



# Tāmaki Makaurau

between the Crown and  
the Tāmaki Makaurau Collective

# Collective Deed

There are 13 iwi/hapū who have participated in negotiations with the Crown for shared redress through a collective deed. These 13 iwi/hapū are the Tāmaki Collective/Ngā Mana Whenua o Tāmaki Makaurau:

- Ngāi Tai ki Tāmaki
- Ngāti Maru
- Ngāti Pāoa
- Ngāti Tamaoho
- Ngāti Tamaterā
- Ngāti Te Ata
- Ngāti Whanaunga
- Ngāti Whātua o Kaipara
- Ngāti Whātua Ōrākei
- Te Ākitai Waiohū
- Te Kawerau ā Maki
- Te Patukirikiri
- Te Rūnanga o Ngāti Whātua

Within the Tāmaki Collective, the iwi/hapū are grouped into the following three rōpū:

- Marutūāhu Rōpū: Ngāti Maru, Ngāti Pāoa, Ngāti Tamaterā, Ngāti Whanaunga, Te Patukirikiri;
- Ngāti Whātua Rōpū: Ngāti Whātua o Kaipara, Ngāti Whātua Ōrākei, Te Rūnanga o Ngāti Whātua; and
- Waiohū-Tāmaki Rōpū: Ngāi Tai ki Tāmaki, Ngāti Tamaoho, Ngāti Te Ata, Te Ākitai Waiohū, Te Kawerau ā Maki.

## General Background

Settlement of the specific claims of each of the Tāmaki Collective iwi/hapū is progressing, and in some cases has been completed, through negotiations between the Crown and each iwi/hapū. At the same time, the Crown has been negotiating with the Tāmaki Collective to agree collective redress in relation to specified maunga, motu and lands within Tāmaki Makaurau over which the iwi/hapū have shared interests. The collective approach recognises that the iwi and hapū have various overlapping customary interests within Tāmaki Makaurau, which would not have been possible to consider separately from each other.

Negotiations for collective redress in Tāmaki Makaurau have been underway since July 2009. The Tāmaki Collective and the Crown signed a Framework Agreement on 12 February 2010 and a Record of Agreement on 5 November 2011. On 7 June 2012 the Tāmaki Collective and the Crown initialled a Deed based on these agreements.

The Deed was ratified by the iwi/hapū community, and signed on 8 September 2012. It will be implemented following the passage of legislation.

The Office of Treaty Settlements, with the support of the Department of Conservation, the Treasury and other government agencies, represented the Crown in day-to-day negotiations. The Minister for Treaty of Waitangi Negotiations, Hon Christopher Finlayson, represented the Crown in high-level negotiations with the Tāmaki Collective.

## Overview

The Tāmaki Makaurau Collective Deed provides collective redress for the shared interests of the Tāmaki Collective in maunga, motu and lands within Tāmaki Makaurau. It does not settle any historical claims.

Settlement of the historical claims of the iwi/hapū of the Tāmaki Collective over Tāmaki Makaurau will be made through iwi/hapū - specific settlements. The collective redress provided by the Tāmaki Makaurau Collective Deed will form part of each individual iwi/hapū Treaty settlement.

# Summary of the Tāmaki Collective Deed

## Cultural redress

1. Recognition of the traditional, historical, cultural and spiritual association of the iwi/hapū of the Tāmaki Collective with maunga (volcanic cones) and motu (islands) owned by the Crown within their shared area through:

### 1A. SITES TRANSFERRED TO THE TĀMAKI COLLECTIVE

The settlement will vest 14 maunga in the Tāmaki Collective, on the condition that they are held in trust (by the Tūpuna Tāonga o Tāmaki Makaurau Trust) for the common benefit of the iwi/hapū of the Tāmaki Collective and all other people of Auckland. The maunga will vest as reserves and public access and existing third party interests will be protected.

- Matukutūruru/Wiri Historic
- Maungakiekie/One Tree Hill Recreation
- Maungarei/Mount Wellington Recreation
- Maungauika/North Head Historic
- Maungawhau/Mount Eden Historic, Recreation
- Mount Albert Recreation
- Mount Roskill Recreation
- Mount St John Recreation
- Ōhinerau/Mount Hobson Recreation
- Ōhūiarangi/Pigeon Mountain Historic, Recreation
- Otāhuhu/Mount Richmond Recreation
- Rarotonga/Mount Smart Recreation
- Takarunga/Mount Victoria Recreation, Local Purpose (community buildings)
- Te Tātua a Riukiuta Recreation

With the exception of Maungauika/North Head and Rarotonga/Mount Smart, the maunga will be subject to a co-governance regime. A co-governance body called the Tūpuna Maunga o Tāmaki Makaurau Authority (the Maunga Authority) will oversee the administration and management of the maunga.

The Maunga Authority will be made up of six representatives from the Tāmaki Collective and six representatives from the Auckland Council. There will also be a non-voting Crown representative appointed by the Minister for Arts, Culture and Heritage for a single three year term, which can be extended for any period with the agreement of all parties. The Tāmaki Collective representatives will be appointed by the three Rōpū, with two members appointed by each. The Auckland Council will be responsible for the day-to-day management of the maunga.

Mount Māngere will be included in the co-governance arrangements with the Auckland Council, but will remain in Crown ownership.

Maungauika/North Head will sit outside of the co-governance regime for the time being. While ownership of Maungauika/North Head will transfer to the Tāmaki Collective, the Department of Conservation will continue to have responsibility for its administration and day-to-day management. The Department of Conservation will have a management agreement with the Tāmaki Collective over matters such as decision-making on concessions. The settlement allows for the Auckland Council to decide to take on the management of Maungauika/North Head at a future point, at which time the maunga would come under the co-governance regime.

Ownership of Rarotonga/Mount Smart will transfer to the Tāmaki Collective, but this maunga will also sit outside of the co-governance regime due to the provisions of the Mount Smart Regional Recreation Centre Act 1985. The Auckland Council will continue to administer Mount Smart under that Act. There is an opportunity to explore input by Ngā Mana Whenua o Tāmaki Makaurau on aspects of the Mount Smart administration, outside of the settlement.

### 1B. SITES VESTED TO THE TĀMAKI COLLECTIVE AND VESTED BACK TO THE CROWN

The Collective Deed provides for the vesting of four motu (islands) in the Tāmaki Collective for a one month period, after which the Tāmaki Collective will vest back the motu to the Crown for the benefit of all New Zealanders. Those motu are:

- Rangitoto
- Motutapu
- Motuihe
- Tiritiri Matangi

This arrangement provides recognition of the association that the collective iwi/hapū have with these motu. The sites will continue to be subject to reserve status and there will be no change to the management arrangements for the motu during and after the vesting and vest back.

Three areas on Rangitoto will vest in the permanent ownership of Ngā Mana Whenua o Tāmaki Makaurau. They are the summit of Rangitoto (to be named Ngā Pona-Toru-a-Peretū) and two sites at Islington Bay associated with historical waka mooring (Islington Bay Community Hall and Islington Bay Bach 80). These sites will continue to be subject to scenic reserve classification.

Public access to these sites will be protected and Ngā Mana Whenua o Tāmaki Makaurau will be able to use buildings on the Bach 80 site for private use. The new Ngā Pona-Toru-a-Peretū Scenic Reserve will continue to be administered by the Department of Conservation.

### 1C. HARBOURS

The Crown acknowledges that the Waitematā and Manukau Harbours are of great traditional, cultural, historical and spiritual importance to the Tāmaki Collective.

The Deed does not provide for redress in relation to the Waitematā and Manukau Harbours, as that is to be developed in future separate negotiations.



## 2. Co-governance arrangements for public conservation land through:

### 2A. RELATIONSHIP AGREEMENT WITH THE MINISTER AND DEPARTMENT OF CONSERVATION

A relationship document will be agreed by the Tāmaki Collective, the Minister of Conservation and the Director-General of Conservation to provide a basis for a strategic relationship between the Department of Conservation and the Collective, primarily on issues that have an impact across the Auckland Conservancy. The agreement will also provide for the relationship between the Department and individual iwi/hapū within the Tāmaki Collective.

### 2B. CONSERVATION MANAGEMENT PLAN

The collective redress includes the development of a conservation management plan for Rangitoto, Motutapu, Motukorea and Motuihe Islands. The Tāmaki Collective will have a role alongside the Auckland Conservation Board in developing this plan, including reviewing drafts, hearing submissions and finally approving the plan.

### 2C. AUCKLAND CONSERVATION BOARD

Three seats on the Auckland Conservation Board will be reserved for the Tāmaki Collective.

### 2D. ANNUAL MEETINGS

The Department of Conservation and the Maunga Authority will meet annually to discuss strategic governance issues relating to Crown conservation lands within the Auckland Volcanic Field.

### 2E. HAURAKI GULF FORUM

The Deed does not address the realignment of the representation of the iwi/hapū of the Tāmaki Collective on the Hauraki Gulf Forum. This continues to be negotiated between the Crown and the relevant iwi/hapū.

## 3. Geographic name changes

Eighteen existing geographic names will change and two sites that do not currently have official names will be assigned geographic names. Most of these changes relate to maunga.

A full list is available on [www.otg.govt.nz](http://www.otg.govt.nz).



## Commercial redress

4. This redress recognises the economic loss suffered by the iwi/hapū of the Tāmaki Collective arising from breaches by the Crown of its Treaty obligations. The commercial redress is aimed at providing the iwi/hapū of the Tāmaki Collective with resources to assist them to secure and grow their economic base. It includes:

### 4A. RIGHT OF FIRST REFUSAL

The Tāmaki Collective will have a right of first refusal for 172 years over Crown-owned land and certain Crown Enuity-owned land that becomes surplus in the area specified in the Collective Deed.

### 4B. SECOND RIGHT TO PURCHASE

The Tāmaki Collective will be given the right to purchase any deferred selection properties that are included in the individual iwi settlements of the members of the Tāmaki Collective, but not ultimately selected or acquired by the individual iwi/hapū concerned.

### 4C. FINANCIAL REDRESS

The Deed does not include any financial redress to the Tāmaki Collective. Quantum is being addressed through iwi/hapū-specific negotiations.

## Questions and Answers

**1. What is the financial redress?**

There is no financial offer associated with the Tāmaki Makaurau Collective settlement. The members of the Tāmaki Collective will receive financial redress (and cultural and commercial redress) through their individual settlements.

**2. Is there any private land involved?**

No.

**3. Are the public's rights affected?**

Nothing will change for the public. Public access, recreational use, reserve status and existing third party rights are maintained.

**4. Are any place names changed?**

Yes, eighteen existing geographic names will change and two sites that do not currently have official names will be assigned geographic names. Most of these changes relate to maunga/cones and motu/islands and a full list can be found on [www.ots.govt.nz](http://www.ots.govt.nz)

**5. Does the Tāmaki Collective have the right to come back and make further claims about the behaviour of the Crown in the 19th and 20th centuries?**

The Tāmaki Collective Deed of Settlement does not settle any historical claims or extinguish any claimant rights - this will be achieved through the individual settlements of the iwi/hapū who make up the Collective.

**6. Who benefits from the settlement?**

All members of the Tāmaki Collective who have signed the Deed, are able to be beneficiaries of the settlement wherever they may now live.

This and other settlement summaries are also available at [www.ots.govt.nz](http://www.ots.govt.nz)