



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 2014 – 30 June 2015**

[www.ots.govt.nz](http://www.ots.govt.nz)

# Contents

Office of Treaty Settlements.....	1
Contents .....	2
Table of Figures.....	2
Overview.....	3
Progress of Settlements.....	3
Progress Map .....	5
Claimant Funding.....	10
Spending by Appropriation.....	10
Property Portfolio Information .....	11

## Table of Figures

Figure 1: Completed Treaty Settlements and Current Negotiations	5
Figure 2: OTS Spending by Appropriation	10
Figure 3: Total Value of Landbanked Properties by Region	11

## 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 2015.

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/mac](http://www.justice.govt.nz/mac)

## Progress of Settlements

21 significant milestones were reached with claimant groups in the 12 month period ending 30 June 2015:

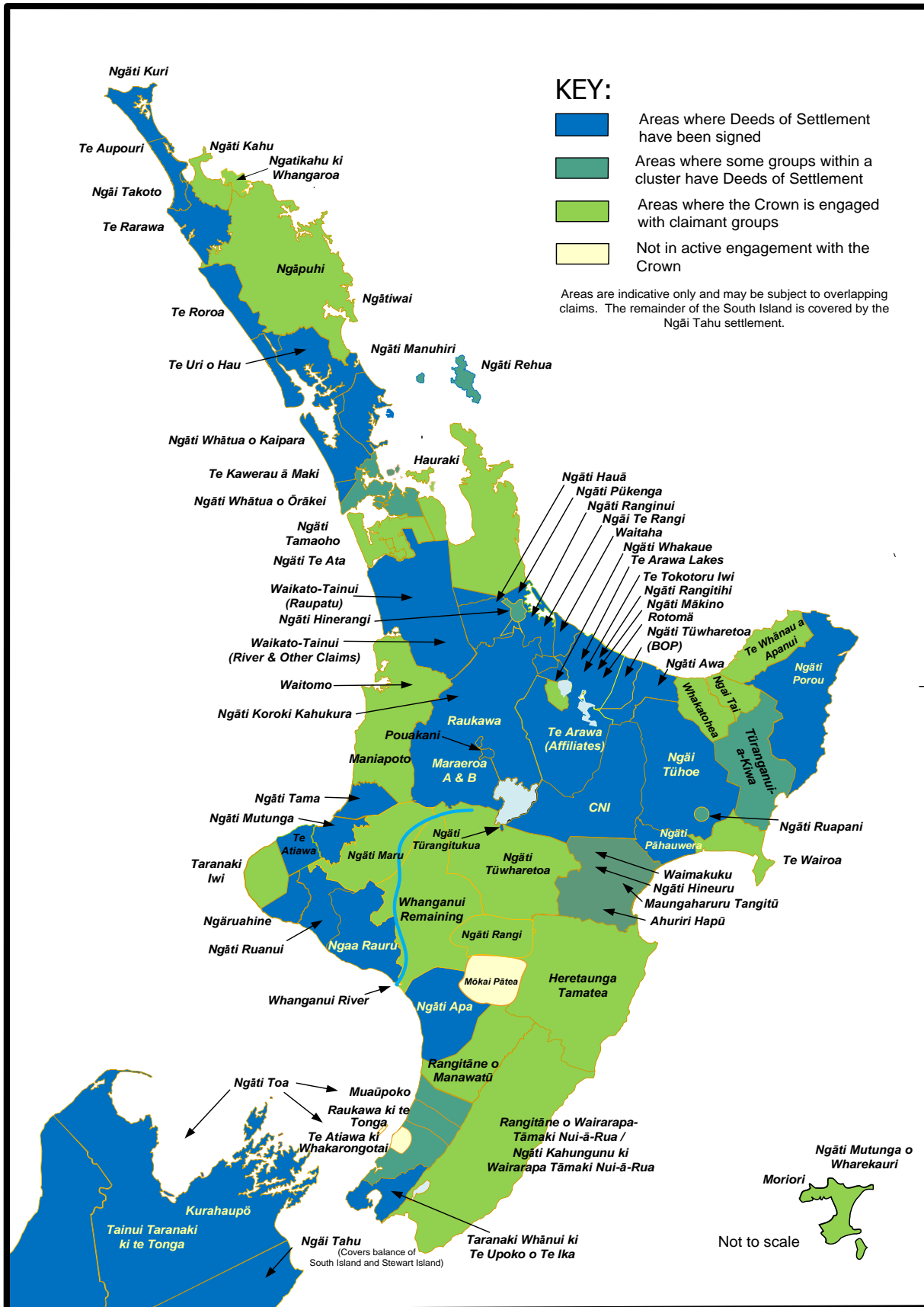
Group	Milestone	Date
Tāmaki Collective	Legislation enacted	24/07/2014
Ngāi Tūhoe	Legislation enacted	24/07/2014
Ngāti Hineuru	Deed of Settlement initialled	25/07/2014
Ngāruahine	Deed of Settlement signed	1/08/2014
Whanganui River	Deed of Settlement signed	5/08/2014
Ngāti Rangī	Mandate recognised	6/08/2014
Te Ātiawa	Deed of Settlement signed	9/08/2014
Ngāti Hauā	Legislation enacted	10/12/2014
Ngāti Koroki Kahukura	Legislation enacted	10/12/2014
Tauranga Moana Iwi Collective	Deed of Settlement signed	21/01/2015
Ngāti Rangī	Terms of Negotiation signed	27/02/2015
Ngāti Tūwharetoa	Agreement in Principle signed	6/03/2015

Ngāti Mutunga o Wharekauri	Mandate recognised	16/03/2015
Ngāti Mutunga o Wharekauri	Terms of Negotiation signed	16/03/2015
Ngāti Hineuru	Deed of Settlement signed	2/04/2015
Rangitāne o Manawatū	Deed of Settlement initialled	1/05/2015
Ngāti Rangitihī	Mandate Recognised	14/05/2015
Ngāpuhi	Terms of Negotiation signed	22/05/2015
Ngatikahu ki Whangaroa	Deed of Settlement initialled	5/06/2015
Ngāti Hineuru	Legislation introduced	5/06/2015
Ahuriri Hapū	Deed of Settlement initialled	19/06/2015

# 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 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 introduced on 16 April 2014
Te Aupōuri						Legislation for this settlement was introduced on 16 April 2014
Ngāi Takoto						Legislation for this settlement was introduced on 16 April 2014
Ngāti Kuri						Legislation for this settlement was introduced on 16 April 2014
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						A Deed of Settlement was initialled on 5 June 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 introduced on 16 April 2014
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
Marutūāhu Collective						A Record of Agreement was signed on 17 May 2013
Ngāi Tai ki Tāmaki						An Agreement in Principle was signed on 5 November 2011
Ngāti Rahiri Tumutumu						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
Ngāti Hako						An Agreement in Principle was signed on 22 July 2011
Ngāti Hei						An Agreement in Principle was signed on 22 July 2011
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						An Agreement in Principle was signed on 22 July 2011
Ngaati 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
<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 Pūmautanga o Te Arawa (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
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						Terms of Negotiation were signed on 20 February 2014
<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						A Deed of Settlement was signed on 21 June 2012
Ngāti Pūkenga						A Deed of Settlement was signed on 7 April 2013
Ngāi Te Rangi						A Deed of Settlement was signed on 14 December 2013
Tauranga Moana Iwi Collective						A Deed of Settlement was signed on 21 January 2015
Ngāitai (ki Tōrere)						A Deed of Mandate was recognised by the Crown on 4 June 2014
<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

GROUP	Mandate recognised by Crown	Terms of Negotiation	Agreement in Principle signed	Deed of Settlement signed	Enacted through legislation	Negotiation status
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 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 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 Rangitīhi						A Deed of Mandate was recognised by the Crown on 14 May 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						An Agreement in Principle was signed on 11 June 2014
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
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 introduced on 16 April 2014



GROUP	Mandate recognised by Crown	Terms of Negotiation	Agreement in Principle signed	Deed of Settlement signed	Enacted through legislation	Negotiation status
<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 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						A Deed of Settlement was initialled on 1 May 2015
Te Ātiawa (Taranaki)						A Deed of Settlement was signed on 9 August 2014
Ngāruahine						A Deed of Settlement was signed on 1 August 2014
Taranaki Iwi						An Agreement in Principle was signed on 22 December 2012
Ngāti Rangī						Terms of Negotiation were signed on 27 February 2015
<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						Terms of Negotiation were signed on 26 July 2004
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.

\$69.996 million was paid in various types of claimant funding from 1 January 1996 to 30 June 2015. In the 12 month period ending 30 June 2015, \$6.032 million was paid as claimant funding.

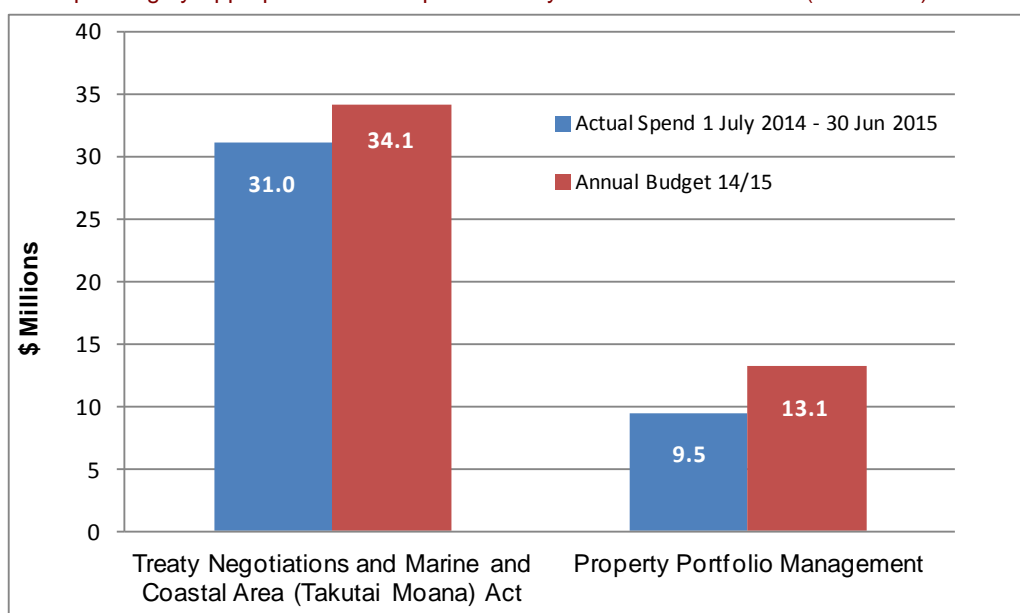
**Note:** These figures do not include some payments made to Te Ariki, Te Whanganui a Orotu, Tūhourangi, Waimakuku, Waiwhetu, Ngāti Manuhiri, and Ngāti Rangatahi (totalling \$107,603). Additional payments, including ex gratia/one-off payments, have been made from specific appropriations.

## Spending by Appropriation

For the 12 month period ending 30 June 2015, OTS spent \$40.485 million against a departmental budget of \$47.253 million. The following table shows actual spending by appropriation:

APPROPRIATION	COMMENTS
Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act MCA <b>\$34.127m</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 30 June 2015 was \$31.018m against a budget of \$34.127m</p>
Property Portfolio Management <b>\$13.126m</b>	This expense includes all costs associated with the OTS Property Portfolio. Actual expenditure in this output expense to 30 June 2015 was \$9.467m against a budget of \$13.126m.

**FIGURE 2: OTS Spending by Appropriation for the period 1 July 2014 to 30 June 2015 (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. The Office of Treaty Settlements contracts a property management company to assist with the day to day management of the landbanked properties.

In the 12 month period ending 30 June 2015, OTS purchased 22 properties for potential use in historical Treaty settlements, 23 properties were disposed of, leaving the total value of the property portfolio (by acquisition value) at \$297.378 million (excl. GST) or \$314.322 million (incl. GST).

The current market value of the property portfolio as reported in the Crown financial statements at 30 June 2015 is \$400.141 million excluding GST (net book value).

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

