WAKATŪ INCORPORATION

SUBMISSION ON CONSULTATION PAPER REVIEW OF THE PLANT VARIETY ACT 1987: PROPOSED REGULATIONS

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Introduction

1. This submission on the Consultation Paper Review of the Plant Variety Rights Act 1987: Proposed Regulations (Consultation Paper) is made by the Wakatū Incorporation (**Wakatū**).

2. This submission includes overarching and specific submissions on the proposed provisions.

3. We look forward to engaging further in these matters.

Ko wai mātou? Who are we?

4. Wakatū is a Māori Incorporation pursuant to Te Ture Whenua Māori Act 1993. Based in Whakatū (Nelson), New Zealand, Wakatū has approximately 4,000 shareholders who are those families who descend from the customary Māori land owners of the Whakatū, Motueka and Mohua (Golden Bay) Regions – Te Tauihu.

5. Wakatū has an intergenerational 500 year vision - Te Pae Tawhiti - which sees us through to 2512.[1] It is a declaration of our fundamental values, common goals and guiding objectives that will ensure our success and create a strong identity now and in the future. At the heart of Te Pae Tawhiti is our overarching purpose which is to preserve and enhance our taonga for the benefit of current and future generations.

6. Wakatū grew from $11m asset base in 1977 to a current value of over $300m. Whenua is the foundation of our business with 70% of assets held in whenua (land) and waterspace. We manage a diverse portfolio from vineyards, orchards to residential properties, large retail developments, office buildings, marine farms and waterspace. Wakatū owns, on behalf of its shareholders, both Māori land and General land.

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[1] Te Pae Tawhiti is available online at https://www.wakatu.org/te-pae-tawhiti.

7. Kono is our food and beverage business focused on high quality beverages, fruit bars, seafood products, pipfruit and hops. We understand that innovation and adaptability is the key to our success.

8. Auora is that part of our organisation which is focused on innovation, particularly new ingredients, new products and new business and service models.

9. Our whānau and our businesses are located primarily in our traditional rohe, Te Tauihu – the top of the South Island.

10. In short, our purpose is to preserve and enhance our taonga, for the benefit of current and future generations. Our submission on the Bill is made with that at the forefront of our minds.

11. We have included further detail in an Appendix to this submission which sets out who we are in further detail. We have provided this information to the Ministry of Business, Innovation & Employment (MBIE) previously but provide it again for completeness.

Prior involvement in the reform of the Plant Variety Rights Act 1987

12. Wakatū has made the following recent submissions in relation to the Plant Variety Rights Act 1987 reform (Reform):

- Issues Paper in December 2018.
- Options Paper in September 2019.
- Discussion Paper in October 2020.
- Plant Variety Rights Bill 2021.

Structure of our submission

13. Our submission largely focuses on the non-indigenous species of significance (NISS) list to be contained in Plant Variety Rights Regulations (Regulations). However, we also provide some further comments regarding the Reform overall (including the Bill where relevant) and the technical aspects of the Regulations.

Overarching submissions

14. Māori are kaitiaki of the natural world; we are connected to the natural world through whakapapa. Within our kaitiaki responsibilities, we are also part of industry. This places Māori in a unique position to, among other things, carry over kaitiaki responsibilities into industry best practice. The Government's reform needs to recognise the multi-faceted rights and responsibilities that Māori hold.

15. Wakatū is committed to this kaupapa and the broader issue of intellectual property laws and the protection of mātauranga Māori. Wakatū is actively participating in a range of fora in this regard including being actively involved in the Ngā Taonga Tuku Iho conference held in Nelson earlier in 2018, lobbying the Government following that conference and commissioning research on these matters.

16. Wakatū supports the continued focus on ensuring the Crown's obligations, both procedural and substantive, under Te Tiriti are met through this Reform. Our comments and suggestions are aimed at ensuring that the Reform's objectives with respect to Te Tiriti are met.

17. Despite a renewed focus on the Crown's Te Tiriti obligations, the Reform overall is inherently limited. There is a broader constitutional conversation that needs to occur in parallel to reform such as this. The place of Te Tiriti, and the rights and responsibilities of Māori that are guaranteed by Te Tiriti, need to be properly considered and given effect to by the Crown. The current Governmental arrangements do not reflect a true partnership.

18. Wakatū also acknowledges the importance of the Reform generally seeking (in part) to respond to Wai 262.[2] While we note that the proposed Bill does respond to aspects of the recommendations in Wai 262, we note that there is still a broader constitutional conversation that needs to occur. We remind the Committee that a key part of the Wai 262 claim was seeking a review of constitutional issues (as noted above at [17]), with an emphasis on recognition of a true partnership and real shared decision making between Māori and the Crown. The long-term vision of the claimants being 'Māori control over things Māori'.

19. In Wai 262, Māori sought a new system and associated legislation, which is required to protect and promote taonga species. Notwithstanding this vision, the Government has chosen to instead tinker with the framework overall. Wakatū considers this problematic because we are tinkering with a system that is unable to achieve what Māori want and therefore is unable realise the vision in Wai 262. To achieve this vision, we need to look at the whole system and design a truly constructive (fully inclusive) framework. As such, the Government risks continued breaches of Te Tiriti until the entire intellectual property framework is overhauled with something that truly reflects the partnership envisioned by Te Tiriti and espoused in Wai 262.

20. We note further that the Government launched its whole of Government response to Wai 262 in 2019 – Te Pae Tawhiti – to discuss the long, outstanding issues raised by Wai 262 and Ko Aotearoa Tēnei.[3] While positive, Te Pae Tawhiti does not fully engage in the broader constitutional issues raised in the Wai 262 claim. Further, the Government's proposed work programme under Te Pae Tawhiti appears to have gone quiet, with very little publicly available information available since 2020. We

[2] Waitangi Tribunal *Ko Aotearoa Tēnei: A Report into Claims Concerning New Zealand Law and Policy Affecting Māori Culture and identity* (WAI 262, 2011).
[3] Te Puni Kōkiri (2019) *Wai 262 – Te Pae Tawhiti* ***The role of the Crown and Māori in making decisions about taonga and mātauranga Māori***.

appreciate the impact of the Covid-19 Pandemic, however, Wakatū would expect this whole of Government response to have reinitiated with the Bill and development of the Regulations.

21. Wakatū has urgent concerns about the need to embed domestic protections in law and policy. The Waitangi Tribunal made some recommendations in that regard in its *Ko Aotearoa Tēnei* report. This is particularly urgent given the timeframes under the Comprehensive and Progressive Agreement for Trans-Pacific Partnership and the December 2021 deadline for implementing protections at the domestic level.

22. Another key aspect of the Government's Treaty obligations concerns various Treaty settlement legislation. Treaty settlement legislation often identifies relevant taonga species relevant to the particular hapū / iwi. This may be particularly relevant in terms of the definition of NISS and the proposed exhaustive list to be included in the Bill's regulations. However, the Bill is silent on how taonga species contained in Treaty settlement legislation will be treated. This silence is particularly concerning in light of the exhaustive nature (and therefore limited application) of the proposed Te Tiriti clause in the Bill. Wakatū considers that such taonga species must be considered under the Bill's regime, and in particular provision must be made for access to, and protection and use of, taonga species contained within Treaty settlement legislation. If such provision is not made, the Government will unlikely discharge its Te Tiriti obligations.

23. Wakatū would also like to discuss the benefits of the Nagoya protocol and records its disappointment again that the protocol appears to continue to be outside of the scope of this Reform. The Nagoya Protocol is directly related to the issues the Bill is aiming to address and further consideration needs to be given to its importance alongside this Bill and any further related reform.

24. There needs to be continued engagement moving forward through the Reform. We look forward to being engaged before the Plant Variety Rights Bill (Bill) is enacted.

Specific submissions

Non-Indigenous Species of Significance

25. Non-Indigenous Species of Significance (NISS) is defined as a plant species:

- believed to have been brought to New Zealand before 1769 on waka migrating from other parts of the Pacific region; and
- listed in the regulations as a non-indigenous plant species of significance.

26. **Wakatū** notes that in the Discussion paper: Review of the Plant Variety Rights Act 1987 – Outstanding policy issues (Discussion Paper), an *exhaustive* list of 10 species were identified as the species that came on the migrating waka (at [30]), namely:

Common Māori Name	English and Latin
Kuru	Breadfruit, *Artocarpus incisa*
Hue	Gourd, calabash, *Lagenaria siceraria*
Aute	Paper-Mulberry, *Broussonetia papyrifera*
Karaka/Kōpī	*Corynocarpus laevigata*
Paratawhiti/Paraa	*Marrita fraxinea*
Perei	*Gastrodia Cunninghammi and Orthoceras strictuum*
Kūmara	*Ipomoea batatas*
Taro	*Colocasia esulenta*
Tī pore	Pacific cabbage tree, *Cordyline fruticose*
Whikaho	Yam, *Dioscorea* species

27. Wakatū does not support an exhaustive list and considers that an open list that can adapt and change to the circumstances is preferable. While we appreciate there are challenges with having an open list, we consider there will be more issues with a closed list. Further, as discussed above, we consider that some of the challenges with a closed list reflect the approach to reform, being to tinker with a system that is not fully inclusive for Māori and does not provide for that envisioned in Wai 262.

28. The Tribunal in Wai 262 provided guidance on how to address any such issues, noting that the most important aspect is to ensure that we can identify someone with the requisite mātauranga to be able to recognise the interaction between people and species, that would be evidence of that relationship. Example of sufficient evidence would include karakia, waiata, whakataukī and whakairo (carving).

29. As such, **Wakatū** does not support a closed list.

30. However, Wakatū also considers that if an exhaustive list remains, it should be extended beyond simply species that have arrived here from originating waka. Waka were not the only means of movement taonga species. Other examples of taonga species movement include evidence of gifting of taonga species between iwi, hapū and whānau, as well as hekenga (migration) of iwi. This latter example is particularly relevant for the customary owners of Te Tauihu, as we migrated from Taranaki in a number of hekenga (migrations) to settle in Te Tauihu. As such, we recommend that the general approach to taonga should be to leave it with iwi, hapū and whānau to determine themselves.

31. The Consultation Paper noted at [124] that although the list will be set out in the Regulations, this does not mean that the list cannot be amended or adapted as time goes by. While we appreciate the sentiment of this statement, the reality is that once prescribed in the Regulations it will be difficult to amend and as such, we prefer an approach that is far more

flexible and does not risk codifying a list that does not encompass the full breadth of taonga species. Given the ramifications of such a risk, it is incumbent on the Crown to ensure it identifies all the potential species through adequate consultation and engagement. As such, we consider the list may provide a suitable starting point but further work is required regarding the option of an open list or in the very least extending the definition from taonga species coming from the originating waka.

32. **Wakatū** notes that one option for the list could be empowering the **Māori** Plant Varieties Committee (Committee) to amend and adapt the list of NISS after considering the views of **iwi, hapū and whānau**, which would provide the necessary safeguards around establishing kaitiaki relationships.

33. **Wakatū** also notes that it is important, where a list is prescribed, that list can encompass future variations of a species as taonga species may be developed and although a developed species may result in something new, **it's whakapapa must be recognised adequately.**

34. Finally, we note that the focus on species may result in specific taonga **being excluded. One particular example includes Māori potatoes, which are** cultivars. As such, these potatoes would not be captured by the taonga species list notwithstanding general recognition of their importance as taonga. Further work must be undertaken to ensure the definition of NISS does not exclude taonga.

35. **Wakatū recommend**s:

- either the NISS definition:
  - be open (rather than exhaustive); or

- be broadened to include taonga species gifted between iwi or brought during hekenga; and

- the list or definition be broadened in a way that enables cultivars **such as Māori** potatoes and other such taonga to be included; and

- **further consultation is undertaken with Māori.**

Commencement of the NISS

36. The Treaty provisions in the PVR Bill will not come into effect until at least 12 months after the entry into force of the remainder of the Bill, which is stated as necessary to give time to form the Committee, to prepare guidelines for breeders and kaitiaki, and to allow plant breeders working with these species time to adapt their processes to the new requirements in the Bill.

37. In our submission on the Bill we questioned this reasoning and the need for such a long time. W**hile Wakatū** appreciates the need for breeders to have sufficient time to understand their obligations, we consider that the need for such a long time is overstated. The infrastructure required to support the passage of the Bill, including the Committee, is already in place, the report on the Bill is not due until 19 November 2021, and consultation on this regime has been ongoing for a number of years. **Therefore Wakatū considers breeders are aware of their potential** obligations under the Bill, notwithstanding that they may not know how to execute those obligations immediately. As such we consider the time delay of 12 months (or potentially two years as noted in the Explanatory Note) is problematic and the shortest time possible to allow breeders to understand their obligations should be chosen.

38. Given these timeframes for implementation, the Consultation Paper asks at [126] when the Regulations listing NISS should be made. One such

recommendation in the Paper, is that we leave the making and gazetting of the Regulations until the Treaty provisions enter into force, which the Paper states would allow for the Committee to undertake further consultation on the list if the Committee considered this necessary (at [127]). **Wakatū does not support** this approach for the reasons noted above regarding the delay. Wakatū is particularly concerned that a delay in commencement may result in mass applications being made by breeders seeking to circumvent the powers of the Committee. As such, if the list was delayed, Wakatū does not consider the Government would be able to discharge its Treaty obligations to Māori and in particular the duty to actively protect Māori (and our relationships with our taonga).

39. Therefore, **Wakatū recommend**s that the list of NISS (if that is the approach chosen, noting our lack of support for this above) enter into force along with the non-Treaty provisions of the Bill. Further, we also consider that at the very minimum the Government should include and impose interim measures that also prohibit the progression of applications that may impact on kaitiaki relationships for the period of time that the Committee's powers remain inactive to safeguard kaitiaki.

Approach to Regulations

40. Wakatū supports in principle the stated aims of the Regulations at [18] of the Consultation Paper. However, we note that these aims do not include the aim to uphold Te Tiriti. While this may be implied, we consider that this should be front and centre of every aspect of the Reform.

41. We support in principle the option to base the Regulations as far as possible, on relevant provisions of regulations developed for other legislation administered by IPONZ, in particular the Patents Regulations 2014. However, we note that given the renewed focus in the Bill, it is essential that any carrying across of regulations from the patents regime is amended to appropriately reflect the need to uphold Te Tiriti.

42. Wakatū has not engaged comprehensively with the Regulations at this stage. However, we intend to make comprehensive submissions on a draft set of Regulations once finalised. In the interim, we make the following high-level comments regarding MBIE's proposed options in the Consultation paper:

- Any prescribed periods must reflect any new obligations to engage and consult with Māori in respect of NISS. While we appreciate the need for expediency and certainty, as well as limiting undue delay, there must be sufficient time provided to engage adequately with Māori where kaitiaki relationships are concerned.

- Any growing trials must, where kaitiaki relationships are concerned, include the input of the relevant kaitiaki.

- Wakatū does not support the proposed role of the Commissioner to set the conditions of a growing trial or having sole discretion to select a report from the overseas trial. Wakatū considers there should be agreement between the Commissioner and the applicant, and where relevant the kaitiaki.

- Any use rights (e.g. grants of compulsory licences) must consider the impact on kaitiaki relationships where relevant. This is something that has not been addressed in the Bill and as such presents a gap in the legislative scheme as impacts on kaitiaki relationships must be considered at all stages of the process.

Conclusion

43. The current Reform represents an opportunity but also carries inherent risk. These risks are in large part due to the fact the Government is attempting to 'tinker' with an existing framework rather than creating a

framework that can and does support the recommendations in Wai 262. As such, Wakatū urges the Government to take careful measures to ensure that its obligations under Te Tiriti o Waitangi, and to respect kaitiaki relationships, are upheld.

44. Currently, there are very few domestic legal protections in place to protect the cultural and commercial value of our taonga and those that do exist are weak – this is a significant concern, which impacts on our cultural responsibilities as kaitiaki, as well as on the commercial opportunities our whānau and hapū communities may wish to exercise with respect to their taonga and resources. These matters need to be addressed by the Government as a matter of urgency. Our submissions are targeted at those matters.

45. Thank you for the opportunity to participate in this process.

Ngā mihi nui,

Kerensa Johnston,
Wakatū CEO

APPENDIX

A brief customary history of the Nelson and Tasman District

1. In the 1820s and 1830s, mana whenua then living in Te Tauihu were conquered by tribes from the North Island, including Ngāti Rārua, Ngāti Awa (now known as Te Ātiawa), Ngāti Tama and Ngāti Kōata. This tribal grouping is known as Ngā Tāngata Heke – the people of the Heke. The Heke were the series of migrations back and forth from the north to the south, including to Te Tauihu, in the early 19th century from the Kāwhia and Taranaki coasts. These migrations are remembered in the collective memory of the people as a series of named Heke.

2. By 1830, it was established that the hapū who held Māori customary title or mana whenua in Nelson, Tasman Bay and Golden Bay were the descendants of the four Tainui-Taranaki iwi of Ngāti Koata, Ngāti Rārua, Ngāti Tama and Te Ātiawa.

3. The four Tainui-Taranaki iwi in western Te Tauihu are recognised as the mana whenua on the basis of acquiring Māori customary title through a combination of take (raupatu (conquest) and tuku (gift)) and ahi kā roa (keeping the fires alight, by occupation or in other recognised ways). Over time, the whakapapa of the migrant iwi from the north became, as the Waitangi Tribunal has put it, 'embedded in the whenua through intermarriage with the defeated peoples, the burial of placenta (whenua) and the dead, residence, and the development of spiritual links.'[4]

4. From the time of the heke onwards, Māori customary title manifested itself in western Te Tauihu (Nelson, Tasman Bay and Golden Bay) as an exclusive right to land, with the power to exclude others if necessary, with the ability to dictate how land and resources was used and accessed.

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4 Waitangi Tribunal, *Te Tauihu o Te Waka a Maui*, vol III, 1366.

5. Ngāti Rārua, Te Ātiawa, Ngāti Tama and Ngāti Koata did not move to Te Tauihu en masse, but particular whānau and hapū, or sections of particular whānau and hapū, from those iwi settled in a staged series of migrations, with land allocated in various locations as different groups arrived.

6. The pattern of mana whenua in Te Tauihu was dictated by the pattern of settlement, in which each kāinga (village) was established around a chief or chiefs and each kāinga was home to extended whānau, with most residents at each kāinga related by blood or marriage. The whānau or hapū (an extended whānau or cluster of whānau could equally be described as a hapū) tended to establish themselves at locations where their neighbouring communities were relatives and/or close allies.

7. By 1840, whānau or hapū belonging to the four Tainui Taranaki iwi were established in Nelson, Tasman Bay and Golden Bay as the mana whenua.

The arrival of the New Zealand Company

8. When the New Zealand Company ("NZ Company") arrived in the South Island in 1841, rangatira [tribal leaders] representing the families of those whānau or hapū who held mana whenua and who were resident in western Te Tauihu negotiated with Captain Arthur Wakefield of the NZ Company and agreed to welcome European settlement in parts of the Nelson, Motueka and Golden Bay area.

9. One of the main reasons for this agreement, from the Māori perspective, was to promote trade relationships between European settlers and Māori for mutual benefit, bearing in mind that tribes of Te Tauihu had already had several decades of contact with European traders prior to 1841.

10. According to the arrangements a major benefit promised by the NZ Company when it entered into what it called 'Deeds of Purchase', was that the resident Māori and their families who held mana whenua in the

relevant parts of western Te Tauihu (Nelson, Motueka and Golden Bay), would be entitled to retain all existing Māori settlements, including urupa, wāhi tapu and cultivated land, and in addition reserves would be set aside comprising one-tenth of the land purchased. These additional land reserves became known as the Nelson Tenths Reserves ("Tenths Reserves").

11. As a result of the negotiations between the NZ Company and tāngata whenua, the Crown issued a grant in 1845 which extinguished Māori aboriginal (or customary) title over 151,000 acres in Nelson and Tasman (the Nelson settlement). The 1845 Crown Grant excluded all existing Māori settlements, including urupa, wāhi tapu and cultivated land, along with one-tenth of the total area of land acquired for European settlement (15,000 acres).

12. The Crown intended to hold the Tenths Reserves on trust on behalf of and for the benefit of the tāngata whenua who were those families who held Māori customary title to the 151,000 acres in the 1840s.

13. Despite the guarantees and the provisions stipulated in the 1845 Crown Grant, the Crown failed to reserve a full one-tenth of land or exclude settlements, urupa, wāhi tapu and cultivated land from European settlement.

14. On completion, the NZ Company's Nelson Settlement comprised approximately 172,000 acres, although it is likely a much larger area of approximately 460,000 acres was eventually acquired by the Crown.

15. As at 1850, the Nelson Tenths Reserves comprised only 3,953 acres (this figure does not include the designated Occupation Reserves).

16. Between 1841 and 1881, Crown officials administered the Tenths Reserves and the occupation reserves on behalf of the original owners. From 1882, the Public Trustee administered the estate.

Identifying the original land owners

17. In 1892 – 1893, the Native Land Court undertook an inquiry to ascertain who owned the land in Nelson, Tasman Bay and Golden Bay prior to the transaction with the New Zealand Company. The reason for this inquiry was to determine the correct beneficiaries of the Tenths Reserves trust.

18. The Native Land Court Judge (Judge Alexander MacKay) considered that the "New Zealand Company Tenths" (as he called them) had been set aside in accordance with the NZ Company's stipulation in the Kapiti Deed that it would hold a portion of the land on trust, and accordingly he decided that to ascertain those persons with a beneficial interest "it was necessary to carry back the inquiry to the date the land comprised in the original Nelson Settlement was acquired by the Company".

19. The Court's ruling determined the ownership of the 151,000 acres "at the time of the Sale to the New Zealand Company", with the ownership of the four hapū – Ngāti Koata, Ngāti Tama, Ngāti Rārua and Ngāti Awa - broken down according to each of the areas awarded by Commissioner Spain in 1845 (Nelson district, 11,000 acres; Waimea district, 38,000 acres; Moutere and Motueka district, 57,000 acres, and Massacre Bay, 45,000 acres).

20. The Judge's ruling included a determination:

> That although the Reserves made by the Company were situated in certain localities the fund accruing thereon was a general one in which all the hapus who owned the territory comprised within the Nelson Settlement had an

interest proportionate to the extent of land to which they were entitled, at the time of the Sale to the Company.

21. The Court requested each of the hapū so entitled to provide lists of the persons who were the original owners of the land at the time of the New Zealand Company's arrival and their successors.

22. Importantly, therefore, the 1893 lists were not drawn up by the Native Land Court, but by the people. The evidence of how this was done is consistent with a tikanga Māori style process where the lists were debated and revised until consensus is reached.

The Crown's management of the land

23. From 1842 until 1977, when the original owners regained control of their lands, the Crown held the Tenths Reserves and occupation reserves in trust and managed it on behalf of its owners.

24. From 1882 onwards, the Public Trustee, Native Trustee and Maori Trustee administered the Tenths Reserves and occupation reserves on behalf of the original owners and their descendants. During this period, a great deal of land was either sold or taken under public works legislation - in many cases without the owners' consent and without compensation for the loss.

25. A clear example of the Crown's mismanagement during this period is illustrated by the imposition of perpetual leases on the Tenths Reserves and occupation reserves. By way of legislation, the Crown imposed perpetual leases on the land, which for example, allowed for 21-year rent review periods, rents below market value, and perpetual rights of renewal for lessees. In practice this meant the Māori owners could not access or use their land, nor did they receive adequate rent for leasing the land. The problems associated with the perpetual lease regime continue to impact

adversely on the submitters' land, despite some legislative changes in 1997.

26. In the period to 1977, as a result of the Crown's mismanagement, the Tenths Reserves estate was reduced to 1,626 acres.

Proprietors of Wakatū (Wakatū Incorporation)

27. By the 1970s, the descendants of the original owners were lobbying for the return of their land to their control and management. This led to a Commission of Inquiry (the Sheehan Commission) into Māori Reserved Lands.

28. Our establishment was the result of recommendations made by the Sheehan Commission of Inquiry that the Tenths Reserves should be returned to the direct ownership and control of Māori. This recommendation was implemented by the Wakatū Incorporation Order 1977, which according to its explanatory note constituted "the proprietors of the land commonly known as the Nelson-Motueka and South Island Tenths".

29. The land vested in Wakatū Incorporation comprised the remnants of the Tenths Reserves and occupation reserves and the beneficial owners of the land were allocated shares in the same proportion as the value of their beneficial interests in the land transferred.

30. With a few exceptions, those beneficial owners were the descendants of the 254 tūpuna identified as beneficial owners by the Native Land Court in 1893. Wakatū can therefore trace the genesis of a large portion of the land in its estate back to the initial selection of the Tenths Reserves in 1842.

Wakatū Incorporation today

31. Wakatū is the kaitiaki and legal trustee of the remnants of the Tenths Reserves and occupation reserves. Wakatū Incorporation is responsible for the care and development of the owners' lands.

32. The Incorporation represents approximately 4000 Māori land owners in Nelson, Tasman Bay and Golden Bay. Apart from the Crown and local authorities, Wakatū is one of the largest private landowners in the Nelson/Tasman regions.

33. Since 1977, the owners of Wakatū have built a successful organisation that has contributed to the economic growth of the Tasman District and the economic, social and cultural well-being of the descendants of the original owners.

34. Wakatū Incorporation's primary focus is based around its management and use of the ancestral lands of the owners for their cultural and economic sustenance. Today, this comprises a mixture of leasehold land, commercial land and development land.

35. Wakatū has interests in horticulture, viticulture and aquaculture (Kono NZ LP) throughout the Tasman and Nelson District as well as in other parts of New Zealand.

36. The principles and values of Wakatū Incorporation are reflected in its guiding strategic document – Te Pae Tāwhiti.

Further information

37. A full history of the lands administered by Wakatū Incorporation, along with Ngāti Rārua Ātiawa Iwi Trust, Rore Lands, and other whānau and iwi trusts, who own land in the Nelson and Tasman region is set out and

discussed more fully in the Waitangi Tribunal, Te Tau Ihu o te Waka a Maui report. Also see www.**Wakatū**.org.nz for further information.