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J.17

MANIAPOTO CLAIMS SETTLEMENT BILL: SECOND READING

LEGISLATIVE STATEMENT

Presented to the House in accordance with Standing Order 272

Overview

The Maniapoto Claims Settlement Bill (the Bill) gives effect to elements of the Maniapoto Deed of Settlement (the Deed), which rely on legislation to be enacted and implemented.

The Maniapoto settlement package will finally and comprehensively settle all historical Treaty of Waitangi claims of Maniapoto. It includes Crown apology redress, cultural redress, and commercial and financial redress of \$165 million.

The following is a brief overview of the Bill's provisions.

Apology redress

This Bill contains a summary of the historical account of the relationship between the Crown and Maniapoto. It also contains the Crown's acknowledgements of, and apology for, its breaches of Te Tiriti/the Treaty of Waitangi with regard to Maniapoto.

Cultural redress

Cultural redress is intended to recognise the cultural, historical and traditional associations of Maniapoto within their area of interest. The Bill provides for the implementation of a number of cultural redress instruments:

Vesting of properties

The Bill vests thirty-six sites, specified in Schedule 5, in Maniapoto as cultural redress properties. Of these, three sites will be vested in fee simple, thirty sites as reserves and for three properties jointly vested in fee simple to be administered as reserves.

Protocols

The Bill requires the issuance, by the responsible Minister, of the following protocols:

- Primary Industries Protocol; and
- Taonga Tūturu Protocol.

These protocols set out how the responsible agencies will interact with and consult Te Nehenehenui (the Maniapoto Post-Settlement Governance Entity) when carrying out statutory duties and functions.

Statutory acknowledgements

The statutory acknowledgements acknowledge statements of association by Maniapoto of their particular cultural, historical, spiritual and traditional association with areas specified in Part 2 and Schedules 3 and 4 of the Bill.

Under the Bill, the statutory acknowledgements:

- require specified authorities to have regard to the statutory acknowledgements;
- require relevant consent authorities to record the statutory acknowledgements on statutory plans that relate to the Schedule 3 areas, and provide summaries of relevant resource consent applications to the trustees of Te Nehenehenui; and
- enable Maniapoto to cite the statutory acknowledgements as evidence of an association of Maniapoto with a Schedule 3 statutory area.

Deeds of recognition

The Bill requires the Minister of Conservation and the Director-General to issue deeds of recognition for the areas listed in Schedule 3, Part 2.

Deeds of recognition oblige the Crown to consult with Maniapoto on specified matters and have regard to their views on their special associations with certain areas.

Overlay classification

The Bill provides for an overlay classification over the areas specified in Schedule 4. Overlay classifications recognise a statement of a claimant group's associations, describes their values and principles and identifies actions to avoid harm to these.

Natural resources redress

The Bill sets out the statement of significance of Ngā Wai o Maniapoto, the vision, principles and aspirations of Maniapoto and the requirements of joint management agreements with Waikato Regional Council, Waitomo District Council and Ōtorohanga District Council.

Commercial redress

The Bill sets out the conditions for the transfer of Crown forest licensed land, the transfer of fee simple deferred selection properties and the transfer of six deferred selection properties subject to lease. The Bill sets out the conditions for the offer of a right of first refusal to the trustees of Te Nehenehenui for the disposal of specified Crown land and sets out the requirement for giving notice to right of first refusal land in schedule 6.

Governance reorganisation and taxation matters

The Bill provides for the dissolution of the Maniapoto Māori Trust Board and the Maniapoto Fisheries Trust and the vesting of their assets and liabilities, without charitable status, in the post-settlement governance entity Te Nehenehenui and sets out the taxation requirements in respect of transfer of assets and liabilities. The Bill provides for the transfer of mandated iwi organisation and the iwi aquaculture organisation status to the trustees of Te Nehenehenui.

Te Awa Tupua

The Bill is amended so that when seven conservation sites transfer to Maniapoto (three jointly with Ngāti Hāua), the conservation status of any Te Awa Tupua-owned riverbed within the sites ceases. The Bill also confirms Te Pou Tupua will assume landowner functions for that riverbed.