

INDEX TO EXHIBITS

BRIEF OF EVIDENCE OF MICHELLE PATEHEPA PAREWHERO HIPPOLITE TE PUNI KŌKIRI

18 February 2019

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RECEIVED	
Waitangi Tribunal	
19 Feb 2019	
Ministry of Justice	
WELLINGTON	

"MH1"



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1 9 NOV 2018

Official Information Act 1982 request

Thank you for your Official Information Act 1982 (OIA) request of 24 October 2018 regarding information relating to applications made to the Māori Land Court (the Court) under section 326B of Te Ture Whenua Māori Act 1993.

Your requests and my responses are set out below.

1. The number of applications filed under section 326B (since 2002 when these provisions were added to the 1993 Act)

I can advise that 27 such applications have been filed with the Court since 2002. In addition, following discussion with you, I can also confirm that there has also been 1 joinder application filed relating to landlocked land.

- 2. The outcome of these applications in particular the number of applications:
 - a. declined by the Court;

I can advise that 10 applications have been declined or dismissed by the Court and a further 3 refused by a Registrar.

b. withdrawn by applicant;

The information you have requested is not held by the Ministry of Justice (the Ministry).

This information may be held by the Māori Land Court; however, a court is excluded from the operation of the OIA under section 2(6)(a).

I am therefore refusing this part of your request under section 18(g)(i) of the OIA as the Ministry does not hold the information you have requested and there are no grounds for believing that the information is held by another department, Minister of the Crown, organisation, or local authority.

c. adjourned for discussions between parties;

The information you have requested is not held by the Ministry.

This information may be held by the Māori Land Court; however, a court is excluded from the operation of the OIA under section 2(6)(a).

I am therefore refusing this part of your request under section 18(g)(i) of the OIA as the Ministry does not hold the information you have requested and there are no grounds for believing that the information is held by another department, Minister of the Crown, organisation, or local authority.

d. extant/ongoing;

I can advise that there are currently 9 applications still extant/ongoing.

e. orders under s326B granting reasonable access.

I can advise that orders under section 326B have been granted for 9 applications of which 4 are extant/ongoing pending determination of costs and compensation.

For further assistance in relation to information held by the Māori Land Court, you can contact the Chief Registrar, Kura Barrett, by writing to DX Box SX11203, Wellington; calling 04 914 3100; or emailing mlcnationaloffice@justice.govt.nz

If you are not satisfied with this response, you have the right to complain to the Ombudsman under section 28(3) of the OIA. You can contact the Office of the Ombudsman by writing to PO Box 10152, Wellington 6143; calling 0800 802 602; or emailing info@ombudsman.parliament.nz

I trust that this information assists.

Yours sincerely

Jacquelyn Shannon

Group Manager, Courts and Tribunals, Regional Service Delivery

Ref: 71643

"MH2"

#	District	Application #	Subject	Date Received	Date Concluded	Status
1	WAR	A20040004031	Waikuta 1B2B1 - Laying Out a Roadway to Provide Access for Waikuta 1B2B2	21/06/2004	9/03/2005	Dismissed
2	WAR	A20140008089	Torere Section 65 block & other blocks - reasonable access may be granted in cases of landlocked Maori land	9/07/2014		Active
3	TKT	A20030006377	Awarua O Hinemanu - Reasonable Access to Landlocked Maori Land	3/11/2003	5/12/2013	Dismissed
4	АОТ	A20040004541	Hongoeka 4A - Reasonable Access to Landlocked Land	22/07/2004	22/07/2004	Refused
5	АОТ	A20040004784	Hongoeka 4A - Reasonable Access to Landlocked Land	3/08/2004	23/09/2011	Dismissed
6	WAR	A20050004880	Opape 28 - Access to landlocked Maori freehold land	4/04/2005	1/10/2014	Complete
7	WAI	A20050007182	Te Kawa A6 - Application for access to land-locked land	17/05/2005	13/03/2008	Complete
8	WAR	A20050008626	Whitikau A1 - Application for Access to Land Locked Maori Freehold Land (Opape 28)	14/06/2005	9/06/2014	Complete
9	WAR	A20050009438	Kawerau A5A - Access to landlocked land	30/06/2005	15/11/2005	Dismissed
10	TTK	A20060013062	Motatau 5A2A4A & Motatau 5A2A4B - Access to landlocked land	24/04/2006	5/10/2012	Dismissed
11	WAI	A20070006232	Tikirahi Block - Provide Access to Landlocked Land	18/05/2007	3/08/2012	Dismissed
12	WAR	A20080002732	Lot 6 DPS 42354 (Part Rotoiti 17) - Reasonable Access to Landlocked Land	27/02/2008	5/03/2009	Dismissed
13	TKT	A20080010501	Te Matai 1 & 2 Blocks - Create an Easement	18/08/2008		Active
14	TKT	A20080017246	Uruokakite South B10 Block - Reasonable Access to Landlocked Land	3/12/2008	8/04/2014	Dismissed
15	AOT	A20090007583	Hoewaka 2B1 - Access to landlocked land	5/05/2009	7/08/2009	Refused
16	TWP	A20110012963	Section 186 Block V Longwood Survey District - Reasonable access to Maori land	20/12/2011	2/12/2014	Complete
17	TTK	A20130001016	Te Touwai B19A1 - Application for reasonable access to landlocked Maori land	7/01/2013		Active
18	TTK	A20130004373	Kohatuwhawha B6 - Roadway access may be granted in cases of landlocked Maori land	14/05/2013		Active
19	WAI	A20130007123	Oparau No 1 and Pirongia West 1 2B3D Blocks (General Land) - Reasonable access may be granted in cases of landlocked land Maori land	9/08/2013	29/04/2015	Complete
20	AOT	A20140006124	Wharetoto 2D block & Wharetoto 2C block - Application for orders granting reasonable access	5/05/2014	17/06/2015	Dismissed
21	WAI	A20140008262	Waiomu 3B2B2B3B2 and Waiomu 3B2B2B3B1B - Application of land to include alienation of interest in roadway giving access to that land	18/07/2014		Active
22	TKT	A20140012764	Te Koau A - Reasonable access to landlocked Maori land	9/12/2014	9/05/2017	Dismissed
23	TKT	A20150001084	Te Awaiti 7 No 1C & 9 Other Blocks - Reasonable access to landlocked blocks	13/01/2015		Active
24	TKT	A20150004913	Rotopounamu 1B1A and Other blocks - Create an easement	24/08/2015		Active
25	AOT	A20170001284	Horowhenua 3D6 - Creating an easement, right of way or access to landlocked land	24/01/2017	26/01/2017	Refused
26	TKT	A20180001127	Te Matai 1 & 2 Blocks - Create an Easement	12/01/2018		Active
27	TRW	A20180001869	Kaiti 336F Roadway - Reasonable access may be granted in cases of landlocked Maori land	23/02/2018		Active
			and effect of laying out a roadway			
	er Application		Lwn	2 /02 /2015	47/06/2015	
28	АОТ	A20150001407	Wharetoto 2C & Wharetoto 2D & (Lochinver Station) - Joinder Application	3/02/2015	17/06/2015	Complete

"MH3"

Date	Decision or event regarding landlocked Māori land
2002:	Amendments to Te Ture Whenua Maori Act 1993 (TTWMA): Te Ture Whenua Maori Amendment Act 2002 Maori Land Amendment Act 2002 inserted ss326A-326D. As summarised by Ruru and Crosbie (Ruru, Jacinta; Crosbie, Anna "The key to unlocking landlocked Māori land: the extension of the Māori Land Court's jurisdiction" [2004] CanterLawRw 13; (2004) 10 Canterbury Law Review 318) as a result of these amendments, the Māori Land Court now had power under ss 326A-326D of Te Ture Whenua Maori Act 1993 to order reasonable access to landlocked Māori freehold land and general land owned by Māori even if the neighbouring land owners have not consented.
2012:	Review (most recent review) of TTWMA begins.
2015:	As part of Budget 2015 Whenua Māori Fund established to support owners and trustees of Māori land increase productivity of their whenua.
2015 (11-13 November, and 9 December):	Waitangi Tribunal hears urgent inquiry into Claims about the Reform of Te Ture Whenua Maori Act 1993 (Wai 2478).
2016 (March):	Waitangi Tribunal releases pre-publication version of its Report into Claims about the Reform of Te Ture Whenua Maori Act 1993 (Wai 2478).
2016 (April):	Te Ture Whenua Bill 2016, including certain provisions re landlocked land, introduced into Parliament.
2017 (March):	Cabinet noted that the Minister for Māori Development would broaden scope of Whenua Māori Fund to support owners of landlocked Māori land. Amendments were made to the Whenua Māori Fund application form to record that applications invited from owners of landlocked Māori land.
2017 (December):	Withdrawal of Te Ture Whenua Māori Bill 2016.
2018 (14 August):	Waitangi Tribunal in Taihape: Rangitikei ki Rangipo District Inquiry issues memorandum-directions (Wai 2180, doc. 2.6.65) setting out Tribunal's "preliminary views" on issue of landlocked land in this inquiry district and making a set of suggestions for consideration.
2018 (December):	Cabinet agrees to progress certain specific amendments to TTWMA in relation to landlocked land and dispute resolution service.

"MH4"

What did Waitangi Tribunal say in its Reform of TTWMA report?	What did Waitangi Tribunal say in Taihape memorandum-directions 2017 "preliminary views" (Wai 2180, doc. 2.6.65)	What mahi has TPK been doing in relation to landlocked Māori land?
Page 136: "In respect of landlocked land, the MAG recommended giving the Māori Land Court, the MLS, or iwi and hapū authorities the power to enforce access to landlocked land. The Crown could create a fund to compensate adjoining landowners. In particular, many Māori land blocks are landlocked by Crown lands, and the Crown could insert a clause in the Bill to grant 'enduring access' across Crown lands 'through a simple process'." Page 137: "(5) How many of the MAG's recommendations were adopted? When the Exposure draft of the Bill was released at the end of May 2015, clauses giving effect to the MAG's recommendations about landlocked land, paper roads, and rating had not been included. TPK advised hui participants that the 'legal aspects' of landlocked land would be 'addressed through the Bill with the assistance of expert legal advice'. But the 'practical steps' to address the problem would be tackled by the new Te Ture Whenua Māori Network over the next four years. It is not at all clear what this meant. The simple clause to ensure access across Crown land was not difficult to draft, the MAG had suggested, but was not included in the Bill." Page 244: "As part of that work, there is clearly a need for further investigation and research into some of the constraints to land utilisation that Māori have identified. We have already commented to some extent in chapter 3 on the failure to carry out empirical research as to the operation of the existing Act before proposing its repeal, and return to address the issue of research again later in this chapter. In this context, the Crown is also limited by an inadequate understanding of the extent of	Page 2: "An analysis of landlocked Māori land in the inquiry district presented to us claims that about seventy three percent of the remaining Māori land in the inquiry district is landlocked. This does not include general land owned by Māori. At first blush, this appears a very high percentage and is likely to be significant in terms of a comparison with landlocked Māori land in other inquiry districts." Pages 7-8: "35. Our suggestions include: (a) that the Crown consider creating a contestable fund to which Māori landowners can apply, to pay the costs of creating reasonable access; (b) that the Crown, while reviewing the Te Ture Whenua Maori Act 1993, consider the definition of 'reasonable access' for landlocked lands, especially to take account of topographical factors. This is because in our view the laying out of 'paper' access routes, where the terrain is rugged, with straight lines that run over cliffs and rivers and down banks is something of a pointless exercise; and (c) Reasonable access in some circumstances needs to take account of cultural and commercial purposes for the landlocked blocks. For some commercial purposes, this will mean that reasonable access needs to be vehicular, not just walking tracks."	Current research is focussed on extent of landlocked land in Taihape. This research is proposed as a case study or approach to be adopted, subject to budget, across the country. Discussions are underway with several Crown agencies in relation to an agreement or accord relating to accessing landlocked Māori land. Previous review of Te Ture Whenua Māori (2012 – 2017). New approach taken by current government. Proposed amendments to TTWMA agreed in December 2018, including shifting appeals (affecting general land) from High Court to MAC which may address both costs and perception of cost and Court's approach to access vs indefeasibility. Further amendments to TTWMA are under consideration. Dispute resolution service in development. This might be usefully employed to address issues between neighbouring owners. Regional advisory services in development. This could assist owners of landlocked Māori land with investment and growth opportunities, including those available through the Provincial Growth Fund. The Whenua Māori Fund explicitly seeks applications that address the issue of landlocked Māori land. Other funding (subject to future budget decisions) to assist with research and access in progress.
these problems. As we saw above, Crown witnesses conceded that the Crown has very little information about the extent of		

What did Waitangi Tribunal say in its Reform of TTWMA report?	What did Waitangi Tribunal say in Taihape memorandum-directions 2017 "preliminary views" (Wai 2180, doc. 2.6.65)	What mahi has TPK been doing in relation to landlocked Māori land?
the landlocked land problem, including how much of its own land is impeding access to Māori land blocks. This kind of information is obviously essential before any real solution to these constraints can be found."		
Page 255: "Nonetheless, we do consider that issues such as landlocked land and rating and valuation require urgent consideration as part of the Bill. These issues have arisen as a result of past Treaty breaches by the Crown, and it has a Treaty duty to remedy them. We commend the Crown for now recognising that these issues need to be addressed. Investigation of and research into these issues is warranted as part of the broader goal of endeavouring to assist Māori landowners develop and utilise their lands, unencumbered by barriers created by past actions of the Crown. We encourage the Crown to continue its work on these enabler issues, and to address them where possible in the draft Bill."		
Page 266: "In respect of the enablers workstream, we recommend that work continue urgently on such matters as rating, valuation, landlocked land, paper roads, and all other matters encompassed in that workstream, in satisfaction of the Crown's Treaty duty to remedy past breaches. We also recommend that access to finance be made a matter of urgent attention, and that work on the 'enablers' keep step with the wider reform package. This is necessary so that Māori may make informed choices on the basis of a concerted strategy to remedy the barriers to utilisation and development of Māori land (where utilisation and development is the choice of the Māori owners and their kin groups)."		



Taihape: Rangitīkei ki Rangipō Landlocked Lands Research Project

Methodology and Preliminary Results

14 Hui-tanguru 2019



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INTRODUCTION AND METHODOLOGY



INTRODUCTION

This report presents the preliminary results of a desktop research project undertaken by Te Puni Kōkiri into landlocked land within the Taihape: Rangitīkei ki Rangipō inquiry district.

The report includes:

- The project methodology, including the working definition of landlocked land, details of the steps/criteria for the analysis of whether a block is landlocked, and details of the GIS data capture process;
- The preliminary results set out in tables according to their access assessment (landlocked, not landlocked, needs investigation);
 and
- Maps of the blocks preliminarily identified as landlocked.

As step 5 of the methodology (ground-truthing) has not yet been undertaken, the results are only preliminary. Further validation is required to confirm the desktop access assessments for each block.

For the 56 blocks initially identified by ArcGIS as potentially lacking direct contact with a legal or formed road, the preliminary access assessments are set out in the table below.

Access Assessment	Number of Blocks	Area (ha)
Landlocked	32	51,017
Not Landlocked	8	2,263
Needs Investigation	16	804
Total	56	54,084

METHODOLOGY

Working definition of "landlocked land"

A land block is considered landlocked if it:

- i. does not have direct contact (i.e. zero metres) with the boundaries of a legal or formed road; and
- ii. has no easement providing legal access

Steps/criteria for analysis

- 1. Identify blocks that do not have direct contact with the boundaries of a legal or formed road in ArcGIS (see GIS Data Capture Process section);
- 2. Check title to verify if there are any legal roads or easements registered against the title.
 - a. If there is a legal road or easement registered against the title, check titles of adjoining blocks to ensure the road or easement is also registered against their titles;
- 3. Check ownership information to verify if the block is administered by a governance entity or if the block has been aggregated;
- 4. Check satellite and street view imagery to verify if any legal access identified in step (2)(a) appears to be formed, or if other access is evident;
- 5. Conduct ground-truthing to validate our assessment of access:
 - a. contact landowners to verify access situation;
 - b. conduct drone survey of boundaries and terrain of block.

METHODOLOGY

GIS Data Capture Process

The road accessibility of Māori Land Court (MLC) blocks has been investigated with geospatial data in ArcGIS using Geographical Information System (GIS) techniques, including map overlay and calculating the proximity to the nearest feature (road in this case).

The analysis in ArcGIS will only identify proximity to roads and whether a MLC block has direct road contact. Title searches are required to identify easements providing legal access.

The following process was used in ArcGIS to evaluate if a MLC block has direct contact with the boundaries of a legal or formed road:

- 1. Separate each MLC block into its individual parts
- 2. Find the closest road (LINZ, LINZ parcel and road geometry) for each MLC block single part in metres
- 3. Join the nearest road information back with MLC block single part information
- 4. Select the MLC Blocks in the Taihape District Inquiry

(See Appendix for detailed data capture process and data sources)

PRELIMINARY RESULTS TABLES



PRELIMINARY RESULTS Landlocked

Map #	Block Name	Area (ha)	Closest Road in Metres	Legal Access on Title	Access Indicated on Plan	Title Notes	Management Structure	Kawenata	Access Assessment Notes
L	Aorangi (Awarua)	391.33	23.05	No	No		Aorangi Awarua Trust		Surrounded on all sides, no access on title
	Awarua 3A2J	40.44	757.62	No	No	Plan note 'Lots 1&2 have no legal access and can be transferred to an adjoining owner only'	Awarua 3A2J Trust		Surrounded on all sides, no access on title.
	Awarua 3D No. 3 No. 17B	1.62	87.32	No	No				Surrounded on all sides, no access on title.
ı	Awarua No 4A No 3C No 8A	21.31	700.29	No	No	The within land has no frontage to a Public Road	Awarua 4A3C8A Trust		Surrounded on all sides, no access on title.
	Awarua No. 1A No. 3B	95.51	267.19	No	No	TPK note - legal road shown on map along Pourangaki River but does not odjoin block			Surrounded on all sides by private land, no access on title.
5	Awarua No. 2C No. 8	178.47	422.18	No	No		Awarua 2C 8 Ahu Whenua Trust		Surrounded on all sides, no acces on title.
7	Awarua O Hinemanu	2,561.81	452.88	No	No		Awarua o Hinemanu Trust	Yes	Surrounded on all sides, no acces on title.
3	Motukawa 2 F No. 2	35.61	2,068.62	No	Unclear	TPK note - poor quality plan			Surrounded on all sides, no acces on title.
	Motukawa No. 2 D No. 2 B No. 1	4.14	7.77	No	Unclear	TPK note - poor quality plan; shows Waipuna Road to south of block			Surrounded on all sides, no acces on title.
.0	Oruamatua Kaimanawa 1U	967.20	1,141.54	No	No				Surrounded on all sides by private land and Māori land, no access of title.
.1	Oruamatua Kaimanawa No 1 W Section No 1	43.71	5,143.81	No	No				Surrounded on all sides, no access on title.

PRELIMINARY RESULTS Landlocked (continued)

Map #	Block Name	Area (ha)	Closest Road in Metres	Legal Access on Title	Access Indicated on Plan	Title Notes	Management Structure	Kawenata	Access Assessment Notes
12	Oruamatua Kaimanawa No 2K	131.52	1,119.50	No	No				Surrounded on all sides, no access on title
13	Oruamatua Kaimanawa No. 1V	1,505.84	2,177.71	No	No		Oruamatua Kaimanawa 1V Trust	Yes	Surrounded on all sides, no access on title.
L4	Otamakapua No 1G	0.40	99.07	No	No	TPK note - 1G not visible on plan	Rakautaonga Whenua Topu Trust		Surrounded on all sides, no access on title.
15	Otamakapua No 2 C	4.18	315.08	No	No				Surrounded on all sides, no access on title.
L6	Owhaoko A East	6,733.97	12,582.87	No	Unclear	TPK note - poor quality plan	Owhaoko A East and A1B Blocks Trust		Surrounded on all sides, no access on title.
17	Owhaoko B East	2,358.61	12,369.89	No	No		Owhaoko B and D Trust	Yes	Surrounded on all sides, no access on title.
18	Owhaoko B No 1B	378.18	11,152.60	No	No		Owhaoko B and D Trust	Yes	Surrounded on all sides, no access on title.
L9	Owhaoko C No. 1	545.52	8,805.38	No	No		Owhaoko C Trust	Yes	Surrounded on all sides, no access on title.
20	Owhaoko C No. 2	2,935.89	5,766.58	No	No		Owhaoko C Trust	Yes	Surrounded on all sides, no access on title.
21	Owhaoko C4	696.46	4,660.42	No	No		Owhaoko C Trust	Yes	Surrounded on all sides, no access on title.
22	Owhaoko D No 6 Subdn 3	556.44	829.41	No	No				Surrounded on all sides, no access on title. Sold in 2015.



PRELIMINARY RESULTS Landlocked (continued)

Map #	Block Name	Area (ha)	Closest Road in Metres	Legal Access on Title	Access Indicated on Plan	Title Notes	Management Structure	Kawenata	Access Assessment Notes
23	Owhaoko D No. 1	1,239.35	12,526.47	No	No		Owhaoko B and D Trust	Yes	Surrounded on all sides, no access on title
24	Owhaoko D No. 3	2,316.57	10,776.86	No	No		Owhaoko B and D Trust	Yes	Surrounded on all sides, no access on title.
25	Owhaoko D No. 4 B	536.82	13,101.24	No	No		Owhaoko B and D Trust	Yes	Surrounded on all sides, no access on title.
26	Owhaoko D No. 6 Subdivision 1.	2,316.57	110.89	No	No				Surrounded on all sides, no access on title.
27	Owhaoko D No. 8 B	1,875.52	14,596.62	No	No		Owhaoko B and D Trust	Yes	Surrounded on all sides, no access on title.
28	Owhaoko D7B Pt	17,091.63		No	No		Owhaoko B and D	Yes	Surrounded on all sides, no access
	- Parcel 1		7,287.00				Trust		on title.
	- Parcel 2		0.00						
29	Part Awarua No.1 D.B. No 2	4,751.01	7.05	No	No		Aorangi Awarua Trust		Surrounded on all sides, no access on title.
30	Rangipo Waiu B 6B 1	216.25	112.31	No	No		Rangipo Waiu B6B1 Ahu Whenua Trust		Surrounded on all sides, no access on title.
31	Rangipo Waiu B 6B 2	216.25	727.39	No	No				Surrounded on all sides, no access on title.
32	Rangipo Waiu B. No. 1	268.39	1,455.48	No	No		Rangipo Waiu B1 Ahu Whenua Trust		Surrounded on all sides, no access on title.

PRELIMINARY RESULTS Not Landlocked

Block Name	Area (ha)	Closest Road in Metres	Legal Access on Title	Access Indicated on Plan	Title Notes	Management Structure	Kawenata	Access Assessment Notes
Awarua 2C13D	2.02	5.01	No	No				No legal access on title, but in close proximity to road.
Awarua 3D 3 No. 12B	216.33	39.15	Yes	Unclear	Appurtenant hereto is a roadway created by Court Order 506413			No legal access on title, but in close proximity to road.
Awarua 4C 15F 1A 2E	3.76		No	Yes	Subject to a right of way 10.05 metres wide created by Court Order 6512;			No legal access on title, but clearly adjacent to road.
- Parcel 1		0.07			Subject to a right of way 10.05 metres			
- Parcel 2		0.00			wide and to a water right created by Court Order 6864; Subject to a right of way 10.05 metres wide created by Court Order 954389; Appurtenant hereto are rights to lay pipes, convey water and water rights created by Partition Order 123352.1; Subject to a right of way 10.05 metres wide created by Partition Order 123352.1			
Awarua 4C 9F No. 1	13.90	7.71	No	No				No legal access on title, but clearly adjacent to rail corridor, and road.
Motukawa 2B Section 10C	100.62	9.10	No	Yes				No legal access on title, but in close proximity to road.
Owhaoko C5	1,917.91	22.59	No	No			Yes	No legal access on title, but access agreement in place (Napier / Taihape Rd) according to Woodley
Part Subdivision 1D of the Taraketi block	8.01	10.01	No	Unclear				No legal access on title, but clearly adjacent to rail corridor, and road.
Taraketi 2F2A	0.40	41.49	Yes	Yes	Appurtenant hereto is a right of way created by Maori Land Court Order 439762			Legal access on title, and formed acces to roadway exists.

PRELIMINARY RESULTS Needs Investigation

Block Name	Area (ha)	Closest Road in Metres	Legal Access on Title	Access Indicated on Plan	Title Notes	Management Structure	Kawenata	Access assessment Notes
Awarua 4C 15F 1A 2C No. 5	3.08	94.89	No	No	Subject to a right of way over part created by Court Order 6512; Subject to a right of way over part created by Partition Order MFLR 6681141.1 - 8.12.2005 at 9:00 am; Appurtenant hereto is a right of way created by Partition Order MFLR 6681141.1 - 8.12.2005 at 9:00 am; Appurtenant hereto is a right to take water created by Partition Order MFLR 6681141.1 - 8.12.2005 at 9:00 am			No legal access on title, but access via neighbouring block.
Awarua 4C 15F 1D	9.44	5.57	Yes	Yes	Appurtenant hereto is a right of way created by Maori Land Court Order 6864; Appurtenant hereto is a right of way created by Maori Land Court Order 7470; Appurtenant hereto is a right of way created by Partition Order 747229; Appurtenant hereto is a right of way created by Partition Order 976334	Awarua 4C15F1D Trust		Legal access on title, and in close proximity to formed road.
Awarua 4C 15F1E	9.44	93.19	Yes	Yes	Appurtenant hereto is a right of way created by or referred to in Order of Court 6512			Legal access on title, and in close proximity to formed road. Possible access via neighbouring Awarua block.
Awarua 4C151H1	65.36	61.38	Yes	Yes	Subject to a right of access by existing tracks to other subdivisions until properly defined roads giving fair and reasonable access have been laid off; Subject to a right in favour of the owners on Awarua 4C15F1H2 to use of tram way running through within land as a right of way			Legal access on title, and in close proximity to formed road.

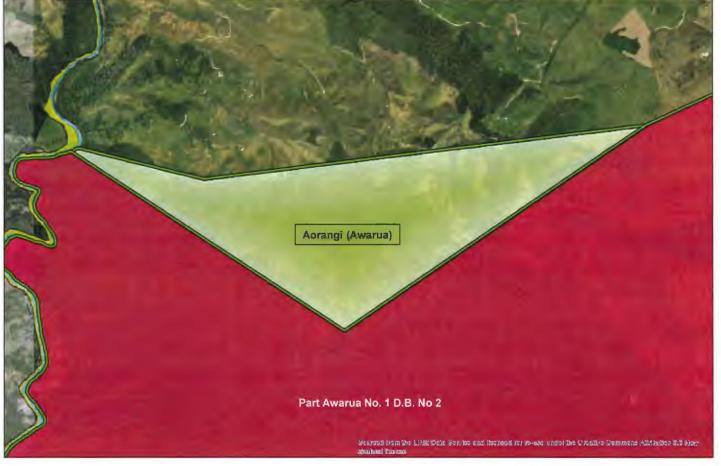
PRELIMINARY RESULTS Needs Investigation (continued)

Block Name	Area (ha)	Closest Road in Metres	Legal Access on Title	Access Indicated on Plan	Title Notes	Management Structure	Kawenata	Access Assessment Notes
Awarua 4C15F1F	9.44	176.69	Yes	Yes	Appurtenant hereto is a right of way created by or referred to in Court Order 6864; Appurtenant hereto is a right of way created by or referred to in Court Order 7470; Appurtenant hereto is a right of way created by or referred to in Partition Order 123352.1; Appurtenant hereto is a right of way created by or referred to in Partition Order 119158.2; Appurtenant hereto is a right of way created by or referred to in Partition Order 8215946.3; Appurtenant hereto is a right of way created by or referred to in Partition Order 8215946.3; Appurtenant hereto is a right of way created by or referred to in Partition Order 976334			Legal access on title, and in close proximity to formed road. Possible access via neighbouring Awarua block
Awarua 5 and 7	1.00		No	No	Subject to a right of way over part	Awarua 5 & 7		No legal access on title, but Awarua 5
- Parcel 1		69.48		created by Partition Order 695839.2 (affects Awarua 5 Block)	Reservation		clearly adjacent to road. Access to Awarua 7 unclear.	
- Parcel 2		0.00)					
Lot 14 Deposited Plan 5866	25.34	5.08	No	No				No legal access on title, but adjacent to road and bridge visible on satellite and street view.
Motukawa 2B 16B 2B	0.10	142.31	No	No				Legal access on title, but appears landlocked.
Motukawa 2B 16B No. 1B	53.58	109.07	Yes	Yes	Appurtenant hereto is a right of way created by Partition Order (Maori Land Court) 539905 - 3.10.1962	Motukawa 2B16B1B Ahu Whenua Trust		Legal access on title, but appears landlocked.
Motukawa 2B No. 25	242.81	560.01	No	No	The within land has no frontage to a legal road			No legal access on title, but has been amalgamated with adjacent block (Motukawa 2B No. 24)

PRELIMINARY RESULTS Needs Investigation (continued)

Block Name	Area (ha)	Closest Road in Metres	Legal Access on Title	Access Indicated on Plan	Title Notes	Management Structure	Kawenata	Access Assessment Notes
Motukawa 2B No. 7A	375.39			Yes	Appurtenant hereto is the roadway created by No. 545750		Legal access on title. Block made up of 3 parcels separated by rail corridor. 1	
- Parcel 1		1,652.68						parcel may have access.
- Parcel 2		70.81						
- Parcel 3		0.00						
Taraketi 1G2	1.56	138.93	No	Yes	TPK note - plan shows block adjoining road line 50 links wide	Taraketi 1G1, 1G2, 1G3, 1G4, 1G5, 1G6 Trust		Managed with adjacent blocks, but access unclear from satellite and street view.
Taraketi 1G5	1.56	291.35	No	Yes	TPK note - plan shows block odjoining road line 50 links wide	Taraketi 1G1, 1G2, 1G3, 1G4, 1G5, 1G6 Trust		Managed with adjacent blocks, but access unclear from satellite and street view.
Taraketi 2F 1A 1 and 1G 4	2.57		Yes Y	Yes	Appurtenant hereto is a right of way created by Partition Order (Maori Land	Taraketi 1G1, 1G2, 1G3, 1G4, 1G5, 1G6 Trust		Managed with adjacent blocks, but access unclear from satellite and street view.
- Parcel 1		0.00			Court) 678344 (Affects Taraketi 2F1A1); Subject to a right of way over part			
- Parcel 2		365.15			created by Partition Order (Maori Land Court) 678344 (Affects Taraketi 2F1A1)			
Taraketi No. 1G No.3	1.56	253.15	No	Yes	TPK note – plan appears to show roadway	Taraketi 1G1, 1G2, 1G3, 1G4, 1G5, 1G6 Trust		Managed with adjacent blocks, but access unclear from satellite and street view.
Taraketi No.1G No.1	1.56	26.29	No	Unclear		Taraketi 1G1, 1G2, 1G3, 1G4, 1G5, 1G6 Trust		Managed with adjacent blocks, but access unclear from satellite and street view.

Maps of Landlocked Blocks



Title Order: Freehold Order

219144 20/09/1912

Management: Aorangi Awarua Trust Ahu Whenua Trust

Total owners: 1132 Total shares: 503

Area (ha): 391.331

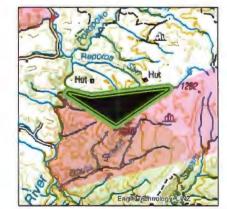
Legal access on title: No

Access indicated on plan: No

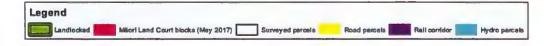
Access assessment: Landlocked

Notes: Surrounded on all sides, no access on

title



0 1,000 2,000 3,000 4,000 5,000 metres





500 metres

Block ID: 18198

Title Order: Native Land Act Order

WN21C/579 13/08/1896

Management: Awarua 3A2J Trust Ahu Whenua Trust

Total owners: 24 Total shares: 0.4826

Area (ha): 40.4433

Legal access on title: No

Access indicated on plan: No

Access assessment: Landlocked Notes: Surrounded on all sides, no access on title.



Warning: Geodetic marks may appear out of place by tens of metres with respect to the underlying map.



400

300

100

200

Map 3



18358 Block ID:

Title Order: Partition Order

299820 12/06/1900

Management: N/A

85 Total owners: 3 Total shares:

Area (ha): 1.6187

Legal access on title: No

Access indicated on plan: No

Access assessment: Landlocked

Notes: Surrounded on all sides, no access on

title.



100 metres







Title Order: Native Land Act Order

WN7B/1364 11/03/1903

Management: Awarua 4A3C8A Trust Ahu Whenua Trust

Total owners: 23 Total shares: 1

Area (ha): 21.3118

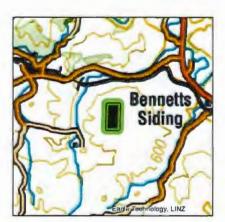
Legal access on title: No

Access indicated on plan: No

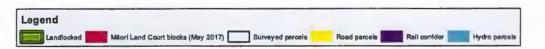
Access assessment: Landlocked

Notes: Surrounded on all sides, no access on

title.



1,000 metres





Title Order: Partition Order

251178 14/03/1895

Management: N/A

Total owners: 99 Total shares: 37760

Area (ha): 95.5058

Legal access on title: No

Access indicated on plan: No

Access assessment: Landlocked

Notes: Surrounded on all sides by private land,

no access on title.



0 1,000 2,000 metres

Legend

Landlocked Miori Land Court blocks (May 2017) Surveyed parcels Road parcels Rail corridor Hydro parcels



Title Order: Native Land Act Order

WN295/8 13/08/1896

Management: Awarua 2C 8 Ahu Whenua Trust Ahu Whenua Trust

Total owners: 193 Total shares: 260.3187

Area (ha): 178.4664

Legal access on title: No

Access indicated on plan: No

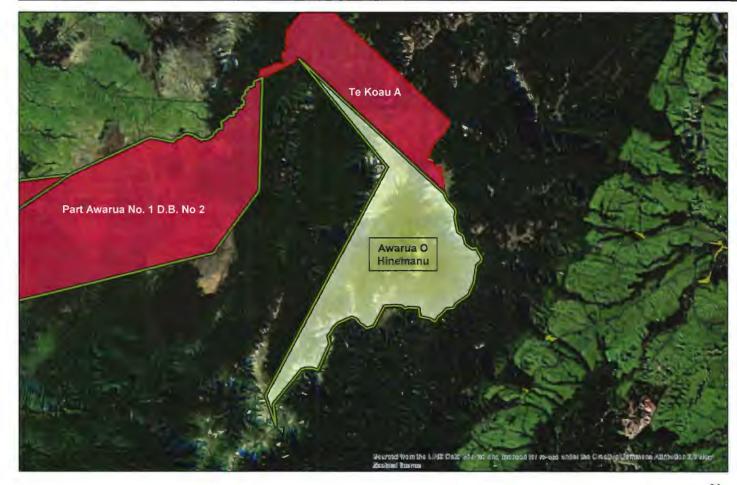
Access assessment: Landlocked Notes: Surrounded on all sides, no access on title.



0 1,000 2,000 3,000 metres

Legend

Landlocked Maori Land Court blocks (May 2017) Surveyed percels Road parcels Rail corridor Hydro parcels



Title Order: Freehold Order 327786

327786 8/06/1992

Block ID:

Management: Awarua O Hinemanu Trust Ahu Whenua Trust

16963

Total owners: 972
Total shares: 2561.8122

Area (ha): 2561.8122

Legal access on title: No

Access indicated on plan: No

Access assessment: Landlocked

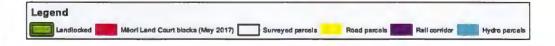
Notes: Surrounded on all sides, no access on

title.

N



0 1,000 2,000 3,000 4,000 5,000 6,000 7,000 8,000 9,000 10,000 11,000 12,000 13,000 14,000 15,000 16,000 17,000 18,000 19,000 metres





Title Order: Native Land Act Order

477498 5/06/1899

Management: N/A

Total owners: 499 Total shares: 23

Area (ha): 35.6123

Legal access on title: No

Access indicated on plan: Unclear

Access assessment: Landlocked

Notes: Surrounded on all sides, no access on

title.

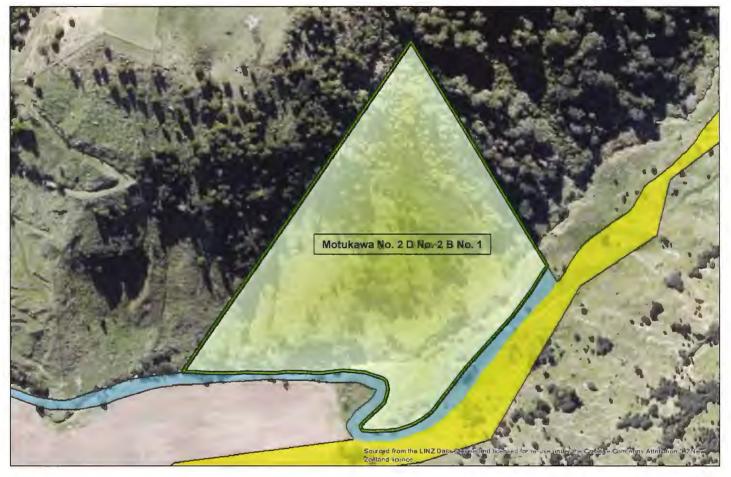


1,000 metres

Legend

Landlocked Miori Land Court blocks (May 2017) Surveyed parcels Road parcels Rail corridor Hydro parcels





Title Order: Partition Order

458015 16/12/1910

Management: N/A

Total owners: Total shares:

Area (ha): 4.1429

Legal access on title: No

Access indicated on plan: Unclear

Access assessment: Landlocked

Notes: Surrounded on all sides, no access on



100 200 metres

Legend Milori Land Court blocks (May 2017) Surveyed percels Road perceis Rail corridor



Title Order: Partition Order

466406 24/09/1897

Management: N/A

Total owners: 43 Total shares: 2390

Area (ha): 967.1986

Legal access on title: No

Access indicated on plan: No

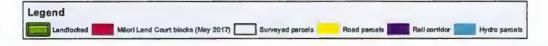
Access assessment: Landlocked Notes: Surrounded on all sides by private land

and Māori land, no access on title.



1,000 2,000 3,000 4,000 5,000 metres







Title Order: Partition Order

WN9C/151 31/10/1907

Management: N/A

Total owners: 2 Total shares: 1

Area (ha): 43.706

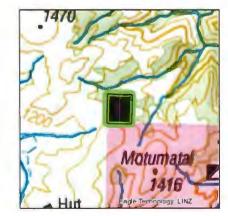
Legal access on title: No

Access indicated on plan: No

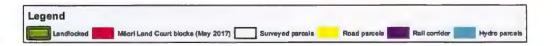
Access assessment: Landlocked

Notes: Surrounded on all sides, no access on

title.



1,000 metres







Title Order: Partition Order

470116 29/09/1897

Management: N/A

Total owners: 70 Total shares: 325

Area (ha): 131.5228

Legal access on title: No

Access indicated on plan: No

Access assessment: Landlocked

Notes: Surrounded on all sides, no access on

title.



1,000 metres

Legend

Landlocked Milori Land Court blocks (May 2017) Surveyed percels Road parcels Rail corridor Hydro percels





Title Order: Partition Order

WN8B/1216 24/09/1897

Management: Oruamatua Kaimanawa 1V Trust Ahu Whenua Trust

Total owners: 114
Total shares: 3721

Area (ha): 1505.8352

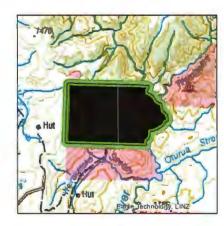
Legal access on title: No

Access indicated on plan: No

Access assessment: Landlocked

Notes: Surrounded on all sides, no access on

title.



0 1,000 2,000 3,000 4,000 5,000 metres

Legend

Landtocked Micri Lend Court blocks (May 2017) Surveyed percels Road percels Reli corridor Hydro percels



Title Order: Partition Order

477301 19/10/1895

Management: Rakautaonga Whenua Topu Trust Whenua Topu Trust

Total owners: 41 Total shares: 160

Area (ha): 0.4047

Legal access on title: No

Access indicated on plan: No

Access assessment: Landlocked Notes: Surrounded on all sides, no access on title.



0 100 metres







Title Order: Certificate of Title

WN471/52 11/06/1884

Management: N/A

Total owners: Total shares: 1654

Area (ha): 4.1834

Legal access on title: No

Access indicated on plan: No

Access assessment: Landlocked Notes: Surrounded on all sides, no access on



200 metres 100







Title Order: Partition Order

491074 20/09/1906

Management: Owhaoko A East and A1B Blocks Trust Ahu Whenua Trust

Total owners: 2674
Total shares: 92

Area (ha): 6733.969

Legal access on title: No

Access indicated on plan: Unclear

Access assessment: Landlocked

Notes: Surrounded on all sides, no access on

title.

0 1,000 2,000 3,000 4,000 5,000 6,000 7,000 8,000 9,000 10,000 11,000 12,000 13,000 14,000 metres





Title Order: Native Land Act Order

479737 20/09/1906

Management: Owhaoko B and D Trust Ahu Whenua Trust

Total owners: 711
Total shares: 38

Area (ha): 2358.61

Legal access on title: No

Access indicated on plan: No

Access assessment: Landlocked

Notes: Surrounded on all sides, no access on

title



0 1,000 2,000 3,000 4,000 5,000 6,000 7,000 8,000 metres

cked Milori Land Court blocks (May 2017) Surveyed parcels Road parcels Rail corridor Hydro parcels

Warning: Geodetic marks may appear out of place by tens of metres with respect to the underlying map.

Legend



Title Order: Partition Order

400909 20/09/1906

Management: Owhaoko B and D Trust Ahu Whenua Trust

Total owners: 1414 Total shares: 123

Area (ha): 378.1787

Legal access on title: No

Access indicated on plan: No

Access assessment: Landlocked

Notes: Surrounded on all sides, no access on

title.



0 1,000 2,000 3,000 metres

Legend

Landlocked Macri Land Court blocks (May 2017) Surveyed percels Road percels Rail corridor Hydro percels





Title Order: Partition Order

464191 26/10/1894

Management: Owhaoko C Trust Ahu Whenua

Trust

Total owners: 488
Total shares: 282

Area (ha): 545.5162

Legal access on title: No

Access indicated on plan: No

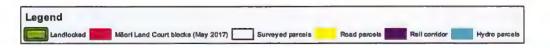
Access assessment: Landlocked

Notes: Surrounded on all sides, no access on

title.



1,000 2,000 3,000 4,000 5,000 6,000 metres







5,000

6,000

7,000

8,000 metres

Block ID: 18764

Partition Order Title Order:

506962 26/10/1894

Management: Owhaoko C Trust Ahu Whenua

Total owners: 336 Total shares: 14

Area (ha): 2935.8931

Legal access on title: No

Access indicated on plan: No

Access assessment: Landlocked

Notes: Surrounded on all sides, no access on

title.



Legend Mēcri Land Court blocks (May 2017) Surveyed percels Road parcels Hydro parcels

4,000

3,000

Warning: Geodetic marks may appear out of place by tens of metres with respect to the underlying map.

1,000

2,000



Title Order: Partition Order

464448 26/10/1894

Management: Owhaoko C Trust Ahu Whenua

Trust

Total owners: 241 Total shares: 36

Area (ha): 696.4639

Legal access on title: No

Access indicated on plan: No

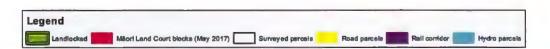
Access assessment: Landlocked

Notes: Surrounded on all sides, no access on

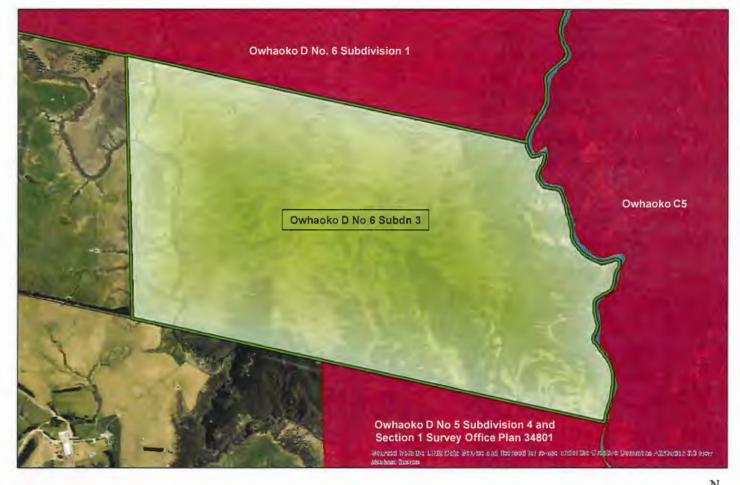
title.



1,000 2,000 3,000 4,000 metres







Title Order: Partition Order

WN23A/502 15/06/1899

Management: N/A

Total owners: 1 Total shares: 1

Area (ha): 556.4427

Legal access on title: No

Access indicated on plan: No

Access assessment: Landlocked Notes: Surrounded on all sides, no access on

title. Sold in 2015.



0 1,000 2,000 3,000 metres

Legend

Landlocked Milori Land Court blocks (May 2017) Surveyed perceis Road parcels Rail corridor Hydro parcels



Title Order: Partition Order

424613 11/07/1894

Management: Owhaoko B and D Trust Ahu Whenua Trust

Total owners: 130 Total shares: 6997

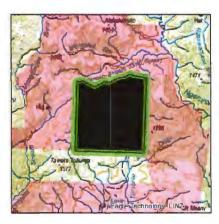
Area (ha): 1239.3497

Legal access on title: No

Access indicated on plan: No

Access assessment: Landlocked

Notes: Surrounded on all sides, no access on



Warning: Geodetic marks may appear out of place by tens of metres with respect to the underlying map.



4,000

5,000

6,000

7,000

8,000 metres

3,000

1,000

2,000



Title Order: Partition Order

WN101/112 11/07/1894

Management: Owhaoko B and D Trust Ahu Whenua Trust

Total owners: 218
Total shares: 1

Area (ha): 2316.5723

Legal access on title: No

Access indicated on plan: No

Access assessment: Landlocked

Notes: Surrounded on all sides, no access on title.

Acron 13 Mg

0 1,000 2,000 3,000 4,000 5,000 6,000 7,000 8,000 metres









Title Order: Partition Order

398697 20/09/1906

Management: Owhaoko B and D Trust Ahu Whenua Trust

480 Total owners: Total shares: 1419

Area (ha): 536.8155

Legal access on title: No

Access indicated on plan: No

Access assessment: Landlocked Notes: Surrounded on all sides, no access on



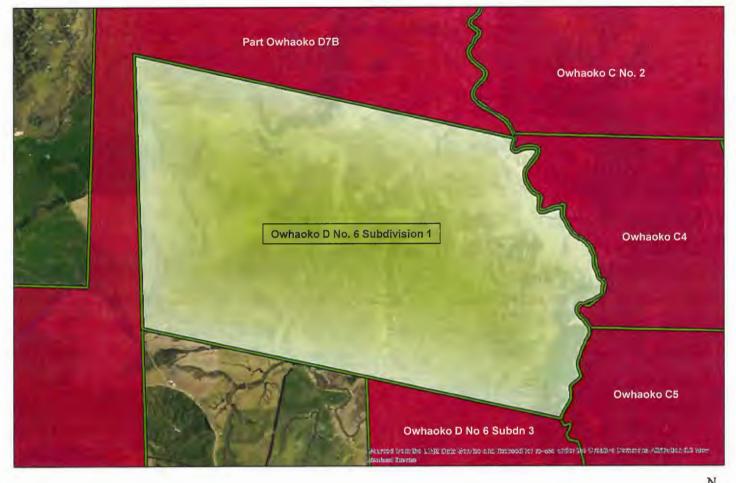
Warning: Geodetic marks may appear out of place by tens of metres with respect to the underlying map.



2,000

3,000 metres

1,000



Title Order: Partition Order

WN176/238 15/06/1899

Management: N/A

Total owners: 101 **Total shares:** 100

Area (ha): 2316.5723

Legal access on title: No

Access indicated on plan: No

Access assessment: Landlocked

Notes: Surrounded on all sides, no access on

title.



7,000 metres 4,000 5,000 6,000 2,000 3,000

Legend Mācri Land Court blocks (May 2017) Surveyed percels Road parcels Rail corridor



Title Order: Partition Order

398700 20/09/1906

Management: Owhaoko B and D Trust Ahu

Whenua Trust Total owners:

Total shares:

391 4961

Area (ha): 1875.5155

Legal access on title: No

Access indicated on plan: No

Access assessment: Landlocked

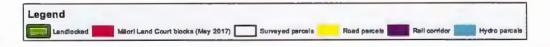
Notes: Surrounded on all sides, no access on

title.



7,000 metres

Warning: Geodetic marks may appear out of place by tens of metres with respect to the underlying map.



3,000

4,000

5,000

6,000

1,000

2,000



Title Order: Partition Order

465913 21/06/1899

Management: Owhaoko B and D Trust Ahu Whenua Trust

Total owners: 396 Total shares: 51588.8125

Area (ha): 17091.6294

Legal access on title: No

Access indicated on plan: No

Access assessment: Landlocked

Notes: Surrounded on all sides, no access on

0 1 2 3 4 5 6 7 8 9 10 kilometres

lmountenanderconferenchementenanderconferenchement

Legend Mēcri Land Court blocks (May 2017) Surveyed parcels Road percels Rall corridor Hydro parcets





0 1,000 2,000 3,000 4,000 5,000 6,000 7,000 8,000 9,000 10,000 11,000 12,000 13,000 metres

N A

Block ID: 19995

Title Order: Native Land Act Order

469121 20/10/1903

Management: Aorangi Awarua Trust Ahu Whenua Trust

Total owners: 400 Total shares: 89.7628

Area (ha): 4751.0094

Legal access on title: No

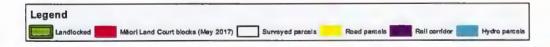
Access indicated on plan: No

Access assessment: Landlocked

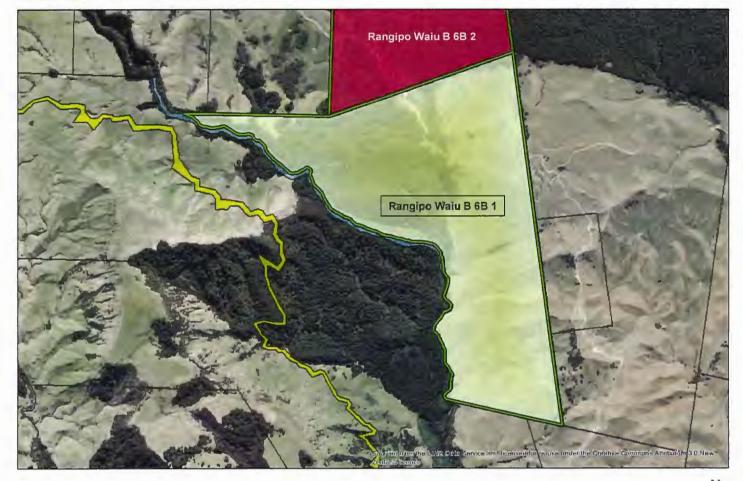
Notes: Surrounded on all sides, no access on

title.









Title Order: Partition Order

WN21B/796 23/10/1925

Management: Rangipo Waiu B6B1 Ahu Whenua Trust Ahu Whenua Trust

Total owners: 59
Total shares: 1

Area (ha): 216.2463

Legal access on title: No

Access indicated on plan: No

Access assessment: Landlocked Notes: Surrounded on all sides, no access on

title.



0 1,000 2,000 3,000 metres

Legend

Landlocked Macri Land Court blocks (May 2017) Surveyed parcels Road parcels Rail corridor Hydro parcels





Title Order: Partition Order

467984 23/10/1925

Management: N/A

Total owners: 537
Total shares: 5

Area (ha): 216.2463

Legal access on title: No

Access indicated on plan: No

Access assessment: Landlocked Notes: Surrounded on all sides, no access on

title.



0 1,000 2,000 3,000 metres







Title Order: Partition Order

WN253/219 18/10/1907

Management:Rangipo Waiu Bl Ahu Whenua Trust Ahu Whenua Trust

Total owners: 115
Total shares: 31

Area (ha): 268.3925

Legal access on title: No

Access indicated on plan: No

Access assessment: Landlocked

Notes: Surrounded on all sides, no access on

title.



0 1,000 2,000 3,000 metres

Māori Land Court blocks (May 2017) Surveyed parcels Road parcels Rail corridor Hydro parcels

Warning: Geodetic marks may appear out of place by tens of metres with respect to the underlying map.

Legend

APPENDIX: GIS DATA CAPTURE PROCESS AND DATA SOURCES

GIS DATA CAPTURE PROCESS

GIS process

The following process was used in ArcGIS to evaluate if a MLC block has direct contact with the boundaries of a legal or formed road.

1. Separate each MLC block into its individual parts

A MLC block can be made up of more than one part or parcel of land. To evaluate the accessibility of a MLC block, each part will be considered individually.

- Create the MLC block singlepart data by running the Multipart to Singlepart geoprocessing tool in Data Management Tools.
- 2. Find the closest road (LINZ, LINZ parcel and road geometry) for each MLC block single part in metres
- Create a buffer of 4.75 metres geodesic method, using the buffer geoprocessing tool, for the LINZ road section geometry and road centreline data.
- Merge the LINZ road primary parcel data with the buffered road section geometry and buffered road centreline data. Use the merge tool in geoprocessing toolbox under the Data Management Tool general section.
- · Calculate the nearest road to each MLC block by using the generate near table method in the geoprocessing toolbox Analysis Tools section.
- 3. Join the nearest road information back with MLC block single part information
- Join the road proximity data with the MLC singlepart data using the Join Field geoprocessing tool in the Data Management Tool, Joins and Relate section.
- 4. Select the MLC Blocks in the Taihape District Inquiry
- Intersect the MLC single part road proximity data with the Taihape District Inquiry polygon.

Business Rules

The following business rules were applied when evaluating the road accessibility of MLC blocks:

Landlocked

A land block is considered landlocked if it:

- i. does not have direct contact (i.e. zero metres) with the boundaries of a legal or formed road; and
- ii. has no easement providing legal access.

Road Width

The buffer created around the centreline data was used to estimate the width of a standard two lane road in New Zealand, to allow assessment of whether the MLC block has direct contact with the road boundary. The buffer distance of 4.75m is based on the NZTA road width specifications using the minimum lane width of 3.5m lane, 750mm sealed shoulder and 500mm metal strip (Reference: https://www.nzta.govt.nz/assets/resources/state-highway-geometric-design-manual/docs/shgdm-part-6.pdf (section 6-4 for group 1 roads)).



DATA SOURCES

Name	Description	Source	Location	Limitations
Road Centreline 1 to 50,000	Any formed all weather route suitable for the passage of any vehicle.	LINZ	https://data.linz.govt.nz/lay er/50329-nz-road- centrelines-topo-150k/	Named centrelines are not intend to represent the exact location of a road formation and do not indicate the presence of legal access
Road Section Geometry	Linear geometry for the associated road section, or part of the associated road section.	LINZ	https://data.linz.govt.nz/lay er/53378-nz-roads-road- section-geometry/	
Primary Road Parcels	Road parcel polygon data	LINZ	https://data.linz.govt.nz/lay er/50796-nz-primary-road- parcels/	This layer has a nominal accuracy of 0.1-1m in urban areas and 1-100m in rural areas
Māori Land (MLC blocks)	The Māori Land Spatial dataset provides a snapshot of current ownership, trustee, memorial and block information for land that falls within the jurisdiction of the Māori Land Court under Te Ture Whenua Māori Act 1993 and other legislation.	Ministry of Justice	https://catalogue.data.govt. nz/dataset/maori-land- spatial-dataset	
Taihape District Inquiry	The area of New Zealand covered by the Taihape District Inquiry	Crown Law	Provided by Crown Law	