

Hon Andrew Little
Minister for Treaty of Waitangi Negotiations

Proactive release – Te Korowai o Wainuiārua Cabinet Papers

Date of issue: 10 March 2023

The following documents have been proactively released in accordance with Cabinet Office Circular CO (18) 4.

Some information has been withheld on the basis that it would not, if requested under the Official Information Act 1982 (OIA), be released. Where that is the case, the relevant section of the OIA has been noted and no public interest has been identified that would outweigh the reasons for withholding it.

No.	Document	Comments
1	Te Korowai o Wainuiārua: Deed of settlement <i>Cabinet minute CAB-20-MIN-0258</i> Cabinet Office <i>Meeting date: 8/06/2020</i>	Some information has been withheld because it is out of scope – relates to other settlements.
2	Te Korowai o Wainuiārua: Deed of settlement <i>Cabinet Māori Crown Relations – Te Arawhiti Committee minute MCR-20-MIN-0015</i> Cabinet Office <i>Meeting date: 2/06/2020</i>	Some information has been withheld in accordance with the following section of the OIA: - section 9(2)(j) to enable negotiations to continue.
3	Te Korowai o Wainuiārua: Increase in Total Settlement Value <i>Cabinet minute CAB-22-MIN-0467</i> Cabinet Office <i>Meeting date: 31/10/2022</i>	Some information has been withheld because it is out of scope – relates to other settlements.
4	Te Korowai o Wainuiārua: Deed of settlement Cabinet Paper Office for Māori Crown Relations – Te Arawhiti	Some information has been withheld in accordance with the following section of the OIA: - section 9(2)(j) to enable negotiations to continue.
5	Te Korowai o Wainuiārua: Increase in Total Settlement Value <i>Cabinet Māori Crown Relations – Te Arawhiti Committee minute MCR-22-MIN-0017</i> Cabinet Office <i>Meeting date: 25/10/2022</i>	Some information has been withheld in accordance with the following section of the OIA: - section 9(2)(j) to enable negotiations to continue.
6	Te Korowai o Wainuiārua: Increase in Total Settlement Value Cabinet Paper Office for Māori Crown Relations – Te Arawhiti	Some information has been withheld in accordance with the following section of the OIA: - section 9(2)(j) to enable negotiations to continue.



Cabinet

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Report of the Cabinet Māori Crown Relations - Te Arawhiti Committee: Period ended 5 June 2020

On 8 June 2020, Cabinet made the following decisions on the work of the Cabinet Māori Crown Relations - Te Arawhiti Committee for the period ended 5 June 2020:

MCR-20-MIN-0015 **Te Korowai o Wainuiārua Deed of Settlement** CONFIRMED
Portfolio: Treaty of Waitangi Negotiations



Michael Webster
Secretary of the Cabinet



Cabinet Māori Crown Relations - Te Arawhiti Committee

Minute of Decision

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Te Korowai o Wainuiārua Deed of Settlement

Portfolio **Treaty of Waitangi Negotiations**

On 2 June 2020, the Cabinet Māori Crown Relations - Te Arawhiti Committee:

Background

- 1 **noted** the Crown and Uenuku Charitable Trust (the mandated entity for Te Korowai o Wainuiārua) are close to finalising a deed of settlement to settle the historical Treaty of Waitangi claims of Te Korowai o Wainuiārua;
- 2 **noted** that in August 2018, Cabinet approved a comprehensive settlement offer of [REDACTED] million, comprising \$21.700 million financial redress and \$ [REDACTED] million cultural redress [CAB-17-MIN-0387];
- 3 **noted** that in November 2018, Uenuku Charitable Trust and the Crown signed an agreement in principle;
- 4 [REDACTED]
- 5 [REDACTED]
- 6 **noted** that, subject to Cabinet agreement to the proposals in this paper and addressing overlapping interests, the Minister for Treaty of Waitangi Negotiations intends to initial the deed of settlement in July 2020;

Scope of Settlement

- 7 **noted** that the settlement will finally and comprehensively settle all historical claims of Te Korowai o Wainuiārua;

Variations to Commercial Redress Package

- 8 **noted** that Te Korowai o Wainuiārua plan to ratify the deed of settlement, post settlement governance entity and on-account payment concurrently;

- 9 **agreed** to the proposed changes to the commercial redress package, as set out in Appendix Two, Table One to the submission under MCR-20-SUB-0015;
- 10 **agreed** to the proposed exclusive right of first refusal area, as described in Appendix One, Map Two to the submission under MCR-20-SUB-0015;

Variations to Cultural Redress Package

- 11 **noted** that the final Te Korowai o Wainuiārua settlement package is largely consistent with the agreement in principle;
- 12 **noted** that variations to the Te Korowai o Wainuiārua cultural redress package detailed in this paper have no impact on the total settlement value;
- 13 **noted** that the complete settlement package is detailed at Appendix Three to the submission under MCR-20-SUB-0015;
- 14 **agreed** to the proposed changes to redress over public conservation land administered by the Department of Conservation, set out in Appendix Two, Table Two to the submission under MCR-20-SUB-0015;
- 15 **noted** that changes to redress over public conservation land administered by the Department of Conservation in relation to alternative redress to Te Wera Crown forestry licensed land, set out in Appendix Two, Table Three to the submission under MCR-20-SUB-0015;
- 16 **noted** that Te Korowai o Wainuiārua intends to establish a fenced and pest-controlled ecosanctuary on 204 hectare of Part Erua Conservation Area to be transferred to Te Korowai o Wainuiārua in the settlement;
- 17 **noted** that discussions between the Crown and Te Korowai o Wainuiārua on the transfer terms of Part Erua Conservation Area are ongoing;
- 18 **authorised** the Minister for Treaty of Waitangi Negotiations and the Minister of Conservation to agree the transfer terms for Part Erua Conservation Area with Te Korowai o Wainuiārua prior to initialling the deed of settlement;
- 19 **agreed** that Treaty settlement legislation be used to stop and vest identified sections of unformed legal roads, as set out in Appendix One, Map Three to allow infrastructure to be built and to facilitate access to the proposed ecosanctuary from State Highway 4;
- 20 **agreed** to offer changes to official geographic place names within the Te Korowai o Wainuiārua area of interest, set out in Appendix Two, Table Five to the submission under MCR-20-SUB-0015;
- 21 **authorised** the Minister for Treaty of Waitangi Negotiations to offer one further change to an official geographic place name within the Te Korowai o Wainuiārua area of interest, pending consultation with neighbouring iwi on this proposal;

Crown Minerals and Cultural Materials Redress

- 22 **agreed** that members of Te Korowai o Wainuiārua may remove by hand, the following minerals (in addition to pākohe), from public conservation land with the prior permission of the post settlement governance entity: ōnewa (greywacke or basalt); matā tūhua (black obsidian); paru (curing mud with iron salt deposits); one-uku (clay); papa hoanga (sandstone); and kokowai uku (an iron rich clay or red ochre);

- 23 **agreed** to include additional clauses in the Crown Minerals Protocol previously agreed by Cabinet in August 2018, and in the Treaty settlement legislation to authorise the Te Korowai o Wainuiārua post settlement governance entity to issue written permissions to take flora and possess dead protected wildlife;
- 24 **agreed** that the coming into effect and scope of this legislative authority will be subject to a cultural materials plan for non-commercial cultural use being jointly agreed between the Department of Conservation and Te Korowai o Wainuiārua post-settlement;

Relationship Redress

- 25 **agreed** to offer Te Korowai o Wainuiārua relationship agreements with the Ministry of Education and KiwiRail;

Financial Implications

- 26 **noted** that, under a 2002 agreement, the Crown agreed to offer Te Korowai o Wainuiārua the right to purchase the former Waikune Prison site for transfer on settlement date at \$0.268 million on an ‘as is’ basis;
- 27 **noted** that the market valuation of the former Waikune Prison site has increased to [REDACTED];
- 28 **noted** that the Crown is required to recognise the loss-on-sale of [REDACTED] for the former Waikune Prison site;

29 [REDACTED]

30 [REDACTED]

[REDACTED]

- 32 **noted that under the decision in paragraph 31 above, joint Ministers will be asked to approve the following changes to appropriations with a fiscally neutral impact:**

	\$m – increase/(decrease)				
	2019/20	2020/21	2021/22	2022/23	2023/24 & Outyears
Vote: Lands Minister for Treaty of Waitangi Negotiations <i>Non-Departmental Other Expense:</i> Loss-on-Sale of Landbank Properties		[REDACTED]			
Vote: Treaty Negotiations Minister for Treaty of Waitangi Negotiations <i>Non-Departmental Other Expense:</i> [REDACTED]		[REDACTED]			

- 33 **noted** that the loss-on-sale adjustment does not affect Te Korowai o Wainuiārua’s quantum but does increase the total settlement value;
- 34 **approved** the following elements of the Te Korowai o Wainuiārua settlement to be charged against the *Vote: Treaty Negotiations Multi-Year Appropriation: Historical Treaty of Waitangi Settlements 2019-2023* when the deed of settlement is initialled:

<i>Table Two - Financial implications of the proposed settlement</i>		(\$m)
Financial and commercial redress		
Financial redress		21.700
Loss on sale for former Waikune Prison (a separate appropriation in <i>Vote: Treaty Negotiations</i>)		█
<i>Subtotal Financial and Commercial redress</i>		█
Cultural redress		
Cultural properties		█
Cultural revitalisation fund		0.600
Cultural redress as an alternative to Te Wera CFL		█
Ecosanctuary support		0.750
Remaining cultural redress to add to cultural revitalisation fund		█
<i>Subtotal Cultural redress</i>		█
Total settlement redress (including loss-on-sale for former Waikune Prison)		█
Estimated interest		█
Total value received by claimants through the settlement process		█
Other Crown costs		
█		█
Relativity clause implications (estimate)		█
Total cost to the Crown		█
Less on-accounts and associated relativity clause implications		█
Total to be charged when a deed of settlement is initialled		█

Department of Conservation implementation operating costs and impairment costs

- 35 **noted** that the Department of Conservation is currently estimating the implementation costs and will provide the Minister of Finance and Minister of Conservation with the estimate, for their noting, when available;
- 36 **noted** that after joint Ministers have noted the estimated implementation costs, the Department of Conservation will seek implementation funding for this Treaty settlement through the baseline update process [CAB Min (10) 9/7] shortly after the settlement legislation is enacted;
- 37 **noted** that the Department of Conservation will confirm impairment costs resulting from this settlement, including through any standard annual revaluation process, after initialling the deed of settlement, and will provide the Minister of Finance, Minister of Conservation and the Minister for Treaty of Waitangi Negotiations with these costs when they are known;

Addressing overlapping interests

- 38 **noted** that overlapping interests have been addressed with Ngaa Rauru Kiitahi, Ngāti Rangi, Ngāti Tūwharetoa, Maniapoto, and Ngāti Maru (Taranaki);
- 39 **noted** that overlapping interests discussions between Te Korowai o Wainuiārua and Ngāti Hauā, and Te Korowai o Wainuiārua and Whanganui Land Settlement are ongoing;
- 40 **noted** that the Minister for Treaty of Waitangi Negotiations will only initial a deed of settlement if overlapping interests have been addressed to the Crown's satisfaction;
- 41 **authorised** the Minister for Treaty of Waitangi Negotiations, in consultation with any other relevant portfolio Ministers as necessary, to make final decisions on redress where there are overlapping interest issues to be addressed;

Conditions of settlement

- 42 **noted** that the settlement is conditional on ratification of the deed of settlement by the Te Korowai o Wainuiārua claimant community and the enactment of settlement legislation to implement certain aspects of the deed of settlement;

Authorisation

- 43 **authorised** the Minister of Finance and the Minister of Conservation to note the estimated Department of Conservation implementation costs for the Te Korowai o Wainuiārua settlement when they are confirmed;
- 44 **authorised** the Minister of Finance, Minister for Treaty of Waitangi Negotiations and Minister of Conservation to approve any increase to the *Vote: Conservation: Impairment of Public Conservation Land* appropriation once the Department of Conservation impairment costs are confirmed;
- 45 **authorised** the Minister for Treaty of Waitangi Negotiations and relevant portfolio ministers to finalise or vary redress relevant to their portfolios:
- 45.1 that does not increase the total value of the settlement;
 - 45.2 is within the general parameters of the Treaty settlement framework; and
 - 45.3 in consultation with affected agencies, to take account of any final issues prior to initialling the deed of settlement;

Ratification of settlement

- 46 **authorised** the Minister for Treaty of Waitangi Negotiations and the Minister for Māori Development to consider whether the ratification results demonstrate sufficient support from Te Korowai o Wainuiārua and decide whether to approve the ratification results for the deed of settlement and post settlement governance entity;
- 47 **authorised** the Minister for Treaty of Waitangi Negotiations to sign the deed of settlement on behalf of the Crown should the ratification results demonstrate sufficient support from Te Korowai o Wainuiārua;

Next steps

48 **noted** that the Minister for Treaty of Waitangi Negotiations intends to initial a deed of settlement with Te Korowai o Wainuiārua in July 2020.

Rachel Clarke
Committee Secretary

Present:

Rt Hon Winston Peters
Hon Kelvin Davis (Chair)
Hon Grant Robertson
Hon Andrew Little
Hon David Parker
Hon Stuart Nash
Hon Peeni Henare
Hon Willie Jackson
Hon Eugenie Sage

Officials present from:

Office of the Prime Minister
Officials Committee for MCR



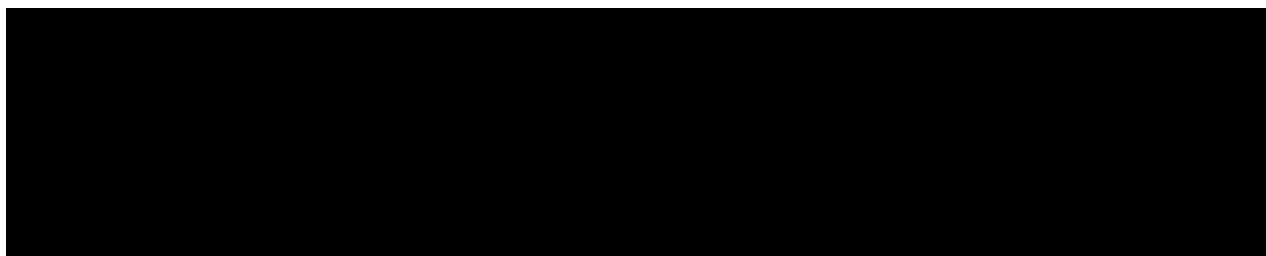
Cabinet

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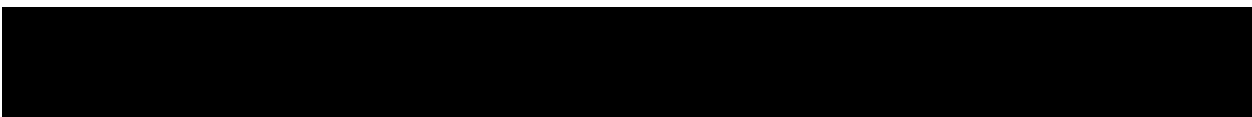
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Report of the Cabinet Māori Crown Relations: Te Arawhiti Committee: Period Ended 28 October 2022

On 31 October 2022, Cabinet made the following decisions on the work of the Cabinet Māori Crown Relations: Te Arawhiti Committee for the period ended 28 October 2022:



MCR-22-MIN-0017	Te Korowai o Wainuiārua: Increase in Total Settlement Value	CONFIRMED
	Portfolio: Treaty of Waitangi Negotiations	



Rachel Hayward
Acting Secretary of the Cabinet

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withdrawn shortly but if it is not, if one or more groups ultimately change their position, or if negotiations with one or more groups stall, I will update Cabinet and seek further decisions if necessary.

11. There is also an extant remedies application against Raurimu Station, a Landcorp farm which is part of the proposed Te Korowai o Wainuiārua settlement package. The Waitangi Tribunal has yet to decide whether to grant a hearing.
12. In August 2018 Cabinet agreed the following redress be explored following the signing of the agreement in principle including:
 - 12.1. the transfer terms for Part Erua Conservation Area (being the core area of the proposed Pōkākā ecosanctuary) and the potential transfer of an additional area of public conservation land immediately surrounding the core area;
 - 12.2. variations to Crown minerals redress;
 - 12.3. potential cultural redress with KiwiRail;
 - 12.4. a relationship agreement with the Ministry of Education;
 - 12.5. collective relationship redress with Crown agencies in the social and environmental sectors; and
 - 12.6. changes to commercial property redress.
13. I now seek Cabinet agreement to any variations to redress that have not otherwise been approved under Cabinet delegation.
14. Discussions between the Crown and Te Korowai o Wainuiārua on the transfer terms for Part Erua Conservation Area are ongoing. I seek delegated authority for the Minister for Treaty of Waitangi Negotiations and the Minister of Conservation to agree the transfer terms with Te Korowai o Wainuiārua prior to initialling the deed of settlement.
15. The proposed final Te Korowai o Wainuiārua settlement package, valued at \$ [REDACTED] million, comprises:
 - 15.1. an agreed historical account;
 - 15.2. cultural redress of \$ [REDACTED] million;
 - 15.3. financial and commercial redress of \$21.700 million; and
 - 15.4. loss-on-sale for the former Waikune Prison of \$ [REDACTED] million.
16. No changes are proposed to the historical or financial redress. Changes to the commercial and cultural redress are outlined below. The cost of the settlement is within the amount set aside in the fiscal forecast for this settlement after timing adjustments. The complete settlement package is detailed in **Appendix Three**.
17. I seek Cabinet agreement to new funding to recognise the loss-on-sale on the former Waikune Prison site (\$ [REDACTED] million), to be charged against the between-Budget contingency established as part of Budget 2020.
18. As negotiations with Te Korowai o Wainuiārua draw to a close, there may be some final matters that require minor variation to the proposed redress. I propose Cabinet authorise

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the Minister for Treaty of Waitangi Negotiations and relevant portfolio ministers to finalise or vary redress relevant to their portfolios that does not increase the total value of the settlement, is within the general parameters of the Treaty settlement framework, and in consultation with affected agencies, to take account of any final issues prior to initialling the deed of settlement.

19. Once the deed of settlement is initialled, Te Korowai o Wainuiārua will vote on whether to ratify it. I seek authority for the Minister for Māori Development and the Minister for Treaty of Waitangi Negotiations to assess whether the results of the ratification process demonstrate sufficient support for the deed of settlement, and if so, authorise me to sign the deed of settlement with Te Korowai o Wainuiārua on behalf of the Crown.

Background

Te Korowai o Wainuiārua

20. Te Korowai o Wainuiārua are a large natural group comprising three separate tribal entities who are the descendants of the eponymous tūpuna (ancestors) Uenuku, Tamahaki and Tamakana. The combined estimated population of these groups is 2,987 according to the 2013 census.
21. Te Korowai o Wainuiārua's area of interest centres on the central and upper Whanganui River region, extending to Taumarunui in the north, Matahiwi in the south, Waiouru in the east, and Pohokura Saddle in the west (refer to the map in **Appendix One, Map One**). Key urban areas include Raetihi and National Park (village).
22. Te Korowai o Wainuiārua are overlapped by the areas of interest of Ngāti Maru (Taranaki), Ngaa Rauru Kiihahi, Whanganui Land Settlement, Ngāti Rangi, Ngāti Tūwharetoa, Ngāti Hāua, and Maniapoto.
23. Te Korowai o Wainuiārua are one of four large natural groups recognised in the Whanganui region for the purposes of settling Whanganui land claims. The other three large natural groups are at different stages of settlement. The Ngāti Rangi Claim Settlement Act 2019 was enacted in July 2019. Whanganui Land Settlement signed an agreement in principle on 30 August 2019 and are negotiating towards a deed of settlement. Ngāti Hāua is working towards signing an agreement in principle in mid-2020.
24. Whanganui River claims were settled through the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017.

Negotiations to agreement in principle

25. In June 2016 the Crown recognised the mandate of the Uenuku Charitable Trust to represent Te Korowai o Wainuiārua in negotiations to settle their historical Treaty of Waitangi claims. Terms of Negotiation were signed in February 2017 and in November 2018 the Crown and Te Korowai o Wainuiārua signed an agreement in principle.

Progress on negotiations

26. Negotiations with Te Korowai o Wainuiārua are close to being concluded and I plan to initial the deed of settlement with Te Korowai o Wainuiārua in July 2020.

Scope of the settlement

27. The settlement will finally and comprehensively settle all historical Treaty of Waitangi claims of Te Korowai o Wainuiārua. Although Te Korowai o Wainuiārua's historical

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claims to the Tongariro and Whanganui National Parks will be settled through the Te Korowai o Wainuiārua settlement, a Crown apology and cultural redress in relation to these parks will be negotiated collectively with other iwi with interests and is proposed to be delivered through separate collective redress deeds.

- 28. Except as provided in the Te Korowai o Wainuiārua deed of settlement, the settlement will not affect any ongoing rights which Te Korowai o Wainuiārua may have under common law (including existing aboriginal title), legislation, or the Treaty of Waitangi.

Crown apology redress

- 29. The deed of settlement will include an agreed historical account, Crown acknowledgements of breaches of the Treaty of Waitangi and its principles, and a formal Crown apology to Te Korowai o Wainuiārua.

Crown offer

- 30. In August 2018 Cabinet agreed a comprehensive offer for Te Korowai o Wainuiārua of \$ [REDACTED] million, including financial redress of \$21.700 million and \$ [REDACTED] million for the cost of any cultural redress [CAB-17-MIN-0387 refers].
- 31. Cabinet also agreed to offer Te Korowai o Wainuiārua the right to purchase the former Waikune Prison site, (a Treaty Settlements Landbank property), for transfer on settlement date at \$0.268 million on an 'as is' basis, under the terms of a 2002 agreement. At that time, I noted I would need to seek Cabinet approval for additional funding to recognise the loss-on-sale of \$ [REDACTED] million prior to initialling a deed of settlement. An increase in the market valuation of the former prison site since then means that the amount of new funding required to address the loss-on-sale has increased to \$ [REDACTED] million. This additional funding does not affect Te Korowai o Wainuiārua's quantum but does increase the total settlement value.
- 32. I seek Cabinet agreement to this new funding and to approve changes to appropriations to recognise the loss-on-sale on the former Waikune Prison site as a charge against the between-Budget contingency established as part of Budget 2020. These changes will have an impact on the operating balance and net core Crown debt. These changes to appropriations for 2020/21 will be included in the 2020/21 Supplementary Estimates and in the interim, the increases will be met from Imprest Supply.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Commercial redress

- 34. The proposed commercial redress package includes a range of standard redress instruments - the right to purchase Crown owned property, either on settlement date or as deferred selection properties, sale and leaseback arrangements, and a right of first refusal over specified Crown-owned property should the Crown seek to dispose of them within the next 180 years.
- 35. As a result of further investigation into potential sites, and discussions between Te Korowai o Wainuiārua and the Crown, I seek Cabinet agreement to make changes to

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the commercial redress package, as set out in **Appendix Two, Table One**. These proposed changes include confirming redress over properties which were included in the agreement in principle as “to be explored” for redress and/or altering the type or terms of redress.

36. The commercial redress package is set out in full in **Appendix Three, Table Three**.

On-account payment

37. In August 2018 Cabinet noted the Minister of Finance and the Minister for Treaty of Waitangi Negotiations will consider an on-account payment to Te Korowai o Wainuiārua of up to 20% of their financial redress (\$4.340 million) upon signing an agreement in principle and the establishment of their post settlement governance entity, subject to:
- 37.1. the successful ratification and establishment of their post settlement governance entity;
 - 37.2. ratification of the on-account payment by the claimant community; and
 - 37.3. the provision of information by Te Korowai o Wainuiārua which satisfies the Ministers of Finance and Treaty of Waitangi Negotiations that the payment will be used for securing specific Treaty settlement redress [CAB-17-MIN-0387 refers].
38. Te Korowai o Wainuiārua plan to ratify the deed of settlement, post settlement governance entity and on-account payment concurrently. They will then seek the on-account transfer of 20% of their financial redress after signing the deed of settlement.
39. As the proposed on-account payment will not be made until after the deed of settlement is signed, under Crown policy Te Korowai o Wainuiārua are no longer required to specify the purpose of the payment.

Exclusive right of first refusal area

40. In August 2018 Cabinet agreed to an exclusive right of first refusal area for Te Korowai o Wainuiārua that would be finalised during negotiations to deed of settlement, and after any overlapping interests have been addressed. This exclusive right of first refusal area corresponds with the Te Korowai o Wainuiārua exclusive area of interest. As this area does not overlap with the areas of interest of Te Korowai o Wainuiārua’s neighbours, there are no overlapping interests to consider.
41. I seek Cabinet agreement to confirm the exclusive right of first refusal area as described in **Appendix One, Map Two**.

Cultural redress

Cost of cultural redress

42. The cost of cultural redress comprises:
- 42.1. the value of the cultural redress properties proposed for transfer (currently ██████████ million), but subject to change as a result of overlapping interest discussions with Ngāti Maru, Whanganui Land Settlement and Ngāti Hāua;
 - 42.2. a cultural revitalisation fund (\$0.600 million); and

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- 42.3. financial support for the proposed ecosanctuary as part of the settlement arrangements (\$0.750 million).
43. I will provide the balance of any unallocated cultural redress amount (currently \$ [REDACTED] million) as a top up to the cultural revitalisation fund (currently \$0.600 million).
44. On 16 March 2020, Cabinet gave approval for the Crown to offer Te Korowai o Wainuiārua, Ngāti Maru and Ngāti Hāua a range of additional redress to address overlapping interests in Te Wera Crown forestry licensed land [CAB-20-MIN-0096 refers]. This offer has been accepted by all groups, increasing Te Korowai o Wainuiārua's cultural redress by \$ [REDACTED] million (\$1.400 million cultural fund and \$ [REDACTED] million for the costs of additional cultural properties) to \$ [REDACTED] million.

Pōkākā ecosanctuary

45. In August 2018 Cabinet agreed to transfer 204 hectares of Part Erua Conservation Area, where Te Korowai o Wainuiārua wish to establish a fenced and pest-controlled ecosanctuary. The ecosanctuary will focus on restoring the native bird population and other indigenous fauna and flora. The ecosanctuary is a key component of Te Korowai o Wainuiārua's cultural redress and is a key aspiration for Te Korowai o Wainuiārua.
46. The proposed site for the ecosanctuary is of high cultural significance to Te Korowai o Wainuiārua, and is difficult to access from State Highway 4, as it is bounded by rivers, deep ravines and private farmland. Te Korowai o Wainuiārua have informed officials they will need to be able to construct a predator-proof fence, buildings, carparking and other infrastructure near to the site in order to establish the ecosanctuary. This may include developing a track network for access within the fenced area and in predator-controlled areas surrounding the ecosanctuary.
47. In August 2018 Cabinet agreed to transfer Part Erua Conservation Area to Te Korowai o Wainuiārua as a scenic reserve. However, when the agreement in principle was being negotiated, it was agreed that the transfer terms for Part Erua Conservation Area would be confirmed prior to initialling the deed of settlement including reserve classification or other appropriate instrument.
48. Discussions on the transfer terms for Part Erua Conservation Area are still ongoing. I seek delegated authority for the Minister for Treaty of Waitangi Negotiations and the Minister of Conservation to agree the transfer terms with Te Korowai o Wainuiārua prior to initialling the deed of settlement. In addition to agreement on the appropriate land status and transfer terms, there may be other agreements and decisions made in advance that would enable the ecosanctuary to be established and operate under the Reserves Act 1977. Any such decisions will be in accordance with the requirements of the Reserves Act 1977.
49. In August 2018 Cabinet agreed to explore the potential transfer to Te Korowai o Wainuiārua of an area of public conservation land immediately surrounding the proposed ecosanctuary, if justified by a strong rationale. In subsequent negotiations, the parties have agreed to the following transfers in order for infrastructure to be built and to facilitate access to the proposed ecosanctuary:
 - 49.1. part of Makatote Scenic Reserve with scenic reserve classification; and
 - 49.2. a small section of Makatote Scenic Reserve and the Manganui o te Ao Conservation Area unencumbered.

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50. I seek Cabinet's agreement to transfer to Te Korowai o Wainuiārua these areas of public conservation land subject to the conditions outlined above (refer **Appendix Two, Table Two**).
51. In August 2018 I advised Te Korowai o Wainuiārua had requested that the Crown provide funding to support the ecosanctuary proposal. I also advised Cabinet any funding the Crown provided would be considered within the available funding set aside for cultural redress, once the cost of other commitments have been confirmed, and that funding will not be sought from *Vote: Conservation*.
52. On 17 March 2020 I made an offer of \$0.750 million to contribute towards costs associated with the establishment of the proposed ecosanctuary. This money was accommodated within the funding approved by Cabinet in August 2018.

Stopping unformed legal roads owned by Ruapehu District Council

53. Ruapehu District Council is supportive of Te Korowai o Wainuiārua developing the proposed ecosanctuary, particularly if it can support public access to new and existing walking and cycling trails.
54. Te Korowai o Wainuiārua have identified a number of unformed legal roads in the area owned by Ruapehu District Council, which can be utilised to locate buildings and other infrastructure on and to assist with gaining vehicle access from State Highway 4.
55. In one instance, this will require the stopping of a small section of unformed legal road and vesting the land in Te Korowai o Wainuiārua to allow them to construct infrastructure. In another instance, it will require the stopping and vesting of an unformed legal road to assist Te Korowai o Wainuiārua to gain vehicle access to State Highway 4.
56. Ruapehu District Council could use the Local Government Act 1974 to formally stop the unformed legal roads. However, I propose to use Treaty settlement legislation to provide certainty and timely delivery of this redress to Te Korowai o Wainuiārua. Ruapehu District Council is supportive of this approach and on 18 March 2020 made a formal resolution to this effect.
57. I seek Cabinet agreement to use the Treaty settlement legislation to stop and vest identified sections of unformed legal roads, as set out in **Appendix One, Map Three** to assist possible infrastructure to be built and to facilitate access to the proposed ecosanctuary from State Highway 4.

Place name changes

58. In August 2018 Cabinet agreed that Te Korowai o Wainuiārua would be invited to submit new and altered place name proposals for geographic features within the Te Korowai o Wainuiārua area of interest to the New Zealand Geographic Board Ngā Pou Taunaha o Aotearoa. I seek Cabinet agreement to offer changes to official geographic place names as set out in **Appendix Two, Table Five**.
59. I also seek delegated authority from Cabinet to offer one further change to an official geographic place name within the Te Korowai o Wainuiārua area of interest, pending further consultation with overlapping groups.

Crown minerals and cultural materials redress

60. In August 2018 Cabinet agreed that the parties would explore the right for any member of Te Korowai o Wainuiārua to search for and remove pākohe (argillite and basaltic

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andesite) from Crown-owned or administered land in the Te Korowai o Wainuiārua area of interest, that is not Whanganui National Park, Tongariro National Park or the Whanganui River or land defined in Schedule 4 of the Crown Minerals Act 1991.

61. During negotiations Te Korowai o Wainuiārua sought Crown agreement to remove a further six minerals that have been utilised by Te Korowai o Wainuiārua ancestors and continue to be used as important tūpuna taonga.
62. I now seek Cabinet agreement for members of Te Korowai o Wainuiārua to remove by hand, the following minerals (in addition to pākohe), from public conservation land with the prior permission of the post settlement governance entity: ōnewa (greywacke or basalt); matā tūhua (black obsidian); paru (curing mud with iron salt deposits); one-uku (clay); papa hoanga (sandstone); and kokowai uku (an iron rich clay or red ochre). These arrangements are consistent with previous settlements.
63. I also propose including additional clauses in the Crown Minerals Protocol previously agreed by Cabinet in August 2018, and in the Treaty settlement legislation to authorise the Te Korowai o Wainuiārua post settlement governance entity to issue written permissions to take flora and possess dead protected wildlife.
64. I seek Cabinet agreement that the coming into effect and scope of this legislative authority will be subject to a cultural materials plan for non-commercial cultural use being jointly agreed between the Department of Conservation and Te Korowai o Wainuiārua post-settlement.

Relationship redress

Relationship redress with Horizons Regional Council

65. Te Korowai o Wainuiārua has expressed an aspiration to leverage their existing relationships with Horizons Regional Council and other local partners to help ensure the proposed Pōkākā ecosanctuary has the greatest environmental impact beyond the boundaries of its core.
66. In August 2018 Cabinet agreed that officials would continue to explore the development of a relationship instrument with Horizons Regional Council, and other relevant entities as appropriate, which focuses specifically on participation in biodiversity restoration and pest management decisions affecting land (other than public conservation land) surrounding the proposed Pōkākā ecosanctuary.
67. During negotiations it became clear that rather than agreeing to extend the relationship instrument with Horizons Regional Council, a better solution to sharing information and coordinating resources between agencies and with Te Korowai o Wainuiārua, would be for the agencies and Te Korowai o Wainuiārua to meet together as part of their agencies' business as usual operations. The purpose of these meetings and commitments to meet will be set out in the individual bilateral relationship agreements with the different agencies. It was agreed that other agencies in the wider environmental sector may be invited to attend, including voluntary groups such as Forest and Bird.

Relationship redress with social sector agencies

68. In addition to bilateral relationship agreements between Te Korowai o Wainuiārua and specified agencies, Cabinet agreed to explore a collaborative relationship between Te Korowai and social sector agencies. The agreement in principle noted that certain Crown agencies (noted below), would participate in future discussions with Te Korowai o Wainuiārua to explore their aspirations to transform their socio-economic position.

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69. These agencies were:
- 69.1. the Ministry of Social Development/Te Manatū Whakahiato Ora;
 - 69.2. Oranga Tamariki;
 - 69.3. Ministry of Education;
 - 69.4. Te Puni Kōkiri; and
 - 69.5. Kāinga Ora – Homes and Communities (formerly Housing New Zealand Corporation).
70. Bilateral discussions between Te Korowai o Wainuiārua and these agencies has confirmed that the most effective way to meet Te Korowai o Wainuiārua’s aspirations is for these agencies to meet together with Te Korowai o Wainuiārua, as part of their business as usual operations. The terms on which agencies will meet, share information and co-ordinate resources will be set out within the individual bilateral relationship agreements with each agency.
71. In addition to those agencies named in the agreement in principle, the following agencies have also expressed an interest in attending these meetings:
- 71.1. the Māori Economic Development Unit within the Ministry of Business, Innovation and Employment;
 - 71.2. Ruapehu District Council; and
 - 71.3. New Zealand Police.

Other relationship redress

Ministry of Education

72. In August 2018 Cabinet agreed to explore a relationship agreement with the Ministry of Education. Discussions between the Ministry of Education and Te Korowai o Wainuiārua are ongoing and the terms of the relationship agreement will be confirmed prior to initialling the deed of settlement.

KiwiRail

73. In August 2018 Cabinet agreed to explore with KiwiRail potential cultural redress. During discussions between the parties, KiwiRail has offered a relationship agreement with Te Korowai o Wainuiārua. I seek Cabinet agreement to offer a relationship agreement with KiwiRail to Te Korowai o Wainuiārua.

Overlapping interests

74. Before initialling the deed of settlement overlapping interests need to be addressed to the Crown’s satisfaction. The Crown and Te Korowai o Wainuiārua have been engaging with overlapping groups on the proposed redress package prior to and since signing the agreement in principle. The following groups either support or do not oppose the proposed Te Korowai o Wainuiārua redress: Ngaa Rauru Kiitahi, Ngāti Rangī, Ngāti Tūwharetoa, and Maniapoto.

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Te Wera Crown forestry licensed land

75. On 16 March 2020 Cabinet agreed for the Crown to offer Te Korowai o Wainuiārua, Ngāti Maru and Ngāti Hāua a range of additional redress to address shared interests in Te Wera Crown forestry licensed land [CAB-20-MIN-0096 refers]. This offer has been formally accepted by all groups. Te Korowai o Wainuiārua accepted the Crown's offer of additional cultural redress of \$████████ million (\$1.400 million cultural fund and \$████████ million for the costs of additional cultural properties) as outlined in **Appendix Two, Table Three**.
76. A remedies application has yet to be withdrawn from the Waitangi Tribunal by Tamahaki iwi which is a condition of the Te Wera agreement coming into effect. I expect it to be withdrawn, but if it is not, or if a situation arises where one or more groups change their position, or if negotiations with one or more groups stall, I will return to Cabinet seeking further decisions.

Remaining overlapping interests discussions with Ngāti Hauā and Whanganui Land Settlement

77. Te Korowai o Wainuiārua are progressing overlapping interests discussions with Ngāti Hāua and separately with Whanganui Land Settlement over specific sites and proposed redress in the overlapped areas. I seek delegated authority from Cabinet as follows:
- 77.1. If agreement is reached between Te Korowai o Wainuiārua and Ngāti Hauā, and Te Korowai o Wainuiārua and Whanganui Land Settlement to address their overlapping interests:
- 77.1.1. transfer to Te Korowai o Wainuiārua specific sites and otherwise agree redress in the overlapped areas; and
- 77.1.2. in conjunction with the Minister of Finance and the Minister of Conservation, make any other decisions necessary to confirm the arrangements agreed with iwi, including amending the Te Korowai o Wainuiārua settlement package within the financial parameters agreed by Cabinet; or
- 77.2. If agreement cannot be reached between Te Korowai o Wainuiārua and Ngāti Hāua, and Te Korowai o Wainuiārua and Whanganui Land Settlement, I seek Cabinet agreement to make final decisions as to the allocation over specific sites and other redress in the overlapped areas, in consultation with any other relevant portfolio Ministers as necessary.

Extant remedies application

78. There is an extant remedies application against Raurimu Station, a Landcorp farm which the Waitangi Tribunal has yet to decide whether to grant a hearing or decline to do so. In the event the Waitangi Tribunal grants the remedies application, I will update Cabinet and seek further decisions if necessary.

Final matters

79. As negotiations with Te Korowai o Wainuiārua draw to a close, there may be some final matters that require minor variation to the proposed redress. I propose Cabinet authorise the Minister for Treaty of Waitangi Negotiations and relevant portfolio ministers to finalise or vary redress relevant to their portfolios that does not increase the total value of the settlement, is within the general parameters of the Treaty settlement framework, and in

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consultation with affected agencies, to take account of any final issues prior to initialling the deed of settlement.

Tax indemnity

80. An indemnity will be sought from the Minister of Finance for income tax and Goods and Services Tax (GST) upon the transfer of settlement redress. The Inland Revenue Department has published interpretation statements that support the view that the transfer of settlement redress does not give rise to either income tax or GST consequences. To ensure that Te Korowai o Wainuiārua retain the full value of their settlement and for the avoidance of doubt, the Minister of Finance's agreement will be sought to indemnify the post settlement governance entity against income tax and GST on the transfer of redress.

Mandate

81. The Uenuku Charitable Trust (Te Korowai o Wainuiārua's mandated entity) beneficiary register has increased in recent years, indicating an engaged claimant community, and I am confident that the mandated negotiators retain the support of their associated hapū and marae. Uenuku Charitable Trust submits regular mandate maintenance reports to Te Arawhiti which confirms this.

Ratification of settlement

82. Once a deed of settlement is initialled it will be ratified by the claimant community. I seek delegated authority for the Minister for Treaty of Waitangi Negotiations and the Minister for Māori Development to consider whether the ratification results demonstrate sufficient support by the Te Korowai o Wainuiārua claimant community for the deed of settlement and the post settlement governance entity.
83. I also seek delegated authority to sign the deed of settlement on behalf of the Crown should the ratification results demonstrate sufficient support from Te Korowai o Wainuiārua.

Conditions of the settlement

84. The settlement will be conditional on:
- 84.1. ratification of the deed of settlement by Te Korowai o Wainuiārua; and
 - 84.2. the enactment of settlement legislation to implement certain aspects of the deed of settlement.

Next steps

85. If Cabinet approves the proposed settlement package as outlined in this paper, I intend to initial a deed of settlement with Te Korowai o Wainuiārua in July 2020.
86. Subject to the outcome of the ratification process I anticipate signing the deed of settlement in the second half of 2020 and seeking Cabinet agreement to the introduction of the settlement bill shortly thereafter.

Consultation

87. In preparing this paper Te Arawhiti has consulted with the following agencies: The Treasury; Department of Conservation; Ministry for the Environment; Ministry of Business, Innovation, and Employment; Department of Internal Affairs; Manatū Taonga Ministry for Culture and Heritage; Museum of New Zealand Te Papa Tongarewa; Heritage New Zealand Pouhere Taonga; Ministry for Primary Industries; Land

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Information New Zealand; Ministry of Social Development/Te Manatū Whakahiato Ora; Oranga Tamariki; Ministry of Education; Waka Kotahi New Zealand Transport Agency; Kāinga Ora – Homes and Communities; New Zealand Police; Ministry of Housing and Urban Development; and Te Puni Kōkiri.

88. The following non-core Crown agencies, territorial authorities and other entities have also been consulted on the redress proposals: Ngā Taonga Sound & Vision; Ruapehu District Council; Horizons Regional Council; and KiwiRail.

Financial implications

Accounting for the loss-on-sale for the former Waikune Prison site

89. Cabinet approval is required for new funding to recognise the loss-on-sale of the former Waikune Prison site which is to transfer on settlement date at \$0.268 million on an ‘as is’ basis, under the terms of a 2002 agreement. This new funding is proposed to be charged against the between-Budget contingency established as part of Budget 2020. Cabinet approval is also required for changes to appropriations with a corresponding impact on the operating balance and net core Crown debt, as outlined below:

Vote: Treaty Negotiations Minister for Treaty of Waitangi Negotiations	\$m – increase/(decrease)				
	2019/20	2020/21	2021/22	2022/23	2023/24 & Outyears
<i>Non-Departmental Other Expense</i> Loss on Sale of Landbank Properties	0.000		0.000	0.000	0.000

Total cost of settlement

90. **Table One** below details the elements of the Te Korowai o Wainuiārua settlement and the total cost to the Crown to be charged against *Vote: Treaty Negotiations* in the 2020/21 financial year, when the deed of settlement is initialled.

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91. I seek Cabinet agreement to new funding for the loss-on-sale for the former Waikune Prison site (\$ [REDACTED] million). This new funding is to be charged against the between-Budget contingency established as part of Budget 2020.

Table One - Financial implications of the proposed settlement		(\$m)
Financial and commercial redress		
Financial redress		21.700
Loss-on-sale for former Waikune Prison (a separate appropriation in <i>Vote: Treaty Negotiations</i>)		[REDACTED]
<i>Subtotal Financial and Commercial redress</i>		[REDACTED]
Cultural redress		
Cultural properties		[REDACTED]
Cultural revitalisation fund		0.600
Cultural redress as an alternative to Te Wera CFL		[REDACTED]
Ecosanctuary support		0.750
Remaining cultural redress to add to cultural revitalisation fund		[REDACTED]
<i>Subtotal Cultural redress</i>		[REDACTED]
Total settlement redress (including loss-on-sale for former Waikune Prison)		
Estimated interest		[REDACTED]
Total value received by claimants through the settlement process		
Other Crown costs		
[REDACTED]		[REDACTED]
Relativity clause implications (estimate)		[REDACTED]
Total cost to the Crown		
Less on-accounts and associated relativity clause implications		[REDACTED]
Total to be charged when a deed of settlement is initialled		
		[REDACTED]

92. The final Te Korowai o Wainuiārua settlement redress is \$ [REDACTED] million. The cost of the settlement is within the amount set aside in the fiscal forecasts for this settlement after timing adjustments.
93. The total cost of the settlement will be incurred by the Crown when the deed of settlement is initialled. A total of \$ [REDACTED] million will be charged against the *Vote: Treaty Negotiations Multi-year Appropriation: Historical Treaty of Waitangi Settlements 2019/2023*.
94. A further \$ [REDACTED] million will be charged against a separate appropriation within *Vote: Treaty Negotiations* in 2020/2021 to account for the loss-on-sale of the former Waikune Prison site. The total amount expended on initialling will be [REDACTED] million.
95. The Department of Conservation implementation and impairment costs referred to below are over and above those outlined in paragraph 91.

Department of Conservation implementation costs

96. Treaty settlements establish extra commitments for the Department of Conservation. These impose additional costs on the Department of Conservation through, for example,

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enhanced iwi engagement on managing specific sites and implementing relationship agreements.

97. In 2010, Cabinet agreed a funding process to enable the Department of Conservation to meet its costs to implement Treaty settlements [Cab Min (10) 9/7 refers].
98. Ideally, the Department of Conservation's estimated implementation costs for a Treaty settlement are considered and noted by Cabinet before the Crown and iwi sign a deed of settlement.
99. If it is not possible for the Department of Conservation to provide estimated implementation costs before signing a deed of settlement, Cabinet can agree either to:
 - 99.1. note the Department's estimated implementation costs after signing of a deed of settlement; or
 - 99.2. authorise relevant Ministers (usually the Minister of Finance and Minister of Conservation) to note the Department of Conservation's estimated implementation costs.
100. The Department of Conservation will then seek implementation funding for a Treaty settlement at baseline updates [CAB Min (10) 9/7 refers] shortly after the settlement legislation is enacted. This is deemed to have no financial implications on the basis that any revenue from Crown land sales funds that would otherwise be available for the purchase of new reserves may be used to offset Treaty settlement implementation costs.
101. I request that Cabinet notes the Department of Conservation is still estimating the implementation costs and will provide the Minister of Finance and the Minister of Conservation with an estimate when available.
102. The funding of these costs will be confirmed by joint Ministers at baseline updates as per the process Cabinet agreed [CAB Min (10) 9/7 refers], which provided for funds that would otherwise be available for the purchase of reserves to offset Treaty settlement implementation costs.

Department of Conservation impairment costs

103. In accordance with accounting standards and generally accepted accounting practices, some of the public conservation land in this settlement may need to be impaired in value before it is de-recognised for transfer to the Te Korowai o Wainuiārua post settlement governance entity.
104. An impairment may arise for this settlement either due to the transfer value being lower than the Crown's book value or the standard annual land revaluation process that the Crown undertakes each financial year. Impairment costs are charged to the revaluation reserve, with no impact on the Crown's operating balance, but with a negative impact on the Crown's Net Worth.
105. I seek Cabinet's agreement to authorise the Minister of Finance, Minister for Treaty of Waitangi Negotiations and Minister of Conservation to approve any necessary increases in *Vote: Conservation: Impairment of Public Conservation Land* once any impairment costs are known after initialling the deed of settlement.

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Scope of settlement

7. **note** that the settlement will finally and comprehensively settle all historical claims of Te Korowai o Wainuiārua;

Variations to the commercial redress package

8. **note** Te Korowai o Wainuiārua plan to ratify the deed of settlement, post settlement governance entity and on-account payment concurrently;
9. **agree** to the proposed changes to the commercial redress package, as set out in **Appendix Two, Table One**;
10. **agree** to the proposed exclusive right of first refusal area, as described in **Appendix One, Map Two**;

Variations to the cultural redress package

11. **note** the final Te Korowai o Wainuiārua settlement package is largely consistent with the agreement in principle;
12. **note** that variations to the Te Korowai o Wainuiārua cultural redress package detailed in this paper have no impact on the total settlement value;
13. **note** that the complete settlement package is detailed at **Appendix Three**;
14. **agree** to the proposed changes to redress over public conservation land administered by the Department of Conservation, set out in **Appendix Two, Table Two**;
15. **note** changes to redress over public conservation land administered by the Department of Conservation in relation to alternative redress to Te Wera Crown forestry licensed land, set out in **Appendix Two, Table Three**;
16. **note** Te Korowai o Wainuiārua intends to establish a fenced and pest-controlled ecosanctuary on 204 hectare of Part Erua Conservation Area to be transferred to Te Korowai o Wainuiārua in the settlement;
17. **note** discussions between the Crown and Te Korowai o Wainuiārua on the transfer terms of Part Erua Conservation Area are ongoing;
18. **authorise** the Minister for Treaty of Waitangi Negotiations and the Minister of Conservation to agree the transfer terms for Part Erua Conservation Area with Te Korowai o Wainuiārua prior to initialling the deed of settlement;
19. **agree** that Treaty settlement legislation be used to stop and vest identified sections of unformed legal roads, as set out in **Appendix One, Map Three** to allow infrastructure to be built and to facilitate access to the proposed ecosanctuary from State Highway 4;
20. **agree** to offer changes to official geographic place names within the Te Korowai o Wainuiārua area of interest, set out in **Appendix Two, Table Five**;
21. **authorise** the Minister for Treaty of Waitangi Negotiations to offer one further change to an official geographic place name within the Te Korowai o Wainuiārua area of interest, pending consultation with neighbouring iwi on this proposal;

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Crown minerals and cultural materials redress

22. **agree** that members of Te Korowai o Wainuiārua may remove by hand, the following minerals (in addition to pākohe), from public conservation land with the prior permission of the post settlement governance entity: ōnewa (greywacke or basalt); matā tūhua (black obsidian); paru (curing mud with iron salt deposits); one-uku (clay); papa hoanga (sandstone); and kokowai uku (an iron rich clay or red ochre);
23. **agree** to include additional clauses in the Crown Minerals Protocol previously agreed by Cabinet in August 2018, and in the Treaty settlement legislation to authorise the Te Korowai o Wainuiārua post settlement governance entity to issue written permissions to take flora and possess dead protected wildlife;
24. **agree** that the coming into effect and scope of this legislative authority will be subject to a cultural materials plan for non-commercial cultural use being jointly agreed between the Department of Conservation and Te Korowai o Wainuiārua post-settlement;

Relationship redress

25. **agree** to offer Te Korowai o Wainuiārua relationship agreements with the Ministry of Education and KiwiRail;

Financial implications

26. **note** Cabinet agreed to offer Te Korowai o Wainuiārua the right to purchase the former Waikune Prison site for transfer on settlement date at \$0.268 million on an ‘as is’ basis, under the terms of a 2002 agreement;
27. **note** the market valuation of the former prison site has increased to \$ [REDACTED];
28. **note** the Crown is required to recognise the loss-on-sale of [REDACTED] for the former prison site;
29. **approve** the following changes to appropriations with a corresponding impact on the operating balance and net core Crown debt:

	\$m – increase/(decrease)				
Vote: Treaty Negotiations Minister for Treaty of Waitangi Negotiations	2019/20	2020/21	2021/22	2022/23	2023/24 & Outyears
<i>Non-Departmental Other Expense Loss-on-Sale of Landbank Properties</i>	0.000	[REDACTED]	0.000	0.000	0.000

30. **agree** the proposed change to appropriations for 2020/21 in recommendation 29 above be included in the 2020/21 Supplementary Estimates and that, in the interim, the increases will be met from Imprest Supply;
31. **agree** that the expenses incurred under recommendation 29 above be charged against the between-Budget contingency established as part of Budget 2020;
32. **note** this additional funding does not affect Te Korowai o Wainuiārua’s quantum but does increase the total settlement value;

33. **approve** the following elements of the Te Korowai o Wainuiārua settlement to be charged against the *Vote: Treaty Negotiations Multi-Year Appropriation: Historical Treaty of Waitangi Settlements 2019-2023* when the deed of settlement is initialled:

Table Two - Financial implications of the proposed settlement		(\$m)
Financial and commercial redress		
Financial redress		21.700
Loss on sale for former Waikune Prison (a separate appropriation in <i>Vote: Treaty Negotiations</i>)		██████
<i>Subtotal Financial and Commercial redress</i>		██████
Cultural redress		
Cultural properties		██████
Cultural revitalisation fund		0.600
Cultural redress as an alternative to Te Wera CFL		██████
Ecosanctuary support		0.750
Remaining cultural redress to add to cultural revitalisation fund		██████
<i>Subtotal Cultural redress</i>		██████
Total settlement redress (including loss-on-sale for former Waikune Prison)		██████
Estimated interest		██████
Total value received by claimants through the settlement process		██████
Other Crown costs		
██		0.500
Relativity clause implications (estimate)		██████
Total cost to the Crown		██████
Less on-accounts and associated relativity clause implications		██████
Total to be charged when a deed of settlement is initialled		██████

Department of Conservation implementation operating costs and impairment costs

34. **note** the Department of Conservation is currently estimating the implementation costs and will provide the Minister of Finance and Minister of Conservation with the estimate when available;
35. **note** the Minister of Finance and Minister of Conservation will note the estimated implementation costs when known;
36. **note** after joint Ministers have noted the estimated implementation costs, the Department of Conservation will seek implementation funding for this Treaty settlement through the baseline update process [CAB Min (10) 9/7 refers] shortly after the settlement legislation is enacted;
37. **note** the Department of Conservation will confirm impairment costs resulting from this settlement, including through any standard annual revaluation process, after initialling the deed of settlement, and will provide the Minister of Finance, Minister of Conservation and the Minister for Treaty of Waitangi Negotiations with these costs when they are known;

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Addressing overlapping interests

38. **note** overlapping interests have been addressed with Ngaa Rauru Kiihahi, Ngāti Rangi, Ngāti Tūwharetoa, Maniapoto, and Ngāti Maru (Taranaki);
39. **note** overlapping interests discussions between Te Korowai o Wainuiārua and Ngāti Hauā, and Te Korowai o Wainuiārua and Whanganui Land Settlement are ongoing;
40. **note** the Minister for Treaty of Waitangi Negotiations will only initial a deed of settlement if overlapping interests have been addressed to the Crown's satisfaction;
41. **authorise** the Minister for Treaty of Waitangi Negotiations, in consultation with any other relevant portfolio Ministers as necessary, to make final decisions on redress where there are overlapping interest issues to be addressed;

Conditions of settlement

42. **note** the settlement is conditional on ratification of the deed of settlement by the Te Korowai o Wainuiārua claimant community and the enactment of settlement legislation to implement certain aspects of the deed of settlement;

Delegation to act

43. **authorise** the Minister of Finance and the Minister of Conservation to note the estimated Department of Conservation implementation costs for the Te Korowai o Wainuiārua settlement when they are confirmed;
44. **authorise** the Minister of Finance, Minister for Treaty of Waitangi Negotiations and Minister of Conservation to approve any increase to the *Vote: Conservation: Impairment of Public Conservation Land* appropriation once the Department of Conservation impairment costs are confirmed;
45. **authorise** the Minister for Treaty of Waitangi Negotiations and relevant portfolio ministers to finalise or vary redress relevant to their portfolios:
 - 45.1. that does not increase the total value of the settlement;
 - 45.2. is within the general parameters of the Treaty settlement framework; and
 - 45.3. in consultation with affected agencies, to take account of any final issues prior to initialling the deed of settlement;

Ratification of settlement

46. **authorise** the Minister for Treaty of Waitangi Negotiations and the Minister for Māori Development to consider whether the ratification results demonstrate sufficient support from Te Korowai o Wainuiārua and decide whether to approve the ratification results for the deed of settlement and post settlement governance entity;
47. **authorise** the Minister for Treaty of Waitangi Negotiations to sign the deed of settlement on behalf of the Crown should the ratification results demonstrate sufficient support from Te Korowai o Wainuiārua; and

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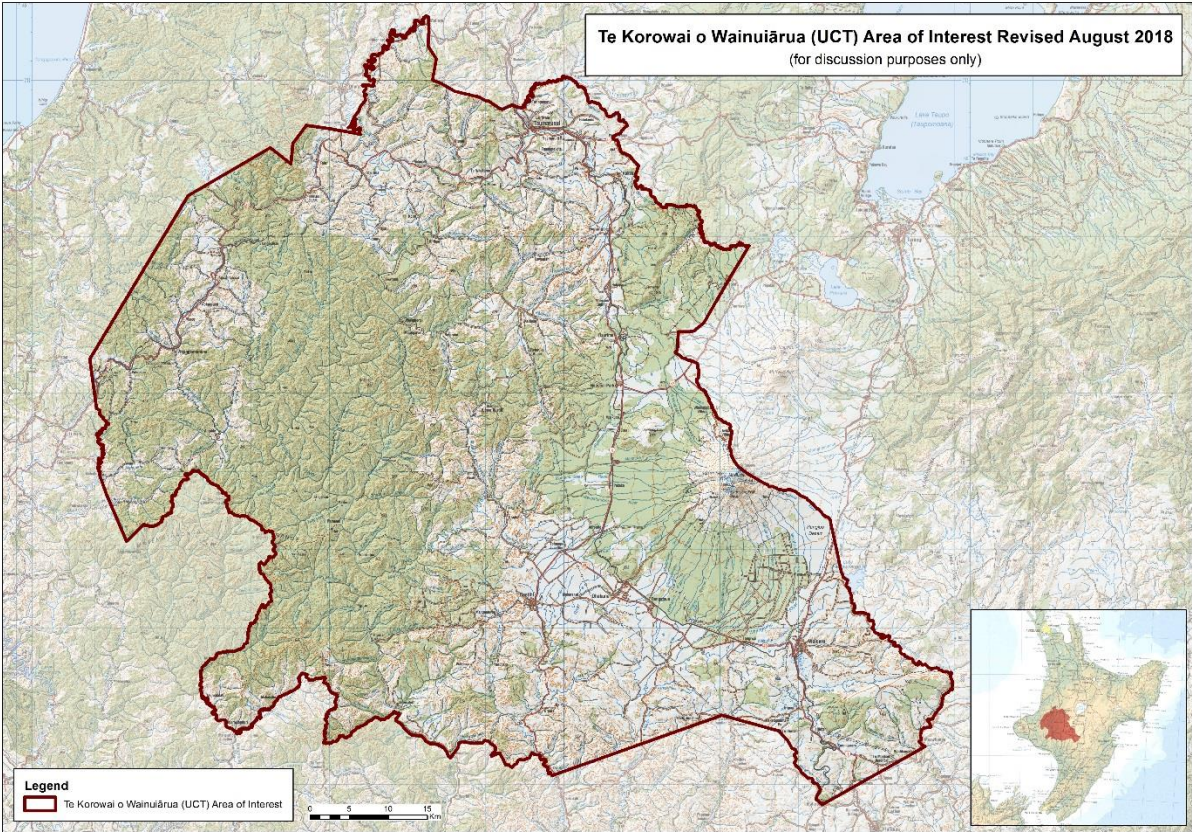
Next steps

48. **note** the Minister for Treaty of Waitangi Negotiations intends to initial a deed of settlement with Te Korowai o Wainuiārua in July 2020.

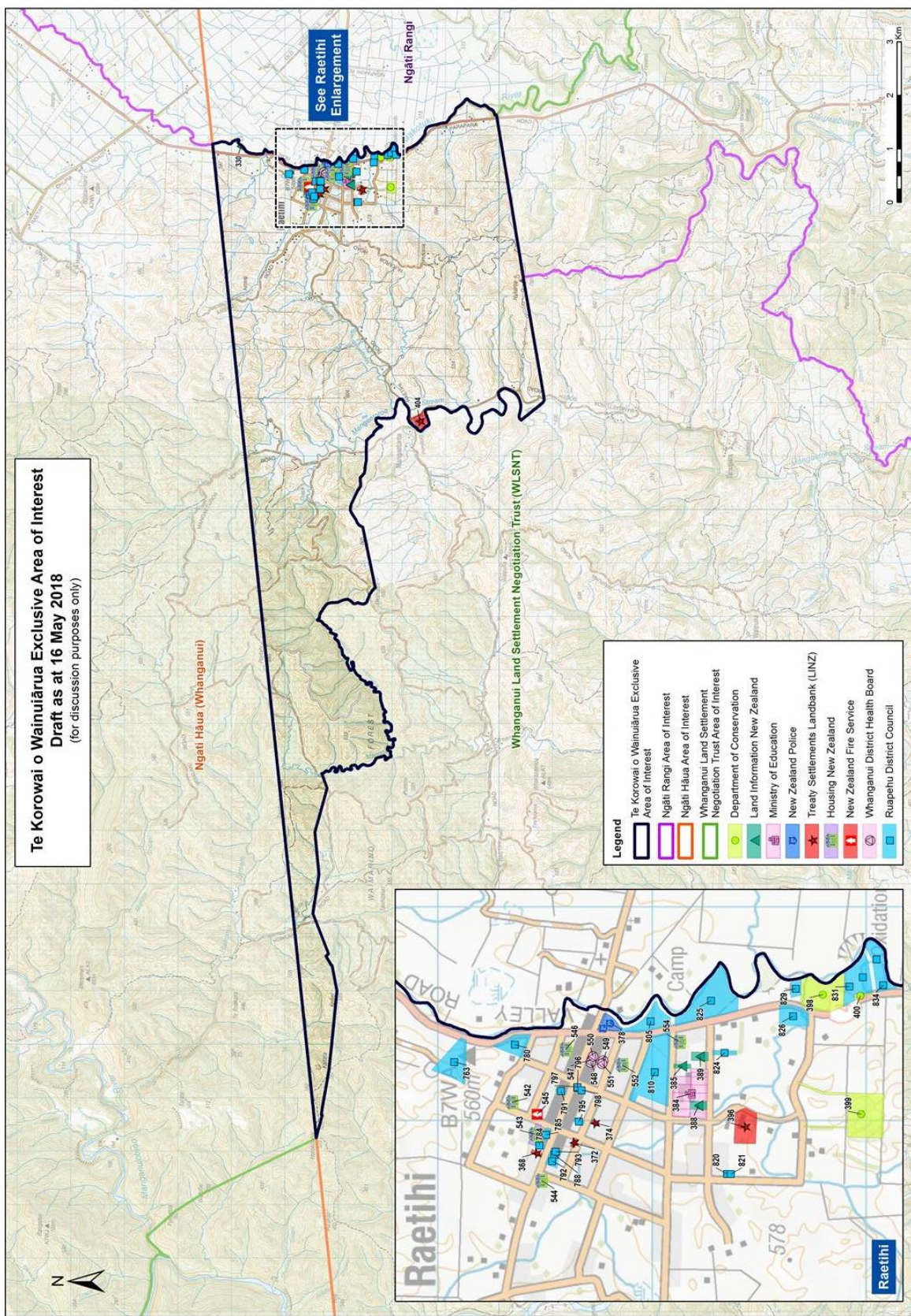
Authorised for lodgement.

Hon Andrew Little
Minister for Treaty of Waitangi Negotiations

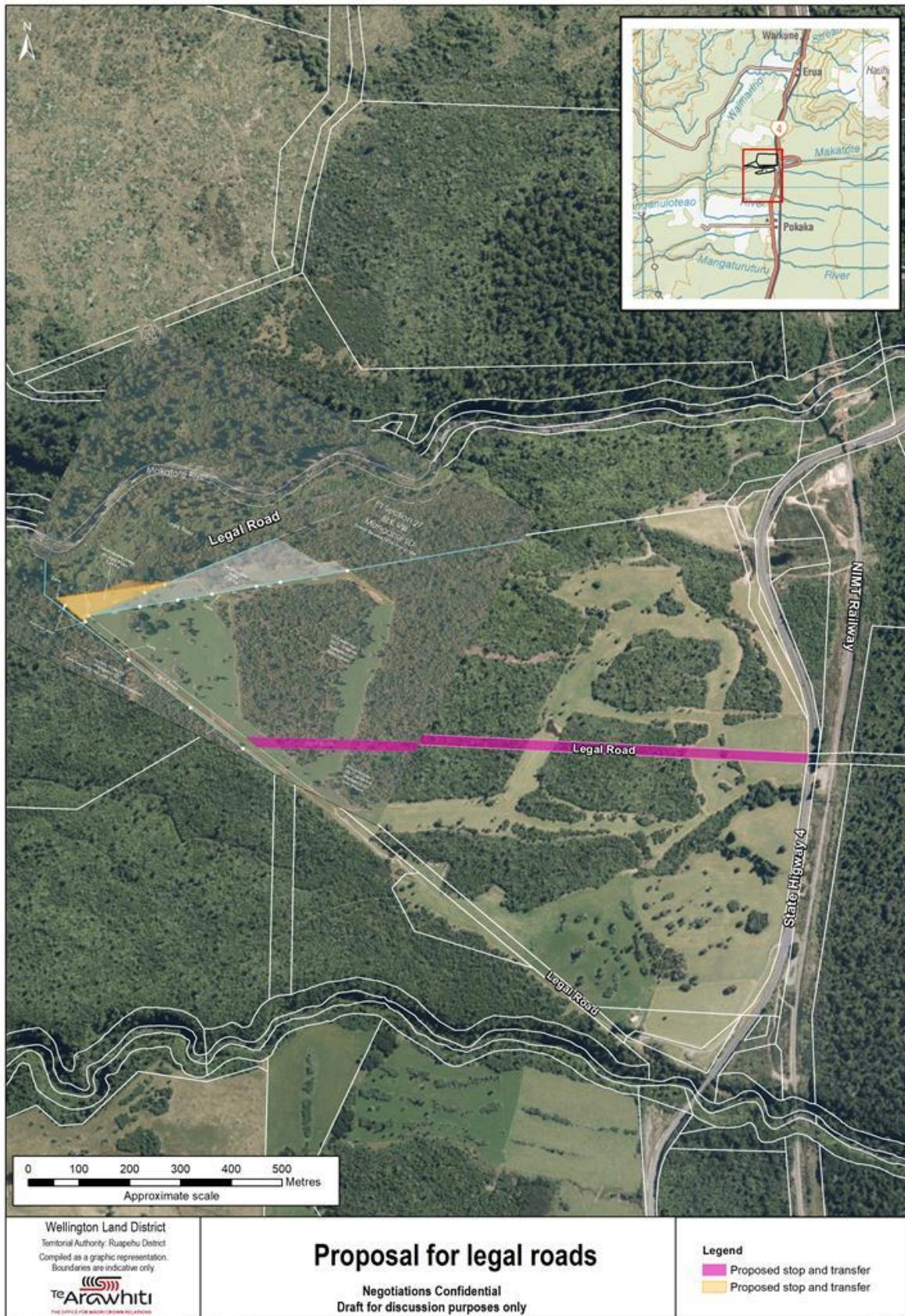
Appendix One, Map One - Te Korowai o Wainuiārua area of interest map



Appendix One, Map Two - Te Korowai o Wainuiārua exclusive right of first refusal area



Appendix One, Map Three - Proposal for legal roads



Appendix Two - Proposed changes to commercial and cultural redress

Table One: Changes to commercial redress			
Landholding agency	Name of site	Cabinet decision prior to agreement in principle	Proposed for deed of settlement
Land Information New Zealand Treaty Settlements Landbank	28 Carroll St, National Park (PF921)	Agreed to offer as deferred selection property (two year term) and rights of first refusal	Settlement date
Land Information New Zealand Treaty Settlements Landbank	Corner Carroll & Ward Sts, National Park (PF848)	Agreed to offer as deferred selection property (two year term) and rights of first refusal	Settlement date
Land Information New Zealand	Sawmill site, Findlay St, National Park (12108) House on ROW, 6 Pehi Rd, National Park (12110) House on ROW, 4 Pehi Rd, National Park (12111) House on ROW, Corner Pehi & Fisher Rds, National Park (12112) House on ROW, 27 Fisher Rd, National Park (12114) 20 Station Rd, National Park (12118) 22 Station Rd, National Park (12119) 28 Station Rd, National Park (12121) 32 Station Rd (lease to Clarkson/Slegers), National Park (12122) 25 Ward St, National Park (12123) 18 Station Rd, National Park (16375) Ruapehu District Council lease, Pehi Rd, National Park (15273)	Agreed to explore further the transfer of 12 Land Information New Zealand sites as deferred selection properties, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990) Agreed to offer these sites as rights of first refusal	All as settlement date properties, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand	Vacant land, Ward St, National Park (12116)	Agreed to explore further the transfer of this Land Information New Zealand site as a deferred selection property, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990) Agreed to offer as a right of first refusal	Deferred selection with a period of three years, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Kāinga Ora – Homes and Communities	0.2514 hectares, more or less, being Part Section 241 Town of Raetihi	Agreed to offer as a right of first refusal	Deferred selection with a period of two years, subject to obtaining any

			relevant statutory clearances
New Zealand Police	National Park Police Station Raetihi Police Station and former Court House, 4 Seddon Street, Raetihi	Agreed to explore the right to purchase National Park and Raetihi Police Stations and former Court House (land only) on a sale and leaseback basis as a deferred selection property.	Sale and leaseback with a deferred selection period of two years.
Office for Māori Crown Relations - Te Arawhiti	Raurimu Station, Landcorp farm, SH 47, National Park	Agreed to offer one year deferred selection period with the ability to explore, prior to initialling the deed of settlement, a deferred selection period of up to two years Agreed to offer as a right of first refusal	Agreed to offer as a deferred selection property with a two year term
Land Information New Zealand	Ohura Rd/SH43, Marco (11519) Ohura Rd/SH43, Marco (11517) Ohura Rd/SH43, Marco (11518) Main St, Kaitieke Road and Marama Street, Kaitieke (11830) Ihaka St, Kaitieke (11937) Ihaka St, Kaitieke (11829) War Memorial and planting SH4, National Park (11875) Roadway, Findlay St, National Park (16374) Rear of tennis court, Ward St, National Park (15311) Tennis court, Ward St, West of tracks, National Park (15276) Road to vest, Carroll St, National Park (12181) Vacant site on ROW opposite Old Mill Road, National Park (12113) 26 Station Rd, National Park (12120) Grazing land, ROW opposite track, Fisher Road, National Park (12109) Vacant land adjacent Waimarino Reserve, National Park (15277) Land adjacent Waimarino Reserve, National Park (15278) Former MOE House, 22 Millar St, National Park, subject to a decision to landbank this property Vacant land, Ward St, National Park (12116) Vacant land, south of sawmill site, National Park (15274) Mangatiti Rd, Ruatiti (15805) Hohere Rd, Horopito (11826) Horopito Yard, SH4, Horopito (15258) Smash Palace - Horopito Yard, Hohere Rd, Horopito (15256) Preservation of Scenery, SH4, Makotuku River, Raetihi (16389) SH 49, Raetihi (11954)	Agreed to explore further the transfer of these Land Information New Zealand site as a deferred selection property, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)	Agreed to offer as deferred selection properties with a three year term, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)

	Former MOE House, 18 Grey St, Raetihi, subject to a decision to landbank this property SH 49, Raetihi (11926) Makakaho Rd, Makakaho (11584) Makakaho Rd, Makakaho (11585)		
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Table Two: Changes to redress over Crown land administered by the Department of Conservation

Name of site and description	Cabinet decision prior to agreement in principle	Proposed for deed of settlement
Part Erua Conservation Area (204 hectares)	Agreed to vest in Te Korowai o Wainuiārua. Agreed to explore any reserve classification or other appropriate instrument	Vest in Te Korowai o Wainuiārua [subject to xx reserve status with the governance entity as the administering body.] <i>[The final version of the Cabinet paper will provide an update on the status of these discussions]</i>
Part Makatote Scenic Reserve (approximately 73 hectares)	Agree to explore a potential transfer of an additional area of public conservation land immediately surrounding the proposed ecosanctuary 'core area' if it is justified by a strong rationale	Vest in Te Korowai o Wainuiārua subject to scenic reserve status with the governance entity as the administering body.
Part Makatote Scenic Reserve (approximately 4.37 hectares)	Agree to explore a potential transfer of an additional area of public conservation land immediately surrounding the proposed ecosanctuary 'core area' if it is justified by a strong rationale	Vest in Te Korowai o Wainuiārua unencumbered
Manganui o te Ao Conservation Area (0.9 hectares)		Vest in Te Korowai o Wainuiārua unencumbered

Table Three: Changes to redress over Crown land administered by the Department of Conservation and Land Information New Zealand - Agreement as alternative to Te Wera Crown forestry licensed land

Name of site	Proposed for deed of settlement
Part Whangamōmona Forest Conservation Area	Transfer of approximately 19 hectares as a scenic reserve
Part Tāngarākau Forest Conservation Area	Transfer of approximately 5 hectares as a scenic reserve
Putikituna Conservation Area	Transfer of 38 hectares as a scenic reserve
Part Taumatamahoe Conservation Area	Transfer half of area (approximately 6 hectares) as a scenic reserve
Part Tangahoe Conservation Area	Transfer of 41 hectares as a scenic reserve
Part Ramanui Conservation Area	Transfer of approximately 15 hectares as a scenic reserve
Tahora Scenic Reserve	Joint transfer with Ngāti Hāua of 11 hectares as a scenic reserve
Part Tāngarākau Forest Conservation Area	Deed of recognition over an area to be identified that does not overlap with another deed of recognition and statutory acknowledgement over the area remaining in Crown ownership
Mangapapa Roadman's Cottage	Joint RFR with Ngāti Maru and Ngāti Hāua
Kohuratahi Road Gravel Reserve	Joint RFR with Ngāti Maru and Ngāti Hāua
Part Tahora Domain (Section 17)	Joint RFR with Ngāti Maru and Ngāti Hāua
Part Tahora Domain (Sections 44, 46-48, 65 and Part Section 45 Town of Tahora)	Joint RFR with Ngāti Maru and Ngāti Hāua
593-595 Raekohua Road PF1006	Joint RFR with Ngāti Maru and Ngāti Hāua
Tahora Bus Stop PF1984	Joint RFR with Ngāti Maru
Raekohua Road (11588)	Joint RFR with Ngāti Maru and Ngāti Hāua
Mangapapa Road	Joint RFR with Ngāti Maru and Ngāti Hāua

Table Four: Changes to redress over sites administered by Ruapehu District Council

Agency	Description	Proposed for deed of settlement
Ruapehu District Council	0.64 hectare section of unformed legal road vested in Ruapehu District Council (at southwestern corner of Makatote Scenic Reserve), marked orange in Appendix One, Map Three	Stop road and vest unencumbered
Ruapehu District Council	Unformed legal road managed by Ruapehu District Council marked purple in Appendix One, Map Three	Stop road and vest unencumbered

Table Five - Cultural redress – Place name changes

New agreed name	Original name	Feature Type
Tahorapāroa	Tahora	Locality
Tahorapāroa Saddle	Tahora Saddle	Pass
Whakaihuwaka Maunga	Mount Humphries (Whakaihuwaka)	Hill
Ōruru Maunga	Mount Dawson	Hill
Lake Pohoare	Lake Hawkes	Lake

Appendix Three - Summary of complete Te Korowai o Wainuiārua settlement package

Table One: Crown apology redress

Crown apology redress
<p>The deed of settlement includes:</p> <ul style="list-style-type: none"> • an agreed account of the historical relationship between Te Korowai o Wainuiārua and the Crown; • the Crown's acknowledgement of its acts and omissions which have breached Te Tiriti of Waitangi/the Treaty of Waitangi and its principles or caused prejudice to Te Korowai o Wainuiārua; and • a Crown apology for those breaches of Te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

Table Two: Financial redress

Financial redress
\$21.700 million

Table Three: Commercial redress

Properties in this table will not include any land vested under the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017

Crown forestry licensed land			
Landholding Agency	Name of site	General description	Conditions
Land Information New Zealand	Erua Crown forestry licensed land (12392)	183.9000 hectares more or less, being Lot 1 DP 70180	Settlement date transfer Subject to a Crown forestry licence contained in record of title WN1300/7 for an interest

Land Information New Zealand Treaty Landbank		
Name of site	General description	Conditions
Former Waikune Prison, SH4, National Park (PF 1382)	499.8400 hectares, more or less, being Sections 1, 2, 3 and 4 SO 37436. All record of title WN46C/925 for the fee simple estate	Settlement date transfer. Purchase price of \$268,000. Subject to a forestry right contained in document B840843.1
28 Carroll St, National Park (PF921)	1.1418 hectares, more or less, being Section 1 SO 32606. All record of title WN48C/547 for the fee simple estate	Settlement date transfer
Corner Carroll & Ward Sts, National Park (PF848)	0.3187 hectares, more or less, being Lot 1 DP 27058. All record of title WND4/1063 for the fee simple estate	Settlement date transfer

Land Information New Zealand sites

Name of site	Conditions
<p>Sawmill site, Findlay St, National Park (12108)</p> <p>House on ROW, 6 Pehi Rd, National Park (12110)</p> <p>House on ROW, 4 Pehi Rd, National Park (12111)</p> <p>House on ROW, Corner Pehi & Fisher Rds, National Park (12112)</p> <p>House on ROW, 27 Fisher Rd, National Park (12114)</p> <p>20 Station Rd, National Park (12118)</p> <p>22 Station Rd, National Park (12119)</p> <p>28 Station Rd, National Park (12121)</p> <p>32 Station Rd (lease to Clarkson/Slegers), National Park (12122)</p> <p>25 Ward St, National Park (12123)</p> <p>18 Station Rd, National Park (16375)</p> <p>Ruapehu District Council lease, Pehi Rd, National Park (15273)</p>	<p>All settlement date transfer, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)</p>

Sale and Leaseback Properties (land only)

Landholding agency	Name of site	General description	Conditions
Ministry of Education	National Park School site (land only), Carroll Street, National Park	1.8822 hectares more or less, being Lot 3 DP 498732. All record of title 750348 for the fee simple estate	Two year deferred selection period. Subject to Crown leaseback [excluding Ministry of Education schoolhouse sites subject to confirmation]
Ministry of Education	Raetihi Primary School site (land only), Grey Street, Raetihi	3.0755 hectares, more or less, being Sections 8 to 12 and 26 to 30 Raetihi Suburban. All record of title WN45C/356 for the fee simple estate. 0.9105 hectares, more or less, being Lots 5 and 6 DP 4872 and Sections 32 and 33 Raetihi Suburban. All Proclamation 479776	Two year deferred selection period. Subject to Crown leaseback [excluding MOE schoolhouse sites subject to confirmation]
New Zealand Police	National Park Police Station (land only), 29-31 Buddo Street, National Park	0.1242 hectares, more or less, being Section 21 and part Section 20 Block V Town of Waimarino. All Proclamation 2700 0.0782 hectares, more or less, being part Section 20 Block V Town of Waimarino. All Proclamation 3793 0.0089 hectares, more or less, being part Section 5 Block V Town of Waimarino. All Gazette Notice 206148.1	Two year deferred selection period. Subject to Crown leaseback
New Zealand Police	Raetihi Police Station and former Court House (land only), 2 and 4 Seddon Street, Raetihi	0.4806 hectares, more or less, being Section 290A Town of Raetihi. Part Gazette 1897 p 937	Two year deferred selection period. Subject to Crown leaseback

Deferred Selection Properties

Landholding agency	Name of site	General description	Conditions
Office for Māori Crown Relations - Te Arawhiti	Raurimu Station, Landcorp farm, SH 47, National Park	2503.8638 hectares more or less being Sections 2, 3 and 4 SO 36593, and Lot 2 DP 394961. All record of title 382148 for the fee simple estate	Two year deferred selection period
Land Information New Zealand	Ohura Rd/SH43, Marco (11519)	0.0331 hectares, more or less, being Section 91 Block XIV Pouatu Survey District	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand	Ohura Rd/SH43, Marco (11517)	0.3728 hectares, more or less, being Sections 88, 89 and 90 Block XIV Pouatu Survey District	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand	Main St, Kaitieke Road and Marama Street, Kaitieke (11830)	1.8800 hectares, more or less, being Section 1 Block III, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 Block IV and Section 4 Block VIII Town of Kaitieke	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand	Ihaka St, Kaitieke (11937)	0.6384 hectares, more or less, being Sections 1, 2, 3 and 4 Block II Town of Kaitieke	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand	Ihaka St, Kaitieke (11829)	0.1897 hectares, more or less, being Section 1 Block I Town of Kaitieke	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand	Ohura Rd/SH43, Marco (11518)	0.1295 hectares, more or less, being Section 179 and 180 Block XIII Pouatu Survey District	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand	Road to vest, Carroll St, National Park (12181)	0.29 hectares, approximately, being Part Railway Land, WN 2047	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand	Vacant site on ROW opposite Old Mill Road, National Park (12113)	0.11 hectares, approximately, being Part Railway Land.	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand	Rear of tennis court, Ward St, National Park (15311)	0.08 hectares, approximately, being Part Railway Land.	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Land Information	Tennis court, Ward St, West of	0.14 hectares, approximately, being Part Railway Land.	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the

Deferred Selection Properties			
Landholding agency	Name of site	General description	Conditions
New Zealand	tracks, National Park (15276)		New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand	26 Station Rd, National Park (12120)	0.11 hectares, approximately, being Part Railway Land.	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand	Former MOE House, 22 Millar St, National Park	0.0693 hectares, more or less, being Lot 1 DP 498732.	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand	Roadway, Findlay St, National Park (16374)	0.58 hectares, approximately, being Part Railway Land.	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand	Grazing land, ROW opposite track, Fisher Road, National Park (12109)	1.16 hectares, approximately, being Part Railway Land.	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand	Vacant land adjacent Waimarino Reserve, National Park (15277)	0.4047 hectares, more or less, being Part Section 8 Block XVI Kaitieke Survey District.	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand	War Memorial and planting SH4, National Park (11875)	0.10 hectares, approximately, being Sections 6 and 7, and Part Section 2 Block XI Town of Waimarino.	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand	Land adjacent Waimarino Reserve, National Park (15278)	1.13 hectares, approximately, being Part Section 8 Block XVI Kaitieke Survey District.	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand	Vacant land, south of sawmill site, National Park (15274)	3.12 hectares, approximately, being Part Railway Land.	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand	Mangatiti Rd, Ruatiti (15805)	7.99 hectares, approximately, being Subdivision 1 and 2 of Section 9 Block VIII Whirinaki Survey District.	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand	Hohere Rd, Horopito (11826)	0.68 hectares, approximately, being Section 9 Block IX Town of Horopito West.	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the

Deferred Selection Properties			
Landholding agency	Name of site	General description	Conditions
			New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand	Horopito Yard, SH4, Horopito (15258)	0.83 hectares, approximately, being Part Railway Land.	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand	Smash Palace - Horopito Yard, Hohere Rd, Horopito (15256)	3.16 hectares, approximately, being Part Railway Land.	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand	Preservation of Scenery, SH4, Makotuku River, Raetihi (16389)	0.4500 hectares, more or less, being Section 2 SO 35252. Part Gazette notice 403290.2	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand	SH 49, Raetihi (11954)	0.32 hectares, approximately, being Part Raetihi 2B2B3.	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand	Makakaho Rd, Makakaho (11584)	454.86 hectares, approximately, being Whakaihūwaka C6 Block.	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand	Makakaho Rd, Makakaho (11585)	109.57 hectares, approximately, being Whakaihūwaka C5 Block.	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand	SH 49, Raetihi (11926)	3.9780 hectares, more or less, being Sections 1, 2 and 3 SO 32694, Section 1 SO 32695 and Section 1 SO 32696.	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Land Information New Zealand – Treaty Settlements Landbank	SH4/Ward St, National Park (PF1460)	139.90 hectares, approximately, being Part Section 1 Block IV Manganui Survey District. Balance Gazette notice 805832. Subject to survey	Three year deferred selection period
Land Information New Zealand – Treaty Settlements Landbank	Former Mangaeturoa School, Pipiriki Raetihi Rd (PF1246)	5.8823 hectares, more or less, being Parts Section 4 Block V Makotuku Survey District and Sections 2 and 5 SO 37967. All record of title WN56A/72 for the fee simple estate	Three year deferred selection period

Deferred Selection Properties			
Landholding agency	Name of site	General description	Conditions
Land Information New Zealand – Treaty Settlements Landbank	Makotuku Valley Rd, Horopito (PF840)	0.1841 hectares, more or less, being Section 4 Block XV Town of Horopito West. All record of title WN46B/253 for the fee simple estate	Three year deferred selection period
Land Information New Zealand – Treaty Settlements Landbank	Boon Rd (Kouturoa East Rd), Kaitieke (PF1247)	5.4632 hectares, more or less, being Section 10 Block XIII Kaitieke Survey District. All record of title WN56A/258 for a fee simple estate	Three year deferred selection period
Land Information New Zealand – Treaty Settlements Landbank	2479 Pipiriki Raetihi Rd, Pipiriki (PF1463)	0.2023 hectares, more or less, being Section 8 Block X Town of Pipiriki. All record of title 29827 for the fee simple estate	Three year deferred selection period
Land Information New Zealand – Treaty Settlements Landbank	107 Seddon St, Raetihi (PF302)	0.1012 hectares, more or less, being Section 233 Town of Raetihi	Three year deferred selection period
Land Information New Zealand – Treaty Settlements Landbank	30 Duncan St, Raetihi (PF301)	0.0917 hectares, more or less, being Lot 1 DP 61673. All record of title WN31C/722 for the fee simple estate	Three year deferred selection period
Land Information New Zealand – Treaty Settlements Landbank	40 Queen St, Raetihi (PF1252)	0.0687 hectares, more or less, being Section 1 SO 25069. All Gazette 1961 p 1438	Three year deferred selection period
Land Information New Zealand – Treaty Settlements Landbank	58-62 Ward St, Raetihi (PF801)	1.5505 hectares, more or less, being Section 53 Raetihi Suburban	Three year deferred selection period
Land Information New Zealand – Treaty Settlements Landbank	Mangatiti Rd, Ruatiti (PF1003)	181.5015 hectares, more or less, being Section 11 Block VIII Whirinaki Survey District. All record of title WND1/364 for the fee simple estate	Three year deferred selection period

Deferred Selection Properties

Landholding agency	Name of site	General description	Conditions
Land Information New Zealand – Treaty Settlements Landbank	Former MOE House, 1016 Raetihi Rd, Ohakune (PF 1987)	0.2023 hectares, more or less, being Section 1 SO 495727. All record of title 745005 for the fee simple estate	Three year deferred selection period
Land Information New Zealand	Vacant land, Ward St, National Park (12116)	1.602 hectares, approximately, being Part Railway Land	Three year deferred selection period, subject to the relevant clearances (including under sections 23 and 26 of the New Zealand Railways Corporation Restructuring Act 1990)
Kāinga Ora – Homes and Communities	N/A	0.2514 hectares, more or less, being Part Section 241 town of Raetihi. All record of title WN50C/210 for the fee simple estate	Two year deferred selection period, subject to obtaining relevant statutory clearances

Right of First Refusal

Landholding agency	Name of site	General description
Crown		All Crown-owned properties within the exclusive area of interest
Land Information New Zealand	Ohura Rd/SH43, Marco (11517)	0.3728 hectares, more or less, being Sections 88, 89 and 90 Block XIV Pouatu Survey District.
Land Information New Zealand	Ohura Rd/SH43, Marco (11518)	0.1295 hectares, more or less, being Section 179 and 180 Block XIII Pouatu Survey District.
Land Information New Zealand	Ohura Rd/SH43, Marco (11519)	0.0331 hectares, more or less, being Section 91 Block XIV Pouatu Survey District.
Land Information New Zealand	Main St, Kaitieke Road and Marama Street, Kaitieke (11830)	1.8800 hectares, more or less, being Section 1 Block III, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 Block IV and Section 4 Block VIII Town of Kaitieke.
Land Information New Zealand	Ihaka Street, Kaitieke (11829)	0.1897 hectares, more or less, being Section 1 Block I Town of Kaitieke.
Land Information New Zealand	Ihaka Street, Kaitieke (11937)	0.6384 hectares, more or less, being Sections 1, 2, 3 and 4 Block II Town of Kaitieke.
Land Information New Zealand	War memorial and planting, SH4, National Park (11875)	0.10 hectares, approximately, being Sections 6 and 7, and Part Section 2 Block XI Town of Waimarino.
Land Information New Zealand	Roadway, Findlay St, National Park (16374)	0.58 hectares, approximately, being Part Railway Land.
Land Information New Zealand	Rear of tennis court, Ward St, National Park (15311)	0.08 hectares, approximately, being Part Railway Land
Land Information New Zealand	Tennis court, Ward St, West of tracks, National Park (15276)	0.14 hectares, approximately, being Part Railway Land

Right of First Refusal		
Landholding agency	Name of site	General description
Land Information New Zealand	Road to vest, Carroll St, National Park (12181)	0.29 hectares, approximately, being Part Railway Land
Land Information New Zealand	Vacant site on ROW opposite Old Mill Road, National Park (12113)	0.11 hectares, approximately, being Part Railway Land
Land Information New Zealand	26 Station Rd, National Park (12120)	0.11 hectares, approximately, being Part Railway Land
Land Information New Zealand	Grazing land, ROW opposite track, Fisher Road, National Park (12109)	1.16 hectares, approximately, being Part Railway Land
Land Information New Zealand	Vacant land adjacent Waimarino Reserve, National Park (15277)	0.4047 hectares, more or less, being Part Section 8 Block XVI Kaitieke Survey District
Land Information New Zealand	Land adjacent Waimarino Reserve, National Park (15278)	1.13 hectares, approximately, being Part Section 8 Block XVI Kaitieke Survey District
Land Information New Zealand	Former MOE House, 22 Millar St, National Park	0.0693 hectares, more or less, being Lot 1 DP 498732
Land Information New Zealand	Vacant land, south of sawmill site, National Park (15274)	3.12 hectares, approximately, being Part Railway Land
Land Information New Zealand	Mangatiti Rd, Ruatiti (15805)	7.99 hectares, approximately, being Subdivision 1 and 2 of Section 9 Block VIII Whirinaki Survey District
Land Information New Zealand	Hohere Rd, Horopito (11826)	0.68 hectares, approximately, being Section 9 Block IX Town of Horopito West
Land Information New Zealand	Horopito Yard, SH4, Horopito (15258)	0.83 hectares, approximately, being Part Railway Land
Land Information New Zealand	Smash Palace - Horopito Yard, Hohere Rd, Horopito (15256)	3.16 hectares, approximately, being Part Railway Land
Land Information New Zealand	Former MOE House, 35A and 35B Arawa St, Ohakune	0.1113 hectares, more or less, being Lot 2 DP 27379
Land Information New Zealand	SH 49, Raetihi (11954)	0.32 hectares, approximately, being Part Raetihi 2B2B3
Land Information New Zealand	SH 49, Raetihi (11926)	3.9780 hectares, more or less, being Sections 1, 2 and 3 SO 32694, Section 1 SO 32695 and Section 1 SO 32696
Land Information New Zealand	Makakaho Rd, Makakaho (11584)	454.86 hectares, approximately, being Whakaihuwaka C6 Block
Land Information New Zealand	Makakaho Rd, Makakaho (11585)	109.57 hectares, approximately, being Whakaihuwaka C5 Block

Right of First Refusal		
Landholding agency	Name of site	General description
Land Information New Zealand Treaty Settlements Landbank	SH4/Ward St, National Park (PF1460)	139.9014 hectares, approximately, being Part Section 1 Block IV Manganui Survey District
Land Information New Zealand Treaty Settlements Landbank	Makotuku Valley Rd, Horopito (PF840)	0.1841 hectares, more or less, being Section 4 Block XV Town of Horopito West
Land Information New Zealand Treaty Settlements Landbank	Boon Rd (Kouturoa East Rd), Kaitieke (PF1247)	5.4632 hectares, more or less, being Section 10 Block XIII Kaitieke Survey District
Land Information New Zealand Treaty Settlements Landbank	2479 Pipiriki Raetihi Rd, Pipiriki (PF1463)	0.2023 hectares, more or less, being Section 8 Block X Town of Pipiriki
Land Information New Zealand Treaty Settlements Landbank	Mangatiti Rd, Ruatiti (PF1003)	181.5015 hectares, more or less, being Section 11 Block VIII Whirinaki Survey District. All computer freehold register WND1/364
Land Information New Zealand Treaty Settlements Landbank	Former MOE House, 1016 Raetihi Rd, Ohakune (PF 1987)	0.2023 hectares, more or less, being Section 1 SO 495727
Ministry of Education	National Park School, Carroll Street, National Park	1.8822 hectares more or less, being Lot 3 DP 498732
New Zealand Police	National Park Police Station (land only), 29-31 Buddo Street, National Park	0.1242 hectares, more or less, being Section 21 and part Section 20 Block V Town of Waimarino
Kāinga Ora – Homes and Communities		0.0896 hectares, more or less, being Lot 5 DP 50460
Kāinga Ora – Homes and Communities		0.2514 hectares, more or less, being Part Section 241 town of Raetihi
Kāinga Ora – Homes and Communities		0.1000 hectares, more or less, being Lot 2 DP 15937
Kāinga Ora – Homes and Communities		0.0874 hectares, more or less, being Lot 1 DP 15028
Kāinga Ora – Homes and Communities		½ share in fee simple estate being 0.0899 hectares, more or less, being Lot 2 DP 50309 and leasehold estate being Flat 1 and Garage 1 DP 56900
Kāinga Ora – Homes and Communities		0.0809 hectares, more or less, being Lot 5 DP 21605

Right of First Refusal		
Landholding agency	Name of site	General description
Office for Māori Crown Relations - Te Arawhiti	Raurimu Station, Landcorp farm, SH 47, National Park	2503.8638 hectares more or less being Sections 2, 3 and 4 SO 36593, and Lot 2 DP 394961

Joint Right of First Refusal with Ngāti Maru and Ngāti Hāua		
Landholding Agency	Name of site	General description
Department of Conservation	Mangapapa Roadman's Cottage Local Purpose Reserve	<i>Taranaki Land District - Stratford District</i> 1.2335 hectares, more or less, being Lot 1 of Subdivision 1 of Section 11 Block II Pouatu Survey District. All Gazette notice 428712.
Department of Conservation	Kohuratahi Road Gravel Reserve	<i>Taranaki Land District - Stratford District</i> 3.4778 hectares, more or less, being Section 20 Block XVI Pouatu Survey District. All Gazette 1960, p 1472.
Department of Conservation	Part Tahora Domain (Section 17)	<i>Taranaki Land District - Stratford District</i> 2.2227 hectares, more or less, being Section 17 Block VI Pouatu Survey District. Part record of title 499187 for the fee simple estate.
Department of Conservation	Part Tahora Domain (Sections 44, 46-48, 65 and Part Section 45 Town of Tahora)	<i>Taranaki Land District - Stratford District</i> 0.8009 hectares, more or less, being Sections 44, 46, 47 48, 65 and Part Section 45 Town of Tahora. Part record of title 499187 for the fee simple estate.
LINZ Treaty Settlements Landbank	593-595 Raekohua Road PF1006	<i>Taranaki Land District - Stratford District</i> 1.3405 hectares, more or less, being Section 17 Block VII Pouatu Survey District. All record of title TNK3/819 for the fee simple estate.
Land Information New Zealand	Raekohua Road (11588)	<i>Taranaki Land District - Stratford District</i> 2.4827 hectares, more or less, being Section 1 SO 7031. Part Gazette 1899, p 1361.
Crown land	Mangapapa Road	<i>Taranaki Land District - Stratford District</i> 0.46 hectares, approximately, being Crown Land Block II Pouatu Survey District.

Joint Right of First Refusal with Ngāti Maru		
Name of site	Name of site	General description
LINZ Treaty Settlements Landbank	Tahora Bus Stop PF1984	<i>Taranaki Land District - Stratford District</i> 0.0838 hectares, more or less, being Section 37 Town of Tahora. All record of title 637600 for the fee simple estate.

Table Four - Cultural Redress

Properties in this table will not include any land vested under the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017

Cultural redress sites for transfer - Crown land administered by the Department of Conservation			
Landholding Agency	Name of site	General description	Conditions
Department of Conservation	Pipiriki Scenic Reserve	<i>Wellington Land District – Ruapehu District</i> 0.4350 hectares, more or less, being Section 20 Block IX Town of Pipiriki. Part Gazette 1897 p 1723	Subject to scenic reserve status with the governance entity as the administering body
Department of Conservation	Ohoutahi Scenic Reserve	<i>Wellington Land District – Ruapehu District</i> 18.0292 hectares, more or less, being Part Ohoutahi 1B and Parts Ohoutahi 2. Balance proclamation 944	Subject to historic reserve status with the governance entity as the administering body
Department of Conservation	Part Erua Conservation Area	<i>Wellington Land District – Ruapehu District</i> 188.2800 hectares, more or less, being Sections 10 and 14 Block VIII Manganui Survey District. Part Gazette 1922 p 229 11.18 hectares, approximately, being Part Section 15 Block VIII Manganui Survey District. Part Gazette 1899 p 623 Subject to survey 3.6877 hectares, more or less, being Sections 22 and 23 Block VIII Manganui Survey District. All Gazette 1936 p 307	Subject to xx reserve status with the governance entity as the administering body
Department of Conservation	Part Makatote Scenic Reserve	<i>Wellington Land District – Ruapehu District</i> 13.11 hectares, approximately, being Part Section 27 Block VIII Manganui Survey District. Part Gazette 1936 page 1519. Subject to survey 14.5686 hectares, more or less, being Section 12 Block VIII Manganui Survey District. Part Gazette 1914 page 4144 45.95 hectares, approximately, being Part Section 9 Block VIII Manganui Survey District. Part Gazette 1914 page 4144. Subject to survey	Subject to scenic reserve status with the governance entity as the administering body
Department of Conservation	Part Makatote Scenic Reserve	<i>Wellington Land District – Ruapehu District</i> 4.37 hectares, approximately, being Part Section 27 Block VIII Manganui Survey District. Part <u>Gazette</u> 1936 p 1519. Subject to survey	Vest fee simple
Department of Conservation	Manganui o te Ao Conservation Area	<i>Wellington Land District – Ruapehu District</i> 0.8985 hectare, more or less, being Parts Section 17 Block VIII Manganui Survey District. Part proclamation 4595	Vest fee simple
Department of Conservation	Part Whangamōmona Forest Conservation Area	<i>Taranaki Land District – Stratford District</i> 19 ha, approximately, being part Section 1 Block VI Mahoe Survey District. Subject to survey.	Subject to scenic reserve status with the governance entity as the administering body
Department of Conservation	Tāngarākau Forest	<i>Taranaki Land District – Stratford District</i>	Subject to scenic reserve status with the

	Conservation Area	4.8562 ha, more or less, being Section 13 Block III Mahoe Survey District.	governance entity as the administering body
Department of Conservation	Putikituna Conservation Area	<i>Taranaki Land District – Stratford District</i> 37.6357 ha, more or less, being Section 8 Block III Mahoe Survey District. All Gazette 1974 p 2493.	Subject to scenic reserve status with the governance entity as the administering body
Department of Conservation	Taumatamahoe Conservation Area	<i>Taranaki Land District – Wanganui District</i> 6 ha, approximately, being Part Taumatamahoe 2B2B12.	Subject to scenic reserve status with the governance entity as the administering body
Department of Conservation	Part Tangahoe Conservation Area	<i>Taranaki Land District – Wanganui District</i> 41 ha, approximately, being Part Taumatamahoe 2B2B15A1.	Subject to scenic reserve status with the governance entity as the administering body
Department of Conservation	Part Ramanui Conservation Area	<i>Taranaki Land District – Wanganui District</i> 15 ha, approximately, being Part Subdivision 2 Section 1 Block II Omara Survey District.	Subject to scenic reserve status with the governance entity as the administering body
Department of Conservation	Tahora Scenic Reserve	<i>Taranaki Land District – Stratford District</i> 11.1359 hectares, more or less, being Lots 1 and 2 DP 8449 and Section 34 Block VI Pouatu Survey District.	Jointly vested with Ngati Hāua in undivided half shares as tenants in common, subject to scenic reserve status with the governance entities as the administering body.

Cultural redress – Overlay Classifications

Murumuru Conservation Area	<i>Wellington Land District – Ruapehu District</i> 5,895 hectares, approximately, being Sections 1 and 2 SO 36650, Section 1 SO 36951, Parts Section 3 Block VII, Section 2 and Section 6 Block XI, Section 5, Parts Section 7, Part Section 12, and Section 20 Block XII, Section 6, Part Section 8, and Section 9 Block XV Whirinaki Survey District, Parts Section 7 Block IV Rarete Survey District, and Part Closed Road SO 17693
Part Erua Conservation Area	<i>Wellington Land District – Ruapehu District</i> 11,095 hectares, approximately, being Sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 29, 32, 33 and Part Sections 3, 4, 5, 6, and 19, and Parts Section 2 Block VII, Sections 1, 2, 3, 5, 6, 7, 20, 21, 28, 34, 35, and 36, and Part Sections 4, 8, and 19, and Part Subdivisions 3 and 4 of Section 13 Block VIII, Sections 3, 6, 7, 8, 9, and 10 Block X, Sections 4, 5, 6, 9, 10, 11, 22, 23, 25, 26, 27 28, 29, 30 and 31, and Part Sections 7, 8, 12, 14, 16, 17, 18, 19, 20, and 21, and Parts Sections 2 and 3 Block XI, and Parts Sections 9 and 18 Block XII Manganui Survey District, Sections 4, 7 and 9 Block XV, and Sections 1 and 2 Block XVI Kaitieke Survey District, Section 1 SO 27030, Closed Road SO 18704, and Parts Waimarino 1

Cultural redress – Statutory Acknowledgements

Adams Conservation Area
Hawkin's Wetland Scenic Reserve
Horopito-Ōhakune Rail Conservation Area
Hukapapa Conservation Area
Kawautahi Scenic Reserve
Kokakonui Scenic Reserve
Mangapaka Conservation Area
Mangapaka Scenic Reserve
Mangatiti Conservation Area

Cultural redress – Statutory Acknowledgements

Ohinetonga Scenic Reserve
Owhango Domain Recreation Reserve
Part Matirangi Conservation Area
Part Ngā Roto-o-Rangataua Scenic Reserve
Part Rangataua Conservation Area
Part Raukawa Scenic Reserve
Part Tongariro Conservation Area
Part Waitotara Conservation Area
Rangataua No.2 Conservation Area
Rotokahu Scenic Reserve
Taheke Conservation Area
Part Tāngarākau Forest Conservation Area
Taunoka Conservation Area
Tupapakuraa Conservation Area
Waimarino Scientific Reserve
Waireka Conservation Area
Whakapapa River Marginal Strip

Cultural redress – Deeds of Recognition

Adams Conservation Area
Horopito-Ōhakune Rail Conservation Area
Hukapapa Conservation Area
Mangapaka Conservation Area
Mangapaka Scenic Reserve
Mangatiti Conservation Area
Part Matirangi Conservation Area
Rotokahu Scenic Reserve
Taheke Conservation Area
Part Tāngarākau Forest Conservation Area (over an area to be identified that does not overlap with another deed of recognition)
Taunoka Conservation Area
Tupapakuraa Conservation Area
Waimarino Scientific Reserve

Cultural redress – individual agency relationship redress	
Agency	Type of redress
Department of Conservation	Conservation partnership agreement Conservation management agreement under section 53 of the Conservation Act 1987
Minister for the Environment	Relationship agreement
Ministry of Business, Innovation and Employment in relation to Crown Minerals	Crown Minerals Protocol
The Māori Economic Development Unit within the Ministry of Business, Innovation and Employment	Letter of commitment
Ministry of Fisheries	Letter of Recognition Appointment as an advisory committee to the Minister of Fisheries
Waka Kotahi New Zealand Transport Agency	Relationship agreement
KiwiRail	Relationship agreement
Horizons Regional Council	Relationship agreement
Ministry of Social Development/ Te Manatū Whakahiato Ora	Relationship agreement
New Zealand Police	Relationship agreement
Oranga Tamariki - Ministry for Children	Relationship agreement
Ministry of Education	Relationship agreement
Ngā Taonga Sound & Vision	Letter of introduction

Cultural redress – Collective agency relationship redress	
Agency	Type of redress
Department of Internal Affairs, Ministry for Culture and Heritage, Museum of New Zealand Te Papa Tongarewa, Heritage New Zealand Pouhere Taonga	Whakaaetanga Tiaki Taonga (relationship agreement)

Other cultural redress
\$0.600 million cultural revitalisation
\$0.750 to support ecosanctuary

Table Five: Natural resources redress

A 'kaitiaki plan' (an iwi management plan under the Resource Management Act 1991) to guide environmental planning and decision-making within the Te Korowai o Wainuiārua rohe.

Cultural redress - Place name changes		
New agreed name	Original name	Feature Type
Tahorapāroa	Tahora	Locality
Tahorapāroa Saddle	Tahora Saddle	Pass
Whakaihuwaka Maunga	Mount Humphries (Whakaihuwaka)	Hill
Ōruru Maunga	Mount Dawson	Hill
Lake Pohoare	Lake Hawkes	Lake



Cabinet Māori Crown Relations - Te Arawhiti Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Te Korowai o Wainuiārua: Increase in Total Settlement Value

Portfolio Treaty of Waitangi Negotiations

On 25 October 2022, the Cabinet Māori Crown Relations - Te Arawhiti Committee:

- 1 **noted** that on 13 May 2022, the Minister for Treaty of Waitangi Negotiations decided to postpone the planned 16 May 2022 initialling of the Te Korowai o Wainuiārua deed of settlement;
- 2 **noted** that the initialling of the deed of settlement is planned for November 2022;
- 3 **noted** that the valuations on 19 cultural and 10 commercial properties to transfer to Te Korowai o Wainuiārua on settlement date will have expired by November and revaluations have been made with increases totalling \$ [REDACTED];
- 4 **approved** an increase to the Te Korowai o Wainuiārua total settlement value by [REDACTED] in order to account for increases in valuations of cultural and commercial properties;
- 5 **noted** that the cost of the Te Korowai o Wainuiārua total settlement value is estimated as follows:

Financial implications	\$ (m)
Financial and commercial redress	21.700
Cultural redress	[REDACTED]
Estimated interest	[REDACTED]
Estimated total received by the claimants through the settlement process	[REDACTED]
Loss-on-sale for Waikune Prison	[REDACTED]
Crown accounting for increases in cultural and commercial settlement date properties	[REDACTED]
Current total relativity clause implications	[REDACTED]
Additional relativity clause implications	[REDACTED]
Total estimated cost to the Crown	[REDACTED]
Total new funding required (\$0.708m + \$0.235m)	[REDACTED]

- 6 **noted** that the total additional cost to the Crown, including estimated relativity mechanism implications, is \$ [REDACTED] which exceeds the budgetary forecast for Te Korowai o Wainuiārua settlement;

7

[REDACTED]

	\$m – increase/(decrease)				
Vote: Treaty Negotiations	2021/22	2022/23	2023/24	2024/25	2025/26
Minister for Treaty of Waitangi Negotiations					
Tagged Operating Contingency	0.000	[REDACTED]	0.000	0.000	0.000

8 **agreed** that the total additional cost to the Crown for the decision in paragraph 4 above, including relativity mechanism implications, of [REDACTED] be charged against the Treaty settlements tagged contingency established in Vote Te Arawhiti as part of Budget 2022, with a corresponding impact on the operating balance and net debt;

9 **noted** that following the above decision, the remaining balance and indicative phasing of the Treaty settlements tagged contingency will be as indicated below:

	\$m – increase/(decrease)				
Vote: Treaty Negotiations	2021/22	2022/23	2023/24	2024/25	2025/26
Minister for Treaty of Waitangi Negotiations					
Tagged Operating Contingency	0.000	[REDACTED]	0.000	0.000	0.000

10 **noted** that the Treaty settlements tagged contingency will expire on 30 June 2023.

Rachel Clarke
Committee Secretary

Present:

Hon Kelvin Davis (Chair)
Hon Andrew Little
Hon David Parker
Hon Nanaia Mahuta
Hon Poto Williams
Hon Stuart Nash
Hon Kiri Allan
Hon Meka Whaitiri

Officials present from:

Office of the Prime Minister
Officials Committee for MCR

In Confidence

Office of the Minister for Treaty of Waitangi Negotiations

Cabinet Māori Crown Relations Committee

TE KOROWAI O WAINUIĀRUA: INCREASE IN TOTAL SETTLEMENT VALUE

Proposal

- 1 I seek your agreement to increase the Te Korowai o Wainuiārua total settlement value by \$██████ million to account for recent increases in the values of redress properties.
- 2 To give effect to this, I seek your agreement for \$██████ million (the total cost to the Crown including relativity mechanism implications) to be charged against the Treaty settlements tagged contingency established in Vote Te Arawhiti as part of Budget 2022.
- 3 Your agreement to this increase in total settlement value will enable a deed of settlement to be initialled with Te Korowai o Wainuiārua in November 2022.

Relation to Government priorities

- 4 These proposals relate directly to the Government's priority, as set out in the 2020 General Election Manifesto, to continue work to settle historical Treaty of Waitangi claims.

Background

Negotiations with Te Korowai o Wainuiārua

- 5 Te Korowai o Wainuiārua are comprised of three iwi: Tamahaki, Tamakana and Uenuku ki Manganui-o-te-Ao, nā Tūkaihoru. Their area of interest includes the central Whanganui River and parts of the Tongariro and Whanganui National Parks. On 20 November 2018, Te Korowai o Wainuiārua and the Crown signed an Agreement in Principle. The Crown aims to initial a deed of settlement with Te Korowai o Wainuiārua by November 2022.

Decision to postpone the initialling of the deed of settlement

- 6 The Te Korowai o Wainuiārua deed of settlement was due to be initialled on Monday 16 May 2022. On Friday 13 May, after receiving a joint letter from overlapped iwi outlining their concerns about the proposed deed of settlement, and Whanganui Land Settlement initiating legal proceedings in the Waitangi Tribunal, I decided to postpone the initialling. My main reason was to allow overlapping groups more time to fully consider the outcomes of my final decisions and to resolve a number of outstanding matters in the draft deed of settlement, including the drafting of shared redress.
- 7 In making this decision, I was aware that Te Korowai o Wainuiārua would be concerned about the value of their settlement package, as many of the valuations of

the properties – both commercial and cultural, were due to expire shortly thereafter. When I wrote to Te Korowai o Wainuiārua, notifying them of my decision to delay their settlement, I provided them with a reassurance that the value of their settlement would not be prejudiced by this decision.

Increase in valuations for cultural and commercial properties

8 The Crown now plans to initial the deed of settlement in November. The Crown has committed to vest 19 cultural properties and to transfer 10 commercial properties at previously agreed amounts. Fresh valuations have been received which have generally increased in value, some substantially. Cultural valuations have increased by \$ [REDACTED] million and commercial valuations have increased by \$ [REDACTED] million, totalling \$ [REDACTED]

9 [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

10 Table One below summarises this proposal:

Table One – funding proposal

Descriptions	\$ (m)
Increased cultural valuations (July 2022)	[REDACTED]
Increased commercial valuations (July 2022)	[REDACTED]
Total increase in valuations	[REDACTED]
[REDACTED]	[REDACTED]
Required additional total settlement value	[REDACTED]

Financial implications

11 Cabinet agreed as part of Budget 2022 to establish a Treaty settlements tagged contingency of up to \$ [REDACTED] as a source of funding for [REDACTED]
[REDACTED]
[REDACTED] [CAB-22-MIN-0129 refers]. [REDACTED]
[REDACTED]

12 Including relativity clause implications, this proposal has a total cost to the Crown of \$ [REDACTED] I seek approval to charge this cost against the Treaty settlements tagged contingency established in Vote Te Arawhiti as part of Budget 2022.

13 The financial implications of the proposals in this report are set out in Table Two below:

Table Two – financial implications

Financial implications	\$ (m)
Financial and commercial redress	21.700
Cultural redress	██████
Estimated interest	██████
Estimated total received by the claimants through the settlement process	██████
Loss-on-sale for Waikune Prison	██████
Crown accounting for increases in cultural and commercial settlement date properties	██████
Current total relativity clause implications	██████
Additional relativity clause implications	██████
Total estimated cost to the Crown	██████
Total new funding required	██████

14 Expenses representing the total cost of the Te Korowai o Wainuiārua settlement will be recognised against the Vote Te Arawhiti Multi-Year Appropriation: Historical Treaty of Waitangi Settlements 2022-2026 when the deed of settlement is initialled.

Next steps

15 I am working through final overlapping interests issues, which I expect will be resolved prior to the initialling date. Should you agree to the proposals in this paper, subject to my satisfaction that overlapping interests are resolved, the deed of settlement can be initialled. If you do not agree to these proposals, I consider that it will not be possible to reach settlement with Te Korowai o Wainuiārua at this time.

Legislative Implications

16 There are no specific legislative implications from this paper.

Impact Analysis

Regulatory Impact Statement

17 A regulatory impact statement is not required because the proposals does not amend or affect existing regulatory arrangements.

Climate Implications of policy assessment

18 An assessment of climate implications is not required as the proposals are not likely to have direct emission impacts.

Population implications

19 Te Korowai o Wainuiārua are an iwi of around 3,000 people. These proposals support the delivery of a Treaty settlement to Te Korowai o Wainuiārua which will have a positive impact on its population.

Human Rights

20 The proposals are consistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

Consultation

21 Te Arawhiti has consulted with and incorporated the views of the Treasury.

Proactive Release

22 I intend to release this paper proactively, making any necessary redactions, within 30 business days of final Cabinet decisions if a deed has been initialled within that timeframe. If a deed has not been initialled I intend to defer proactive release of this paper as the content will remain confidential to negotiations until that time.

Recommendations

The Minister for Treaty of Waitangi Negotiations recommends that Cabinet:

- 1 **note** that on 13 May 2022, the Minister for Treaty of Waitangi Negotiations decided to postpone the planned 16 May 2022 initialling of the Te Korowai o Wainuiārua deed of settlement;
- 2 **note** that the initialling of the deed of settlement is planned for November 2022;
- 3 **note** that the valuations on 19 cultural and 10 commercial properties to transfer to Te Korowai o Wainuiārua on settlement date will have expired by November and revaluations have been made with increases totalling \$ [REDACTED];
- 4 **approve** an increase to the Te Korowai o Wainuiārua total settlement value by \$ [REDACTED] in order to account for increases in valuations of cultural and commercial properties;
- 5 **note** that, under these proposals, the cost of the Te Korowai o Wainuiārua total settlement value is estimated as follows:

Financial implications	\$ (m)
Financial and commercial redress	21.700
Cultural redress	[REDACTED]
Estimated interest	[REDACTED]
Estimated total received by the claimants through the settlement process	[REDACTED]
Loss-on-sale for Waikune Prison	[REDACTED]
Crown accounting for increases in cultural and commercial settlement date properties	[REDACTED]
Current total relativity clause implications	[REDACTED]
Additional relativity clause implications	[REDACTED]
Total estimated cost to the Crown	[REDACTED]
Total new funding required	[REDACTED]

6 **note** that the total additional cost to the Crown of these proposals, including estimated relativity mechanism implications, is \$ [REDACTED] which exceeds the budgetary forecast for this settlement;

7 **note** that Cabinet agreed as part of Budget 2022 to establish the Treaty settlements tagged contingency [REDACTED]
[REDACTED]
[REDACTED] [CAB-22-MIN-0129 refers], with the following indicative profile:

	\$m – increase/(decrease)				
Vote: Treaty Negotiations	2021/22	2022/23	2023/24	2024/25	2025/26
Minister for Treaty of Waitangi Negotiations					
<i>Tagged Operating Contingency</i>	0.000	[REDACTED]	0.000	0.000	0.000

8 **agree** that the total additional cost to the Crown of the proposal in recommendation 4 above, including relativity mechanism implications, of [REDACTED] be charged against the Treaty settlements tagged contingency established in Vote Te Arawhiti as part of Budget 2022, with a corresponding impact on the operating balance and net debt;

9 **note** that following the above decision, the remaining balance and indicative phasing of the Treaty settlements tagged contingency will be as indicated below:

	\$m – increase/(decrease)				
Vote: Treaty Negotiations	2021/22	2022/23	2023/24	2024/25	2025/26
Minister for Treaty of Waitangi Negotiations					
<i>Tagged Operating Contingency</i>	0.000	[REDACTED]	0.000	0.000	0.000

10 **note** that the Treaty settlements tagged contingency will expire on 30 June 2023.

Authorised for lodgement

Hon Andrew Little
Minister for Treaty of Waitangi Negotiations