

WHAKATOHEA RAUPATU NEGOTIATING COMMITTEE

A MEETING OF THE WHAKATOHEA RAUPATU
NEGOTIATING COMMITTEE WAS HELD ON
SATURDAY, 13 JANUARY 1996 IN THE
BOARDROOM OF THE WHAKATOHEA MAORI
TRUST BOARD OPOTIKI COMMENCING AT 10.00AM

PRESENT: Claude Edwards (Claims Manager)
John Delamere (Project Manager)
Josie Gedson (Secretary)
Matenga Biddle)Ngai Tama
Tuwhakairiora Williams)
Teriaki Amoamo)Ngati Rua
Tairongo Amoamo)
John Hata)Ngati Patu
Frank Matchitt)Ngati Ngahere
Tahu Taia)
John Kameta)Ngati Ira
Charles Amoamo)Upokorehe
Wiremu Rewiri)

There were 9 members of the public in attendance.

KARAKIA: Matenga Biddie (Ngai Tama)

NGAMIHI: John Hata (Ngati Patu)
Teriaki Amoamo (Ngati Rua)
Wiremu Rewiri (Upokorehe)

RESOLVED Claude Edwards / John Hata

That the apology from Ranginui Walker (Ngati Patu) be accepted.

CARRIED

The Claims Manager, Mr Claude Edwards welcomed members of the public to the meeting and advised them that they would be given speaking rights (with a time limit), and that they had no voting rights.

**1. MINUTES OF MEETING OF THE WHAKATOHEA RAUPATU
COMMITTEE HELD ON SATURDAY, 18 NOVEMBER 1995**

The Secretary advised the Committee that she was unable to distribute the Minutes with the Agenda, because of the computer breakdowns and problems she had been experiencing. She further advised that she had kept a log of the amount of time that she had spent on solving the problems with the assistance of the Computer Officer from her work place. The Secretary advised the Committee that the computer she had been using for Raupatu work was inefficient and ineffective, and the software package was outdated. A more updated computer would need to be made available for Raupatu work. A computer for use by the Raupatu Committee would be discussed at the next meeting of the Whakatohea Maori Trust Board.

**MATTERS ARISING FROM THE MINUTES OF THE WHAKATOHEA
RAUPATU MEETING HELD ON 18 NOVEMBER 1995**

Page 8: John Delamere wanted an explanation as to how the figure of \$65,000 came about on page 8 of the Minutes of 18/11/95 as he had not mentioned it to anyone. The Claims Manager, Mr Claude Edwards explained that he had mentioned it in response to a question from Ranginui Walker as to the amount of salary paid by Te Puni Kokiri. John Delamere had no problem with the figure being quoted. He further advised the Committee that he would be responsible for his sick and annual leave, and that this was not the responsibility of the Committee.

Page 14: that a correction be made to page 14 paragraph 6 to read as follows:-

John Delamere asked the Committee what they wanted to do about the Post Office and he referred to a letter from OTS and that they wanted a decision by Monday.

Page 15: The following correction to be made to the second motion on page 15 to read as follows:-

That the draft letters be approved for sending to the respective addresses:-

- OTS
- East Bay Health
- NZ Post Properties.

Page 15: The following correction to be made to the third Motion on page 15 to read as follows:-

That the Ninox Film Company be an editorial input before the film is finalised.

Page 14: Tairongo Amoamo asked that the 3rd paragraph on page 14 be deleted as he did not recall making this comment.

2. INWARDS & OUTWARDS CORRESPONDENCE

John Delamere provided a log of inwards and outwards correspondence for the period 20 November 1995 to 8 January 1996, and advised the Committee that a file would be available for any Committee Member to peruse.

3. REPORT #3 OF THE PROJECT MANAGER - JOHN DELAMERE

A written report and attachments were distributed by the Project Manager, Mr John Delamere to the Committee Members.

* **Budget:** a discussion took place on the section out of the Project Manager's #3 Report dated 13 January 1996 (page 2 under the heading of 'Budget').

Tairongo Amoamo advised that examination of the accounts must be done before the Committee accepts liability and responsibility, and that it is the liability of everyone to accept payment from this Committee for \$116,000. Tahu Taia pointed out that the accounts must be submitted on the basis of 1991/92. John Delamere further advised that the accounts under the control of the Whakatohea Maori Trust Board were approved and audited, and that the Crown had accepted such accounts and had paid out. Tahu Taia advised that the 1993 accounts for the Whakatohea Trust Board were consolidated and not detailed, hence the reason it did not detail the money spent by the Whakatohea Maori Trust Board on the claim.

John Delamere pointed out that Fred Cookson the Accountant had gone through the accounts invoice by invoice, and has on file correspondence between himself and the Crown. He further advised that the Crown was happy with the accounts and had paid the money out, but had not accepted the interest charge of \$14,000 claimed by the Trust Board.

MOTION: RESOLVED

John Delamere / John Hata

That this Committee reimburse the Whakatohea Maori Trust Board in the sum of \$116,745 which was received on its behalf from the Crown on 22 December 1995.

UNANIMOUS

A discussion took place on the bank balances, and John Delamere reported that the state of the accounts at 31/1/96 were as follows:-

- | | | |
|---|-----------------|-----------|
| - | Cheque Account | \$12,531 |
| - | Deposit Account | \$250,000 |
- (\$116,000 of this amount to be refunded to the Whakatohea Maori Trust Board).

\$80,000 was to come through this month from the Crown, and that the money to be placed on deposit at ANZ on call for one (1) month at 8.52%. Tairongo Arnoamo requested that the Project Manager to make enquiries at other banking institutes for a higher rate of interest.

MOTION: RESOLVED

John Delamere / Tahu Taia

That this Committee approve the current accounts as submitted for 3 January 1996.

UNANIMOUS

John Hata congratulated the Project Manager on a job well done, in providing all the relevant information that the Crown had been asking for, and that a satisfactory reply had been reached.

MOTION: RESOLVED

John Delamere / Frank Matchitt

That this Committee agree the Project Manager forward to the Crown the necessary financial documentation in order to satisfy the Crown's requirements with respect to the funding assistance provided by the Crown.

UNANIMOUS

The Claims Manager pointed out that the Project Manager was not expected to do an Accountant's job.

The following change to be noted to the Proposed Budget on page 4 of the Project Manager's #3 Report:-

<i>Fees - historical</i>	<i>March \$15,000</i>	<i>TOTAL: \$15,000</i>
	<i>(instead of \$5,000)</i>	<i>(instead of \$5,000)</i>
<i>* TOTALS</i>	<i>March: \$100,000</i>	<i>TOTAL: \$100,000</i>
	<i>(instead of \$43,000)</i>	<i>(instead of \$90,000)</i>

* **Update meeting with the Crown:** Project Manager's Report #3 dated 13 January 1996 refer to page 5.

* **Ministry of Works Depot:** Project Manager's Report #3 dated 13 January 1996 refer to page 6.

A discussion took place, and John Kameta (Ngati Ira) advised that he did not have anything further to add to what the Project Manager John Delamere had placed in his report.

Mary Delamere was concerned that the MOW Depot, had been button holed for Ngati Ira, and that this indicated that pieces of land were for individual Hapu's.

The Claims Manager Claude Edwards, pointed out that lands were being held by the Whakatohea Maori Trust Board for Whakatohea.

The Project Manager John Delamere, pointed out that at the last meeting it had been approved that the land be banked, and that the Committee supported the intent for it to go to Ngati Ira, but that the final decision cannot be made until settlement. He further pointed out that the land being land banked was owned by the Crown until final settlement.

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Tairongo Amoamo wanted this point clarified, and that it was of paramount importance that the examination of assets belonging to Hapu's and the legal position be investigated, and that this item be placed on the agenda.

Charlie Aramoana pointed out that that the Committee is here to drive the Claim, and to get it through, and that the Committee were here to do a job. At the end of the day Whakatohea must come together and discuss the overall view and argument.

The Claims Manager Claude Edwards, suggested that each Hapu put a package together, and then let the people hear it.

Tairongo Amoamo wanted the legal position clarified as to who the assets belong to.

The Project Manager John Delamere, thought that it would be a good idea to discuss the biggest issue, and to consider two sub-committees to independently work it out.

MOTION: RESOLVED

John Kameta/ John Hata

That this Committee approve the Project Manager, Tuwhakairiora Williams and Tairongo Amoamo to negotiate the ^{land purchase} purchase of the MOW Depot, subject to this Committee having the final approval of the terms of purchase. X

UNANIMOUS

* **Proposed "One Stop Shop" Medical Centre:** Project Manager's Report #3 refer to pages 7 and 8.

Heather Thomson Project Manager for Eastbay Health, was invited to join the meeting with speaking rights. She circulated copies of the following to Committee Members:-

- *Letter to the Whakatohea Negotiating Committee dated 9 January 1996 re: "Community Health Centre".*
- *Summary Report of Health Services in Opotiki dated 1 August 1995.*

A discussion took place on the Health Services.

Heather Thomson Project Manager Eastbay Health Services, pointed out that it was important that Opotiki not be left without a health service, and that it was important to establish the new centre.

Tuwhakairiora Williams commented that no detailed proposals with figures had been put in front of the Committee, and that they needed to be provided with some ideas and the commercial benefit, for the Committee to consider, before securing the property.

Heather Thomson advised that a paper had been submitted earlier, but an invitation to attend a meeting had only been received recently. She made it clear to the Committee that the Health Centre proposal was subject to the sale of the hospital hill site.

She further advised that from her perspective, she could not move until an alternative site to the one on Hospital Hill had been established, and that she did not want to see the services to the Town reduced in any way. Furthermore the Health Centre would be an advantage to Whakatohea and its close proximity to the Whakatohea Centre already set up.

John Kameta was of the opinion that the land should be taken back regardless of its value, or whether it is commercial, and that it was important to remember that this was land that our people were slaughtered for.

Mary Delamere voiced her concern that the community are still waiting, and that she would like to see a commitment that consideration would be given for the Centre to be built on the site. She was also of the opinion that the Centre would be an advantage to Whakatohea. Furthermore she advised that the longer we wait to make a decision on the Health Centre the less chance for funding, and that delays could mean that Opotiki could lose the money to Whakatane. A commitment must be made, and she was keen to see the One Stop Shop go ahead on this site or another site, and that Heather Thomson had her support.

- X John Hata asked for a list to be made of all properties that Whakatohea show an interest in, to be land banked, and that the list should be put on the table and discussed. X

MOTION: RESOLVED

John Delamere / John Kameta

That this Committee approve the Project Manager, Tuwhakairiora Williams and Tairongo Amoamo to negotiate the purchase of all surplus Crown Properties, subject to this Committee having the final approval of the terms of purchase.

UNANIMOUS

Heather Thomson asked the Committee to consider the establishment of a One Stop Shop on the site.

John Kameta was of the opinion that this matter should be referred to the Whakatohea Maori Trust Board, and that as far as he was concerned, the Raupatu was not the body to make this sort of decision. He accepted the philosophy and that this matter should be referred to the Whakatohea Trust Board at its meeting on the following Monday.

It was established that the site was one that was under claim.

MOTION: RESOLVED

John Delamere / Matenga Biddle

That this Committee endorse Iwi membership on the Interim Committee for the establishment of the proposed "One Stop Shop" as Heather Thomson, Dr Guy Naden, Lady Mary Delamere and John Delamere.

UNANIMOUS

DIRECT NEGOTIATION'S

Project Manager's Report #3 dated 13 January 1996 refer to page 9.

A discussion took place regarding the visit to the Iwi by the Minister (Doug Graham).

Tairongo Amoamo (Ngati Rua) asked what was the purpose of the visit by the Minister. He would like the Whakatohea case to be thoroughly worked out before we negotiated, and that more research needed to be done. When we had all the facts, then we invite the Minister.

Tahu Taia (Ngati Ngahere) pointed out that he had no problem with meeting the Minister. With regard to the research into the land, the G Hill report had obtained a map from the Land Court for Whakatohea to get a valuation of the land. He advised that Teriaki Amoamo had looked at the two blocks, and had a lot of history about the blocks south of the confiscation land.

Tairongo Amoamo (Ngati Rua) pointed out that the Minister dominates the scene and that he had said to come with a full case.

John Kameta (Ngati Ira) goes along with what Tahu Taia (Ngati Ngahere) had said, and that he felt the visit should take place to meet with the Minister and talk.

John Delamere Project Manager commented that Whakatohea must establish an opening position as the Crown had already advised us of their position re: the fiscal envelope.

Arahia Carrington was given an opportunity to speak. Arahia laid out to the Committee her expectations and pointed out that it was a monumental exercise. The first point was that the process and the final shape must withstand the rigors of political change, taking into account that Doug Graham may not be there tomorrow. The second point was that the Committee must come up with a document that effectively and accurately represents ALL Whakatohea grievances, and that the claim must also withstand international

scrutiny. She was also of the opinion that the Committee must try and push the time frame forward and that the claim should be taken to any international court to uphold it.

Tuwhakairiora Williams endorsed what Arihia Carrington and Tairongo Amoamo had said. He also asked if the Committee were able to substantiate every item in the settlement package, and the settlement package must be able to stand up in the international arena. He also advised to look through Motion 10 page 9 of the Project Manager's Report #3, and contemplate the Crown's response when reading the draft report. It was also vital that the settlement must have depth and that it must stand up to discussion and debate with the Crown.

Teriaki Amoamo also voiced his support for the comments made by Arihia Carrington and Tuwhakairiora Williams. Teriaki gave an explanation of the Opape Reserve and how the Hapu's were allocated onto this Reserve. He supported Tairongo Amoamo, and that all the eggs must be put in one basket. He further commented that it was important that the Hapu's meet every month to keep the people up to date on what the Committee were doing about the settlement of the claim.

Tahu Taia supported the previous comments, and that the case must be presented in full and final settlement. He was of the opinion that it would be a good public relations exercise to meet with the Minister Doug Graham under our terms, to get the unity we are seeking from the grass roots of our Iwi.

It was agreed that the meeting with the Minister Doug Graham be set down for the first or second weekend in February 1996, and the venue be held at Waioweka (Ngati Ira). The Project Manager to contact the Minister Doug Graham on his availability.

MOTION: RESOLVED

Tahu Taia / John Kameta

That this Committee agree the Doug Graham be invited to come to Whakatohea as soon as possible for a presentation by Whakatohea to him and his officials.

UNANIMOUS

THE COMMITTEE CONVENED FOR LUNCH AS 12.22PM

THE COMMITTEE RE-CONVENED AT 12.50PM

It was recorded that John Hata (Ngati Rua) left the meeting at lunch time.

MOTION: RESOLVED

Claude Edwards / Matenga Biddie

That this Committee agree that Tairongo Amoamo, Tuwhakairiora Williams and John Delamere ~~further research issues needed to complete the claim, research~~
arrange for

UNANIMOUS

It was noted that in his absence, John Hata favoured the process. Tairongo Amoamo advised that the findings would be circulated to members.

WORK PROGRAMME FOR THE PROJECT MANAGER

The Project Manager John Delamere presented a spreadsheet for the Committee's perusal and information (Attachment Appendix 7). It was noted that T Amoamo's name to be added to the spreadsheet.

As part of the works programme a series of road show briefs throughout the country to inform Whakatohea people on the settlement.

The Project Manager also advised that he had met with the Opotiki District Council, Federated Farmers and Rotary to brief them on the settlement. He also reported that there was a lot of apprehension in the town, and that it was realised that Whakatohea will be an economic force.

The Project Manager also advised that there would be a table at the Kapahaka in Rotorua in February for Whakatohea people to register on the roll of beneficiaries.

The Project Manager reported that he had been up to Whakapaupahiki block of land and that the type of land could sustain profitable dairy farming.

Tairongo Amoamo was of the opinion that the Project Manager should keep the issues of negotiations. He also pointed out that there was an area in the Raukumara Park Board that would need to be identified, and questioned how the Crown acquired the land.

Tuwhakairiora Williams was concerned at the tenures of the articles in the newspapers, and that the comments could be taken out of context. He pointed out that there were Whakatohea people who were concerned about the Opotiki District Council being briefed when some of our own people had not, and that it must be directed back by the Representatives or individuals. Tuwhakairiora also had a major concern the way in which the local media were being used to inform the populous in the area.

He was also of the opinion that the Committee needed to have a plan on how the media was to be used.

John Delamere advised that the claim was the single most important event in Opotiki.

Mary Delamere voiced her concern at the cost to the Iwi for the briefs on the claim to be taken to the different centres throughout the country.

Tuwahakairiora Williams commented that when the Press was in attendance at meetings, they needed to be advised when comments made were not for publication or the Press would be asked to leave the meeting.

Claude Edwards was of the opinion that it was important to advise people.

John Delamere suggested that a Newsletter for distribution would be one way of getting the information out.

Tairongo Amoamo commented that there was work to be done. Signatories were required for signing on behalf of this Committee, and that who signs must be established. He was also concerned at the words on the letterhead, as he was of the opinion that these words were sacred to some of us, and he did not want to see them being used.

John Delamere advised that a report on the visit to AFS was on the agenda but that a separate report had not been prepared.

Tairongo Amoamo reported that a visit had been made to AFS on 7 December 1995. that they did not want to be part of it, but were interested in long-term investment, and that we must be accountable to our people. He also pointed out that A Kukutai wanted to help his people and that he was highly qualified, 28 years old, with a Law Degree, worked for a bank in Hong Kong and had written a book.

John Delamere meet M Seger on issues that could have financial developments. He also advised the Committee must consider lateral thinking opportunities.

NGATI IRA - TRIBUNAL CLAIM

John Kameta (Ngati Ira) advised the Committee that Ngati Ira had lodged an application with the Waitangi Tribunal and had been allocated No. W588, and that they were prepared to go back to the Crown if they don't get what they want. Claude Edwards appreciated John Kameta's openness.

ROLL OF BENEFICIARIES

Tairongo Amoamo advised that beneficiaries must register, and that they must endorse their Hapu, and the application forms were not clear. John Delamere advised that a new formatted application form had been made up and would make copies available for the Committee after the meeting.

GENERAL BUSINESS

Arihia Carrington spoke again on a plan, and drew up a diagram for the Committee.

GOVERNMENT

At this stage now

PLAN

Social/Economic Development
Plan

Putea
\$
Property
Land

Te Whakatohea

Arihia Carrington asked Will there be a Plan?

How will separate Claims Hapu x Hapu affect the exercise

How will it penalise Hapu at this stage

Decisions at this stage Hapu x Hapu

extracted - historical
- cultivate
- rationalise.

Economic viability or not.,

Who is responsible for economic development for Whakatohea?

Arihia Carrington asked when are we going to get our act together in relation to the Whakatohea Maori Trust Board.

Tairongo Amoamo spoke on the set up of the Whakatohea Maori Trust Board and the issue of the Hapu's and the assets.

Whakatohea Maori Trust Board

administer farms/assets
(lwi assets at present)

What happens with assets, if Hapu's take their share
land is European title and is not for claim.

SETTLEMENT Each Hapu to get a one off payment of \$245,000
 (set up entities to be correct/responsible.

- * Is it a bad thing for each Hapu?
- * could be a disadvantage to some Hapu's.

 THINK ABOUT IT.

Claude Edwards in answer to the Arihia Carrington's questions on the Whakatohea Maori Trust Board, to tidy up our act, and that we all have responsibilities.

Tairongo Amoamo would like to see a provision for women to be part of the decision making process.

Mary Delamere spoke on the terms of reference, and that she was concerned that it would be a financial burden on the Whakatohea for the Project Manager to be sent to the various venues to advise Whakatohea on the claim.

Claude Edwards advised that responsible people could be set up in the various areas to advise the people.

John Delamere advised that the local area could be covered by car, that includes the Eastern Bay/Bay of Plenty.

John Delamere spoke on the Whakatohea Maori Trust Board elections, and made reference to the postal voting process, and that many of the lwi lived out of the area and that the majority wanted a postal vote. He pointed out that only those on Roll of Beneficiaries had the right to vote. John also pointed out that this issue could be taken to Court, the right to vote by postal vote.

Tairongo Amoamo suggested that each Hapu have three representatives (1) Opotiki (1) BOP (1) other areas, and that the representatives must have expertise for Whakatohea and must submit a CV. He further pointed out that the first Members of Ngati Ngahere did not live in the area, one lived at Omaio and one lived at Gisborne.

John Kameta commented that this would gut the Marae and hurt the ones that were there everyday.

Teriaki Amoamo said "ones at home are there for those ones who are not at home!" that they are the Caretakers.

Claude Edwards suggested that the local Hapu might want one here and one away. We must remember that the local people built this place, and let us remember who fronts up, the local people who are here.

Tairongo Amoamo thanked the Committee and visitors for the manner in which the meeting was conducted.

KARAKIA: Matenga Biddle

Their being no further business the meeting closed at 2.10pm.

Tairongo Amoamo
DEPUTY CLAIMS MANAGER

13/01_MINUTES