

Te Arawhiti, 2020



Te Kāhui Whakatau (Treaty Settlements)

12 Month Progress Report
1 July 2019 – 30 June 2020

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 Ā Policy and Operations.

This report brings together information on the key outputs of Te Kāhui Whakatau (Treaty Settlements) for the twelve-month period ending 30 June 2020.

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.lnz.govt.nz/treaty-settlements-landbank-protection-mechanism](http://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 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

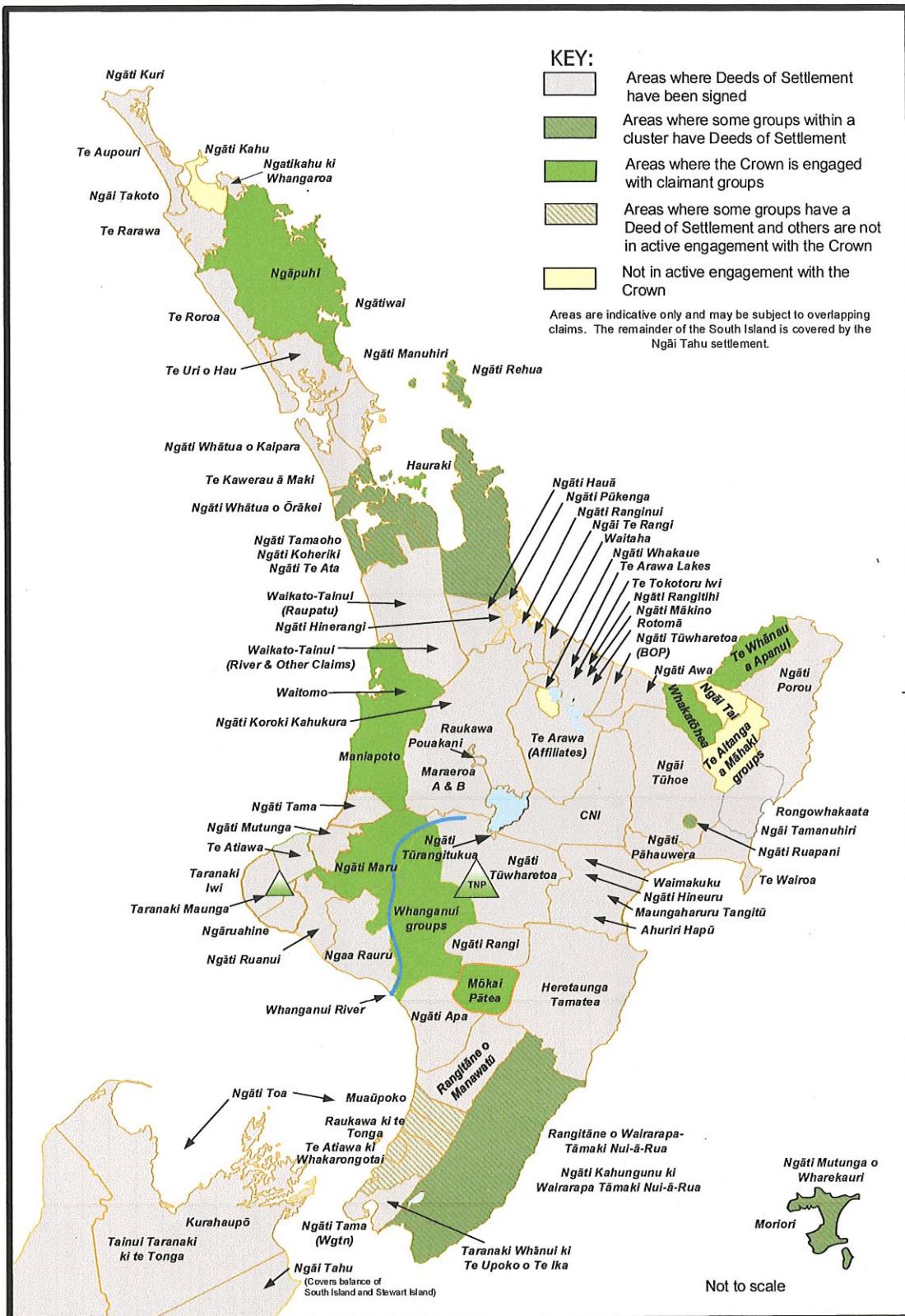
Eleven significant milestones were reached with claimant groups in the 12 month period ending 30 June 2020.

Group	Milestone	Date
Ngāti Rangi	Legislation enacted	25/07/2019
Moriori	Deed of settlement initialled	13/08/2019
Whanganui Lands	Agreement in principle signed	30/08/2019
Ngāti Hinerangi	Legislation introduced	9/09/2019
Te Ture Haeata ki Parihaka / Parihaka Reconciliation Bill	Legislation enacted	24/10/2019
Ngāti Ruapani	Mandate recognised	28/10/2019
Ahuriri Hapū	Legislation introduced	20/12/2019
Moriori	Deed of settlement signed	14/02/2020
Ngāti Ruapani	Terms of negotiation signed	19/03/2020
Moriori	Legislation introduced	25/03/2020
Waikato-Tainui (remaining claims)	Mandate recognised	16/06/2020

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 received by Crown	Terms of negotiation	Agreement signed	Deed of Settlement	Enacted through legislation	Negotiation status
<i>Te Taitokerau</i>						
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	
Ngāti 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	
Ngatiwhakahou 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	
<i>Tāmaki Makaurau</i>						
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 initiated 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 Kohereki					Terms of Negotiation were signed on 6 June 2013	
Ngāti Te Ata					Terms of Negotiation were signed on 29 June 2011	
Te Ākitai Waiorua					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	

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
Ngāti Tai ki Tamaki					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
Ngāti 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)					A Deed of Mandate was recognised by the Crown on 16 June 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 28 March 2012
Ngāti Maniapoto (River interests)					An Agreement in Principle was signed on 15 August 2017
Maniapoto					Legislation for this settlement was passed on 12 March 2014
Raukawa (Comprehensive)					Legislation for this settlement was passed on 10 December 2014
Ngāti Koroki Kahukura					Legislation for this settlement was passed on 10 December 2014
Ngāti Hauā					Legislation for this settlement was passed on 31 July 2012
Maraeroa A and B Blocks (Fereahu)					Legislation for this settlement was introduced on 9 September 2019
Ngāti Hinerangi					
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 Pūtenga					Legislation for this settlement was passed on 10 August 2017	
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	
Ngāti Kai Tōrere					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					An Agreement in Principle was signed on 28 June 2019	
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 Tūhoe					Legislation for this settlement was passed on 24 July 2014	
Ngāti Tuwharetoa					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 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 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 Rangitīhi					An Agreement in Principle was signed on 22 December 2018	
Te Taiarāwhiti						
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 recognise by Crown Terms of Negotiation	Agreement in Principle Signed	Deed of Settlement Signed	Enacted through legislation Signed	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 introduced on 20 December 2019	
Ngāti Kahungunu ki Heretautanga Tamatea				Legislation for this settlement was passed on 21 June 2018	
Te Tira Whakaemī 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				A Deed of Settlement was initiated on 22 March 2018	
Hawkes Bay Regional Planning Committee Act				Legislation was passed on 12 August 2015	
Te Tai Hauāuru				Legislation for this settlement was passed on 5 May 2003	
Ngāti Ruanui				Legislation for this settlement was passed on 25 November 2003	
Ngāti Tama				Legislation for this settlement was passed on 27 June 2005	
Ngaa Rauru Kitahi				Legislation for this settlement was passed on 21 November 2006	
Ngāti Mutunga				Legislation for this settlement was passed on 9 December 2010	
Ngāti Apa (North Island)				Legislation for this settlement was enacted on 15 March 2017	
Te Iwi o Whanganui (River Claim)				Legislation for this settlement was passed on 7 December 2016	
Rangitāne o Manawatū				Legislation for this settlement was passed on 30 November 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 Rangi				Legislation for this settlement was passed on 25 July 2019	
Ngāti Maru				An Agreement in Principle was signed on 20 December 2017	
Te Korowai o Vainuiārua				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 Häua				Terms of Negotiation were signed on 24 July 2017	
Whanganui Lands				An Agreement in Principle was signed on 30 August 2019	
Te Ture Haetaa ki Parihaka / Parihaka Reconciliation Act				Legislation was passed on 24 October 2019	

GROUP	Negotiation status									
Te Whanganui à Tara / Te Waipounamu										
Mandate recognised by Crown										
Terms of Negotiation										
Agreement in Principle signed										
Deed of Settlement signed										
Enacted through legislation										
Negotiation status	Legislation for this settlement was passed on 1 October 1998	Legislation for this settlement was passed on 30 July 2009	Terms of Negotiation were signed on 14 December 2013	Legislation for this settlement was passed on 17 April 2014	Legislation for this settlement was passed on 17 April 2014	Legislation for this settlement was passed on 17 April 2014	Legislation for this settlement was passed on 17 April 2014	Legislation for this settlement was introduced on 25 March 2020	Terms of Negotiation were signed on 16 March 2015	
Ngāti Tahu										
Taranaki Whānui ki Te Upoko o Te Ika										
Muaūpoko										
Ngāti Kuia										
Ngāti Apa ki te Rā Tō										
Rangitāne o Wairau										
Ngāti Toa Rangatira										
Ngāti Kōata										
Te Ātiawa o Te Waka-ā-Mai										
Ngāti Rārua										
Ngāti Tama ki Te Tau ihu										
Ngāti Tama (Wellington)										
Moriori										
Ngāti Mutunga o Wharekauri										

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 2020 \$103.078 million was paid in various types of claimant funding. In the twelve months ending 30 June 2020 \$4.433 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 2020, Te Kāhui Whakatau (Treaty Settlements) spent \$33.120 million against a departmental budget of \$35.938 million. The following table details what this appropriation is spent on.

APPROPRIATION	COMMENTS
Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act \$35.938 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 2020 was \$33.120 million against a budget of \$35.938 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. Details of the protection mechanism process and a list of properties held in Regional Landbanks is contained on the following website:

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

In the twelve month period ending 30 June 2020, 13 properties were purchased for potential use in historical Treaty settlements, 26 properties were disposed of leaving the total value of the property portfolio (by acquisition value) at \$223.774 million (excluding GST) or \$232.365 million (including GST). The current market value of the property portfolio as reported in the Crown financial statements at 30 June 2020 is \$467.974 million excluding GST (net book value).