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J.17

NGĀTI HEI CLAIMS SETTLEMENT BILL: FIRST READING

LEGISLATIVE STATEMENT

Presented to the House in accordance with Standing Order 272

Overview

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

The Ngāti Hei settlement package will finally and comprehensively settle all historical Treaty of Waitangi claims of Ngāti Hei. It includes Crown apology redress, cultural redress, and commercial and financial redress of \$8.5 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 Ngāti Hei. It also contains the Crown's acknowledgements of, and apology for, its breaches of Te Tiriti/the Treaty of Waitangi with regard to Ngāti Hei.

Cultural redress

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

Vesting of properties

The Bill vests fifteen sites, specified in Schedule 1, in Ngāti Hei as cultural redress properties. Of these, four sites will be vested in fee simple and eleven sites as reserves. Two other properties will be jointly vested with other iwi 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 the Hei o Wharekaho Settlement Trust (the Ngāti Hei Post-Settlement Governance Entity) when carrying out statutory duties and functions.

Statutory acknowledgements

The statutory acknowledgements acknowledge statements of association by Ngāti Hei of their particular cultural, historical, spiritual and traditional association with areas specified in Part 2 and Schedule 3 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 the Hei o Wharekaho Settlement Trust; and
- enable Ngāti Hei to cite the statutory acknowledgements as evidence of an association of Ngāti Hei with a Schedule 3 statutory area.

Overlay classification

The Bill provides for an overlay classification over the areas specified in Schedule 2. Overlay classifications recognise a statement of a claimant group's associations, describes their values and principles and identifies actions to avoid harm to these.

Commercial redress

The Bill sets out the conditions for the transfer of one commercial redress property jointly as tenants in common with Ngāti Tamaterā and the transfer of two deferred selection properties subject to lease.