



# NEW ZEALAND CENTRE FOR POLITICAL RESEARCH

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## TREATY TRANSPARENCY

### SETTLEMENTS 1989-2012

#### ANALYSIS AND COMMENTARY

By Mike Butler

#### FOREWORD BY DR MURIEL NEWMAN...

Without a doubt the taxpayer funded Maori grievance industry has become a massive rort on the New Zealand public. Fabricated claims based on fabricated history are passed off as legitimate by governments that have few reservations about the on-going transfer of wealth to the tribal elite. Thanks largely to the limitless generosity of successive governments in giving away taxpayer resources, corporate Maoridom is now openly boasting that their asset base has grown to be worth \$37-billion. This is over half of the value of the New Zealand Stock Exchange.

Since information surrounding treaty settlement transfers is not easy to access, few New Zealanders really appreciate the extent of the public resources that have been given away. From hundreds of millions of dollars worth of cash, to iconic buildings, mountains, lakes, rivers, coastal areas, forests, parks, farms, schools, police stations, court houses, and even state houses - nothing that is publicly owned is safe from the grasp of tribal hands.

The New Zealand Centre for Political Research think tank has examined treaty settlements on a regular basis and reported our concerns through our NZCPR Weekly newsletters – a rich archive of material can be found on our [NZCPR.com](http://NZCPR.com) website. Now, thanks to the expert help of NZCPR Associate Mike Butler, an experienced researcher and historian, we are able to publish this

report that provides a comprehensive analysis of treaty settlements to date. We hope the information presented in this report will not only expose the unwarranted excesses that are now associated with these dubious settlements, but will also empower readers to speak out against the rip-offs that are masquerading as legitimate claims.

Over the years there have been many government inquiries into treaty-related grievances, including in 1920s and 1940s. Each time the settlements were meant to be “full and final” - but sovereignty activists kept coming back with demands for more. As a result, in 1975, the Kirk Labour Government established the Waitangi Tribunal to ensure that Treaty of Waitangi “principles” were applied to future public policy, and in 1985 the jurisdiction of the Waitangi Tribunal was expanded to investigate historical claims back to 1840.

The treaty settlement process is now a gravy train worth hundreds of millions of dollars to thousands of people who dream up new claims and new angles to old claims. While Helen Clark’s Labour Government had the sense to close off historical grievances on September 1<sup>st</sup> 2008, the National Government was foolish enough in 2009 to sign the United Nations Declaration on the Rights of Indigenous Peoples, which will enable sovereignty activists to shift from treaty based grievances to claims based on customary rights. The first of these was over the foreshore and seabed - which Maori had always wanted to own and control - and which National handed over on a plate, to create a brand new grievance industry based on claims for the vast resources that make up our coastline.

The treaty settlement process is now a blight on New Zealand society, that is leading the country towards discontent and division. The sooner a government has the vision and courage to change laws to end this process the better. Helping the public to better understand the extent of the problem is the purpose of this report.

Dr Muriel Newman  
Founding Director  
New Zealand Centre for Political Research  
[www.nzcpr.com](http://www.nzcpr.com)

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**MIKE BUTLER** graduated with a BA in English Literature at Victoria University in Wellington, and worked for 18 years as a newspaper journalist, mostly as chief sub-editor of the *Hawke's Bay Herald-Tribune* in Hastings. He worked as a contract writer for the *New World Encyclopaedia*, has had a number of articles published in newspapers and magazines, and wrote *The First Colonist – Samuel Deighton 1821-1900*, Dunmore Publishing.

## PART 1: TREATY TRANSPARENCY – INTRODUCTION

Why look back at old Treaty of Waitangi settlements? With 40 settlements completed and at least 40 to go, this long drawn-out process of picking over the past will be with us for years to come, so it makes sense to understand how it has evolved and where it is heading. Since the financial redress total in 2012 triggered top-ups for two tribes who settled in the 1990s, it is timely to look at the financial redress paid in light of the grievances alleged and ask whether the settlements were justified, whether the inquiries were balanced, and whether there are flaws in the reasoning behind the Waitangi Tribunal reports.

Although details of Treaty of Waitangi settlements are publicly available at the Office of Treaty Settlements, we created a spreadsheet (see below) that shows total redress agreed to and mostly paid so far is \$1.98-billion.

The financial redress total became sensitive as it approached the \$1-billion figure (in 1994 dollars or \$1.5-billion in 2013), which is the figure that triggers relativity clauses in the 1995 Waikato-Tainui \$170-million settlement and that of the same amount by Ngai Tahu in 1998. Persistent questioning got the Crown and South Island-based tribe Ngai Tahu to confirm that the relativity clause was triggered for the year ended June 30. Those clauses would provide Waikato-Tainui with 17 percent of settlements over \$1-billion and Ngai Tahu with 16.1 percent.

The Office of Treaty Settlements argues that Waikato River settlements are not historical redress despite the preamble of the river settlement deed saying that the “1995 Waikato Raupatu Claims Settlement Act expressly excluded certain claims from the settlement including the claims of Waikato-Tainui in relation to the Waikato River which arise as a result of the Raupatu of the 1860s and its consequences”.

Anybody studying this information should be aware that the financial value of the settlement is always greater than the dollar amount shown because settlements include unspecified accumulated interest, leases for buildings, land, and forestland, and rights of first refusal to buy surplus properties for up to 172 years. In addition, no dollar value has been given for the substantial number of cultural redress properties transferred.

The principle of financial redress was first expressed in the 1995 Waikato-Tainui deed of settlement, which says “the money is the acknowledgement by the Crown of their crime”. A closer look at history reveals a much more complex situation, and clearly shows that wrongs done by Maori against Maori or Moriori during the 1818-1842 inter-tribal wars exceed wrongs done by the colonial government to Maori from 1840.

Most are not aware that much confiscated land was returned, that complaints bodies were set up close to the time of confiscations to listen to grievances, and that Ngai Tahu and Waikato-Tainui, with other tribes, have been involved in multiple settlements over the years. (See “Settlements repeated”).

An unanswered question is why did the claims balloon from the nine grievances that a deputation took to Queen Victoria in 1882, to 2034 grievances in June 2009. I suggest that the main reasons involve the creation of the Waitangi Tribunal, the tribunal’s interpretation of the Treaty of Waitangi that has chiefs both ceding and retaining sovereignty, and application of the treaty principle dreamed up in 1986 to the details of history. In short, the creation of a compensation body fostered an avalanche of claims seeking compensation.

The Waitangi Tribunal follows a highly questionable process. The tribunal is free to receive whatever evidence it pleases: anecdote, reminiscence, hearsay are acceptable. There was a situation that prompted tribunal member Judge Eddie Durie to say that some claimants had asked researchers to alter findings that were unhelpful to their cases, and others had made payment conditional upon findings altered in their favour, according to a NZ Herald report on November 17, 1999.

While Waitangi Tribunal reports contain thousands of pages of history, they are nevertheless carefully constructed persuasive arguments in which the history is woven around treaty principles and seven broadly defined grievances (see below “What are the grievances?”) to justify the payment of compensation.

Another reality that is not widely understood is that the business transacted between claimants, the Waitangi Tribunal, the Office of Treaty Settlements, and the governing politicians of the day, circumvents meaningful parliamentary oversight and effective handling through the select committee process. Once the treaty negotiations minister signs a settlement deed with a group of claimants, it is a legally binding agreement. Since legislation is required to release the money and generally action the agreement, parliament in effect rubber stamps every settlement.

During public debate on the sale of the Devonport Navy base to Ngati Whatua in 2012, and on the coastal area bill two years earlier, residents were outraged that Treaty Negotiations Minister

Chris Finlayson could consider doing minister-to-iwi deals on rights to areas of foreshore and seabed, but the nature of the settlement process means that treaty negotiations ministers have been doing such back-room deals with tribes ever since 1989.

There is no opportunity for public input on treaty settlements. Similarly, the public was never directly asked whether we agree or disagree that large amounts of compensation be paid for grievances that allegedly took place up to 173 years ago. No government in our little democracy can point to a vote to provide evidence of widespread public support for this process.

Professor Alan Ward, who defined the grievances for the Waitangi Tribunal in *Rangahaua Whanui – National Overview*, advocated debate on the issues so that the public may buy into the process. That has never happened. Remedies for that lack of debate could involve a binding referendum on this issue would confirm the exact extent of public support for the process, and changing the process so that settlement deeds are signed subject to parliamentary approval, so that the select committee process could attract meaningful public input.

The National-led government had an election promise of settling all Treaty of Waitangi claims by 2014, but has since said it would not meet that deadline. With 37 settlements completed, 17 awaiting legislation, three awaiting tribal ratification, 15 at the detailed negotiations stage, and a number of others yet to be negotiated, there is a long way to go.

Prime Minister Jim Bolger at the Ngai Tahu settlement signing on November 21, 1997, said: “It will allow Ngai Tahu as a tribe to develop a workable economic base and become an economic force in the South Island and New Zealand”. Subsequently, some have assumed that treaty settlements would bring some kind of economic salvation to underprivileged Maori. But this is not the case. If total settlements of \$3.5-billion were divided among an estimated total Maori population of 673,000, each person would receive only about \$5200.

There is little sign of interest beyond the individuals directly involved in settlements or tribal business. Only around 50 percent of registered members are concerned enough to vote on whether to accept settlement deals. Non-Maori are by definition excluded from the whole process. The directors of today’s tribal corporations have slim ancestral links to the people who suffered up to 172 years ago. Years down the track, these corporations will have as much benefit to non-corporate Maori as non-Maori private businesses have to everyone not involved. It’s money for jam for those in the business.

Also provided is a list of settlement summaries to date with links to summaries and deeds on the Office of Treaty Settlements website, to read in conjunction with the spreadsheet. The summaries explain the grievance and give a bit of background as well as a link to the Office of Treaty Settlements more-detailed summaries.

## PART 2: WAIKATO-TAINUI– Where money acknowledges the crime

The settlement of Waikato-Tainui's confiscation grievance in 1995 also marked the beginnings financial redress, where "the money is the acknowledgement by the Crown of their crime", according to the deed. But was the Crown guilty of a crime? A closer look at the sequence of events leading to the Waikato war show organised opposition to government activities, Wakato tribes fighting against the government in Taranaki, extensive tribal dysfunction in Waikato, and eviction of non-Maori from Waikato before the fighting started.

Waikato-Tainui, a tribal group with a king, a parliament, and an array of businesses aiming for assets worth \$1-billion by 2020, achieved a payout worth \$170-million in 1995, and was to receive ongoing payments equivalent to 17 percent of all settlements from mid 2012. How does this tribe justify these payments? Waikato-Tainui cites a sequence of events in 1863, when colonial government troops advanced into their area. Fighting at that time left 1000 Maori and 700 non-Maori settlers dead, and meant 887,808 acres of land remained confiscated. (1)

There is no Waitangi Tribunal report on the grievances, because the settlement was negotiated directly with the government. The only official history is contained in an agreed summary in the Waikato-Tainui Deed of Settlement, which says:

1. In 1863-1864, the Crown engaged in a war against Maori in the Waikato, causing suffering to the people there.
2. After the war in the Waikato, large areas of land . . .(reference to a map attached to the deed deleted) were unjustly confiscated by the Crown under the New Zealand Settlements Act 1863.
3. In 1926, a Royal Commission chaired by Sir William Sim (the Sim Commission) was appointed to consider whether confiscations under the New Zealand Settlement Act 1863 had been excessive. In it's report, the Sim Commission found that the general confiscations of land in the Waikato were "excessive". The Sim Commission was precluded by its terms of reference from inquiring into the consistency of the confiscations with the Treaty of Waitangi. The Sim Commission also reported that the confiscation of lands from tribes driven from their kainga north of the Mangatawhiri before it's crossing by General Cameron in July 1863 was a "grave injustice".
4. The Crown acknowledges that grave injustice was also done to tribes south of the Mangatawhiri, their lands being invaded and confiscated."
5. The Waitangi Tribunal wrote in the Manukau Report (Wai 8) in 1985: "It can simply be said from the contemporary record of Sir John Gorst in 1864, from the report of the Royal

Commission sixty years after that, and from historical research almost a century removed from the event, all sources agree that the Tainui people never rebelled but were attacked by British troops in direct violation of Article 2 of the Treaty of Waitangi.

6. The war caused loss of life among Waikato Iwi and the effect of the raupatu both immediately and over time has had a crippling effect on the welfare, economy, and development of Waikato.

7. The injustice of the raupatu is felt as keenly by Waikato today as in the past, as has been testified to the Crown by kaumatua and kuia as expressed in the affidavits filed by the plaintiffs in R.T. Mahuta and that Tainui Maori Trust Board v Attorney General [1989] 2 NZLR 513.

8. Waikato have pursued compensation on the basis of the principle of “land for land” – “I riro whenua atu, me hoki whenua mai” (as land was taken land must be returned), and “ko te moni hei utu mo te hara” (the money is the acknowledgement of the Crown of their crime)

9. On 16 March 1987, Robert Te Kotahi Mahuta on behalf of himself and on behalf of the members of Waikato-Tainui, and of the Tainui Maori Trust Board and Nga Marae Toopu filed a claim with the Waitangi Tribunal concerning Crown actions to the Waikato Claim Area, and certain other matters. That claim was registered with the Waitangi Tribunal as Wai 30. Those parts of the Wai 30 claim dealing with the raupatu have been the subject of petitions to the Crown since 1865 and direct negotiations with the Crown since 1989.

10. Having reviewed these longstanding claims in relation to raupatu, the Crown has concluded that the confiscations of land in the Waikato since 1863 were both unjust and a breach of the Treaty of Waitangi.

11. The Crown and claimants have negotiated with each other in good faith in an endeavour to settle the Waikato claim and to remove the sense of grievance over time felt by Waikato. They recorded their agreement in principle to the matters required to effect a settlement of the Raupatu Claims in the Heads of Agreement.

12. In 1993, the Crown vested in Potatau Te Wherowhero for the benefit of Waikato the Hopuhopu Military Base as a goodwill gesture.

13. As contemplated by the Heads of Agreement, the parties now wish to record the basis on which they will settle the Waikato Claim and the overlapping claims will be settled. (2)

There is an abject six-point apology by the Crown, which was delivered in person by Queen Elizabeth II on her 1995 visit, and a commitment to atone for the injustices to begin a process of healing and a new age of co-operation. Prime Minister Jim Bolger signed on behalf of the Queen.

The deed of settlement imagines Waikato-Tainui quietly minding their own business in July 1863 when heavily armed British troops invaded and took all their land. This is not correct. The



conflict took place in the context of a wider and longer war. Waikato-Tainui had set up its own sovereignty movement under the Maori king and had already been fighting the colonial government from 1860 in Taranaki.

Waikato-Tainui regarded Mokau in Taranaki as the southern border of their realm. Before British settlement, Waikato war parties drove out Taranaki tribes in a series of devastating raids culminating with the the siege of Pukerangiora Pa at Waitara in 1831, when Waikato chief Te Wherowhero personally clubbed to death 150 captives.

From January of 1841, British settlers established themselves in what was to become New Plymouth on land bought by the New Zealand Company in 1839 from one Taranaki exile named Wiremu Kingi. Waikato Maori received a substantial portion of the purchase price and received a further £400 from the first governor, William Hobson.

Wiremu Kingi brought his people back to Waitara once English settlement meant it was safe for them to live there. But by July of 1843, returned Maori exiles began to threaten and claim ownership of land Kingi sold four years earlier, and these conflicts led to the creation, in 1854, of a league of chiefs who opposed further sales of land. When Rawiri Waiaua of the Puketapu hapu of Te Atiawa wished to sell a block of land that year, land leaguers murdered him and four other family members, sparking tribal fighting known as the Puketapu feud that continued until 1860.

Meanwhile, Wiremu Tamehana, a leader of Waikato tribe Ngati Haua, persuaded Waikato chief Te Wherowhero (the captive-killer) to become the first Maori king. Te Wherowhero was installed as Potatau I in April 1858. Tamehana sought to resist further land sales and Pakeha encroachment, and create solidarity among Waikato, Ngati Maniapoto and adjacent tribes through the leadership of a chief with the prestige of Te Wherowhero.

Hostilities intensified when Te Teira Manuka offered to sell a 980-acre block of his land known as Pekapeka while Wiremu Kingi, the original vendor chief for the area, vehemently opposed further land sales, and expressly forbade this sale, even though it was not his land. After two commissioners spent 10 months investigating Te Teira Manuka's right to the block, the government's chief land purchase officer accepted the offer.

The government tried to survey some of the land in February 1860 and found the block occupied by protesting supporters of Wiremu Kingi. This was considered an act of rebellion. Martial law was declared, troops occupied part of the block, and attacked Wiremu Kingi's fortified pa there on March 17, 1860.

What follows are details of how Waikato tribes were involved in that war and what led to warfare in the Waikato area:

1. Fighting erupted at Waitara on March 17, 1860, between the colonial government and Maori loyal to Wiremu Kingi, and continued until April 8 the following year. War parties from Waikato, Maniapoto, and Ngati Haua provided the main opposition to government forces. (3) Ngati Maniapoto from Waikato fought beside Taranaki people to defeat imperial troops at Puke-takauere, near Waitara, on June 27, 1860, and in January 1861 Rewi Maniapoto led an unsuccessful attack on a redoubt at Huirangi. (4) Fighting at Waitara provided young Waikato men bored with the Pakeha peace the chance to roam, fight, kill, and plunder.

2. The war demonstrated to the government the danger of a large body of hostile Maori occupying the centre of the North Island with the ability to attack isolated Pakeha coastal settlements at any time.

3. Governor Thomas Gore Brown convened a month-long conference of about 200 chiefs he considered loyal at Kohimarama, Auckland, starting July 10, 1860, to gain support for the Waitara war and isolate supporters of the Maori king. Most chiefs at that conference confirmed loyalty to Crown sovereignty. The other “sovereign”, Maori king Potatau I, had died on June 25, 1860, to be succeeded by his son Tawhiao.

4. John Gorst, whose 1864 record was quoted in the Waikato-Tainui settlement deed, taught at a mission school in Waikato, printed a newsletter, and became resident magistrate. He noted that the area was on the brink of war in 1860. Upon his arrival at Taupiri, about 75km south of Auckland, in October of that year, he encountered an armed group threatening to declare war unless the government turned over a pakeha alleged to have killed a Maori. Gorst warned them against war. (5)

5. Waikato king-maker Wiremu Tamehana sought peace in the Waitara war in March of 1861 in the hope he could negotiate a realm for the new Maori king Tawhiao in Waikato. (6) Fighting ceased on April 8, 1861. Losses in that war included 238 colonial troops and about 200 Maori casualties. The fighting meant migration to Taranaki all but stopped and three-quarters of farmhouses in the area were destroyed. Waikato Maori stopped wearing Pakeha clothes and pulled their children out of Pakeha schools – taken as signs they had turned against the government.

6. Sir George Grey, who returned for his second term as governor in September 1861, planned to negotiate with Waikato tribes. He appointed civil commissioners and resident magistrates to introduce British law in Maori districts, and to co-operate with local runanga. Grey distributed £6000 to Waikato chiefs, as well as flour and sugar, since farming had been neglected during the Waitara fighting and hunger was an issue. (7) Waikato Maori were suspicious of Grey,

lawlessness prevailed in Waikato with chiefs ignoring Maori king Tawhiao, who lacked the respect needed to unite Waikato tribes). Auckland settlers feared an attack from Waikato. (8)

7. Governor Grey had a military road, the Great South Road, built, starting in 1861, from Auckland to the Mangatawhiri River near Meremere. Approximately 12,000 soldiers were involved in the construction over two years. The Waikato tribes saw the proximity of soldiers and the road as a threat.

8. Waikato king maker Wiremu Tamehana, and later Rewi Maniapoto, became involved in a dispute over the Tataraimaka block 15km south of New Plymouth. This was European land seized by Ngati Ruanui in retaliation for Waitara fighting.

9. Governor Grey, while meeting Tamehana at Taupiri, was overheard to say "I shall not fight with your king, but I shall dig around him with spades until he falls of his own accord". This gem spread like wildfire through Waikato.

10. Maniapoto warriors seized Gorst's printing press on March 25, 1863.

11. Gorst and his family, and other non-Maori, were driven out of the Waikato area on April 18, 1863. (9) His expulsion showed that Rewi Maniapoto had gained control the king movement. (10) Waikato chiefs said they would fight if the military road crossed the Mangatawhiri River

12. Supporters of the Maori king subsequently developed two plans of attack on Auckland, one involving a night attack when the town would be set on fire in a number of places by Maori living there for that purpose. The attacks did not eventuate. (11) Letters calling for a general war from were sent by Waikato chiefs Taati Te Waru and Porokuru Titipa to tribes in the southern part of the North Island. The letters were written before troops crossed the Waikato border river, the Mangatawhiri. (12)

13. The government issued an order, on July 9, 1863, requiring all Maori living north of the Mangatawhiri River, which is just north of Meremere, to take an oath of allegiance to the Queen and give up their weapons. Those refusing to do so were required to retire to the Waikato. A further proclamation dated July 11, 1863, warned those who wage war against the government would have their lands confiscated. (13)

14. Colonial government soldiers crossed the Mangatawhiri River, on July 12, 1863. Maori unwilling to take the oath were evicted as the colonial force advanced. Fighting occurred at Meremere, Ngaruawahia, Rangaiowhia (southwest of Cambridge) and at Orakau (near Te Awamutu) during 1863 and 1864. Historian James Cowan, whose father fought in the Waikato war, wrote in the 1920s that: "It was a racial war; the Maori aim was to sweep the pakeha to the

sea, as the pakeha government's object was to teach the Maori his subjection to British authority. The Europeans were not without warning that the sharp and barbarous old methods of warfare were to be revived." (14)

15. The New Zealand Settlements Act 1863 aimed to create a buffer zone by settling trained soldiers upon confiscated land to bring peace to disaffected areas. The act noted that "a large number of the inhabitants in several districts of the colony have entered into combinations and taken up arms with the object of the extermination or expulsion of the European settlers and are now engaged in open rebellion against Her Majesty's authority." The wisdom of confiscating land was debated at the time. Former chief justice Sir William Martin argued at the time that the confiscation of New Zealand private land would only result in a "brooding sense of wrong", and native minister Donald McLean said the confiscations were an expensive mistake.

16. Casualties: The Waikato war killed 1000 Maori and 700 Europeans. (15).

17. The confiscated Waikato territory initially comprised 1,202,172 acres, including virtually all of Waikato north of a line drawn from Raglan to Tauranga. Approximately 314,364 acres was returned to those Waikato Maori who were judged not to have rebelled, to individuals under Crown grant. The area finally confiscated totalled 887,808 acres. (16)

Although the final action in the Waikato war was on April 2, 1864, at Orakau, the colonial government had yet to fight the fanatical Pai Marire, also known as Hauhaus because of their battle cry, who beheaded their victims and carried those heads around for use in religious rites. War spread from Taranaki, through Waikato, to Opotiki, down the East Coast to Napier, and back into the Ureweras, where the guerrilla fighter Te Kooti and his Ringatu followers fled. Shots fired at the retreating Te Kooti on February 14, 1872, are regarded as the last shots of the New Zealand wars.

The Waikato-Tainui deed argues that the confiscations were a breach of the treaty, but Sir Apirana Ngata, a Ngati Porou leader and MP for Eastern Maori, was clear that the land confiscations could not be objected to in light of the treaty. He wrote in 1922:

Some have said that these confiscations were wrong and that they contravened the articles of the Treaty of Waitangi. The Government placed in the hands of the Queen of England, the sovereignty and the authority to make laws. Some sections of the Maori people violated that authority. War arose from this and blood was spilled. The law came into operation and land was taken in payment. This itself is a Maori custom - revenge, plunder to avenge a wrong. It was their own chiefs who ceded that right to the Queen. The confiscations cannot therefore be objected to in the light of the Treaty. (16a)

So you can see there was much more going on in Waikato between 1860 and 1863 than the Waikato-Tainui Deed of Settlement acknowledges.

The Waikato-Tainui deed has no reference to an earlier full and final settlement. The Waikato-Maniapoto Maori Claims Settlement Act 1946, which was described as a final settlement of grievances over the confiscation of Maori lands in the Waikato and provided for the establishment of the Tainui Maori Trust Board to receive £5000 a year in perpetuity plus a further £5000 and £1000 a year for 45 years, to cover arrears since 1936, when negotiations with the Labour government began. (See "Final settlements repeated") Ngati Maniapoto was not included in the 1995 settlement.

The 1995 Waikato-Tainui raupatu settlement is substantial. The \$170-million total financial redress includes about 200 unimproved properties, plus another 200 improved properties. The list includes a polytech campus, Waikato University campus, railway land, courthouses, Corrections property, police stations, power stations, Crown forests, CoalCorp property, ECNZ property, Ruakura AgResearch, CYPFS properties, NZ Post properties and so on, that are leased by Crown entities for 31 years. Details of the ongoing rental income are not available, so it is not obvious the extent to which Waikato-Tainui were given several hundred cash cows to benefit from as they wish.

Because the tribe has had \$170-million worth of commercial and residential property transferred to tribal fee simple ownership with current valuations, from day one of the settlement the iwi corporation could borrow against this freely acquired equity to buy further properties, which is where the government further obliged by offering the right of first refusal over government-owned properties in the tribe's area of interest.

Unfortunately for Waikato-Tainui, internal bickering followed this sudden influx of prosperity -- between the revered 155-year-old Kingitanga movement, embodied by the then Maori Queen, Dame Te Atairangikaahu, and new democratic forces. In five years, the tribe's \$245-million asset base had been eroded by 16 per cent, and the tribe struggled with a \$24-million debt. Details of the tribe's woes came with news of an \$8.6-million debt that was forcing the sale of the Auckland Warriors rugby league club. Tainui had invested \$6.27-million in the Warriors. (17)

Bickering continued between the new Maori king, Tuheitia Paki, the eldest son of the late Dame Te Atairangikaahu, and members of the tribe's parliament, Te Kauhanganui, who questioned his use of tribal funds and his choice of company directors.

In June 2011, David Rankin of the Far North tribe Ngapuhi, attacked both Paki and the Governments' use of the term "Maori king" to describe him, saying that not only had tribes such

as Ngapuhi never supported the kingitana movement, but that Paki didn't even speak Maori. (18)

Waikato-Tainui Te Kauhanganui Incorporated manages and distributes income for the collective benefit of approximately 57,000 registered Waikato-Tainui tribal members, for education, health and wellbeing, marae, social and cultural development. Waikato-Tainui's tribal parliament Te Kauhanganui is the sole trustee of the tribal group and has over 190 members - representation of 68 Marae associated with the Waikato Raupatu Claims settlement.

Tainui Group Holdings and Waikato Tainui Fisheries have shaken off past financial woes. The tribe's companies reported a 24 per cent growth in its holdings in the 2010-2011 year annual, and stated aims to have assets worth \$1-billion by the start of the next decade. (19)

When treaty settlement top-up clauses were triggered in 2012, Waikato Tainui were offered a payment of \$70-million as the tribe's 17 percent share of settlements over the \$1-billion in 1994 dollars. Tainui's powerbroker Tukoroirangi Morgan told the Waikato Times on December 20 that his tribe has a strong case to demand significantly more than the government offered. The amount Waikato-Tainui head honchos think they are entitled to is believed to be in excess of \$120-million.

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## PART 3: NGAI TAHU – LAND SALES AND FIVE FINAL SETTLEMENTS

Persistent complaints from Ngai Tahu, who sold most of the South Island in the mid 19th century in 10 deals, resulted in five settlements, the latest in 1998. Ngai Tahu initially had only one complaint over alleged inadequacy of reserves. An 1868 inquiry granted a further 4930 acres, completing Ngai Tahu's first "final settlement". Further "final" settlements came in 1906, 1944, and 1973, all to do with variations of the 1868 complaint. So how did this tribe manage to justify a further payout of \$170-million in 1998, and ongoing payments equivalent to 16.1 percent of all settlements from mid 2012?

How Ngai Tahu, with a population of less than 3000 in 1840, came to be regarded as owners able to sell the South Island is an interesting debate that has, in official eyes, been won by Ngai Tahu. Originally a Poverty Bay-Hawke's Bay tribe, Ngai Tahu arrived in the South Island sometime in the 17th century, when they merged there with another former North Island East Coast tribe Ngati Mamoe. Both newcomer tribes supplanted the pre-existing Waitaha (also known as Moa Hunters). Another North Island tribe, Ngati Toa, invaded in 1828, inflicting heavy casualties, forcing Ngai Tahu to retreat south. Ngati Toa was involved in northern South Island land transactions with the New Zealand Company from 1839. (1)

Ngai Tahu, which listed the names of 1338 kaumatua (elders) in 1848, lived in remote villages scattered around the South Island, which has a land area of 37.366-million acres. (2) Details of this tribe's land sales are:

1. Ngai Tahu chiefs sold an estimated 400,000 acres of Otago to the New Zealand Company for £2400 on July 31, 1844.
2. Chiefs sold 20 million acres from Otago to Nelson spanning both coasts to the colonial government represented by native secretary Henry Tacy Kemp for £2000 on June 12, 1848 (the Kemp purchase).
3. A total of 59,000 acres at Lyttelton (then known as Port Cooper) sold to the government in August 1849 for £200.
4. A total of 104,000 acres at Port Levy on Banks Peninsula in September 1849 for £300.
5. In 1856, almost all the remaining land on Banks Peninsula, approximately 67,000 acres, was sold via the Akaroa deed for £150.
6. Over seven million acres of Southland for £2600 on August 17, 1853 (the Murihiku deed).
7. One million acres of North Canterbury for £500 on February 5, 1857.

8. A total of 2.8 million acres of Kaikoura for £300 on March 29, 1859.
9. Seven million acres on the west coast for £300 on May 21, 1860.
10. Stewart Island for £6000 on June 29, 1864. (3)

The total amount was £14,750, which would be the equivalent of about one year's pay for 164 people based on the salary of a government court interpreter, who was paid around £90 a year at that time.

Although happy with the sales, Ngai Tahu had one complaint over alleged inadequacy of reserves in the Kemp purchase, where the per-person allocation was 10 acres per person, contrasting with the Otago block's allocation of 160 acres per person. An inquiry in 1868 into the Kemp purchase reserves meant a further 4930 acres were granted. This was the first settlement.

Ngai Tahu preferred to lease out their land rather than work it. In 1868, Native Land Court judge Alexander Mackay wrote an observation of a reserve at Otago Heads, noting: "the poverty of the people is entirely attributable to their own indolence and apathy. They have plenty of land of good quality and might live in comparative comfort if they would only exert themselves." (4)

Although happy in 1868 with the settlement, Ngai Tahu started to argue that the award should not be regarded as final. Continued complaints led to the South Island Landless Natives Act 1906, which granted 142,463 acres of land to settle 4063 "landless" Maori. This was their second settlement.

Needless to say, Ngai Tahu found the land provided in this second settlement unsuitable and remote. Complaints continued. The Native Land Claims commission was appointed in June 1920 to investigate 11 petitions and claims by Maori in different parts of New Zealand, including that of Tiemi Hipi and 916 other Ngai Tahu regarding the Kemp block purchase. Note the Ngai Tahu complaint was at that stage just about the Kemp purchase.

The Ngai Tahu Claim Settlement Act 1944, Ngai Tahu's third settlement, one of a series of grievance settlement Acts by Peter Fraser's Labour government, awarded £300,000, payable at a rate of £10,000 a year for 30 years. This was Ngai Tahu's third settlement.

Annual payments to Ngai Tahu were scheduled to end in 1973, at which time the settlement was debated yet again, with claims that the 1944 settlement had not been widely discussed or accepted. Southern Maori MP Whetu Tirikatene Sullivan rejected those claims and said there were 109 movers and seconders of formal resolutions at as many as 80 meetings accepting the compensation. (5)

Payments of \$20,000 a year in perpetuity were awarded to Ngai Tahu in 1973, the tribe's fourth settlement.



Once the Treaty of Waitangi Amendment Act 1985 enabled inquiries into claims back to 1840, so Henare Rakiihia Tau supported by the Ngai Tahu Maori Trust Board revisited all of Ngai Tahu's old issues and more resulting in a further \$170-million payout in 1997, the tribe's fifth settlement.

Chapter 16 of the Waitangi Tribunal's report shows how the principles of the treaty (dreamed up in 1986) were applied to Ngai Tahu's complaints, which by that time had multiplied to apply to other sales. The principles used in this case were: Protection of rangatiratanga, obligation to protect treaty rights, and partnership.

Cultural redress appeared in the 1998 Ngai Tahu settlement. The cultural showcase of that deal involved vesting Aoraki Mount Cook in Ngai Tahu that gifted it to the Crown.

Seventeen cultural redress sites were transferred to Ngai Tahu, runanga were appointed to hold and administer seven areas, historic reserves were created at seven areas, statutory acknowledgements and deeds of recognition were extended over 64 mountains, lakes, rivers, wetlands, and lagoons, 14 topuni (overlay of Ngai Tahu values) were created, as were a number of nohoanga camping areas, which are one-hectare sites at traditional food gathering areas for use of Ngai Tahu members for 210 days each year.

Beneficiaries of the settlement are descendants of the 1338 Ngai Tahu kaumatua alive in 1848, as established by the Ngai Tahu census committee in 1929 and the Maori Land Court in 1925. (6)

In 1995, the Bolger National government proposed a \$1-billion limit for the settlement of all historical claims known as the fiscal envelope. Tribal spokesmen of the day vehemently rejected such a limitation in advance of the extent of claims being fully known and the fiscal envelope was dropped before the 1996 election.

The 1995 Waikato-Tainui \$170-million settlement was described as "17 percent", which was its proportion of the \$1-billion total then imagined to settle all grievances. The agreement includes a relativity clause like the Waikato-Tainui settlement, which entitles Ngai Tahu to 16.1 percent of all settlements once the \$1-billion total is reached.

The current total, according to the spreadsheet reproduced below is \$1.724-billion.

Ngai Tahu received a further \$35-million payout in February of 2000, because the tribe had selected forests as part of financial redress and was eligible for Crown Forests Rental Trust rent from 1989.

After bluffing court action over the claimed cut in the value of forest assets resulting from the proposed Emissions Trading Amendment Act, Ngai Tahu received a further allocation of carbon credits in November 2009 – and the John Key-led National Party government received the Maori Party votes to get the legislation through parliament.

Despite multiple ballooning settlements over 144 years, Ngai Tahu chairman Mark Solomon thinks his tribe settled cheap. He told Television New Zealand's Q&A show on June 6, 2010, that:

Ngai Tahu lost 12 billion dollars worth of assets and accepted as a compensation \$170-million. Do the maths. The fact that people in New Zealand argue that the settlements are far too high, if they looked at the reality of what Maori have lost, and then look at the compensation, Maori should be being thanked for the levels of the settlements they accept, not be derided by the rest of the community.

Upon receiving his knighthood in December 2012, Solomon, his first comment was that Ngai Tahu's settlement "accounted for about 1.5 percent of what the tribe had lost". Does this mean that despite the final settlements and top-ups, the Ngai Tahu grievance remains not settled? Why does Solomon persist in lamenting the land the tribe *lost* when his forebears *sold* it, in some cases on several occasions? (7)

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#### PART 4: GRIEVANCES, TREATY PRINCIPLES, AND CROWN ACTION

Waitangi Tribunal reports are carefully constructed persuasive arguments in which the history is woven around treaty principles and around seven broadly defined grievances that Professor Alan Ward listed in the introduction to "Rangahaua Whanui – National Overview". (1) Ward's list is based on common threads among the 650 or so historical claims lodged between 1985 and 1997. The grievances are:

1. The "loss of rangatiratanga", which includes the loss of resources, and the exclusion of Maori from the decision-making institutions.
2. Purchases under the native land acts, which extended well into the 20th century. Ward particularly criticizes the "individualisation of title", which the colonial government promoted partly to prompt Maori to develop their land. Ward said this was a "pseudo-individualisation",

which made each owner's signature a marketable commodity and resulted in few farms being marked out on the land.

3. Crown purchases from 1840 to 1865, which Ward claimed were manipulative and denied or discouraged Maori leasehold and joint venture arrangements and the coexistence of aboriginal title rights.
4. Confiscation or forced cession after military occupation, in particular districts, although Ward notes that the area of land and the number of people affected were much less than were subject to manipulative land purchasing.
5. The colonial government's failure to ensure that adequate reserves of land remained in Maori ownership, or in trust, to fund Maori welfare.
6. The loss of ownership or control of rights in foreshores and inland waterways.
7. Public works takings disproportionately imposed upon Maori land, the rating of Maori land, and the good and bad consequences of development schemes.

In the tangled web of government-Maori relations there were grievances and there were repeated attempts to resolve grievances. Ward's seven points greatly extended the scope for grievance so that now every iwi seems to be standing in line for a payment irrespective of their past. More specifically:

1. Ward's view of "loss of tino rangatiratanga" is based on an interpretation of the Treaty of Waitangi that takes "tino rangatiratanga" to mean both "ownership" and "self-government". This allows the treaty to both cede and retain sovereignty, which is nonsense. In drafting the treaty, British Resident James Busby and Governor William Hobson used "tino rangatiratanga" to translate the word "possession". The term "loss of rangatiratanga" is an empty phrase based on a misinterpretation of the text of the treaty. The phrase "loss of resources" mostly refers to land that has been sold. The exclusion of Maori from decision-making institutions has happened in the past but certainly is not happening now.

2. Ward takes the view that sales and purchases under the native land acts wholly disadvantaged Maori sellers. While there were shady deals, and court sittings were expensive and time-consuming, when faced with a choice getting enough hapu members to co-operate to set up a farm or selling individualised title, it is obvious that many took the money and lived it up for a while. The fact that many Maori sold land and directly benefited from the settler economy has been repackaged as a grievance. Moreover, the succession of native land acts from 1862 show a pattern of colonial government attempts to set a system to prevent roting, rather than making it easier to separate Maori from their land. (2)

3. The 1840-to-1865 period was not a happy time for many British settlers either. For instance, those who had come in under the New Zealand Company scheme had paid the equivalent of one year's wages for one town acre and 100 country acres to find the land already occupied by

Maori who hadn't the foggiest idea why the British were there. This period was characterised by thefts of livestock, destruction of fences, burglaries, by Maori on settlers. To add insult to injury, they found that the second Governor Robert FitzRoy ruled against them and the New Zealand Company in favour of Maori and would not act on Maori misdeeds. Some compensation was paid, but many walked away from land they had paid good money for. (3)

4. Confiscations were criticised at the time for being costly and likely to cause deep resentment, which they have done. Nevertheless, the threat of land confiscation was a lever that the colonial government used during the 1860s wars, and at the time committees were set up to inquire into wrongful confiscation. Confiscations were a component of a scheme to settle soldiers in former war zones to create buffers against hostile tribes. Compensation has been paid over the years. As Ward has pointed out, the effects of confiscation were limited to a few areas.

5. A closer look at the issue of adequate reserves of land to fund Maori welfare would show that while a few hundred acres of native bush could support a handful of hunter-gatherers in 1840, that same area would be of little use 100 years later when that handful of people had multiplied into hundreds and rural Maori were heading into the cities to join in the industrial economy.

6. Regarding the claimed loss of ownership or control of rights in foreshores and inland waterways, it could be argued that those rights went with the sovereignty ceded in the first article of the Treaty of Waitangi. The property rights guarantee of the second article brought fee simple title and undreamed of individual wealth that more than compensated for loss of any waterways and foreshore rights that existed before 1840. Fishing in and boating on the waterways and coast continued with some limited restrictions.

7. Nobody likes paying rates or taxes, but that is part of the system we live it and brings benefits that do not exist in territories without rates or taxes. Development schemes can bring good and bad outcomes. A responsible person takes the bad with the good. Disproportionate public works takings irritate everyone and should be compensated.

The president of the Court of Appeal, Justice Robin Cooke, provided the first summary of the principles of the Treaty of Waitangi in the decision of that court in *New Zealand Maori Council v Attorney-General* in 1987. Cooke said that there were six principles:

(a) '[T]he Queen was to govern and the Maoris were to be her subjects; in return their chieftainship and possessions were to be protected, but . . . sales of land to the Crown could be negotiated.'

(b) Because there was some inevitable potential conflict between those principles, both parties had a duty 'to act reasonably and with the utmost good faith' towards one another.

(c) 'The principles of the Treaty do not authorise unreasonable restrictions on the right of a duly elected government to follow its chosen policy.'

(d) The Crown assumed a duty of protection towards Maori: 'the duty is not passive but extends to active protection of Maori people in the use of their lands and waters to the fullest extent practicable.'

(e) The Crown has a duty to remedy past breaches: 'the Crown should grant at least some form of redress, unless there are good grounds justifying a reasonable Treaty partner in withholding it – which would only be in very special circumstances, if ever.'

(f) The Crown had an obligation to consult with Maori in the exercise of kawanatanga. Justice Cooke was guarded, however, as to the practical extent of that obligation. (4)

The definition of the principles arose out of the State-Owned Enterprises Act 1986, which broke up the old Department of Lands and Survey and divided lands it had administered among a number of State-owned enterprises. Section 27 said that land subject to a treaty claim could not be transferred to another enterprise and could be recovered after a Waitangi Tribunal recommendation. Section 27 did not provide for land subject to claims after the act came into force. To ease concerns, as the bill was going through parliament, the Labour government inserted what was to become Section 9, which said: "Nothing in this Act shall permit the Crown to act in a manner that was inconsistent with the principles of the treaty." At that stage the "principles" were undefined, and was intended as pious yet meaningless lip service. (5)

The Maori Council sought a judicial review of proposed transfers of land to State-owned enterprises, claiming that the transfers would breach Section 9 of the new State-Owned Enterprises Act 1986. The Court of Appeal held that Section 9 did apply to transfers of land and said that such transfers would be unlawful unless some system was set up to establish compliance with treaty principles.

A note on the loaded language used in Waitangi Tribunal reports and Office of Treaty Settlement material. The term "land loss" is used to describe land sales. If a "land sale", which is a transaction between a willing buyer and willing seller, is redefined as "land loss", then the seller becomes the passive partner of a process seemingly visited upon him, or her, by a calculating and malevolent other party. The willing seller is transformed into a hapless victim, their descendents nurse a grudge, and go on to become claimants.

What was the government's response to the appearance of the treaty principles? The Justice Department in 1989 issued a 15-page booklet titled "The Principles for Crown Action on the Treaty of Waitangi". Included was an introductory statement by Prime Minister David Lange and the official English and Maori texts of the Treaty of Waitangi without preamble or postscript. The five principles are:

1. The Kawanatanga Principle -- The Principle of Government

The first article of the treaty gives expression to the right of the Crown to make laws and its obligation to govern in accordance with constitutional process. This sovereignty is qualified by the promise to accord the Maori interests specified in the second article an appropriate priority.

## 2. The Rangatiratanga Principle -- The Principle of Self-Management

The second article of the treaty guarantees to Maori the control and enjoyment of those resources and taonga which it is their wish to retain. The preservation of a resource base, the restoration of iwi self-management, and the active protection of taonga, both material and cultural, are necessary elements of the Crown's policy of recognizing rangatiratanga.

## 3. The Principle of Equality

The third article of the treaty constitutes a guarantee of legal equality between Maori and other citizens of New Zealand. This means that all New Zealand citizens are equal before the law. Furthermore, the common law system is selected by the treaty as the basis for that equality although human rights accepted under international law are incorporated also.

The third article also has an important social significance in the implicit assurance that social rights would be enjoyed equally by Maori with all New Zealand citizens of whatever origin. Special measures to attain that equal enjoyment of social benefits are allowed by international law.

## 4. The Principle of Cooperation

The treaty is regarded by the Crown as establishing a fair basis for two peoples in one country. Duality and unity are both significant. Duality implies distinctive cultural development and unity implies common purpose and community. The relationship between community and distinctive development is governed by the requirement for cooperation which is an obligation placed on both parties to the treaty.

Reasonable cooperation can only take place if there is consultation on major issues of common concern and if good faith, balance, and common sense are shown on all sides. The outcome of reasonable cooperation will be partnership.

## 5. The Principle of Redress

The Crown accepts a responsibility to provide a process for the resolution of grievances arising from the treaty. This process may involve courts, the Waitangi Tribunal, or direct negotiation. The provision of redress, where entitlement is established, must take account of its practical impact and of the need to avoid fresh injustice. If the Crown demonstrates commitment to this process of redress then it will expect reconciliation to result. (6)

I suggest that this has pretty much been the blueprint for government policy since 1989 even though this booklet is difficult to find. Sir Geoffrey Palmer introduced these five principles to an AULSA conference on July 7, 1989, at a time when he was deputy Prime Minister, Minister of Justice and Attorney General.

By ignoring the preamble and postscript, Palmer removed the treaty from its 1840 context and obscured its intent. His kawanatanga principle watered down sovereignty by linking it to a requirement to give priority to Maori interests. The rangatiratanga principle puts an obligation on the government to preserve for Maori a resource base and actively protect "taonga", whatever they are.

Palmer's principle of equality introduces race-based affirmative action to redress serious imbalances in health education and housing. His principle of cooperation imposes on the

government the requirement to consult with Maori. His principle of redress imposes on the government the responsibility of setting up a process for resolving grievances to bring about reconciliation. Palmer shows his ignorance of the pattern shown through our brief history in which once Maori learned that the white colonist would pay compensation, numerous issues to compensate proliferated.

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## PART 5: FINAL SETTLEMENTS REPEATED - SUMMARY

Ngai Tahu, Waikato-Tainui, Taranaki tribes, and Tuhoe all agreed to and accepted final cash settlements to settle their grievances between 1944 and 1958, according to a study by Waitangi Tribunal member Richard Hill, who is New Zealand Studies Professor at Victoria University of Wellington. Here is a summary of the multiple settlements of various grievances with details of the latest round of redress added.

### Ngai Tahu

Complaints meant a further 4930 acres of reserves were granted to Ngai Tahu in 1868. Further Ngai Tahu complaints led to a commission in 1879 recommending compensation for lack of reserved land. The South Island Landless Natives Act 1906 granted 142,463 acres of land to settle 4063 “landless” Maori.

The Ngai Tahu Claim Settlement Act 1944, which passed on December 15, 1944, awarded £300,000, payable at a rate of £10,000 a year for 30 years.

Annual payment changed to an in-perpetuity payment of \$20,000 a year in 1973.

A further final settlement of \$170-million was agreed in 1998, with further payments agreed to under a relativity mechanism once total financial redress exceeds \$1-billion in 1994 dollars.

### Waikato-Tainui

Sim commission in 1926 recommended £3000 annual payment for land unjustly confiscated. Waikato-Tainui received annual payments from that year, although they became intermittent during the 1930s.

The Waikato-Maniapoto Maori Claims Settlement Act 1946, passed on October 7, 1946, was a final settlement of grievances over the confiscation of Maori lands in the Waikato and provided for the establishment of the Tainui Maori Trust Board to receive £5000 a year in perpetuity plus a further £5000 and £1000 a year for 45 years, to cover arrears since 1936, when negotiations with the Labour government began.

Tainui received £4155 in 1948 as part of a surplus lands settlement.

A further final settlement of \$170-million in 1995, with further payments agreed to under a relativity mechanism once total financial redress exceeds \$1-billion in 1994 dollars.

Waikato-Tainui received a further \$102.8-million Waikato River settlement in 2010.

### **Taranaki tribes**

Sim commission in 1926 recommended £5000 annual payment for land unjustly confiscated.

The 1944 Taranaki Maori Claims Settlement Act was intended as a final settlement of claims over 1863 confiscation in the area.

Ngati Ruanui received \$41-million in 2003.

Ngati Tama received \$14.5-million in 2003.

Ngaa Rauru Kiitahi received \$31-million in 2005.

Taranaki Whanui ki Te Upoko o Te Ika received \$25-million in 2009.

Taranaki has eight recognised iwi. Four further settlements would be expected.

### **Whakatohea**

In the Finance No. 2 Act, on October 12, 1946, the government settled with Whakatohea, a tribe located in the eastern Bay of Plenty region that had sustained land confiscation, for a lump sum payment of £20,000.

### **Tuhoe**

In 1958, Urewera claims were settled with a lump sum payment of £100,000.

### **Rotorua township**



A claim relating to Rotorua Township Pukeroa Oruawhata land in Waiariki district was settled in 1954 for £16,500.

A further sum of £5.21-million was paid to Ngati Whakaue in 1994 to settle issues relating to the establishment of the Rotorua township.

### **Rotorua lakes**

The 1922 Arawa lakes settlement, which agreed that the government controlled the lakebeds and had the right to use the water, while the tribe had title to all islands not already sold, and right to access them, as well as use, management and control of parts of lake beds, and any Crown lands on the border could be vested in Arawa. Tribe members could catch any indigenous fish. Arawa District Trust Board would receive an annual grant of £6000.

The Te Arawa Lakes Settlement in 2006 transferred \$2.7-million in cash, paid \$7.3-million to capitalize the annuity, paid \$400,000 to provide 200 fish licences a year, and transferred 13 lakebeds to Arawa.

### **Lake Taupo**

The 1926 Tuwharetoa settlement, provided the Tuwharetoa Trust Board £1000, plus £3000 annually, plus the revenue of 50 per cent of fishing licences above £3000 (and other sundry revenues) for Lake Taupo and surrounding waters.

### **Other final settlements:**

#### **Wairoa**

A £20,000 lump sum that was paid to the Waikaremoana-Wairoa Maori Trust Board as compensation for confiscation of the 70,000-acre Kauhoroa Block in Wairoa in 1867 as punishment for involvement in the Hauhau wars. The agreement was dated May 12, 1949.

#### **Gisborne**

A lump sum of £38,000 to be paid for confiscation of the Patutahi Block near Gisborne, was agreed upon in 1950.

#### **Waipukurau**

A sum of £50,000 was paid to claimants concerning the sale and purchase of the Aorangi Block in the Waipukurau district around 1856, also agreed upon in 1950.

#### **Ikaroa**

In 1953 the government settled claims for the Ngatahira area of the Omarunui Block in the Ikaroa district for £4000.

## **Far North**

The Far North Taitokerau settled surplus lands claims in their district for £47,154, also agreed upon in 1953.

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## **APPENDIX 1: DOCUMENT SUMMARY TREATY OF WAITANGI SETTLEMENTS**

Tribes whose settlements have been completed, and those whose settlements were awaiting legislation, on January 9, 2013, are listed below, with links to the official summaries and deeds posted on the Office of Treaty Settlements website.

### **SIGNED SETTLEMENTS AWAITING LEGISLATION**

#### **Te Atiawa o Te Waka-a-Maui**

Te Atiawa and other Taranaki tribes took northern South Island land in a series of battles against the resident Kurahaupo peoples in the 1820s. Ngati Toa and Te Atiawa sold land to the New Zealand Company through the Kapiti deed in October 1839, and the Queen Charlotte Sound deed, signed by 30 Te Atiawa chiefs in November 1839. Payment was made in goods, including firearms. In 1844 a Crown-appointed commissioner investigated the Company's purchases. He heard from one Maori witness in Nelson before suspending the inquiry to enable the company to negotiate a settlement. Te Atiawa o Te Waka-a-Maui had negligible involvement in the administration of the Nelson and Motueka reserves, known as 'Tenths', which were leased to settlers to generate income that was spent on Māori purposes. Between 1848 and 1850 the Crown assisted the New Zealand Company to buy Picton, the principal settlement of Te Ātiawa, and Te Ātiawa relocated to a reserve at Waikawa. In the 1850s and 1860s the Crown allocated a number of Motueka Tenths sections to Te Ātiawa for occupation. <http://nz01.terabyte.co.nz/ots/LiveArticle.asp?ArtID=366436441>

#### **Ngāti Koata**

Ngati Koata, another Tainui Taranaki tribal group, came to the northern South Island in the mid-1820s, after receiving a gift of land from Tutepourangi, and as part of an invasion. Ngāti Kōata primarily settled at Rangitoto Island, Croisilles, Whakapuaka, and Whakatu. By 1839, when chiefs of other tribes sold the entire northern South Island to the New Zealand Company, Ngati Koata appeared to have insufficient standing to be involved. In 1844 a Crown-appointed commissioner investigated the Company's purchases. He heard from one Maori witness in Nelson before suspending the inquiry to enable the company to negotiate a settlement. Ngati Kōata had negligible involvement in the administration of the Nelson and Motueka reserves, known as 'Tenths', which were leased to settlers to generate income that was spent on Māori purposes. In 1853 the Crown bought most of the remaining Māori land in the northern South Island

via the Waipounamu deed with other tribes. Ngati Kōata did not sign the deed but were to receive a share of the purchase money. Ngati Kōata in 1856 sold of their remaining interests for L100. In 1883 Ngati Koata participated in the Native Land Court's title investigation of Whakapuaka, claiming interests on the basis of the gift and ongoing occupation. The Court deemed that Ngati Koata did not have interests and they were excluded from ownership. Ngati Koata were again excluded at a rehearing of the block in 1937.<http://nz01.terabyte.co.nz/ots/LiveArticle.asp?ArtID=-1485929229>

### **Ngāti Koroki Kahukura**

The homeland of Waikato-Tainui sub-tribe Ngāti Koroki Kahukura is located east of Cambridge and stretches from Karapiro, through Rotorangi and Puahue in the west, to Lake Arapuni in the south, and back to Piarere in the East. The story of this sub-tribe that claims 3500 members is the same as the Waikato story -- fight against the wicked white coloniser, lose, have lands confiscated and not get them back because they were deemed enemies of the state. A legitimate question is why can another Waikato subgroup pop up after the second Waikato full and final settlement of \$170-million in 1995? You would not be the first to ask that, especially some Ngāti Koroki Kahukura luminaries used to be on the Waikato-Tainui payroll. <http://nz01.terabyte.co.nz/ots/LiveArticle.asp?ArtID=-1064778767>

### **Ngāti Rangiwewehi**

Ngati Rangiwewehi is a Te Arawa iwi based in the Rotorua area. When the Crown responded to Pai Marire/Hauhau resistance in Tauranga in 1864, members of Rangiwewehi helped their traditional allies. The Crown regarded Maori who fought against it as rebels and confiscated 290,000 acres of land around Tauranga including land in which Rangiwewehi had customary interests. The Crown retained 50,000 acres and returned the remainder, but not to unsundered rebels. Pai Marire/Hauhau preacher Kereopa Te Rau was a member of Ngati Rangiwewehi and was executed for his role in the murder of missionary Carl Volkner in Opotiki in 1865. <http://nz01.terabyte.co.nz/ots/livearticle.asp?ArtID=1351129578>

### **Tapuika**

Tapuika, linked to the Arawa tribe, is a small group occupying the area between Papamoa and Maketu around Te Puke in the Bay of Plenty inland to Lake Rotorua. When the Crown responded to Pai Marire/Hauhau resistance in Tauranga in 1864, members of Tapuika helped their traditional allies. The Crown regarded Maori who fought against it as rebels and confiscated 290,000 acres of land around Tauranga including land in which Tapuika had customary interests. The Crown retained 50,000 acres and returned the remainder, but not to unsundered rebels like Tapuika. <http://nz01.terabyte.co.nz/ots/DocumentLibrary%5CTapuikaSettlementSummary.pdf>

### **Ngāti Toa**

Ngati Toa's area of interest spans Cook Strait. It covers the lower North Island from the Rangitikei in the north and includes the Kapiti Coast, Hutt Valley, and Wellington areas, as well as Kapiti and Mana Islands, and includes large areas of the Marlborough Sounds and much of the northern South Island, with a total area of four million hectares. This 4500-member tribal body came to Taranaki in 1819, to Wellington in the 1824, and across the strait in 1827, from Kawhia. Cannibal chief Te Rauparaha sold 20-million acres to the New Zealand Company in 1839. In 1843, an attempt by an armed party of Nelson settlers to arrest Te Rauparaha and Te Rangihaeata resulted in a violent clash and the deaths of twenty-two Europeans and up

to nine Māori at Wairau near Blenheim. Ngati Toa was involved in attacks on the fledgling settlement in Wellington in 1845 until Te Rauparaha was arrested.

<http://nz01.terabyte.co.nz/ots/fb.asp?url=livearticle.asp?ArtID=-670688307>

### Raukawa

The traditional district of Raukawa centres on the Waikato basin and Waikato River. It runs from Taupō Moana in the south, to Maungatautari in the north, extends westward into the Rangitoto ranges and Waipa Valley, and eastwards into the Kaimai and Mamaku Ranges. Raukawa did not sign the Treaty of Waitangi, supported the Maori king movement, fought against the Crown in Taranaki, Waikato, and Tauranga. Waikato confiscations included land that Raukawa had interest in, none of which was returned to Raukawa. Raukawa became involved in Pai Marire/Hauhau and Te Kooti's Ringatu movement. Once hostilities ceased, a long period of turmoil centred on the Native Land Court and land sales or leases.

<http://nz01.terabyte.co.nz/ots/DocumentLibrary/RaukawaDeedofSettlement2June.pdf>

### NgāiRanginui

Ngāti Ranginui is an iwi based in the Tauranga region. The historical Treaty claims of Ngāti Ranginui concern: The war and confiscation at Tauranga; the purchase of the Te Puna-Katikati blocks soon after the war; the consequences of Ngāti Ranginui resisting the confiscation and Te Puna-Katikati purchase during the Crown's "bush campaign"; the effects of the Crown's native land laws and later Maori land legislation; and public works takings during the second half of the 20th century. <http://www.ots.govt.nz/>

### Tamaki Collective

The members of the Tamaki Collective are: Ngai Tai ki Tamaki, Ngati Maru, Ngati Paoa, Ngati Tamaoho, Ngati Tamatera, Ngati Te Ata, Ngati Whanaunga, Ngati Whatua o Kaipara, Ngāti Whatua Orakei, Te akitai Waiohua, Te Kawerau ā Maki, Te Patukirikiri, Te Rūnanga o Ngāti Whatua. Settlement of the specific claims of each of these tribal groups is progressing, and in some cases has been completed, through negotiations between the Crown and each tribal group. At the same time, the Crown has been negotiating with the Tamaki Collective to agree collective redress in relation to specified mountains, islands and lands within Auckland area over which all of the tribal groups have interests. The collective approach recognises that the tribal groups have various overlapping customary interests within the area, which would not have been possible to consider separately from each other.

<http://nz01.terabyte.co.nz/ots/fb.asp?url=livearticle.asp?ArtID=-1243035403>

### Te Rarawa

Te Rarawa is one of five Far North tribes. Their district extends from Hokianga east along the Hokianga River to Mangataipa, then north along the Raetea ranges, down the Pamapurua River to Maimaru across towards Awanui, westwards to Hukatere on Ninety-Mile Beach, back down the coastline past Ahipara towards Hokianga. Before signing the Treaty of Waitangi, Te Rarawa

had entered into over 20 transactions with settlers for land around the Kaitaia plains and the coastal fringe of the northern Hokianga Harbour along to the western arm of the Mangamuka River, maintaining that the land had not been sold completely. The tribe complains about sales of 100,000 acres to the Crown by 1865. <http://www.ots.govt.nz/>

#### NgāiTakoto - Settlement Summary

NgāiTakoto is one of five tribes based in the Far North. They claim their district extends from the river of Wharo (Ahipara) in the south to Cape Reinga in the north, and across to the Kermadec Islands and Three Kings Island. Their forebears sold large areas of land before they signed the Treaty of Waitangi in 1840. Land sale commissioners' confirmed the alienation of an initial 32,000 acres of land in the NgāiTakoto district. Settlers received 17,000 acres and 15,000 went to the Crown as surplus land. NgāiTakoto with interests in these lands were to receive 450 acres. The tribe complained that the loss of rights to land along the Awanui River limited access to river resources and fertile land. They also complained about loss of further land rights in 1844, in the forced cession of almost 2500 acres at Ruatorara (East Beach), when the Crown demanded another tribe to provide compensation to a settler over an incident involving a ship in Ahipara. They also complained about a Crown purchase of four land blocks (Muriwhenua South, Wharemaru, Oinu, and Ahipara), totalling 112,613 acres, in which NgāiTakoto had interests. <http://www.ots.govt.nz/>

#### Te Aupōuri

The historical grievances of Te Hiku iwi, to which Te Aupouri belong, include claims about the Crown's handling of pre-Treaty land transactions, surplus lands, pre-1865 Crown purchasing, the operation and impact of the native land laws, 20th century Māori land administration by the Crown, failure to provide for the special relationship between Te Hiku iwi and Ninety Mile Beach, the socio economic effects of colonisation, and the Crown's failure to deliver the promised benefits of settlement.

See <http://nz01.terabyte.co.nz/ots/LiveArticle.asp?ArtID=320220678>

#### Waitaha

Waitaha, a Tauranga-Te Puke tribe, had members who fought for the Maori King and others who fought for the government. The government confiscated land for Waitaha's role in the Battle of Gate Pa, but returned most of it. Grievances arose from subsequent land sales.

See <http://nz01.terabyte.co.nz/ots/LiveArticle.asp?ArtID=1137000561>

#### Ngāti Whātua o Kaipara

This is the Kaipara branch of Ngāti Whātua, members of which signed the Treaty of Waitangi. Claims relate to land sales.

See <http://nz01.terabyte.co.nz/ots/Livearticle.asp?ArtID=-1507925961>

### Ngāti Apa ki te Rā Tō

Ngāti Apa ki te Rā Tō, which claims customary interests in the northern South Island region, had been displaced by North Island tribes by 1840, so were not in a position either to sign the treaty or to sell land at that time. Nevertheless, the tribe has successfully argued that the government had overlooked its interests and has been awarded financial redress worth \$28.374-million. With just 700 members, the per person financial redress amount is \$40,534, which is more than 11 times the average of \$3647 per person.

See <http://nz01.terabyte.co.nz/ots/LiveArticle.asp?ArtID=1323304759#history>

### Rangitāne o Wairau

Rangitane o Wairau is another tribe which has customary interests in the northern South Island region, had been displaced by Ngati Toa and Ngai Tahu by 1840, therefore were not in a position either to sign the treaty or to sell land at that time. Nevertheless, the tribe has successfully argued that the government had overlooked its interests.

See <http://nz01.terabyte.co.nz/ots/DocumentLibrary/RangitaneDeedssummary.pdf>

### Ngāti Kuia

Ngāti Kuia is yet is another tribe which has customary interests in the northern South Island region, which had been displaced by Ngati Toa and Ngai Tahu by 1840, so were not in a position either to sign the treaty or to sell land at that time. Nevertheless, the tribe has successfully argued that the government had overlooked its interests.

See <http://nz01.terabyte.co.nz/ots/DocumentLibrary/NgatiKuiaSummary.pdf>

## **COMPLETED SETTLEMENTS**

### **Ngāti Manuhiri**

Ngāti Manuhiri, a tribe located on the east coast north of Auckland, did not sign the treaty. Someone sold the Mahurangi and Ōmaha block to the government in 1841 without consulting the tribe. Compensation was paid but land wrangles continued.

See <http://nz01.terabyte.co.nz/ots/fb.asp?url=livearticle.asp?ArtID=1302655980>

### Ngāti Whātua o Ōrakei

Ngati Whatua o Orakei signed the Treaty of Waitangi, invited Governor Hobson to the Tamaki isthmus, and sold land to the colonial government, disputes over which arose.

See <http://nz01.terabyte.co.nz/ots/fb.asp?url=livearticle.asp?ArtID=1317259897>

### Rongowhakaata

Rongowhakaata, a Gisborne area tribe, signed the treaty, and retained control over their affairs until 1865, when fighting broke out. Some Rongowhakaata fought with Pai Marire (Hauhau), were exiled to the Chatham Islands, and later fought with Te Kooti, against the government.

See <http://nz01.terabyte.co.nz/ots/livearticle.asp?ArtID=-925771298>

### Ngai Tāmanuhiri

Based around Gisborne, Ngai Tāmanuhiri signed the treaty and retained control of their affairs until fighting erupted before 1865, when some fought with Pai Marire (Hauhau), were exiled to the Chatham Islands, and later fought with Te Kooti, against the government.

See <http://nz01.terabyte.co.nz/ots/LiveArticle.asp?ArtID=-481637425>

### Ngāti Makino

Bay of Plenty tribe Ngāti Mākino did not sign the Treaty of Waitangi, and some tribe members fought for the Maori king and others for the government. Confiscation of 448,000 acres of land in the Eastern Bay of Plenty hurt the tribe, as did subsequent land sales involving the Native Land Court.

See <http://nz01.terabyte.co.nz/ots/LiveArticle.asp?ArtID=211767281>

### Maraeroa A and B Blocks

Maraeroa A (19,900 acres) and B (13,000 acres) blocks were part of the Maraeroa block, a subdivision of the Taupōnuiatia West block, which was part of Te Rohe Pōtae district in the Lake Taupo area. Title was awarded after Native Land Court sittings that started in 1885. The process was complicated by disputes over entitlement, boundaries, and surveys. Subsequent issues involved milling native timber, and exotic forestry. Descendents claim compensation for benefits they feel they missed out on.

See <http://nz01.terabyte.co.nz/ots/DocumentLibrary/MaraeroaDeedHistoricalClaimsDOS.pdf>

### Ngāti Porou

Ngāti Porou, one of the largest iwi in New Zealand, which is based on the East Coast north of Gisborne, signed the treaty, retained control of their affairs until 1865, when some fought for the Maori king, some fought for Pai Marire (Hauhau), and some for the government. Much land was sold after the Native Land Court awarded title. The tribe objected to government administration of development schemes and numerous land takings for public works.

See <http://nz01.terabyte.co.nz/ots/LiveArticle.asp?ArtID=-130708183>

### Ngāti Pahauwera

Ngāti Pahauwera, whose tribal area extends south of Wairoa on the East Coast, north of Napier, and inland to Lake Waikaremoana, signed the treaty and began to sell land to the government from 1851. Te Kooti's forces attacked Mohaka in April 1869, killing 56 Ngāti Pahauwera men, women, and children as well as a number of Pakeha settlers in the area.

See <http://nz01.terabyte.co.nz/ots/DocumentLibrary/NgatiPahauweraSummary.pdf>

### Ngāti Manawa

Ngāti Manawa is a central North Island iwi based in Murupara which had little contact with the government until the 1860s. The tribe backed the government during the 1865 wars but their crops and dwellings sustained significant damage in the fighting and the government paid no

compensation. Disputes arose over leases with the government, attendance at the Native Land Court caused financial hardship, and tribe members sold large areas of land.

See <http://nz01.terabyte.co.nz/ots/LiveArticle.asp?ArtID=-285793581>

#### Ngāti Whare

Ngāti Whare, a central North Island tribe that did not sign the treaty, supported Te Kooti against the government. The tribe's grievances involve restrictions on land use and land alienation, the Urewera District Native Reserves Act 1896, Crown corporatisation, cessation of indigenous forest logging and the return of Minginui without providing sufficient resources.

See <http://nz01.terabyte.co.nz/ots/LiveArticle.asp?ArtID=40847475>

#### **Ngāti Apa (North Island)**

Ngāti Apa signed the treaty and some fought for the government. Their grievances involve the Crown's purchase in 1849 of the 260,000 acre Rangitikei-Turakina Block, and land sales involving the Native Land Court. Some Ngāti Apa were involved with the Repudiation Movement.

See <http://nz01.terabyte.co.nz/ots/LiveArticle.asp?ArtID=1220410901>

#### **Waikato River settlements**

##### Waikato-Tainui

Waikato-Tainui say their respect for the Waikato River lies at the heart of their spiritual and physical wellbeing, and their tribal identity and culture. They believe the river is their ancestor. This settlement is the final resolution of claims about the effect of the 1863 confiscation on the relationship between Waikato-Tainui and the Waikato River. The \$102.8-million which is a total of amounts listed in the deed of settlement is well over half of the \$170-million full and final Waikato-Tainui settlement awarded in 1995. Although the stated purpose is to "restore and protect the health and wellbeing of the river for future generations", all river clean-up work will probably be supervised by the Waikato regional council and the burden will fall on individual landowners.

See deed <http://nz01.terabyte.co.nz/ots/DocumentLibrary/WaikatoTainuiConformedDOS.pdf>

##### Te Arawa

The government and the Te Arawa River Iwi signed a co-management framework for the Waikato River, which flows through the tribe's area, and is the source of the tribe's total wellbeing. The deed does not settle the historical claims of Te Arawa in relation to the Waikato River. A total of \$29-million was paid to the tribe so it could take up its role of protecting the river.

See deed <http://nz01.terabyte.co.nz/ots/DocumentLibrary/TeArawaWaikatoRiverCo-ManagementDeed.pdf>

##### Ngāti Raukawa

The government and Ngāti Raukawa signed a co-management framework for the Waikato River,



which flows through the tribe's area, and is the source of the tribe's total wellbeing. The deed does not settle the historical claims of Raukawa in relation to the Waikato River. A total of \$240-million was paid to the tribe so it could take up its role of protecting the river.

See deed <http://nz01.terabyte.co.nz/ots/DocumentLibrary/RaukawaCo-managementDeed.pdf>

#### Ngāti Tuwharetoa

The government and Ngati Tuwharetoa signed a co-management framework for the Waikato River from Huka Falls to Te Puaha o Waikato. No money was paid. The government pledged to contribute towards costs incurred by Tuwharetoa Maori Trust Board.

See deed <http://nz01.terabyte.co.nz/ots/DocumentLibrary/NgatiTuwharetoaDeedMAY2010.pdf>

#### Maniapoto

The Crown and the Maniapoto Maori Trust Board signed a deed in relation to the co-governance and co-management of the Waipa River, which enables the participation of Maniapoto in co-management arrangements for the Waikato River and extends the arrangements to cover the Waipa River in its entirety. The government paid \$29-million to Maniapoto to do this.

#### **Taranaki Whānui ki Te Upoko o Te Ika**

Taranaki Whānui ki Te Upoko o Te Ika is a collective that comprises people of Te Atiawa, Taranaki, Ngati Ruanui, Ngati Tama and others including Ngati Mutunga from a number of Taranaki iwi whose ancestors migrated to Wellington in the 1820s and 30s and who signed the Port Nicholson Block Deed of Purchase in 1839.

See <http://nz01.terabyte.co.nz/ots/LiveArticle.asp?ArtID=1219027573>

#### **Central North Island Forests Iwi Collective**

The Deed of Settlement sets out a commercial and financial redress package to settle the historical claims relating to the licensed Crown forest land in the region by the iwi that make up the Central North Island Forests Iwi Collective.

See <http://nz01.terabyte.co.nz/ots/LiveArticle.asp?ArtID=-607693311>

#### **Affiliate Te Arawa iwi and hapu**

Te Pumautanga o Te Arawa represents around 24,000 people of 11 Te Arawa iwi and hapu (the Affiliate Te Arawa Iwi/Hapu) whose area of interest covers over 500,000ha. Grievances relate to the operation of the Native Land Court, 19th century land purchases by the government, Maori land administration in the 20th century, and the compulsory public works and scenery preservation acquisitions.

See <http://nz01.terabyte.co.nz/ots/LiveArticle.asp?ArtID=-3600828>

#### **Te Roroa**

Te Roroa comprise about 3000 members south of Dargaville to the Hokianga centering on the Waipoua Forest. In 1842 the Crown required some chiefs to cede around 3000 acres of land as punishment for plunder of a store. Other grievances relate to impact of the Native Land Court

and government land purchasing in the 1870s.

See <http://nz01.terabyte.co.nz/ots/LiveArticle.asp?ArtID=380722516>

### **Ngati Mutunga**

Ngati Mutunga, one of eight Taranaki tribes, opposed government purchases of Taranaki land, fought against the government at Waitara in 1860, and had its entire tribal area confiscated in 1863. The tribe claims that compensation paid for the confiscation at the time was inadequate. Ngati Mutunga supported Te Whiti's passive resistance at Parihaka in 1881. Note that British settler presence after 1840 enabled Taranaki tribes to return to territories they had been driven out of by Ngati Toa. Note also that Ngati Mutunga were one of the two tribes that invaded the Chatham Islands in 1835, killing and eating numerous Moriori.

See <http://nz01.terabyte.co.nz/ots/DocumentLibrary/NgatiMutungaSummary.pdf>

### **Te Arawa (Lakes)**

Te Arawa is a large confederation whose area of interest extends from the Bay of Plenty to Tongariro. Trout and other foreign fish were introduced into the area's lakes, which Maori relied on as a food source, from the 1870s, depleting indigenous fisheries, meaning Te Arawa relied on introduced species. The introduction of a fishing licence regime from the late 1880s and the ongoing propagation of trout drew protests and petitions.

See <http://nz01.terabyte.co.nz/ots/DocumentLibrary/TeArawaLakesSettlementSummary.pdf>

### **Ngaa Rauru Kiihahi**

Ngaa Rauru Kiihahi claim to be the original settlers of New Zealand, and claim to have emanated from the celestial and spiritual trees of the gods. The tribe's district in 1840 was at the mouth of the Whanganui River. The tribe's claims relate to lands sold to the NZ Company in 1839, land confiscated from Taranaki Maori in 1863, and to the Wanganui and Waitotara Blocks, fisheries, the Motunui Plant and Petrocorp.

See deed <http://nz01.terabyte.co.nz/ots/DocumentLibrary/NgaaRauruDeed.pdf>

### **Tuwharetoa (Bay of Plenty)**

Tuwharetoa (Bay of Plenty) are located in the Kawerau and Matata area. Fighting that started in Taranaki in 1860, and erupted in the Waikato in 1863, spread to the Bay of Plenty after the murder of missionary Carl Volkner in March 1865, and subsequent killing of James Fulloon, who was sent to arrest suspects in the Volkner atrocity. Government troops besieged a pa containing the Fulloon killing suspects, and Governor George Grey deemed the Bay of Plenty to be in rebellion and confiscated 87,000 acres of Tuwharetoa (Bay of Plenty) land, later returning 20,000 acres.

See <http://nz01.terabyte.co.nz/ots/DocumentLibrary/NgatiTuwharetoa-Summary.pdf>

### **Ngati Awa**

Some chiefs of Ngati Awa, an eastern Bay of Plenty tribe, signed the treaty but remained isolated from British settlers until fighting spread from Taranaki and Waikato in the early 1860s.

After the murder of missionary Carl Volkner in March 1865, and subsequent killing by some Ngati Awa supporters of Pai Marire of James Fulloon, who was sent to arrest suspects in the Volkner atrocity, a government force of 500 entered the Bay of Plenty area to arrest the suspects, some of whom were convicted and jailed or executed. Governor George Grey deemed the Bay of Plenty to be in rebellion and confiscated 245,000 acres of Ngati Awa land, later returning 77,000 acres. Other land was sold after title was awarded through the Native Land Court.

See <http://nz01.terabyte.co.nz/ots/DocumentLibrary/NgatiAwaDeedofSettlement-Summary.pdf>

### **Ngati Tama**

Ngati Tama, a northern Taranaki tribe, had 74,000 acres of land confiscated after the Taranaki wars that started in 1860. The compensation process for confiscated land proved inadequate for Ngati Tama, who supported Te Whiti's campaign of passive resistance at Parihaka to 1881. The Native Land Court ruled in 1882 that Ngati Tama did not retain an interest in two large blocks of land north of the confiscation line. The West Coast Commissions finalised the return of some land, and the Sim Commission of 1926-27 recommended an annuity of £5000 to compensate all Taranaki iwi. A one-off sum of £300 pounds was paid to compensate for the loss of property at Parihaka. Compensation was enshrined in the Taranaki Maori Claims Settlement Act 1944, but Ngati Tama maintain they did not agree to it.

See <http://nz01.terabyte.co.nz/ots/DocumentLibrary/NgatiTama-Summary.pdf>

### **Ngati Ruanui**

Ngati Ruanui, a Taranaki tribe, resisted selling land, and supported Te Atiawa and Nga Rauru resistance to land sales in their respective areas, particularly the blocks at Waitara and Waitotara. Ngati Ruanui fought against the government over the disputed sale of the Waitara block. A total of 352,000 acres of Ngati Ruanui and Nga Ruahine land was confiscated in 1865. In 1869, 233 Ngati Ruanui men, women and children surrendered following promises they would not be killed. Ninety-six were tried for treason and 74 sentenced to death. The latter sentences were commuted to three or seven years' imprisonment in the South Island. Compensation for confiscated land proved inadequate. Ngati Ruanui people supported Te Whiti's campaign of passive resistance at Parihaka to 1881. The Sim Commission of 1926-27 recommended an annuity of £5000 to compensate all Taranaki iwi. A one-off sum of £300 pounds was paid to compensate for the loss of property at Parihaka. Compensation was enshrined in the Taranaki Maori Claims Settlement Act 1944, but there is no evidence Ngati Ruanui agreed to it.

See <http://nz01.terabyte.co.nz/ots/DocumentLibrary/NgatiRuanui-summary.pdf>

### **Te Uri o Hau**

Te Uri o Hau is a northern grouping of Ngati Whatua located in the northern Kaipara area. In 1842 the Chiefs of Te Uri o Hau and Ngapuhi ceded to the Crown about 3000 hectares as punishment for Maori action against a storekeeper believed to have desecrated an urupa and removed human remains. No payment was made for the land. The government bought 110,000

hectares between 1854 and 1865. Te Uri o Hau claim the operation of the Native Land Court in their area did not help them.

See <http://nz01.terabyte.co.nz/ots/DocumentLibrary/TeUrioHau-Summary.PDF>

### **Pouakani**

The Pouakani People are a community with Ngati Tuwharetoa, Ngati Maniapoto, Ngati Raukawa and Te Arawa affiliations. Their claims centre on the 49,514 hectare Pouakani block situated between Lake Taupo and Mangakino.

See <http://nz01.terabyte.co.nz/ots/DocumentLibrary/Pouakani-summary.pdf>

### **Ngati Turangitukua**

The government “acquired” (leasing was ruled out) land in 1964 from Ngati Turangitukua, a hapu of Ngati Tuwharetoa, to build Turangi town, and began to sell Turangi properties in the 1970s without offering them to Ngati Turangitukua.

See <http://nz01.terabyte.co.nz/ots/DocumentLibrary/NgatiTurangitukua.pdf>

### **Ngāi Tahu**

Ngai Tahu sold most of the South Island in the mid 19th century in 10 deals Persistent complaints resulted in three settlements, the latest for \$170-million in 1997. No summary available on the Office of Treaty Settlements website. You can get an idea of the issues by reading “Ngai Tahu – land sales and ongoing settlements”. (here)

Otherwise, the six volume 1790 page deeds are here <http://www.ots.govt.nz/>

### **Te Maunga**

The settlement concerns 6070 square metres of land at Te Maunga (Papamoa No 2 Section 10B2C2 Block) formerly owned by members of the Ngai Potiki hapu of Ngai Te Rangī, a tribe of Mataatua descent. The land was taken by the Crown in 1955 for Railways housing under the Public Works Act 1928.

See <http://nz01.terabyte.co.nz/ots/DocumentLibrary/TeMaungaLands.htm>

### **Rotoma**

The settlement concerns 5.2678 hectares of land in the Rotorua area formerly owned by Ngatitamateatutahi - Ngati Kawiti, and acquired by the Crown in 1944 for a quarry under the Public Works Act 1928.

See <http://nz01.terabyte.co.nz/ots/DocumentLibrary/Rotoma.htm>

### **Waimakuku**

The settlement concerns a claim that the Crown had unjustly overturned the Waimakuku Whanau Trust Board title to Tarawera 5A in 1929. The trust sought compensation for loss of title, loss of farm improvements and development, loss of native timber resources, land requisitions under the Public Work Act 1928, general losses, and stress and legal costs.

See <http://nz01.terabyte.co.nz/ots/DocumentLibrary/Waimakuku.htm>

### **Waikato/Tainui raupatu**

New Zealand's biggest historical grievance involves tribes in the Waikato, who had sustained invasion and land confiscation in 1863. The financial and commercial redress amount paid in 1995 totalled \$170-million. No summary available on the Office of Treaty Settlements website. You can get an idea of the issues by reading "Waikato-Tainui, history, and new wealth" (here) Otherwise, the deed of settlement is here

<http://nz01.terabyte.co.nz/ots/DocumentLibrary/WaikatoDeedOfSettlement.pdf>

### **Ngati Whakaue**

The settlement relates to grievances associated with the Fenton Agreement, signed in 1880 between hapu of Te Arawa, including Ngati Whakaue, and the government, negotiated to facilitate settlement of the Rotorua region, the development of tourism, and to provide for the establishment of the township of Rotorua. The Thermal Springs Districts Act 1881 was passed to enable the Crown to carry out the Fenton Agreement and to open the thermal districts for settlement.

See <http://nz01.terabyte.co.nz/ots/DocumentLibrary/NgatiWhakaue.htm>

### **Hauai**

The settlement concerns 25.4932ha of land on the Hauai Peninsula in the Bay of Islands which the Hauai Trustees wanted to develop as a residential subdivision in 1971, but which the government wanted as a reserve. The government required the land to be exchanged for part of Felix Farm (28.2 hectares) in Kamo and three sections at Eastern Beach, Auckland. The Eastern Beach sections failed to sell at valuation and the Kamo land was susceptible to subsidence.

See <http://nz01.terabyte.co.nz/ots/DocumentLibrary/Hauai.htm>

### **Ngati Rangiteaorere**

The settlement concerns the alienation of Te Ngae Mission Farm consisting of a block of land of about 300 acres at the junction of the Rotorua-Tauranga and Rotorua-Whakatane highways (known as Te Ngae Junction) and several ancillary matters including lands taken for roads, land taken for survey costs, the geothermal resource known as Tikitere and the rating of Lake Rotokawau.

See <http://nz01.terabyte.co.nz/ots/DocumentLibrary/NgatiRangiteaorere.htm>

### **Commercial Fisheries**

The \$170-million "Sealord deal", signed in 1992, was based on an ultra-generous interpretation that pre-existing and unextinguished collective tribal fishing rights protected by section 88(2) of the Fisheries Act 1983, extended out to the 200km exclusive economic zone. Note, Maori coastal fishing in 1840 was limited to canoes that were not ocean-going.

No summaries or deeds on the OTS website, but see "The Right to Fish" at How Government Works, <http://www.decisionmaker.co.nz/guide2003/hgw/fishingrights.html> for an overview; read the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 at <http://www.legislation.govt.nz/act/public/1992/0121/latest/whole.html>; and the Maori

Fisheries Act 2004 at

<http://www.legislation.govt.nz/act/public/2004/0078/latest/DLM311464.html> and

**Waitomo**

The government transferred land at the Waitomo Caves to the hapu of Ruapuha and Uekaha, subject to a lease, and provided a loan \$1-million.

APPENDIX 2: SPREADSHEET SUMMARY TREATY OF WAITANGI SETTLEMENTS

## Treaty of Waitangi settlements January 9, 2013.

Settlement	Year bill passed	Financial and commercial redress	Cultural redress	Co-management	Value \$m
<i>Awaiting legislation</i>					
<b>Te Atiawa o Te Waka-a-Maui</b>					
Picton, Waikawa Bay		\$11.76m plus interest purchase and leaseback of four properties 19 deferred-selection properties, right to buy 11,750ha of forest land and receive \$7.75m in accumulated rentals 169-year RFR over listed properties including Nelson Marlborough Institute of Technology 100-year shared RFR	flora and fauna guardians in five areas 13 sites vested in the tribe, 7 with others two sites totalling 28,602ha jointly vested overlay classifications over Farewell Spit, Heaphy Track, Waikoropupu Springs Statutory Acknowledgements, Deeds of Recognition over 29 headlands, mountains, reserves, rivers, streams associated with the banded dotterel 53 names to change, 12 sites named co-operation payment of \$500,000 right to erect a pouwhenua advice on Waikawa Bay marine environment mineral fossicking rights	relationship accords with local councils Conservation, fisheries, taonga, minerals protocols Letters of introduction to museums River and freshwater advisory committee Conservation memorandum	11.76            0.5
<b>Ngāti Koata</b>					
Northern South Island		\$11.76m plus interest purchase and leaseback of four properties 16 deferred-selection properties right to buy 9000ha of forest land and receive \$7.75m in accumulated rentals 169-year RFR over listed properties including Nelson Marlborough Institute of Technology 100-year shared RFR	six sites vested in the tribe, one with others four overlay classifications Statutory Acknowledgements, Deeds of Recognition over 12 areas Statutory Acknowledgement over the northern South Island coastal marine area tribal trustee to advise on conservation plan for customary use of fauna and flora association with Separation Point affirmed statement of maritime association 53 geographic names change, 12 new names mineral fossicking rights Moawhitu fishing reserve right of way	relationship accords with local councils Conservation, fisheries, taonga, minerals protocols Letters of introduction to museums River and freshwater advisory committee Conservation memorandum	11.76
<b>Ngāti Koroki Kahukura</b>					
3500 members Karapiro area		\$3m plus interest Right to buy and lease back Pukeatua school 172-year RFR on surplus Crown properties \$250,000 towards Manu Tioriori Visitor Centre	Maungatautari mountain reserve to hapu \$3.73m cultural funding Statutory acknowledgements over Waikato River, lakes Arapuni and Karapiro and three other areas Deeds of recognition for rivers, lakes, streams	Letters of introduction Waikato River co-management	3 3.73

Settlement	Year bill passed	Financial and commercial redress	Cultural redress	Co-management	Value \$m
<b>Ngāti Rangiwewehi</b>					
1100 members Te Puke area		Financial redress \$6m in cash, property Option to buy Crown property 171-year RFR over Kaharoa Primary School land (1.3364ha)	Hamurana Springs, Penny Road Scenic Reserve, and other sites vested in tribe.	Protocols with Conservation, Energy and Resources	6
<b>Tapuika</b>					
420 members Te Puke area subgroup of Te Arawa		Financial redress \$6m (\$2.5m already received in 2008) includes 12 Te Puke commercial properties Kaharoa Forest, Te Matai North, Te Matai South, and Puwhenua Forest with with Ranginui and Rangiwewehi.	Lower Kaituna Wildlife Management Reserve vested jointly in Tapuika and Ngati Whakaue, who will gift it to the Crown \$500,000 for Te Puke cultural presence 12 sites totalling 209ha vested in Tapuika overlay classification over 65ha Opoutihi deeds of recognition over sites, waterways five geographic name changes	Protocols with Arts, Culture and Heritage, and Energy and Resources. Conservation Agreement Kaituna River co-governance	6
<b>Ngāti Toa</b>					
4500 members Cook Strait area		\$75.235m financial redress including \$10m for loss of maritime empire Option to buy 19 properties Will buy 34,000ha of the Crown forest land in the northern South Island RFR for surplus Crown properties – of 169 years in North Island, 100 years in S.I.	20 sites totalling 267ha vested in Ngati Toa 54ha in 3 sites vested with Ngati Toa, others Vested, gifting back, overlay classifications on parts of Kapiti Island  Statutory acknowledgements over Cook Strait, northern South Island coastal marine area, Porirua Harbour, Wellington Harbour, four other areas Statutory acknowledgements and deeds of recognition over 23 areas, rivers, scenic reserves, and coastal areas. Overlay classifications over Brother Islands and Wairau Lagoon \$500,000 for Ngati Toa's southern claims Place-name changes for 12 North Island sites and 9 South Island sites Legislation to acknowledge Ka Mate haka	Te Tau Ihu River/Fresh water advisory Committee Regional councils recognise Ngati Toa Cook Strait guardian plan Letters of introduction Joint board for Whitiorea Park reserve Ngati Toa to manage the Queen Elizabeth Park campground site	75.235



Settlement	Year bill passed	Financial and commercial redress	Cultural redress	Co-management	Value \$m
<b>Raukawa</b>					
29,421 members Waikato		\$21.143-million being the balance of \$50-million, \$28.857-million of which was paid in the CNI forestry settlement \$530,000 on settlement day Right to buy deferred selection properties listed A right of first refusal for 172 years to surplus Crown property in the tribe's area \$8-million for Mighty River Power deal	Wharepūhanga, Pureora o Kahu overlay classifications  Statutory acknowledgements over eight sites, three rivers, seven lakes, seven geothermal fields.  Deeds of recognition over four sites, three rivers, seven lakes.  Eight cultural redress properties vested Two new geographic names and one change \$3-million for the cultural fund \$50,000 for pouwhenua marker poles	Waikato River co-management Waipa River co-management in negotiation	21.143  0.53  8  3 0.05
<b>Ngai Ranginui</b>					
7647 members Tauranga		\$38.0276-million Right of first refusal for fish species introduced into the quota management system  48 land bank properties for Ranginui to buy 3 LINZ sites for Ranginui to buy Puwhenua Forest Lands will transfer to an entity with Ngati Rangiwewehi and Tapuika.	13 cultural redress sites vested in Ranginui Site on public conservation land at Oraeroa vested in Ranginui as sacred (wahi tapu),  subject to conservation covenant to protect biodiversity values, no public access. Te Hopuni site transferred Omokoroa School land transferred sale and leaseback to Education Ministry	Six names change and two sites named Management role in the Margaret Jackson Wildlife Management Reserve Relationship protocols with Conservation, Primary Industries, Arts Culture and Heritage	38.028
<b>Tamaki Collective</b>					
Auckland		Financial redress addressed through specific tribal negotiations. 172-year RFR for surplus land deferred selection purchase rights	14 mountains vested in collective four islands vested in collective acknowledgement of importance of Waitemata, Manukau harbours 18 names to change, two new names	mountains except North Head and Mt Smart subject to co-governance creation of mountain authority conservation land co-governance conservation management plan	

Settlement	Year bill passed	Financial and commercial redress	Cultural redress	Co-management	Value \$m
<b>Te Rarawa</b>					
9871 members Far North		\$33.84-million plus interest 172 years RFR on surplus govt property May buy Te Karae and part of Sweetwater farms, six schools (leased back), 526.36ha Takahue Block forest, 6 LINZ properties, eight land bank properties, and two more jointly joint ownership of 21,283ha Aupouri forest land \$2.2m share of forestry accumulated rentals	17 cultural redress properties transferred	Warawara Forest Park co-governance	33.84
			\$137,500 in recognition of associations with Ninety Mile Beach	Protocols with Culture and Heritage, Primary Industries	0.138
			\$530,000 to preserve taonga and promote Rarawa history	joint conservation input	0.53
			statutory acknowledgements over a harbour, two rivers, coastal marine area  four names change		2.2
<b>NgaiTakoto</b>					
489 members Far North		\$21.04 million plus interest, discount on farm purchase price part of Sweetwater Crown-owned farm  NgaiTakoto, Te Aupouri, Te Rarawa, and Ngati Kuri will jointly own the 21,283ha forest land on the Aupouri peninsula and will receive a share of accumulated rentals -- \$2.2m  NgaiTakoto will own an undivided 20 percent share of future rentals	\$2.4 million cultural redress fund	relationship protocols to be issued by the ministers for Culture and Heritage, Energy and Resources, Primary Industries.	21.04
			\$812,500 social accord implementation		2.4
			\$137,500 in recognition of associations with part of the \$400,000 Ninety Mile Beach Board		0.813
			Ninety Mile Beach contribution 10 properties vested in NgaiTakoto six jointly vested with other Te Hiku iwi  Six place names will be altered		0.138
					2.2
<b>Te Aupouri</b>					
9300 members, one of five Te Hiku o Te Ika iwi Far North		\$21,040m plus interest, to be used to buy: Te Aupouri's share of Aupouri Crown Forest Land, Te Raite and Cape View Farms, part of Te Kao School, residential property at Te Kao  \$2.2m share of accumulated forest rentals collective redress involves joint ownership of Aupouri forest 172-year RFR to surplus Crown properties	11 properties totalling 1300.1ha will be vested in Te Aupouri	relationship protocols with Culture and Heritage, Energy and Resources, and Primary Industries. joint committee to manage Ninety Mile Beach  A new Te Hiku Conservation Board	21.04
			7 properties 245.5ha total incl 2 lake beds and 1 island vested jointly with other iwi		0.38
			cultural redress fund of \$380,000  Statutory acknowledgements over 6 sites		2.2
			19 name changes includes Te Oneroa-a-Tōhe /Ninety Mile Beach and Cape Reinga / Te Rerenga Wairua		

Settlement	Year bill passed	Financial and commercial redress	Cultural redress	Co-management	Value \$m
			\$812,500 towards social accord implementation		0.813
			part of the \$400,000 Ninety Mile Beach Board contribution		0.4
			\$137,500 to install signs, raise pouwhenua		0.138
<b>Waitaha</b>					
2000 members Tauranga		\$7.5m plus interest Right to buy three landbank properties Right to buy and lease back five education properties in Te Puke Right to buy eight remaining land banked properties if not bought by others	Eight sites vested Deeds of Recognition on conservation areas Statutory acknowledgements over: Ōtanewainuku Peak, three creeks eight streams, one river and coastal area from Maketū to Mauao	Relationship protocols with Conservation, Culture and Heritage, and Energy and Resources	7.5
			\$3m for an education fund in the name of prophet Hakaraia		3
			\$300,000 to document the story of Waitaha and of Hakaraia		0.3
			\$500,000 to restore Hei Marae		0.5
			\$500,000 to fund a needs assessment		0.5
<b>Ngati Whatua o Kaipara</b>					
A subgroup of Ngati Whatua which has 14,724 members Kaipara		\$22.1m plus interest Right to buy: Woodhill Forest and receive accumulated rentals, as well as the land under six schools, which will all be back to the Crown leased, plus properties at 8, 16 and 20 Old Woodcocks Rd, Kaipara Flats 169-year RFR over listed surplus properties 170-year RFR over Paremoremo Prison	Nine sites totalling 675ha vested in the tribe: Statutory acknowledgements over seven conservation areas and over coastal area. Six place names change, nine sites named.	Relationship protocols with Conservation, Culture and Heritage and Economic Development, and Agriculture and Forestry.	22.1

Settlement	Year bill passed	Financial and commercial redress	Cultural redress	Co-management	Value \$m
<b>Ngati Apa ki te Ra To</b>					
700 members Northern South Island		\$28.374m, including interest, \$12.24m redress in lieu of licensed Crown Forest Land deferred selection purchase rights 169-year RFR over surplus Crown properties	Overlay classifications over alpine tarns, and Heaphy Track jointly Alpine tarns and 28,500ha of North West Nelson Forest Park vested in Ngāti Apa jointly with other Te Tau Ihu iwi to be gifted back. Four sites totalling 29ha vested in Ngati Apa. A 0.2061ha Matangi Awhio site jointly vested Statutory acknowledgment over all the Te Tau Ihu coastal marine area, and over five rivers 12 further acknowledgements over six areas, and acknowledgements jointly with other iwi May apply to take Nelson Lakes park eels Right to take by hand any sand, shingle or natural material from a river bed 65 geographic name changes	involvement in advisory committee on local authority planning and decision making Relationship protocols with Conservation, Fisheries, Energy, and Arts, Culture and Heritage.	28.374
<b>Rangitane o Wairau</b>					
1000 members Northern South Island		\$25.374m including \$12.24m in lieu of licensed Crown Forest Land, plus interest Deferred selection right to buy govt properties Right to buy, lease-back Crown properties 169-year RFR over surplus Crown properties	Overlay classifications over Lake Rototiti and Lake Rotoroa (jointly with Ngāti Apa), and Wairau Lagoons and Boulder Bank.  Vests nine sites totalling approximately 20ha in Rangitāne, A 0.2061ha Matangi Awhio site jointly vested Statutory acknowledgment over all the Te Tau Ihu coastal marine area and over four rivers Eight further acknowledgements relating to Wairau Lagoon, plus joint acknowledgements May remove argillite boulders by hand. May apply to hunt muttonbirds on Titi and Chetwode Island 65 geographic name changes	involvement in advisory committee on local authority planning Relationship protocols with Conservation, Fisheries, Energy, and Arts, Culture and Heritage	\$25.37

Settlement	Year bill passed	Financial and commercial redress	Cultural redress	Co-management	Value \$m
<b>Ngati Kuia</b>					
1600 members Northern South Island		\$24.874m including \$12.24m in lieu of licensed Crown Forest Land, plus interest Deferred selection right to buy govt properties Lease-back right to buy Crown properties 169-year RFR over surplus Crown properties	Eight sites totalling 16ha transferred A 0.2061ha Matangi Awhio site jointly vested Overlay classifications over Titi, Chetwode and Maud islands, statutory acknowledgements over coastal area and five rivers 15 further acknowledgements and deeds Right to remove argillite boulders by hand. Right to take by hand any sand, shingle or natural material from a river bed 65 geographic name changes	Establishes a stand-alone iwi advisory committee for local councils Relationship protocols with Conservation, Fisheries, Energy, and Arts, Culture and Heritage	24.874
<b>TOTAL</b>					<b>389.525</b>

<i>Completed</i>					
<b>Ngati Manuhiri</b>					
Subgroup of Ngati Wai which has 4869 members. East coast north of Auckland	2012	\$9m plus interest Warkworth District Court land to be leased back to the Crown Pakiri School land leased back to Crown South Mangawhai Crown forest land and the accumulated rentals 169 years RFR over 82 Crown properties	Little Barrier Island nature reserve vested in Ngati Manuhiri then gifted to people of NZ Five other sites totalling 70ha vested in Ngati Manuhiri Two overlay classifications Statutory acknowledgements over Crown-owned portion of Mt Tamahunga, coast area, six rivers, Ngaroto lakes, Tohitohi o Reipae (The Dome); Pohuehue Scenic Reserve and Kawai Island.;	Relationship protocols with Conservation, Economic Development, Culture and Heritage.	9
<b>Ngati Whatua o Orakei</b>					
Part of Ngati Whatua which has 14724 members	2012	\$18m plus interest \$2m received in 1993 Railways Settlement 170 year RFR over surplus Crown properties	Tamaki isthmus mountains, Hauraki Gulf islands redress Statutory acknowledgements over Kauri Point Purewa Creek renamed as Pourewa Creek	Relationship protocols with Conservation, Culture, Heritage, Economic Development Inclusion on fisheries advisory committee	18 2

Settlement	Year bill passed	Financial and commercial redress	Cultural redress	Co-management	Value \$m
<b>Rongawhakaata</b>					
4700 members Gisborne	2012	\$22.24m plus interest five properties transferred from landbank may buy two sale and leaseback properties 169-year RFR over five properties 100-years RFR over two conservation sites Right to buy four surplus Crown properties in six-month deferred selection	original features of Te Hau ki Tūranga vested in Rongawhakaata. Eight sites transferred Cultural redress for Ngā Uri o Te Kooti Rikirangi includes: Vesting of Matawhero Government Purpose Reserve, Wharerata Rd.	Relationship protocols with Conservation, Culture, Heritage, Economic Development, Energy Resources, Environment, Fisheries.	22.24
			\$500,000 to Te Whare Rakei o Te Kooti		0.5
			\$200,000 for Ngā Uri o Te Kooti Rikirangi		0.2
			Te Kooti relationship with Conservation Statutory acknowledgements: Rongawhakaata coastal marine area, and seven rivers.		
			\$360,000 for Rongawhakaata culture revamp \$100,000 to Te Rūnanga o Tūrangānui a Kīwa for a memorial to those killed by the Crown		0.36 0.1
<b>Ngai Tāmanuhiri</b>					
1700 members Gisborne	2012	\$11.07m plus interest 1858 Waingake Rd vested in Ngai Tāmanuhiri Wharerata Forest transfers to a company in which Ngai Tāmanuhiri buys a 50% share. two year deferred selection purchase of land under Muriwai School and leaseback or 169-year RFR on land under Muriwai School, and Pakowhai Reserve.	Young Nick's Head, Mangapoike transferred Statutory acknowledgements over Waipaoa River, Ngai Tāmanuhiri coastal marine area.	Relationship protocols with Conservation, Economic Development, Fisheries, Culture and Heritage, and Environment.	11.07
			\$180,000 for cultural revitalisation		0.18
			\$100,000 for memorial to those killed by the Crown		0.1

Settlement	Year bill passed	Financial and commercial redress	Cultural redress	Co-management	Value \$m
<b>Ngati Makino</b>					
2000 members Bay of Plenty	2012	\$9.8m plus interest \$1.5m already paid for marae restoration  RFR over five sites of public conservation land right to a sale and leaseback of the Otamarakau School land	8 sites totalling 720ha be vested in tribe Overlay classification over 256ha of Lake Rotoma Scenic Reserve. Deed of recognition and statutory acknowledgement over 256ha of Lake Rotoma Scenic Reserve. Statutory acknowledgement over 416.2ha of Lake Rotoiti Scenic Reserve.	Relationship protocols with Arts, Culture and Heritage and Energy and Resources	9.8 1.5
<b>Maraeroa A and B Blocks</b>					
Lake Taupo area	2012	\$1.578m  \$220,000 commercial redress property	Overlay classification for Pureora o Kahu  Statutory acknowledgement of ancestors' relationship with the site  Five sites vested in governance entity \$40,000 to buy culturally significant land \$11,600 to buy land not available for transfer	Govt must consult with governance entity Partnership deal over 16 areas and streams	1.578 0.22 0.04 0.01
<b>Ngati Porou</b>					
72,000 members East Coast north of Gisborne	2012	\$90m plus interest Six Crown properties will be vested in Ngāti Porou Ngāti Porou will buy Ruatoria and Tokomaru Licensed Crown Forest Land two year deferred selection purchase and leaseback of 21 Crown properties 170 year RFR to buy surplus Crown-owned and Housing New Zealand Corporation properties within the Ngāti Porou area The return of surplus Crown properties subject to Public Works Act offer-back requirements.	\$20m plus interest Strategic conservation partnership Fifteen sites totalling 5898ha vested in Ngāti Porou. DOC to manage some sites. Statutory acknowledgements over the Waiapu and Uawa Rivers and their tributaries, the Tūrangānui River and the Waimata River	Relationship protocols with Conservation, Economic Development, Culture, Heritage	110

Settlement	Year bill passed	Financial and commercial redress	Cultural redress	Co-management	Value \$m
<b>Ngāti Pahauwera</b>					
6000 members East Coast south of Wairoa	2012	\$20m plus interest, which includes the value of any Crown forest land purchased Thirteen Crown properties will be vested in Ngāti Pahauwera, including Mohaka Crown Forest Land, Rawhiti Station, five surplus Wairoa District Council properties. 100 year RFR on surplus Crown properties in the area	Te Heru o Tūreia Conservation Area to be vested in Ngāti Pahauwera Iwi to retain 160ha at summit of Te Heru o Tūreia and 52.9ha by Mohaka River most of which is to be gifted to people of NZ 16 sites totalling 1087ha transferred to Ngāti Pahauwera Statutory Acknowledgement over part of the Earthquake Slip Conservation Area Ngāti Pahauwera to manage hangi stone removal	Conservation co-management charter rights to nominate members to discuss Mohaka River water Joint Regional Planning committee involvement Relationships introduction letters Fisheries sustainability input. Resource consent input Gravel extraction agreement	20
<b>Ngati Manawa</b>					
3500 members. Central North Island based in Murupara	2012	\$12.2m of the CNI forest lands, plus interest \$2.6m for special projects Right to buy four land bank properties Right to buy five deferred selected properties 50-year RFR for one surplus Crown property	Five sites totalling 744ha transferred Nine wāhi tapu sites vested fee simple. Three schools transferred with lease-back 4 sites vested with Ngati Manawa and Ngati Whare. Statutory acknowledgements over five sites, four waterways. Overlay classifications and transfer and gift back of Tāwhiiau (a mountain). Deed of Recognition regarding Pukehinau and Te Kōhua. Two place names to change. RFR on five freshwater fish.  Deeds of Recognition over four rivers. Framework for agreement on a management system for the Rangitaiki River Recognition of relationship with pou rāhui sites in Crown ownership	Appointment Conservation and Fisheries advisory committee, input into the management of freshwater fisheries, dams Relationship protocols with Conservation, Fisheries, Energy, and Arts, Culture and Heritage, letters of introduction	12.2 2.6



Settlement	Year bill passed	Financial and commercial redress	Cultural redress	Co-management	Value \$m
<b>Ngati Whare</b>					
3400 members Central North Island	2012	\$15.7m comprising redress already provided in the 2008 CNI Settlement	\$1.976m in cultural redress giftings Redress related to Tūwatawata (mountain), and Te Whāiti-Nui-a-Toi Canyon \$1m for Project Whirinaki Regeneration Trust Transfer seven cultural sites totalling 36.2ha Return five wāhi tapu sites totalling 10.2952ha Joint vesting of four sites totalling 13ha Three place names to change Statutory Acknowledgements over two sites and Whirinaki River. Deed of Recognition over parts of Urewera National Park, Whirinaki River  \$200,000 to restore Te Whaiti Court House	Whirinaki Conservation Park co-governance	15.7
				Relationship protocols with Conservation, Fisheries, and Arts, Culture and Heritage	1.976
				Letters of engagement	1
<b>Ngati Apa (North Island)</b>					
Rangitikei- Manawatu area 3200 members	2010	\$16m plus interest \$6m forestry rentals . NZ Units (carbon credits) allocation Sale and leaseback of: 403ha of Wanganui forest Marton Court House Marton Police Station Wanganui Prison	12 sites totalling 214ha transferred to tribe Statutory acknowledgements for nine rivers, lakes, lagoons and coastal area Deeds of recognition for five sites Two name changes		\$16.00
<b>Waikato River</b>					
Waikato-Tainui 33,429 members	2010	\$20m Sir Robert Mahuta endowment \$10m river initiatives fund \$40m river initiatives fund \$3m co-management funding \$1m for co-management a year for 27 years \$2.8m ex-gratia payment	34 sites of significance vest in Waikato Raupatu River Trust 120 managed properties vest in tribe to be transferred to Waikato Regional Council Statutory acknowledgement for Waikato River	Waikato Raupatu River Trust established Waikato River Authority set up Waikato River Clean-up Trust established The Crown and Waikato-Tainui begin co-management of Waikato River	\$20.00 \$10.00 \$40.00 \$3.00 \$27.00 \$2.80

Settlement	Year bill passed	Financial and commercial redress	Cultural redress	Co-management	Value \$m
Te Arawa 42,159 members		\$3m initial payment \$7m after three months \$1m co-management funding a year for 19 years		co-management of river begins	\$3.00 \$7.00 \$19.00
Ngāti Raukawa	2010	\$21m given after clean-up trust is set up. \$7m a year for 27 years \$3m to the Raukawa Settlement Trust Followed by \$7m three months later And \$1m a year for 20 years	Acknowledgement that Waikato River represents Raukawa	co-management of river begins	\$21.00 \$189.00 \$3.00 \$7.00 \$20.00
Ngāti Tuwharetoa 34,674 members		Crown pledges to contribute towards costs incurred by Tuwharetoa Maori Trust Board			
Maniapoto 33627 members	2012	\$3m co-management funding for Maniapoto \$7m three months later \$1m for co-management a year for 19 years			\$3.00 \$7.00 \$19.00
<b>Taranaki Whanui ki Te Upoko o Te Ika</b>					
17,000 members	2009	\$25.025m cash plus interest, 10-years right to buy and lease back land under Archives NZ, the National Library, the High Court, and Wellington Girls' College, 100-year RFR on certain Crown-owned land, entities, and State-owned enterprises, a two-year right to buy surplus govt properties a six-month right to buy Defence properties at Shelly Bay.	33 sites including lakes, Ward Island, urupa, schools and other transferred Statutory acknowledgements include: Wellington Harbour bed, coastal area, Hutt River, Rimutaka Forest Park Deeds of recognition include Rimutaka Forest Park, Wainuiomata Scenic Reserve, Turakirae Head Scientific Reserve Eight name changes		\$25.03
<b>Central North Island Forests Iwi Collective</b>					
Ngāi Tūhoe - 32670 Ngāti Tuwharetoa - 34674 members Ngāti Whakaue Ngāti Whare Ngāti Manawa Ngāti Rangitīhi, who did not agree, Raukawa	2008	\$223m rentals held in trust since 1989.  \$13m a year rentals for 35 years from 2008  an allocation of NZ Units (carbon credits) 176,000ha of the CNI licensed Crown forest land worth \$149.564 m transferred to CNI Iwi Holdings Ltd. The Collective owns 86.7 percent, the Crown 13.3 percent.			\$149.56

Settlement	Year bill passed	Financial and commercial redress	Cultural redress	Co-management	Value \$m
<b>Te Pumautanga o Te Arawa</b>					
24,000 members	2008	Whakarewarewa Village \$295,000 debt forgiven \$38.6m to buy 18% of Rotoehu forest land share in CNI deal replaces \$36m forest deal	19 sites transferred including: Whakarewarewa Thermal Springs Reserve lake beds. Statutory acknowledgements over seven sites including Rotorua geothermal area Deeds of recognition over five sites including Mt Ngongotaha Scenic Reserve		\$0.30 \$38.60
<b>Te Roroa</b>					
3000 members	2008	\$9.5m cash and land plus interest plus cost of transferring sites	24 sites totalling 2000ha transferred Including Waipoua Forest sites		\$9.50
<b>Ngati Mutunga</b>					
1300 members	2006	\$14.9m Plus interest Plus right to buy surplus Crown property	10 sites totalling 168ha. Statutory acknowledgements for 18 areas Including 4 rivers, 4 scenic reserves, a coastal area Deeds of recognition for 12 sites One name change, one new name		\$14.90
<b>Te Arawa Lakes</b>					
42,159 members Located from Maketu to Tongariro	2006	\$2.7m cash, \$7.3m to capitalise annuity plus interest from the date of the signing plus the cost of the lakebeds returned plus \$400,000 for 200 fish licences a year	13 lakebeds transferred to Arawa Spelling of some placenames amended		\$10.40
<b>Ngaa Rauru Kiiitahi</b>					
3000 members Taranaki	2005	\$31m plus accrued interest plus RFR properties RFR to buy shellfish quota	7 cultural sites transferred Statutory acknowledgements for 3 areas topuni over Lake Beds Conservation Area Deeds of recognition for 4 sites One name change. Commercial taking of shellfish in area prohibited for 12 areas	Protocols with Conservation, Fisheries, Energy, Arts Culture and Heritage. Appointment of a governance entity	\$31.00

Settlement	Year bill passed	Financial and commercial redress	Cultural redress	Co-management	Value \$m
<b>Tuwharetoa (Bay of Plenty)</b>					
3000 members	2005	\$10.5m in cash and properties plus interest from the date of the signing Plus cost of transferring sites Plus the right to buy 844ha of forest land RFR to Crown geothermal assets for Tasman Pulp and Paper Mill. RFR to a Crown-owned geothermal bore and associated land	5 sites transferred total 66ha, 1ha nohoanga camp area at Matata Wildlife Refuge Reserve Access to traditional food restored Statutory acknowledgements for 3 areas And 1 river Deeds of recognition for 6 sites		\$10.50
<b>Ngati Awa</b>					
13,000 members Eastern Bay of Plenty	2005	\$42.39m of land and cash plus interest from the date of the signing \$1m to restore Mataatua meeting house Ngati Awa Station Right to buy 5 percent of Owhiwa Harbour RFR to Crown-owned land	7 sites transferred Statutory acknowledgements over 9 areas four Deeds of Recognition 5 name changes Four camping licences (1ha nohoanga)		\$43.39
<b>Ngati Tama</b>					
1000 members Taranaki	2003	\$14.5m in cash plus interest from the date of the signing RFR to Crown-owned land. RFR to Crown surf clams and kina surplus quota Right to buy 10% of coast for aquaculture	5 sites totalling 1870ha transferred Statutory acknowledgements over 12 areas including two rivers, a swamp, the coastal marine area, three conservation areas and an historic reserve. Deeds of recognition over the same	Joint advisory committees on conservation, recreation, fisheries protocols on working with govt, local govt, fish and game	\$14.50
<b>Ngati Ruanui</b>					
4000 members Taranaki	2003	\$41m cash and land plus interest from the date of the signing	6 cultural redress sites transferred 5 statutory acknowledgements, 4 deeds of recognition, 1 name change, 3 new names, 2 camping sites	fisheries advisory committee protocols on working with govt	\$41.00

Settlement	Year bill passed	Financial and commercial redress	Cultural redress	Co-management	Value \$m
<b>Te Uri o Hau</b>					
6000 members Northern Kaipara	2002	\$15.6m land and cash includes Crown Forests accumulated rentals held in trust since 1989 plus interest from the date of the signing RFR to surplus Crown-owned property RFR to quota for surf clams, tuatua, paddlecrab and toheroa	12 cultural sites totalling 30ha transferred 6 statutory acknowledgements 3 nohoanga camping sites 9 name changes, 7 new names	joint management of Haumoewaarangi's pa protocols on working with govt fisheries advisory committee	\$15.60
<b>Pouakani</b>					
Not a tribal settlement	2000	\$2.65m plus the cost of the 1922ha Tahae Farm Plus interest from the date of the signing Plus the right to buy up to 1679 hectares of Pureora Central Forest		co-management of Titiraupenga Mountain	\$2.65
<b>Ngati Turangitukua</b>					
Tuwharetoa hapu (Turangi town grievance)	1999	\$5m (\$304,299 cash, leaseback properties) Plus interest from the date of the signing Plus leaseback property interim payments	Kutai St Reserves transferred 1 name change Wahi tapu sites to be investigated		\$5.00
<b>Ngai Tahu</b>					
29,133 members South Island	1998	\$170m total, comprising: 63 commercial properties 116 farms totalling 96,426ha 34 forests totalling 174,930ha Sale and leaseback of 7 commercial properties RFR to 4 major South Island airports, and Timberlands West Coast, Plus other properties	Aoraki Mt Cook vested in tribe, gifted to Crown 17 cultural redress sites transferred runanga appointed to hold, administer 7 areas historic reserves created at 7 areas Statutory acknowledgements over 64 mountains, lakes, rivers, wetlands, lagoons 64 deeds of recognition over the same 14 topuni (overlay of Ngai Tahu values) created nohoanga camping areas created		\$170.00

Settlement	Year bill passed	Financial and commercial redress	Cultural redress	Co-management	Value \$m
<b>Te Maunga</b>					
Re 6070m2 of land at Te Maunga	1996	\$0.129m			\$0.13
<b>Rotoma</b>					
Concerns 5,2678 hectares of land	1995	\$0.043m			\$0.04
<b>Waimakuku</b>					
	1995	\$0.375m			\$0.38
<b>Waikato/Tainui raupatu</b>					
33,429 members	1995	\$170m total, comprising: about 200 unimproved properties plus 200 improved properties Leased for 31 years RFR over certain Crown-owned properties	no cultural redress included		\$170.00
<b>Ngati Whakaue</b>					
Re establishment of Rotorua	1994	\$5.21m			\$5.21
<b>Hauai</b>					
Re 25,4932 hectares of land	1993	\$0.716m			\$0.72
<b>Ngati Rangiteaorere</b>					
Re Te Ngae Mission Farm	1993	\$0.76m			\$0.76

Settlement	Year bill passed	Financial and commercial redress	Cultural redress	Co-management	Value \$m
<b>Commercial Fisheries</b>					
	1992	\$170m total An interim agreement in 1989 transferred to the Waitangi Fisheries Commission About 10 per cent of NZ's commercial quota or 60,000 tonnes Shareholdings in fishing companies \$50m in cash The second part of the deal, the Sealord deal, in 1992, included: 50 per cent of Sealord Fisheries 20 per cent of new species in quota system \$18m in cash			\$170.00
<b>Waitomo</b>					
	1989	The Crown transferred land at the Waitomo Caves to the claimant group, subject to a lease, and provided a loan \$1m			
<b>Completed settlements total</b>					<b>\$1,586.53</b>
<b>Grand TOTAL</b>					<b>\$1,976.05</b>

