



Te Ākitai Waiohū

Deed of Settlement
Ratification Information



**“Te Ākitai Oho Moata”
Te Ākitai awake at early dawn**



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Introduction

The historical Te Tiriti o Waitangi (Treaty of Waitangi) settlement claims of Te Ākitai Waiohua have been negotiated with the Crown and recorded in a Deed of Settlement.

The Deed of Settlement was initialled by the negotiators of Te Ākitai Waiohua Iwi Authority ('the Authority') on 23 December 2020 and records all offers of redress or compensation from the Crown to make up for Te Ākitai Waiohua historical grievances under the Treaty of Waitangi.

Te Ākitai Waiohua members have the opportunity to formally vote on the document in a full ratification process before the Deed of Settlement is accepted.

Background

The Authority was mandated to negotiate the Treaty of Waitangi settlement claim on behalf of Te Ākitai Waiohua in March 2011. The Crown agreed Terms of Negotiation with the Authority in December 2012 setting out the broad rules of engagement between the parties. In December 2016 an Agreement in Principle was signed to outline the settlement claim and redress to be included. The Agreement in Principle was developed into a Deed of Settlement describing the final settlement package and then initialled by the Authority in December 2020.

Initialling the Deed of Settlement means only the negotiators agree with the settlement redress offered by the Crown. Before the document can be signed, the people of Te Ākitai Waiohua must also agree through a ratification process where eligible iwi members vote to accept or not accept the Deed of Settlement.

Te Ākitai Waiohua has previously undertaken a ratification process twice before. The first time relates to the Tāmaki Collective settlement vote (on the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Deed) in 2012. The second vote in 2014 was to accept Te Ākitai Waiohua Settlement Trust as the Post Settlement Governance Entity or PSGE that receives settlement redress.

electionz.com is an independent company acting as Returning Officer for the ratification process that receives and counts all of the votes. Te Ākitai Waiohua hired electionz.com for the two votes of 2012 and 2014 and has done so again for the Deed of Settlement ratification.

Te Ākitai Waiohua members can now support Te Ākitai Waiohua Treaty of Waitangi claims by voting a third time to accept the Deed of Settlement. The information contained in this booklet is designed to help you make an informed decision.

Voting

Eligible adult members of Te Ākitai Waiohua have three ways to vote:



Electronic online voting (e-Vote)

Use the PIN and password provided on the enclosed voting paper to vote online through the www.teakitai.com website;



Postal voting

Use the freepost envelope in the voting pack to send your vote by mail;



Voting in person

Use the ballot box at the Ratification Information Hui to cast your vote. The details of this hui are provided on **page 6**.

All registered adult members (aged 18 years and over) of Te Ākitai Waiohua are eligible to vote and should have received a voting pack. You can request more voting packs from electionz.com the Returning Officer by contacting the toll free election helpline – 0800 666 035.

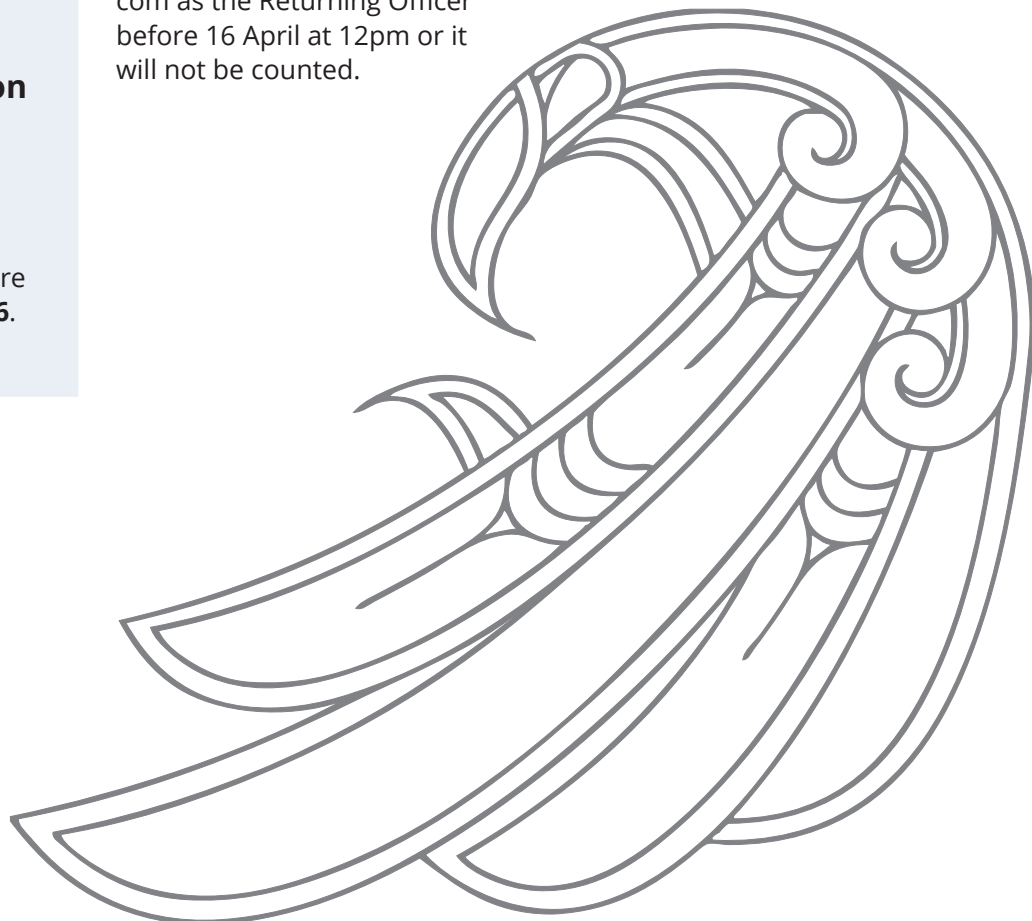
Eligible adult members of the iwi are encouraged to vote on the following resolution using their preferred voting method:

“I agree as a member of Te Ākitai Waiohua iwi to accept the Deed of Settlement for resolving historical Treaty of Waitangi claims between the Crown and Te Ākitai Waiohua.”

Voting opens for eligible Te Ākitai Waiohua members on Monday 8 March 2021 and ends at 12pm Friday 16 April 2021. Please note your vote must be submitted online, at the Ratification Information Hui or received in the mail by electionz.com as the Returning Officer before 16 April at 12pm or it will not be counted.

Special votes are available to those who formally enrol and register as a Te Ākitai Waiohua member or who become an adult member (turn 18 years of age) during the voting period. Special votes can be made at the Ratification Information Hui or by contacting electionz.com as the Returning Officer on the toll free election helpline – 0800 666 035.

If you know somebody who is not yet registered as Te Ākitai Waiohua, they can contact the office of the Authority for a registration form or download the form from the teakitai.com website (in the “Documents” section). Registration forms will also be made available at the Ratification Information Hui.



Ratification Information Hui



Please note a Ratification Information Hui is planned for Saturday 27 March 2021 at Pūkaki Marae, 85 Pūkaki Road, Māngere, Auckland from 10am through to 4pm.

A ballot box will be at the Ratification Information Hui so Te Ākitai Waiohū members who attend can vote in person. People who are not currently registered as Te Ākitai Waiohū can also register at the hui and cast a special vote.

More details about the Deed of Settlement will be presented at the Ratification Information Hui to help Te Ākitai Waiohū members make a decision on how they should vote. The Authority recommends eligible iwi members attend the hui if they have questions. The hui may also be attended by independent observers from Te Puni Kokiri to ensure a robust ratification process is being followed.

Please note only one Ratification Information Hui will be held at Pūkaki Marae in Auckland partially in response to the COVID-19 pandemic. If the hui must be cancelled due to a COVID-19 lockdown, it may shift to an electronic online forum instead. In this situation all votes will need to be submitted online or by mail as voting in person may not be possible. More information will be provided online by email, social media and the teakitai.com website if the hui is cancelled due to COVID-19.

Online Hui

In addition to the Ratification Information Hui, two separate Question and Answer Hui (Q&A Hui) will also be held online using Microsoft Teams on the following days:

- **Saturday 20 March 2021 from 1pm New Zealand Time**
- **Saturday 10 April 2021 from 1pm New Zealand Time**

The Q&A Hui are for overseas whānau or other iwi members who cannot attend the Ratification Information Hui. They are an opportunity for you to ask questions about the ratification voting process or Deed of Settlement in a casual online forum. The Microsoft Teams link to the Q&A Hui will be provided by email, on the teakitai.com website and via social media.

Ratification Process

The ratification votes will be counted by the independent Returning Officer electionz.com and all results provided to the Authority before being passed on to the Crown.

If the Deed of Settlement is ratified with a 'yes' vote, the document can be signed and legislation introduced into Parliament to pass the Te Ākitai Waiohū settlement into law. If the Deed of Settlement is not ratified, the Authority and the Crown will need to consider what happens next.

If you have any immediate questions about the ratification voting process or the Deed of Settlement, feel free to submit them by email to the office of the Authority or on Te Ākitai Waiohū social media. Alternatively, you can ask questions at the Ratification Information Hui or any of the online Q&A Hui.

The details of the office of the Authority are:

Contact:	Mere Denny
Physical Address:	85A Pukaki Road, Māngere, Auckland
Mailing Address:	PO Box 59185, Māngere Bridge, Auckland 2151
Mobile Phone:	021-186-7696
Email Address:	comms@teakitai.com
Online:	teakitai.com facebook.com/teakitaiwaiohū/ twitter.com/TeAkitaiWaiohū instagram.com/teakitai/



Deed of Settlement

The Deed of Settlement is the legal document containing the Crown offer of cultural, commercial and historical redress to settle iwi Treaty of Waitangi claims. If you vote to accept the Deed of Settlement, you are agreeing to the Crown offer of redress to Te Ākitai Waiohūa.

The cultural redress offer includes:

- ▶ 7 cultural land vestings - public reserves with legal title vested in Te Ākitai Waiohūa ownership;
- ▶ 27 statutory acknowledgements over land reserves and coastal areas throughout Auckland – statutory acknowledgements allow the special relationship between Te Ākitai Waiohūa and the specific site to be recognised in resource management processes;
- ▶ 8 geographic name changes and 3 alternate māori names – customary names provided to sites that were selected by Te Ākitai Waiohūa;
- ▶ a statement of association with Te Pane o Mataaoho (Māngere Mountain) describing the relationship of Te Ākitai Waiohūa with the maunga;
- ▶ 25 relationship redress instruments - relationship agreements, protocols and introductory letters between Te Ākitai Waiohūa and selected government, council and private agencies;
- ▶ \$2.4 million cultural revitalisation fund to be specifically used for cultural purposes.

The commercial redress offer includes the:

- ▶ \$9.7 million financial quantum for Te Ākitai Waiohūa to build an economic base - \$3.6 million of the quantum is reserved as an On Account Payment to be paid early following the ratification process (usually the financial quantum is paid after settlement legislation is passed at the very end of the process);
- ▶ purchase of a property at 19-21 Aerovista Place, Wiri, Auckland;
- ▶ Wiri-hana housing development opportunity at Kerrs Road, Wiri, Auckland;
- ▶ option to purchase 14 Crown owned 'Deferred Selection' properties throughout Auckland; and
- ▶ option to purchase the Mount Eden Normal Primary School, Titirangi Primary School and Māngere Archives NZ properties and lease the land back to the Crown under a long term lease.

The historical redress offer includes a written:

- ▶ Historical account describing the actions of the Crown in relation to the people of Te Ākitai Waiohūa;
- ▶ Crown acknowledgement summarising the historical actions of the Crown that breached the Treaty of Waitangi; and
- ▶ Crown apology where the Crown apologises to Te Ākitai Waiohūa for its historical actions.

A link to the full Deed of Settlement (complete with attachments and appendices) can be found on the teakitai.com website. A shorter Deed of Settlement Summary is attached as **Appendix A** to this information booklet.

Frequently Asked Questions

When is the Deed of Settlement likely to be signed?

Mid 2021 if the Deed of Settlement is ratified after the votes are counted.

When is the Deed of Settlement likely to be passed into law?

In 2022 up to 12 months after the Deed of Settlement is signed.

When will the redress in the Deed of Settlement actually be received by Te Ākitai Waiohūa?

Settlement redress is received on or after Settlement Date, which is 40 working days after the date the Te Ākitai Waiohūa settlement legislation comes into force.

Is there any redress in the Deed of Settlement that is likely to be received by Te Ākitai Waiohūa earlier?

The On Account Payment is received 10 business days after the Deed of Settlement is signed, while the remainder of the financial quantum is obtained on Settlement Date. The Wirihihana Kerrs Road development opportunity has already been received by Te Ākitai Waiohūa and is currently being actioned.

Does the Deed of Settlement include redress for the Manukau and Waitemata harbours?

The Deed of Settlement only refers to the harbours acknowledging they will be negotiated separately at a later date. However, Te Ākitai Waiohūa does have a coastal statutory acknowledgement describing customary iwi interests over the coastal areas of Tāmaki Makaurau including the Manukau and Waitemata harbours, the Hauraki Gulf in the east and the Tasman sea in the west.

What is the value of a Statutory Acknowledgement?

A statutory acknowledgement is a form of non-exclusive redress recognising the special cultural association of iwi with a site that can be used as evidence in court. Technically they are an instrument over land that Councils and Consent Authorities, Heritage New Zealand and the Environment Court have to pay regard to in resource management matters.

What is non-exclusive redress?

This is redress that multiple iwi and hapū can claim such as statutory acknowledgements, statements of association and relationship redress instruments. It means other iwi and hapū can have a statutory acknowledgement over the same areas or a relationship agreement with the same agencies as Te Ākitai Waiohūa. Exclusive redress can only be claimed by one iwi or hapū such as redress involving the receipt of money or ownership of land and property.

Does the Deed of Settlement affect Tāmaki Collective redress?

There is an express acknowledgement that the redress received under Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Deed also forms a part of the redress to Te Ākitai Waiohūa in the Deed of Settlement.

How is the Deed of Settlement different from the Waikato Raupatu Claims Settlement of 1995?

The Waikato Raupatu 1995 settlement relates specifically to the effects of the Land Wars in 1863 and subsequent Raupatu land confiscations by the Crown, which affected multiple iwi and hapū in the region. The Deed of Settlement covers all other matters outside of these events specifically in relation to Te Ākitai Waiohūa.

What is the Whakaaetanga Tiaki Taonga agreement offered to Te Ākitai Waiohūa as relationship redress?

Whakaaetanga Tiaki Taonga is the name of a special collective relationship agreement between Te Ākitai Waiohūa and five other agencies – the Ministry for Culture and Heritage, Heritage New Zealand, Te Papa Tongarewa, Department of Internal Affairs (National Library and Archives NZ) and Ngā Taonga Sound and Vision. This unique agreement was developed to help find, manage and protect Te Ākitai Waiohūa taonga in a more collaborative manner.

Will the geographic name changes offered as cultural redress show up on a map?

The 8 geographic name changes proposed by Te Ākitai Waiohūa will eventually be displayed in official maps and plans. The 3 alternate māori names are not shown on maps but will be noted in the public record.

What can the Cultural Revitalisation Fund be used for as cultural redress?

Cultural uses include building a library or archive of Te Ākitai Waiohū information, producing and publishing historical reports or books about Te Ākitai Waiohū, maintaining land, taonga and sites of significance owned by or in the care of Te Ākitai Waiohū as well as supporting kaitiakitanga in cultural matters and encouraging participation in cultural events or activities.

What are the locations of the 7 cultural land vestings offered as cultural redress?

Wiri (2 sites), Weymouth, Wattle Downs, Papakura, Pukekohe and Patumahoe.

What are the locations of the 27 statutory acknowledgement areas offered as cultural redress?

Takapuna, Muriwai, Point Chevalier, Grey Lynn, Mount Wellington, Māngere Bridge (3 sites), Ihumātao, Wiri, Goodwood Heights Manukau, Papakura (2 sites), Drury (2 sites), Ramarama (3 sites), Paerata, Pukekohe Hill, Hunua, Paparimu, Mangatāwhiri (3 sites), Tuakau and the coastal areas of Tāmaki Makaurau.

How many of the statutory acknowledgement areas are also cultural redress in the Deed of Settlement of other Tāmaki Makaurau iwi or hapū?

13 sites including Muriwai, Mount Wellington, Drury (2 sites), Ramarama (3 sites), Hunua, Paparimu, Mangatāwhiri (3 sites) and the coastal areas of Tāmaki Makaurau. The other 14 sites are currently only being claimed by Te Ākitai Waiohū.

What are the locations of the 14 deferred selection properties offered as commercial redress?

New Lynn, Mount Roskill, Hillsborough (9 sites), Favona, Manurewa and Papakura.

How much will the 19-21 Aerovista Place, Wiri property cost to purchase as commercial redress?

The site is valued at \$3.83 million and this amount will be deducted directly from the financial quantum of \$9.7 million offered in the Deed of Settlement.

How much time does Te Ākitai Waiohū have to make a decision on whether to purchase the commercial redress properties?

Te Ākitai Waiohū has 4 years from Settlement Date to purchase the Deferred Selection properties (except for the site in Favona which is only available for 1 year) and 2 years from Settlement Date to purchase the two primary schools (with an option to acquire the schools on Settlement Date instead.)

What are the key objectives of the Wirihana Kerrs Road housing development opportunity?

To earn a profit from the development, build a commercial reputation, establish strong business relationships, find iwi housing opportunities and improve the overall Treaty settlement package of Te Ākitai Waiohū. Some of the On Account Payment funds will be used to support these development objectives.

**“Ko Tāmaki te rua o Te Waiohū”
Auckland is the storepit of Waiohū**

APPENDIX A

Deed of Settlement Summary

General background

Te Ākitai Waiohūa is an iwi whose area of interest centres on Māngere and the wider South Auckland area. Te Ākitai Waiohūa's principal marae, Pūkaki, is located near Auckland Airport in Mangere on the shores of the Manukau Harbour. Te Ākitai Waiohūa also claim customary interests across a wider area extending from the Waikato River in the south to the Whangaparoa Peninsula and Kaipara Harbour in the north.

Te Ākitai Waiohūa are a beneficiary of the Waikato Raupatu Claims Settlement Act 1995 and the Waikato-Tainui Raupatu Claims

(Waikato River) Settlement Act 2010. Te Ākitai are also a party to the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014.

In July 2011, the Crown recognised the mandate of Te Ākitai Waiohūa Iwi Authority to negotiate a comprehensive settlement of the historical Treaty of Waitangi Claims of Te Ākitai Waiohūa.

The Crown signed Terms of Negotiation with Te Ākitai Waiohūa in December 2012. On 16 December 2016, the Crown and Te Ākitai Waiohūa signed an Agreement in Principle which formed the basis for this settlement.

On 23 December 2020 Te Ākitai Waiohūa and the Crown initialled a deed of settlement. The deed of settlement is subject to ratification by Te Ākitai Waiohūa members and conditional on the enactment of the settlement legislation.

Te Arawhiti, with the support of the Department of Conservation, Land Information New Zealand, and other government agencies, represented the Crown in day-to-day negotiations.

The Minister for Treaty of Waitangi Negotiations, Hon Andrew Little (and his predecessor the Hon Christopher Finlayson), represented the Crown in high-level negotiations with Te Ākitai Waiohūa.



Summary of the historical background to the claims

Prior to the signing of Te Tiriti o Waitangi/the Treaty of Waitangi, Te Ākitai Waiohū engaged in transactions with Pākehā settlers to establish peaceful occupation and use of the Tāmaki and Waimai Blocks. Crown-appointed Old Land Commissioners investigated the pre-Treaty transactions and it was found the Crown took approximately 75,900 acres of both blocks as 'surplus'. None of this 'surplus' was returned to Te Ākitai Waiohū, despite an agreement with the settler for the return of a large portion of the Tāmaki block.

The Crown continued to purchase land within the Te Ākitai Waiohū rohe but did not always account for Te Ākitai Waiohū interests in land when it conducted transactions with other iwi. Instead, the Crown presented the transaction to Te Ākitai Waiohū as a completed purchase, providing Te Ākitai Waiohū with no opportunity to retain the land. By the end of 1854 the Crown had purchased all Te Ākitai Waiohū land in the Manukau area, aside from a handful of small reserves. Te Ākitai Waiohū's experience of land transactions with the Crown led them to become supporters of the Kīngitanga after the movement began in 1858.

Although Te Ākitai Waiohū remained friendly with Pākehā, the Crown increasingly began to perceive the Kīngitanga as a challenge to its authority. In July 1863, as the Crown prepared to invade the Waikato, it issued a proclamation requiring Māori in the South Auckland region to swear an oath of allegiance or to vacate their settlements. Most Te Ākitai Waiohū began to leave, gathering at Kirikiri on the road to the Waikato. This group included Te Ākitai Waiohū

rangatira Mohi te Ahi a te Ngu and Ihaka Takaanini. A Crown official visited the pā at Kirikiri, where he was told that Ihaka had understood the proclamation as an order to leave. Once told that they could stay if they swore an oath of allegiance to the Crown, Mohi refused, but Ihaka agreed to take the oath. However, before he could do so, the Governor ordered their arrest. Mohi and a party of 80 men escaped into the bush but Ihaka was captured, along with 22 others.

The prisoners were held in military custody for over four months without charge or trial. Conditions were harsh and Ihaka's father and two of his children died while in custody. The Attorney General advised that there were insufficient grounds for charging Ihaka, but the prisoners remained in custody due to fears that their release would compromise the Crown. Eventually they were moved to the island of Rakino (north-east of Motutapu Island in the Hauraki Gulf) and

released. Ihaka Takaanini died a short time after his arrival on the island.

The Crown undertook extensive confiscation of Te Ākitai Waiohū land under the New Zealand Settlements Act 1863. Some members of Te Ākitai Waiohū were able to claim compensation for their confiscated land, but others, unfairly labelled as rebels by the Crown, were unable to do so.

By 1880 Te Ākitai Waiohū was virtually landless. The iwi rebuilt a community on 50 acres of land at Pūkaki, which had been awarded to Ihaka Takaanini's widow, Riria, by the Compensation Court in 1866. However, the small landholding was insufficient to meet the needs of the community. Many lived in poor conditions and experienced discrimination from the wider community. Repeated efforts in the 1940s and 1950s to have the land defined as a reserve failed. By 1985, only 7.8 acres of Te Ākitai's former lands remained in their ownership.



Overview

The Te Ākitai Waiohū Deed of Settlement will be the final settlement of Te Ākitai Waiohū historical Treaty of Waitangi claims resulting from acts or omissions by the Crown prior to 21 September 1992, and is made up of a package that includes:

- an agreed historical account, Crown acknowledgments and apology;
- cultural redress; and
- financial and commercial redress.

The benefits of the settlement will be available to all members of Te Ākitai Waiohū wherever they may live.

Crown acknowledgements and apology

The deed of settlement contains acknowledgements that historical Crown actions or omissions caused prejudice to Te Ākitai Waiohū or breached the Treaty of Waitangi and its principles.

The deed of settlement also includes a Crown apology to Te Ākitai Waiohū for its acts and omissions which breached Crown obligations under Te Tiriti o Waitangi/the Treaty of Waitangi and the resulting damages to Te Ākitai Waiohū. This includes an apology for the manner in which the Crown conducted purchases of Te Ākitai Waiohū land and for not returning the surplus that was taken during a private transaction. The Crown also apologises for the treatment of members of Te Ākitai Waiohū as rebels, confiscating lands and forcing Te Ākitai Waiohū from their lands, as well as the imprisonment without good cause of many Te Ākitai Waiohū rangatira. The Crown's apology acknowledges that these acts have led to the virtual landlessness of Te Ākitai Waiohū as well as hindered socio-economic development of Te Ākitai Waiohū as an iwi.

Cultural redress

Cultural redress recognises the traditional, historical, cultural and spiritual associations of Te Ākitai Waiohū with sites owned by the Crown within the Te Ākitai Waiohū area of interest.

Vesting of sites

The deed of settlement provides for the vesting of seven cultural redress sites to Te Ākitai Waiohū:

- Matukutūreia Local Purpose (Marae, Pou Whenua and Cultural Purposes) Reserve;
- Waimahia Recreation Reserve;
- Wiri Lava Cave Scientific Reserve;
- Te Ngahere o Papakura Scenic Reserve;
- Patumahoe Scenic Reserve;
- Te Ngahere o Pukekohe Scenic Reserve; and
- Reremoana Recreation Reserve.

Statutory Acknowledgements

The deed of settlement provides for a statutory acknowledgement over 26 areas and a coastal statutory acknowledgement. A statutory acknowledgement recognises the association between Te Ākitai Waiohū and a particular site or area and enhances Te Ākitai Waiohū's ability to participate in specified resource management processes.

Other cultural redress provided for in the deed of settlement is:

- cultural revitalisation fund of \$2.4 million;
- eight official geographic name changes;
- three un-official original Māori name changes; and
- a statement of association with Māngere Mountain.

Relationship Redress

Relationship Agreements and Protocols

The deed of settlement also provides for Te Ākitai Waiohūa to enter into relationship agreements with the Department of Conservation and the Ministry for the Environment. The relationship agreements will outline how these agencies will engage with the Te Ākitai Waiohūa governance entity.

The deed of settlement provides for the Minister of Energy and Resources to issue a protocol setting out how it will interact with and consult Te Ākitai Waiohūa when carrying out statutory duties and functions.

The deed of settlement will also provide for a “Whakaaetanga Tiaki Taonga” with: Te Tari Taiwhenua Department of Internal Affairs – the agency responsible for the National Library Te Puna Mātauranga o Aotearoa and Archives New Zealand Te Rua Mahara o Te Kāwanatanga; The Museum of New Zealand Te Papa Tongarewa; Heritage New Zealand Pouhere Taonga; and Manatū Taonga Ministry for Culture and Heritage. The Whakaaetanga Tiaki Taonga sets out how the above agencies will interact with Te Ākitai Waiohūa.

Letter of Recognition and Appointment as an Advisory Committee

The deed of settlement provides for a letter of recognition from the Director General of the Ministry for Primary Industries to facilitate a good working relationship with the Te Ākitai Waiohūa governance entity. The Minister for Fisheries will appoint the trustees of the Te Ākitai Waiohūa governance entity as an advisory committee in relation to the area identified by Te Ākitai Waiohūa as an area of significance to them.

Letters of Introduction

The deed of settlement will provide for the Crown to write letters of introduction on behalf of Te Ākitai Waiohūa to 20 core and non-core Crown agencies, local authorities, museums and libraries.

Financial and commercial redress

This redress recognises the economic losses suffered by Te Ākitai Waiohūa arising from breaches by the Crown of its Treaty obligations. The financial and commercial redress is aimed at providing Te Ākitai Waiohūa with resources to assist them to develop their economic and social well being.

Financial Redress

Te Ākitai Waiohūa will receive financial redress of \$9.7 million plus interest. This will include an on-account payment of \$3.6 million (40%) of the financial and commercial redress total value.

The deed of settlement records the opportunity to work with the Ministry of Housing and Urban Development for a housing development opportunity at the land located at Kerrs Road and Great South Road, Manukau.

Commercial Redress

Te Ākitai Waiohūa will receive the right to purchase:

- one Treaty Settlements Landbank property on settlement date;
- 14 Treaty Settlements Landbank properties on a deferred selection basis;
- two school sites (land only) as Selection properties on a deferred selection basis, to be leased back to the Crown; and
- the Archives New Zealand site in Richard Drive, Mangere as a Selection property, to be leased back to the Crown.

Questions and Answers

What happens next?

The initialled Deed of Settlement is subject to the approval of Te Ākitai Waiohū members by a vote (known as ratification). If the Deed of Settlement receives sufficient support, then it will be signed by the Crown and Te Ākitai Waiohū. The Crown will then introduce legislation to Parliament to give effect to the settlement.

What is the total settlement package?

- Crown acknowledgement and apology for historical breaches of the Treaty of Waitangi;
- an agreed historical account;
- cultural redress including the return of seven sites throughout the Te Ākitai Waiohū area of interest;
- financial redress of a total of \$9.7 million plus interest; and
- commercial redress involving a right to purchase sites from the Treaty Settlements Landbank, the Ministry of Education and the Department of Internal Affairs.

Is there any private land involved?

No.

Are the public's rights affected?

In general, all existing public access rights in relation to areas affected by the settlement will be preserved.

Are any place names changed?

Yes, please refer to clauses 5.31 and 5.33 of the Te Ākitai Waiohū Deed of Settlement.

What are statutory acknowledgements?

Statutory acknowledgements acknowledge areas or sites with which iwi have a special relationship, and will be recognised in any relevant proceedings under the Resource Management Act. These provisions aim to avoid past problems where areas of significance to Māori, such as burial grounds, were simply cleared or excavated for public works or similar purposes without permission or consultation with iwi. Statutory acknowledgements do not convey a property right and are non-exclusive.

What happens to memorials on private titles?

The legislative restrictions (memorials) placed on the title of Crown properties and some former Crown properties now in private ownership will be removed once all Treaty claims in the area have been settled.

When will the settlement take effect?

The settlement will take effect following the enactment of the settlement legislation.

Does Te Ākitai Waiohū have the right to come back and make further claims about the behaviour of the Crown in the 19th and 20th centuries?

No. When the deed is signed and settlement legislation is passed it will be a final and comprehensive settlement of all historical (relating to events before 21 September 1992) Treaty of Waitangi claims of Te Ākitai Waiohū. The settlement legislation, once passed, will prevent the iwi re-litigating the claim before the Waitangi Tribunal or the courts.

The settlement will still allow Te Ākitai Waiohū to pursue claims against the Crown for acts or omissions after 21 September 1992 including claims based on the continued existence of aboriginal title of customary rights. The Crown also retains the right to dispute such claims or the existence of such title rights.

Who benefits from the settlement?

All members of Te Ākitai Waiohū wherever they may now live.



www.teakitai.com