

28 February 2019

Michele Wallace

By email: [fyi-request-9594-bd1c1284@requests.fyi.org.nz](mailto:fyi-request-9594-bd1c1284@requests.fyi.org.nz)

Dear Michele

Thank you for your request for information dated 14 February for “the Ownership details of Te Whanga Lagoon, including each change of ownership from 1840 to 2019.” Land Information New Zealand transferred your request to The Office for Māori Crown Relations – Te Arawhiti under section 14 of the Official Information Act 1982.

No title has been issued for Te Whanga Lagoon. Instead, the Foreshore and Seabed Act 2004 explicitly defined the bed of Te Whanga Lagoon as part of the foreshore and seabed. This placed Te Whanga Lagoon in Crown ownership. The Marine and Coastal Area (Takutai Moana) Act 2011 (MACA) repealed the Foreshore and Seabed Act, and explicitly excluded the bed of Te Whanga Lagoon from the definition of the Common Marine and Coastal Area. This exclusion meant that Te Whanga Lagoon remains in Crown ownership.

There has never been a “change of ownership.” However, the Crown has offered to transfer the bed jointly to Moriori and Ngāti Mutunga as part of the settlement of their historical Treaty claims, as set out in the Moriori Agreement in Principle signed in August 2017. These settlements have not been completed and as such the transfer has not yet taken place.

You have the right under section 28(3) of the Act to seek a review by the Ombudsman of this response. Information about how to do this is available at [www.ombudsman.parliament.govt.nz](http://www.ombudsman.parliament.govt.nz) or freephone 0800 802 602.

Nāku noa, nā



Ben White  
Negotiation and Settlement Manager