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Tēnā koe

## **Allocation of the Waitangi properties**

Thank you for your letter of 31 January responding to my preliminary decision regarding the allocation of the six Waitangi properties, comprising the five Hospital Block sites (sites 2-6) and 4 Meteorological Lane (site 1).

As Ngāti Mutunga o Wharekauri and Moriori have been unable to agree an allocation of the properties, I set out my final decision regarding their allocation below. My preliminary decision regarding sites 1-5 has not changed, however, I have made an amendment to my preliminary decision regarding site 6.

Accordingly, I confirm:

- sites 2, 3, 4 and 5 are offered to Ngāti Mutunga o Wharekauri, with the mechanism for the delivery of these properties to be agreed in negotiations;
- site 1 is offered to Moriori as a deferred selection commercial redress property for two years; and
- site 6 is offered to Ngāti Mutunga o Wharekauri and Moriori, either:
  - as a shared deferred selection commercial redress property, to be delivered through the shared redress deed and bill; or
  - to be divided into two parcels, with:
    - one to be offered to Ngāti Mutunga o Wharekauri, with the mechanism for the delivery to be agreed in negotiations; and
    - one to be offered to Moriori as a deferred selection commercial property.

The mechanism for delivery of site 6 to Ngāti Mutunga and Moriori can be addressed during negotiations regarding the shared redress deed.

In coming to these decisions, I have taken into account both groups' aspirations regarding the properties, as well as considering the respective total settlement packages on offer to both groups.

You have indicated Moriori receiving a share of any of the Hospital Block sites may be fatal to the prospect of achieving a settlement with Ngāti Mutunga o Wharekauri. I hope this is not the case. While Waitangi Tribunal recommendations play an important part in Treaty settlement negotiations, the Crown is not bound by these. And as you must be aware, there are a number of recommendations in the Tribunal's *Rekohu* report which the Crown is not implementing through the Ngāti Mutunga o Wharekauri and Moriori settlements.

You have objected to the offer to Moriori of site 1 as exclusive commercial redress. Moriori have a right to exclusive commercial redress, and helping to establish an economic base for settling groups is a key consideration for the Crown in negotiating settlement packages. I do not accept your argument that all commercial redress must be held jointly between Ngāti Mutunga o Wharekauri and Moriori, especially when this is not supported by Moriori.

In your letter you propose the Chatham Islands Housing Partnership Trust (CIHPT) purchase the Hospital Block properties transferred to Ngāti Mutunga o Wharekauri. I note this is a matter for negotiation between Ngāti Mutunga o Wharekauri and the CIHPT. Similarly, the manner in which the properties transfer from the Crown to Ngāti Mutunga o Wharekauri is a matter for discussion between Ngāti Mutunga o Wharekauri and the Crown.

The allocation of the Waitangi properties was the last remaining negotiations issue ahead of finalising the Moriori Deed of Settlement. As such, subject to Moriori agreement to my decision on the Waitangi properties, I am now in a position to sign the Moriori Deed of Settlement at Kōpinga Marae on 14 February.

I look forward to the prospect of resuming negotiations with Ngāti Mutunga o Wharekauri within the parameters I outlined in my letter of 28 January.

If you have any questions, please contact my officials through Sam Ritchie, Negotiations and Settlements Manager (Acting), at [samuel.ritchie@tearawhiti.govt.nz](mailto:samuel.ritchie@tearawhiti.govt.nz).

Nāku noa, nā



**Hon Andrew Little**  
**Minister for Treaty of Waitangi Negotiations**

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