

APPENDIX: Questions for H Bassett and R Kay in respect of their report, "The Impact of the Native Townships Acts in Te Rohe Pōtae: Te Kuiti, Otorohanga, Karewa, Te Puru and Parawai Native Townships", April 2010 (Wai 898, #A62)

Quantifying land alienation

1. In the appendix to your presentation summary, at paras 1-2 of the "Notes" (p 23), you record information about the difficulties associated with locating accurate figures for land alienation.
 - 1.1 Would you please clarify whether these qualifications apply to the research conducted and conclusions reached in your main report, or only to the material presented in the appendix to your summary?
 - 1.2 Would you please answer the following questions with reference to each of the townships addressed in your report:
 - 1.2.1 In para 1 you note that "some" areas and current status details have been sourced from Māori Land on Line. To what extent would further research produce more accurate results?
 - 1.2.2 You say (in para 2 of the "Notes") that you have "endeavoured" to capture the correct total area acquired by the Crown. Is there further research required to confirm this?
 - 1.2.3 Does the research you have done to date identify the legislation under which each township land was alienated? Are there any trends you can comment on (or would further research be required)?
2. In the appendix to your presentation summary, in the definition for "Roads" (p 23), you comment that figures of land taken for roads were calculated from the survey plans for Te Kuiti and Otorohanga.
 - 2.1 Do you agree that these figures can be no more than indicative?
 - 2.2 Is a similar estimation possible in relation to the Māori reserves for Otorohanga and Te Kuiti?
 - 2.3 Would you please provide the reference to the original source document/s that you based these calculations on?
3. Have you reviewed the evidence J Luiten, "Local Government in Te Rohe Potae", January 2011 (Wai 898, #A24) (chapter 10 relates to roading in Taharoa) and/or D Alexander, "Public Works and Other Takings in Te Rohe Potae District", December 2009 (Wai 898, #A63) in respect of their coverage of native township areas?

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- 3.1 To what extent do you disagree with Chapter 10 of J Luiten's report or the evidence of D Alexander in respect of public works takings in native townships?
- 3.2 Is there any information in these reports that would lead you to reach different conclusions or calculations in your report or the summary?
4. In the appendix to your summary, in the notes for 'Private Purchases' (p 24), you note that your figures only include purchases made while the sections were still subject to the Maori Townships legislation, and does not include private transactions which occurred after sections had been re-vested in the owners.
- 4.1 Did you take the same approach to Crown purchases? If not, why not?
- 4.2 Are you able to provide information as to how much land was purchased by the Crown taking account these same qualifications?
5. In the appendix to your summary, in the definition of "Area Revested" (p 24), you note that "the subsequent history of these sections has not been traced for this project. This category includes land which was re-vested in the owners and then privately sold."
- 5.1 Does this category overlap with lands identified for the "Crown Reserves Revested" category? If so, does this mean that some lands are being counted twice?
- 5.2 Is there any overlap between figures calculated for the "Crown Purchases" and the "Area Revested" figures?
- 5.2.1 If yes, is the effect that you have traced the alienation history of land 'revested' where subsequent alienation was to the Crown, but not to private interests? If so, what is the rationale for counting land alienated to the Crown but not to private interests?
- 5.3 You say this category "includes" land which was re-vested in the owners and privately sold.
- 5.3.1 What other types of land transaction are you referring to?
6. In the appendix to your presentation summary, in the definition for "Area Subject to Perpetual Lease, 2009" (p 24), you note that, since research was completed, some sections at Karewa have been re-vested in Ahu Whenua Trusts with owner trustees as the administrator. Would you please specify which blocks you are referring to, and provide the figure in acres of the blocks affected?
7. In the appendix to your presentation summary (pp 20-22), you provide alienation summary figures and information. Would you please provide references to your source material in respect of all the material presented?

(Specific cross-references to your main report where the original sources are quoted would suffice.)

8. In the appendix to your presentation summary, you summarise data in relation to the "Karewa Maori Township".
 - 8.1 Have you accounted for the private roads identified in the Proclamation in the *New Zealand Gazette*, No 82, 16 October 1902, p 2266; MA 1 1912/1209, ANZ Wellington (DSCN 3735)?
 - 8.2 If not, does this information alter your analysis in your report or the summary (and how)?
 - 8.3 How do you reconcile the figures presented with the statement by the Commissioner of Crown Lands that 20 per cent of the land had been reserved for the owners? (See p 79 of your main report, top para, final sentence, and footnote 277.)

9. In the appendix to your presentation summary, you summarise data for the Otorohanga township. On p 124 of your main report you indicate that Eketone and others may have gifted land for a road or otherwise for a government reserve and public building.
 - 9.1 Should this be accounted for in paras 2 – 3 on pp 21 – 22 of your summary?
 - 9.1.1 Do you have information about the final course adopted, and any data quantifying the land gifted?

Sources and methodology

10. You have not provided references for any of the maps used in your report (figs 1 – 17). Would you please provide the source information in respect of each?
 - 10.1 Would you please clarify whether these maps represent the final layout of the townships? If not, would you clarify what the maps represent and provide maps of the final layouts?

11. Would you please provide references for Tables 5 and 9 of your main report?

12. What additional research, if any, do you consider would produce more accurate information on the following:
 - Total amounts charged for, and called in, for survey costs;
 - Total rents payable from lessees for the use of township lands; and
 - The rental that was not (at various times) distributed to owners?

Relationship to other reports

13. At pp 80 – 87 of J Luiten, “Local Government in Te Rohe Potae”, January 2011 (Wai 898, #A24), and in Professor Belgrave et al, “Te Rohe Potae Environmental and Wahi Tapu Report”, August 2011 (Wai 898, #A76) (see for example, chapters C and E) native townships are discussed.

13.1 Is there anything in these reports in relation to native townships that you disagree with or that would lead you to change any of the conclusions or calculations in your main report or your presentation summary?

14. At p 42 of your main report, under the heading “2.3 Parawai Native Township 1900-1908”, you note background information in relation to the laying out of the township at Kawhia. You state:

In 1883, as part of laying out the township at Kawhia (see 2.4 below), the government laid out buoys and erected beacons around the harbour for shipping. Maori Kingitanga supporters objected and removed the beacons. The matter was then dealt with by Native Minister John Bryce, who took a constabulary force to Kawhia. Bryce explained to King Tawhiao that the beacons were not intended as claims to land and had only been erected for safety reasons. Tawhiao appears to have accepted Bryce’s assurances and the potential conflict was ended.

You state further in the top para on p 68 that, “The establishment of the Crown township at Kawhia was part of the Crown’s push to gain access to Kawhia Harbour (see Section 2.3)”.

- 14.1 The matters addressed in these extracts have been covered in the evidence of other professional witnesses, including C. Marr (Wai 898, #A78) and Dr D Loveridge (Wai 898, #A41). Would you defer to those witnesses in terms of interpreting the events described in the extracts set out above?

Otorohanga township

15. Do you have a map that demonstrates the location of the Orahiri, Waikowhitiwhiti, Otorohanga and Pukenui 2 blocks and the subdivisions/partitions discussed in section 2.2 of your report?

16. On p 34 of your main report, you state that “Ormsby and Hetet reminded Wilkinson that they had spoken to the Native Minister about the purchase of small areas on the Otorohanga flats for a township.”

16.1 Do you have any further information about where the “Otorohanga flats” are, and which specific lands/blocks were being referred to?

17. At pp 38 – 39 of your main report, you note that Wilkinson was asked by the Surveyor General to provide a map that identified the buildings and houses that were already occupied. You conclude at the end of the final para on p 38 that, “This would indicate that the government were unwilling

to acknowledge, or ignorant regarding, the extent of Maori building and development on these areas”.

- 17.1 Is it your view that the plan showing the houses and buildings, discussed in the first full para of p 39 was inaccurate? If so, why?
- 17.2 Is it your view that this plan was not provided by Wilkinson to the Surveyor General?
- 17.3 Would you agree that the “file note suggesting that the occupiers of the identified sites should be visited in the spring” suggests that officials intended to extend their understanding of the situation on the ground?
18. On p 39 of your main report, you note that the Otorohanga Sawmill was offered as payment for survey charges (final paragraph).
- 18.1 Presumably you mean it was offered to the Crown. Is that correct and was the offer accepted?
- 18.2 Was the sawmill in the southwest end of the block?
19. Did the survey charge that resulted in an award of 13 acres of Orahira 8A arise only because of the partition of the Crown’s “one interest ... equivalent to 2 acres 2 roods”? (Refer pp 39 – 40 of your main report.) If so, what sources do you rely on?
20. On page 40 of your main report, in the second full paragraph, you refer to “railway land”. Would you please clarify what you mean by that term? Do you mean land utilised for the track and stations?
21. With respect to the information in table 6 on page 135 of your main report:
- 21.1 Would you please clarify whether this represents the information that was advertised for auction, or whether it represents prices achieved?
- 21.2 Do you agree that this table provides information in relation to 23 sections of 236 advertised for auction? (Refer also to the first para in section 3.4.2 at p 134 of your main report.)
22. On p 132 of your main report, there appears to be the following incomplete sentence: “Supposedly the deposit to be used for the first six months rent.” Would you please clarify what the sentence means?
- 22.1 If you are saying that there was a deposit that was to be used for the first six month’s rent, would you please provide the authority for this statement and clarify which sections this was intended to apply to?

Te Kuiti township

23. At the top of p 42 of your main report, you conclude that, “In line with the previous objections from Ormsby and representations from the Member of

Parliament, it appears that whatever 'consultation' took place resulted in the owners refusing to agree to the township at that time."

- 23.1 What is the source you rely on for this statement?
24. On p 145 (final full para) and p 148 (final para) of your main report, you state that "a deputation" met with James Carroll in Te Kuiti.
- 24.1 Who attended as part of that deputation?
25. In the final para on p 127 of your main report, you note that "there were 68 differences between the plan and the schedule for leasing the sections".
- 25.1 Would you please clarify, with reference to the source material, the date on which the differences between the plan and the schedule were resolved?

Parawai/Te Maika township

26. On page 47 of your main report, you state that "there is no record that any attempt was made to consult the owners over this decision", namely the decision that 500 acres should be proclaimed for the township within the Taharoa A block.
- 26.1 What records did you consult to inform this conclusion?
- 26.2 Did you consider that there may have been consultation or discussions with Kingitanga representatives or other key leaders who represented interests in the area?
- 26.3 Are there any additional records that could be consulted to assist with considering whether the Crown had discussions with owners or appropriate leaders prior to the proclamation? If so, what are they?
27. On p 48 of your main report, at footnote 145, you provide the reference for the proclamation of the Parawai township. That proclamation is interesting because it refers to three portions of land within the proclamation. Do you have any information as to why the proclamation for the township was divided into three portions? Can you otherwise assist as to why that might be?
28. You identify that consultation occurred with Kiwi Tuteao in relation to the tracing for the Parawai township. (See p 52 of your main report.)
- 28.1 What information do you have about Kiwi Tuteao, particularly in terms of leadership/prominence?
- 28.2 What attempts did you make to try and locate information about Kiwi Tuteao?
- 28.3 Do you consider that further research could be done to identify whether other owners were consulted? If so, what additional sources would you look at?

Karewa township

29. The final sentence on p 68 of your main report notes that, "The court partitioned the Kawhia M block into ten sections". This follows your discussion about the court considering an agreement by the owners.
- 29.1 Did the partition reflect an agreement reached by the owners, or was it partitioned in accordance with the plan progressed in absence of an agreement?
- 29.2 Which blocks were partitioned? Was Kawhia M2 among them?
30. On p 70 of your main report, you state that Wilkinson noted that government had leased a township from the owners "in the case of the Coromandel goldfield town of Shortland (Thames) in 1870".
- 30.1 Do you agree that your source material, identified at footnote 245, shows that, after having identified the situation in Thames, Wilkinson states:
- Kawhia, however, not being a gold field I do not think that can be done in this case.
- 30.2 Do you agree that this illustrates that Wilkinson turned his mind to the option before dismissing it?
31. Would you please reproduce the words from the source material you identify at footnote 271 in support of your statement on p 78 of your report that, "The Premier said he would address the owners' concern about the control of the township"?
- 31.1 Is it the following words:
- He [the Premier] would also look into the question raised that the Natives did not want the land placed in the hands of the Public Trustee, or the Native Council, but administered under the Native Township Act.
- 31.2 Do you agree that these words suggest that the author in the Premier's office understood that the 'Natives' sought to have their lands administered under the Native Township Act?
- 31.3 Do you agree that this is different to the understanding of the matter reflected in your conclusion at the top of p 78 (and in the source material in footnote 270 on which that statement relies) that there was an objection "to the land being taken under the Native Township Act"?
- 31.4 Do you also see that the author of the file note in the Premier's Office (refer to footnote 271, DSCN3755, para 2) also understood the issue was that:

It was requested that this land should not be placed in the hands of the Public Trustee, or the Natives, but was to be managed by the Government.

- 31.5 Do you agree that the account in the file note from the Premier's office is a more reliable source than a newspaper report? If not, why not?
32. Do you agree that the correct date for the petition of Mutu Te Ake and others referred to in the last para of p 79 of your report is 23 September 1903? (See Maori Land Claims Adjustment Act 1904, entry 16 of the second schedule.)