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IN THE WAITANGI TRIBUNAL
ROHE POTAE INQUIRY DISTRICT

WAI 898 (Wai 478)

IN THE MATTER OF the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF A Claim by **ROY MATENGARO HAAR, JADE HAAR, LIA HAAR, GAIL BELL and MARISE HAAR WINTHROP** for and on behalf of themselves and the owners/shareholder of the Pukepoto Farm Trust

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OPENING SUBMISSIONS FOR WAI 478 (PUKEPOTO FARM TRUST)

Dated 5 May 2014

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Waitangi Tribunal
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Ministry of Justice
WELLINGTON

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Tena koutou – May it Please the Tribunal:

INTRODUCTION

1. These brief opening submissions are made of behalf of Roy Matengaro Haar and others on behalf of themselves and the beneficiaries of the Pukepoto Farm and Forestry Trust. The claim is also brought on behalf of descendants of Ngati Rora whose claims to this Tribunal are supported by the Wai 478 claimants.

THE CLAIMS

2. The Wai 478 claims relates to the original land block known as Rangitoto Tuhua 60 which is located in the Tangitu Survey District, Ohura South. This block was originally 16,380 acres in size but was reduced in size to 11,380 acres in 1903 after 5,000 acres were partitioned off (and became Rangitoto Tuhua 65) to pay for survey liens on the partition of the Rangitoto Tuhua 60 block. Over the succeeding years, the Rangitoto Tuhua 60 block was gradually whittled down to its current size of about 2,200 acres.

3. The claim, as filed, and the evidence to be presented to the Tribunal today, focus primarily on the various ways in which the claimants lands were alienated away from the traditional owners by way of imposition of survey liens, public takings for roads and schools, a scenic reserve, Crown purchasing etc. The claimants say that these actions were in breach of the principles of the Treaty for which they seek compensation and return of land.

The Evidence

4. The evidence of Mr Roy Haar (Wai 898, #S29) focuses on the various ways in which the blocks within the original Rangitoto Tuhua 60 block were alienated, the background to and efforts to improve the productivity and farming capacity of the Pukepoto Farm Trust holdings, the taking of land for

the Mangatupoto School, erection of the Telecom tower on Pukepoto maunga, the Landcorp farm on the boundary of the RT60 block and the importance of Pukepoto Maunga to the claimants.

5. In 1978, the few blocks that remained in the hands of the claimants were amalgamated and renamed the 'Pukepoto A6 Block' following an application by the owners to the Maori Land Court. These are the blocks that are currently farmed by the owners of the Pukepoto Farm Trust for sheep and beef, along with additional lands the Trust has bought back.

6. Mr Haar's evidence includes two technical reports that were especially commissioned by the claimants as "gap fillers" for their claim, as the research reports on the Record of Inquiry for this Inquiry District did not cover in sufficient detail the issues raised by the Wai 478 claim. These two reports comprise:

    a. A 'History Works' report on the alienation of the Rangitoto Tuhua 60 Block researched and written by Mr Evald Subasic (who has since gone to work for CFRT). This is attached as Wai 898,#S29(a), Appendix 1. Mr. Haar covers much of this evidence in summary form in his brief of evidence. However, leave has been granted to submit any questions that the witness is unable to answer in writing to be subsequently supplied by the claimants;

    b. An Addendum to the evidence of Mr Haar (Wai 898, #S29(b) prepared by Mr Bruce Stirling is a summary review of archival records and minutes relating to those held under restricted access by Te Puni Kokiri at the NZ Archives. This information relates to the administration of the Pukepoto Farm Development Trust and shows how the land was mismanaged by the Waikato-Maniapoto Maori Land Board for a period of 60 years from 1911 up until the time the owners took over management of the lands themselves in the 1970's.

7. In addition to the evidence to be heard by Mr Roy Haar today, the claimants also rely on the technical evidence presented throughout these hearings to

the extent that they are relevant. This evidence will be identified in closing submissions.

Dated 5 May 2014

Maui Solomon
Counsel for Wai 478 (Pukepoto Farm Trust)