

**WHAKATOHEA RAUPATU NEGOTIATING COMMITTEE**

**SATURDAY, 23 NOVEMBER 1996**

**WHAKATOHEA MAORI TRUST BOARD  
BOARDROOM**

**ITEMS FOR AGENDA**

1. Minutes of Negotiators Meeting - Sunday, 19 October 1996  
*Pages 1 - 11*
2. Minutes of Negotiators Meeting - Sunday, 20 October 1996  
*Pages 12 - 17*
3. Hui-a-lwi - Sunday 20 October 1996  
*Pages 18 - 23*
4. Letter of Resignation - Secretary  
*Page 24 - 25*

*(Copies of the Presentation Documents were made available to the Committee. I have not placed a copy with the Minutes but have placed in the Raupatu Document File a set for reference).*

*Josie*

**Josie Gedson**  
**SECRETARY**

MINUTES OF A MEETING OF THE WHAKATOHEA RAUPATU NEGOTIATING COMMITTEE WAS HELD ON SATURDAY, 19 OCTOBER 1996 IN THE BOARDROOM OF THE WHAKATOHEA MAORI TRUST BOARD COMMENCING AT 7PM.

PRESENT:                    Claims Manager:                    Claude Edwards  
                              John Kameta                         (Ngati Ira  
                              John Tai                             (  
                              Frank Matchitt                     (Ngati Ngahere  
                              Tahu Taia                          (  
                              Tuwhakairiora Williams           (Ngai Tama  
                              Teinga Biddle                     (  
                              Ranginui Walker                  (Ngati Patu  
                              Tairongo Amoamo                 (Ngati Rua  
                              Teriaki Amoamo                  (  
                              Charles Aramoana                 (Upokorehe  
                              Bill Rewiri                        (  
                              Josie Gedson                      Secretary  
                              John Delamere

There were 7 members of the public in attendance.

3 Legal/Commercial Consultants

APOLOGIES:                John Hata                            (Ngati Patu)  
  
KARAKIA:                 Teinga Biddle  
  
NGA MIHI:                Bill Rewiri                         (Upokorehe)  
                              Ranginui Walker                  (Ngati Patu)  
                              Tuwhakairiora Williams         (Ngai Tama)

RANGINUI WALKER:  
Concerned at-

- \* irregular notice of meetings
- \* not notified of the signing of the Deed on 1/10/96
- \* engaging of Consultants without Committee's knowledge
- \* that the Consultants be asked to leave the meeting while discussions were taking place

The Legal/Commercial Consultants left the meeting at 7.20pm.

RANGINUI WALKER: continued  
Asked Claude Edwards the Claims Manager to remove himself from the Chair of the Committee in terms the letter dated 8/3/96 written to Claude by him. He pointed out that not everyone was privy to this letter.

CLAUDE EDWARDS:  
Asked for a right of reply. John Delamere and Tuwhakairiora Williams to explain.

JOHN DELAMERE:

Unsure of contents of letter. Explained that at the last meeting in general terms that appropriate legal advice would be needed, as they had come to the end of their expertise. Unable to explain why Ranginui had not been notified. Accept that it was unforgivable that Ranginui was not notified.

TUWHAKAIRIORA WILLIAMS:

Understanding from the mandate of the Committee, not all at last meeting, that the offer by the Crown had been agreed to in principle, subject to the details of the offer. That the Deed of Settlement was not binding on the other party.

CLAUDE EDWARDS:

That it should be noted that there was a shift from a Memorandum or Deed.

JOHN KAMETA:

Refer to L/r to Tu Williams page 13 of Agenda. Should have come back to Whakatohea on 16.9.96.

JOHN DELAMERE:

Disagree, L/e 3 days after Committee approached. Meet and perused file was possible to settle before election.

JOHN KAMETA:

Refer to page 13 paragraph 5. Did not hear anything about it.

JOHN DELAMERE:

Expressed concerns and responded night before to go ahead.

JOHN KAMETA:

Concerned that there was a 9hr trip and then given the document down there. Stayed quiet, was difficult to try and get the young ones not to make a fuss.

CLAUDE EDWARDS

Report refers to instructions, strong desire Tairongo Amoamo/Ranginui Walker/Tuwhakairiora Williams all efforts before election to get through before MMP.

JOHN KAMETA:

Refer to page 11 of Agenda - Motion to everyone.

JOHN DELAMERE:

Detail agreed on Monday night, voted against it. Keep to terms of previous meeting in general principles. Not a settlement, an offer.

TAIRONGO AMOAMO:

Concern over lack of consultation with this Committee. Last Raupatu Huis with a week's notice. Procedural matters made is the issue.

3.  
TUWHAKAIRIORA WILLIAMS:

Two issues. Management of process. Deed of Settlement.

1. PROCESS

Mandate from the Committee to accept offer of \$40M, subject to detail of offer. Reached point there was an understanding and Crown at that point to bring on board the necessary expertise that are here this evening.

2. DEED OF SETTLEMENT

Requires specialist attention. Negotiate to get offer prior to elections, very tight timeframe. Negotiations took place over 708 days. Last meeting of Cabinet closing in, an offer could not be secured before election then negotiations would be protracted no time to convene Committee members to determine the contents of Deed of Settlement acceptable to Negotiating Committee. Confidence to make decision to secure offer on the basis of mandate. Secure \$40M subject to detail of offer only in a detail of Deed of Settlement not a Memorandum of Settlement.

RANGINUI WALKER:

11 September 1996 signed document accepted offer from Crown. Subsequent to signing, Auckland & Waikato talked about an injunction. Dot 'i' cross 't' or we get objections or problems to follow procedure. Took not part in the Deed of Settlement, no engagement of Advisers. Have no confidence, suggest that Claude stand aside. Not all privy to the letter, don't want to go onto the next step.

CLAUDE EDWARDS:

Get in before MMP.

JOHN DELAMERE:

Agree with Ranginui, not deliberate that he was not aware, not sure why. Keep Auckland and Waikato advised. Deed of Settlement take around to Iwi. Committee to look at re-structure. Let Advisers give opinion.

JOHN KAMETA:

Notice received on Thursday, it can happen, cannot get a Committee together in a hurry.

JOHN TAI:

Government said \$42M and sent 12 proposals with \$42M down to Wellington to \$30M and another to \$40M, then down to \$35M. All Government initiated not ours.

JOHN DELAMERE:

Quantum \$35M - Property \$5M.

JOHN TAI:

Government apologies wrong doing did not get to buy properties back.

TUWHAKAIRIORA WILLIAMS  
Details in offer acceptable or not.

CHARLES ARAMOANA:  
Agree with John Tai issues to be talked about by Iwi. Go back to suggest you vacate the Chair. I believe we do that, that this matter put before the people and they give us the direction. If he goes off prepared to go back to the people.

JOHN TAI:  
Though we had 12 months to go, last meeting August/October moving along until now. Have hit rocks and walls again. Given a hard time.

CLAUDE EDWARDS:  
Can't report blow/blow. General principles before MMP.

JOHN TAI:  
John Kameta sent a letter 2 weeks ago. Your letter contradicting that one 3 days old.

CLAUDE EDWARDS:  
Appointment of Project Manager.

JOHN DELAMERE:  
Issuing of Agenda not made it. John Kameta took over.

JOHN KAMETA:  
One should have been appointed, said he was available.

JOHN DELAMERE:  
Discharged on 1/10/96. Need to appoint Project Manager. Claude to step down as Chairman, recommended Ranginui Walker.

TUWHAKAIRIORA WILLIAMS:  
Legal opinion and Court Order need to be fully conversant with before decisions made. Need to know what Court Order makes binding on Claude Edwards and this Committee, like Charlie Aramoana more disposed to go to people. Demonstrate confidence in Claude Edwards and Committee Members. Any amendments people have a right to re-visit decisions. Also legal issues - legal requirements clear, quite onerous in terms of Claude Edward's role. Take time to consider not convinced at all by anything at this point, that Claude Edwards should be replaced, what has Claude done why there is no confidence in his role?

CLAUDE EDWARDS:  
Happy to talk about it. The two roles are not confused.

RANGINUI WALKER:  
Ask in terms of letter, asked Committee to take leave to Chair meetings. Needed message in letter that point on more co-operation.

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Same think Deed of Settlement without a mandate to sign what was meant to be a Memorandum of Understanding.

CLAUDE EDWARDS:

Meeting chaired by someone else, relinquish Chair does not demean the position of Claims Manager.

TEINGA BIDDLE:

Committee give mandate before people have seen it. Once accepted or rejected, this Committee defunct, let people decide.

CHARLIE ARAMOANA:

Go to each Hapu tell them everything, is the request from Upokorehe.

JOHN TAI:

Do same thing. Go back to our Hapu, get impression from Hui-a-Iwi.

CLAUDE EDWARDS:

Hapu, full scale thing.

TAIRONGO AMOAMO:

Deal with issue. Vacate Chair is a matter for this Committee. Get protocols and procedures here on out to Committee procedures, will take 18 months before settlement.

CLAUDE EDWARDS:

Threats you made. Happy to give up Chair.

CHARLIE ARAMOANA:

Point is that a deal has been done by the superiors of this Committee. It's been done. No position to throw stones. Go to Hapu and they will decide.

TUWHAKAIRIORA WILLIAMS:

Important issue. Incumbent on us to take information back to beneficiaries. Concentrate on that dimension.

RANGINUI WALKER:

Deed of Settlement fate accompli. Attached disagree with process. Report to Hapu tomorrow. Chair causing problems surrender and elect.

JOHN DELAMERE:

Not advising a mistake. Everyone else in line. Not happy best people to decide.

CLAUDE EDWARDS:

Leave Chair, not confuse with Claims Manager, so much ahead.

JOHN DELAMERE:

Will leave but not under threat.

6.

CLAUDE EDWARDS:  
Does not impinge on Claims Manager.

CHARLIE ARAMOANA:  
Cannot see purpose of Hui. Only way back to Hapu who off and who on.

TUWHAKAIRIORA WILLIAMS:  
Feedback on Deed of Settlement has been to receive information. Three Advisers are here. Want to take receipt of information. Technical detail of document in order, put information in front of this group and fulfil legal requirement.

TAHU TAIA:  
Deed of Settlement to discuss, this Committee must take to Hapu No. 2.

TAIRONGO AMOAMO:  
Taken people aboard endorse opportunity at what price. Presentation here, consent they continue. Basics - regard appoint, price of appointment.

TUWHAKAIRIORA WILLIAMS:  
Needed two Advisers 1. Legal 2. Commercial (property and tax issues involved).

THE MEETING WAS ADJOURNED AT 8.15PM AND RE-CONVENED AT 8.25PM.

CLAUDE EDWARDS:  
Happy to vacate Chair, not to confuse with Claims Manager. Charlie Aramoana - bear with me to vacate Chair in the broader field.

CHARLIE ARAMOANA:  
Accept decision. Bear in mind Court put us here. Vacate Chair the other decision holds.

CLAUDE EDWARDS:  
Given job in a hurried manner. Didn't want it.

CHARLIE ARAMOANA:  
Not siding with Claude but doing what is right.

NEGOTIATORS accepted Claude Edwards to step down as Chair, but that his position of Claims Manager remains.

AT 8.30PM the Deputy Chairman Tairongo Amoamo took over the role of Chair.

APOLOGIES: That apologies from Bishop Vercoe and John Hata were accepted by the Committee.

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MINUTES OF PREVIOUS MEETING HELD ON 13 SEPTEMBER 1996.

A discussion took place that the Standing Orders were not being adhered to, and that notice of meetings should be received two weeks prior to a meeting.

Item 7 on the Agenda was addressed.

PROJECT MANAGER

John Kameta advised that the Motion was missing out of the Minutes. John Delamere advised it was done in August. He also pointed out that his role was discharged on 1 October 1996, and that there needed to be someone to manage the process.

Ranginui Walker advised that he did not receive a copy of the Deed of Settlement until 3 days ago, and that consensus was that it was a forced timeframe 1.11.96 Parliament legislation. That the document may take a year to ratify, that it could be a further 6 months before it became law. That the position could be that of Secretary Manager / Project Manager.

TUWHAKAIRIORA WILLIAMS

Conversant on responsibilities, not clear what is responsibilities will be. Need to be informed, information in front of us carefully to consider role. Kind of skills needed in that person, suggest fully conversant responsibilities detail for us to consider role. Advisers to run through information presentation, more clarity, what responsibilities are might incumbent on person.

Tu explained that the Adviser were responsible for the detail in the Deed of Settlement who are conversant with the detail. The costs for the Advisers were on an hourly basis and that the start date was 26 September 1996.

THE ADVISERS WERE INVITED TO JOIN THE MEETING AT 8.50PM.

TUWHAKAIRIORA WILLIAMS:

Welcomed the Advisers at 9.05pm, and introduced them to the Committee.

Tu advised that the Advisers would give life to what they have been doing in Wellington, and explained the offer that was put in front of the Committee to get a better understanding of what had been negotiated with the Crown.

A introductory presentation document was handed out to the Committee with details of the Advisers experience and background. A copy has been retained on file for archive purposes.



Kathy Erlee a lawyer based in Wellington and a partner in the firm of Luckie Hain was the first presenter who gave the legal aspects of the Deed of Settlement. Kathy has a law degree and a Bachelor of Commerce Degree. Experienced in litigation with the Crown and was one of the Negotiators with the Fisheries deal. Will be travelling to London to address the Privy Council. Experience in forestry, broadcasting and with the three claims, and the most recent assisting Whakatohea with their negotiations with the Crown.

The following are summary notes relevant to slides which required further explanation or questions from the Committee. Where Slides were not referred to, explanation was not required as the information contained on the slides did not require further clarification or explanation.

SLIDE 5: Gilling Report to be made available.

SLIDE 10: The Waitangi Tribunal could only recommend the return of SOE land by the Crown. That reports compiled give a historical view on the background to the claim.

At this stage Kathy commented that the negotiations with the Crown were difficult and that the Crown would not move on the \$40M. That the tax indemnity would be covered by Shaan Stevens from Guinness Gallagher who would present the commercial aspects.

QUESTION: Tairongo Amoamo: If the fiscal cap was removed could Whakatohea re-visit the Claim?

ANSWER: Kathy Erlee: If the offer was accepted then the answer was no. That if a ratchet clause was included then the amount would be \$30M without the ratchet the offer would be \$40M.

SLIDE 16 SECTION 2: That this was given with sincerity and referred to the Settlements Act, when the land was taken in 1865.

SLIDE 18: That is the Crown was to give back what they took in 1865, would be billions of dollars, and that the Crown could not forced to do so.

SLIDE 20: That the 12 properties to be returned to Whakatohea were the pick of the bunch and were valued at \$2M.

QUESTION: John Kameta: Referred to the Works Depot and asked if the adjoining land 27B attached to the Title had been included?

ANSWER: Unable to verify will be checked out.

a  
SLIDE 22: CONSERVATIONS ISSUES

Comments were made to the effect that it was important to recognise fishing rights and the bush as cupboards to Whakatohea. That access to Nga Rongoa Maori was too limited and the list needed to be expanded.

Kathy responded by advising that the Crown were forced by litigation to hand over quota/money, but that the same had not happened with the Conservation site. That there would be a need to re-negotiate with the Conservation to extend access to Nga Rongoa Maori.

SLIDE 23: That the date of 21 September 1992 referred to was specified by the Crown. (b) means never to claim again. (c) that it was the Crown's insistence that a Trust be set up to receive the assets and money.

SLIDE 25: It was pointed out that Tainui did not receive points 3 and 4 and that this was a real coup. That the word 'Aboriginal' is a legal phrase from the Canadian jurisdiction and derived from indigenous people it relates to.

SLIDE 26: Point 3 referred to 'not solely for an individual, single marae or single hapu'.

Kathy explained that the settlement was for the whole of Whakatohea and that how Whakatohea divided up the \$40 was a decision that they would have to make.

SLIDE 27: That the Deed was an offer and not binding until accepted. A decision to be made by Iwi to accept before it is binding, and that there were certain steps inbetween before being effected.

That some language in the document was clumsy and Ranginui Walker referred to the use of the 'beneficiaries' and 'benefit' and asked if it would be possible have these words changed as they were offensive, and that the word 'stakeholder' or 'shareholder'.

Kathy advised that the money received by Whakatohea would be without tax and pointed out two important facts-

1. if the offer was accepted then it would be legislated by the Government from 1940 to 21 September 1992, and never to claim again intention / effect : intention to claim taken away never to claim again.
2. \$40M enough or not? Alternative are less fruitful, and that it was the best offer that was made.

Shaan Stevens from the firm of Guinness Gallagher with a Degree in Commerce/Chartered Accountant and Commercial Barrister. Comprehensive background in tax law and has had experienced working in the UK and Europe in mergers, acquisition and valuations. Worked for Te Puni Kokiri on Mana Loans. Crown Congress Working Party Railways. Joined the firm of Guinness Gallagher 4 years ago. Also has a local background in the Tainui Settlement, Tarawera Forest deal, Railways, Forestry Corporation sale, Ministry of Maori Development.

SLIDE 30: That the \$40M was tax free (ie income tax, GST and stamp duty). That it would be taxed at 33% if charitable tax status was not obtained from the Inland Revenue Department. It was further pointed out that the documentation had to be worded carefully to secure charitable tax status, and that it was the opinion of the Inland Revenue Department to decide. That this had to be applied for and status obtained before the receipt of the money.

SLIDE 31: That the Settlement Asset Trust to be designed and that the charitable trust status to be applied for, and that it was must be remembered that the process takes 3-4 months.

SLIDE 33: That the Crown would not agree to pay interest but agreed to CPI (Consumer Price Index) approximately 2%.

A discussion took place on the forced rapid timeframe and that it could take 12-18 months to complete, and that the fall date was 30 June 1997. It was explained that this date could be expanded by agreement. That one generation could not bind another generation to a settlement. That there was no incentive on the Crown to move quickly.

That if the Crown delays settlement after 30 June 1997, then Whakatohea automatic rejection - go back and pay interest in essence ours. That a breach of contract had to be effected - could be done or would done, a double edge timeframe.

That Clauses that would be open for negotiation, so long as the essence of the Deed was not changed. The \$40M was one Clause that was not open for negotiation.

That the nature of the claim was for the Committee to negotiate on the Raupatu, and then the Government changed its policy and made it global. It was pointed out that the research still had not been completed.

Kathy explained that the profound effect was otherwise global except for the Mokomoko Claim and the Fisheries. She also explained that they had asked the Crown why not just the Raupatu and the Crown was definite and said no, Global.

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SLIDE 35: That detailed copies of the Deed would be provided. That it was important to seek charitable status early. It was explained that Whakatohea determines who sits on the Trust, and how it is set up.

- \* Regional Hui
- \* Information Centre
- \* Free phone 0800 number
- \* Information Packs
- \* Beneficiary Roll
- \* Postal Ballot early 1997.

At 10.55pm Tairongo Amoamo thanked Kathy and Shaan.

Ranginui suggested that because of the lateness of the hour that the meeting be adjourned and re-convened at 9.00am.

A brief discussion took place on the Hui-a-Iwi to be held on Sunday, 20 October 1996 commencing at 10am in the Council Chamber at the Opotiki District Council.

MOTION Ranginui Walker / Claude Edwards

That the meeting stands adjourned until 8am on Sunday, 20 October 1996.

The meeting closed at 11.20am.

KARAKIA: Teinga Biddle.

Tairongo Amoamo  
DEPUTY CHAIRMAN

MINUTES OF A MEETING OF THE WHAKATOHEA RAUPATU NEGOTIATING COMMITTEE WAS HELD ON SUNDAY, 20 OCTOBER 1996 IN THE BOARDROOM OF THE WHAKATOHEA MAORI TRUST BOARD COMMENCING AT 8.00AM

PRESENT: Acting Chairman - Tairongo Amoamo  
Claims Manager - Claude Edwards  
Secretary - Josie Gedson

Ranginui Walker ) Ngati Patu  
John Kameta ) Ngati Ira  
John Tai )  
Frank Matchitt ) Ngati Ngahere  
Tahu Taia )  
Tuwhakairiora Williams ) Ngai Tama  
Charlie Aramoana ) Upokorehe  
John Pio

There were 5 members of the public in attendance.

KARAKIA: Teinga Biddle

APOLOGIES: That the apologies from Teriaki Amoamo, Bill Rewiri and John Hata be accepted.

FORMER PROJECT MANAGER

A discussion took place on the assets belonging to the Raupatu Committee still in the possession of the former Project Manager. A letter to be written to the John Delamere to return the assets, documentation and that a financial statement be prepared year to date. It was pointed out that these should have been returned on 1 October 1996 on the termination of his Contract.

MOTION Ranginui Walker / Frank Matchitt

That a Financial Statement be received from the former Project Manager and return of assets by 12 November 1996.

All in favour.

PROPOSAL FOR ENTITY

A base document was made available for perusal and discussion with an input from everyone. Groups set up in Auckland and the Waikato to provide proposals to include suggestions. It was agreed that there was a need to change some of the language and referred to the word "beneficiaries" and the word "kaporeihana".

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MOTION:

Ranginui Walker / Frank Matchitt

That the word "Kaporeihana" be deleted.

All in favour.

That the correct names of the Hapus be referred to the Trust document.

MOTION:

Tairongo Amoamo / Frank Matchitt

That the proposed amendments and corrections be sent to the Consultants for the Asset Trust.

All in favour.

MOTION:

Ranginui Walker / John Tai

That the proposed structure set down in the proposals for the Trust Board be forwarded to the Consultants for the formation of the Settlement Asset Trust.

All in favour.

#### DEED OF SETTLEMENT

A discussion on the Deed took place with Ranginui Walker bringing to the Committees various matters of concern.

A copy of the Deed had been made available to the Committee and reference is made to page numbers or paragraphs from that Deed.

Page 8: should not extend beyond parameters. Concerned that it is a global and not a raupatu claim.

Tu advised that the Crown was not willing to park the Conservation Estate up and advised that the claim had be comprehensive and that it no longer entertained a partial settlement.

Page 15: (8.1 - tie this up as per the Proposed Structure).

Page 16: (9.1 - firm up - closed, no rent)

It was pointed out the properties in the Deed included the present Police Station in King Street.

Page 18: (10.4.2 - don't dictate 3 sites in 3 months)  
Need to negotiate for a longer timeframe.

(10.5 - why 6 river beds when there are other rivers in the area). There are only 6 in the johe.

(10.7 - overlap claim for Ohiwa).

(10.10(b) - must have structure set up to respond.

(11.1.1 - stick with 1.11.96. Time period to create Settlement Asset Trust. No room to move.

(10.3.2 - too restrictive, consider inclusion of carcass) problem with disposal.

(11.1.2 - 10 day specified considered to be too short). re-negotiate timeframe.

Page 21: (12.1 - no shifting on this Clause)

Page 22: (13.2 - 30 June 1997). Need to consult with people during this time.

Page 22: (14.1 - Committee has another 12-18 months to complete tasks).

Page 22: (14.1.4 - the name 'Muriwai' needs further debate).

MOTION: Ranginui Walker / Tahu Taia

That a disk with the Draft Deed of Settlement be obtained and forwarded to the Whakatohea Maori Trust Board and that liaison with the Auckland, Waikato and Wellington groups.

All in favour.

WHO ARE THE CONSULTANTS - FUTURE ROLE

Tu Williams pointed out that the Committee could not do without the expertise that the Consultants bring to the process. That there is not other way around the cost factor. When a comparison was made with the costs of other groups, the costs fall far short by other complainant groups. To date Ngati Awa have spent \$4M, and they are no where near the stage Whakatohea is at present. Tainui have spent \$5M. That both these Iwis have had to secure the services of Advisers to meet the legal and moral obligations.

Suggested to negotiate the cost with the Crown, and that they might be in Parliament people to assist Whakatohea.

It was pointed out the costs for one month was approximately \$143,780.32.

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That a there must be a contract and that there must be control over the finances in respect of the employment of Consultants.

That there needed to be invoices presented. The parameters need to be set and that there was a need to identify incurring costs.

MOTION: Ranginui Walker / Teinga Biddle

That the Committee endorses the engagement of the Consultants by Claims Manager, Project Manager and Tuwhakairiora Williams.

All in favour.

Tu pointed out that the Consultants are the experts in the dissemination of the technical matters. They are able to respond to questions, information and clarify. People then receive accurate information and the legal requirement ensures that they do.

Furthermore it was important that the Consultants do not act independent of the Committee, who pay the bills and exercises the control.

Presentation of the information on the Deed of Settlement was considered, and was there another to do it to cut down on the cost. A video presentation was suggested, but this did not give the viewers an opportunity to ask questions. Another suggestion was that the Committee does it themselves, but it was considered that there still needed to be the expertise.

Arahia gave a presentation on the handover, current and future position of the Committee. That it was important to tidy up the past and that a report and financial statement from the previous Project Manager (John Delamere) was required. The current role of the Committee and task of its members to be defined, including the Project Manager and Secretary.

Tu suggested that he and Arahia work with the Consultants on preparing a paper to put before the Committee and that this report be circulated to the Committee.

MOTION 1: Ranginui Walker / Claude Edwards

That Arahia Carrington be engaged to work on the preparation of this paper in conjunction with Tuwhakairiora and the Consultants.



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MOTION 2:

That this Committee engages Arahia Carrington and Tuwhakairiora Williams to work on a Future Strategy Paper on this issue.

Carried.

Arahia to keep track of her hours.

It was pointed out the John Delamere now a MP no longer had a role on the Raupatu Committee, and that it was not proper that a MP sat on such a Committee.

A document that John Delamere had handed out to the Committee was considered to have no status.

MOTION: Ranginui Walker / Charlie Aramoana

That this Committee writes to John Delamere thanking him for his services as Project Manager and advising him that in view of the recent elections all connection with this Committee must now be severed.

Carried.

Tu Williams to draft and letter with Claude Edwards Claims Manager to sign.

MOTION: Ranginui Walker / Claude Edwards

That Tu Williams to draft a letter to the Minister of Treaty Settlements advising him that John Delamere is no longer associated with the Whakatohea Raupatu Negotiating Committee and advising the Minister of the point of contact for the Committee.

Carried.

Tahu Taia pointed out the signatories for the Cheque Account of the Committee needed to be changed.

MOTION: Ranginui Walker / Frank Matchitt

That John Delamere be replaced as a signatory to this Committee's Account.

Carried.

That the Bank to be advised that John Delamere was no longer a signatory to the Committee's Bank Accounts.

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It was advised that the \$400,000 was in the Lawyer's Trust Account. Tu advised that the Committee's expenses would be covered in the financial management and issues relating to that would be included in the paper that he and Arahia and the Consultants would be working on.

There being no further business the meeting closed at 9.50am.

Tairongo Amoamo  
ACTING CHAIRMAN

A WHAKATOHEA HUI-A-IWI WAS HELD ON SUNDAY, 21 OCTOBER 1996 AT THE OPOTIKI DISTRICT COUNCIL CHAMBER COMMENCING AT 11AM.

PRESENT: The Hui-a-Iwi was Chaired by Tuwhakairiora Williams.

There were 11 members of the Negotiating Committee in attendance.

Legal Representatives:  
Kathy Erlee, Luckie Hain  
Shaan Stevens, Guinness Gallagher Steve Simcock

ATTENDANCE: 69 people registered as being in attendance (a copy of a register is attached)

KARAKIA: Tuwhakairiora Williams  
NGA MIHI: Bill Rewiri  
Tawhi Williams

Tuwhakairiora Williams opened the Hui by introducing the Consultants who were engaged to represent Whakatohea as legal and commercial representatives in direct negotiations with the Crown. A Deed of Settlement was signed in Wellington and that this Deed would be explained in depth to the Hui. A copy of the presentation would be made available after the Hui. As part of the process the information had to be disseminated to the Iwi by a process of taking the information to the people on the Deed of Settlement.

QUESTION: What was the status of the Hui.

ANSWER: Tu - that there was a legal and moral obligation to disseminate appropriate information to the Iwi.

QUESTION: What was the process to expand the mandate beyond the Raupatu?

ANSWER: Tu - December 1995 Crown changed the Policy in relation to a settlement of a claim to a global or comprehensive claim, and that the Minister would only engage in discussions on a comprehensive claim. A formal extension was granted to the Negotiators.

QUESTIONS: How was it that Tainui negotiated a Raupatu only Claim?

ANSWER: Tu - The Crown learnt that it was a mistake to do the Raupatu only and changed the policy to global, and that they the Crown were not prepared to negotiated Raupatu only.

QUESTION: Referred to Slide 2. Was it not the Negotiators responsibility to inform the Iwi of the trip to Wellington. That it appeared there were two factions. Concerned at the

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cost no proper agenda nothing in the newspaper.

ANSWER: Tu - apologies look at Committee, the intention of the Committee on a Hapu basis henceforth. That it was a legal requirement to inform people and informed accurately. Advisers were to assist in the process, and that the Committee do not have the skills when it came to the technical details.

QUESTION: Was it legally binding the Government policy on a global claim.

ANSWER: Kathy - Policy of the Crown not legally obliged to make you have a global claim.

QUESTION: Does not legally bind Whakatohea?

ANSWER: Kathy - reject Claim - but offer is still global, Government policy.

QUESTION: Policy of the Government - everything not Raupatu, why was decision not made to go back to the Iwi to ask if global claim would be acceptable?

ANSWER: Tu - Court Order mandated the Negotiators is extensive. Your representatives to undertake certain decisions on Iwi's behalf. It was explained at a Hui-a-Iwi that the Crown was dealing with the claim on a comprehensive level.

QUESTION: Response from the Hui?

ANSWER: Tu - it was explained at a Hui at Waioeka and Omaramutu.

QUESTION: Wider enough to negotiated on behalf of the Iwi, the Minister told extended to encompass global, tell or ask?

ANSWER: Tu - considered the people were informed.

QUESTION: Legal statute?

ANSWER: Kathy - Terms of Court Order - wide enough to bring a non-binding settlement.

Achieve a mandate should not have gone to Court - rescinded/amended or recalled. Court would look at various factors. What effect has this done. Not taken away but given more power.

QUESTION: Legal requirement consensus from the Iwi itself, does the decision come from the people?

ANSWER: Kathy - mandate extends to getting an offer, no

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power to say yes or no.

QUESTION: Direction negotiation - if the Committee accepts or rejects, does the approval need to come from the Iwi. With the Deed signed - must the approval come from the Iwi?

ANSWER: Kathy - the signing ceremony on 1 October 1996, not binding on the Iwi, the Negotiators to go to the Iwi with the offer.

QUESTION: Is the process locked, can changes to the Deed be made?

ANSWER: Kathy - 1. Not locked in.  
2. Process is what the Crown has to offer.

Left the meeting at approximately 1.15pm

Tu Whakairiora Williams  
ACTING CHAIRMAN OF THE HUI-A-IWI  
on Sunday, 21 October 1996.

NAME	ADDRESS	HAPU
W. Rika Tashira Williams	P.O. Box 23 Waikanae 17A St Johns Rd Manakau	Nga Arihi Nga Tama Ngai Rau
Karina Williams Kim Williams	4 Hinton Place Weymouth Auckland 20 Beale St Hamilton	Nga Tama, Ngati Rau Nga Tama; Ngati Rau
Vi Williams	67 Tonal St Opatiki	Nga Tama
Frank Luocano	28 Dunlops Rd Opatiki	Ngati Rau
Missie Amolimo	28 Dunlops Rd. Opatiki	Ngati Rau
Wilkinson Ngarangi	28 Kelly St Opatiki	Ngati Rau
Jenka Biddle	Jaha Wikewikei Tirohanga Opatiki	Nga Tama
DIGGER EDWARDS	74 WOODLANDS ROAD OPOTIKI	NGAI TAMU
Bill Pio	R.D. WAIOWEKA PA OPOTIKI	NGATI-IRA
Riini Kurei	3/9 June Pl Manukau	
DARREN BRYNE	17 SPENCE RD HENDERSON	Nga Tama
John Yerehity	67 Buchanan St Opatiki	Ngati Rau
Mara Pirelli	1628 PA Opatiki	NGATI RAU
Hymatono Waqa	134A Wellington St Opatiki	Ngati Rau
Isaac Kurei	Manukau	Ngati Rau
Claude R. Edwards	WELLINGTON ST, OPOTIKI	Ngati Rau
67 Matchitt	153 Overglade Drive Manukau	67 Matchitt
Paula Kurei	67A Richard St Opatiki	P. Kurei
Mohi Kurei	67A Richard St Opatiki	Ngati Rau
Leti Pio	R.D.1 Waioveka Pa Opatiki	Ngati-Ngati Rau
Cheryl Bruneftan	49A Bridge St Opatiki	Whanau Rau
Richard Kurei	WAIOWEKA PA	NGATI IRA
Rocky Kurei	132 B Ford St Opatiki	NGATI IRA
Wally Kurei	67A Richard St Opatiki	Ngati Rau
Teria Rakwatu	97A Wellington St Opatiki	Ngati Rau
Hmerangi McConkindale	518 Frances St Hamilton	
Taame Rewiri	Waioveka Pa	Ngati Rau
Tarom Whanga	Takorua 118 Vining St Opatiki	NGATI RAU Whanga
CHRIS KORA	35 Elliott St Opatiki	
Chris Maxwell	51A Buchanan St Opatiki	Maxwell
Peter Gallier	38 Windsor St	P. Gallier
Peggy Edwards	R.D.1 Otara Rd Opatiki	Ngati Rau

	NAME	ADDRESS	HARI
	MAUDE BIDDLE	51A Buchanan St, Opotiki	Ngati Ngehene
	Romata Williams	60B Buchanan St	"
	James Wamata	"	Ngati Patu
	Ern Koopu	Waiokeke School House	Ngaitama
	Angie Roturaku	97A Wellington St	Ngati Patu
	Murwai Stevens (Telini)	67 Richard St	Upokorehe
	Marg Ashford	93 Nelson St	Ngaitama
	Winika Wansoa (Pahi)	131A Wellington Str, Opotiki	Ngaitama
	Alex Edwards	Tirohanga Road, Opotiki	Ngaitama
	June Edwards	56 Spring St Opotiki	Ngati Ira
	E.T Hudson	48 Stewart St. Opotiki	Maruwi
	MERERAWA WAIRAU	15 WINDSOR ST OPOTIKI	Ngati Ngehene
	MAEROA TAI	106 FORD ST OPOTIKI	Ngati Ira
	Jason Ranopia	35 State highway 35	Ngaitama
	ROBERTA KUREI	111C RICHARD ST OPOTIKI	Ngati Ira
	Dan Rux	118 Ford Street Opotiki	Ngati Rua
	M. Papuni	55 Buchanan St, Opotiki	Ngati Rua
	G. Mowanga	3/9 June Pl Kirikiviroa	
	B. Toro	1/53 Albert St, Hamilton	
	Sonia Te Papa	Naioatahe Valley, Wairua	Ngati Patu Ngaitama Upokorehe Ngahere
	Tracy Johnson	159 Commerce St Whakatane	Ngati Rua
	Dawn Tettereripire Hill	22 Cobham Drive, Kawerau	NSAITAMA; Upokorehe Ngati Ira
	Jocelyn HIRUA	3 HOBSON STREET KAWERAU	NGAITAMA, NGATI RUA
	Florence Ngatai	P.O Box 365 Opotiki	"
	Paone Shaw	111A Richard Opotiki	Ngati Ira / Ngaitama Ngaitama
	Boss Edwards	R.D. Omarumutu Opotiki	
	Jackie Edwards	" " " "	
	SAM EDWARDS	105 RICHARD ST OPOTIKI	UPOKOREHE / Ngati RUA
	CHARLES ARAMONA	RD2 KUITIHERE OPOTIKI	UPOKOREHE
	Ratavana Tai	9 Bridge St Opotiki	Ngaitama
	GEORGE MOORE	35 High St. Opotiki	Ngati Patu
	CHARLES MATHEWS	77A AWATAPU DRIVE WHAKATANE	NGATI PATU
	Tania Kingi-Waiawa	4 Kingi Place Awatapu Whakatane	Ngati Rua
	Rangimata Black	4 Kingi Place Awatapu Whakatane	Ngati Patu
	Teohe McWhorter	2A Hatarani place Whakatane	Upokorehe
	RANGI ARAMONA RENUIRI	14 HAIRARA RD WHAKATANE	UPOKOREHE
	UREATI RENUIRI	" " " "	" "

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Jane Gedson

397 River Road Ken

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Mrs Josie Gedson  
397 River Road  
KAWERAU

22 November 1996

The Deputy Chairman  
Whakatohea Raupatu Negotiating  
Committee  
OPOTIKI

ATTENTION: Mr Tairongo Amoamo

Dear Tairongo

I hereby resign from the position of Secretary to the Whakatohea Raupatu Negotiating Committee

It certainly has not been easy for the Committee to get on with the job. As I have not been privy to the development plan for the Committee, I trust that the improved communication and guidelines will make it easier for all concerned.

**1. Computer System**

I will return the Computer System and Printer as soon as it is returned from being serviced, I have been assured that it will be ready by the end of next week. This service is at no cost as I have arranged for one of our Tasman Computer Experts to do it for me.

I have had an ongoing problem with the Printer and suggest that the Committee replaces it, if you are still going to use this system. You will need to check with John Delamere on the ownership of the Computer and Printer, whether it was purchased or leased. I do not have any documentation on file regarding the status of the Computer System and Printer.

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**2. Documentation / Files / Disks**

I have two disks with Raupatu Files on them, and have downloaded all these files. All files and documentation are in the large box and are returned herewith. A File Index is placed in the box of files.

If there are any queries concerning the files or documentation during the period that I was Secretary please do not hesitate to contact me.

I would still like to help out and would be happy to act as a Contact/Liaison person for the Raupatu Committee in the Kawerau District. I see this position as the communication between the Committee and the people for the relaying of information, in particular the holding of Hui-a-Iwi, local meetings, locating suitable venues for meetings in the area, promoting registration onto the roll. If the Committee agree to me taking this on, I would require a list of all those people on the roll that are based in this area and a supply of registration forms. However if there is no pre-requisite for such a person or someone has taken on this role I withdraw my intention.

Thank you for giving me opportunity of being part of this process, and now let us combine our talents and our goals in securing a better future for the whole of Whakatohea.



Josie Gedson

WHAKATOHEA RAUPATU NEGOTIATING COMMITTEE

FILE INDEX

- \* Inwards & Outwards Correspondence  
December 1994 to August 1995  
September 1996 to Date
- \* Agenda & Minutes  
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- \* Newspaper Articles, Documents, Newsletters,  
Presentations  
August 1995 to Date



Josie Gedson  
November 1996