

## Chronology of Wairarapa Moana ki Pouākani te Tiriti of Waitangi Claim - Wai 85

<b>1853-1896</b>	Māori steadfastly and successfully resisted strong pressure from the Crown to relinquish control of Lake Wairarapa and Lake Onoke.
<b>1884</b>	A certificate of title was issued for Lake Wairarapa and Lake Onoke, September 1884.
<b>1896</b>	<b>Wairarapa Lakes and surrounding disputed land, gifted to the Crown by Wairarapa Māori, with Crown agreeing to provide for reserves in Wairarapa.</b>
<b>1908</b>	Officials sought to acquire land within the Wairarapa district. Prices at auction were higher than expected and no land was purchased by the Crown for granting to the lake's former owners.
<b>1909</b>	Crown begin to discuss with Wairarapa Māori land at Waimarino or Pouākani.
<b>1915</b>	The Native Land Court issued an order vesting part of the Pouākani block in 230 owners in January 1915.
<b>1916</b>	<b>A proclamation was issued vesting 30,486 acres of the Pouākani block in Wairarapa Māori, according to the Native Land Court order, April 1916.</b>  <b>The land at Pouākani was inaccessible by road or rail. Promises were made about access that was not provided until the 1940s hydro scheme development.</b>
<b>1940</b>	Government authorises construction of waterpower from Lake Taupō and the Waikato River. The Maraetai site, part of the Pouākani lands was one of a number of gorges deemed as having excellent potential as a site for hydro-development.
<b>1945</b>	<b>The construction of the town and the dam occurred <i>before</i> notice was given to the Owners or the process to acquire the land had begun.</b>
<b>1946</b>	Work began on the construction of the Maraetai I power station.
<b>1947</b>	Prime Minister Fraser visited Pouākani and learnt that the Owners had not been notified of the construction, May 1947.
	Prime Minister Fraser met with the Owners October 1947 and ordered that the interests of the owners be protected and that they be consulted on all matters affecting their land.
<b>1948</b>	<b>Cabinet approved in September 1948 permanent acquisition of 787 acres for hydro works and 583 acres for Mangakino township by lease from the owners at rental to be set by Native Land Court.</b>
<b>1949</b>	<b>Part of the Pouākani No. 2 block of 787 acres taken under the Public Works Act for the development of hydro power. Some of that land had already been developed for what would become Mangakino township.</b>

<b>1952</b>	Maraetai, I power station was commissioned.
<b>1955</b>	Māori Land Court award compensation which was later described by the Waitangi Tribunal as “niggardly in the extreme.”
<b>1959</b>	Work began on the construction of the Maraetai II power station.
<b>1963</b>	The remaining frontage to the Waikato River within the Pouākani No. 2 blocks was taken under the Public Works Act.
<b>1970</b>	Maraetai II power station was commissioned.
<b>1987</b>	The State-Owned Enterprises Act 1987 came into force, April 1987.
	Some of the land in Pouākani No. 2 block taken for hydro-development was transferred to the Electricity Corporation of New Zealand (ECNZ) on its establishment.
<b>1989</b>	<b>Wai 85 claim was registered with the Waitangi Tribunal, August 1989.</b>
<b>1999</b>	ECNZ broken up, and Mighty River Power took over the ownership and operation of the eight hydroelectric power stations on the Waikato River.
<b>2002</b>	The Pouākani II Trust and Mangakino Township Incorporation were amalgamated in July 2002 and the Wairarapa Moana Ki Pouākani Incorporation (WMI) was formed by order of the Māori Land Court.
<b>2004- 2005</b>	Wairarapa Ki Tararua Waitangi Tribunal inquiry conducted, including the Wai 85 claim.
<b>2010</b>	<b>Waitangi Tribunal issues the <i>Wairarapa ki Tararua Report</i>. Tribunal recommends Crown re-assess the compensation paid to the owners for the land taken for the Maraetai Dam in the light of new, Treaty-compliant criteria.</b>
	WMI shareholders mandate Committee of Management to settle WAI 85 in 2010 and again in 2011.
<b>2016</b>	The Crown and the Ngāti Kahungunu ki Wairarapa Tāmaki nui-ā-Rua Settlement Trust (Settlement Trust) sign an Agreement in Principle, May 2016.  WMI shareholders reconfirm mandate of Committee of Management to settle Wai 85 on their behalf.
<b>2017</b>	<b>Wai 85 application for binding recommendations filed by WMI on 10 February 2017.</b>
<b>2018</b>	Settlement Trust and the Crown initial a Deed of Settlement, March 2018.  WMI Special General Meeting to conduct a further vote on those in favour of the application for resumption of the Pouākani lands. The results are overwhelmingly, 81.71%, in favour of WMI’s application for resumption application for return of Pouākani lands.

	Chairperson of the Waitangi Tribunal issues a decision granting the application for an urgent remedies hearing, May 2018. Settlement Trust and Crown proceed with ratification of Deed of Settlement, October through November 2018.
<b>2019</b>	Waitangi Tribunal hears Wai 85 application for binding recommendations May through to December. Settlement Trust opposed but in August 2019 they lodged their own resumption application for the Pouākani lands.
<b>March 2020</b>	<b>Waitangi Tribunal issues “Preliminary Determination” indicating support for return of the Pouākani lands to an entity representing all of Ngāti Kahungunu ki Wairarapa Tāmaki nui-ā-Rua.</b>
<b>May 2020</b>	Mercury files application for judicial review, including in respect of Preliminary Determination.
<b>July 2020</b>	Crown and Raukawa Settlement Trust file judicial review application in respect of Preliminary Determination.
<b>October – November 2020</b>	High Court hears judicial review application.
<b>March 2021</b>	<b>High Court issues judicial review decision, March 2021. Justice Cooke, High Court decided s 8A of the Treaty of Waitangi Act 1975 requires a “well-founded” claim to relate specifically to the land sought to be returned, and land can only be returned to mana whenua.</b>
<b>April 2021</b>	Mercury, WMI and Settlement Trust all file notices of appeal in respect of the High Court decision.
<b>July 2021</b>	<b>Minister for Treaty of Waitangi Negotiations writes to WMI on 21 July 2021 to advise Settlement Trust settlement package has been revised and will go out for ratification beginning 26 July 2021.</b>
<b>September 2021</b>	Voter turnout for the revised Crown offer was low, at 31% of all eligible voters and one in three voted NO.
<b>October 2021</b>	<b>Supreme Court grants leave to hear WMI appeal direct from High Court, leapfrogging the Court of Appeal, October 2021. Waitangi Tribunal hears WMI urgent claim.</b>
<b>November 2021</b>	<b>Waitangi Tribunal releases report which concludes that the Ngāti Kahungunu ki Wairarapa Tāmaki Nui-ā-Rua Settlement Trust does not have the mandate to settle Wai 85, and the Crown should “pause” the settlement process.</b>
<b>February 2022</b>	<b>Crown introduces Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-rua Claims Settlement Bill, that will extinguish Wai 85 claim, on 4 February 2022 in advance of Supreme Court hearings on 9 – 10 February 2022.</b>
<b>May 2022</b>	Ngāti Kahungunu ki Wairarapa Tāmaki Nui-ā-Rua Claims Settlement Bill, First Reading, 11 May 2022.

<b>November 2022</b>	Ngāti Kahungunu ki Wairarapa Tāmaki nui-ā-rua Claims Settlement Bill, Second Reading, 22 November 2022.
<b>December 2022</b>	<b>Supreme Court upholds WMI appeal, and WMI confirms eligible for return of lands, 7 December 2022.</b>
	<b>Third Reading of Settlement Legislation Bill, 13 December 2022.</b> <b>Royal Assent, 16 December 2022.</b> <b>Settlement of Wai 85 forced on WMI and Waitangi Tribunal jurisdiction to continue consideration of resumption application for return of lands extinguished by New Zealand Parliament.</b>