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J.17

NGĀTI HINERANGI CLAIMS SETTLEMENT BILL: THIRD READING

LEGISLATIVE STATEMENT

Presented to the House in accordance with Standing Order 272

Overview

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

The Ngāti Hinerangi settlement package will finally and comprehensively settle all historical Treaty of Waitangi claims of Ngāti Hinerangi. It includes Crown apology redress, cultural redress, and commercial and financial redress of \$8.1 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 Hinerangi. It also contains the Crown's acknowledgements of, and apology for, its breaches of Te Tiriti/the Treaty of Waitangi with regard to Ngāti Hinerangi.

Cultural redress

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

Vesting of properties

The Bill vests fourteen sites, specified in Schedule 3, in Ngāti Hinerangi as cultural redress properties. Of these, three sites will be vested in fee simple, and eleven sites as reserves. The Bill provides for the subsequent transfer of Ngāti Hinerangi Waipapa property and the half share in Te Tuhi (East) property and Te Ara o Maurihoro (East).

Protocols

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

- Crown Minerals Protocol;
- Taonga Tūturu Protocol

These protocols set out how the responsible agencies will interact with and consult Te Puāwaitanga o Ngāti Hinerangi Iwi Trust (the Ngāti Hinerangi Post-Settlement Governance Entity) when carrying out statutory duties and functions.

Statutory acknowledgements

The statutory acknowledgement acknowledges statements of association by Ngāti Hinerangi of their particular cultural, historical, spiritual and traditional association with areas specified in Parts 1 and 2, Schedule 1 of the Bill and the geothermal resource specified in Part 3, Schedule 1 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 1 areas, and provide summaries of relevant resource consent applications to the trustees of Te Puāwaitanga o Ngāti Hinerangi Iwi Trust; and
- enable Ngāti Hinerangi to cite the statutory acknowledgements as evidence of an association of Ngāti Hinerangi with a Schedule 1 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 1, Part 2.

Deeds of recognition oblige the Crown to consult with Ngāti Hinerangi 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 area 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 Crown forest licensed land, the transfer of fee simple properties and the transfer of two properties subject to lease. The Bill sets out the conditions for the offer of a right of first refusal to the trustees of Te Puāwaitanga o Ngāti Hinerangi Iwi Trust for the disposal of specified Crown land and sets out the requirement for giving notice to right of first refusal land in schedule 4.