

Hon Paul Goldsmith

Minister for Treaty of Waitangi Negotiations

Proactive release – Whanganui Land Settlement: Approval to Initial a Deed of Settlement

5 May 2026

The following documents have been proactively released in accordance with Cabinet Office Circular CO (23) 04.

Some information has been withheld on the basis that it would not, if requested under the Official Information Act 1982 (OIA), be released. Where that is the case, the relevant section of the OIA has been noted and no public interest has been identified that would outweigh the reasons for withholding it.

No.	Document	Comments
1.	Whanganui Land Settlement: Approval to Initial a Deed of Settlement Cabinet paper	Some information has been withheld in accordance with the following sections of the OIA: <ul style="list-style-type: none">• section 9(2)(g)(i) – the free and frank expression of opinions; and• section 9(2)(j) – negotiations sensitive.
2.	Whanganui Land Settlement: Approval to Initial a Deed of Settlement Cabinet Committee minute	This document has been released in full.
3.	Report of the Cabinet Māori Crown Relations: Te Arawhiti Committee Cabinet Committee minute	Some information has been withheld in accordance with the following sections of the OIA: <ul style="list-style-type: none">• section 9(2)(j) – negotiations sensitive.

In Confidence

Office of the Minister for Treaty of Waitangi Negotiations

Chair, Cabinet Māori Crown Relations: Te Arawhiti Committee

Whanganui Land Settlement: Approval to Initial a Deed of Settlement

Proposal

- 1 I seek agreement to elements of the redress package for the comprehensive settlement of the historical Treaty of Waitangi claims relating to Whanganui Land Settlement. Whanganui Land Settlement is a large natural group whose area of interest is the southern Whanganui District, including Whanganui City.

Relation to Government priorities

- 2 The proposals in this paper relate directly to the Government's priority, as set out in the 2020 General Election Manifesto, to continue to work to settle historical Treaty of Waitangi / Te Tiriti o Waitangi (Treaty/Te Tiriti) claims.

Executive Summary

- 3 The Crown and the mandated entity, the Whanganui Land Settlement Negotiation Trust, are close to finalising a deed to settle the historical Treaty/Te Tiriti claims relating to Whanganui Land Settlement. They are one of four Whanganui groups who are at various stages in the Treaty settlement process. Whanganui Land Settlement's area of interest is set out in the map attached at **Appendix 1**.
- 4 In May 2019, Cabinet agreed to the Whanganui Land Settlement redress package [CAB-19-MIN-0212.01 refers]. The Crown and Whanganui Land Settlement signed an agreement in principle (AIP) in August 2019. As well as the agreed redress, the AIP included commitments to explore further redress prior to initialling a deed of settlement.
- 5 This paper seeks agreement to additional redress arising from the commitment to explore further redress, and other matters necessary to finalise the settlement. This includes:
 - 5.1 cultural redress, including the establishment of a joint Whanganui Land Settlement and Whanganui District Council (WDC) Board to administer ten reserves; and
 - 5.2 standard commercial redress elements.
- 6 I seek authorisation for myself and relevant portfolio ministers to finalise or vary redress that does not increase the total settlement value (TSV) and is within the intent of Cabinet's decisions.

- 7 I seek authorisation for the Minister for Māori Development and myself to assess whether the results of the Whanganui Land Settlement members' ratification process demonstrates sufficient support for the deed of settlement and the post-settlement governance entity (PSGE).
- 8 I also seek authorisation to sign the deed of settlement with the mandated entity and PSGE on behalf of the Crown, following that assessment.

Previous decisions

- 9 In May 2019, Cabinet approved a redress offer to Whanganui Land Settlement comprising: apology redress; a total settlement value of s9(2)(j); cultural and commercial redress; and relationship redress. Cabinet also agreed to the exploration of redress in relation to the former Universal College of Learning (UCOL) campus, Whanganui Prison, nohoanga sites, further cultural redress sites, and further relationship agreements [CAB-19-MIN-0212.01 refers].
- 10 In August 2019, the Cabinet Māori Crown Relations: Te Arawhiti Committee (MCR) agreed to text relating to Whanganui Land Settlement's values be included in the AIP, deed, and settlement bill [MCR-19-MIN-0021 refers].

s9(2)(g)(i)

Cultural redress

Providing recognition for the Whanganui Land Settlement values

Background

- 12 For Whanganui Land Settlement, it is essential that the Crown enters the Whanganui Land Settlement tribal domain through their kawa and tikanga framework, Te Tomokanga ki Te Matapihi - the symbolic gateway into the Whanganui rohe.
- 13 To Whanganui Land Settlement, a values-based approach underpins the ability for Crown and iwi to work together as partners.
- 14 There are three values derived from Te Tomokanga ki te Matapihi, known as Ngā Mātāpono. These values are defined as:
 - 14.1 Toitū te Kupu – integrity;
 - 14.2 Toitū te Mana – inherited authority; and
 - 14.3 Toitū te Whenua – physical and metaphysical sustenance.
- 15 In May 2019, Cabinet agreed to:
 - 15.1 insert a non-operative statement of Whanganui Land Settlement's values in the AIP, deed of settlement, and settlement legislation where appropriate;

- 15.2 include a statement in the AIP and deed of settlement that the Crown acknowledges the importance of Whanganui Land Settlement's values to iwi/hapū; and
- 15.3 that individual agencies will consider, in good faith, how they can give life to Whanganui Land Settlement's values through the development of redress instruments, including relationship agreements or other arrangements, prior to initialling a deed of settlement [CAB-19-MIN-0212.01 refers].
- 16 Cabinet noted that in each case where Whanganui Land Settlement's values are referenced in settlement documentation, the Crown will need to draft the text carefully to avoid the possibility of making the values justiciable [CAB-19-MIN-0212.01 refers].
- 17 In August 2019, MCR agreed that the Crown's acknowledgement of the importance of Whanganui Land Settlement's values to iwi/hapū be included in settlement legislation in a way that is non-operative [MCR-19-MIN-0021 refers].

Recognition of the values framework



- 20 s9(2)(g)(i) I note that the significance of Te Tomokanga ki te Matapihi and their values (Ngā Mātāpono) to Whanganui Land Settlement will be acknowledged in legislation and deed drafting through a non-operative clause [MCR-19-MIN-0021 refers].
- 21 In accordance with Cabinet's existing decisions, individual agencies will consider, in good faith, how they can give life to Whanganui Land Settlement's values through the development of redress instruments, including relationship agreements or other arrangements, prior to initialling a deed of settlement [CAB-19-MIN-0212.01 refers].
- 22 s9(2)(g)(i)
s9(2)(g)(i)
s9(2)(g)(i)
I consider this is the most practical way to provide for durable relationships between Whanganui Land Settlement and agencies and demonstrate that they are working in good faith to give life to Whanganui Land Settlement's values.

Social and Economic Wellbeing aspiration

- 23 The Whanganui Land Settlement AIP recorded an aspiration for a social and economic wellbeing pathway via an entity for their people and the Whanganui community. This

aspiration has been explored during negotiations and no decisions are being sought from Cabinet in relation to this aspiration.

Additional and amended conservation redress

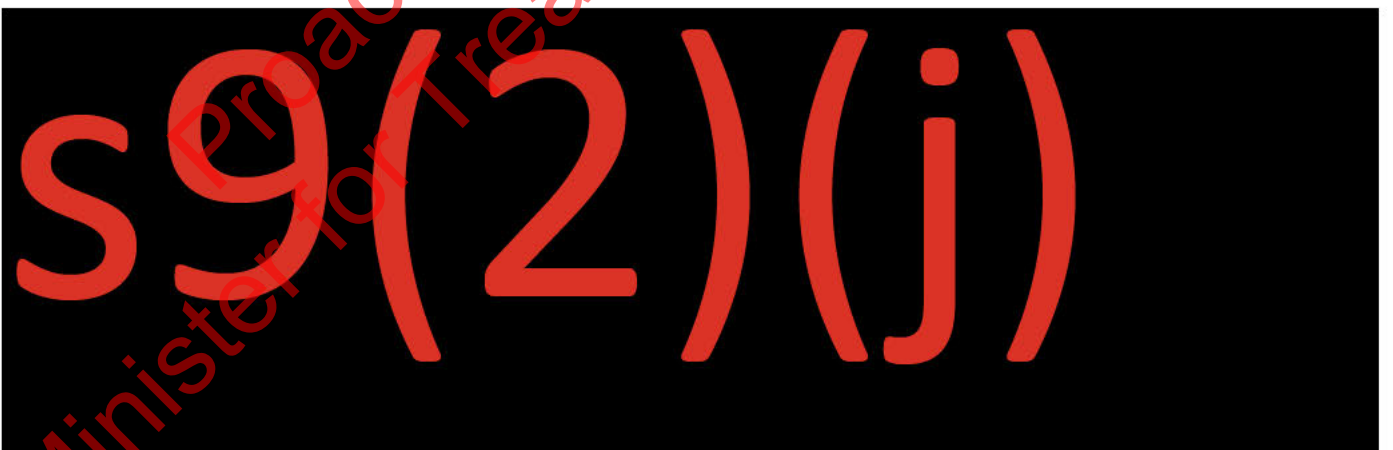
- 24 In June 2022, Whanganui Land Settlement wrote to me seeking additional conservation redress for inclusion in their deed of settlement. Officials have worked with Whanganui Land Settlement to develop a revised conservation redress proposal.. This redress is within the parameters of the existing Treaty/Te Tiriti settlement framework.
- 25 I propose the following new elements:
- 25.1 the establishment of a joint Whanganui Land Settlement and WDC Reserves Board to administer ten sites under the Reserves Act 1977;
 - 25.2 transfer of six Department of Conservation (DOC) properties as cultural redress properties retaining their current scenic reserve status, and the consequential removal of statutory acknowledgements;
 - 25.3 expanding the hectareage of three of the six DOC properties noted above, to transfer to the PSGE as cultural redress properties subject to scenic reserve status, and the consequential removal of statutory acknowledgements and deeds of recognition;
 - 25.4 transfer of Crown or Crown-derived reserves at Mōwhānau to the post-settlement governance entity;
 - 25.5 a statutory acknowledgement over Raukawa Scenic Reserve;
 - 25.6 removal of the transfer as cultural redress of Owairua Scenic Reserve and the addition of a statutory acknowledgement and deed of recognition over Owairua Scenic Reserve;
 - 25.7 joint development of a Reserves Management Plan (as set out in section 41 of the Reserves Act 1977) subject to the following conditions:
 - 25.7.1 to be drafted by a third party agreed to by the Director-General of Conservation and the PSGE to minimise impact on the conservation management planning system;
 - 25.7.2 will apply over sites vesting in the PSGE with high conservation and high cultural values, particularly sites that are contiguous with Whanganui National Park (which is otherwise excluded) to support Whanganui Land Settlement management planning capability in a core area; and
 - 25.7.3 the sites to be included must be agreed prior to the initialling for inclusion in the deed of settlement;

IN CONFIDENCE

- 25.8 cultural materials redress and a cultural materials plan, which will enable the PSGE to authorise members to take flora and possess dead protected fauna from public conservation land, for cultural and non-commercial purposes; and
- 25.9 other DOC-Whanganui Land Settlement redress that includes certain non-standard features that have been developed since the AIP, including:
- 25.9.1 the provision for the PSGE to seek to establish nohoanga-like sites post settlement through the concessions/permissions process, and in agreement with DOC;
 - 25.9.2 a commitment that, by agreement in the annual business planning process, Whanganui Land Settlement and DOC will discuss priorities and conservation projects in line with the identified Reserve Management Plan (subject to each party retaining discretion for their own resourcing), and opportunities for conservation projects on lands that share boundaries;
 - 25.9.3 opportunities for hapū to seek management agreements (via section 53 of the Conservation Act 1987) to undertake conservation activities on public conservation land important to them; and
 - 25.9.4 opportunities for Whanganui Land Settlement to undertake DOC-led and delivered conservation training (for example pest management, habitat restoration) at the request of Whanganui Land Settlement.
- 26 The full proposed conservation package is attached at **Appendix 2**.
- 27 I seek authorisation for myself and the Minister of Conservation to finalise the additional proposed conservation redress.

Financial and commercial redress

Financial redress



Commercial redress

- 43 The AIP included the opportunity for Whanganui Land Settlement to: purchase two areas of Crown Forest Licensed land; purchase and lease back (land only) three properties; purchase 58 properties on a deferred selection basis; and be offered RFRs

IN CONFIDENCE

over 16 specified Core Crown properties, 481 non-Core Crown properties, and all Crown-owned properties within a defined area.

44 The AIP also included a commitment to explore commercial redress over two further properties and one RFR. I now seek approval to the following additional redress:

44.1 sale and leaseback of the former UCOL campus for the purpose of establishing a community and wellbeing hub with the Ministry of Justice and New Zealand Police (Te Puna Hāpori);

44.2 the site of the Whanganui Prison as a three-year deferred selection property (DSP) (land only sale and leaseback) subject to certain conditions being fulfilled within six years of the settlement date and RFR; and

44.3 an RFR over Whanganui Fire Station.

45 In addition to the properties agreed at AIP, Kāinga Ora has agreed to RFRs over three further properties in Gonville.

46 Whanganui Land Settlement also seek to purchase part of the former Aramoho School as a settlement date property. This property, the now-closed Aramoho School, is currently going through the landbanking process and was not available for consideration at AIP.

47 I seek authorisation to finalise this additional proposed commercial redress, pending the outcome of the landbanking process.

Overlapping interests

48 The Whanganui Land Settlement area of interest is overlapped by the areas of interest of:

48.1 Mōkai Pātea Nui Tonu (negotiating towards an AIP);

48.2 Ngaa Rauru Kiitahi (settled);

48.3 Ngāti Apa (North Island) (settled);

48.4 Ngāti Hāua (signed AIP);

48.5 Ngāti Maru ki Taranaki (settled);

48.6 Ngāti Rangi (settled);

48.7 Ngāti Ruanui (settled);

48.8 Ngāti Toa Rangatira (settled); and

48.9 Te Korowai o Wainuiārua (signed deed of settlement).

49 Before the AIP signing, the Crown wrote to overlapping claimant groups to seek feedback on the proposed settlement redress.

IN CONFIDENCE

50 Since the AIP, the Crown has updated overlapping groups regarding the developments to the settlement package and responses indicate no concerns about the redress package. Final discussions are ongoing and are centred on the area of interest and the final name of the settlement group to be used in the deed and bill. A final overlapping interests engagement process will be completed before the deed of settlement is initialled.

51 I seek authorisation to make a final determination that overlapping interests are addressed to the Crown's satisfaction before initialling the deed of settlement.

Post-Settlement Governance Entity Arrangements

52 Following the initialling of the deed of settlement, Whanganui Land Settlement Negotiation Trust will seek endorsement of the deed and the PSGE through a ratification process with its claimant community.

Final matters

53 As negotiations with Whanganui Land Settlement come to a close, there may be final details that require minor variation from those set out in this paper.

54 To take account of any final issues ahead of initialling the deed, I seek authorisation for me and relevant portfolio ministers to finalise or vary redress that does not increase the TSV and is within the intent of Cabinet's decisions.

Tax indemnity

55 An indemnity will be sought from the Minister of Finance for income tax and Goods and Services Tax (GST) upon the transfer of settlement redress. The Inland Revenue Department has published interpretation statements that support the view that the transfer of settlement redress does not give rise to either income tax or GST consequences. To ensure that Whanganui Land Settlement retains the full value of their settlement, and for the avoidance of doubt, the Minister of Finance's agreement will be sought to indemnify the PSGE against income tax and GST on the transfer of redress.

Mandate

56 The Whanganui Land Settlement Negotiation Trust have provided satisfactory mandate maintenance reports to my officials outlining their engagement with the Whanganui Land Settlement community. They have been active in communicating and involving their claimant community in the negotiations process.

Conditions of the settlement

57 The settlement will be conditional on:

57.1 any overlapping interests issues being addressed to the satisfaction of the Crown;

57.2 ratification of the deed of settlement by Whanganui Land Settlement; and

57.3 the enactment of settlement legislation to implement certain aspects of the deed.

Next steps

58 I expect the deed of settlement to be ready for initialling in mid-2024.

59 I seek authorisation to:

59.1 initial the deed of settlement on behalf of the Crown;

59.2 consider, with the Minister for Māori Development, whether the deed, PSGE and consolidation ratification results demonstrate sufficient support by Whanganui Land Settlement; and

59.3 sign the deed on behalf of the Crown should the ratification results demonstrate sufficient support from Whanganui Land Settlement.

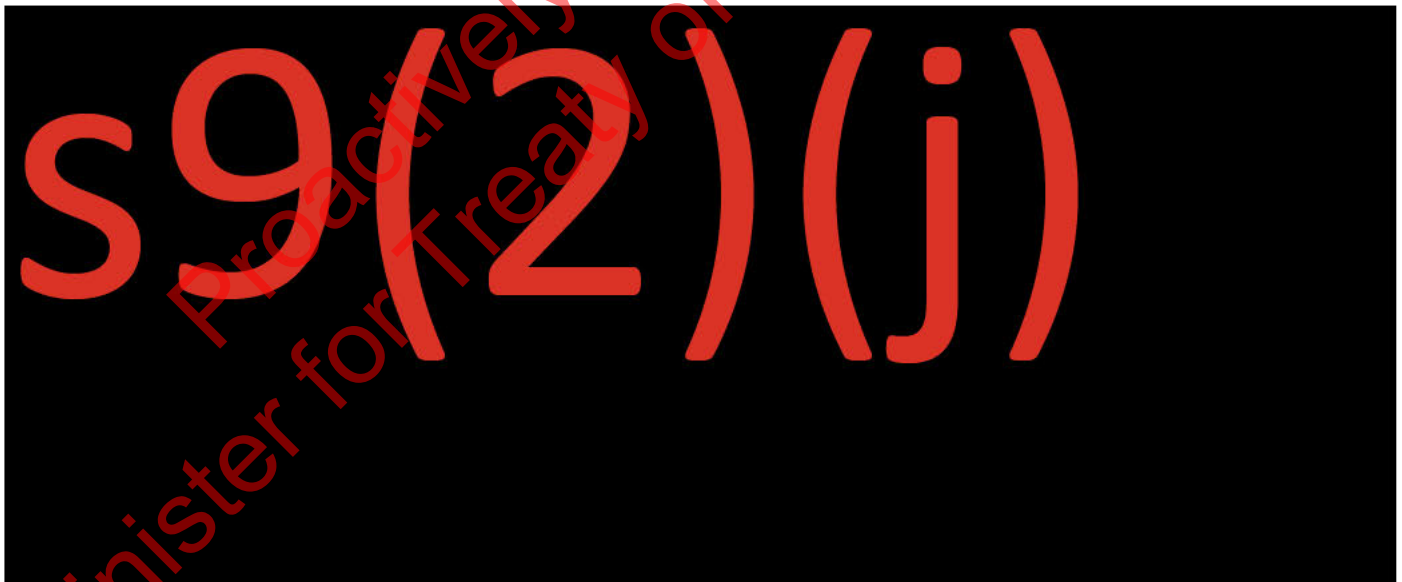
Cost-of-living implications

60 There are no cost-of-living implications arising from this paper.

Financial Implications

61 The table below sets out how Whanganui Land Settlement will benefit from the comprehensive settlement of their historical Treaty/Te Tiriti claims and the cost to the Crown of the settlement:

Table: Financial implications of the Whanganui Land Settlement settlement



62 The total cost of the settlement and associated relativity clause implications will be charged against Vote Te Arawhiti Multi-Year Appropriation: Historical Treaty of Waitangi Settlements when a deed of settlement is initialled. Interest is payable on the financial redress from the date of signing the AIP to the day before settlement date.

IN CONFIDENCE

- 63 DOC implementation and impairment costs referred to below are over and above those outlined in the Table above.

Implementation costs for Department of Conservation

- 64 Treaty settlements establish extra commitments for DOC. These impose additional costs on DOC through, for example, enhanced iwi engagement on managing specific sites and implementing relationship agreements.
- 65 With respect to conservation redress, DOC has little control over the incurring of implementation costs as part of Treaty settlement. Implementation of settlements has a cumulative effect on DOC that would be difficult to meet within baselines or reprioritisation without significant trade-offs. DOC is not able to meet these costs within baseline or reprioritisation without affecting environmental outcomes, including marine protection, resource management, climate change and other related work programmes, which are key Government manifesto priorities.
- 66 Ideally, DOC's estimated implementation costs for a Treaty settlement are considered and noted by Cabinet before the Crown and iwi sign a deed.
- 67 At this point in time, DOC is unable to provide robust estimated implementation costs before signing a deed of settlement. Cabinet can agree either to:
- 67.1 note DOC's estimated implementation costs after signing of a deed of settlement; or
- 67.2 note DOC's estimated range for implementation costs and authorise relevant Ministers (usually the Minister of Finance and the Minister of Conservation) to approve DOC's estimated implementation costs.
- 68 I note that DOC's estimated range for implementation costs for this settlement are s9(2)(j) per annum in the 2025/26 – 2029/30 Financial Years and s9(2)(j) in out years. DOC will provide the Minister of Finance and the Minister of Conservation a final estimate when it is available (likely 2024/25).

Department of Conservation impairment costs

- 69 In accordance with accounting standards and generally accepted accounting practice, some of the public conservation land in this settlement may need to be impaired in value before it is de-recognised for transfer to the PSGE.
- 70 An impairment may arise for this settlement either due to the transfer value being lower than the Crown's book value or standard annual land revaluation process that the Crown undertakes each financial year.
- 71 The book value in the 2022/23 financial year for land transferring under this settlement is s9(2)(j). Given we do not have an agreed total transfer value for this land yet as Te Arawhiti-commissioned market valuations have not been completed, I ask Cabinet to note that the book value is the estimated maximum impairment cost.
- 72 I seek authorisation for the Minister of Finance, myself, and the Minister of Conservation to approve any necessary increases in Vote Conservation: "Impairment

IN CONFIDENCE

of Public Conservation Land” once any impairment costs are known after initialling the deed.

- 73 Impairment costs are charged to the revaluation reserve with no impact on the Crown’s operating balance, but with a negative impact on the Crown’s Net Worth.

Human Rights

- 74 The proposals outlined in this paper do not appear to raise any issues of inconsistency with the New Zealand Bill of Rights Act 1990 or the Human Rights Act 1993.

Legislative Implications

- 75 I will seek Cabinet’s approval to introduce the settlement legislation after the deed has been signed.

Impact Analysis

- 76 A Regulatory Impact Statement is not required for settlement legislation as the proposals are consistent with existing policy.

Use of External Resources

- 77 Due to the unique nature of the work that Te Arawhiti undertakes in terms of Treaty settlements, there is a need to use external experts to support the work. Examples of this include the use of Chief Crown Negotiators, experts in tikanga and te ao Māori and utilising the support of local expertise. External resources are contracted as and where required, and in line with relevant guidance. I have appointed Hon Rick Barker as Chief Crown Negotiator for the Whanganui Land Settlement.
- 78 The Te Arawhiti legal team has supported the policy and legal work to consider Whanganui Land Settlement’s aspirations for their values. Because of high settlement negotiation volumes requiring extensive legal support to multiple negotiations, some of the Whanganui Land Settlement policy and legal work has been supported by a legal contractor in the legal team.

Consultation

- 79 In preparing this paper, the Office for Māori Crown Relations: Te Arawhiti has consulted and incorporated the views of the Department of Conservation, the Department of Internal Affairs, the Ministry of Health, the Department of Corrections, the New Zealand Police, Oranga Tamariki, the Ministry of Social Development, Toitū te Whenua/Land Information New Zealand, Kāinga Ora, the Ministry of Housing and Urban Development, Te Puni Kōkiri, the Ministry of Education, the Ministry of Business, Innovation and Employment, the Ministry for the Environment, the Ministry of Justice, the Ministry for Culture and Heritage on behalf of the culture and heritage agencies (Te Papa Tongarewa, Pouhere Taonga, Heritage New Zealand, the National Library, Archives New Zealand, and Ngā Taonga Sound and Vision), and the Ministry for Primary Industries. The Treasury, and the Department of the Prime Minister and Cabinet were informed.

Communications

- 80 Te Arawhiti and Whanganui Land Settlement will develop a communications strategy to ensure that interested parties are informed of the content of the deed at the time it is initialled.

Proactive Release

- 81 I will proactively release this paper within thirty working days of the deed of settlement being initialled, as the content will remain confidential to negotiations until that time.

Recommendations

The Minister for Treaty of Waitangi Negotiations recommends that the Committee:

Previous decisions

- 1 **note** that in May 2019, Cabinet approved a redress offer to Whanganui Land Settlement [CAB-19-MIN-0212.01];
- 2 **note** that in August 2019, Whanganui Land Settlement and the Crown signed an Agreement in Principle (AIP);
- 3 **note** that the Crown and Whanganui Land Settlement are close to finalising a settlement package for the historical Treaty of Waitangi /Te Tiriti o Waitangi claims of Whanganui Land Settlement;
- 4 **note** that, subject to Whanganui Land Settlement's acceptance of the final Crown offer and addressing outstanding overlapping claims, the deed of settlement will be ready for initialling in mid-2024.

Cultural redress

Whanganui Land Settlement values

- 5 **note** that central to negotiations with Whanganui Land Settlement is an aspiration that the Crown give legal recognition to Te Tomokanga ki Te Matapihi, their kawa and tikanga framework;
- 6 **note** that in May 2019, Cabinet:
 - 6.1 agreed:
 - 6.1.1 to insert a non-operative statement of Whanganui Land Settlement's values in the AIP, deed of settlement, and settlement legislation where appropriate;
 - 6.1.2 to include a statement in the AIP and deed of settlement that the Crown acknowledges the importance of Whanganui Land Settlement's values to iwi/hapū;

IN CONFIDENCE

6.1.3 that individual agencies will consider, in good faith, how they can give life to Whanganui Land Settlement values through the continuing development of redress instruments, including relationship agreements or other arrangements, prior to initialling a deed of settlement;

6.2 noted that in each case where Whanganui Land Settlement's values are referenced in settlement documentation, the Crown will need to draft the text carefully to avoid the possibility of making the values justiciable;

[CAB-19-MIN-0212.01]

7 **note** that in August 2019, the Cabinet Māori Crown Relations: Te Arawhiti Committee (MCR) agreed that the Crown's acknowledgement of the importance of Whanganui Land Settlement's values to iwi/hapū be included in settlement legislation in a way that is non-operative [MCR-19-MIN-0021];

8 **note** that, in accordance with Cabinet's previous decisions:

8.1 the significance of Te Tomokanga ki te Matapihi and their values (Ngā Mātāpono) to Whanganui Land Settlement will be acknowledged in legislation and deed drafting through a non-operative clause;

8.2 individual agencies will consider, in good faith, how they can give life to Whanganui Land Settlement's values through the development of redress instruments, including relationship agreements or other arrangements, prior to initialling a deed of settlement;

Social and economic wellbeing aspiration

9 **note** that:

9.1 the Whanganui Land Settlement AIP recorded an aspiration for a social and economic wellbeing pathway via an entity for their people and the Whanganui community;

9.2 this aspiration has been explored during negotiations, and no decisions are being sought from Cabinet in relation to this aspiration;

Conservation redress

10 **note** that the AIP committed the Crown to explore additional conservation redress;

11 **note** that the Whanganui Land Settlement Negotiation Trust has requested a strengthened conservation package;

12 **agree** to the establishment of a joint Whanganui Land Settlement-Whanganui District Council Reserves Board, to administer ten reserves under the Reserves Act 1977;

13 **agree** that the conservation package includes the following elements:

IN CONFIDENCE

IN CONFIDENCE

- 13.1 the establishment of a joint Whanganui Land Settlement and Whanganui District Council Reserves Board to administer ten sites under the Reserves Act 1977;
- 13.2 transfer of three Department of Conservation (DOC) properties (Raorikia Scenic Reserve, Otawaki Scenic Reserve and Whanganui River Scenic Reserve) as cultural redress properties retaining their current reserve status;
- 13.3 removal of statutory acknowledgements over Raorikia Scenic Reserve, Otawaki Scenic Reserve and Whanganui River Scenic Reserve;
- 13.4 expanding the hectarage of three DOC properties (Taukoro Forest Conservation Area, Ohotu Conservation Area, and Koriniti Conservation Area), to transfer to the post-settlement governance entity (PSGE) as cultural redress properties subject to scenic reserve status;
- 13.5 removal of statutory acknowledgements and deeds of recognition over Taukoro Forest Conservation Area, Ohotu Conservation Area, and Koriniti Conservation Area;
- 13.6 transfer of Crown or Crown-derived reserves at Mōwhānau to the PSGE;
- 13.7 addition of a statutory acknowledgement over Raukawa Scenic Reserve;
- 13.8 removal of Owairua Scenic Reserve from the cultural vestings;
- 13.9 addition of a statutory acknowledgement and deed of recognition over Owairua Scenic Reserve;
- 13.10 joint development of a Reserves Management Plan (as set out in section 41 of the Reserves Act 1977) subject to the following conditions:
 - 13.10.1 to be drafted by a third party agreed to by the Director-General of Conservation and the PSGE to minimise impact on the conservation management planning system;
 - 13.10.2 will apply over sites vesting in the PSGE with high conservation and high cultural values, particularly sites that are contiguous with Whanganui National Park (which is otherwise excluded) to support Whanganui Land Settlement management planning capability in a core area; and
 - 13.10.3 the sites to be included must be agreed prior to the initialling for inclusion in the deed;
- 13.11 cultural materials redress and a cultural materials plan, which will enable the PSGE to authorise members to take flora and possess dead protected fauna from public conservation land, for cultural and non-commercial purposes;
- 13.12 additional cultural redress that includes certain non-standard features, which have been developed since the AIP:

IN CONFIDENCE

- 13.12.1 the provision for Whanganui Land Settlement to seek to establish nohoanga-like sites post settlement through the concessions/permissions process, and in agreement with DOC;
- 13.12.2 a commitment that, by agreement in the annual business planning process, Whanganui Land Settlement and DOC will discuss priorities and conservation projects in line with the identified Reserve Management Plan (subject to each party retaining discretion for their own resourcing) and opportunities for conservation projects on lands that share boundaries;
- 13.12.3 opportunities for Whanganui Land Settlement hapū to seek management agreements (via section 53 of the Conservation Act 1987) to undertake conservation activities on public conservation land important to them; and
- 13.12.4 opportunities for Whanganui Land Settlement to undertake DOC-led and delivered conservation training (for example pest management, habitat restoration) at the request of Whanganui Land Settlement;

Financial and commercial redress

Financial redress

- 14 s9(2)(j)

[MCR-23-MIN-0014];

Commercial redress

- 15 **agree** to offer the following commercial redress to Whanganui Land Settlement:
- 15.1 sale and leaseback of the former Universal College of Learning campus for the purpose of establishing a community and wellbeing hub (Te Puna Hāpori) for the agreed price of \$3.915 million;
 - 15.2 the Whanganui Prison site (land only) as a deferred selection property with sale and leaseback to the Department of Corrections with a three-year deferred selection period (the deferred selection property will be offered only on resolution of certain conditions within six years after the settlement date);
 - 15.3 right of first refusal over Whanganui Fire Station and Whanganui Prison;
- 16 **note** that Kāinga Ora has agreed to rights of first refusal over the following three properties in Gonville, in addition to the 475 agreed at AIP:
- 16.1 WN51A/471;
 - 16.2 WNF3/132; and
 - 16.3 WN52B/883;

17 **note** that:

17.1 Whanganui Land Settlement seek to purchase part of Aramoho School as a settlement date property;

17.2 the property, the now-closed Aramoho School, is currently going through the landbanking process and was not available for consideration at AIP;

18 **authorise** the Minister for Treaty of Waitangi Negotiations to finalise this additional proposed commercial redress, pending the outcome of the landbanking process;

Conditions of settlement

19 **note** that the settlement is conditional on:

19.1 any final overlapping interests issues being addressed to the satisfaction of the Crown before initialling a deed of settlement;

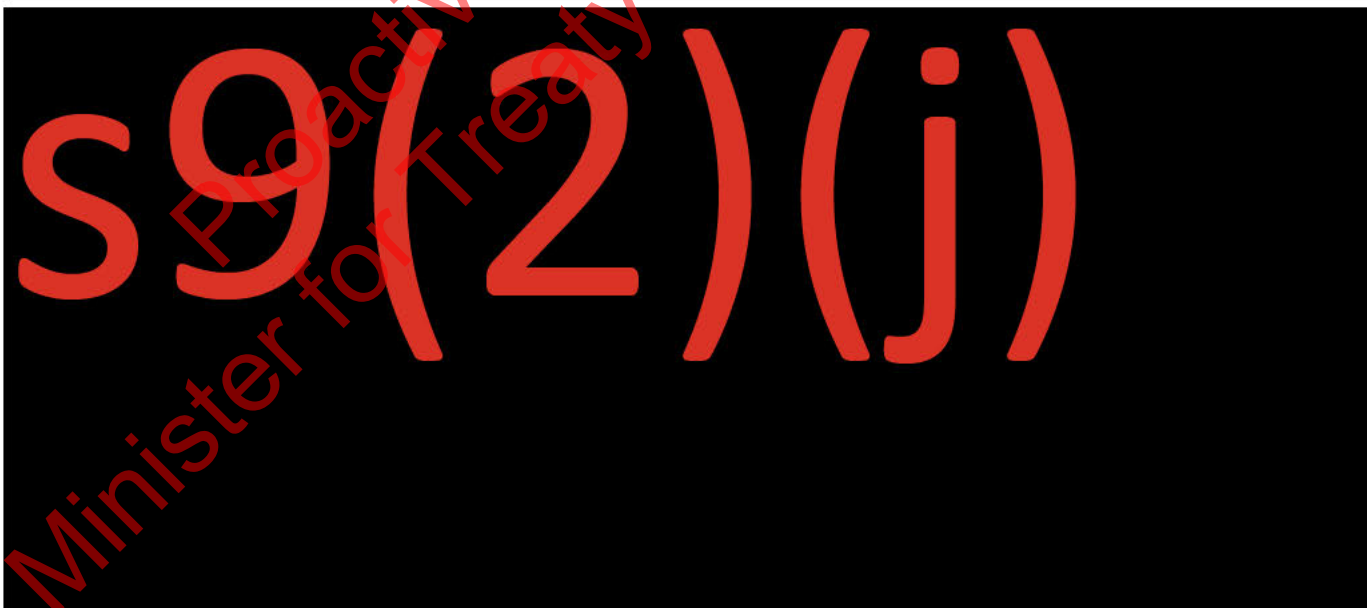
19.2 ratification of the deed of settlement and PSGE by the Whanganui Land Settlement claimant community;

19.3 the enactment of settlement legislation to implement certain aspects of the deed of settlement;

Financial implications

20 **note** that the following elements of the Whanganui Land Settlement will be charged against Vote Te Arawhiti Multi-year Appropriation: Historical Treaty of Waitangi Settlements appropriation when the deed of settlement is initialled:

Financial implications of the Whanganui Land Settlement settlement



Department of Conservation implementation operating costs and impairment costs

- 21 **note** that DOC's implementation and impairment costs referred to below are over and above those outlined in the table at paragraph 20 above;
- 22 **note** that:
- 22.1 implementation of settlements has a cumulative effect on DOC that would be difficult to meet within baselines or reprioritisation without significant trade-offs;
 - 22.2 DOC is not able to meet these costs within baseline or reprioritisation without affecting environmental outcomes, including marine protection, resource management, climate change and other related work programmes, which are key Government manifesto priorities;
- 23 **note** that DOC:
- 23.1 estimates that the range for implementation costs for this settlement are s9(2)(j) [REDACTED] per annum in the 2025/26 – 2029/30 Financial Years and s9(2)(j) [REDACTED] in out years;
 - 23.2 will provide the Minister of Finance and the Minister of Conservation a final estimate when available (likely 2024/2025);
- 24 **note** the Department of Conservation currently estimates the maximum impairment costs for this settlement will be s9(2)(j) [REDACTED];
- 25 **note** that DOC will confirm impairment costs resulting from this settlement, including through any standard annual revaluation process, after initialling the deed of settlement, and will provide the Minister of Finance, the Minister of Conservation, and the Minister for Treaty of Waitangi Negotiations with these costs when they are known;
- 26 **authorise** the Minister of Finance, and the Minister of Conservation to approve the final implementation costs for the Whanganui Land Settlement settlement when they are known;
- 27 **authorise** the Minister of Finance, the Minister for Treaty of Waitangi Negotiations, and the Minister of Conservation to approve the final impairment costs for the Whanganui Land Settlement settlement when they are known, and to change any relevant Vote Conservation appropriations;

Delegations

- 28 **authorise** the Minister of Finance, the Minister for Treaty of Waitangi Negotiations, the Minister of Conservation, and other ministers as required, to approve the final implementation and impairment costs for Whanganui Land Settlement's settlement when they are known, and to increase any relevant Vote appropriations;

29 **authorise** the Minister for Treaty of Waitangi Negotiations:

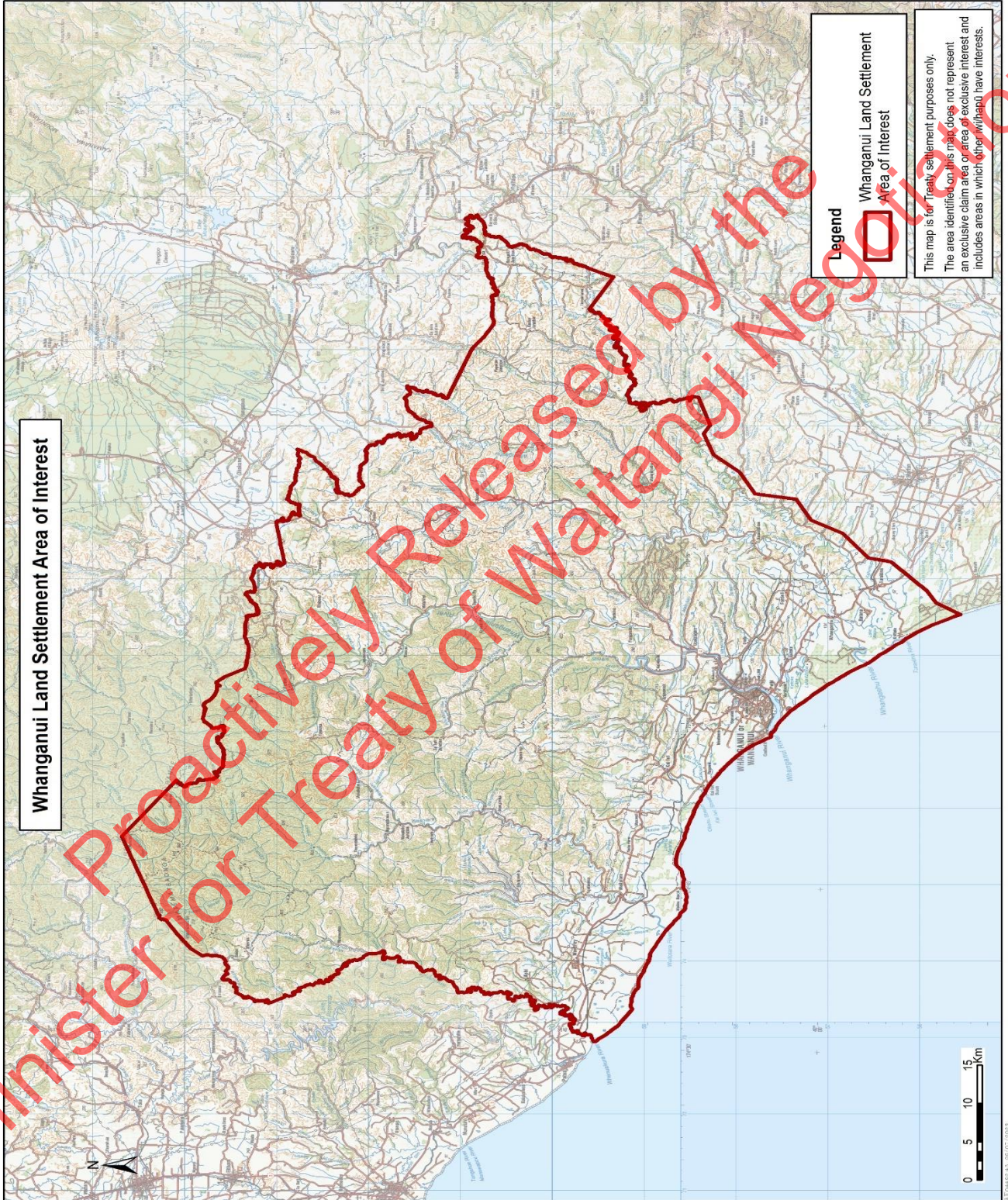
- 29.1 and relevant portfolio ministers to finalise or vary redress relevant to their portfolios that does not increase the total settlement value and is within the intent of Cabinet's decisions;
- 29.2 to determine whether overlapping interests have been addressed to the Crown's satisfaction before initialling the deed of settlement;
- 29.3 together with the Minister for Māori Development, to consider whether the ratification results demonstrate sufficient support for the settlement package, and the PSGE; and
- 29.4 upon confirmation of the ratification results, to sign, on behalf of the Crown, a deed of settlement with Whanganui Land Settlement

Authorised for lodgement

Hon Andrew Little
Minister for Treaty of Waitangi Negotiations

Proactively Released by the
Minister for Treaty of Waitangi Negotiations

Appendix 1: Whanganui Land Settlement area of interest



Appendix 2: Whanganui Land Settlement proposed deed of settlement package

Table 1: Cultural redress

Where relevant, these sites will exclude all waterways now vested in Te Pou Tupua under the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017. This includes all tributaries, streams and other natural watercourses in the catchment that flow into the Whanganui River.

Sites to transfer		
Name of site	Conditions	Landholding Agency
Pipiriki Rubbish Local Purpose Reserve – 1 ha	Subject to Local Purpose reserve status, with WLS as the administering body	Department of Conservation
Ranana/Morikau Scenic Reserve – 101 ha	Subject to scenic reserve status, with WLS as the administering body	Department of Conservation
Ohotu Conservation Area – 60 ha	Subject to scenic reserve status, with WLS as the administering body	Department of Conservation
Koriniti Conservation Area – 136 ha	Subject to scenic reserve status, with WLS as the administering body	Department of Conservation
Otawaki Scenic Reserve - 209 ha	Subject to scenic reserve status, with WLS as the administering body	Department of Conservation
Raorikia Scenic Reserve - 42 ha	Subject to scenic reserve status, with WLS as the administering body	Department of Conservation
Whanganui River Scenic Reserve - 20 ha	Subject to scenic reserve status, with WLS as the administering body	Department of Conservation
Tauakira Scenic Reserve – 57 ha	Subject to scenic reserve status, with WLS as the administering body	Department of Conservation
Paetawa Scenic Reserve – 27 ha	Subject to scenic reserve status, with WLS as the administering body	Department of Conservation
Puketarata Scenic Reserve – 114 ha	Subject to scenic reserve status, with WLS as the administering body	Department of Conservation
Kauarapaoa Scenic Reserve – 59 ha	Subject to scenic reserve status, with WLS as the administering body	Department of Conservation
Kotiti Stream Conservation Area – 3 ha	Subject to scenic reserve status, with WLS as the administering body	Department of Conservation
Otoko Scenic Reserve – 4 ha	Subject to scenic reserve status, with WLS as the administering body	Department of Conservation

IN CONFIDENCE

Taukoro Forest Conservation Area - 473 ha	Subject to scenic reserve status, with WLS as the administering body	Department of Conservation
Whitiau Scenic Reserve – 65 ha	Subject to scenic reserve status, with WLS as the administering body	Department of Conservation
Ohoutahi Scenic Reserve – 18 ha	Subject to historic reserve status, jointly in undivided shares as tenants in common with Te Korowai o Wainuiārua and to be administered by a joint management body	Department of Conservation
183B Rapanui Road, Westmere (PF1634) – 1.07 ha	Fee simple	Land Information New Zealand Treaty Settlements Landbank
Whanganui River Road, Parikino-Pipiriki (11959) - 1.5 ha	Fee simple (subject to further investigation)	Land Information New Zealand
Pitangi Pitanga Village, Parikino (11856) - 0.10 ha	Fee simple (subject to further investigation)	Land Information New Zealand
Kuarapaoa Road, Brunswick-Paparangi (11949), - 0.60 ha	Fee simple (subject to further investigation)	Land Information New Zealand
Kai-iwi Road, Waitotara (11881) – 1.47 ha	Fee simple (subject to further investigation)	Land Information New Zealand
Kai Iwi 6A1 Mowhanau Reserve (Nukumar Domain) – 27.82ha	Subject to further investigation	Crown owned, Whanganui District Council administered
Section 18 Mowhanau Village, Sunset Parade - 0.52 ha	Subject to further investigation	Crown owned, Whanganui District Council administered
Sections 15, 16 and 17 Mowhanau Village, Broadview Heights - 1.08 ha	Subject to further investigation	Crown owned, Whanganui District Council administered
Part Section 1 SO 18911, sections 9, 10, 11, 12, 14, 73, and Part Sections 6, 8 and 13 Mowhanau Village, Broadview Heights - 8.28 ha	Subject to further investigation	Crown owned, Whanganui District Council administered
Sites to be administered by Reserves Board		
Name of site	Conditions	Landholding Agency
Pākaitore/Moutoa Gardens Historic Reserve – 0.91 ha	Transfer to WLS, subject to historic reserve status, with the Reserves Board as the administering body	Crown owned; Pakaitore/Moutoa Gardens Historic Board administered
Queen's Park/Pukenamu – 6.59 ha	Subject to scenic reserve status, with the Reserves Board as the administering body	Part Crown owned, Part Whanganui District Council Owned, Whanganui District Council administered
Gonville Domain/Tawhero – 23.78 ha	Subject to recreation reserve status, with the Reserves Board as the administering body	Part Crown owned, Part Whanganui District Council Owned, Whanganui District Council administered

IN CONFIDENCE

Sections 54, 55, 69, 70, 71, 82 and 83 Mowhanau Village – 4.82 ha	Subject to recreation reserve status, with the Reserves Board as the administering body	Crown owned, Whanganui District Council administered
Overlay classification		
Name of site		Landholding Agency
Jean Darcy – Powataunga Overlay (1,566 ha), includes: <ul style="list-style-type: none"> • Part Jean Darcy Memorial Conservation Area; and • Powataunga Scenic Reserve. 		Department of Conservation
Ahuahu Overlay (1,709 ha), includes: <ul style="list-style-type: none"> • Ahuahu Stream Conservation Area; • Haehaekupenga Scenic Reserve; • Ahuahu Conservation Area; and • Te Tuhi Scenic Reserve. 		Department of Conservation
Pitangi Overlay (1,230 ha), includes: <ul style="list-style-type: none"> • Mangahowhi Conservation Area; and • Pitangi Scenic Reserve. 		Department of Conservation
Tokomaru East Overlay (518 ha), includes: <ul style="list-style-type: none"> • Tokomaru East Block Conservation Area. 		Department of Conservation
Deed of recognition		
Name of site		Landholding Agency
Taunoka Conservation Area		Department of Conservation
Mystery Block Conservation Area		Department of Conservation
Owairua Scenic Reserve		Department of Conservation
Lake Kohata Wildlife Management Reserve		Department of Conservation
Statutory acknowledgement		
Name of site		Landholding Agency
Te Komai Conservation Area		Department of Conservation
Taukoro Conservation Area		Department of Conservation
Owairua Scenic Reserve		Department of Conservation
Raukawa Scenic Reserve		Department of Conservation
Whitiau Scientific Reserve		Department of Conservation
Taunoka Conservation Area		Department of Conservation
Mystery Block Conservation Area		Department of Conservation
Lake Kohata Wildlife Management Reserve		Department of Conservation

Table 2: Other cultural redress

Official name changes		
Existing name	New official name	Feature type
Whanganui or Wanganui	Whanganui	City
Corliss Island	Mawae	Island
Putiki Pa	Pūtikiwharanui-a-Tamatea-pōkai-whenua	Historic site
Unnamed (local use name South Spit)	Pātapu Spit	Spit
Koriniti Pa	Ōtukopiri	Locality
Unnamed (local use name Mount Featherston)	Puketūtū	Hill
Unnamed (local use name Sparrow Cliff)	Kaimatira	Historic site
Atene Pa	Kākata	Site
Other miscellaneous items		
\$500,000 cultural revitalisation payment		
Statement of Whanganui Land Settlement values in the deed of settlement and settlement bill		

Table 3: Redress (subject to negotiations)

Redress	Agency
Crown minerals protocol	Ministry of Business, Innovation and Employment
Relationship agreement	Department of Conservation; Ministry of Justice, New Zealand Police and Department of Corrections; Ministry for the Environment; Ministry of Social Development; Oranga Tamariki; Ministry of Business, Innovation and Employment; Ministry of Education and Tertiary Education Commission; Kāinga Ora; Ministry of Health, Land Information New Zealand.
Whakaaetanga Taki Taonga	Te Ara Taonga agencies (Manatū Taonga Ministry of Culture and Heritage, Te Tari Taiwhenua Department of Internal Affairs, Te Papa Tongarewa Museum of New Zealand, and Pouhere Taonga Heritage New Zealand.)
Letters of introduction	
Te Uru Rākau –New Zealand Forest Service, Fisheries NZ, New Zealand Transport Agency – Waka Kotahi, Ministry of Housing and Urban Development – Te Tūāpapa Kura Kāinga, Taranaki Regional Council, Ruapehu District Council, Horizons Regional Council, Ngā Taonga Sound & Vision, Transpower New Zealand Limited	
Primary industries	
Letter of recognition (Ministry for Primary Industries), appointment as an advisory committee on fisheries management (Minister of Fisheries), Crown Minerals Protocol	

Table 4: Commercial redress

Crown Forestry Licensed land		
Name and address	Conditions	Landholding Agency
Part Lismore Hill Crown forestry licensed land, SH4 – 1,644.35 ha	Settlement date transfer, subject to existing Crown forestry licence	Land Information New Zealand
Part Lismore Sand Crown forestry licensed land, Marangai Road, Kaitoke – 479.96 ha	Settlement date transfer, subject to existing Crown forestry licence	Land Information New Zealand
Deferred selection right to purchase		
Name and address	Conditions	Landholding Agency
Whanganui Intermediate School (land only), 90 Dublin St, Whanganui – 3.80 ha	Sale and leaseback, two-year deferred selection period	Ministry of Education
Community Probation Centre (land only), 39 Wilson St, Whanganui – 0.13 ha	Sale and leaseback, three-year deferred selection period	Department of Corrections
Whanganui Forest land and trees, Pauri Rd/Marangai Rd, Kaitoke – 805.54 ha	Deferred selection right to purchase property with a ten-year deferred selection period	Ministry for Primary Industries
3 Cross St, Castlecliff (PF812) – 0.09 ha	Three-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
41 Exeter Cres, Springvale, Whanganui (PF421) – 0.06ha	Three-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
69 Heads Rd, Gonville, Whanganui (PF800) – 0.10 ha	Three-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
77-79A Heads Rd, Gonville, Whanganui (PF914) -0.16 ha	Three-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
3A Kings Ave, Gonville, Whanganui (PF459) – 0.06 ha	Three-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
Former Kiwi Street School, 21 Kiwi St, Whanganui (PF1683) – 2.29 ha	Three-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
59 Maria Pl, Whanganui (PF842) – 0.08 ha	Three-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
61 Maria Pl, Whanganui (PF916) – 0.17 ha	Three-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
75-85 Maria Pl, Whanganui (PF1233) – 1.02 ha	Three-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
Mokonui Rd, Ranana (PF1818) – 36.75 ha	Three-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
203 Puriri St, Castlecliff, Whanganui (PF456) – 0.10 ha	Three-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
405 Somme Pde, Ex-Jubilee Hospital, Whanganui (PF 1585) – 1.33 ha	Three-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
79A Taupo Quay, Whanganui (PF709) – 0.08 ha	Three-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank

IN CONFIDENCE

81 Taupo Quay, Whanganui (PF710) – 0.08 ha	Three-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
81A Taupo Quay, Whanganui (PF711) – 0.08 ha	Three-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
85 Taupo Quay, Whanganui (PF920) – 0.41 ha	Three-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
201-215 Taupo Quay, Gonville (PF1255) – 1.43 ha	Three-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
234 Taupo Quay, Gonville (PF1138) – 0.21 ha	Three-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
Education House, 249 Victoria Ave, Whanganui (PF411) – 0.57 ha	Three-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
48 Young St, Wanganui East, Whanganui (PF419) - 0.08 ha	Three-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
Lot 1 Burmah Street, Whanganui (4008686) (PF 2017) – 0.07 ha	Three-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
Lot 2 Burmah Street, Whanganui (3843660) (PF 2021) - 0.11 ha	Three-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
Pt Aramoho 6 and Lot 16 Burmah Street, Whanganui (3843695) (PF 2022) – 1.56 ha	Three-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
14A Caffray Ave, Aramoho, Whanganui (PF416) - 0.10 ha	Four-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
25 George St/173 Somme Pde, Aramoho (PF1004) – 2.19 ha	Four-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
19 Guyton St, Whanganui (PF1568) – 0.07 ha	Four-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
21 Guyton St, Whanganui (PF1569) – 0.07 ha	Four-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
142 Guyton St, Whanganui (PF1653) – 0.19 ha	Four-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
21 Koromiko Rd, Gonville, Whanganui (PF1063) -0.10 ha	Four-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
8 Jones St, Whanganui (PF1404) – 0.09 ha	Four-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
126D Ridgway St, Whanganui (PF917) – 0.41 ha	Four-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
128 Ridgway St, Whanganui (PF839) – 0.23 ha	Four-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
133 Ridgway St, Whanganui (PF841) – 0.08 ha	Four-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
24 Smithfield Rd, Gonville, Whanganui (PF420) – 0.10 ha	Four-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
32 Tongariro St, Castlecliff (PF298) – 0.08 ha	Four-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
34 Tongariro St, Castlecliff (PF299) – 0.07 ha	Four-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank

IN CONFIDENCE

36 Tongariro St, Castlecliff (PF300) – 0.07 ha	Four-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
1 Totara St, Tawhero, Whanganui (PF458) -0.14 ha	Four-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
101 Wakefield St, Whanganui East (PF708) – 0.82 ha	Four-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
32 Wilson St, Whanganui (PF1652) – 0.35 ha	Four-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
73 Campbell St, Central Whanganui (PF1046) – 0.13 ha	Five-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
22 Carlton Ave, Gonville, Whanganui (PF1001) - 0.13ha	Five-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
6 Devon Rd, Springvale, Whanganui (PF1911) – 0.14 ha	Five-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
104 Devon Rd/32 Sussex Rd, Springvale, Whanganui (PF1912) – 2.20 ha	Five-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
4 Huia St, Whanganui East (PF679) – 0.06 ha	Five-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
117 Ikitara Rd, Wanganui East, Whanganui (PF418) -0.08 ha	Five-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
14 Kaka Pl, Whanganui East (PF1181) – 0.13 ha	Five-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
41 Karaka St, Castlecliff, Whanganui (PF457) – 0.08 ha	Five-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
Kelvin St, Aramoho (PF1153) – 3.90 ha	Five-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
Kelvin St, Aramoho (PF1047) – 2.11 ha	Five-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
8 Kelvin St, Aramoho (PF950) – 0.51 ha	Five-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
42 Tanguru St, Wanganui East, Whanganui (PF417) -0.10 ha	Five-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
Makirikiri Valley Road, Upokongaro (WN101489) (PF 2026) – 0.41 ha	Five-year deferred selection period	Land Information New Zealand Treaty Settlements Landbank
Tanguru St, Whanganui East (12056) – 0.65 ha	Five-year deferred selection period (subject to statutory clearances)	Land Information New Zealand
Former Universal College of Learning campus, Dublin St, Whanganui – 4.17 ha	Sale and leaseback	Universal College of Learning
Whanganui Prison, Kaitoke – 46.77 ha	Three-year DSP (land only sale and leaseback). DSP offered on resolution of certain conditions within six years of settlement date	Department of Corrections

IN CONFIDENCE

Right of first refusal		
Name and address	Area	Landholding Agency
Area-based	Refer to map at Appendix 3	Department of Conservation, Land Information New Zealand, Ministry of Education, New Zealand Police, Department of Internal Affairs, Department of Corrections, New Zealand Defence Force
Whanganui Police Station (land only), 10 Bell St, Whanganui – 0.41 ha	Right of first refusal	New Zealand Police
Te Kura o Te Wainui-ā-Rua, 4502 Whanganui River Road, Ranana – 0.70 ha	Right of first refusal	Ministry of Education
Aberfeldy School, Parapara Highway, Whanganui – 1.46 ha	Right of first refusal	Ministry of Education
Brunswick School, Campbell Road, Whanganui – 1.17 ha	Right of first refusal	Ministry of Education
Kai Iwi School, State Highway 3, Whanganui – 1.21 ha	Right of first refusal	Ministry of Education
Westmere School, Francis Road, Whanganui – 2.00 ha	Right of first refusal	Ministry of Education
Mosston School, 211 Mosston Road, Whanganui – 1.58 ha	Right of first refusal	Ministry of Education
Aranui School, Aranui Avenue, Castlecliff, Whanganui – 1.46 ha	Right of first refusal	Ministry of Education
Whanganui High School, Purnell Street, Springvale, Whanganui – 11.05 ha	Right of first refusal	Ministry of Education
Rutherford Junior High School, 32 Toi Street, Whanganui – 4.01 ha	Right of first refusal	Ministry of Education
Carlton School, 99A Carlton Avenue, Gonville, Whanganui – 2.08 ha	Right of first refusal	Ministry of Education
Tawhero School, Totara Street, Whanganui – 3.06 ha	Right of first refusal	Ministry of Education
Te Kura Kaupapa Māori o Tupoho, 18 Cross Street, Castlecliff, Whanganui – 3.93 ha	Right of first refusal	Ministry of Education
Gonville School, Gonville Avenue, Whanganui – 2.99 ha	Right of first refusal	Ministry of Education
Kokohuia School (Te Kura o Kokohuia), 36 Matipo Street, Castlecliff, Whanganui – 4.90 ha	Right of first refusal	Ministry of Education
Kaitoke School, Concord Line, Kaitoke, Whanganui – 0.64 ha	Right of first refusal	Ministry of Education
86 Maria Pl, Whanganui – 1.53 ha	Right of first refusal	New Zealand Defence Force

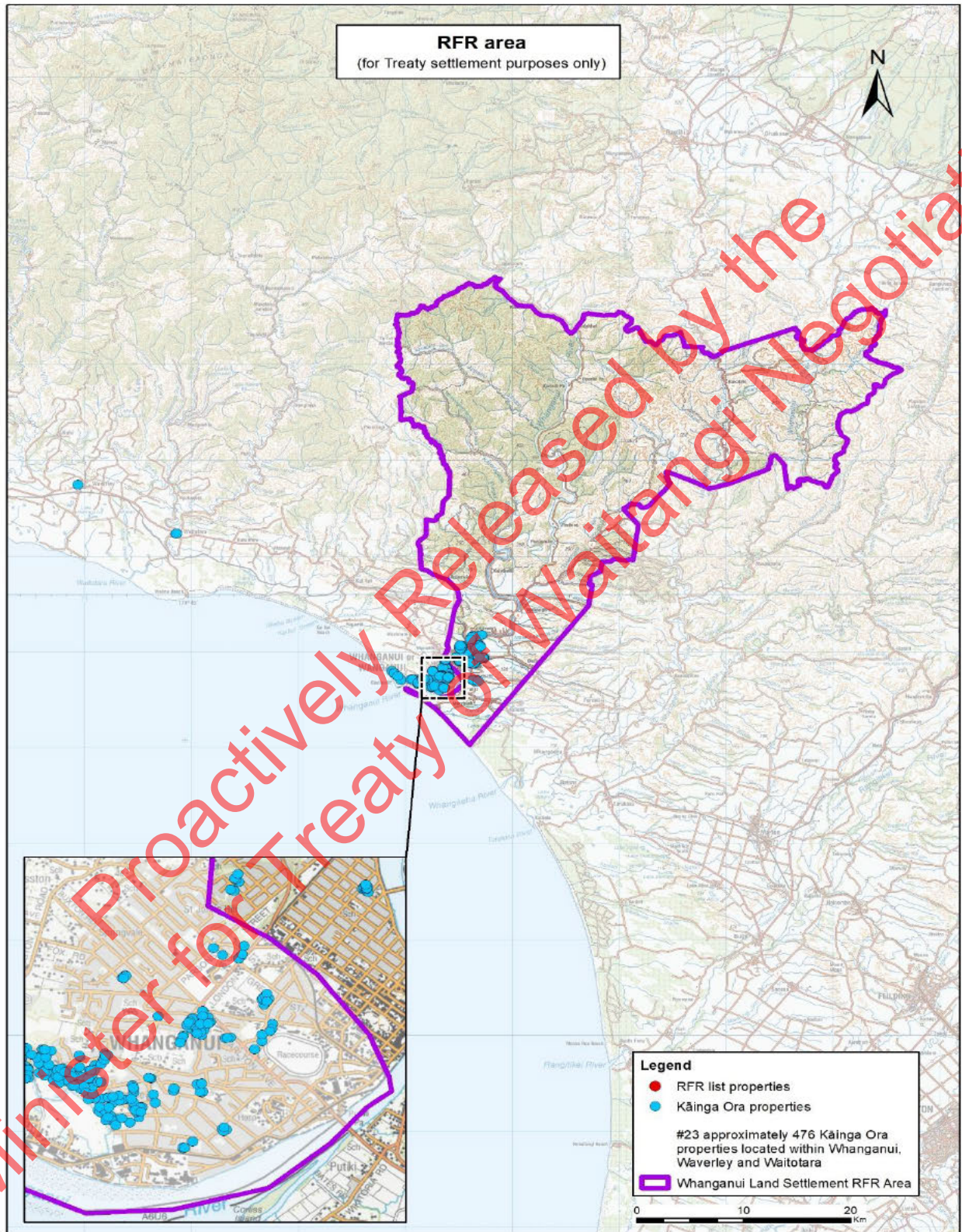
IN CONFIDENCE

IN CONFIDENCE

26A Kings Ave, Gonville, Whanganui – 0.11 ha	Right of first refusal	Oranga Tamariki
Gibson St, Aramoho, Whanganui – 0.6809 ha	Right of first refusal	KiwiRail
Heads Rd, Gonville – 0.0311 ha	Right of first refusal	NZ Transport Agency
Whanganui Metropolitan Motorway, Gonville – 0.0621 ha	Right of first refusal	NZ Transport Agency
Whanganui Fire Station (land only), 87 Maria Pl/Hatrick St East, Whanganui – 0.56 ha	Right of first refusal	Fire and Emergency NZ
Whanganui Hospital, Heads Road, Gonville (comprised in 3 records of title) – 14.12 ha	Right of first refusal	Te Whatu Ora – Health New Zealand
Whanganui Prison, Pauri Road, Kaitoke (comprised in 3 records of title) – 46.77 ha	Right of first refusal	Department of Corrections
478 properties	Right of first refusal	Kāinga Ora

Proactively Released by the Minister for Treaty of Waitangi Negotiations

Appendix 3: Whanganui Land Settlement Map for proposed area-based right of first refusal redress



Minister for Treaty of Waitangi Negotiations



Cabinet Māori Crown Relations - Te Arawhiti Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Whanganui Land Settlement: Approval to Initial a Deed of Settlement

Portfolio Treaty of Waitangi Negotiations

On 22 August 2023, the Cabinet Māori Crown Relations - Te Arawhiti Committee **referred** the submission under MCR-23-MIN-0024 to Cabinet on 28 August 2023 for further consideration.

Sam Moffett
Committee Secretary

Present:

Hon Kelvin Davis (Chair)
Hon Willie Jackson
Hon Andrew Little
Hon David Parker
Hon Peeni Henare
Hon Nanaia Mahuta
Hon Kieran McAnulty
Hon Willow-Jean Prime
Hon Rachel Brooking

Officials present from:

Office of the Prime Minister
Officials Committee for MCR



Cabinet

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Whanganui Land Settlement: Approval to Initial a Deed of Settlement

Portfolio **Treaty of Waitangi Negotiations**

On 28 August 2023, Cabinet:

- 1 **noted** that in May 2019 Cabinet approved a redress offer to Whanganui Land Settlement [CAB-19-MIN-0212.01];
- 2 **noted** that in August 2019 Whanganui Land Settlement and the Crown signed an Agreement in Principle (AIP);
- 3 **noted** that the Crown and Whanganui Land Settlement are close to finalising a settlement package for the historical Treaty of Waitangi/Te Tiriti o Waitangi claims of Whanganui Land Settlement;
- 4 **noted** that, subject to Whanganui Land Settlement's acceptance of the final Crown offer and addressing outstanding overlapping claims, the deed of settlement will be ready for initialling in mid-2024;

Cultural redress

Whanganui Land Settlement values

- 5 **noted** that central to negotiations with Whanganui Land Settlement is an aspiration that the Crown give legal recognition to Te Tomokanga ki Te Matapihi, their kawa and tikanga framework;
- 6 **noted** that in May 2019, Cabinet:
 - 6.1 agreed:
 - 6.1.1 to insert a non-operative statement of Whanganui Land Settlement's values in the AIP, deed of settlement, and settlement legislation where appropriate;
 - 6.1.2 to include a statement in the AIP and deed of settlement that the Crown acknowledges the importance of Whanganui Land Settlement's values to iwi/hapū;

6.1.3 that individual agencies will consider, in good faith, how they can give life to Whanganui Land Settlement values through the continuing development of redress instruments, including relationship agreements or other arrangements, prior to initialling a deed of settlement;

6.2 noted that in each case where Whanganui Land Settlement's values are referenced in settlement documentation, the Crown will need to draft the text carefully to avoid the possibility of making the values justiciable;

[CAB-19-MIN-0212.01]

7 **noted** that in August 2019 the Cabinet Māori Crown Relations: Te Arawhiti Committee (MCR) agreed that the Crown's acknowledgement of the importance of Whanganui Land Settlement's values to iwi/hapū be included in settlement legislation in a way that is non-operative [MCR-19-MIN-0021];

8 **noted** that, in accordance with Cabinet's previous decisions:

8.1 the significance of Te Tomokanga ki te Matapihi and their values (Ngā Mātāpono) to Whanganui Land Settlement will be acknowledged in legislation and deed drafting through a non-operative clause;

8.2 individual agencies will consider, in good faith how they can give life to Whanganui Land Settlement's values through the development of redress instruments, including relationship agreements or other arrangements, prior to initialling a deed of settlement;

Social and economic wellbeing aspiration

9 **noted** that:

9.1 the Whanganui Land Settlement AIP recorded an aspiration for a social and economic wellbeing pathway via an entity for their people and the Whanganui community;

9.2 this aspiration has been explored during negotiations, and no decisions are being sought from Cabinet in relation to this aspiration;

Conservation redress

10 **noted** that the AIP committed the Crown to explore additional conservation redress;

11 **noted** that the Whanganui Land Settlement Negotiation Trust has requested a strengthened conservation package;

12 **agreed** to the establishment of a joint Whanganui Land Settlement-Whanganui District Council Reserves Board, to administer ten reserves under the Reserves Act 1977;

13 **agreed** that the conservation package includes the following elements:

13.1 the establishment of a joint Whanganui Land Settlement-Whanganui District Council Reserves Board to administer ten sites under the Reserves Act 1977;

13.2 transfer of three Department of Conservation (DOC) properties (Raorikia Scenic Reserve, Otawaki Scenic Reserve and Whanganui River Scenic Reserve) as cultural redress properties retaining their current reserve status;

- 13.3 removal of statutory acknowledgements over Raorikia Scenic Reserve, Otawaki Scenic Reserve and Whanganui River Scenic Reserve;
- 13.4 expanding the hectarage of three DOC properties (Taukoro Forest Conservation Area, Ohotu Conservation Area, and Koriniti Conservation Area), to transfer to the post-settlement governance entity (PSGE) as cultural redress properties subject to scenic reserve status;
- 13.5 removal of statutory acknowledgements and deeds of recognition over Taukoro Forest Conservation Area, Ohotu Conservation Area, and Koriniti Conservation Area;
- 13.6 transfer of Crown or Crown-derived reserves at Mōwhānau to the PSGE;
- 13.7 addition of a statutory acknowledgement over Raukawa Scenic Reserve;
- 13.8 removal of Owairua Scenic Reserve from the cultural vestings;
- 13.9 addition of a statutory acknowledgement and deed of recognition over Owairua Scenic Reserve;
- 13.10 joint development of a Reserves Management Plan (as set out in section 41 of the Reserves Act 1977) subject to the following conditions:
 - 13.10.1 to be drafted by a third party agreed to by the Director-General of Conservation and the PSGE to minimise impact on the conservation management planning system;
 - 13.10.2 will apply over sites vesting in the PSGE with high conservation and high cultural values, particularly sites that are contiguous with Whanganui National Park (which is otherwise excluded) to support Whanganui Land Settlement management planning capability in a core area; and
 - 13.10.3 the sites to be included must be agreed prior to the initialling for inclusion in the deed;
- 13.11 cultural materials redress and a cultural materials plan, which will enable the PSGE to authorise members to take flora and possess dead protected fauna from public conservation land, for cultural and non-commercial purposes;
- 13.12 additional cultural redress that includes certain non-standard features, which have been developed since the AIP:
 - 13.12.1 the provision for Whanganui Land Settlement to seek to establish nohoanga-like sites post settlement through the concessions/permissions process, and in agreement with DOC;
 - 13.12.2 a commitment that, by agreement in the annual business planning process, Whanganui Land Settlement and DOC will discuss priorities and conservation projects in line with the identified Reserve Management Plan (subject to each party retaining discretion for their own resourcing) and opportunities for conservation projects on lands that share boundaries;
 - 13.12.3 opportunities for Whanganui Land Settlement hapū to seek management agreements (via section 53 of the Conservation Act 1987) to undertake conservation activities on public conservation land important to them; and

- 13.12.4 opportunities for Whanganui Land Settlement to undertake DOC-led and delivered conservation training (for example pest management, habitat restoration) at the request of Whanganui Land Settlement;

Financial and commercial redress

Financial redress

s9(2)(j)

Commercial redress

- 15 **agreed** to offer the following commercial redress to Whanganui Land Settlement:
- 15.1 sale and leaseback of the former Universal College of Learning campus for the purpose of establishing a community and wellbeing hub (Te Puna Hāpori) for the agreed price of \$3.915 million;
 - 15.2 the Whanganui Prison site (land only) as a deferred selection property with sale and leaseback to the Department of Corrections with a three-year deferred selection period (the deferred selection property will be offered only on resolution of certain conditions within six years after the settlement date);
 - 15.3 right of first refusal over Whanganui Fire Station and Whanganui Prison;
- 16 **noted** that Kāinga Ora has agreed to rights of first refusal over the following three properties in Gonville, in addition to the 475 agreed at AIP:
- 16.1 WN51A/471;
 - 16.2 WNF3/132; and
 - 16.3 WN52B/883;
- 17 **noted** that:
- 17.1 Whanganui Land Settlement seek to purchase part of Aramoho School as a settlement date property;
 - 17.2 the property, the now-closed Aramoho School, is currently going through the landbanking process and was not available for consideration at AIP;
- 18 authorise the Minister for Treaty of Waitangi Negotiations to finalise this additional proposed commercial redress, pending the outcome of the landbanking process;

Conditions of settlement

- 19 **noted** that the settlement is conditional on:
- 19.1 any final overlapping interests issues being addressed to the satisfaction of the Crown before initialling a deed of settlement;
 - 19.2 ratification of the deed of settlement and PSGE by the Whanganui Land Settlement claimant community;

- 19.3 the enactment of settlement legislation to implement certain aspects of the deed of settlement;

Financial implications

- 20 **noted** that the following elements of the Whanganui Land Settlement will be charged against Vote Te Arawhiti Multi-year Appropriation: Historical Treaty of Waitangi Settlements appropriation when the deed of settlement is initialled:



Department of Conservation implementation operating costs and impairment costs

- 21 **noted** that DOC's implementation and impairment costs referred to below are over and above those outlined in the table at paragraph 20 above;
- 22 **noted** that:
- 22.1 implementation of settlements has a cumulative effect on DOC that would be difficult to meet within baselines or reprioritisation without significant trade-offs;
- 22.2 DOC is not able to meet these costs within baseline or reprioritisation without affecting environmental outcomes, including marine protection, resource management, climate change and other related work programmes, which are key Government manifesto priorities;
- 23 **noted** that DOC:
- 23.1 estimates that the range for implementation costs for this settlement is s9(2)(j) per annum in the 2025/26 to 2029/30 Financial Year, s9(2)(j) million in out years;
- 23.2 will provide the Minister of Finance and the Minister of Conservation a final estimate when available (likely 2024/2025);
- 24 **noted** that DOC currently estimates the maximum impairment costs for this settlement will be s9(2)(j);

- 25 **noted** that DOC will confirm impairment costs resulting from this settlement, including through any standard annual revaluation process, after initialling the deed of settlement, and will provide the Minister of Finance, the Minister of Conservation, and the Minister for Treaty of Waitangi Negotiations with these costs when they are known;
- 26 **authorised** the Minister of Finance and the Minister of Conservation to approve the final implementation costs for the Whanganui Land Settlement settlement when they are known;
- 27 **authorised** the Minister of Finance, the Minister for Treaty of Waitangi Negotiations, and the Minister of Conservation to approve the final impairment costs for the Whanganui Land Settlement settlement when they are known, and to change any relevant Vote Conservation appropriations;

Delegations

- 28 **authorised** the Minister of Finance, the Minister for Treaty of Waitangi Negotiations, the Minister of Conservation, and other ministers as required, to approve the final implementation and impairment costs for Whanganui Land Settlement's settlement when they are known, and to increase any relevant Vote appropriations;
- 29 **authorised** the Minister for Treaty of Waitangi Negotiations:
- 29.1 and relevant portfolio ministers to finalise or vary redress relevant to their portfolios that does not increase the total settlement value and is within the intent of Cabinet's decisions;
 - 29.2 to determine whether overlapping interests have been addressed to the Crown's satisfaction before initialling the deed of settlement;
 - 29.3 together with the Minister for Māori Development, to consider whether the ratification results demonstrate sufficient support for the settlement package, and the PSGE; and
 - 29.4 upon confirmation of the ratification results, to sign, on behalf of the Crown, a deed of settlement with Whanganui Land Settlement.

Rachel Hayward
Secretary of the Cabinet