



## Office of Hon Dr Michael Cullen

**Deputy Prime Minister**

Attorney-General

Minister of Finance

Minister in Charge of Treaty of Waitangi Negotiations

Leader of the House of Representatives

Professor Margaret Mutu  
Chair  
Te Runanga-a-Iwi o Ngāti Kahu  
21A Parkdale Cres  
KAITIAIA

Tēnā koe Margaret

Firstly, I wish to congratulate you on the progress you and your team have made with the Crown over recent months. To have negotiated and agreed on an Agreement in Principle in such a short time is a great achievement.

While much progress has been made through negotiations, given time constraints some issues have not been able to be fully canvassed. While the Agreement in Principle marks an important milestone in our path to a final settlement for Ngāti Kahu there is still much work to be done to reach a Deed of Settlement.

I have also considered your request to omit the clause regarding Sections 10 and 11 of the Crown Minerals Act 1991. As you are aware, this is an important clause for the Crown, however, I accept that Ngāti Kahu and the Crown have not had time to adequately discuss and resolve this issue and I am therefore willing to omit the clause from the Agreement in Principle. In doing so I confirm that Sections 10 and 11 of the Crown Minerals Act 1991 will still apply, and that the ownership of Crown Minerals under land transferred to Ngāti Kahu as part of your settlement will remain with the Crown.

You wrote to me on 15 September, raising a number of issues, including your desire that the Crown make lands returned to you in settlement non-rateable. I understand your concerns regarding the rating of land, but I am not willing to intrude on the powers of local authorities and use settlement legislation to make land non-rateable. I am aware that rates would only apply to a small number of the lands offered as cultural redress, and encourage you to enter into direct discussions with your local authorities to see if your issues can be addressed.

We had agreed the following clause in relation to Whakaangi be included in the Agreement in Principle.

*"Ngāti Kahu acknowledge that Ngātikahu ki Whangaroa have an Agreement in Principle which provides an overlay classification over the Whakaangi Scenic Reserve in favour of Ngātikahu ki Whangaroa. The Crown has also offered Ngāti Kahu an overlay classification over Whakaangi Scenic Reserve. It is Ngāti Kah's preference that Whakaangi be included in the properties be subject to the Statutory Board. Ngāti Kahu intends to explore this possibility with Ngātikahu ki Whangaroa. If Ngāti Kahu and Ngātikahu ki Whangaroa reach an agreement that Whakaangi Scenic Reserve should be included within the Statutory Board redress, the Crown will consider amending its offers to both parties to reflect that agreement."*

I understand that in your discussions with Ngātikahu ki Whangaroa, Ngati Aukiwa have requested that the clause be removed from the Agreement in Principle. However, the Crown is still willing to explore the redress set out in the above clause for inclusion in a Deed of Settlement if the issues with Ngātikahu ki Whangaroa resolved.

You have advised that Ngāti Kahu wish to enter into discussions with private land owners regarding wāhi tapu sites situated on private land. The Crown is willing to consider how it can help Ngāti Kahu in this regard. I understand that the Chief Crown Negotiator, Pat Snedden is willing to assist with discussions. However, Ngāti Kahu and the Crown will need to discuss this further.

You have also raised the issue of inland and fresh waterways and airspace and the wish to explore potential redress. I understand that these issues have not been discussed in negotiations. I confirm that I am willing to engage in discussions over these issues after the execution of the Agreement in Principle.

You have expressed interest in a number of Crown properties in Kaitaia including properties the Crown has offered to Te Rarawa in their Agreement in Principle, namely Kaitaia Intermediate and Kaitaia Primary School. The Crown is still committed to the Agreement in Principle with Te Rarawa. The offer of these properties to Te Rarawa was made subject to the resolution of shared interests and I am aware you have been in discussions with them. The Crown is willing to explore redress proposals in relation to these properties if they are acceptable to both Te Rarawa and Ngāti Kahu.

In your letter you have sought an assurance that the Crown and Ngati Kahu can continue to discuss potential redress over Housing New Zealand Corporation properties after signing the Agreement in Principle. I am pleased to be able to update you that in recent discussions with my officials, Housing New Zealand Corporation has indicated a willingness to provide Right of First Refusal redress. It is also interested in meeting with you to discuss your interests. As you are aware, other iwi, including Te Rarawa have also expressed an interest in this redress and shared interests will need to be resolved between the iwi. I am however, pleased to be able to include a paragraph in the Agreement in Principle indicating we are exploring this redress.

It has been a great pleasure to see the relationship between Ngāti Kahu and the Crown strengthen over the last few months. There remains a lot of work to complete before a Deed of Settlement can be signed but with a continuation of the constructive engagement seen recently, I am confident the journey towards a Deed of Settlement will be positive.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'M. Cullen', written in a cursive style.

Hon Dr Michael Cullen

**Minister in Charge of Treaty of Waitangi Negotiations**