Hon Paul Goldsmith
Minister for Treaty of Waitangi Negotiations

Proactive release – Ngai Tai: Approval to Initial a Deed of Settlement

Date of issue: 2 November 2026

The following documents have been proactively released in accordance with Cabinet Office Circular CO (23) 04.

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.	**Ngai Tai: Approval to Initial a Deed of Settlement** *Cabinet paper* The Office of Treaty Settlements and Takutai Moana–Te Tari Whakatau	Some information has been withheld in accordance with: S9(2)(j) – enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations
2.	**Ngai Tai: Approval to Initial a Deed of Settlement** *Cabinet committee minute – SOU-26-MIN-0062* Cabinet Office *22 July 2026*	Some information has been withheld in accordance with: S9(2)(j) – to enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations
3.	**Ngai Tai: Approval to Initial a Deed of Settlement** *Cabinet committee summary – SOU-26-SUB-0062* Cabinet Office *22 July 2026*	Some information has been withheld in accordance with: S9(2)(j) – to enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations
4.	**Report of the Cabinet Social Outcomes Committee: Period Ended 24 July 2026** *Cabinet minute – CAB-26-MIN-0237* Cabinet Office *27 July 2026*	Some information has been withheld as out of scope of the proactive release of *Ngai Tai: Approval to Initial a Deed of Settlement*

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In Confidence

Office of the Minister for Treaty of Waitangi Negotiations

Cabinet Social Outcomes Committee

Ngai Tai: Approval to Initial a Deed of Settlement

Proposal

1 I seek Cabinet approval to the final redress package for the comprehensive settlement of the historical Treaty of Waitangi claims of Ngai Tai. Subject to Cabinet agreement, I intend to initial a deed of settlement (**deed**) with Ngai Tai in September.

Relation to government priorities

2 This proposal directly relates to the Government's priority of settling all historical Treaty of Waitangi claims.

Executive Summary

3 Ngai Tai are a group of approximately 3,700 people with an area of interest in the eastern Bay of Plenty centred around Tōrere on the coast (see **Appendix 1**).

4 Cabinet agreed a package of redress for a Crown offer and Agreement in Principle (**AIP**) in September 2025 [CAB-25-MIN-0291 refers]. The Crown and Ngai Tai signed the AIP in December 2025.

5 In September 2025, Cabinet authorised me and relevant portfolio Ministers to finalise or vary the Ngai Tai redress package, consistent with the intent of Cabinet's decisions, within the parameters of the Treaty settlement framework and subject to there being no financial implications. Consistent with this authorisation, in 2026 relevant Ministers and I have agreed to additional redress for Ngai Tai including relationship redress, statutory acknowledgements, place name changes 9(2)(j) [redacted]. This redress has no financial implications for the Crown. The full settlement package now proposed is detailed in **Appendix 2**.

6 Ngai Tai seek redress over the 5,820 hectares (**ha**) of public conservation land (**PCL**) in the eastern part of their area of interest, which is overlapped with Te Whānau a Apanui. This overlapped area has been a source of contention between the iwi for over a century. Both iwi consider they have the predominant interests.

7 To achieve a final Ngai Tai redress package, the Minister of Conservation and I have agreed to provide joint redress for Ngai Tai and Te Whānau a Apanui over this PCL, consisting of:

7.1 reclassification of the PCL from conservation park, conservation area or scenic reserve to local purpose reserve, to be managed by a joint management body from the Ngai Tai settlement date; and

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7.2 subject to Cabinet agreement, ownership from the later (Te Whānau a Apanui) settlement date.

8 This proposal requires an increase to the total settlement value (**TSV**) of both the Ngai Tai and Te Whānau a Apanui settlements. I seek Cabinet agreement to increase both TSVs by up to 9(2)(j) combined to account for the transfer value of this PCL, with a total cost to the Crown of up to 9(2)(j) including relativity mechanism implications. I propose this is met from the Vote Tari Whakatau tagged contingency that was established in Budget 2026.

9 I seek Cabinet agreement to modified ouster provisions in the Ngai Tai settlement legislation to allow the Waitangi Tribunal to continue to inquire into, and make findings on, Ngai Tai historical claims in the Wai 1750 North-Eastern Bay of Plenty District Inquiry (the **District Inquiry**). The draft bill will retain the standard ouster provisions removing the ability of the Tribunal to make any recommendations.

10 Cabinet's decisions will enable a deed to be initialled in September. This will be subject to the Minister for Māori Development and I being satisfied that the proposed post-settlement governance entity (**PSGE**) meets the Crown requirements of representation, accountability and transparency. I seek delegated authority for myself and relevant Ministers to finalise or vary redress relevant to their portfolios and within the financial parameters set by Cabinet. I also seek Cabinet authority to address any final issues including the resolution of overlapping interests prior to initialling the deed.

11 I seek Cabinet authority for myself and the Minister for Māori Development to assess whether the results of the ratification demonstrate sufficient support for the deed, and if so, authorise me to sign the deed with Ngai Tai on behalf of the Crown.

Background

12 Ngai Tai is an iwi of approximately 3,700 people with an area of interest (**AOI**) in the eastern Bay of Plenty. The Ngai Tai AOI spans approximately 46,000 ha centred around Tōrere (see map at **Appendix 1**).

13 The primary claim of Ngai Tai, Wai 78, was made in 1988 and relates to land taken in satisfaction of survey liens in 1931. A 2023 amended statement of claim identified a number of other more generic areas in which the claimants consider the Crown has breached the Treaty. Cabinet agreed a package of redress for a Crown offer and AIP in September 2025 [CAB-25-MIN-0291 refers]. The Crown and Ngai Tai signed the AIP on 2 December 2025.

14 The core of the AIP package was the transfer of up to 9,000 ha of public conservation land, the return of a school, reservation of aquaculture space, and financial redress of $12.000 million. Cabinet approved a TSV for Ngai Tai of 9(2)(j)

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Scope of the Ngai Tai settlement

15 The settlement will finally and comprehensively settle all historical Treaty of Waitangi claims of Ngai Tai. Except as provided in the Ngai Tai deed, the settlement will not affect any ongoing rights Ngai Tai may have under common law (including existing aboriginal title), legislation, or the Treaty of Waitangi.

I intend to amend the ouster provisions in the settlement so that Ngai Tai claims can continue to be heard in the Wai 1750 District Inquiry

16 Ngai Tai claimants are currently participating in the Wai 1750 North-Eastern Bay of Plenty District Inquiry, which commenced in mid-2019. This is the relevant district inquiry to the main Ngai Tai Wai 78 claim. Indications from the Tribunal are that hearings for the District Inquiry will be completed by mid-2027, before the report-writing phase begins. It is not expected that reporting on the Ngai Tai historical claims will be completed before the Ngai Tai settlement legislation is introduced into the House or before enactment of the settlement.

17 Ngai Tai have also confirmed to the Tribunal they seek to participate in the Wai 3555 Waipāoa Remedies Inquiry (the **Remedies Inquiry**).

18 I seek Cabinet agreement that the Ngai Tai settlement legislation include a modified ouster clause to preserve the Waitangi Tribunal's jurisdiction to complete its inquiry and report in the District Inquiry on the Ngai Tai historical claims only, and to make findings but not recommendations on the historical claims.

19 It is appropriate to allow Ngai Tai to see their history and evidence captured in the Tribunal's Wai 1750 report. This exemption from the standard ouster provisions would not allow the Tribunal to make any recommendations and will not undermine the full and final nature of the settlement.

20 I do not consider this exemption should apply to the Remedies Inquiry. This means, should the settlement bill be enacted, the Tribunal will no longer be able to inquire into, report on, or make recommendations in relation to Ngai Tai historical claims in those proceedings. This Remedies Inquiry concerns an area well outside of the Ngai Tai area of interest defined in the settlement. The Remedies Inquiry is for the purpose of enabling the Tribunal to determine claims to Crown Forest Licensed land and whether to make recommendations that potentially include binding recommendations for transfer of land and associated compensation. Therefore, enabling ongoing Ngai Tai participation as a claimant would be at odds with the intention of a full and final settlement with Ngai Tai.

21 There is precedent for exempting live district inquiries from the ouster provisions of settlements to enable the settling iwi to be included in the resulting district inquiry report, on the basis that the Tribunal is prohibited from recommending any further redress beyond the agreed settlement package. Previous instances include the Whakatōhea, Maniapoto and Ngai Tūhoe settlements.

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Decisions which will enable the Crown to initial a deed with Ngai Tai

Joint redress with Te Whānau a Apanui

22 For a settlement to be reached with Ngai Tai, the Crown needs to resolve what redress will be provided over approx. 5,820 ha of PCL in the eastern part of the Ngai Tai area of interest which is overlapped with Te Whānau a Apanui. The respective interests of these two groups have been highly contested in this area for over a century and both iwi have strong interests in the area.

23 Given this area's importance to both Ngai Tai and Te Whānau a Apanui, the Minister of Conservation and I have agreed to offer both iwi joint redress over the area, consisting of:

23.1 the establishment of a joint management body through the first settlement (expected to be Ngai Tai) with both iwi having the right to appoint members to the body, to manage the 5,820 ha of PCL as a local purpose reserve; and

23.2 subject to Cabinet agreement, the transfer of the 5,820 ha, as a local purpose reserve, to both the Ngai Tai and Te Whānau a Apanui PSGEs as tenants in common (in equal undivided half shares), on the settlement date of the latter of the two settlements (expected to be Te Whānau a Apanui).

24 The proposed redress will not impact on public access to the area.

I seek approval for the increase to TSV and associated financial implications of the joint redress

25 To enable the joint redress, I seek Cabinet agreement to increase the TSV for both Ngai Tai and Te Whānau a Apanui settlements to account for the transfer of a half share interest in the 5,820 ha of PCL to each iwi.

26 Valuations are due to be completed by the end of July. Initial valuation information suggests the transfer value for the 5,820 ha will be no more than 9(2)(j) As such, I seek Cabinet agreement to increase the TSV of each iwi by a half share interest 9(2)(j) This represents an increase in the TSV of each iwi of up to:

26.1 Ngai Tai: 9(2)(j)

26.2 Te Whānau a Apanui: 9(2)(j)

27 9(2)(j)

28 I consider these possible increases 9(2)(j) - as an outcome of the joint redress proposal - are warranted in the context as set out at paragraph 22.

29 The Minister of Finance and I will confirm the final draw down on the tagged contingency.

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Variations to the settlement package agreed by delegated Ministers following the AIP

30 When approving the package for AIP, Cabinet authorised relevant portfolio Ministers to finalise or vary the redress consistent with the intent of Cabinet's decisions within the general parameters of the Treaty settlement framework, and subject to there being no financial implications.

31 Since signing the AIP, the Crown and Ngai Tai have negotiated further standard redress to complete the settlement package within the parameters agreed by Cabinet, as set out below. The complete redress package for Ngai Tai is summarised in **Appendix 2**.

Additional conservation redress

32 The Minister of Conservation and I have agreed that the Ngai Tai settlement include two small sites of PCL unencumbered (totalling approx. 5 ha) and a cultural materials plan.

Relationship redress

33 The Ngai Tai settlement will provide for four relationship agreements, two protocols and four letters of introduction. This is standard redress in Treaty settlements. A full list of agencies is included in **Table 3** at **Appendix 2**.

9(2)(j) [redacted]

34 The Minister for Resources, the Minister of Conservation and I have agreed to provide Ngai Tai:

34.1 a statutory acknowledgement of the Ngai Tai association with onewa (greywacke/basalt); and

9(2)(j) [redacted]

Statutory acknowledgements and place name changes

36 The settlement will also include three statutory acknowledgements over geographical features, being two rivers and the coastal marine area. The deed of settlement, and settlement legislation, will include a Crown acknowledgement of a Ngai Tai statement of their cultural, spiritual, historical and traditional association with these areas.

37 The settlement will provide for place name changes for two rivers in the Ngai Tai area of interest. "Wainui te Awa" will become the official name for the Tōrere River. "Wai Tii te Awa" will become the official name for Waiiti Stream.

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Overlapping interests

38 The Ngai Tai AOI is overlapped by the AOIs of Whakatōhea, Te Whānau a Apanui, Te Whānau a Kai, Te Aitanga ā Māhaki, and Ngā Uri o Tamanui/Ngā Ariki Kaiputahi.

39 Ngai Tai have been leading engagement with these groups throughout negotiations. Since the AIP, the Crown has written to all overlapping groups to advise them of the Ngai Tai settlement package and sought their views.

40 The initialling of the deed will be subject to overlapping interests being addressed to the satisfaction of the Crown. I seek delegated authority to make a final determination as to whether overlapping interests have been addressed to the Crown's satisfaction prior to initialling the deed.

Tax indemnity

41 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 Ngai Tai retains the value of their settlement, and for the avoidance of doubt, the Minister of Finance's agreement will be sought to indemnify the PSGE against income tax and GST on the transfer of redress.

Mandate

42 The Ngaitai Iwi Authority have provided satisfactory mandate maintenance reports to officials outlining their engagement with the Ngai Tai community.

Next Steps

43 Subject to Cabinet agreement, delegated Ministers being satisfied that the proposed PSGE is appropriate, and confirmation of the positions of the overlapping groups regarding the redress, I intend to initial a deed with Ngai Tai in September this year.

Delegation to Act

44 Final details of redress may require variation, including as a result of engagement with overlapping groups. I propose Cabinet authorise myself and relevant Ministers to finalise or vary Ngai Tai redress within Cabinet-agreed policy and financial parameters. I seek authority to initial the deed on behalf of the Crown subject to the resolution of overlapping interests.

45 Following the initialling, the Ngaitai Iwi Authority will seek endorsement of the deed and the PSGE through a ratification process. I seek delegated authority, with the Minister for Māori Development, to assess the ratification results. Should the ratification results demonstrate sufficient support from Ngai Tai, I seek authority to sign the deed on behalf of the Crown.

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Financial Implications

46 The fiscal implications of increasing the proposed TSV for Ngai Tai and Te Whānau a Apanui by the estimated maximum required for the proposed joint redress will be met from the tagged contingency for Vote Tari Whakatau for 2026/27 and are outlined below at **Table 1**. 9(2)(j) [redacted] which will be additional cultural redress for each iwi. There are also implications for relativity mechanism costs as set out in the table below.

Table 1: Financial implications of proposed TSV for Ngai Tai and Te Whānau a Apanui

Financial implications of settlement	*Ngai Tai ($ million)*	*Te Whānau a Apanui ($ million)*
Financial and commercial redress	12.000	30.000
9(2)(j) [redacted]		

Department of Conservation implementation and impairment costs

47 The proposed conservation redress package will have a relatively low implementation cost for the Department of Conservation, compared to more complex co-governance arrangements. No new funding is sought. Instead, the implementation costs for this settlement will be met through reprioritisation of existing baseline funding.

48 Based on the indicative valuation information, no impairments are likely as the indicative transfer values of the 5,820 ha and the 9,000 ha are higher than the book values.

Legislative, Cost-of-Living, Human Rights and Population Implications

49 Legislation is required to implement aspects of the settlement. Draft legislation will be attached to the deed. Once the deed is signed, I will seek Cabinet approval to introduce the settlement legislation.

50 No cost-of-living implications arise directly as a result of this paper. The proposals outlined in this paper are consistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

51 Ngai Tai have an approximate population of 3,700 people. This proposal supports the delivery of a Treaty settlement that is intended to have positive effects on this population.

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Impact Analysis

Regulatory Analysis Summary

52 Te Tari Whakatau has determined that this proposal is exempt from the requirement to provide a Regulatory Analysis Summary on the grounds that it implements a deed of settlement for Treaty of Waitangi claims and will only have limited impacts to existing regulatory arrangements.

53 The Climate Implications of Policy Assessment (**CIPA**) team has been consulted and confirms that the CIPA requirements do not apply to this policy proposal, as the CIPA criteria are not met.

Use of External Resources

54 Due to the unique nature of the work Te Tari Whakatau undertakes in Treaty settlements, there is a need to use external experts to support the work. Examples of this include the use of Chief Crown Negotiators, valuers, experts in tikanga and te ao Māori and utilising the support of local expertise. External resources are contracted as and where required, and in line with relevant guidance. Glenn Webber is my Chief Crown Negotiator for the Ngai Tai settlement.

Consultation, Communications, and Proactive Release

55 In preparing this paper, Te Tari Whakatau have consulted with the Department of Conservation, Treasury, Ministry for Business, Innovation and Employment, Inland Revenue Department, Crown Law Office and the Department of the Prime Minister and Cabinet. The New Zealand Transport Agency, Ministry of Education, Ministry for Primary Industries, Ministry for Culture and Heritage, Te Puni Kōkiri, Ministry of Justice, New Zealand Police and the Department of Corrections were informed.

56 Te Tari Whakatau will develop a communications strategy, alongside relevant agencies, to ensured affected and interests parties are informed of the content of the deed, at the time it is initialled.

57 I intend to proactively release this paper, making any necessary redactions following the deed being initialled, as the content will remain confidential to negotiations until that time.

Recommendations

I recommend the Cabinet Social Outcomes Committee:

1 **note** that Ngai Tai are committed to initialling a deed of settlement with the Crown in 2026 and that an outstanding matter in negotiations is recognition of their interests in a 5,820-hectare area of public conservation land overlapped with Te Whānau a Apanui interests;

2 **note** that Cabinet approved a settlement package for a Crown offer and Agreement in Principle in September 2025 and authorised me and relevant portfolio Ministers to finalise or vary the redress, consistent with the intent of Cabinet's decisions, within

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the parameters of the Treaty settlement framework and subject to there being no financial implications [CBC-25-MIN-0041];

3 **note** that since signing an Agreement in Principle with Ngai Tai, relevant portfolio Ministers and I have agreed to provide additional, standard redress to Ngai Tai including relationship redress, statutory acknowledgements, place name changes 9(2)(j) [redacted];

4 **note** that should Cabinet agree to the proposals in this paper, the full Ngai Tai redress package is detailed at **Appendix 2**;

Amendment to the ouster provisions in settlement bill

5 **note** that the Wai 1750 North-Eastern Bay of Plenty District Inquiry is ongoing and is not likely to be concluded before legislation is introduced into the House for the Ngai Tai settlement;

6 **agree** to amend the standard ouster provisions in the Ngai Tai settlement bill to allow the Waitangi Tribunal to continue the Wai 1750 North-Eastern Bay of Plenty District Inquiry and make findings on Ngai Tai historical claims, but not recommendations under sections 6(3), 8A or 8HB of the Treaty of Waitangi Act 1975 in relation to Ngai Tai historical claims;

Joint redress with Te Whānau a Apanui

7 **note** that the Minister of Conservation and I have agreed that Ngai Tai and Te Whānau a Apanui be jointly offered management of approximately 5,820 hectares overlapped public conservation land to be reclassified as local purpose reserve (consistent with the terms of the conservation redress on offer to Ngai Tai) on the Ngai Tai settlement date;

8 **agree** to offer Ngai Tai and Te Whānau a Apanui joint ownership of approximately 5,820 hectares of public conservation land, which will require an increase of up to 9(2)(j) [redacted] in the total settlement values for each of these groups;

Overlapping interests

9 **note** the deed of settlement will be subject to overlapping interests being addressed to the satisfaction of the Crown;

Financial implications

10 **note** the Minister for Treaty of Waitangi Negotiations signed an Agreement in Principle for a settlement with Ngai Tai with a total estimated cost to the Crown of 9(2)(j) [redacted] [CBC-25-MIN-0041];

11 **note** in September 2023 the then-Minister for Treaty of Waitangi Negotiations initialled a deed of settlement with Te Whānau a Apanui with a total estimated cost to the Crown of 9(2)(j) [redacted] [CMR-18-MIN-0028];

12 **approve** an increase of up to 9(2)(j) [redacted] to the Ngai Tai total settlement value and up to 9(2)(j) [redacted] to the Te Whānau a Apanui total settlement value, subject to:

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12.1 final confirmation by the Minister of Finance and Minister for Treaty of Waitangi Negotiations; and

12.2 costs being charged against the Vote Tari Whakatau tagged contingency established in Budget 2026;

13 **note** the maximum cost to the Crown of the increase in the Ngai Tai total settlement value is 9(2)(j) and the increase in the Te Whānau a Apanui total settlement value is 9(2)(j)

14 **authorise** the Minister of Finance and the Minister for Treaty of Waitangi Negotiations jointly to confirm final increases to the Ngai Tai and Te Whānau a Apanui total settlement values required to fund the gifting of public conservation land, within the parameters set out at recommendation 12;

Department of Conservation implementation and impairment costs

15 **note** the Department of Conservation's expected implementation costs for this settlement will be met through reprioritisation of existing baseline funding;

16 **note** that no impairment costs are likely to arise from the transfer of conservation land in the Ngai Tai or Te Whānau a Apanui settlements, as the indicative transfer values are higher than the book values;

Delegation to act

17 **authorise** the Minister for Treaty of Waitangi Negotiations to:

17.1 together with relevant Ministers, finalise or vary the technical detail of the redress for Ngai Tai within the financial and policy parameters agreed by Cabinet;

17.2 make a final determination as to whether overlapping interests have been addressed to the Crown's satisfaction prior to initialling the Ngai Tai deed of settlement;

17.3 initial the Ngai Tai deed of settlement on behalf of the Crown;

17.4 together with the Minister for Māori Development:

17.4.1 assess whether the results of the ratification process demonstrate sufficient support from the Ngai Tai claimant community for the Ngai Tai deed of settlement and post-settlement governance entity; and

17.4.2 should the ratification results demonstrate sufficient support from Ngai Tai, sign a deed of settlement with Ngai Tai on behalf of the Crown.

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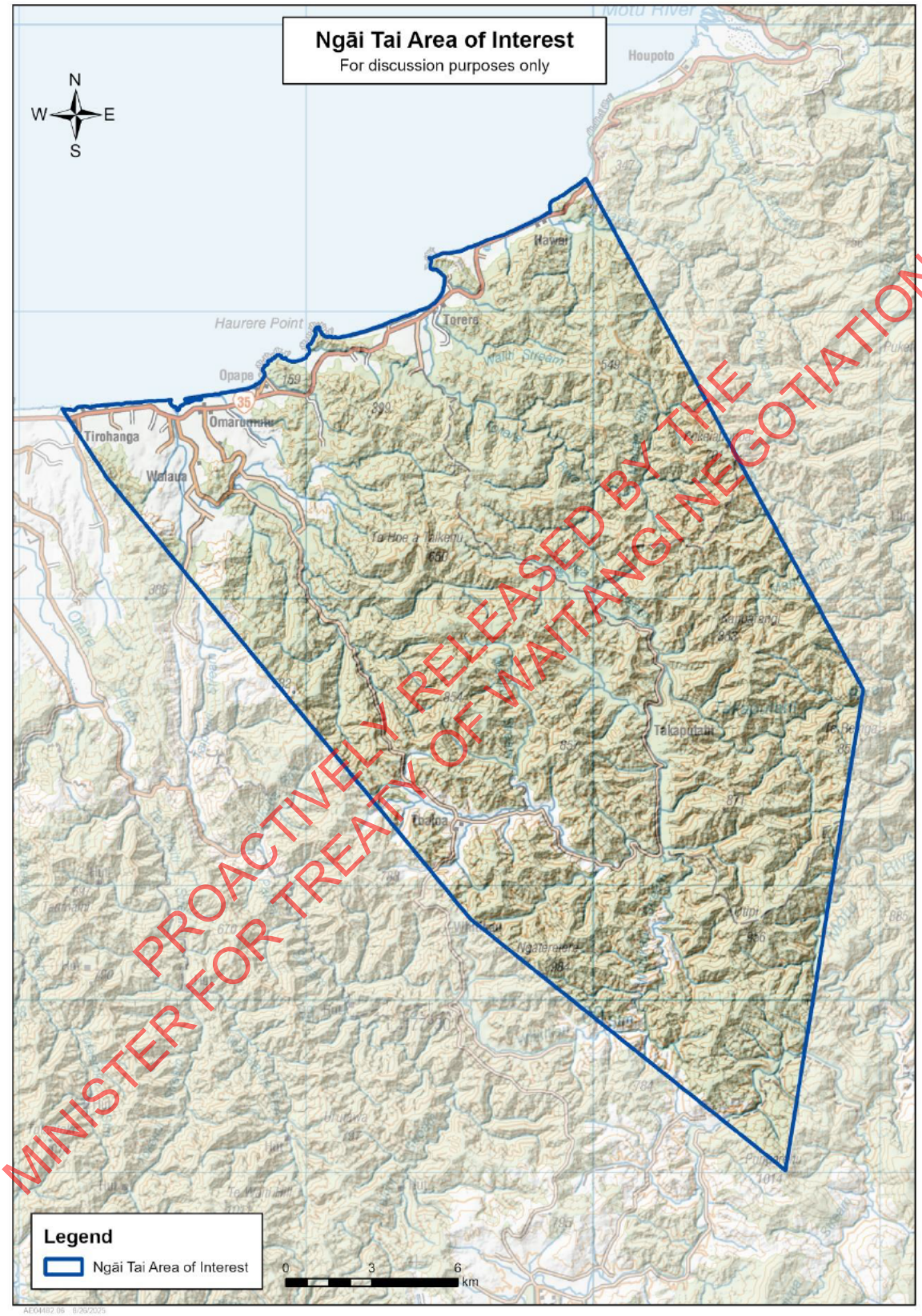
Authorised for lodgement

Hon Paul Goldsmith

Minister for Treaty of Waitangi Negotiations

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Appendix 1: Ngai Tai area of interest



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Appendix 2: Proposed Ngai Tai settlement package

Table 1: Apology redress
Historical account
Crown acknowledgements
Crown apology

Table 2: Financial and commercial redress		
Financial redress and commercial of $12.000 million (inclusive of $1.000 million for costs towards a resource consent for aquaculture)		
Reservation of approx. 5,000 hectares of marine space within the Ngai Tai marine area of interest to provide Ngai Tai the exclusive right to make appropriate resource consent applications for aquaculture activities for 35 years.		
Deferred Selection Property		
Property	**Landholding Agency**	**Deferred selection period and conditions**
Part Raukūmara Conservation Park (2,454 ha)	DOC	5 years
Right of First Refusal Properties		
Property Name/Identifier	**Landholding Agency**	**Size (ha)**
Part Raukūmara Conservation Park	DOC	2,454

Table 3: Cultural redress			
9(2)(j)			
Cultural redress properties			
Sites for transfer	**Landholding agency**	**Approx size (ha)**	**Conditions of transfer**
Te Kura o Tōrere (land only)	MOE	1.3	Subject to leaseback to the Crown
Te Atuahauta property	DOC	2	Transfer in fee simple
Whitikau property	DOC	3	Transfer in fee simple
Part Raukūmara Conservation Park	DOC	5,034	Transfer in fee simple as a local purpose reserve with Ngai Tai PSGE as administering body
Takaputahi Conservation Area	DOC	326	
Takaputahi Conservation Area	DOC	368	
Whitikau Conservation Area	DOC	401	
Part Te Atuahauta Scenic Reserve	DOC	264	
Takaputahi/Whitikau Conservation Area	DOC	446	

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Part Meremere Hill Scenic Reserve	DOC	246	
Toatoa Scenic Reserve	DOC	1,927	
Cultural redress instruments			
Appointment to control and manage as a local purpose reserve		Over all public conservation land in the Ngai Tai area of interest (excluding the 5,820 ha and marginal strips) that does not vest at the Ngai Tai settlement date.	
Appointment to control and manage marginal strip		Over all marginal strips in the Ngai Tai area of interest (excluding the 5,820 ha)	
Statutory acknowledgements		○ Onewa (basalt/greywacke) ○ Tōrere River and its tributaries ○ Waiiti Stream and its tributaries ○ Coastal marine area	
Cultural Materials Plan – to be jointly developed and agreed with the Department of Conservation		Once agreed, the plan will allow the Ngai Tai PSGE to authorise its members to: ○ undertake the customary take of flora material from conservation protected areas within Ngai Tai area of interest; and ○ possess dead protected wildlife found within the area of interest.	
9(2)(j) [redacted]		9(2)(j) [redacted]	
Relationship instruments			
Agency		**Form of agreement**	
Ministry for Primary Industries		Primary Industries Protocol	
Ministry of Business, Innovation and Employment		Crown Minerals Protocol	
Department of Conservation		Relationship Agreement	
Ministry of Education		Relationship Agreement	
Waka Kotahi – New Zealand Transport Agency		Relationship Agreement	
Te Tari Taiwhenua – Department of Internal Affairs (responsible for Te Puna Mātauranga o Aotearoa – the National Library and Te Rua Mahara o Te Kāwanatanga – Archives New Zealand)		Whakaaetanga Tiaki Taonga – Relationship Agreement with Culture and Heritage agencies	
Manatū Taonga – Ministry for Culture and Heritage			
Te Papa Tongarewa – Museum of New Zealand			
Pouhere Taonga – Heritage New Zealand			

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Ngā Taonga Sound and Vision	Letter of introduction
Ōpōtiki District Council	Letter of introduction
Bay of Plenty Regional Council	Letter of introduction
Ministry of Justice	Joint letter of introduction
Department of Corrections – Ara Poutama Aotearoa	
New Zealand Police	

Place name changes		
Existing name	**New official name**	**Feature type**
Tōrere River	Wainui te Awa	River
Waiiti Stream	Wai Tii te Awa	Stream

Table 4: Joint redress with Te Whānau a Apanui	
9(2)(j) [redacted]	
Redress instruments	
Establishment of a joint management body to manage approx. 5,820 ha of public conservation land as a local purpose reserve	○ From the Ngai Tai settlement date in favour of both iwi
Transfer of the approx. 5,820 ha of public conservation land as a local purpose reserve	○ From the Te Whānau a Apanui settlement date in favour of both iwi, as tenants in common

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SOU-26-MIN-0062

Cabinet Social Outcomes 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.

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Ngai Tai: Approval to Initial a Deed of Settlement

Portfolio **Treaty of Waitangi Negotiations**

On 22 July 2026, the Cabinet Social Outcomes Committee:

1 **noted** that Ngai Tai are committed to initialling a deed of settlement with the Crown in 2026 and that an outstanding matter in negotiations is recognition of their interests in a 5,820-hectare area of public conservation land overlapped with Te Whānau a Apanui interests;

2 **noted** that in August 2025, the Cabinet Business Committee approved a settlement package for a Crown offer and Agreement in Principle and authorised the Minister for Treaty of Waitangi Negotiations (the Minister) and relevant portfolio Ministers to finalise or vary the redress, consistent with the intent of Cabinet's decisions, within the parameters of the Treaty settlement framework and subject to there being no financial implications [CBC-25-MIN-0041];

3 **noted** that since signing an Agreement in Principle with Ngai Tai, relevant portfolio Ministers and the Minister have agreed to provide additional, standard redress to Ngai Tai including relationship redress, statutory acknowledgements, place name changes s9(2)(j) [redacted];

4 **noted** that the full Ngai Tai redress package is detailed at Appendix 2 under SOU-26-SUB-0062;

Amendment to the ouster provisions in settlement bill

5 **noted** that the Wai 1750 North-Eastern Bay of Plenty District Inquiry is ongoing and is not likely to be concluded before legislation is introduced into the House for the Ngai Tai settlement;

6 **agreed** to amend the standard ouster provisions in the Ngai Tai Settlement Bill to allow the Waitangi Tribunal to continue the Wai 1750 North-Eastern Bay of Plenty District Inquiry and make findings on Ngai Tai historical claims, but not recommendations under sections 6(3), 8A or 8HB of the Treaty of Waitangi Act 1975 in relation to Ngai Tai historical claims;

Joint redress with Te Whānau a Apanui

7 **noted** that the Minister of Conservation and the Minister have agreed that Ngai Tai and Te Whānau a Apanui be jointly offered management of approximately 5,820 hectares of overlapped public conservation land to be reclassified as local purpose reserve (consistent with the terms of the conservation redress on offer to Ngai Tai) on the Ngai Tai settlement date;

8 **agreed** to offer Ngai Tai and Te Whānau a Apanui joint ownership of approximately 5,820 hectares of public conservation land, which will require an increase of up to 9(2)(j) in the total settlement values for each of these groups;

Overlapping interests

9 **noted** that the deed of settlement will be subject to overlapping interests being addressed to the satisfaction of the Crown;

Financial implications

10 **noted** that the Minister signed an Agreement in Principle for a settlement with Ngai Tai with a total estimated cost to the Crown of 9(2)(j) [CBC-25-MIN-0041];

11 **noted** that in September 2023, the previous Minister for Treaty of Waitangi Negotiations initialled a deed of settlement with Te Whānau a Apanui with a total estimated cost to the Crown of 9(2)(j) [CMR-18-MIN-0028];

12 **approved** an increase of up to 9(2)(j) to the Ngai Tai total settlement value and up to 9(2)(j) to the Te Whānau a Apanui total settlement value, subject to:

12.1 final confirmation by the Minister of Finance and the Minister; and

12.2 costs being charged against the Vote Tari Whakatau tagged contingency established in Budget 2026;

13 **noted** the maximum cost to the Crown of the increase in the Ngai Tai total settlement value is 9(2)(j) and the increase in the Te Whānau a Apanui total settlement value is 9(2)(j)

14 **authorised** the Minister of Finance and the Minister to jointly confirm final increases to the Ngai Tai and Te Whānau a Apanui total settlement values required to fund the gifting of public conservation land, within the parameters set out in paragraph 12 above;

Department of Conservation implementation and impairment costs

15 **noted** that the Department of Conservation's expected implementation costs for this settlement will be met through reprioritisation of existing baseline funding;

16 **noted** that no impairment costs are likely to arise from the transfer of conservation land in the Ngai Tai or Te Whānau a Apanui settlements, as the indicative transfer values are higher than the book values;

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Delegation to act

17 **authorised** the Minister to:

17.1 together with relevant Ministers, finalise or vary the technical detail of the redress for Ngai Tai within the financial and policy parameters agreed by Cabinet;

17.2 make a final determination as to whether overlapping interests have been addressed to the Crown's satisfaction prior to initialling the Ngai Tai deed of settlement;

17.3 initial the Ngai Tai deed of settlement on behalf of the Crown;

17.4 together with the Minister for Māori Development:

17.4.1 assess whether the results of the ratification process demonstrate sufficient support from the Ngai Tai claimant community for the Ngai Tai deed of settlement and post-settlement governance entity; and

17.4.2 should the ratification results demonstrate sufficient support from Ngai Tai, sign a deed of settlement with Ngai Tai on behalf of the Crown.

Jenny Vickers
Committee Secretary

Present:
Hon David Seymour
Hon Nicola Willis
Hon Erica Stanford
Hon Simeon Brown
Hon Paul Goldsmith
Hon Louise Upston (Chair)
Hon Mark Mitchell
Hon Tama Potaka
Hon Nicole McKee
Hon Casey Costello
Hon Matt Doocey
Hon Karen Chhour
Hon Scott Simpson

Officials present from:
Office of the Prime Minister
Office of the Associate Minister of Health (Hon Casey Costello)
Office of the Minister for Mental Health

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SOU-26-SUB-0062

Cabinet Social Outcomes Committee

Summary

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.

Ngai Tai: Approval to Initial a Deed of Settlement

Portfolio **Treaty of Waitangi Negotiations**

Purpose

This paper seeks approval to the final redress package for the comprehensive settlement of the historical Treaty of Waitangi claims of Ngai Tai, and authorisation for the Minister to initial the Ngai Tai deed of settlement on behalf of the Crown.

Previous Decisions

In October 2018, the previous government agreed to the total settlement value for Te Whānau a Apanui with a total estimated cost to the Crown of 9(2)(j) 9(2)(j) [CMR-18-MIN-0028].

In August 2025, CBC approved a redress package for a Crown offer and Agreement in Principle (AIP) with Ngai Tai, and authorised the Minister and relevant portfolio Ministers to finalise or vary the redress within the parameters of the Treaty settlement framework and subject to there being no financial implications [CBC-25-MIN-0041]. The Crown and Ngai Tai signed the AIP in December 2025.

Proposal

In line with the above authorisation from CBC, the Minister and relevant portfolio Ministers have agreed to additional redress for Ngai Tai with no financial implications for the Crown. The full settlement package is attached as **Appendix 2**.

Ngai Tai also seek redress over 5,820 hectares of public conservation land in the eastern part of their area of interest (**Appendix 1**), which overlaps with Te Whānau a Apanui interests. To achieve a final redress package, the Minister and Minister of Conservation have agreed to provide a joint redress for both iwi over this land, involving reclassifying the land to a local purpose reserve (to be managed by a joint body from the Ngai Tai settlement date), and transferring ownership from the later Te Whānau a Apanui settlement date. This requires an increase to the total settlement value (TSV) of both iwi's settlements; agreement is sought to increase both TSVs by up to 9(2)(j) each (with a total cost of up to 9(2)(j) . This results in a 9(2)(j) for Ngai Tai and 9(2)(j) 9(2)(j) for Te Whānau a Apanui.

Agreement is also sought to modify the standard ouster provisions in the Ngai Tai settlement legislation to allow the Waitangi Tribunal to continue to inquire into, and make findings on, Ngai Tai historical claims in the Wai 1750 North-Eastern Bay of Plenty District Inquiry.

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Impact Analysis	Not applicable.
Financial Implications	Authorisation is sought for the Minister and the Minister of Finance to jointly confirm the final increases to the TSVs, within the parameters in **recommendation 12**. Costs from increasing the TSVs will be met from the tagged contingency for Vote Tari Whakatau, as outlined on **page 7**. Costs to DOC will be met by reprioritisation within baseline. No impairments are likely as the transfer values of the land are higher than the book values.
Legislative Implications	A Bill will be required to implement aspects of the settlement. Approval to introduce the Bill will be sought following the signing of the deed of settlement.
Timing Matters	The Minister intends to initial the deed in September 2026, subject to delegated Ministers being satisfied that the proposed PSGE is appropriate, and confirmation of the positions of the overlapping groups regarding the joint redress.
Communications	Te Tari Whakatau will develop a communications strategy alongside relevant agencies.
Consultation	Paper prepared by Te Tari Whakatau. Crown Law, DOC, the Treasury, DPMC, IRD, and MBIE (Resources) were consulted. MCH, Corrections, MoE, MoJ, Police, MPI (Oceans and Fisheries), and TPK informed. NZTA were also consulted. The Minister indicates that SOU Ministers, including the Minister of Finance, Minister of Conservation, Minister for Māori Crown Relations: Te Arawhiti, and Minister for Māori Development, and the Minister for Resources were consulted.

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The Minister for Treaty of Waitangi Negotiations recommends that the Committee:

1 note that Ngai Tai are committed to initialling a deed of settlement with the Crown in 2026 and that an outstanding matter in negotiations is recognition of their interests in a 5,820-hectare area of public conservation land overlapped with Te Whānau a Apanui interests;

2 note that in August 2025, the Cabinet Business Committee approved a settlement package for a Crown offer and Agreement in Principle and authorised the Minister for Treaty of Waitangi Negotiations (the Minister) and relevant portfolio Ministers to finalise or vary the redress, consistent with the intent of Cabinet's decisions, within the parameters of the Treaty settlement framework and subject to there being no financial implications [CBC-25-MIN-0041];

3 note that since signing an Agreement in Principle with Ngai Tai, relevant portfolio Ministers and the Minister have agreed to provide additional, standard redress to Ngai Tai including relationship redress, statutory acknowledgements, place name changes 9(2)(j) ;

4 note that the full Ngai Tai redress package is detailed at Appendix 2 under SOU-26-SUB-0062;

Amendment to the ouster provisions in settlement bill

5 note that the Wai 1750 North-Eastern Bay of Plenty District Inquiry is ongoing and is not likely to be concluded before legislation is introduced into the House for the Ngai Tai settlement;

6 agree to amend the standard ouster provisions in the Ngai Tai Settlement Bill to allow the Waitangi Tribunal to continue the Wai 1750 North-Eastern Bay of Plenty District Inquiry and make findings on Ngai Tai historical claims, but not recommendations under sections 6(3), 8A or 8HB of the Treaty of Waitangi Act 1975 in relation to Ngai Tai historical claims;

Joint redress with Te Whānau a Apanui

7 note that the Minister of Conservation and the Minister have agreed that Ngai Tai and Te Whānau a Apanui be jointly offered management of approximately 5,820 hectares overlapped public conservation land to be reclassified as local purpose reserve (consistent with the terms of the conservation redress on offer to Ngai Tai) on the Ngai Tai settlement date;

8 agree to offer Ngai Tai and Te Whānau a Apanui joint ownership of approximately 5,820 hectares of public conservation land, which will require an increase of up to 9(2)(j) in the total settlement values for each of these groups;

Overlapping interests

9 note that the deed of settlement will be subject to overlapping interests being addressed to the satisfaction of the Crown;

Financial implications

10 note that the Minister signed an Agreement in Principle for a settlement with Ngai Tai with a total estimated cost to the Crown of 9(2)(j) [CBC-25-MIN-0041];

11 note that in September 2023, the then-Minister for Treaty of Waitangi Negotiations initialled a deed of settlement with Te Whānau a Apanui with a total estimated cost to the Crown of 9(2)(j) [CMR-18-MIN-0028];

12 approve an increase of up to 9(2)(j) to the Ngai Tai total settlement value and up to 9(2)(j) to the Te Whānau a Apanui total settlement value, subject to:

12.1 final confirmation by the Minister of Finance and the Minister; and

12.2 costs being charged against the Vote Tari Whakatau tagged contingency established in Budget 2026;

13 note the maximum cost to the Crown of the increase in the Ngai Tai total settlement value is 9(2)(j) and the increase in the Te Whānau a Apanui total settlement value is 9(2)(j) 9(2)(j)

14 authorise the Minister of Finance and the Minister to jointly confirm final increases to the Ngai Tai and Te Whānau a Apanui total settlement values required to fund the gifting of public conservation land, within the parameters set out at paragraph 12 above;

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Department of Conservation implementation and impairment costs

15 note that the Department of Conservation's expected implementation costs for this settlement will be met through reprioritisation of existing baseline funding;

16 note that no impairment costs are likely to arise from the transfer of conservation land in the Ngai Tai or Te Whānau a Apanui settlements, as the indicative transfer values are higher than the book values;

Delegation to act

17 authorise the Minister to:

17.1 together with relevant Ministers, finalise or vary the technical detail of the redress for Ngai Tai within the financial and policy parameters agreed by Cabinet;

17.2 make a final determination as to whether overlapping interests have been addressed to the Crown's satisfaction prior to initialling the Ngai Tai deed of settlement;

17.3 initial the Ngai Tai deed of settlement on behalf of the Crown;

17.4 together with the Minister for Māori Development:

17.4.1 assess whether the results of the ratification process demonstrate sufficient support from the Ngai Tai claimant community for the Ngai Tai deed of settlement and post-settlement governance entity; and

17.4.2 should the ratification results demonstrate sufficient support from Ngai Tai, sign a deed of settlement with Ngai Tai on behalf of the Crown.

Tom Kelly
Committee Secretary

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Cabinet Social Outcomes Committee

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CAB-26-MIN-0237

Cabinet

Minute of Decision

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Report of the Cabinet Social Outcomes Committee: Period Ended 24 July 2026

On 27 July 2026, Cabinet made the following decisions on the work of the Cabinet Social Outcomes Committee for the period ended 24 July 2026:

out of scope

[redacted]

SOU-26-MIN-0062 **Ngai Tai: Approval to Initial a Deed of Settlement** CONFIRMED
Portfolio: Treaty of Waitangi Negotiations

out of scope

[redacted]

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Rachel Hayward
Secretary of the Cabinet