



14 AUG 2017

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Tēnā koe

Moriori agreement in principle

As you are aware, the Crown and Moriori will sign an agreement in principle (AIP) for the settlement of Moriori historical claims under te Tiriti o Waitangi/the Treaty of Waitangi on 16 August 2017. The Moriori AIP includes offers of redress in which Ngāti Mutunga o Wharekauri (Ngāti Mutunga) have an interest. I am therefore writing to outline the elements of the Moriori AIP which may affect Ngāti Mutunga interests.

There are four broad areas of redress offered to Moriori in which Ngāti Mutunga may have an interest. These are:

- a) cultural redress which is being offered to Moriori including vestings, overlay classifications, statutory acknowledgements and deeds of recognition over specific sites;
- b) cultural redress which is being offered jointly to Moriori and Ngāti Mutunga including Te Whanga Lagoon and Tikitiki Hill sites;
- c) cultural redress which is being offered separately to both Moriori and Ngāti Mutunga including geographic name changes, changes to the management of customary fisheries, the ability to erect a memorial marker on the Auckland Islands, and the establishment of the joint planning committee; and
- d) commercial redress including one of two Ministry of Education properties and a right of first refusal over Crown and Canterbury District Health Board properties on the Chatham Islands to be shared with Ngāti Mutunga.

The details of the cultural redress outlined above is set out in in appendices to this letter.

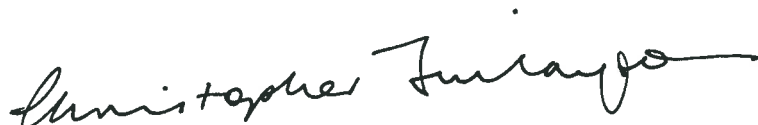
Ngāti Mutunga has been engaging in overlapping claims discussions with Moriori and the Crown for some time. I am pleased the overlapping claims engagement has resulted in agreement over much shared redress, and hope this constructive engagement will continue as Moriori proceed to a deed of settlement, and Ngāti Mutunga work towards an AIP.

My officials have previously offered to engage a facilitator in order to assist in continuing overlapping claims conversations. If Ngāti Mutunga consider there are overlapping claims issues to resolve, I strongly encourage you to take up this offer following the signing of the Moriori AIP. I also emphasise the AIP remains subject to addressing any overlapping interests, and that no deed of settlement will be entered into before these matters have been given due consideration.

Finally, I understand you have taken the Crown offer to the Ngāti Mutunga claimant community for their feedback, and this has led to a number of redress proposals. I am heartened by this focus on your own settlement package, and expect there will be productive discussions with my officials in the coming months.

If you have any questions or wish to comment on the contents of the Moriori agreement in principle as outlined in this letter, please direct your response in the first instance to Negotiations and Settlement Manager Ben White at the Office of Treaty Settlements.

Nāku noa, nā



Hon Christopher Finlayson
Minister for Treaty of Waitangi Negotiations

CC: Maui Solomon, mauis@xtra.co.nz

APPENDIX ONE: MORIORI CULTURAL REDRESS

Cultural redress sites to be vested

Name of area	General description/location	Conditions of vesting
11882, Owenga	1.0 hectares, approximately, 2151 Waitangi Wharf Owenga Road, Chatham Island.	Vesting fee simple
Former Owenga School	1.3 hectares, more or less, Waitangi Wharf Owenga Road, Chatham Island.	Vesting fee simple
Ocean Mail Scenic Reserve	831 hectares, approximately, North Road, Chatham Island.	Vesting fee simple subject to reserve status; third party rights will be protected and public access maintained. Co-management arrangement with the Department of Conservation
Rangiauria Scenic Reserve	41 hectares, approximately, South West Coast, Pitt Island.	Vesting fee simple subject to reserve status; third party rights will be protected and public access maintained.
Te Awatea Scenic Reserve (non-gifted portion)	46 hectares, more or less, South Shore of Lake Huro, Chatham Island.	Vesting fee simple subject to reserve status; third party rights will be protected and public access maintained.
Part Waipaua Conservation Area	1 hectare, approximately, Northhead Road, South East Coast, Pitt Island.	Vesting fee simple; subject to agreement with the Crown as to the exact location.
Part Waipaua Conservation Area	Up to 100 hectares, approximately, Northhead Road, South East Coast, Pitt Island.	Vesting fee simple as a reserve; third party rights will be protected and public access maintained; subject to agreement with the Crown as to the exact location, and to provision for the Pitt Island community to camp on the land in perpetuity.
Site 100, ex Wharekauri Station	62 hectares, approximately, Cape Young, Mairangi Road, Chatham Island.	Vesting fee simple as a reserve; subject to a statutory right for the Department of Conservation to access for oyster catcher monitoring; third party rights will be protected and public access maintained.
Site 102, ex Wharekauri Station	192 hectares, approximately, Wharekauri Road, Chatham Island.	Vesting fee simple as a reserve; subject to a statutory right for the Department of Conservation to access for oyster catcher monitoring; third party rights will be protected and public access maintained.
Site 107, ex Wharekauri Station	0.4 hectares, more or less, Wharekauri Road, Chatham Island.	Vesting fee simple

Site 108, ex Wharekauri Station	0.3 hectares, more or less, Wharekauri Road, Chatham Island.	Vesting fee simple
Site 109, ex Wharekauri Station	2 hectares, more or less, Wharekauri Road, Chatham Island.	Vesting fee simple

Overlay classifications

Overlay areas to which the overlay classification is to apply	General description/location
Canister Cove Scenic Reserve	Pitt Island (Rangiauria)
Mangere Island Nature Reserve	Mangere Island
Rangatira Nature Reserve	South East Island (Rangitira)
Waipaua Conservation Area (grazing leases)	Pitt Island (Rangiauria)
Waipaua Scenic Reserve	Pitt Island (Rangihau)

Statutory acknowledgements

Statutory areas to which the statutory acknowledgement is to apply	General description/location
Coastal marine area	Coastal marine area around all islands in the Chatham group.
Titkitiki Hill Conservation Area – Department of Conservation staff house and land	Titkitiki Hill, Chatham Island
Hanson Bay South Marginal Strips	Hanson Bay, Chatham Island
Lake Huro Marginal Strips	Lake Huro, Chatham Island
Owenga Marginal Strips	Owenga, Chatham Island
Pacific Ocean Marginal Strip	Point Durham, Chatham Island
Petre Bay Marginal Strip	Petre Bay, Chatham Island
Pitt Strait Marginal Strip	Pitt Strait, Chatham Island
Waitangi Marginal Strip	Waitangi, Chatham Island

Deeds of recognition

Statutory areas to which the deed of recognition is to apply	General description/location
Hanson Bay South Marginal Strips	Hanson Bay, Chatham Island
Lake Huro Marginal Strips	Lake Huro, Chatham Island
Owenga Marginal Strips	Owenga, Chatham Island
Pacific Ocean Marginal Strip	Point Durham, Chatham Island
Petre Bay Marginal Strip	Petre Bay, Chatham Island
Pitt Strait Marginal Strip	Pitt Strait, Chatham Island
Waitangi Marginal Strip	Waitangi, Chatham Island

APPENDIX TWO: CULTURAL REDRESS SHARED BETWEEN NGĀTI MUTUNGA AND MORIORI

Cultural redress sites to be vested

Name of area	General description/location	Conditions of vesting/Specific conditions currently known
Te Whanga Lagoon and related sites	477 hectares, approximately, and 18,120 hectares, approximately North Road, Chatham Island.	Bed vesting fee simple and administered by the Te Whanga Lagoon Management Board; the title of the bed of Te Whanga Lagoon will be inalienable and its owners will not be able to mortgage or give a security interest in Te Whanga Lagoon; the administering body for Te Whanga Lagoon will be the Te Whanga Lagoon Management Board; all rights and responsibilities over Te Whanga Lagoon will be held by the Te Whanga Lagoon Management Board; third party rights will be protected and public access maintained; ownership of the airspace above the water, and the space occupied from time to time by the waters at their highest level without overflowing the banks, is subject to ongoing negotiations; and any liabilities transferring with ownership and/or management will be determined prior to reaching deeds of settlement and are subject to ongoing negotiations.
Site 110, ex Wharekauri Station	15 hectares, approximately, North Road, Chatham Island.	Vesting fee simple and administered by the Te Whanga Lagoon Management Board; the land will be inalienable and its owners will not be able to mortgage or give a security interest in the land; the administering body will be the Te Whanga Lagoon Management Board; all rights and responsibilities over the land will be held by the Te Whanga Lagoon Management Board; third party rights will be protected and public access maintained; and any liabilities transferring with ownership and/or management will be determined prior to reaching deeds of settlement and are subject to ongoing negotiations.
Site 111, ex Wharekauri Station	15 hectares, approximately, North Road, Chatham Island.	Vesting fee simple and administered by the Te Whanga Lagoon Management Board; the land will be inalienable and its owners

		<p>will not be able to mortgage or give a security interest in the land;</p> <p>the administering body will be the Te Whanga Lagoon Management Board;</p> <p>all rights and responsibilities over the land will be held by the Te Whanga Lagoon Management Board;</p> <p>third party rights will be protected and public access maintained; and</p> <p>any liabilities transferring with ownership and/or management will be determined prior to reaching deeds of settlement and are subject to ongoing negotiations.</p>
Site 112, ex Wharekauri Station	5 hectares, approximately, North Road, Chatham Island.	<p>Vesting fee simple and administered by the Te Whanga Lagoon Management Board;</p> <p>the land will be inalienable and its owners will not be able to mortgage or give a security interest in the land;</p> <p>the administering body will be the Te Whanga Lagoon Management Board;</p> <p>all rights and responsibilities over the land will be held by the Te Whanga Lagoon Management Board;</p> <p>third party rights will be protected and public access maintained; and</p> <p>any liabilities transferring with ownership and/or management will be determined prior to reaching deeds of settlement and are subject to ongoing negotiations.</p>
Site 113, ex Wharekauri Station	0.25 hectares, approximately, North Road, Chatham Island.	<p>Vesting fee simple and administered by the Te Whanga Lagoon Management Board;</p> <p>the land will be inalienable and its owners will not be able to mortgage or give a security interest in the land;</p> <p>the administering body will be the Te Whanga Lagoon Management Board;</p> <p>all rights and responsibilities over the land will be held by the Te Whanga Lagoon Management Board;</p> <p>third party rights will be protected and public access maintained; and</p> <p>any liabilities transferring with ownership and/or management will be determined prior to reaching deeds of settlement and are subject to ongoing negotiations.</p>
Site 114, ex Wharekauri Station	0.7 hectares, approximately, North Road, Chatham Island.	<p>Vesting fee simple and administered by the Te Whanga Lagoon Management Board;</p> <p>the land will be inalienable and its owners</p>

		<p>will not be able to mortgage or give a security interest in the land;</p> <p>the administering body will be the Te Whanga Lagoon Management Board;</p> <p>all rights and responsibilities over the land will be held by the Te Whanga Lagoon Management Board;</p> <p>third party rights will be protected and public access maintained; and</p> <p>any liabilities transferring with ownership and/or management will be determined prior to reaching deeds of settlement and are subject to ongoing negotiations.</p>
Tikitiki Hill Conservation Area – white house (land and buildings)	0.6 hectares, approximately, Tikitiki Hill Road, Chatham Island.	Vesting fee simple; subject to there being no historic values to protect.
Tikitiki Hill Conservation Area – Ministry of Education house (land only)	0.12 hectares, approximately, Tikitiki Hill Road, Chatham Island.	Vesting fee simple
Tikitiki Hill Conservation Area – paddocks	1.4 hectares, approximately, Tikitiki Hill Road, Chatham Island.	Vesting fee simple
Tikitiki Hill Conservation Area – conical hill	1.16 hectares, approximately, Tikitiki Hill Road, Chatham Island.	Vesting fee simple as a reserve

APPENDIX THREE: CULTURAL REDRESS OFFERED SEPARATELY TO BOTH NGĀTI MUTUNGA AND MORIORI

- Ability to erect a memorial on the Auckland Islands.
 - Chatham Islands Joint Planning Committee
 - Development of customary fisheries regulations and review of rāhui areas.
 - Geographic name changes.
 - Offer to explore natural resource sector annual meeting.
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APPENDIX FOUR: COMMERCIAL REDRESS

- Sale and leaseback of one of the school sites set out in the following table:

Property Name	General description/location	Conditions of transfer
Kaingaroa School site (land only)	1.4762 hectares, more or less, Kaingaroa Road, Waitangi, Chatham Island	Leaseback
Pitt Island School site (land only)	0.8271 hectares, more or less, Flower Pot-Glory Road, Pitt Island (Rangiauria)	Leaseback

- A shared right of first refusal (RFR) with Ngāti Mutunga over Crown properties and Canterbury District Health Board properties in the Moriori area of interest from the number of years from 1840 until the date the RFR first becomes operative.