

ANNUAL REPORT ON THE CROWN'S IMPLEMENTATION OF WAITANGI TRIBUNAL RECOMMENDATIONS FOR THE PERIOD JULY 2014 – JUNE 2015

Between 1 July 2014 and 30 June 2015 the Waitangi Tribunal released the following reports:

- **Te Urewera Pre-publication, part V**
- **He Whakaputanga me te Tiriti/The Declaration and the Treaty: The Report on Stage 1 of the Te Papanahi o Te Raki Inquiry**
- **Whaia Te Mana Motuhake/In Pursuit of Mana Motuhake: Report on the Māori Community Development Act Claim**
- **The Final Report on the MV Rena and Motiti Island Claims**
- **The Te Aroha Maunga Settlement Process Report**

This annual report provides an update of the Crown's implementation of Waitangi Tribunal recommendations over the past 12 months, including the primary findings in respect of each report and the Crown's response to them. The document is arranged in two parts. Part one covers current Tribunal reports, that is, those which are being actively addressed by the Crown. Part two outlines a list of reports released since 1995 on claims that have been resolved or settled and for which no further action is required.

This report has been prepared by the Minister for Māori Development, who is required by section 8i of the Treaty of Waitangi Act 1975 to table a report annually in the House of Representatives on progress being made in the implementation of recommendations made to the Crown by the Waitangi Tribunal.

PART 1: CURRENT WAITANGI TRIBUNAL REPORT

Tribunal Report	WAI Number	Date	Primary Finding and/or Recommendations	Status
<p>The Final Report on the MV Rena and Mōtiiti Island Claims</p>	<p>Wai 2391</p>	<p>2014</p>	<p>The Tribunal found that the obligations the Crown incurred under the wreck removal deed placed the <i>Rena</i> owners in a special position in the resource consent process in a way that had the potential to significantly affect Māori interests in Otaiti. Further, the Tribunal found that the Crown had signed the deed without having sufficient knowledge of Māori interests in the reef and without having consulted Māori, despite it being both practical and necessary for it to have done so.</p> <p>The Tribunal considered that the Crown, by opting in August 2014 to partially oppose the <i>Rena</i> owners' resource consent application, avoided the primary prejudice that could have arisen from its conduct in entering the wreck removal deed. However, the Tribunal also found that the Crown's conduct diminished the Treaty partnership to the detriment of Māori and so prejudicially affected the claimants.</p> <p>The Tribunal therefore found that the Crown's conduct in entering the wreck removal deed without having consulted Māori breached the Treaty principles of partnership and mutual benefit. The Crown failed in its duty to act reasonably, honorably, and in good faith. The Tribunal made recommendations designed to remedy the prejudice that this caused the claimants.</p>	<p>On 22 June 2015, Ngā Hapū o Te Mouere o Mōtiiti (NHTMM) applied to the Tribunal for an urgent hearing in relation to the Tauranga Moana Iwi Collective (TMIC) settlement. The Wai 2521 statement of claim includes historical and contemporary claims regarding Crown acts or omissions in relation to the recognition of NHTMM identity, infrastructure on Mōtiiti, governance of Mōtiiti and NHTMM's ability to participate in the Tauranga Moana Framework.</p> <p>The Office of Treaty Settlements is currently considering the history and identity of Mōtiiti groups to determine if there are likely to be unsettled historical claims in addition to historical claims settled by the Ngāti Awa Claims Settlement Act and the pending Ngāi Te Rangī and Ngā Pōtiki settlement bill. The review is estimated to be completed by the end of October 2015.</p>

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The Te Aroha Maunga Settlement Process Report	WAI 663	2014	The Tribunal report was released on 16 June 2014. The Tribunal found there was no Treaty breach in relation to the Crown's negotiation process. The Tribunal therefore had no jurisdiction to make recommendations but instead suggested that claimants and the Hauraki Collective continue to negotiate, with the assistance of an independent facilitator, and with the Crown's assistance in developing redress options.	The Crown is currently in negotiations with Ngāti Rāhiri Tumutumu. Redress options in respect of the aspirations of Ngāti Rāhiri Tumutumu are being considered as part of those negotiations.

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<p>Whaia te Mana Motuhake/In pursuit of Mana Motuhake: Report on the Māori Community Development Act Claim</p>	<p>Wai 2417</p>	<p>2014</p>	<p>In 2009, the Minister for Māori Development instructed Te Puni Kōkiri / the Ministry of Māori Development to carry out a review of the Act. A report by the Māori Affairs select committee in 2010 recommended changes to the Act but advised that extensive consultation should be carried out with Māori before any proposed reforms were introduced.</p> <p>The Tribunal recommended that any future review of the Māori Community Development Act be led by Māori – specifically the New Zealand Māori Council – and that all reasonable costs flowing from the review and consultation process should be met by the Crown.</p> <p>The Tribunal further recommended that the Māori wardens project continue but that an interim advisory group or governance board be appointed from among the New Zealand Māori Council and Māori wardens to provide Māori community oversight of the funding, training, and other support delivered under the project.</p>	<p>Te Puni Kōkiri is currently working with Crown Law to develop advice on options available to the Government, and a recommended response to the report. The final Government response will need to be approved by Cabinet. Te Puni Kōkiri anticipate providing advice to the Minister for Māori Development by March 2016.</p>

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<p>He Whakaputanga me te Tiriti/The Declaration and the Treaty: The Report on Stage 1 of the Te Paparahi o Te Raki Inquiry</p>	<p>Wai 1040</p>	<p>2014</p>	<p>The report is concerned solely with addressing the meaning and effect of:</p> <ul style="list-style-type: none"> • He Whakaputanga o te Rangatiratanga o Nu Tireni, and the Declaration of Independence of New Zealand, and • Te Tiriti o Waitangi, and the Treaty of Waitangi, at the time of the first signings in February 1840. <p>The Tribunal's view is that the agreement reached at Waitangi, Mangungu, and Waimate in February 1840 is to be found in what the signatory rangatira were prepared to agree to, based on the proposals that William Hobson and his agents made to them by reading Te Tiriti, and explaining the proposed agreement, and on the assurances that the rangatira sought and received.</p>	<p>The stage 1 inquiry hearings phase is complete. Hearings began in May 2010 and concluded with closing submissions in February 2011. On 14 November 2014, the report on stage 1 Te Paparahi o Te Raki handover took place at Te Tii Marae, Waitangi. The stage 1 report responded to the issues posed by the Tribunal, which – uniquely in Tribunal inquiries – focused on Māori and Crown understandings of He Whakaputanga o te Rangatiratanga/the Declaration of Independence 1835, and Te Tiriti o Waitangi/the Treaty of Waitangi 1840.</p> <p>The interlocutory phase leading up to the start of stage 2 hearings is complete. This process included filing amended statements of claim, determining the claim issues to be focussed on, and identifying any remaining evidential gaps in the inquiry's research programme.</p> <p>Stage 2 hearings are now in progress.</p>

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Te Urewera Pre-publication, part V	Wai 894	2014	This part deals with Treaty of Waitangi claims in respect of Lake Waikaremoana, lodged by Tūhoe, Ngāti Ruapani, Ngāti Kahungunu, Ngāi Tamaterangi, and various associated groups and individuals. These important claims were the subject of extensive evidence and submission from the Crown and the claimants, which required a lengthy response on the Tribunal's part in order to determine all the matters of alleged breach and prejudice.	<p>The Tūhoe Claims Settlement Bill and the Te Urewera Bill received the Royal Assent on 27 July 2014.</p> <p>Ngāti Kahungunu and Ngāi Tamaterangi are part of the Iwi and hapū of Wairoa. The Crown signed an Agreement in Principle with the Iwi and hapū of Te Wairoa on 11 June 2014 and hope to initial a Deed of Settlement with this group later this year.</p> <p>Ngāti Ruapani is yet to be mandated.</p>

PART 2: WAITANGI TRIBUNAL REPORTS WHICH HAVE BEEN RESOLVED OR SETTLED

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
The Kiwifruit Marketing Report	WAI 449	1995	The Tribunal found that this claim was not well-founded.	No action required.
The Tūrangi Township Report	WAI 84	1995	The Tribunal found substantially in favour of Ngāti Tūrangitukua's claim, and the Crown and Ngāti Tūrangitukua commenced negotiations accordingly.	The Ngāti Tūrangitukua Claims Settlement Act 1999 gave effect to the settlement reached between Ngāti Tūrangitukua and the Crown.
The Ngāi Tahu Ancillary Claims Report	WAI 27	1995	These claims arose out of Crown actions when dealing with the individual property rights of members of Ngāi Tahu Whānui in the years following the execution of the original purchase agreements between Ngāi Tahu and the Crown. The Tribunal reported on 100 ancillary claims and found that almost half involved breaches of the Treaty.	The Crown has offered redress in respect of every beneficial (non-tribal) ancillary claim, which was upheld by the Tribunal.
The Taranaki Report: Kaupapa Tuatahi	WAI 142	1996	In view of the extent of the Treaty breaches suffered by the Iwi of Taranaki, the Tribunal made a number of comments in terms of settlement quantum, process and structure. Although the Tribunal considered that, based on legal principles, some billions of dollars were probably owed for the land, it accepted that such a quantum of damages would not be possible and recommended instead that generous reparation be made.	Settlement has been achieved with seven of the eight Taranaki Iwi, providing for a range of redress. Ngāti Tama, Ngāti Mutunga, Ngāti Ruanui and Ngā Rauru Kiihahi have had their settlements legislated in Parliament. The Crown signed Deeds of Settlement with Ngāruahine on 1 August 2014, Te Atiawa on 9 August 2014 and Taranaki Iwi on 5 September 2015 and these are progressing through the legislative process. Ngāti Maru, is engaged with the Crown in the mandating phase of negotiations.

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				<p>The Ministry for Culture and Heritage has negotiated Taonga Tūturu protocols with several of these Iwi and protocols have also been established by the Department of Conservation and the Ministry for Primary Industries.</p> <p>The Tri-Iwi negotiated relationship agreements with the Ministry of Business, Innovation and Employment in relation to petroleum and minerals are part of the redress. The agreements are a non-standard form of redress and have been designed to reflect the importance of petroleum and minerals to the Iwi and the region.</p> <p>The Ministry for Primary Industries has negotiated protocols relating to fisheries with Ngā Rauru Kītahi, Ngāti Ruanui, Ngā Ruahine, Ngāti Tama, Ngāti Mutunga and Te Ātiawa and Taranaki. Each of the Iwi Post-Settlement Governance Entity's has or will be appointed to an advisory committee to the Minister for Primary Industries on issues relating to fisheries management in their areas of interest.</p>
The Muriwhenua Land Report	WAI 45	1997	The Tribunal concluded that the Muriwhenua claims were well-founded.	<p>Te Aupouri, Te Rarawa and Ngāi Takoto signed Deeds of Settlement in 2012. Ngāti Kuri signed a Deed of Settlement in February 2014. Settlement legislation has been passed and received the Royal Assent on 22 September 2015.</p> <p>The settlement legislation provides for a range of collective and individual redress for Te Aupouri, Te Rarawa, Ngāi Takoto and Ngāti Kuri. The</p>

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				<p>Settlement legislation also establishes the Ngāti Kahu Accumulated Rentals Trust, which will hold 20% of the accumulated rentals to provide to Ngāti Kahu in a future settlement or via resumption order from the Waitangi Tribunal.</p> <p>The Ministry for Primary Industries will issue fisheries protocols for each Iwi. The governance entities of each of the Iwi will be appointed as advisory committees to the Minister for Ministry for Primary Industries. The governance entities will also be appointed as a Joint Advisory Committee on fisheries matters of collective interest to the Iwi.</p>
Te Whanganui-a-Orotu Remedies Report	WAI 55b	1998	<p>The Tribunal made non-binding recommendations to the Crown to negotiate compensation with claimants for the loss of their taonga, Te Whanganui-a-Orotu (Napier Inner Harbour).</p>	<p>The Tribunal reported on the other claims of the Wai 55 hapū in its 2004 Mōhaka ki Ahuriri report.</p> <p>The Ahuriri hapū had their mandate recognised in January 2010, signed Terms of Negotiation in June 2010 and reached an Agreement in Principle (AIP) in December 2013. The AIP records that settlement documentation is to provide for the establishment of a permanent, stand-alone, multiparty, statutory committee for the management of Te Whanganui-a-Orotu.</p> <p>Ahuriri initialled a Deed of Settlement on 19 June 2015 and is expected to sign this deed later in 2015.</p> <p>The Ministry for Primary Industries will issue a Letter of Recognition to the governance entity. The governance entity once it is established will be</p>

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				appointed as an advisory committee on fisheries over areas of special significance to Ahuriri hapū.
Te Whānau o Waipareira Report	WAI 414	1998	The Tribunal made a number of specific recommendations concerning the status of Te Whānau o Waipareira Trust.	The Crown and Te Whānau o Waipareira Trust have held a series of discussions about their relationship following the release of the Tribunal's Report.
The Tūrangi Township Remedies Report	WAI 84	1998	This report saw the Waitangi Tribunal exercise its power to make binding recommendations for the first time. The report followed the breakdown of negotiations between the Crown and Ngāti Tūrangitukua following the release in 1995 of the Tribunal's Tūrangi Township Report. The recommendations were that memorialised and Crown-owned non-memorialised land to the value of \$6.1 million be returned to Ngāti Tūrangitukua by the Crown. The Crown and claimants had 90 days to reach an agreement before the binding recommendations became final.	The Crown and Ngāti Tūrangitukua reached an agreement before the Tribunal's recommendations became binding and the parties signed a Deed of Settlement at Tūrangi in September 1998. The Ngāti Tūrangitukua Claims Settlement Act 1999 gave effect to the settlement reached between Ngāti Tūrangitukua and the Crown.
Te Ika Whenua Rivers Report	WAI 212	1998	The Tribunal recommended that the Crown enter into negotiations with Te Ika Whenua claimants to determine an appropriate compensation package which recognises and takes into account the claimants' interests in the Rangitaikī, Whirinaki, and Wheao rivers.	Comprehensive settlements with Ngāti Manawa and Ngāti Whare included river redress. Settlement legislation for river redress came into effect in April 2012. The other Te Ika Whenua claimants, Ngāi Tūhoe and Ngāti Haka Patuheuheu, have had their claims comprehensively settled through the Ngāi Tūhoe Deed of Settlement which was signed on 4 June 2013 with their settlement legislation receiving the Royal Assent on 27 July 2014.

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				The Ministry for Primary Industries has issued fisheries protocols to Ngāti Manawa and to Ngāti Whare.
The Ngāti Awa Raupatu Report	WAI 46	1999	<p>This is an abbreviated report without formal recommendations, to support a settlement of claims arising from the Ngāti Awa raupatu in the Bay of Plenty.</p> <p>The report is not a full report because (among other things) the Crown and claimant counsel considered that the main claims – relating to the raupatu and contemporary land allocations – were able to be settled.</p>	<p>Settlement of Ngāti Awa historical and ancillary claims was reached in 2003. Legislation giving effect to the Deed of Settlement was passed in March 2005. Settlement of Ngāti Tūwharetoa ki Kawerau historical claims was also reached in 2003, with legislation giving effect to the Deed of Settlement passed in May 2005.</p> <p>The Ministry for Primary Industries has issued fisheries protocols to Ngāti Tūwharetoa ki Kawerau and to Ngāti Awa.</p>
The Wānanga Capital Establishment Report	WAI 718	1999	The Tribunal accepted the claim by Te Wānanga o Raukawa, Te Wānanga o Aotearoa and Te Whare Wānanga o Awanuiārangi, and made three recommendations about capital establishment grants.	A Deed of Settlement was signed between the Crown and Te Awanuiārangi on 4 October 2010. Settlements were earlier reached with Te Wānanga o Aotearoa and Te Wānanga o Raukawa.
The Whanganui River Report	WAI 167	1999	The Tribunal accepted the Whanganui River claims and recommended that the Crown should negotiate with Te Atihaunui a Pāpārangi through the Whanganui River Māori Trust Board.	The Crown has completed negotiations with Whanganui Iwi (the Whanganui River Māori Trust Board is the mandated negotiating body). The Crown and Whanganui Iwi initialled the Whanganui River Deed of Settlement in March 2014. The ratification process for the Whanganui River Deeds of Settlement (Ruruku Whakatupua Te Mana o Te Awa; Ruruku Whakatupua Te Mana o Te Iwi o Whanganui) and the Post-Settlement Governance

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				<p>Entity (PSGE) took place between 13 June and 11 July 2014 and the Deed of Settlement was signed on 5 August 2014. The Whanganui River Māori Trust Board will be dissolved and its assets transferred to the new PSGE.</p> <p>Whanganui River Iwi, the Ministries for Primary Industries and Conservation, Fish and Game New Zealand and Horizons Regional Council will establish a fisheries coordination group to coordinate the work planning and management activities of the organisations with fisheries or fish habitat management responsibilities in the Whanganui River catchment; and will provide a forum for the Iwi with interests in the Whanganui River to contribute to the protection, management and sustainable utilisation of fisheries and fish habitat that are managed in the Whanganui River catchment under the existing legislative framework.</p> <p>Whanganui River Iwi and the Ministry for Primary Industries will establish a collaborative process to explore the development of a regulatory mechanism under the Fisheries Act 1996 to provide for the management of customary food gathering by Iwi with interests in the Whanganui River.</p>
The Radio Spectrum Management Report	WAI 776	1999	The Tribunal considered that the Crown should suspend the auction of 2 GHz frequencies until it had negotiated with Māori to reserve a fair and equitable portion of the frequencies for Māori. In	The Māori Spectrum Trust, now known as Te Huarahi Tika Trust, was established in 2000. The Crown provided \$5 million in funding and reserved spectrum in the 2 GHz spectrum band, which is

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			<p>the Tribunal's view, this arrangement was preferable to compensation in lieu of spectrum frequencies.</p> <p>The Tribunal also recommended that the Crown and Māori consider establishing a Māori trust, which could receive income from the development or lease of frequencies to develop infrastructure for remaining Māori frequencies, or to educate and train Māori staff for employment in that infrastructure or elsewhere in the telecommunications industry.</p>	<p>suitable for 3G cellular services, for purchase by the Trust's commercial arm, Hautaki Limited (Hautaki).</p> <p>Hautaki developed a commercial relationship with the forerunner to 2degrees, New Zealand Communications Limited, and now has a shareholding in 2degrees. 2degrees launched 3G services in 2009. Following this, Hautaki purchased the reserved spectrum, which is now being used by 2degrees to offer 3G services.</p> <p>A further claim which traverses similar issues, WAI 2224, was not granted the urgent hearing sought.</p>
The Mōkai School Report	WAI 789	2000	<p>The Tribunal made specific recommendations concerning the reopening of Mōkai School. The Tribunal, however, put the onus on the community to ensure a stable and viable roll.</p>	<p>The former Mōkai School closed on 3 October 1999, as a result of a low, unsustainable school roll (7 students as at July 1999).</p> <p>The Ministry of Education withheld the site from disposal following representations by the community through the Waitangi Tribunal for the school to remain open. The community subsequently applied to establish a school of designated character under section 156 of the Education Act, which the Minister of Education declined in September 2001. The student numbers never increased in the intervening period for the re-opening to be considered and the property was declared as no longer required for educational purposes and entered the disposal process on 7 June 2006.</p>

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				<p>The Crown is in negotiations with the trustees representing the former owners and is working towards entering into an agreement to transfer the property in accordance with the provisions of section 41 of the Public Works Act 1981.</p> <p>The Crown's disposal agent, Darroch Ltd and its subcontractor, met with the trustees in May 2014 to discuss the offer back process and purchase of the buildings by the Trust. The trustees met again in June 2014. Since then there has been a change in trustees and the progress has been slow.</p>
The Pakakohi and Tangahoe Settlement Claims Report	WAI 142/758	2001	<p>The Tribunal felt that these claims disguised an internal dispute between closely-related groups, but it could not find sufficient evidence of support for a separate settlement between both groups and the Crown.</p> <p>Specific recommendations concerning the Deed of Settlement for Ngāti Ruanui were made.</p>	<p>The parties agreed to various changes to the Ngāti Ruanui Deed of Settlement to give greater prominence to Tangahoe and Pakakohi distinctiveness and to ensure that Tangahoe and Pakakohi traditions were factored into the Deed of Settlement. The Deed of Settlement was signed on 12 May 2001 with settlement legislation being passed in 2003 settling all claims of Pakakohi and Tangahoe.</p>
Taranaki Māori, Dairy Industry Changes and the Crown	WAI 790	2001	<p>The claim was brought on behalf of the beneficial owners of land held by Parininihi ki Waitōtara Incorporation concerning the effects of dairy restructuring on Parininihi ki Waitōtara land.</p> <p>The Tribunal made a specific recommendation that the Crown assist Parininihi ki Waitōtara to buy shares and that, on the possibility that rents were</p>	<p>The Crown did not accept the Tribunal's recommendation with respect to share purchase loan guarantees and making up rents.</p>

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			reduced and that unbundling had been a significant contributor to the reduction, the Crown should make up the rents to the extent of the unbundling contribution.	
The Hauraki Gulf Marine Park Report	WAI 728	2001	<p>The claimants alleged that the management regime established under the Hauraki Gulf Marine Park Act 2000 is a breach of the principles of the Treaty of Waitangi.</p> <p>The Tribunal did not see any fundamental breach in the legislation and made no specific findings. The Tribunal stated however, that it would like to see how kaitiaki roles as set out in the Act would function in practice.</p>	The kaitiaki arrangements established under the Act continue to date.
The Ngāti Maniapoto/Ngāti Tama Cross Claims Report	WAI 788/800	2001	The Tribunal recommended that the status of the Kawau Pā historic reserve remain unchanged for the time being, and no statutory acknowledgement or deed of recognition in relation to this site should be included in the Ngāti Tama settlement.	The Crown proposed to Ngāti Tama and Ngāti Maniapoto that discussions about the future of the site continue outside the Treaty settlement process. Ngāti Maniapoto is currently in the process of seeking a mandate to enter into negotiations with the Crown. Any future settlement negotiations will be conducted in light of the Tribunal's recommendations. The Ministry for Culture and Heritage and Ngāti Maniapoto will soon sign an implementation strategy to give effect to the Waiawa Accord signed in 2011 (through the Waikato River settlement and the associated Taonga Tūturu Protocol).

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				<p>The Department of Internal Affairs signed a Local Government Accord with Ngāti Maniapoto in December 2013 (through the Waikato River settlement).</p> <p>The Ministry of Business, Innovation and Employment (MBIE) and the Minister of Energy and Resources signed an Energy and Resources Accord with Ngāti Maniapoto in 2013, making Ngāti Maniapoto the fourth Waikato-Waipā River Iwi to receive such an Accord. MBIE is now developing an implementation strategy with Ngāti Maniapoto to give effect to the Accord.</p> <p>On 4 June 2015 Te Puni Kōkiri signed an implementation plan for the Ngāti Maniapoto Māori Affairs Accord.</p> <p>The Ministry for Primary Industries has signed a Primary Industries Accord with Ngāti Maniapoto and have concluded an implementation plan for the Accord.</p> <p>The Waikato River Settlement requires the development of fisheries regulations to enable Ngāti Maniapoto to manage fishing activity in the Waipā catchment. The Ministry for Primary Industries is working with Ngāti Maniapoto to develop regulations.</p>

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Rekohu Report on Moriori and Ngāti Mutunga claims in the Chatham Islands	WAI 64	2001	The Tribunal made a number of recommendations in favour of the Moriori people and Ngāti Mutunga, including that of negotiated compensation.	<p>The Hokotehi Moriori Trust applied to the High Court to replace the Trustees and hold fresh elections. In January 2015 the High Court removed the Trustees and approved two independent trustees to undertake to amend the Trust Deed and hold fresh elections.</p> <p>Ngāti Mutunga o Wharekauri Iwi Trust had their mandate recognised by the Crown on 16 March 2015.</p>
The Napier Hospital and Health Services Report	WAI 692	2001	<p>The Tribunal primarily recommended that the Crown endow a community health centre in trust for Ahuriri Māori, assigning part of the proceeds from the transfer of the Napier Hospital site out of the ownership of the Hawke's Bay District Health Board (DHB).</p> <p>The Tribunal considered an early resolution of the claim to be possible within the framework of current Government policy and health sector legislation.</p>	<p>The Deed of Settlement for the contemporary aspect of Wai 692 was signed on 3 October 2008, and assets were transferred on 2 June 2009. The total value of the assets was \$2.693 million. This included money for three-year health contracts, establishment costs, two properties in Maraenui, Napier and \$300,000 held in trust.</p> <p>As part of the settlement, the Ministry of Health agreed to fund a three year contract for the provision of rongoā services. Ahuriri District Health (ADH) were contracted to deliver rongoā services from 1 July 2009.</p> <p>ADH is currently contracted from 1 April 2015 until 31 March 2018, with a right of renewal for a further three years.</p> <p>The Crown's initial obligation to fund the provision of rongoā services under the Deed of Settlement has been met.</p>

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				<p>In regards to the funding element in the Deed of Settlement. Hawke's Bay DHB and ADH have been working to fulfil the Deed of Settlement to give health services to the people of Ahuriri. The Ministry of Health has decided to take a leadership role to further facilitate this process with ADH. The Deed of Settlement will be varied to reflect this. The Ministry of Health also meets regularly with ADH on their plans for a health centre in Ahuriri.</p> <p>The historic aspect of this claim is yet to be settled (see Wai 55b and Wai 201).</p>
<p>The Ngāti Awa Settlement Cross-Claims Report</p>	<p>WAI 958</p>	<p>2002</p>	<p>Claimants opposed the offer of certain items of redress to Ngāti Awa on the grounds that they had an interest in, and claims to, those items that had not been heard by the Tribunal.</p> <p>The Tribunal found the Crown's policies on the inclusion of Crown Forest Licensed land and its approach to the inclusion of cultural redress in that settlement did not breach the principles of the Treaty. It also found that the management of cross-claims to forest redress did not breach the Treaty of Waitangi. It specifically recommended that the Office of Treaty Settlements work to improve its officials' understanding of how their obligation to take responsibility for resolving conflicts arising from cross-claims is fulfilled in practice.</p>	<p>The Crown accepted that overlapping claim issues, both in this specific instance and across Treaty settlements generally, need to be addressed before settlements can be concluded.</p>

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<p>The Aquaculture and Marine Farming Report</p>	<p>WAI 953</p>	<p>2002</p>	<p>The Tribunal recommended that:</p> <ul style="list-style-type: none"> • the period before the introduction of the new Bill be used by the Crown to establish a mechanism (resourced by the Crown) for consultation and negotiation with Māori; and • the consultation should focus on the existence of Treaty rights in the coastal space, which include rights (the extent of which are yet to be determined) to aquaculture and marine farming. 	<p>The Māori Commercial Aquaculture Claims Settlement Act 2004 (the Act) provides a full and final settlement of Māori claims to commercial aquaculture space on or after 21 September 1992. There are two elements to the Crown’s commercial aquaculture settlement obligations under the Act:</p> <ol style="list-style-type: none"> a. the Crown’s pre-commencement space obligations; and b. the Crown’s new space obligations. <p>Pre-commencement Space Obligation</p> <p>The settlement established the Crown’s obligation to provide Iwi with the equivalent of 20% of the aquaculture space created between 21 September 1992 and 31 December 2004 (called ‘pre-commencement space’). Pre-commencement space also includes any space that was approved under the previous aquaculture legislation but issued after 1 January 2005. To date, the Crown has settled 98% of its pre-commencement settlement space obligations with Iwi. The Ministry for Primary Industries is currently in negotiations with the remaining Iwi in order to settle the Crown’s outstanding obligations in 2015/2016. A review of the Minister’s plan for pre-commencement space will focus on how to complete settlements where Iwi do not want to engage.</p>

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				<p>New Space Obligation</p> <p>The Act requires the Crown to provide settlement assets that are representative of 20% of new space created or anticipated from 1 October 2011.</p> <p>The Act requires the Minister for Primary Industries to prepare a New Space Plan, which is the framework for how settlement of new space will be achieved.</p> <p>The framework needs to enable an assessment to be made on a national and regional basis of:</p> <ul style="list-style-type: none"> • the amount of anticipated new space to be consented in the future (hence the Minister for Primary Industries is developing a National Forecast Model and is developing a method to review any forecasting errors); • the value of anticipated space and the overall productive capacity of that space; and • the cost of applying for space under the current aquaculture framework (as compared to the former aquaculture management area framework - the National Valuation Methodology). <p>New Space Aquaculture Plan</p> <p>The Minister for Primary Industries has approved the release of the New Space Aquaculture Plan (New Space Plan) to Iwi aquaculture organisations, Regional Councils and Te Ohu Kaimoana. These were sent out on 8 August 2014. Crown offer letters</p>

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				<p>were attached to the New Space Plan, which were sent to all Iwi aquaculture organisations in the Northland, Waikato East, Marlborough, Tasman, Auckland, Canterbury and Southland regions.</p> <p>Regional Agreements</p> <p>The new space settlement is to be delivered through negotiated regional agreements that bring together the Iwi Aquaculture Organisations in a region. The settlement assets in these agreements can include: authorisations to apply to occupy coastal marine space for the purpose of aquaculture; the payment of a financial equivalent of that space; or any other benefits agreed to under the settlement process.</p> <p>On 23 July 2015, Regional Agreements were signed by the Crown and Iwi aquaculture organisations from Auckland, Marlborough and Tasman Regions.</p> <p>The remaining regions of Northland, Waikato East, Canterbury and Southland are scheduled to meet the Crowns obligations within the respective statutory timeframes.</p> <p>Note that regional agreements must be approved by the Minister for Primary Industries, the Minister of Finance, the Minister of Conservation, the Minister for Treaty of Waitangi Negotiations and the Minister for Māori Development.</p>
The Kaipara Interim Report,	WAI 674	2002	Following direct Crown negotiations and settlement with Te Uri o Hau in isolation from other	The Ngāti Manuhiri Claims Settlement Act 2012 received royal assent in November 2012.

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The Kaipara Report and The Final Kaipara Report.		2006	<p>Kaipara claims, an interim report was presented to the Government in September 2002. The Tribunal’s final Kaipara Report was released on 14 January 2006. The Tribunal recommended that the claimants should be invited to begin negotiations towards a settlement of their grievances with the Crown, on the basis that it is only fair that they should be treated in the same manner as Te Uri o Hau. This report includes a minority opinion from Hon Dr Michael Bassett who considered, among other things, that the report “does not grapple adequately with the overall historical background of these claims”, or “fasten sufficiently on the key role played by chiefs in the alienation of Māori Land”.</p> <p>Notwithstanding his dissenting opinion, Hon Dr Bassett supported the majority view of a settlement on a pro-rata basis that would not disadvantage Māori in Southern Kaipara in comparison with Te Uri o Hau.</p>	<p>The Ngāti Whātua o Kaipara Claims Settlement Act 2013 received royal assent in June 2013.</p> <p>Completed settlements provide a range of redress including redress over school sites, Crown forest licence land, and other Crown properties. A number of relationship instruments have been entered into between Crown agencies and Iwi.</p> <p>Te Kawerau ā Maki and the Crown signed a Deed of Settlement in February 2014 and received Royal Assent in September 2015.</p> <p>Negotiations with Te Rūnanga o Ngāti Whātua for the settlement of outstanding Ngāti Whātua claims are progressing towards Agreement in Principle.</p> <p>Negotiations over the Kaipara Harbour with all settled Ngāti Whātua groups (Te Roroa, Te Uri o Hau, Ngāti Whātua o Kaipara, Ngāti Whātua Ōrākei) and Te Rūnanga o Ngāti Whātua are progressing towards Agreements in Principle.</p> <p>The Ministry for Primary Industries has protocols with Te Roroa, Te Uri o Hau. Letters of Recognition have been or will be issued to Ngāti Manuhiri, Ngāti Whātua o Kaipara, Ngāti Whātua Ōrākei and Te Kawerau ā Maki.</p>
The Ngāti Tūwharetoa ki Kawerau Settlement	WAI 996	2003	The Tribunal found deficiencies in the Crown’s consultation with Ngāti Rangitihi but was unable to make a clear finding with regard to prejudice	The Crown recognised that the signing of the Deed of Settlement for Ngāti Tūwharetoa ki Kawerau was subject to the Crown’s consideration of the Wai 996 Cross-Claims report.

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Cross-Claims Report			<p>because it was unclear as to the support within Ngāti Rangitihī for the claim.</p> <p>The Tribunal recommended that the Crown put in place a policy to ensure that it commences consultation with cross-claimants and potential cross-claimants at an early stage in negotiations.</p>	<p>There were, however, no recommendations to change the Ngāti Tūwharetoa ki Kawerau Deed of Settlement which was signed in 2003, with legislation to give effect to the Deed of Settlement passed in May 2005.</p>
The Petroleum Report	WAI 796	2003	<p>In this first of two intended reports, the Tribunal recommended that:</p> <ul style="list-style-type: none"> • the Crown and affected Māori groups negotiate for the settlement of petroleum grievances in accordance with the Tribunal's findings; and • the Crown withhold from the sale of the Kupe petroleum mining licence until a rational policy has been developed to safeguard Māori interests, or until the petroleum claims are settled. 	<p>In response to the Tribunal's report, the Government determined that it did not agree with key elements of the Tribunal's findings, and that Crown policy and legislation regarding petroleum was a valid exercise of the Crown's Treaty rights in 1937 and remains so today. Accordingly, the Government confirmed that it would proceed to sell the Crown's stake in Kupe.</p>
Te Whanganui a Tara me ōna Takiwā Report on the Wellington District	WAI 145	2003	<p>The Tribunal's main finding was that the Crown seriously breached the Treaty in the Port Nicholson block causing prejudice to Te Ātiawa, Ngāti Toa, Ngāti Tama, Ngāti Rangatahi, Taranaki and Ngāti Ruanui.</p> <p>The Tribunal recommended that, given the relative complexities of the issues and the interrelationships of these groups affected by a number of Treaty breaches, the parties should</p>	<p>Settlement has been achieved with Taranaki Whānui ki Te Ūpoko o Te Ika, and the Port Nicholson Block Settlement Trust (PNBST), which is the Post-Settlement Governance Entity comprising Te Ātiawa, Taranaki, Ngāti Ruanui and Ngāti Tama.</p> <p>As part of the settlement, the Crown agreed that, should Ngāti Tama achieve a Crown-recognised mandate, the Crown will negotiate with those members of Ngāti Tama who consider that their historical claims are not represented by the PNBST.</p>

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			clarify matters of representation and enter into negotiations with the Crown.	<p>Ngāti Tama representatives achieved a Crown-recognised mandate through Ngāti Tama Mandate Limited in September 2013 and settlement negotiations with the Crown are now in progress.</p> <p>Ngāti Toa signed a Deed of Settlement in December 2012. The legislation for Ngāti Toa's settlement, the Ngāti Toa Claims Settlement Act 2014 and the Haka Ka Mate Attribution Act 2014 were enacted on 22 April 2014.</p> <p>Ngāti Rangatahi and Te Ātiawa ki Whakarongotai have yet to secure a mandate to enter into Treaty settlement negotiations with the Crown.</p> <p>The Taranaki Whānui Ki te Upoko o te Ika Whole of Government Accord was signed in March 2011 between the Port Nicholson Block Settlement Trust and the Crown. The purpose of the Accord is to 'oversee and protect the integrity of the whole of government relationship established in the Deed of Settlement'. This Accord includes relationship agreements with a number of Government agencies of which Te Puni Kōkiri is the lead Crown agency. These agencies include Te Puni Kōkiri, Ministry of Education and Tertiary Education Commission, Ministry of Social Development, Ministry for the Environment, Department of Corrections, Department of Internal Affairs, Te Papa Tongarewa and the Ministry of Business, Innovation and Employment. The Ministry for Culture and Heritage</p>

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				<p>has Taonga Tūturu protocols with Taranaki Whānui. The Ministry for Primary Industries has a separate protocol relating to fisheries with Taranaki Whānui.</p> <p>The restructure of the governance and management of the PNBST has meant progress with the whole of government relationship agreements has been less of a priority over the last 18 months.</p> <p>The PNBST has currently secured approval for a Kainga Whenua Capacity Grant through the Ministry of Business, Innovation and Employment to produce a conceptual design for land which is to include a papakāinga in Wainuiomata.</p>
The Tarawera Forest Report	WAI 411	2003	The Tribunal made a number of key recommendations including that the Crown and Māori Investments Limited should contribute equally to a Trust for the benefit of any person who is or was a member of a hapū which in 1968 was associated with the lands that became the Tarawera 1 block, or for the benefit of any descendant of any such person.	In 2004 Māori Investments Limited exchanged its shareholding in Tarawera Forests Limited for ownership of the land under the Tarawera forests. The joint venture that involved private enterprise (originally Tasman Pulp and Paper Company Limited), the Crown and several thousand Māori, was disestablished. Residual claims in relation to the Tarawera Forest have been and continue to be addressed where these exist, through settlements with individual claimant groups.
Te Tai Hauāuru by-Election	WAI 1174	2004	This claim concerned the polling arrangements made by the Chief Electoral Officer in preparation for the by-election taking place in the Te Tai Hauāuru electorate in July 2004.	The Chief Electoral Officer reconsidered his stance and decided that the 100 polling places already appointed, together with the provision of advanced voting facilities, would provide a good service to

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
			<p>Although the Tribunal was not prepared to find that the claim was well-founded or to make any formal recommendation in respect of it, this was because the evidence provided by the claimants was insufficient to make their case rather than because it “was convinced that the Crown is doing enough”.</p> <p>The Tribunal suggested that the Chief Electoral Officer may wish to reconsider his position and consider establishing a further 19 polling places as referred to during the course of the hearing.</p>	<p>voters and compared favourably with the number of polling places provided in large general electorates. Accordingly the by-election went ahead on 10 July 2004 on that basis.</p>
Te Arawa Mandate Report(s)	WAI 1150	2004 / 2005	<p>The Tribunal found that although there were flaws in the Crown’s monitoring of the mandate process, these did not amount to a breach of Treaty principles. A process to reconfirm Ngā Kaihautū Executive Council’s mandate was subsequently carried out and this was in turn accepted by the Crown.</p> <p>A further claim to the Tribunal that the Crown and the Executive Council did not follow the Tribunal’s suggestions was reported on in 2005.</p>	<p>Since the release of this report, the Crown completed negotiations with Ngā Kaihautū Executive Council. The Tribunal inquired into the settlement (Wai 1353) which was revised in light of the Tribunal’s recommendations.</p> <p>Legislation giving effect to the Affiliate Te Arawa Iwi and hapū settlement was enacted in September 2008.</p> <p>A number of Iwi withdrew their mandate from Te Arawa and have subsequently progressed their own individual settlements, including Ngāti Rangiwewehi who signed a Deed of Settlement on 16 December 2012, and Ngāti Rangiteaorere who signed a Deed of Settlement on 17 June 2013 and had their Settlement legislation enacted April 2014.</p> <p>The Crown has also progressed settlements with the following Te Arawa groups:</p>

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
				<ul style="list-style-type: none"> • Waitaha (Legislation enacted on 12 June 2013); • Ngāti Mākino (Legislation enacted on 31 July 2012); and • Tapuika (Legislation enacted on 16 April 2014).
The Mōhaka ki Ahuriri Report Vol. 1&2	WAI 201	2004	<p>The Tribunal identified serious breaches of the Treaty and recommended that the Crown and claimants should negotiate for the settlement of these claims accordingly.</p> <p>With respect to Ngāti Pāhauwera, the Tribunal recommended that the Crown take steps to negotiate a settlement of the Mōhaka River Claim. The Tribunal also recommended that in consultation with Ngāti Pāhauwera, the Crown continue to explore policy initiatives on how to turn the patchwork of small, multiply-held fragments of land, such as those remnant holdings of Ngāti Pāhauwera, into a useable land base.</p>	<p>Ahuriri hapū initialled a Deed of Settlement on 19 June 2015 (see comments above for Wai 55b) and Ngāti Hineuru (Mōhaka Waikare claims) signed a Deed of Settlement on 2 April 2015.</p> <p>The Maungaharuru-Tangitū Hapū Claims Settlement Act 2014 was enacted on 16 April 2014.</p> <p>The Ministry for Business, Innovation and Employment issued Maungaharuru Tangitū with a Crown Minerals Protocol through the Minister of Energy and Resources as part of the settlement redress in May 2014, and has negotiated a Crown Minerals Protocol with Mana Ahuriri.</p> <p>The signed Deed of Settlement legislation gave effect to Ngāti Pāhauwera’s Deed to settle all their historical Treaty claims in April 2012.</p> <p>The Ministry for Primary Industries has issued Letters of Recognition to Ngāti Pahauwera and to Maungaharuru Tangitū, and offered Letter of Recognition to Ngāti Hineuru and Ahuriri hapū.</p> <p>The PSGEs have been or will be appointed as advisory committees to the Minister for Primary</p>

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				Industries on issues affecting specified fisheries areas of importance to the hapū.
<p>Te Raupatu o Tauranga Moana Report on the Tauranga Confiscation Claims</p>	WAI 215	2004	<p>The Tribunal found that the Crown was not justified in taking military action against Tauranga Māori in the 1860s. Tauranga Māori suffered considerable prejudice as a result of breaches of the principles of the Treaty arising from the Crown's confiscation, return and purchase of Māori land in the Tauranga district before 1886.</p> <p>The Tribunal recommended that the Crown move quickly to settle the Tauranga claims with generous redress.</p> <p>The Hon Dr Michael Bassett provided a dissenting opinion in which he took issue with three of the general findings of the majority members.</p> <p>Despite his dissenting views on these points, Hon Dr Bassett concluded that the other Treaty breaches suffered by Tauranga Māori were serious enough that “my conclusions do not warrant any lessening of the quantum of settlement made with Tauranga Māori”.</p>	<p>A number of Tauranga Iwi sought to have the Waitangi Tribunal inquire into their post-1886 issues. The hearings were concluded and the Tribunal presented Stage Two of its report in September 2010.</p> <p>On 14 December 2013, Ngāi Te Rangi and Ngā Pōtiki signed a Deed of Settlement and a deed to amend on 6 October 2014.</p> <p>In 2008, the Crown reached agreement with Tauranga Moana Iwi and Waitaha, to vest the fee simple estate for Mauao historic reserve in the trustees of the Mauao Trust, through the Mauao Historic Reserve Vesting Act 2008.</p> <p>The Crown signed the Tauranga Moana Iwi Collective (TMIC) Deed, which provides redress relating to interests shared by the three Tauranga Moana Iwi, with Ngāi Te Rangi, Ngā hapū o Ngāti Ranginui and Ngāti Pūkenga on 21 January 2015.</p> <p>The TMIC Deed provides for the joint administration of Mauao between the Mauao Trust and the Tauranga City Council. This arrangement will remain in place for a minimum one year period from settlement date, after which time the Mauao Trust and the Tauranga City Council may jointly agree to</p>

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				<p>give notice that the Mauao Trust wishes to assume the role of sole administering body for the reserve.</p> <p>Iwi of Hauraki Settlement negotiations with Hauraki Iwi are still underway and will also include redress for their land loss within the Tauranga raupatu district.</p> <p>Ngāti Hinerangi Ngāti Hinerangi has received a Crown-recognised mandate to negotiate their historical claims and negotiations are underway towards an Agreement in principle.</p> <p>The Ministry for Primary Industries has negotiated fisheries protocols with Ngāi Te Rangī, Ngāti Ranginui and Ngāti Pūkenga. These will be extended to encompass other primary industry activity administered by the Ministry for Primary Industries in future.</p> <p>The settlements with Tauranga and Hauraki groups will include school site redress. Redress is being negotiated with the Hauraki Iwi and Ngāti Hinerangi.</p> <p>Ngāti Hinerangi has received a Crown-recognised mandate to negotiate their historical claims and negotiations are underway.</p>
Tūranga Tangata Tūranga Whenua Report of the	WAI 814	2004	The Tribunal found that the Crown failed to act reasonably and with the utmost good faith in much of its dealings with the Iwi of Tūranga, that it	Treaty claims settlement legislation for Ngāi Tāmanuhiri and Rongowhakaata was enacted in 2012.

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<p>Tūranganui a Kiwa claims Vol. 1&2</p>			<p>breached the principles of the Treaty on a number of occasions, and that the Tūranga claims were well-founded.</p> <p>The Tribunal expressed a view that there was an urgent need for community education on the history of race relations in New Zealand in hope that the Government would ensure that the stories of the people of Tūranga would be told.</p> <p>The Tribunal recommended that the Crown should negotiate with claimants and, if it were feasible, the parties should consider the benefits of a single district-wide negotiation process which would result in the creation of several settlement packages.</p>	<p>Negotiations with the Māhaki cluster (Te Aitanga a Māhaki, Ngā Ariki Kaipūtahi and Te Whānau a Kai) were paused while the Waitangi Tribunal heard the application for remedies in relation to the Mangatū No.1 block.</p> <p>The Ministry for Culture and Heritage provided Rongowhakaata with \$1 million in funding in August 2014 to assist with the return of an agreed programme of work regarding Te Hau ki Tūranga to Tūranga.</p> <p>The Ministry for Primary Industries has negotiated fisheries protocols with Ngāi Tāmanuhiri, Rongowhakaata and Te Aitanga a Māhaki.</p> <p>In 2008, the Crown offered to provide the Tūranga Post-Settlement Governance Entity with capacity building funding of \$500,000 per annum, for 10 years, outside of the Treaty settlement framework. This funding is to assist with setting up robust Post-Settlement Governance Entities in order to make the best use of Treaty settlement assets and to support governance arrangements in the first 10 years. Te Puni Kōkiri administers this funding and has a Memoranda of Understanding with each of the Tūranga Iwi outlining reporting requirements and payment of the annual instalments. Funding has been released to the Tūranga Iwi annually since 2009.</p>

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<p>The Report on the Crown's Foreshore and Seabed Policy</p>	<p>WAI 1071</p>	<p>2004</p>	<p>The Tribunal disagreed with the Crown's proposed policy for the foreshore and seabed. It considered there were fundamental flaws in the policy, in particular in relation to the application of Treaty principles.</p> <p>The Tribunal offered recommendations it considered would address the Crown's position in Treaty terms, while at the same time achieving the objectives of public access and inalienability for the foreshore and seabed.</p>	<p>The Marine and Coastal Area (Takutai Moana) Act 2011 (the 2011 Act) came into force on 1 April 2011.</p> <p>Amongst other things, the Act:</p> <ul style="list-style-type: none"> • repeals the Foreshore and Seabed Act (FSB Act) 2004; • expressly restores any customary interests that were extinguished by the FSB Act; • establishes a new area known as the common marine and coastal area (essentially all foreshore and seabed not held in private title); • declares that neither the Crown nor any other person owns, or is capable of owning, the common marine and coastal area; • provides for the recognition of two forms of customary interest: customary marine title and protected customary rights; • provides that customary marine title and protected customary rights may be recognised through agreement with the Crown or through applications to the High Court; and • sets out the consequences of customary marine title and protected customary rights. <p>The Crown has received 25 applications for recognition agreements under the 2011 Act including 5 applications transferred from the FSB Act. The Minister for Treaty of Waitangi Negotiations</p>

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				is currently in formal engagement with the seven groups.
Preliminary Report on the Haane Manahi Victoria Cross (VC) Claim	WAI 893	2005	<p>The Haane Manahi Victoria Cross claim concerns the downgrading of a recommendation for a Victoria Cross (the highest possible Commonwealth military award for bravery) to a Distinguished Conduct Medal for an act of bravery by Lance-Sergeant Haane Manahi in action at Takrouna (Tunisia) in 1943.</p> <p>The Tribunal considered it unlikely that the actions of the Crown were in breach of the principles of the Treaty. It noted that the Crown did act on the concerns of the Victoria Cross committee and Te Arawa in seeking to reopen the case. The Crown also followed normal established protocol in doing so, and informed the Victoria Cross committee directly of the result.</p> <p>The Tribunal also found that, while the Crown has attempted to resolve the issue and has acted in good faith in doing so, the issue has not been adequately resolved and is still causing hurt to Te Arawa and difficulties for the relationship between the Crown and Te Arawa.</p>	<p>In 2006 a bid to have the Victoria Cross awarded posthumously was taken to Buckingham Palace by the Minister of Defence. The request was turned down by the Queen, who followed King George's 1949 decision that no further awards from World War II should be considered.</p> <p>However, the Palace agreed to compensate Lance-Sergeant Manahi and after consultation with the Manahi Victoria Cross Committee and Te Arawa, decided on an award inspired by the famous line, "For God! For King! and For Country!" from the marching song of the 28th (Māori) Battalion.</p> <p>The award presented by the Duke of York on 1 March 2007 included the presentation of an altar cloth, representing "For God" which went to Saint Faith's Church near Lance-Sergeant Manahi's burial place; a letter from the Queen, acknowledging his bravery, representing "For King"; and a sword gifted to Te Arawa by the Queen, representing "For Country".</p>
The Offender Assessment Policies Report	WAI 1024	2005	This report concerned the development, implementation, and outcomes of two assessment tools (or tests) that the Department of Corrections applies to offenders.	The Tribunal did not find that Māori offenders have been prejudiced by use of the assessment tools and made no formal recommendations. The Tribunal did make suggestions for improvement. The

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
			<p>The Tribunal did not find that Māori offenders have been prejudiced by use of the tools. Accordingly, in terms of the Treaty, the Tribunal did not make any formal recommendations for remedial action. That said, it did identify some weaknesses in how the department developed and implemented the tools, and made some recommendations for improvement.</p>	<p>Department of Corrections has now considered and accepted these suggestions and all actions are now complete.</p>
<p>The Report on the Aotearoa Institute Claim concerning Te Wānanga o Aotearoa</p>	<p>WAI 1298</p>	<p>2005</p>	<p>The Tribunal's main recommendation in this report, its second inquiry into matters concerning Te Wānanga O Aotearoa, was that the Crown should use its best efforts to conclude the partnership agreement, or to set up a structure which provides for similar high-level opportunities for the three wānanga to engage with the Crown as well as providing for one-to-one relationships with individual wānanga.</p> <p>The Tribunal also recommended that the Crown:</p> <ul style="list-style-type: none"> • meet the proper costs and disbursements of the claimants incurred in the preparation and presentation of their claims; and • formally acknowledge the invaluable and innovative contribution made by the Aotearoa Institute and the founders of Te Wānanga o Aotearoa to education in Aotearoa/New Zealand. 	<p>In June 2012, all outstanding recommendations of the Tribunal were settled to the satisfaction of the claimants. The Ministry of Education continues to meet regularly with Te Tau Ihu and, together with the Tertiary Education Commission facilitates regular interagency consultative hui with senior managers from the three wānanga. The Tertiary Education Commission continues to engage regularly one-to-one with individual wānanga.</p>

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<p>The Interim Report in Respect of the Australia New Zealand Therapeutic Products Association (ANZTPA) Regime & The Further Interim Report in Respect of the Australia New Zealand Therapeutic Products Association Regime</p>	WAI 262	2006	<p>The claimants sought urgent interim recommendations in respect of ANZTPA and the (imminent) implementing legislation, which were opposed.</p> <p>The Tribunal recommended that the Crown and the claimants engage in a consultation process with respect to the issues raised by this claim.</p>	<p>Consultation was undertaken between the Crown and claimants as recommended by the Tribunal. Before this process was completed, however, on 16 July 2007, Ministers announced postponement of the ANZTPA establishment project.</p> <p>Consequently, consultation with claimants was halted. In March 2009, the government proposed a New Zealand only regulatory scheme for natural health products made or sold in New Zealand. As recommended by the Tribunal, the Ministry of Health has re-engaged with the claimants over this new proposal.</p> <p>In May 2010, the Ministry of Health held four hui in Kaikohe, Napier, Rotorua and Blenheim. Representatives of WAI 262 claimants, rongoā Māori practitioners and providers and national rongoā groups were invited. The Ministry of Health has made a commitment to hold hui with participants to engage further as the proposal to regulate natural health products progresses. To facilitate this, a rongoā representative has been appointed to the Ministry's interim expert advisory committee for the regulation of natural health products. The Natural Health Products Bill was introduced to Parliament in December 2011 and is currently awaiting Committee of the Whole House. It is expected to pass the remaining stages this year. The Natural Health</p>

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				<p>Products Bill exempts the use of rongoā rākau, within the context of the traditional practice of rongoā Māori, from regulation.</p> <p>The Ministry for the Environment currently has a work stream aimed at improving Māori participation in resource management.</p>
<p>The Hauraki Report Vol. 1, 2&3</p>	<p>WAI 686</p>	<p>2006</p>	<p>The Hauraki Report confirmed significant Treaty breaches by the Crown against the Marutūahu and other Pare Hauraki tribes.</p> <p>The Tribunal considered that substantial restitution is due, and that the quantum should be settled by prompt negotiation.</p>	<p>In June 2011, mandates were recognised for all 12 Hauraki Iwi. A Framework Agreement and Agreement in Principle Equivalents have since been signed. In June 2013, the Crown signed an on-account Deed of Settlement with the Pare Hauraki Iwi for the purchase of the Pouarua Dairy Complex and the Iwi and the Crown continue to work towards comprehensive Deeds of Settlement.</p> <p>In July 2015 the Crown initialled a Deed of Settlement with Ngāi Tai ki Tāmaki.</p> <p>In December 2014 five of the Iwi of the Hauraki Collective (Ngāti Maru, Ngāti Tamaterā, Ngāti Tara Tokanui, Hako and Te Patukirikiri) applied for urgency in the Waitangi Tribunal in relation to the Tauranga Moana Iwi Collective Deed. In line with Crown policy not to negotiate with an Iwi who is currently litigating against it, negotiations with these groups were paused. Due to the difficulty of conducting negotiations with these Iwi absent, the Hauraki Collective and Marutūāhu Collective negotiations were also paused. These proceedings</p>

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
				<p>have been adjourned, and the Crown is currently assessing re-engagement with these groups.</p> <p>The Crown is currently in negotiations for a Deed of Settlement with Ngāti Hei, Ngāti Paoa, Ngaati Whanaunga and Ngāti Rāhiri Tumutumu.</p>
<p>Report on the Tāmaki Makāurau Settlement Process</p>	<p>WAI 1362</p>	<p>2007</p>	<p>This report concerns the 2006 Agreement in Principle signed between the Crown and Ngāti Whātua o Ōrākei and claims by other tangata whenua groups with interests in the Tāmaki Makāurau area. The report found that these interests would have been prejudiced by Crown actions in respect of the proposed settlement.</p> <p>The Tribunal recommended that:</p> <ul style="list-style-type: none"> • the proposed settlement with the Ngāti Whātua o Ōrākei Trust be put on hold until other tangata whenua groups within the region who have similarly negotiated Agreements in Principle with the Crown; and • the Crown should take steps to facilitate the entry of these groups into the settlement process. <p>The Tribunal also made a series of recommendations intended to smooth the progress of settlement negotiations where overlapping or multiple interests may arise.</p>	<p>The Crown reviewed its policy on overlapping claims and mandate recognition, and adopted, where practical, a regional approach to negotiations.</p> <p>The Crown and the 13 Iwi/hapū of Tāmaki Makaurau signed a Collective Deed of Settlement in June 2012 and legislation received Royal Assent on 31 July 2014. The Settlement provide redress for the shared interests of these Iwi/hapū.</p> <p>Negotiations on individual Deeds of Settlement continue to progress across the region. Of the 13 Iwi/hapū: Ngāti Whātua o Kaipara and Ngāti Whātua Ōrākei are now settled; Te Kawerau ā Maki signed a Deed of Settlement in February 2014 and received the Royal Assent on 14 September 2015; Ngāti Tamaoho signed an Agreement in Principle in December 2012; Te Rūnanga o Ngāti Whātua, Te Ākitai Waiohua, Ngāti Te Ata and Ngāti Koheriki are working towards Agreements in Principle.</p> <p>The Crown initialled a Deed of Settlement with Ngāi Tai ki Tāmaki in July 2015. The Crown is now working towards signing the Deed of Settlement.</p>

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
				<p>The progress of the Marutūāhu Collective deed has been delayed by the pause of these negotiations due to several members of the Collective taking litigation action against the Crown in respect of the Tauranga Moana Iwi Collective Deed. The litigation has now been adjourned and the Crown is currently assessing re-engagement with the Marutūāhu Collective.</p>
<p>Report on the Impact of the Crown’s Treaty Settlement Policy on Te Arawa Waka</p>	<p>WAI 1353</p>	<p>2007</p>	<p>The Tribunal has convened three inquiries into this settlement, with the first two examining mandate issues while negotiations were in progress.</p> <p>This report focuses on mandating and overlapping claims, noting that the Tribunal has separately heard and will report on matters associated with licensed Crown forestry land.</p> <p>The Tribunal recommended that:</p> <ul style="list-style-type: none"> • a number of non-exclusive redress items apply to groups outside the affiliate Te Arawa Iwi/hapū; • the Crown use a process to re-engage with non-affiliate groups to discuss redress sites; • the Crown commence negotiations with Ngāti Makino; and • the Crown facilitate mandating hui with identified groups outside of the affiliate Te Arawa Iwi/hapū mandate. 	<p>A settlement has been reached with Te Pūmautanga o Te Arawa, but a number of Te Arawa Iwi/hapū withdrew their mandate from Te Pūmautanga o Te Arawa.</p> <p>The Crown has agreed settlements with Iwi who withdrew from Te Pūmautanga o Te Arawa. Legislation to enact the settlements for Ngā Puna Wai o te Tokotoru (Ngāti Rangiteaorere, Ngāti Rangiwewehi and Tapuika) which came into force in April 2014.</p> <p>The Crown and Waitaha signed a Deed of Settlement on 20 September 2011. Settlement legislation was enacted in June 2013.</p> <p>Ngāti Mākino signed a Deed of Settlement on 2 April 2011 and settlement legislation was enacted in 2012.</p> <p>The Crown is negotiating Terms of Negotiation with Ngāti Rangitihī. Negotiations with Ngāti Whakaue are progressing towards an Agreement in Principle.</p>

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				<p>The Ministry for Culture and Heritage has negotiated protocols with Ngāti Rangiwewehi, Ngāti Rangiteaorere, Tapuika and Waitaha. The Ministry of Business, Innovation and Employment has issued Crown Minerals Protocols, through the Minister of Energy and Resources, with Ngāti Rangiwewehi, Ngāti Rangiteaorere and Tapuika in 2014, and had previously issued a Crown Minerals Protocol to Waitaha.</p>
<p>He Maunga Rongo: Report on Central North Island Claims Vol. 1, 2, 3 & 4</p>	<p>WAI 1200</p>	<p>2007</p>	<p>This report describes the Tribunal’s inquiry into some 120 claims from three districts: Rotorua, Taupō and Kaingaroa.</p> <p>The Tribunal found that:</p> <ul style="list-style-type: none"> • the Treaty guaranteed and protected the full authority (tino rangatiratanga) of Māori over their lands, people, treasures, and affairs; • indigenous sovereignty was not about independence from the state but rather about the proper exercise of Crown and Māori autonomy and managing the overlaps in partnership; • the Crown failed to facilitate legal community titles to land, but that this breach had been mitigated by the provisions of the Te Ture Whenua Māori Act 1993; 	<p>The Crown signed a Deed of Settlement with the Central North Island Iwi Collective in June 2008. The Central North Island Iwi Collective includes Te Pūmautanga o Te Arawa, Ngāti Tūwharetoa, Ngāi Tūhoe, Ngāti Whare, Ngāti Manawa, Ngāti Raukawa, Ngāti Whakaue and Ngāti Rangitīhi. Legislation to give effect to this settlement was enacted in September 2008.</p> <p>Deeds of Settlement have been reached with the Te Tokotoru Iwi – Ngāti Rangiteaorere, Ngāti Rangiwewehi and Tapuika.</p> <p>On 1 July 2009, 176,000 hectares of Crown Forest Licensed land, together with \$280 million of accumulated rentals, was transferred to Central North Island Iwi Holdings Ltd. The eight Iwi of the Central North Island Iwi Collective received 90% of these assets. The Crown is currently exploring options for determining beneficial entitlement to the remaining 10%. The Central North Island Iwi</p>

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			<ul style="list-style-type: none"> • the Crown had failed in its duty of active protection of Māori interests; • the Crown did not breach its Treaty obligations over Māori economic development in the exotic forestry sector; • Māori customary rights to indigenous freshwater and sea fisheries remained legally enforceable so long as there was compliance with the Treaty of Waitangi Settlement Act 1992 (Fisheries Claims); • in legal and Treaty terms, Central North Island Māori had retained their customary rights to the geothermal fields of the Central North Island and to the land underlying Taupō volcanic zone; and • in general, the Crown had breached the Treaty in failing to recognise and provide for the customary rights and Treaty interests of Central North Island Māori in the natural resources of the region. 	<p>Collective has now completed a mana whenua process to allocate the land beneath the Central North Island forests effective from 1 July 2044.</p> <p>Meanwhile Central North Island Iwi Holdings Ltd will continue to manage the land and receive and distribute the income from the land to the eight Iwi according to their agreed proportions until 1 July 2044.</p> <p>The Central North Island settlement represents the commercial aspect of the settlement for the individual Iwi of the collective.</p> <p>All of the Iwi in the Central North Island (Collective) have or will soon complete separate comprehensive negotiations for the settlement of the remainder of their historical claims.</p> <p>Raukawa signed a Deed of Settlement on 2 June 2012 and legislation was enacted in March 2014. Ngāti Korokī Kahukura signed a Deed of Settlement on 20 December 2012 and legislation to enact their settlement has since been passed.</p> <p>Deeds of Settlement have been reached with Ngāti Whare, Ngāti Manawa, Ngāi Tūhoe, and Te Pūmautanga o Te Arawa.</p> <p>An Agreement in Principle for comprehensive settlement for Ngāti Tūwharetoa was signed on 6 March 2015; Ngāti Rangitīhi is currently working</p>

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				<p>toward a mandate and Ngāti Whakaue negotiations are progressing.</p> <p>The Ministry for Primary Industries has negotiated relationship agreements or protocols with Raukawa, Ngāti Korokī Kahukura, Ngāti Whare, Ngāti Manawa and Ngāi Tūhoe.</p>
<p>Te Tau Ihu o te Waka ā Māui: Preliminary Report on the Customary Rights in the Northern South Island</p> <p>Te Tau Ihu o te Waka ā Māui: Preliminary Report on Te Tau Ihu Customary Rights in the Statutory Ngāi Tahu Takiwā</p> <p>Te Tau Ihu o te Waka ā Māui:</p>	WAI 785	<p>2007</p> <p>2007</p> <p>2008</p>	<p>The Tribunal found that the Crown committed numerous serious breaches of the Treaty and its principles, and that substantial and culturally appropriate compensation is required.</p> <p>The recommendations of the Tribunal included that:</p> <ul style="list-style-type: none"> • the total quantum (relating to the Te Tau Ihu district) in principle be divided equally between the eight Iwi of Te Tau Ihu; • site specific cultural redress should be discussed collectively; • in terms of the direct settlement negotiations and negotiation of redress between Northern Te Tau Ihu groups, there is need for special recognition of Ngāti Apa whose customary interests within Te Tau Ihu were never extinguished by any kind of deed of cession; • the Crown take steps to fully recognise and restore the mana of Kurahaupō Iwi; 	<p>All eight Te Tau Ihu Iwi have signed individual Deeds of Settlement. Reflecting the regional approach that was taken to negotiations for Te Tau Ihu claims, an omnibus Bill (the Te Tau Ihu Claims Settlement Bill) was introduced into the House in July 2013.</p> <p>The omnibus bill was then split into four separate pieces of legislation. The four standalone Acts, enacted on 22 April 2014 are the:</p> <ul style="list-style-type: none"> • Ngāti Apa ki te Rā Tō, Ngāti Kuia and Rangitāne o Wairau Claims Settlement Act 2014; • Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu and Te Ātiawa o Te Waka-ā-Māui Claims Settlement Act 2014; • Ngāti Toa Rangatira Claims Settlement Act 2014; and • Haka Ka Mate Attribution Act 2014. <p>The redress packages include:</p> <ul style="list-style-type: none"> • joint and overlapping redress over cultural redress sites (for example sites of conservation

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Report on Northern South Island Claims Vol. 1, 2, & 3.			<ul style="list-style-type: none"> • historical grievances relating to the Wakatū Incorporation be settled by the Crown and Te Tau Ihu Iwi; • the Crown enter into parallel negotiations with the Ngāti Rārua Ātiawa Iwi Trust to bring the Whakarewa (Motueka) leases into line with the 1997 Māori reserved lands settlement; • current resource and fishery management regimes are changed to be more consistent with the Treaty; • amendments be made to public works and resource management legislation and policies; and • the Crown ensure breaches caused by the Ngāi Tahu settlement do not continue and compensation be negotiated with affected Te Tau Ihu Iwi. 	<p>land that will jointly vest in multiple Iwi or over which multiple Iwi will have overlay classifications);</p> <ul style="list-style-type: none"> • \$3 million in recognition of Ngāti Apa's unique claim; • school site redress; and • all Crown Forest Lands in Te Tau Ihu have been allocated by the Iwi across the packages. <p>The Crown has also entered parallel discussions with the Ngāti Rārua-Ātiawa Iwi Trust. These discussions are on-going.</p> <p>The Ministry for Culture and Heritage has negotiated Taonga Tūturu protocols with Te Tau Ihu Iwi.</p> <p>The Ministry for Business, Innovation and Employment has negotiated Crown Minerals Protocols with Te Tau Ihu Iwi.</p> <p>The Ministry for Primary Industries has negotiated Fisheries Protocols with all Te Tau Ihu Iwi.</p>
Final Report on the Impact of the Crown's Treaty Settlement Policies on Te Arawa Waka and other Tribes	WAI 1353	2008	<p>This second report deals with the commercial redress element in the Ngā Kaihautu o Te Arawa / Te Pūmautanga o Te Arawa settlement.</p> <p>The Tribunal found that the Crown failed to engage fully and robustly with overlapping groups during its settlement negotiations with Ngā Kaihautu o Te Arawa.</p>	<p>The settlement for Te Pūmautanga o Te Arawa was delayed following the Tribunal process. The Central North Island Iwi Collective was established and is a collection of the majority of forestry Iwi in the Central North Island. The Collective includes Te Pūmautanga o Te Arawa (representing a number of Te Arawa Iwi), Ngāti Tūwharetoa, Ngāi Tūhoe, Ngāti Whare, Ngāti Manawa, Ngāti Raukawa, Ngāti</p>

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
			<p>The Tribunal also found that the Crown had breached the Treaty by including in the Deed of Settlement provision for it to receive the accumulated rentals associated with certain Crown forestry lands included in the settlement.</p> <p>The Tribunal recommended that the proposed settlement be delayed pending the outcome of a forum of Central North Island Iwi and other affected groups.</p>	<p>Whakaue and Ngāti Rangitihī. The Collective agreed on a mechanism for splitting the rental proceeds and the land beneath the trees.</p> <p>Legislation to give effect to this settlement with Te Pūmāutanga o Te Arawa was enacted in September 2008. These claims are settled.</p>
Report on Aspects of the Wai 655 Claim	WAI 655	2009	<p>The Tribunal found that the decline in Ngā Wairiki's status from a separate Iwi to a hapū of Ngāti Apa (North Island) in the late nineteenth century was due to the Crown's treatment of Ngā Wairiki in Crown purchases in the 1840s. The Tribunal found that the actions of the Crown's purchasing agent, Donald McLean, undermined of Ngā Wairiki ability to survive as a group with a separate identity and recognition. The Tribunal made no recommendations.</p>	<p>The Ngāti Apa (North Island) Claims Settlement Act 2010 settled all of the claims of Ngāti Apa, including WAI 655.</p>
Te Urewera Pre-publication Part 1	WAI 894	2009	<p>The Part 1 report examines the relationships between the Crown and Te Urewera Māori from 1840 to 1865. It found that because their rangatira did not sign the Treaty in 1840, and, indeed, were not given the opportunity to do so, Tūhoe did not owe reciprocal Treaty duties to the Crown. It also outlines the impact of confiscation and war on the groups within Te Urewera and its surrounds. The Tribunal made many Treaty breach findings</p>	<p>Deeds of Settlement have been reached with Ngāti Manawa, Ngāti Whare and Ngāi Tūhoe. The Ngāi Tūhoe Claims Settlement Bill and the Te Urewera Bill received the Royal Assent on 27 July 2014. In March 2013, the attempt for mandate by Ngāti Rua Ki Waikaremoana was unsuccessful.</p> <p>In June 2014, Te Tira Whakaemi o Te Wairoa and the Crown signed an Agreement in Principle.</p>

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			relating to the confiscation and the Crown's conduct in war.	The Ministry for Primary Industries has offered a Letter of Recognition and advisory committee status to Te Tira Whakaemi o Te Wairoa. The advisory committee status will apply to specified fisheries areas of particular hapū.
Te Urewera Pre-publication Part 2	WAI 894	2010	<p>The Tribunal made Treaty breach findings against the Crown in relation to war and the acquisition of land near upper Wairoa and Lake Waikaremoana; the native land laws legislation; and the way in which it treated Tūhoe leadership attempts.</p> <p>Typically, the Tribunal refrains from making recommendations until it releases the final report (parts 3 and 4 of the report are yet to be released). However, the Tribunal felt the circumstances relating to Onepoto, a site at Lake Waikaremoana, justified an early recommendation that the Crown begins a process whereby it returns approximately 250 acres to its original owners.</p>	The Tūhoe Claims Settlement Act provides for Crown acknowledgements of a Treaty breach in relation to Onepoto. The Te Urewera Act makes provision for the part of Onepoto that is part of Te Urewera National Park to be declared a conservation area but protected as if it were a national park. The Ministry of Education is actively engaged with Ngāi Tūhoe as part of a broader piece of work led by the Attorney-General to develop the next phase of the Tūhoe-Crown relationship.
Tauranga Moana, 1886 – 2006	WAI 215	2010	<p>Recommendations of the Tribunal included that:</p> <ul style="list-style-type: none"> • the Crown return as much land as possible and that all surplus Crown land be automatically landbanked; • the Crown provide generous compensation to help restore a sound economic footing; 	<p>The Crown signed the Tauranga Moana Iwi Collective (TMIC) Deed, which provides redress relating to interests shared by the three Tauranga Moana Iwi, with Ngāi Te Rangī, Ngā hapū o Ngāti Ranginui and Ngāti Pūkenga on 21 January 2015. Legislation is expected to be introduced later in 2015.</p> <p>Individual Deeds have been signed with Ngāi Te Rangī (December 2013), Ngā hapū o Ngāti Ranginui</p>

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			<ul style="list-style-type: none"> • a review of the public works compensation be undertaken to ensure a system is put in place that is in keeping with Treaty principles; • the Crown find ways to achieve better representation of Māori, and particularly tangata whenua, at all levels of local government; • the Government look to amend rates remission policies for Māori land and develop a coordinated and consistent approach; • Te Puni Kōkiri or other government agency monitor the local government community outcomes with respect to district planning and local government legislation to ensure they measure against the Treaty; • the Crown encourage local government to better engage with tangata whenua in natural resource management and investigate the possibilities for remedial environmental action, particularly in relation to harbours and waterways, and that the Crown contribute to the cost of any project identified; • changes be made to the protection of historic places and cultural heritage, specifically that the Crown give oversight to the information collation about heritage places, and that territorial authorities be given oversight of the relevant protection mechanisms; 	<p>(June 2012) and Ngāti Pūkenga (April 2003). Legislation for these Deeds is to be introduced and passed in conjunction with TIMC legislation.</p> <p>The Heritage New Zealand Pouhere Taonga Act came into force on 20 May 2014, replacing the Historic Places Act 1993. The new Act introduced wāhi tūpuna as a new category of historic place to provide better recognition of sites of interest to Māori. The Act also continued the Māori Heritage Council, which exercises various functions under the Act including to develop Māori programmes for the identification and conservation of wāhi tūpuna, wāhi tapu, and other sites of interest to Māori, and to inform the Heritage New Zealand Pouhere Taonga Board of all activities, needs and developments relating to Māori interests in such areas and places.</p> <p>The new Act also requires that all applications for archaeological authorities that affect sites of interest to Māori must be referred to the Māori Heritage Council.</p> <p>The Māori Heritage Council has also been consulted on and had input into the development of five draft Statements of General Policy that are being prepared by Heritage New Zealand Pouhere Taonga for:</p> <ul style="list-style-type: none"> • administration of archaeological sites;

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			<ul style="list-style-type: none"> • the Crown issue National Policy Statements on heritage. A Māori heritage component should be drafted by the Māori Heritage Council; and • the Crown improve the standard of archaeological advice available to local bodies and developers. 	<ul style="list-style-type: none"> • historic places owned or controlled by or vested in Heritage New Zealand Pouhere Taonga; • administration of the New Zealand Heritage List/Rārangi Kōrero; • administration of the Landmarks list; and • the statutory role of advocacy conferred on Heritage New Zealand Pouhere Taonga.
Wairarapa ki Tararua Report	WAI 863	2010	<p>The Tribunal recommended that:</p> <ul style="list-style-type: none"> • the current public works regime be changed to give effect to the Treaty of Waitangi, through amending the Public Works Act 1981 and amendments to Section 134 of Te Ture Whenua Māori Act 1993 and Section 342 and Schedule 10 of the Local Government Act 1974; • the bed of the Wairarapa Moana be returned; • te reo Māori be better supported in the area; • the Local Government Act 2002, Resource Management Act 1991, Historic Places Act 1993 and the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 and other relevant legislation be amended to provide Māori the level of input that recognises their status as a Treaty partner; and 	<p>The Rangitāne Settlement Negotiations Trust, on behalf of Rangitāne o Wairarapa and Rangitāne o Tāmaki Nui ā Rua, signed an Agreement in Principle with the Crown in late March 2014. The agreement included \$32.5 million of financial redress commercial and cultural redress including vesting of discrete culturally significant sites and a gift and gift-back of Pukaha/Mt Bruce. Parties are working towards initialling a Deed of Settlement in December 2015.</p> <p>The Ngāti Kahungunu ki Wairarapa Tāmaki Nui a Rua Trust has a Crown recognised mandate to represent Ngāti Kahungunu ki Wairarapa ki Tāmaki Nui ā Rua in Treaty settlement negotiations, and is working towards an Agreement in Principle. The redress package is likely to include cultural redress over the Wairarapa Lakes and other culturally significant sites.</p> <p>The Ministry for Culture and Heritage is negotiating protocols with these groups. The Ministry of</p>

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			<ul style="list-style-type: none"> the Crown enables Māori to build a better relationship with the Department of Conservation. 	<p>Business, Innovation and Employment is negotiating Crown Minerals Protocols with these groups. The Ministry for Primary Industries is negotiating relationship agreements and advisory committee status with these groups.</p> <p>The Ministry for Primary Industries is negotiating relationship agreements and advisory committee status with these groups. Separate fisheries regulations will be developed to enable both PSGEs to collaboratively manage their customary fisheries activities in Wairarapa Moana and its catchment.</p>
The East Coast Settlement Report	WAI 2190	2010	<p>The Tribunal did not make recommendations because it did not find Treaty breaches causing prejudice. Instead, the Tribunal made a number of suggestions to assist the Crown to ensure, as far as possible, that the Ngāti Porou settlement will benefit all of those for whom Te Rūnanga o Ngāti Porou is mandated to represent. Some changes were recommended to Crown settlement policy.</p> <p>The Tribunal's recommendations with respect to Treaty settlement policy included that:</p> <ul style="list-style-type: none"> the Crown should call for submissions when a proposed mandate strategy is submitted; information provided as part of mandate strategies should include specific Wai numbers, a clear claimant definition and specific 	<p>The Crown and Ngāti Porou signed a Deed of Settlement on 22 December 2010. The Office of Treaty Settlements held one Airing of Grievances hui in 2011. Legislation was enacted to give effect to the Ngāti Porou Deed of Settlement in May 2012. The settlement provides for a range of redress including redress over school sites.</p> <p>The Ministry for Culture and Heritage has a protocol with Ngāti Porou.</p> <p>The Ministry of Business, Innovation and Employment has a Crown Minerals Protocol with Ngāti Porou.</p> <p>The Ministry for Primary Industries has a relationship agreement with Ngāti Porou relating to the rehabilitation of the Waiapu River catchment.</p>

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			<p>geographic area to be covered by the proposed settlement;</p> <ul style="list-style-type: none"> • the Crown should write to all Wai claimants at an early stage in the process to inform them that their claims may be extinguished by the proposed settlement; • the Crown should insist that the negotiating committee formed after mandating inform those claimants when any milestone is reached in negotiations; • the Crown should adopt a more proactive role in monitoring developments during the mandate strategy process; • the Crown should ensure that all interested parties in negotiations can participate at every stage of the mandating process; and • the Crown should update its policy guide to reflect changes that have arisen from recent Tribunal inquiries. 	
<p>The Report on the Management of the Petroleum Resource</p>	<p>WAI 796</p>	<p>2010</p>	<p>The Tribunal found that there are systemic flaws in the operation of the current regime for managing the petroleum resource. Its recommendations included that:</p> <ul style="list-style-type: none"> • settlement packages include petroleum assets for affected Iwi; 	<p>Approach and timeframes for responding to the recommendations in the Wai 796 report are still under consideration by Ministers. However, the Ministry of Business, Innovation and Employment has made some changes to strengthen engagement with Iwi regarding petroleum, through amendments to the Crown Minerals Act 1991 in 2013, and a revision of the Minerals Programmes for Petroleum</p>

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			<ul style="list-style-type: none"> • petroleum royalties be used to establish a fund to assist Iwi and hapū to participate in petroleum management processes; • the Crown produce National Policy Statements and National Environmental Standards to provide guidance to territorial authorities on enhancing and protecting taonga and wāhi tapu; • joint consent hearings by local authorities be put to greater use; • the Resource Management Act 1991 be amended to require decision-makers to act consistently with the Treaty principles; • the Crown Minerals Act 1991 be amended to require decision makers to act consistently with Treaty principles and provide greater protection to Māori land through compulsory notifications for applications concerning Māori land; • a Ministerial Advisory Committee be established for Māori to provide advice directly to the Minister of Energy and Resources on Māori perspectives and concerns; • re-establish district and regional representative bodies for tangata whenua for the purpose of considering petroleum management issues and that they be adequately resourced by the government; 	<p>and Minerals 2013. This includes the requirement that some industry operators (those who hold Tier 1 permits) annually report to the Ministry on their engagement with Iwi.</p> <p>Since 2012, annual Block Offer notices have set out an expectation that permit holders will regularly engage with Iwi on issues that are likely to affect Iwi interests during the petroleum exploration process, particularly in relation to wāhi tapu sites. The Ministry of Business, Innovation and Employment proactively engages with Iwi when block offers are being considered over their rohe. The Ministry of Business, Innovation and Employment also regularly engages with Iwi who have existing petroleum and minerals operations in their rohe.</p> <p>The Crown actively utilises Crown Minerals Protocols and other relationship instruments when engaging with relevant Iwi. There are currently 26 Crown Minerals Protocols that have been issued to Iwi, and four Energy and Resource Accords (which are another form of relationship mechanism).</p> <p>The Ministry of Business, Innovation and Employment is continuing to negotiate relationship agreements with Iwi in regions where petroleum and minerals grievances is highlighted by Iwi, including in the Taranaki and Hauraki regions. For the Taranaki area, relationship agreements are expected to provide more points of engagement and</p>

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			<ul style="list-style-type: none"> • applicants bear the costs of engagement with Māori on a user pays principle; • establish the role of Treaty Commissioner to monitor Treaty compliance; and • review the adequacy of legal assistance available to Māori from the Environmental Legal Aid Fund. 	collaboration, as well as mutual capacity building, information sharing and acknowledgement of Iwi understanding of the petroleum resource and economic aspirations.
Indigenous Flora and Fauna and Cultural Intellectual Property	WAI 262	2011	<p>The report relates to New Zealand’s law and policy affecting Māori culture and identity. It makes a range of specific findings and recommendations in relation to indigenous flora, fauna and cultural and intellectual property, and has a focus on the Crown’s engagement with mātauranga Māori. The principle of partnership is a key theme in the report. Specific recommendations are made in each chapter in the report, which cover the following matters:</p> <ol style="list-style-type: none"> 1. ‘Taonga Works’ and Intellectual Property; 2. Genetic and Biological Resources of ‘Taonga Species’; 3. Relationship with the Environment; 4. Taonga and the Conservation Estate; 5. Te Reo Māori (this chapter remains provisional); 6. When the Crown Controls Mātauranga Māori; 	<p>To date, the Government has been integrating recommendations into new policy developments arising where possible. Examples being: the Patents Act 2013 which requires the Commissioner of Patents to establish a Māori Advisory Committee to advise re mātauranga Māori issues associated with patent applications; the release of Traditional Māori Healing 1999 standards in 2014 which form a nationally consistent set of guidelines for the delivery of safe and good quality Rongoā services; and the development of the Te Reo Māori Bill which is currently before the House.</p> <p>The Government is currently considering a formal response to the report. The broad nature of the report and associated recommendations requires extensive coordination.</p>

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			7. Rongoā Māori; and 8. The Making of International Instruments.	
<p>The Port Nicholson Block Settlement Trust Urgency Report: Pre-publication Version</p> <p>The Port Nicholson Block Settlement Trust Urgency Report</p>	WAI 2235	2012	<p>The Tribunal did not find in favour of the claimants with respect to their central claim, namely that:</p> <p>“Taranaki Whānui understood the Crown to have made an undertaking or commitment that the Wellington Central Police Station would be the only property offered to Ngāti Toa from within the Port Nicholson Block Settlement Trust (as either commercial or cultural redress).”</p> <p>However the Tribunal found that the Crown, in exchange for the release of the Wellington Central Police Station, gave Taranaki Whānui undertakings not to offer Ngāti Toa any cultural redress and no further commercial redress within the Wellington Central Business District (CBD). The Tribunal also found that the Crown broke those undertakings. The Tribunal made a series of recommendations to the Crown including:</p> <ul style="list-style-type: none"> • that it review the offer of Right of First Refusal (RFR) to Ngāti Toa over Crown properties and New Zealand Transport Agency administered properties in Wellington City; • that, if necessary, it amend the offer of RFRs to Ngāti Toa, to ensure that no commercial properties were made available via the RFR mechanism to Ngāti Toa within the Wellington 	<p>Ngāti Toa signed a Deed of Settlement in December 2012. Prior to signing, the RFRs were offered to Ngāti Toa over the Wellington city area.</p> <p>Alongside a revised RFR redress offer, the Crown agreed to further land bank property as part of Ngāti Toa commercial redress package.</p> <p>The settlement legislation enacting Ngāti Toa’s settlement, the Ngāti Toa Claims Settlement Act 2014 and the Haka Ka Mate Attribution Act 2014 were enacted on 22 April 2014.</p>

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			<p>CBD. The Tribunal was not concerned about properties located outside the CBD; and</p> <ul style="list-style-type: none"> if, as a result of implementing the above two recommendations, the commercial redress package on offer to Ngāti Toa was in any way diminished, the Crown should identify and offer alternative substitute commercial redress for Ngāti Toa. 	
<p>The Interim Report on the National Freshwater and Geothermal Resources Claim</p> <p>The Stage 1 Report on the National Freshwater and</p>	WAI 2358	2012	<p>The Tribunal found that water bodies were taonga over which hapū or Iwi exercised tino rangatiratanga and customary rights in 1840. The closest English equivalent in 1840 was ownership; the closest New Zealand law equivalent today is residual property rights. Stage 2 of the inquiry will consider the extent to which the residual property rights of Māori should now be recognised, where such recognition is possible, and will consider a framework for how Māori rights in water can be reconciled with the legitimate rights and interests of others. The Tribunal found that this claim is the latest in a long series of Māori claims in recognition of their proprietary rights in water bodies which have been upheld as far back as 1929.</p> <p>The Tribunal also found that there is a nexus between the share sales and the Crown's ability to preserve a remedy in respect of Māori rights and interests in water and geothermal resources. In particular, the Tribunal determined shares that</p>	<p>Following the release of the Tribunal's report the Government consulted with Iwi. Following that consultation the Government decided not to pursue the "shares plus" option recommended by the Tribunal and proceeded with share sales in Mighty River Power.</p> <p>Proceedings were brought by the claimants in the High Court, which were unsuccessful. The claimants then appealed to the Supreme Court. The Court accepted the share sales would cause some impediment to reparation for Treaty claims in relation to the water, subject to water permits held by Mighty River Power. It determined, however, the sales would not materially impair the Crown's ability to provide reasonable redress for Treaty breach in respect of Māori interests in water. The Court found that the Crown's proposals were not inconsistent with Treaty principles.</p> <p>The government's position is that the Crown retains the capacity to recognise Māori rights and interests</p>

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Geothermal Resources Claim			<p>carried with them a significant degree of control over the energy company could be essential for rights recognition or remedy for some Iwi. The Tribunal termed this remedy “shares plus” and found the flexibility the Companies Act 1993 provides the Crown as sole shareholder, to enter into Treaty settlement negotiations with Māori in terms of “shares plus” would be lost once the shares were sold.</p> <p>The Tribunal concluded that the Crown would therefore be in breach of the Treaty if it proceeded with the shares sales without creating an agreed mechanism to preserve its ability to recognise Māori rights and remedy their breach. On that basis the Tribunal recommended the Crown urgently convene a national hui to determine a way forward.</p>	<p>in water and remedy breach of such rights and interests notwithstanding the share sales. These interests are currently being considered and addressed through:</p> <ul style="list-style-type: none"> • the settlement process on an Iwi-by-Iwi basis; • the Fresh Start for Fresh Water programme; and • dialogue with Iwi leaders.
Te Urewera Pre-publication, part III	WAI 894	2012	<p>The Tribunal found that the alienation of 75 per cent of the Urewera District Native Reserve mainly through Crown purchasing, on top of earlier extensive land loss in the rest of Te Urewera, was in breach of the Treaty and caused significant prejudice to the peoples of Te Urewera. The Tribunal recommended title-return and joint management arrangements be made for the National Park.</p> <p>In this part of its report, the Tribunal moves beyond large-scale land alienation in Te Urewera to look at how Māori communities fared in the twentieth</p>	<p>Settlement legislation has been enacted to recognise the Deeds of Settlement for Ngāti Manawa and Ngāti Whare. The Tūhoe Claims Settlement Act and the Te Urewera Act passed in 2014 gives effect to the Ngāi Tūhoe Deed of Settlement.</p>

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Te Urewera Pre-publication, part IV			century. The report also considers issues relating to twentieth century land development. A series of consolidation and development schemes were initiated with good intentions and delivered considerable benefits, but when the lands were returned they were encumbered with high levels of debt. These initiatives were to the credit of the Crown, and the Tribunal found Treaty breaches only in activities ancillary to the major schemes.	
Te Kāhui Maunga: The National Park District Inquiry Report Pre-publication	WAI 1130	2012	The Tribunal found that customary fisheries are taonga of Ngā Iwi o te Kāhui Maunga. It also found that the Crown introduced species such as trout without consulting Māori and prioritised anglers' interests over Iwi interests. In terms of geothermal issues, the Tribunal observed that both the Crown and Māori have a clear interest in the sustainable management of the geothermal resources and that the management regime should reflect this partnership. The Tribunal recommended the preparation of a National Policy Statement on geothermal resources. Overall, the Tribunal noted that the Treaty principles of dealing fairly and with utmost good faith have been breached, that substantial restitution is due, and that the quantum should be settled by prompt negotiation.	As part of the response to the Waitangi Tribunal's report, the Crown has made the offer to enter into collective negotiations over Tongariro National Park with all Iwi with interests in Tongariro National Park.
Matua Rautia: The Report on the Kōhanga Reo	WAI 2336	2012	The urgent inquiry was triggered by the publication in 2011 of the report of the Early Childhood Education Taskforce, which, the claimants said,	In October 2013 allegations emerged of misuse of money by Te Kōhanga Reo National Trust subsidiary Te Pātaka Ōhanga Limited (TPO). A

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<p>Claim, Pre-publication</p> <p>Matua Rautia: The Report on the Kōhanga Reo Claim</p>		2013	<p>they had not been consulted on and had seriously damaged their reputation. They argued that the report, and Government policy development based on it, would cause irreparable harm to the kōhanga reo movement.</p> <p>The Tribunal endorsed the conclusion of the Wai 262 Tribunal's report, Ko Aotearoa Tēnei, that urgent steps were needed to address recent Crown policy failures if te reo is to survive. The Tribunal noted that survival requires both Treaty partners – Māori and the Crown – to collaborate in taking whatever reasonable steps are required to achieve the shared aim of assuring the long-term health of te reo as a taonga of Māori.</p>	<p>number of investigations into the trust and TPO were undertaken including by Ernst & Young, Charities Services and the Serious Fraud Office. Charities Services issued a warning letter to TPO as it found gross mismanagement and serious wrongdoing under the Charities Act. The Serious Fraud Office investigation into TPO did not disclose any criminal offending, so no further action was taken. However, it noted that some of the credit card expenditure appeared attributable to failures in corporate governance.</p> <p>While these investigations were undertaken, discussions on WAI 2336 were put on hold. During these investigations, the need to review the governance of the Trust was identified and then work to address the Trust's governance was progressed by Trust Board members, the Patron and Kōhanga Reo whānau.</p> <p>The Patron of the Trust, King Tuheitia, called a hui to discuss the governance of kōhanga reo and an independent working group was established to consult with kōhanga whānau on governance options. Their report was provided to the Trust Board at the end of 2014 and they consulted further with kōhanga on these options early in 2015.</p> <p>On numerous occasions over the last year, the Minister of Education has communicated to the Trust Board and to kōhanga whānau the expectation</p>

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				<p>for a modern governance entity to be in place, elected through an open, informed and transparent process.</p> <p>In the meantime the Trust and Ministry continue to work together, focussing on increasing the number of children participating in kōhanga and the resources necessary to ensure this participation will lead to regular attendance.</p>
<p>The Ngāti Kahu Remedies Report: Pre-publication</p> <p>The Ngāti Kahu Remedies Report</p>	WAI 45	2013	<p>The Tribunal concluded that the use of its binding powers was not warranted because:</p> <ul style="list-style-type: none"> • fair redress for Ngāti Kahu’s claims could be secured by other means (the Tribunal’s binding powers should be used only when there is no other means of securing the redress that the claimants should receive); • the benefit to Ngāti Kahu of resumption in their favour was doubtful, especially when weighed against the disadvantages that would surely flow; • there were unresolved customary interest issues in a number of areas; • a number of properties sought by Ngāti Kahu were subject to agreements negotiated between the Crown and other Iwi (such that there would be a destabilising flow-on effect in terms of the settlement offers to the other Te Hiku Iwi); and 	<p>Ngāti Kahu applied for judicial review of the Waitangi Tribunal's report. The High Court found the Tribunal made two errors of law in relation to its decision not to make binding recommendations (but expressed doubt as to whether those errors would alter the Tribunal's decision).</p> <p>Ngāti Kahu have applied to the Court of Appeal for leave to appeal aspects of the High Court decision they disagree with. The High Court has ordered the Waitangi Tribunal to delay any reconsideration of its report until all appeals from its judgment have been determined.</p>

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			<ul style="list-style-type: none"> the Tribunal wished for all Ngāti Kahu to be able to decide on whether to accept or refuse what was offered to satisfy their claims. <p>The Tribunal considered that the Crown had made a substantial offer in terms of quantum as commercial redress for all Te Hiku Iwi, including Ngāti Kahu, and that the Crown's offer was significant in terms of the types of land it had made available. In addition, the Tribunal's view was that the Te Hiku settlements must be accepted as good guidance to what is appropriate as a remedy in the circumstances because the process by which they were devised was fair. Accordingly, the Tribunal made a series of non-binding recommendations which aligned closely with what the Crown had indicated it was prepared to offer to Ngāti Kahu.</p>	
Mangatū Remedies Report		2013	<p>The Mangatū Remedies Report (the Report) was the result of separate applications by the Mangatū Incorporation, Te Aitanga a Māhaki and Affiliates (TAMA), Ngā Ariki Kaipūtahi and Te Whānau a Kai. Each sought binding recommendations from the Tribunal for the return of Mangatū Crown Forest Licensed lands as a remedy for historical claims.</p> <p>The Tribunal concluded that it could not be certain that a binding recommendation for the return of Mangatū Crown forest licensed land would provide redress proportionate to the prejudice suffered and that it was unable to make recommendations that</p>	<p>Negotiations with the Māhaki cluster (Te Aitanga a Māhaki, Ngā Ariki Kaipūtahi and Te Whānau a Kai) were paused while the Waitangi Tribunal heard the application for remedies in relation to the Mangatū No.1 block.</p> <p>Following the release of the Report, the Crown sought to support the Māhaki cluster to work towards a stabilised/reconfirmed mandate. The Crown subsequently agreed that Te Aitanga a Māhaki, Ngā Ariki Kaipūtahi and Te Whānau a Kai could seek separate Crown-recognised mandates</p>

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			<p>would be fair and equitable between the four groups. The Tribunal considered that redress that seemed to favour one group over others would risk creating fresh grievances and might undermine the chances of achieving a durable Treaty settlement of the claims.</p> <p>The Tribunal found that the applicants had well-founded claims that were deserving of redress. The Tribunal however did not consider that binding recommendations were appropriate in the circumstances and declined to make the recommendations sought by any of the four parties.</p> <p>The Tribunal urged all applicants to re-unite and return to settlement negotiations with the Crown, noting that mandates would need to be stabilised/re-confirmed. The Tribunal noted that it reserved leave to the claimant groups to return to the Tribunal for a comprehensive remedies process if negotiations were not successful.</p>	<p>for negotiations if that remained the desire of the three groups.</p> <p>Mandate work for Te Aitanga a Māhaki and Ngā Ariki Kaipūtahi was, however, paused when a Ngā Ariki Kaipūtahi claimant, Te Aitanga a Māhaki and the Mangatu Incorporation commenced proceedings in the High Court, seeking judicial review of the Tribunal's Report.</p> <p>The High Court judgment of 22 May 2015 quashed the Waitangi Tribunal decision not to recommend the return of Mangatū lands to Māori ownership.</p> <p>The Crown is appealing that decision to the Court of Appeal and has week requested a hearing date for later this year.</p>