



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 July 2015 – 30 September 2015

www.ots.govt.nz

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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 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

Progress of Settlements

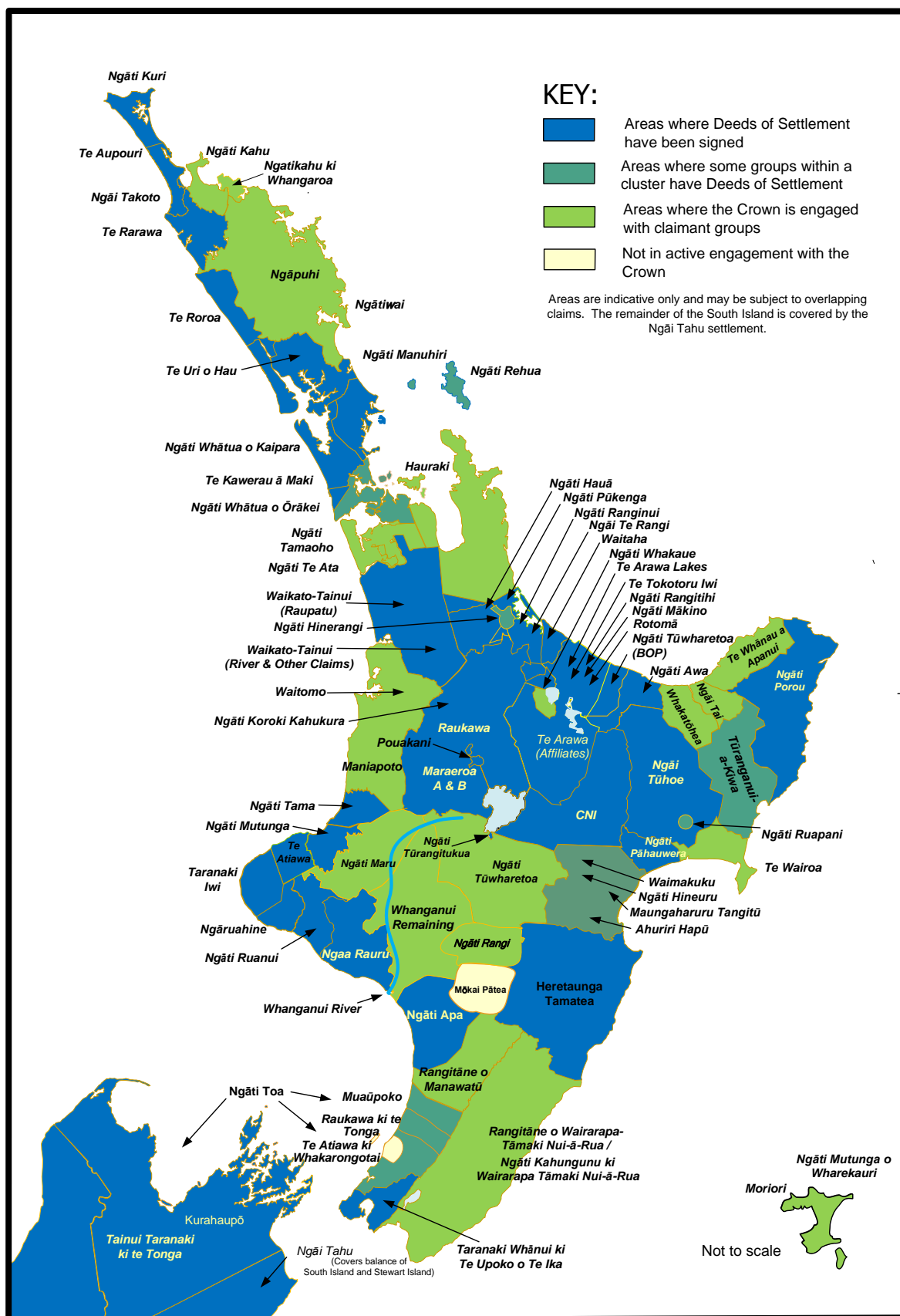
13 significant milestones were reached with claimant groups in the quarter ending 30 September 2015:

| 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 Ātiawa (Taranaki) | Legislation introduced | 9/09/2015 |
| Ngāti Kahungunu ki Heretaunga Tamatea | Deed of Settlement signed | 26/09/2015 |

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 |
|---------------------------|-----------------------------|----------------------|-------------------------------|---------------------------|-----------------------------|---|
| Te Taitokerau | | | | | | |
| 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 | | | | | | A Deed of Settlement was initialled on 5 June 2015 |
| Tāmaki Makaurau | | | | | | |
| 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 Waiohū | | | | | | Terms of Negotiation were signed on 23 November 2012 |
| Hauraki | | | | | | |
| 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 | | | | | | A Deed of Settlement was initialled on 3 July 2015 |
| 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 |
| 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 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 |
| 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 | | | | | | 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 |
| 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 |

| 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 |
| 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 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 Rangitihī | | | | | | A Deed of Mandate was recognised by the Crown on 14 May 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 |
| Ngāi Tamanuhiri | | | | | | Legislation for this settlement was passed on 31 July 2012 |
| Ngāti Porou | | | | | | Legislation for this settlement was passed on 29 March 2012 |
| 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 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 |
| 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 |

| GROUP | Mandate recognised by Crown | Terms of Negotiation | Agreement in Principle signed | Deed of Settlement signed | Enacted through legislation | Negotiation status |
|--|-----------------------------|----------------------|-------------------------------|---------------------------|-----------------------------|--|
| 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 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) | | | | | | A Deed of Settlement was signed on 5 August 2014 |
| Rangitāne o Manawātū | | | | | | A Deed of Settlement was initialled on 1 May 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 | | | | | | A Deed of Settlement was signed on 5 September 2015 |
| Ngāti Rangi | | | | | | Terms of Negotiation were signed on 27 February 2015 |
| 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 |
| 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 |
| Mōriori | | | | | | 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.

\$71.546 million was paid in various types of claimant funding from 1 January 1996 to 30 September 2015. In the three months ending 30 September 2015, \$1.550 million was paid as claimant funding.

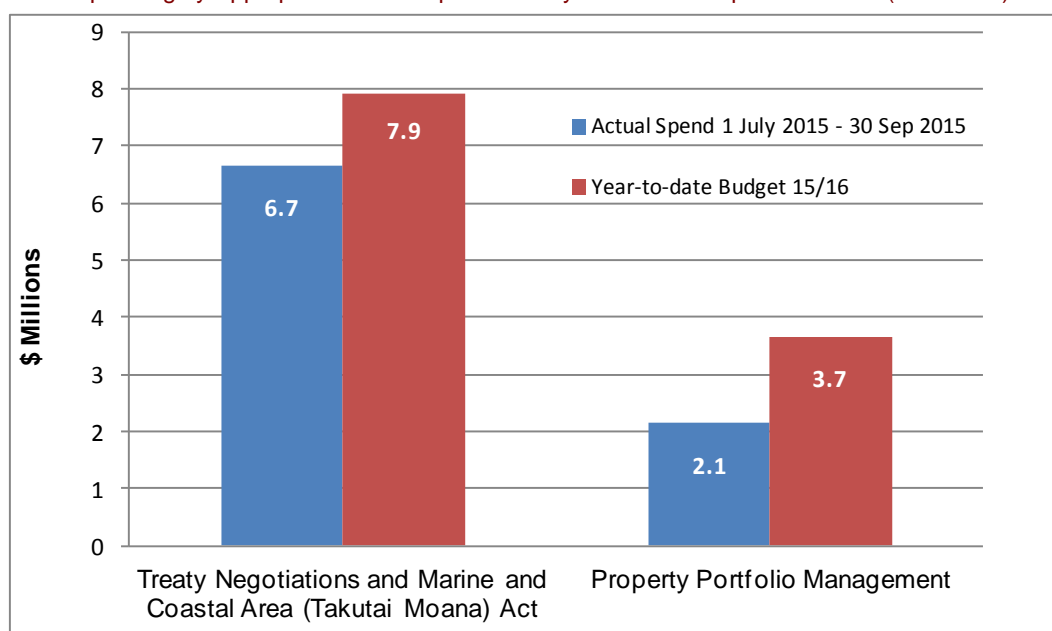
Note: These figures do not include some payments made to Te Ariki, Te Whanganui a Orotu, Tūhourangi, Waimakuku, Waiwhetu, Ngāti Manuhiri, and Ngāti Rangatahi (totalling \$107,603). Additional payments, including ex gratia/one-off payments, have been made from specific appropriations.

Spending by Appropriation

For the three months ending 30 September 2015, OTS spent \$8.805 million against a departmental budget of \$11.581 million. The following table shows actual spending by appropriation:

| APPROPRIATION | COMMENTS |
|---|---|
| Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act MCA \$29.144m | <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 September 2015 was \$6.657m against a budget of \$7.915m.</p> |
| Property Portfolio Management \$11.538m | <p>This expense includes all costs associated with the OTS Property Portfolio. Actual expenditure in this output expense to 30 September 2015 was \$2.148m against a budget of \$3.666m.</p> |

FIGURE 2: OTS Spending by Appropriation for the period 1 July 2015 to 30 September 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 3 month period ending 30 September 2015, OTS purchased 1 property for potential use in historical Treaty settlements, no properties were disposed of, leaving the total value of the property portfolio (by acquisition value) at \$297.293 million (excl. GST) or \$314.237 million (incl. GST).

The current market value of the property portfolio as reported in the Crown financial statements at 30 September 2015 is \$399.717 million excluding GST (net book value).

FIGURE 3: Total value of landbanked properties by region

