✓	✓	✓	✓	Legislation for this settlement was introduced on 20 December 2016
Rangitāne o Wairarapa-Tāmaki Nui ā Rua	✓	✓	✓	✓	Legislation for this settlement was introduced on 25 August 2016
Ngāti Kahungunu ki Wairarapa-Tāmaki Nui ā Rua	✓	✓	✓	✓	An Agreement in Principle was signed on 7 May 2016
Hawkes Bay Regional Planning Committee Bill	✓	✓	✓	✓	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
Ngāa Rauru Kītaihi	✓	✓	✓	✓	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
Ngāi Uahine	✓	✓	✓	✓	Legislation for this settlement was passed on 30 November 2016
Taranaki Iwi	✓	✓	✓	✓	Legislation for this settlement was passed on 30 November 2016
Ngāti Rangi	✓	✓	✓	✓	An Agreement in Principle was signed on 15 March 2017
Ngāti Maru	✓	✓	✓	✓	Terms of Negotiation were signed on 27 July 2016
Te Korowai o Wainuiārua	✓	✓	✓	✓	Terms of Negotiation were signed on 2 February 2017
Taranaki Maunga	✓	✓	✓	✓	Terms of Negotiation were signed on 14 March 2017
Whanganui iwi – Ngāti Hāua	✓	✓	✓	✓	A Deed of Mandate was recognised by the Crown on 27 June 2017
Whanganui Lands – Southern Groups	✓	✓	✓	✓	A Deed of Mandate was recognised by the Crown on 27 June 2017
Te Whanganui ā Tara / Te Waipounamu					
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

GROUP	Mandate recognised by Crown	Terms of Negotiation	Agreement in Principle signed	Deed of Settlement signed	Enacted through legislation	Negotiation status
Ngāti Rārua	J					Legislation for this settlement was passed on 17 April 2014
Ngāti Tama ki Te Tau Ihu	J					Legislation for this settlement was passed on 17 April 2014
Ngāti Tama (Wellington)	J					Terms of Negotiation were signed on 28 March 2014
Moriori	J					Terms of Negotiation were signed on 14 March 2016
Ngāti Mutunga o Wharekauri	J					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.

\$83.992 million was paid in various types of claimant funding from 1 January 1996 to 30 June 2017. In the twelve months ending 30 June 2017, \$8.076 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 twelve months ending 30 June 2017, OTS spent \$32.886 million against a departmental budget of \$35.680 million. The following table details what this appropriation is spent on:

APPROPRIATION	COMMENTS
Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act MCA \$35.680m	<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; • 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 2017 was \$32.886m against a budget of \$35.680m.</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

In the twelve month period ending 30 June 2017, 14 properties were purchased for potential use in historical Treaty settlements and 20 properties were disposed of, leaving the total value of the property portfolio (by acquisition value) at \$228.533 million (excl.GST) or \$238.854 million (incl. GST).

The current market value of the property portfolio as reported in the Crown financial statements at 30 June 2017 is \$387.674 million excluding GST (net book value).

