



Office of Treaty Settlements

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

Four Monthly Report November 2009 – February 2010

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 four months ending 28 February 2010.

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 over 20 claimant groups from around the country involved in negotiations with the Crown, or in pre-negotiation discussions. The map and tables on the following pages provide an overview of these.

19 significant milestones were reached with claimant groups in the four months to 28 February 2010:

- On 1 December 2009, Ngati Kuri signed Terms of Negotiation with the Crown.
- On 8 December 2009, Ngati Whare signed a Deed of Settlement with the Crown.
- On 8 December 2009, Ngati Porou signed the equivalent of an Agreement in Principle.
- On 12 December 2009, Ngati Manawa signed a Deed of Settlement with the Crown.
- On 16 December 2009, Ngati Manuhiri had their Deed of Mandate recognised by the Crown.
- On 16 December 2009, Ngati Rehua had their Deed of Mandate recognised by the Crown.
- On 17 December 2009, Waikato Tainui signed a Deed of Settlement in relation to their interests in the Co-Management of the Waikato River.
- On 17 December 2009, Ngati Raukawa signed a Deed of Settlement in relation to their interests in the Co-Management of the Waikato River.
- On 22 December 2009, Ngati Manuhiri signed the equivalent of an Agreement in Principle.
- On 22 December 2009, Ngati Whatua o Kaipara signed the equivalent of an Agreement in Principle.
- On 16 January 2010, Te Hiku Forum signed an Agreement in Principle.
- On 25 January 2010, Ngati Pukenga had their Deed of Mandate recognised by the Crown and also signed Terms of Negotiation.
- On 29 January 2010, Mana Ahuriri had their Deed of Mandate recognised by the Crown.
- On 12 February 2010, Ngati Whatua o Orakei signed a revised Agreement in Principle.
- On 12 February 2010, Te Kawerau a Maki signed the equivalent of an Agreement in Principle.
- On 12 February 2010, the Tamaki Collective signed the equivalent of an Agreement in Principle.
- On 26 February 2010, Taranaki Iwi Trust had their Deed of Mandate recognised by the Crown.

- On 26 February 2010, Ngati Whakaue had their Deed of Mandate recognised by the Crown.

To date \$1,086.966 million has been committed to final and comprehensive settlements and several part settlements. This includes \$27.256 million paid as claimant funding separate from the negotiated settlement redress (see table on page 10 for details).

The total value of settlements has exceeded \$1 billion in nominal dollars. The relativity mechanism in the Waikato-Tainui and Ngāi Tahu Deeds of Settlement has not yet been triggered as the relativity mechanism totals all values in 1994 terms, taking account of interest and inflation since 1994. For the purposes of the relativity mechanism, a settlement of \$50 million in the 2008/09 financial year is equivalent to a settlement of \$24 million in 1994.

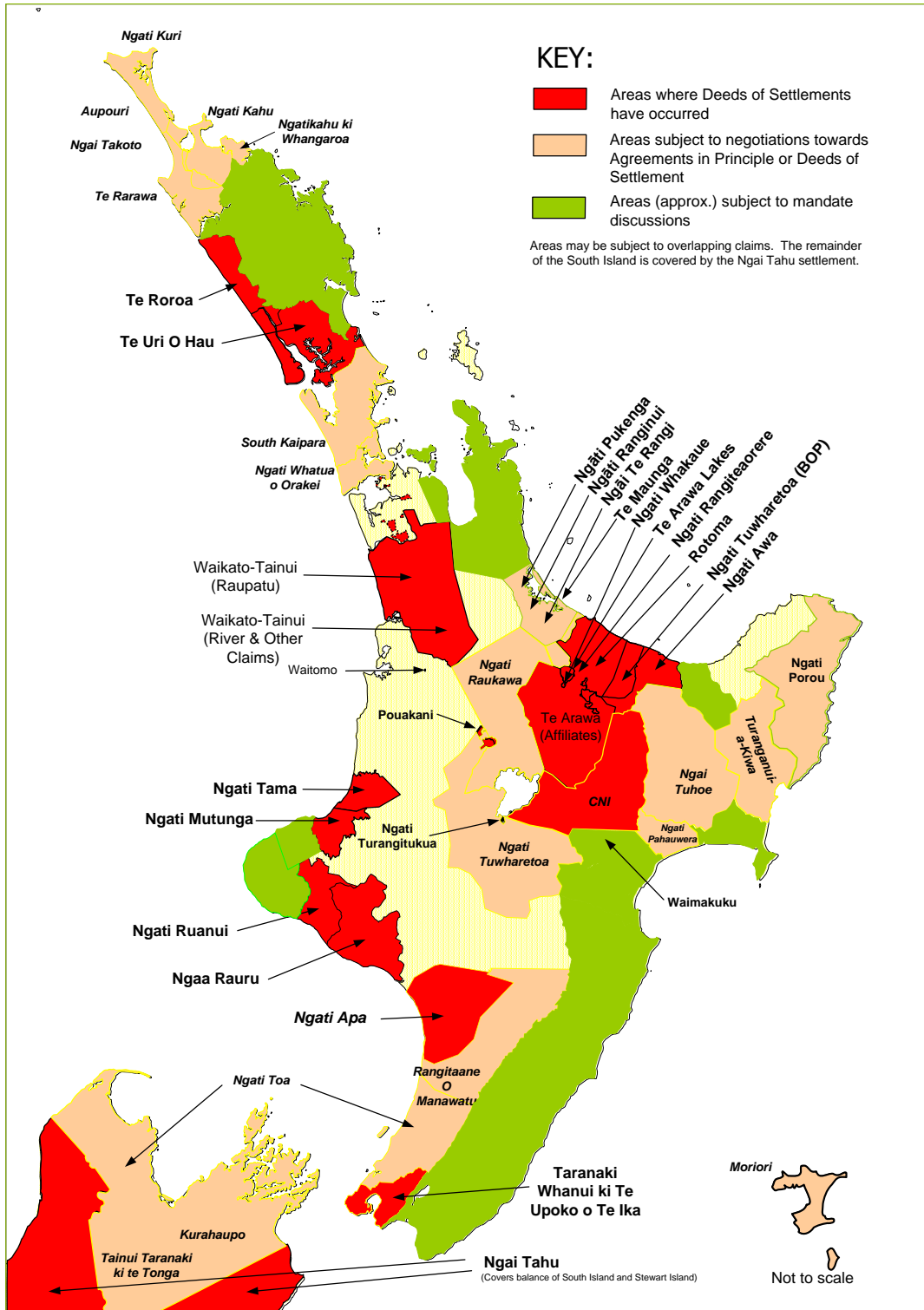
OTS, along with several other government departments, has an ongoing role in the implementation of the settlements agreed to date. This includes transferring settlement properties, farms and forest land, putting agreed settlement instruments into effect and monitoring the Crown's compliance with obligations 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.

Progress of settlements

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 of claimant groups in negotiations that have had a mandate recognised by the Crown. Completed settlements are included. The table is broken down into regional groupings corresponding to the Te Puni Kōkiri regional boundaries, which the Office of Treaty Settlements uses to organise its negotiating teams.

| GROUP | Mandate recognised by Crown | Terms of Negotiation | In negotiations | Agreement in Principle signed | Deed of Settlement signed | Enacted through legislation |
|---|-----------------------------|----------------------|-----------------|-------------------------------|---------------------------|-----------------------------|
| Te Tai Tokerau | | | | | | |
| Te Uri o Hau | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Te Roroa | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Te Rarawa | ✓ | ✓ | ✓ | ✓ | | |
| Te Aupouri | ✓ | ✓ | ✓ | ✓ | | |
| Ngāti Kahu | ✓ | ✓ | ✓ | ✓ | | |
| Ngāi Takoto | ✓ | ✓ | ✓ | ✓ | | |
| Ngāti Kuri | ✓ | ✓ | ✓ | ✓ | | |
| Ngātikahu ki Whangaroa | ✓ | ✓ | ✓ | ✓ | | |
| Tāmaki Makaurau | | | | | | |
| Ngāti Whātua o Ōrākei | ✓ | ✓ | ✓ | ✓ | | |
| Ngāti Whātua o Kaipara | ✓ | ✓ | ✓ | ✓ | | |
| Te Kawerau a Maki | ✓ | ✓ | ✓ | ✓ | | |
| Te Rūnanga o Ngāti Whātua | ✓ | ✓ | ✓ | | | |
| Ngāti Manuhiri | ✓ | ✓ | ✓ | ✓ | | |
| Ngāti Rehua | ✓ | ✓ | ✓ | | | |
| Tamaki Collective | | | ✓ | ✓ | | |
| Waikato | | | | | | |
| Waikato-Tainui (Raupatu Claim) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Waikato-Tainui (River interests) | ✓ | ✓ | ✓ | ✓ | ✓ | |
| Raukawa (Comprehensive) | ✓ | ✓ | ✓ | | | |
| Raukawa (River interests) | | | | | ✓ | |
| Te Moana a Toi | | | | | | |
| Ngāti Tūwharetoa (Bay of Plenty) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Ngāti Awa | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Ngāti Ranginui | ✓ | ✓ | ✓ | | | |
| Ngāti Pukenga | ✓ | ✓ | ✓ | | | |
| Te Arawa/CNI | | | | | | |
| Central North Island Collective | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Te Arawa Lakes | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Te Arawa Affiliates | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Pouakani | ✓ | ✓ | ✓ | N/A | ✓ | ✓ |
| Ngāti Tūrāngitukua | ✓ | ✓ | ✓ | N/A | ✓ | ✓ |
| Ngāti Manawa | ✓ | ✓ | ✓ | ✓ | ✓ | |
| Ngāti Whare | ✓ | ✓ | ✓ | ✓ | ✓ | |
| Ngāti Mākino/Waitaha | ✓ | ✓ | ✓ | ✓ | | |
| Ngāi Tūhoe | ✓ | ✓ | ✓ | | | |
| Te Tokotoru (Ngāti Rangiwewehi / Tapuika / Ngāti Rangiteaorere) | ✓ | ✓ | ✓ | | | |
| Ngāti Tūwharetoa | ✓ | | | | | |
| Ngāti Whakaue | ✓ | | | | | |

| GROUP | Mandate recognised by Crown | Terms of Negotiation | In negotiations | Agreement in Principle signed | Deed of Settlement signed | Enacted through legislation |
|---|-----------------------------|----------------------|-----------------|-------------------------------|---------------------------|-----------------------------|
| Te Tairāwhiti | | | | | | |
| Tūranganui-a-Kiwa | ✓ | ✓ | ✓ | ✓ | | |
| Ngāti Porou | ✓ | | ✓ | ✓ | | |
| Takitimu | | | | | | |
| Ngāti Pahauwera | | ✓ | ✓ | ✓ | | |
| Ngāti Tu | ✓ | | | | | |
| Ngāti Hineuru | ✓ | | | | | |
| Mana Ahuriri | ✓ | | | | | |
| Te Tai Hauāuru | | | | | | |
| Ngāti Ruanui | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Ngāti Tama | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Ngāa Rauru Kīitahi | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Ngāti Mutunga | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Ngāti Apa (North Island) | ✓ | ✓ | ✓ | ✓ | ✓ | |
| Te Iwi o Whanganui (River Claim) | ✓ | ✓ | ✓ | | | |
| Te Atiawa (Taranaki) | ✓ | ✓ | | ✓ | | |
| Rangitaane O Manawatu | ✓ | ✓ | ✓ | ✓ | | |
| Taranaki Iwi | ✓ | | | | | |
| Te Whanganui a Tara/Te Wai Pounamu | | | | | | |
| Ngāi Tahu | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Taranaki Whānui ki Te Upoko o Te Ika | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Kurahaupō | ✓ | ✓ | ✓ | ✓ | | |
| Ngāti Toa Rangitira | ✓ | ✓ | ✓ | ✓ | | |
| Tainui Taranaki ki te Tonga | ✓ | ✓ | ✓ | ✓ | | |
| Moriōri | ✓ | ✓ | | | | |

Status of Claimant Groups Pre-Legislation at 31 October 2009

The following table summarises the status of claimant groups who have entered negotiations with the Crown. It does not include settlements that are being implemented.

| GROUP | NEGOTIATION STATUS |
|-------------|--|
| Te Rarawa | The Crown and Te Rūnanga o Te Rarawa signed Terms of Negotiation in December 2002 and an Agreement in Principle in September 2007. Te Rarawa are a member of the Te Hiku Forum which signed an Agreement in Principle for collective interests on 16 January 2010. Parties are now working towards a Deed of Settlement. |
| Te Aupōuri | The Crown and Aupōuri negotiators signed an Agreement in Principle in September 2004. Te Aupōuri are a member of the Te Hiku Forum which signed an Agreement in Principle for collective interests on 16 January 2010. Parties are now working towards a Deed of Settlement. |
| Ngāti Kahu | The Crown and Te Rūnanga-a-Iwi o Ngāti Kahu signed an Agreement in Principle in September 2008. Ngāti Kahu are a member of the Te Hiku Forum which signed an Agreement in Principle for collective interests on 16 January 2010. Parties are now working towards a Deed of Settlement. |
| Ngāi Takoto | The Crown recognised the mandate of Ngāi Takoto in 2008 and Terms of Negotiation were signed in July 2009. Ngāi Takoto are a member of the Te Hiku Forum which signed an Agreement in Principle for collective interests on 16 January 2010. Parties are now working towards a Deed of Settlement. |
| Ngāti Kuri | The Crown recognised the mandate of Ngāti Kuri in September 2009 and signed Terms of Negotiation in December 2009. Ngāti Kuri are a member of the Te Hiku Forum which signed an Agreement in Principle for collective interests on 16 January 2010. Parties are now working towards a Deed of Settlement. |

| | |
|---|---|
| Ngātikahu ki Whangaroa | The Crown and Ngātikahu ki Whangaroa Trust Board signed Terms of Negotiation in October 2004 and an Agreement in Principle in December 2007. |
| Tamaki Collective | The Crown and Tamaki Collective signed an Agreement in Principle on 12 February 2010. Parties are now working towards a Deed of Settlement for the collective interests of Tamaki Makaurau iwi. |
| Ngāti Whātua o Orakei | The Crown and Ngāti Whātua o Ōrākei signed an Agreement in Principle in June 2006, a revised Agreement in Principle was signed on 12 February 2010. Parties are now working towards a Deed of Settlement. |
| Ngāti Whātua o South Kaipara | The Crown and Ngāti Whātua o South Kaipara signed Terms of Negotiation in 2008 and an Agreement in Principle on 22 December 2009. Parties are now working towards a Deed of Settlement. |
| Te Kawerau a Maki | The Crown and Te Kawerau a Maki signed Terms of Negotiation in August 2008 and an Agreement in Principle on 12 February 2010. Parties are now working towards a Deed of Settlement. |
| Te Rūnanga o Ngāti Whātua | The Crown and Te Rūnanga o Ngāti Whātua signed Terms of Negotiation in October 2008, and are currently negotiating towards an Agreement in Principle. |
| Ngāti Manuhiri | Ngāti Manuhiri had their Deed of Mandate recognised by the Crown on 16 December 2009 and signed an Agreement in Principle on 22 December 2009. Parties are now working towards a Deed of Settlement. |
| Ngāti Rehua | Ngāti Rehua had their Deed of Mandate recognised by the Crown on 16 December 2009. Parties are now working towards an Agreement in Principle. |
| Waikato-Tainui (Waikato River) | The Crown and Waikato-Tainui representatives signed an Agreement in Principle in December 2007 and a Deed of Settlement in August 2008. Legislation to implement the Deed of Settlement was introduced into Parliament on 25 September 2008. A revised Deed of Settlement was signed on 17 December 2009. |
| Ngāti Raukawa | The Crown and Ngāti Raukawa signed Terms of Negotiation in June 2008 and in September 2008 their mandate was recognised by the Crown. The parties are currently negotiating towards an Agreement in Principle. Ngāti Raukawa is a member of the Central North Island Collective who signed a Deed of Settlement on 11 June 2008. Ngāti Raukawa signed a Deed of Settlement in relation to their interests in the Waikato River on 17 December 2009. |
| Ngāti Ranginui (Tauranga) | The Crown recognised the mandate of Ngāti Ranginui in April 2008, and Terms of Negotiation were signed in September 2008. Parties are now working towards an Agreement in Principle. |
| Ngāti Pukenga | The Crown recognised the mandate of Ngāti Pukenga on 25 January 2010 and signed Terms of Negotiation on the same day. Parties are now working towards an Agreement in Principle. |
| Ngāti Manawa | The Crown and Te Rūnanga o Ngāti Manawa signed an Agreement in Principle in September 2008 and signed a Deed of Settlement on 12 December 2009. Ngāti Manawa is a member of the Central North Island Collective which signed a Deed of Settlement with the Crown on 11 June 2008. |
| Ngāti Whare | The Crown and Te Rūnanga o Ngāti Whare signed an Agreement in Principle in June 2009 and signed a Deed of Settlement on 8 December 2009. Ngāti Whare is a member of the Central North Island Collective which signed a Deed of Settlement with the Crown on 11 June 2008. |
| Ngāti Makino/Waitaha | The Crown and Ngāti Makino/Waitaha signed separate Agreements in Principle on 16 October 2008 and are currently negotiating towards a Deed of Settlement. |
| Ngāi Tūhoe | The Crown recognised the mandate of Ngāi Tūhoe in September 2007 and Terms of Negotiation were signed in July 2008. They are currently negotiating towards an Agreement in Principle. Ngāi Tūhoe is a member of the Central North Island Collective who signed a Deed of Settlement on 11 June 2008. |
| Te Tokotoru (Tapuika/ Ngāti Rangiwewehi/ Ngāti Rangiteaorere) | The Crown and Tapuika/Ngāti Rangiwewehi signed joint Terms of Negotiation in August 2008, and had their mandate recognised in October 2008. Ngāti Rangiteaorere had their mandate recognised by the Crown in July 2009. Terms of Negotiation for Tapuika/ Ngāti Rangiwewehi were amended in July 2009 to include Ngāti Rangiteaorere and the groups became known as Te Tokotoru. The Crown and Te Tokotoru are currently negotiating towards an Agreement in Principle. |
| Ngāti Tūwharetoa | The Crown recognised the mandate of the Ngāti Tūwharetoa Hapū-a-Iwi Waitangi Claims Forum in March 2004. Ngāti Tūwharetoa is a member of the Central North Island Collective which signed a Deed of Settlement on 11 June 2008. |
| Tūranganui-a-Kiwa | The Crown and Ngāi Tamanuhiri Whānui Trust, Te Pou a Haokai and the Rongowhakaata Trust signed an Agreement in Principle in August 2008 and are currently negotiating towards separate Deeds of Settlement. |

| | |
|---|---|
| Ngāti Porou | The Crown recognised the mandate of Te Rūnanga o Ngāti Porou in April 2008. The parties have commenced negotiations. After reaching an equivalent of an Agreement in Principle in December 2009, parties are now negotiating towards a Deed of Settlement. |
| Ngāti Pahauwera | The Crown and Ngāti Pahauwera signed an Agreement in Principle in September 2008 and are currently negotiating towards a Deed of Settlement. |
| Ngāti Hineuru | The Crown recognised the mandate of Ngāti Hineuru on 29 October 2009, parties are now working towards signing Terms of Negotiation. |
| Ngāti Tu | The Crown recognised the mandate of Ngāti Tu on 22 October 2009, parties are now working towards signing Terms of Negotiation. |
| Mana Ahuriri | The Crown recognised the mandate of Mana Ahuriri on 29 January 2010, parties are now working towards signing Terms of Negotiation. |
| Ngāti Apa (North Island) | The Crown and Te Rūnanga o Ngāti Apa signed an Agreement in Principle in July 2007 and a Deed of Settlement in October 2008. Settlement Legislation has been introduced to Parliament. |
| Rangitaane O Manawatu | The Crown and Rangitaane O Manawatu signed a Heads of Agreement in 1999. Tānenuiarangi Manawatu Incorporated (TMI) have recently completed a mandate reconfirmation process. |
| Taranaki Iwi | The Crown recognised the mandate of Taranaki Iwi Trust on 26 February 2010. Parties are now working towards signing Terms of Negotiation. |
| Ngāti Toa Rangitira (Northern South Island) | The Crown and Te Rūnanga o Ngāti Toa signed Terms of Negotiation in 2007 and signed an Letter of Agreement in February 2009. The parties are now negotiating towards a Deed of Settlement. |
| Kurahaupō (Northern South Island) | The Crown and the Kurahaupō Trust (Ngāti Apa Ki Te Ra To, Ngāti Kuia and Rangitāne o Wairau) signed Terms of Negotiation in 2006 and signed a Letter of Agreement in February 2009. The parties are now negotiating towards a Deed of Settlement. |
| Tainui Taranaki ki te Tonga (Northern South Island) | Four Te Tau Ihu iwi (Ngāti Koata, Ngāti Rarua, Te Atiawa and Ngāti Tama) formed a group called Tainui Taranaki ki te Tonga. The Crown and Tainui Taranaki ki te Tonga signed Terms of Negotiation in 2007 and signed an Letter of Agreement in February 2009. The parties are now negotiating towards a Deed of Settlement. |
| Moriori | The Crown and the Hokotehi Moriori Trust signed Terms of Negotiation in July 2004. |

Status of Claimant Groups Post-Legislation at 31 October 2009

The following identifies outstanding actions to complete implementation of settlements and reports on key work completed during the quarter:

| GROUP | NEGOTIATION STATUS |
|----------------------------------|---|
| Ngāi Tahu | Implementation is largely complete. |
| Ngāi Tahu Ancillary Claims Trust | Taiaroa Head sites: The joint management body to administer the sites is yet to be established. |
| Affiliate Te Arawa Iwi/hapū | Settlement date was 2 July 2009. Not all settlement date obligations were met, there are some outstanding issues yet to be completed. |
| CNI Collective | Completing DSP and RFR process. |

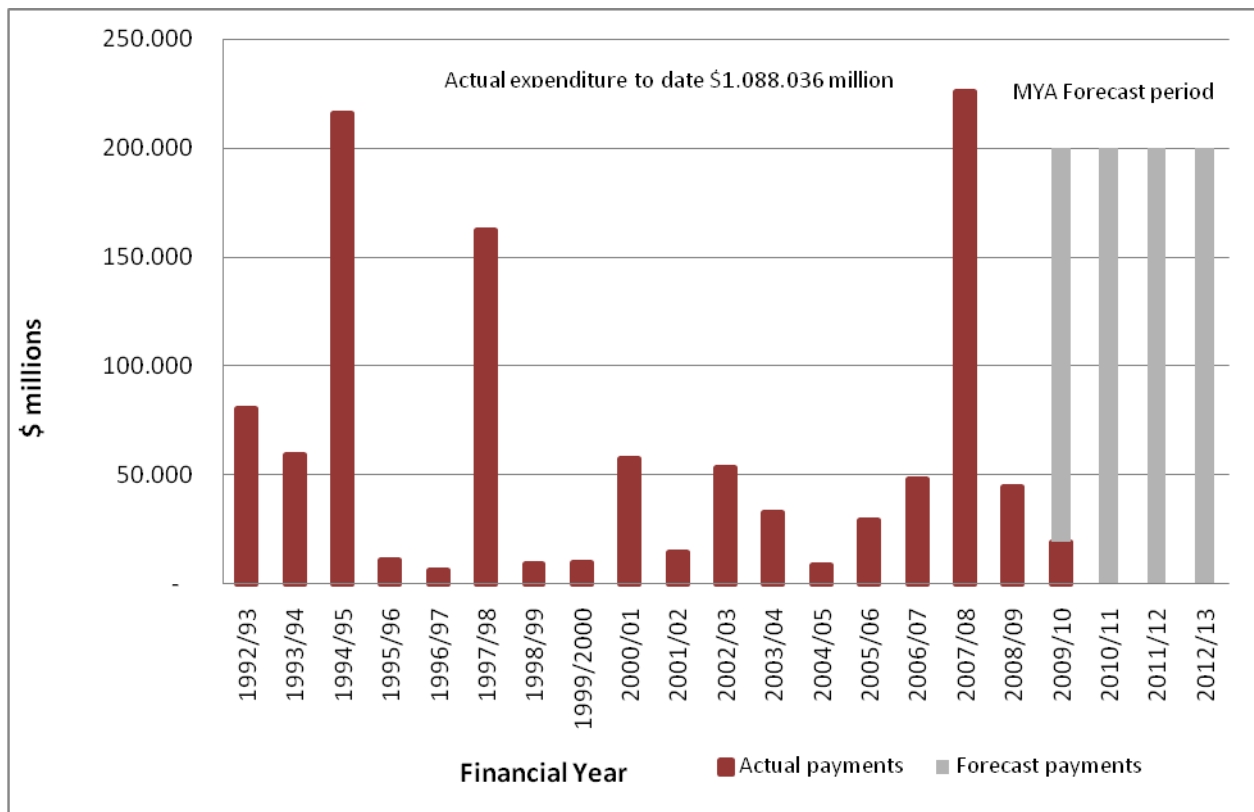
All key OTS implementation tasks have been completed for all other settlements.

Financial Information

Multi Year Appropriation

In 1994 the Crown established a five year Multi Year Appropriation (MYA) for the settlement of historical (pre 21 September 1992) grievances under the Treaty of Waitangi. All settlement redress and claimant funding payments are funded through the MYA. From the 2005/06 financial year interest paid on settlements is also included in the MYA. The MYA is updated every year to cover a new five-year period. The spread of the MYA between outyears in the chart below is notional only, and actual annual expenditure may be above or below the notional spread. Settlements are expensed in the year of signing of a Deed of Settlement.

FIGURE 2: Multi Year Appropriation by Year



Note 1: The Whakatōhea settlement (\$39 million) was expensed in the 1996/97 year and was reversed out in the 1997/98 year when the deed was not ratified.

Note 2: The 1992 Fisheries settlement of \$150 million was expensed over 3 years (1992/93, 1993/94, 1994/95). The Fisheries settlement also included the transfer of 20% of new fisheries quota, which has been given an indicative value of \$20 million, for estimating a total dollar value of the settlement of \$170 million.

Note 3: This does not cover accumulated rentals on Crown Forest Land.

The tables on the following two pages show:

- The groups settled since 21 September 1992 and the value of the settlement; and
- Groups that have reached a Heads of Agreement or Agreement in Principle but are still to reach a Deed of Settlement and their quantum.

Settlements since 21 September 1992

| GROUP | YEAR DEED OF SETTLEMENT INITIALED | VALUE OF SETTLEMENT (\$) |
|--|--|---------------------------------|
| Fisheries | 1992/93 | 170,000,000 |
| Ngāti Whakaue | 1993/94 | 5,210,000 |
| Ngāti Rangiteaorere | 1993/94 | 760,000 |
| Hauai | 1993/94 | 715,682 |
| Waikato-Tainui Raupatu | 1994/95 | 170,000,000 |
| Waimakuku | 1995/96 | 375,000 |
| Rotomā | 1996/97 | 43,931 |
| Te Maunga | 1996/97 | 129,032 |
| Ngāi Tahu | 1996/97 | 170,000,000 |
| Ngāti Tūrangitukua | 1998/99 | 5,000,000 |
| Pouakani | 1999/00 | 2,000,000 ¹ |
| Te Uri o Hau | 1999/00 | 15,600,000 |
| Ngāti Ruanui | 2000/01 | 41,000,000 |
| Ngāti Tama | 2001/02 | 14,500,000 |
| Ngāti Awa (and ancillaries) | 2002/03 | 43,390,000 |
| Ngāti Tūwharetoa (Bay of Plenty) | 2002/03 | 10,500,000 |
| Ngaa Rauru Kīitahi | 2003/04 | 31,000,000 |
| Te Arawa Lakes | 2004/05 | 2,700,000 ² |
| Ngāti Mutunga (Taranaki) | 2005/06 | 14,900,000 |
| Te Roroa | 2005/06 | 9,500,000 ⁶ |
| Affiliate Te Arawa Iwi and Hapū | 2007/08 | 38,600,000 |
| CNI Forests on-account settlements | 2007/08 | 149,564,340 ³ |
| Taranaki Whānui ki te Upoko o te Ika | 2007/08 | 25,025,000 |
| Ngāti Apa (North Island) | 2008/09 | 16,000,000 |
| Waikato River | 2008/09 | n/a ⁴ |
| Ngāti Manawa | 2009/10 | 12,207,780 |
| Ngāti Whare | 2009/10 | 9,568,260 |
| Raukawa/Te Pūmautanga o Te Arawa Upper Waikato River Co-Management | 2009/10 | n/a ⁷ |
| Total Settlement Redress | | 958,289,025 |
| Other expenses against the MYA and other Vote Treaty Negotiations appropriations | | 128,159,734 ⁵ |
| Other expenses Departmental & other votes | | 508,361 |
| TOTAL | | 1,086,966,120 |

1. Includes \$650,000, which was paid in advance of settlement in 1990.
2. Excludes \$7.3 million paid in to capitalise the annuity Te Arawa received from the Crown and address any remaining annuity issues.
3. The Central North Island settlement provides on-account redress for a collective of groups, including the Affiliate Te Arawa Iwi and Hapū. As each of these groups concludes comprehensive settlements, their share of the CNI settlement will be listed separately, and the total value listed against the CNI settlement will be reduced accordingly. Ngāti Rangitihī joined the CNI Collective on 4 November 2008, increasing the value of the CNI settlement.
4. The Waikato River settlement provides funding for co-management, clean up of the Waikato River and other initiatives. These payments are not redress in settlement of Waikato-Tainui's historical claims.
5. Other expenses include:
 - i. the value of gifting for claims that have been settled or part settled, but for which the value of the gifting has not been included in the settlement value (\$72,344,997).
 - ii. part settlements including those involving surplus railways properties (\$26,789,520).
 - iii. claimant funding for claims which have not yet been settled, and claimant funding where this is separate from total settlement value (\$27,256,034).
 - iv. costs associated with the administration of the Ngāi Tahu Ancillary Claims Trust (\$1,769,183).
6. Excludes ex gratia payments and redress provided through other appropriations.
7. Provides for co-management of Upper Waikato River. This is not redress in settlement of historical claims.

Heads of Agreement / Agreements in Principle reached, still to reach Deed of Settlement

| GROUP | YEAR AGREED | AGREED QUANTUM (\$) |
|-----------------------------------|--------------------|----------------------------|
| Rangitaane O Manawatu | 1999/00 | 8,500,000 |
| Te Atiawa (Taranaki) | 1999/00 | 34,000,000 |
| Ngāti Whātua o Orakei | 2005/06 | 10,000,000 |
| Ngātikahu ki Whangaroa | 2007/08 | n/a ¹ |
| Turanganui-a-Kiwa | 2008/09 | 59,000,000 |
| Ngati Pahauwera | 2008/09 | 20,000,000 |
| Ngāti Makino | 2008/09 | 6,500,000 |
| Waitaha | 2008/09 | 7,500,000 |
| Maniapoto Co-Management Agreement | 2008/09 | n/a ² |
| Ngāti Toa Rangatira | 2008/09 | 40,000,000 ³ |
| Tainui Taranaki ki te Tonga | 2008/09 | 35,000,000 |
| Kurahauupō | 2008/09 | 30,650,000 ⁴ |
| Ngāti Manuhiri | 2009/10 | 9,000,000 |
| Ngāti Whatua o Kaipara | 2009/10 | 22,100,000 |
| Ngāti Porou | 2009/10 | 90,000,000 |
| Te Hiku | 2009/10 | 120,000,000 ⁵ |
| Ngāti Whatua o Ōrākei | 2009/10 | 18,000,000 |
| Te Kawerau a Maki | 2009/10 | 6,500,000 |
| Tāmaki Collective | 2009/10 | n/a ⁶ |

The above values indicate the agreed quantum, and do not include interest, the value of gifted cultural properties or commercial properties with cultural associations, payments for social and cultural revitalisation or capacity building.

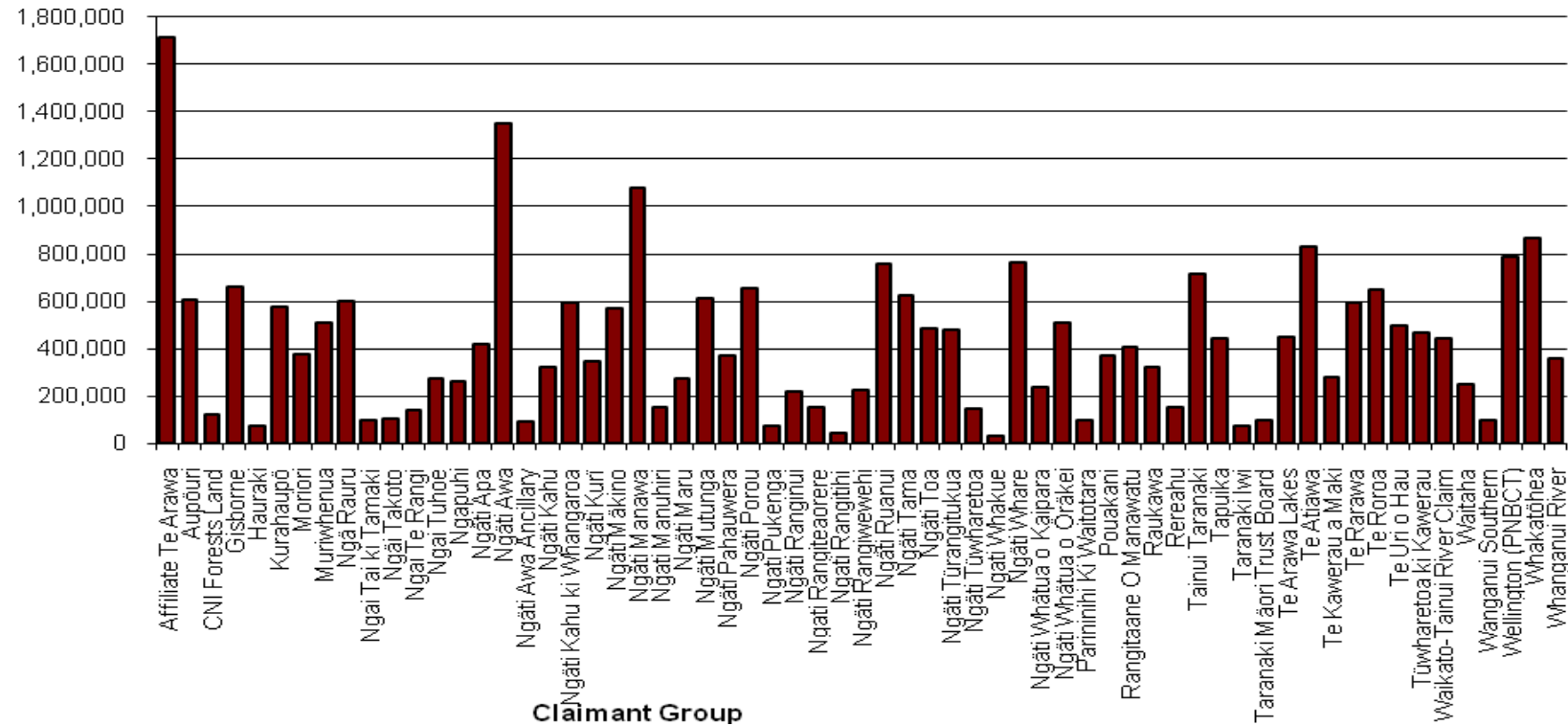
1. Includes the return of Stony Creek Station, a property with both cultural and commercial value. No valuation has therefore been ascribed to the Station.
2. Relates to Waikato River co-management framework.
3. Does not include payment in recognition of maritime interests.
4. Includes funding for capacity building, but does not include payments in lieu of forestry redress.
5. Supercedes the existing agreements for Te Rarawa, Te Aupouri and Ngati Kahu.
6. Involves the transfer of Auckland volcanic cones and Right of First Refusal over Crown properties.

Claimant Funding

In 1997 the government amended its claimant funding policy so that claimant funding was paid separately from negotiated settlement redress. For settlements prior to this decision, the claimant funding was deducted from the negotiated settlement redress. The amount of money paid as claimant funding differs for each claimant group depending on the different stages they have reached in the negotiation process. The amount paid as claimant funding also reflects the size of the claimant group and the complexity of the issues negotiated.

\$27.256 million was paid in various types of claimant funding from 1 January 1996 to 28 February 2010. The distribution of claimant funding by claimant group is shown in Figure 3. In the year to 28 February 2010, \$4.990 million was paid as claimant funding.

FIGURE 3: Claimant Funding Spending from 1 January 1996 to 28 February 2010 (excluding Settlement Redress)



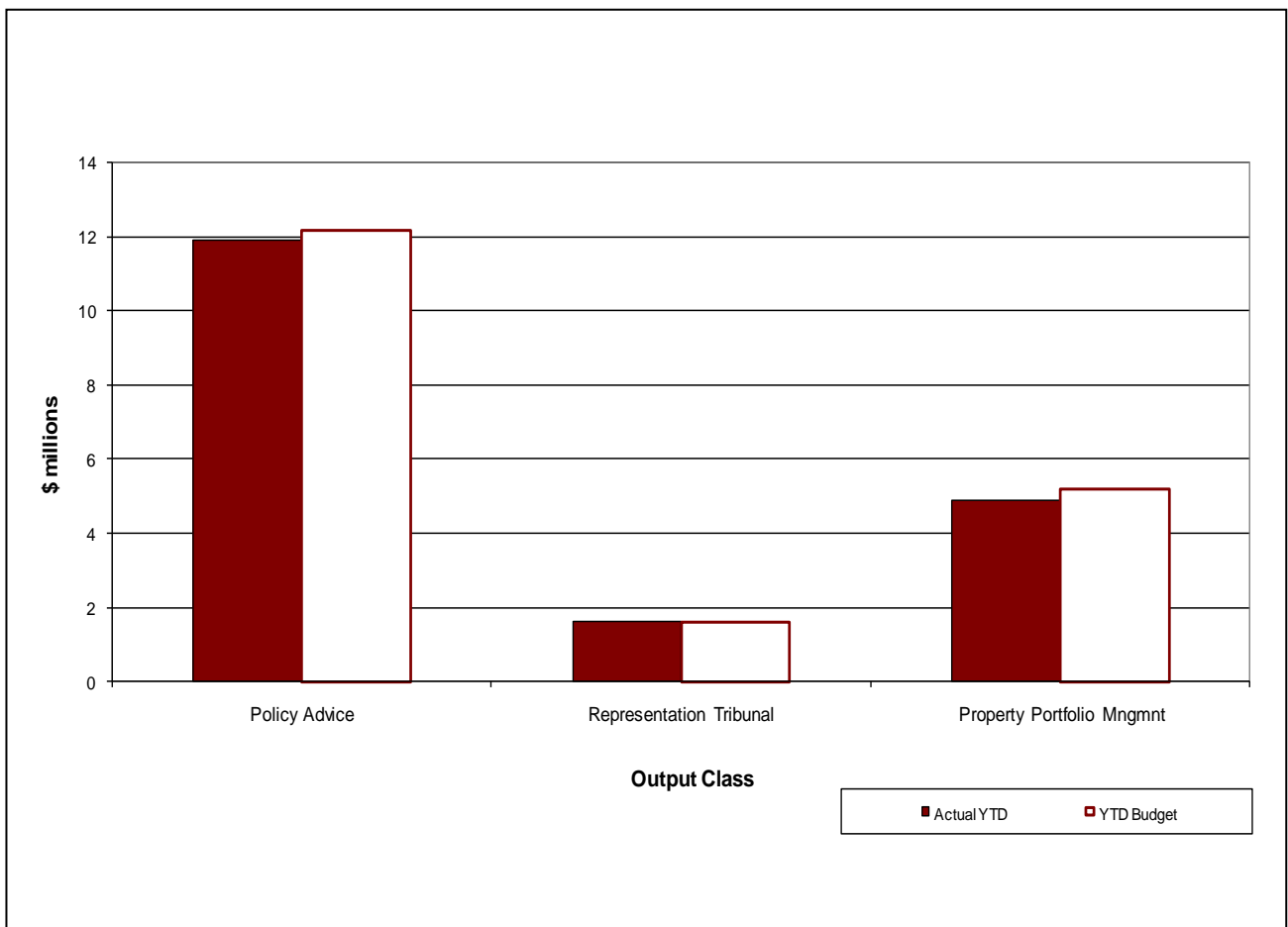
Note: Figure 3 does not show the payments made to Te Arika, Te Whanganui a Orotu, Whanganui Lands, Ngāti Rehua, Tuhourangi, Waimakuku, Waiwhetu, Ngāti Manuhiri, Ngāti Tamaoho, Te Aki, Tai and Ngāti Rangatahi (totalling \$290,000). Additional payments, including ex gratia/one off payments, have been made from specific appropriations and are not included in this graph.

Spending by Output Expense

For the year to 28 February 2010, OTS spent \$18.433 million against a budget of \$18.957 million. The following table shows the split of actual spending by expenses:

| OUTPUT EXPENSE | COMMENTS |
|--|---|
| Policy Advice: Treaty Negotiations (\$11.097m) | This includes all spending on policy advice and Crown negotiation costs for historical Treaty settlements and all costs relating to the implementation of settlements, such as legislation and land transfer costs. Actual expenditure in this expense class to 28 February was \$11.907m against budgeted expenditure of \$12.190m – an under-spend of \$0.283m. |
| Representation: Waitangi Tribunal (\$1.619m) | This expense includes all costs relating to representation before the Waitangi Tribunal. Actual expenditure in this output expense to 28 February was \$1.619m against budgeted expenditure of \$1.591m – an over-spend of \$0.028m. |
| Property Portfolio Management (\$4.908) | This expense includes all costs associated with the OTS Property Portfolio. Actual expenditure to 31 October was \$4.908m against budgeted expenditure of \$5.176m – an under-spend of \$0.268m. |

FIGURE 4: OTS Spending by Output Expense for the period 1 July 2009 to 31 October 2009 (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 eight months to 28 February 2010, OTS purchased thirty four properties for potential use in historical Treaty settlements and disposed of six properties, leaving the total value of the property portfolio (by acquisition value) at \$174.19 million.

The current market value of the property portfolio as reported in the Crown financial statements at 28 February 2010 is \$360.1 million (net book value).

FIGURE 5: Total value of landbanked properties by region

