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Wai 827 – Supplementary Brief of Evidence of Diane Bradshaw clarifying tangata whenua engagement with the Crown over Oiōroa

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Waitangi Tribunal
20 Nov 2013
Ministry of Justice
WELLINGTON

Exhibit 'A'

Raoraokauere A3 Correspondence File

Providing a chronology of the Trustee meetings and activities **since 1995**. Documents held by the Maori Trustee.

Doc Marked	Doc Date	
Volume 10		
1		Received 17 May 2005 – Appointment of Maori Trustee in terms of Section 13 of the Maori Trustee Act 1953, as Trustees of the Raoraokauere A3 Trust. Signed by Laurie Bradshaw (14/5/2005) and Thomas Moke (15/3/2005) as Responsible Trustees, and K McIntyre for Maori Trustee 17/5/2005.
2	4/8/2002	Doc authorising MT to carry out actions on behalf of Trustees. Signed by Responsible Trustees Tumate mahuta, Laurie Bradshaw, Thomas Moke, Miki Apiti
		Various other orders at front of file. Could easily be copied.
3	6/6/2013	for Judicial Conference. Determination of Access for Raoraokauere A3 Block. Memorandum of Counsel for the First Repondent for Judicial Conference. Norris Ward McKinnon/ Jacqui Higgins.
4	22/1/2013	Email between Maureen Tinkler and Fred Rewa – re submission to MLC
5	14/11/2012	Email from Fred Rewa to various re lease renewal. Reference to Teleconference 19/10
6	16/10/2012	Email from Fred Rewa to various. Re pending teleconference, reference to his written submission of 29/9/2012 for the Trust meeting. Email 16/10/2012 from Maureen Tinkler to various re Teleconference 18/10/2012 – to discuss the points we intend to raise with Jarrod Blue regarding Sinosteel Access Agreement.
7	8/10/2012	Email from Maureen Tinkler to Jarrod True – re access agreements from Sinosteel Ltd – two agreements sent.
8	29/9/2013	Minutes of Meeting of Trustees held Turangawaewae Marae 29/9/2012
9	27/9/2012	Unknown author. Memo to Maureen Tinkler incl. apology for coming meeting, reference to minutes of meeting held 28/4/2012, and agenda items for coming. One page only, appears to have been more, but not on file.
10		From Diane Bradshaw to Maureen Tinkler re pending meeting 29/9/2012. Issues raised: Land access agreement, lease agreement, roadway order to Maori Land Court.
11	13/10/2012	Email from David Peacocke to Michelle Satchell – lease offer, $28,000 plus various other conditions.
12	2/10/201	Email from Violet Poihipi to Lynley Majurey-MLC re Trustee removal 13/7/2012 similar.
13	27/9/2012	Memo from Fred Rewa to Maureen Tinkler – Apologies for meeting 29/9/2012, notes regarding previous meeting, notes/position on Agenda items.
14	24/9/2012	Email Maureen Tinkler to various re meeting 29/9/2012, its' purpose, outlining the responsibilities of a Responsible Trustee, proposed agenda for the meeting
15		Pages 2-4. No date. Appears to be a summary of the Block information, possibly for Trustees attending a the forthcoming meeting.
16	11/6/2012	Letter to Thomas Panapa Moke from Leanne Hamilton, re Tax Return and Financial Statements for 31 march 2012. Seeking Thomas to sign IR8 Tax Return.
17	11/6/2012	Ltr to Te Amohia Mc Queen from Leanne Hamilton – re and enclosing Trusts Financial statements. Notes financial statements also sent to fellow Trustees.
18	28/4/2012	Minutes to Trust Meeting held Turangawaewae Marae.
19	25/5/2012	Received 12/6/2012 Fred Rewa, hand written note – attached, additional information to

		go with minutes. Attached appears to be handwritten minutes to meeting of 28/4/2012
20	27/4/2012	Email from Adelle Wallace to Diane Bradshaw, noting apologies received and 421 letters being sent to owners.
21		Chairmans Report to the General Meeting
22	16/4/2012	Copy of letter being Notice of Meeting to be held 28/2/2009? 2012 sent to 421 clients
23	23/11/2011	Email from Daine Bradshaw to Jack De Thierry and others. Re Oioroa Hui, current MOU and elevating the cultural values that includes the archaeological context for Oioroa.
24	23/11/2011	DOC – Memo/Minutes from hui 19/12/2011 re Memorandum of Understanding & Co-Management Plan (Oioroa Scientific Reserve)
25	3/10/2011	Email from Jayson Meyers to Maureen Tinkler – without prejudice offer document attached – proposed general terms for an access agreement to explor on the Raoraokauere A4 land parcel.
26	13/10/2011	Email form David Peacocke to Michelle Satchell. Lease offer for Raoraokauere A3.
27	27/10/2011	Letter from Maureen Tinkler to many (Trustees?) – enclosing report – Archaeology of Oiroa
28	9/9/2011	Letter from Kessels & Associates Ltd – offer of service, to assist with the preparation of a Co-management Plan.
29	28/9/2011	Email exchange between Jason Meyers (Sinosteel) to Maurren Tinkler – discussion about exploration drilling.
30	17/9/2011	Minutes to meeting of Trustees , this date held at Aotea Farms.
31	25/8/2011	Notice of meeting sent to all Trustees
32	7/6/2011	Letter to Thomas Moke from Maureen Tinkler – request to sign Tax return.
33	7/6/2011	Letter from Maureen Tinkler to all Trustees enclosing financial statements.
34	14/3/2011	Letter to all Trustees, from Maureen Tinkler, re Application for Registration of Wahi Tapu.
35	21/1/2011	Letter, Maurren Tinkler to many. Re Maori land block access, consent forms attached for signing on behalf of adjoining land block.
36	8/12/2010	Letter, Maureen Tinkler to Trustees (?) – notice of meeting 22 January 2011.
37	19/8/2010	Letter, Maureen Tinkler to many – re access to Maori land blocks – enclosing a concept plan drawn by Lockwood for a Marae complex. Two similar letters of same date to differing parties. One also had powerpoint attachment.
38	26/6/2010	Written instructions from trustees resolving to distribute funds. – Returned by Diane Bradshaw, TP Moke,
39	27/6/2010	Meeting of owners, Attendance schedule
40	11/6/2010	Letter to Trustees from Leanne Hamilton – Notification of Distributable Income.
41	4/6/2010	Notice of meeting to be held 27 June 2010. Two letters each with multi recipients.
42	17/5/2010	Letter from MLC to MT re section 239 of Te Ture Whenua Maori Act 1993 – application is now complete.
43	27/5/2010	Email from Maureen Tinkler to Fred Rewa. Re minutes, meeting time/day and other.
44	20/2/2010	Minutes to meeting of trustees of land blocks adjoining Raorakauere A3.
45	20/20/2010	Meeting attendance schedule.
46	2/2/2010	2xLetters to many re meting 20/2/2010.
Volume 9		
47	15/4/2009	Letter from MLC re request for Judicial conference.
48	27/2/2009 12/2/2009	Letters from Kea Consultants – proposal for engineering services.
49	29/1/2009	Letter from John Kendall – offer of service 'roading access report'
50	2/12/2009	Letter to many, with minutes attached, recording discussion at the farm visit 22/11/2009
51	22/11/2009	Minutes of trees meeting, held Turangawaewae.
52	23/10/2009	Notice of trustees meeting to be held 21/11/2009 to be held Aotea Farms.

53	26/9/2009	Minutes of Trustees meeting held Turangawaewae Marae 26 Sept 2009
54	26/8/2009	Notice of Trustees meeting to be held 26/9/2009
55	23/7/2009	Emails between Fred Rewa and Maureen Tinkler – re meeting and elected Trustees.
56	20/7/2009	MLC letter – re appointment of Trustees – attached court order.
57	19/6/2009	Notice of meting to be held 30 June 2009
58	12/6/2009	MLC notice of application hearing, 30 June 2009
59	4/7/2009	Letter to Thomas Moke from Maureen Tinkler, request to sign IR8 tax return.
60	24/4/2009	MLC letter encl. minutes re replacing Trustee.
61	3/4/2009	Letter from Leanne Hamilton to Judge Milroy re management and access of various blocks. Requests meeting with Judge under section 67 Te Ture Whenua Maori Act 1993 to clarify and scope a project and direction.
62		Memo to Judge Milroy – request to vary Trust Order and confirm appointment of new Responsible Trustees.
63	27/2/2009	Notice of application of appointment of trustees to be held 20/3/2009, District Court, Te Kuiti
64	25/10/2008	Minutes of Ngati Te Wehi Hui-a-hapu, Treaty of Waitangi Claims update and CFRT funding
65	10/2/2009	MLC advice re Section 239/93 application set down for hearing 20/3/2009
66	21/1/2009	M Tinkler to Alyson Huatahi, Fred Rewa, Diane Bradshaw re application to MLC for trustee appointments.
67	4/7/2008	Letter M Tinkler to Thomas Moke. Request for signing of IR8 tax return
68	17/4/2008	Letter M Tinker to many re return of trustee consent forms.
69	18/3/2008	MLC to MT – insufficient info with application
70	17/3/208	MLC Application for variation of Trust
71	17/3/2008	Letter to Thomas Moke from Maureen Tinkler, lease enclosed for signing.
72	13/3/2008	Letter, M Tinkler to many re confirmation of election of trustees to be confirmed by MLC, associated information requested.
73	20/11/2007	Leter, M Tinkler to Thomas Moke – re lease, enclosing minutes, intention to put application to MLC for appointment of trustees.
74	29/9/2007	Minutes of meeting of owners held 29/9/2007
75	3/10/2007	Email exchange, Frank Hippolite, M Tinkler re Trustees
76	28/9/2007	Minutes of Trustee meeting of Raoraokauere A3 and A4.
77	29/9/2007	Register of attendance, meeting of owners 29/9/2007
78		Chairman's report, Tom Moke
79	11/9/2007	Letter, Maureen Tinkler to Thomas Moke. Re travel, education grants, catering.
80	27/6/2007	DOC letter re renewal of grazing permit over Aotea Heads Scientific Reserve.
81	29/9/2007	Meeting report to the owners.
82	6/9/2007	Emails – Diane Bradshaw / M Tinkler – re meeting details
83	3/7/2007	Letter, M Tinkler to Thomas Moke – request to sign IR8 tax return.
84	14/5/2007	Letter from M Tinkler to Laurie Bradshaw notifying of pending valuer inspection should he wish to be present.
85	13/10/2006	And earlier dates. Various correspondence re 'collectors certificate', artefacts.
86	24/7/2006	And earlier. Correspondence – Waitangi Tribunal.
87	23/6/2006	Letter M Tnikler to Thomas Moke – request to sign IR8
88	23/5/2006	Notice of trustee meeting to be held 25/6/2006
89	10/5/2006	MLC notice re reducing number of trustees – application completed. + earlier related correspondence.
90	30/9/2005	Letter to Laurie Bradshaw from John Hutcheson – attached financial statements.
91	26/9/2005	Letter M Tinkler to Thomas Moke - request to sign IR8
92	20/9/2005	Report to owners
93	17/8/2005	Letter from M Tinkler to Laurie Bradshaw and Thomas Moke. Notice of meeting to discuss strategy for whole area. 28/8/2005.

94	10/7/2005	Minutes of meeting of Trustees.
95	10/6/2005	Letters from Laurie Bradshaw/Tom Moke to MT – Agree to recommendations re new lease A4 and rent review for A3.
96	25/5/2005	Letters to Laurie Bradshaw/Tom Moke from MT –Recommendations re new lease A4 and rent review for A3.
97	19/5/2005	Letters from John Hutcheson to Thomas Moke/Laurie Bradshaw – re agency agreement now signed. Associated earlier correspondence.
98	18/11/2004	Letters from Tom Moke/Laurie Bradshaw approving education grants.
99	21/1/2005	Letter from Miki Apiti re declaration of assets, resignation as trustee, proposed meeting.
Volume 8		
100	1/4/2003-31-4-2004	Statement of account
101	27/3/2004	Minutes of meeting of trustees
102	25/2/2004	Notice of meeting 27 March 2004. Minutes to meeting 14/12/2003 attached.
103	14/12/2003	Minutes to meeting 14/12/2003
104	28/11/2003	Letter from Laurie Bradshaw to MT – re payment of invoice to Meto Hopa
105	28/11/2003	Letter FR Rewa to MT – copies of report attached.
106	27/11/2003	Notice of meeting to be held 14/12/2003 to explain the Pourahui placed at Oioroa Block on the Aotea Heads.
107	21/11/2003	Letter to Tumate Mahuta, Laurie Bradshaw, Thomas Moke, attached resignation from Miki Apiti. Also re Pourahui taken to storage.
108	17/11/2003	Letter of resignation from Miki Apiti.
109	17/11/2003	Letter from Meto Hapa to MT including copies of invoices and expenses related to the pou rahui.
110	2/11/2003	Minutes of meeting held 2 November 2003
111	5/11/2003	Letter from M Tinkler to Meto Hopa re outcome of delegation to discuss cancelling of the Pourahui.
112	5/11/2003	Letter to Tumate Mahuta, Laurie Bradshaw, Thomas Moke, Miki Apiti – summary of discussion and events leading to cancellation of Pourahui. Earlier related correspondence.
113	8/10/2003	Letter to Tumate Mahuta, Laurie Bradshaw, Thomas Moke, Miki Apiti re tax return.
114		Pourahui attendance schedule 2003
115	15/9/2003	Email from Fred Rewa to M Tinkler preparation of submission to MLC for roadway and rates.
116	7/9/2003	Minutes of meeting of trustees.
117	8/9/2003	Letter, Charles Haggie to MT. Re concerns of offices handling of matters relating to Trust and beneficiaries.
118	1/9/2003	Letter from Waitangi Tribunal enclosing documents recording the Wai 1071.
119	28/8/2003	Invitation sent to all owners with known addresses, to the 'raising of the pou rahui at Oioroa Block'.
120	22/8/2003	Letter from M Tinkler to F Rewa – re access to Raoraokauere Lands, intention to make application to MLC for roadway order.
121	26/8/2003	Emails, various re actions pou rahui – conflicts.
122	22/8/2003	Letter to Tumate Mahuta, Laurie Bradshaw, Thomas Moke, Miki Apiti. Noting trustee meeting to be convened to discuss ceremony to erect Pourahui. Meeting date 25/8/2002.
123	14/8/2003	Letter to Tumate Mahuta, Laurie Bradshaw, Thomas Moke, Miki Apiti – enclosing minutes to meetings 23/2 and 20/7/2003
124	20/7/2003	Minutes of meeting of trustees
125	23/2/2003	Minutes of meeting of trustees

126	23/2/2003	Department of Conservation – Memorandum of Understanding
127	5/2/2003	Notice of meeting to signing of MOU, 23/2/2003. Sent to many.
128	24/11/2002	Minutes of Meeting of Trustees
129	25/8/2002	Minutes of Meeting of Trustees
130	5/11/2002	Notice of trustee meeting to be held 24/11/2002
131	15/10/2002	Email between M Tinkler and Buddy Mikaere re Oioroa
132	4/8/2002	Minutes of trustee meeting.
133	23/8/2002	Emails between M Tinkler and George Teruki (DOC) re MOU
Volume 7		
134	16/8/2002	Letter to Tumate Mahuta, Laurie Bradshaw, Thomas Moke, Miki Apiti – Notice of meeting to be held 25/8/2002 at Turangawaewae marae.
135	9/7/2002	Letter to Tumate Mahuta, Laurie Bradshaw, Thomas Moke, Miki Apiti – Notice of meeting to be held 4/8/2002 at Turangawaewae marae.
136		Email from M Tinkler to M Apiti requesting placement of advertisement of proposed beneficiary roll
137	20/6/2002	Letter to Laurie Bradshaw from MT office – re payment of trustee expenses.
138	7/5/2002	Letter to Tumate Mahuta, Laurie Bradshaw, Thomas Moke, Miki Apiti – enclosing minutes for last meeting. Minutes.
139	19/3/2002	Letter to Tumate Mahuta, Laurie Bradshaw, Thomas Moke, Miki Apiti – enclosing minutes of last meeting and notification of next meeting 4/4/2002.
140	6/3/2002	Letter to Tumate Mahuta, Laurie Bradshaw, Thomas Moke, Miki Apiti – enclosing list of owners for this land and addresses where known. Notes, copy also sent to Diane Bradshaw.
141	12/2/2002	Letter to Tumate Mahuta, Laurie Bradshaw, Thomas Moke, Miki Apiti – enclose minutes to last meeting plus notice of meeting 24/2/2002.
142	20/12/2001	Letter to Tumate Mahuta, Laurie Bradshaw, Thomas Moke, Miki Apiti – notice of trustee meting to be held 13/1/2002, Turangawaewae marae.
143	10/12/2001	Letter from Waitangi Tribunal noting Wai 948 now registered.
144		Copy of DOC MOU
145		Memorandum for Judge Carter – Tauranga A2A, A2C, A2F & A2D.
146	31/10/2001	MLC notification of meeting to hear application, Tuaranga A2A, 16/11/2001
147	31/10/2001	Emails – Diane Bradshaw / M Tinkler. Re Report on access for AGM
148	31/10/2001	File note/doc 'Access to the Raoraokauere lands', authored by M Tinkler.
149	19/10/2001	Email from M Tinkler to D Bradshaw re access issues Raoraokauere lands .
150	15/10/2001	MLC notice enclosing minutes to Tauranga A2a re 4/10/2001
151	9/10/2001	Emails between M Tinkler, Robert Moors – re proposed meeting. Re Tauranga A2 Blocks.
152	17/10/2001	Meeting agenda for 10/11/2001 – Te Tuhi I Oioroa
153		Memo for Judge Carter – Tauranga A2A, A2C,A2F,A2A – author M Tinkler.
154	10/9/2001	Letter from Rob Moors to MT re application to terminate Trust for Tauranga A2, and noting the Trustees, and pending Court siting 4/10/2001.
155	30/8/2001	Letter to Tumate Mahuta, Laurie Bradshaw, Thomas Moke, Miki Apiti – notice of Hui-a-Iwi 10-11/11/2001 re joint management of Oioroa Scientific Reserve with DOC.
156	8/8/2001	Letter to Tumate Mahuta, Laurie Bradshaw, Thomas Moke, Miki Apiti from M Tinkler re Meto's findings into the acquisition by the crown of the Oiorao Block and associated works.
157	15/7/2001	Notice Tumate Mahuta, Laurie Bradshaw, Thomas Moke, Miki Apiti re meeting with DOC 31/7/2001.
158	26/6/2001	Letter to Tumate Mahuta, Laurie Bradshaw, Thomas Moke, Miki Apiti re postponement of meeting awaiting Minister of Conservation response.

159	22/6/2001	Email from M Tinkler to Glenn Webber (Sandra Lee's office?) re claim, invitation to Minister.
160	20/6/2013	Letter to T Mahuta, M Hopa, J Harawira – confirmation of meeting 25 June 2001, Kawhia Boat Club. Oioroa Block - removal of artifacts.
161	11/6/2001	Meto Hopa, Field Trip Report to Trustees
162	12/6/2001	Letter to HON Sandra Lee – seeking assistance in return of Oioroa Block as a Maori Reservation.
163	29/4/2001	Letter from D Cave and D Rewa-Bradshaw to MT, application for funding Oioroa Block .. for collation of details, environmental impact report etc. Request for $6000. Associated Trustee approvals.
164	29/4/2001	Trustee Resignation
165		Kaumatua Grants Tertiary Education Grants – file noted re Trustees decision.
166	1/5/2001	Letter to Tumate Mahuta, Laurie Bradshaw, Thomas Moke, Miki Apiti from M Tinkler
167	1/5/2001	Letter to Tumate Mahuta enclosing letter from Sandra Lee and requiring response.
168	11/4/2001	Memo from Mike re Claim
169	1/2/2001	Letter to Laurie Bradshaw, Thomas Moke, Miki Apiti, Tumate Mahuta – meeting of 4/2/2001 postponed due to Sir Roberts Tangi.
170	23/7/2000	Copy of minutes meeting held on this date, as recoded by Diane Cave.
171	25/6/2000	Copy of minutes to meeting held this date, as recorded by Diane Cave
172	10/5/2000	Letter from MT appears to all owners, indicating proposed Hui 31/12/2000 and seeking indication of likely attendance.
173	28/4/2000	Letter from Waitangi Tribunal enclosing documents now recorded on the Wai 827
174	28/5/2000	Minutes meeting of trustees
175	22/5/2000	Letter to Laurie Bradshaw, Thomas Moke, Miki Apiti, Tumate Mahuta – notice of meeting 28/5/2000
176	17/4/2000	Letter to Miki Apiti enclosing minutes.
177	12/4/2000	Notice from D Cave, D Bradshaw, G Neilson no longer able to arrange proposed 2000 Hui.. Second letter noting costs.
Volume 6		
178	19/3/2000	Meeting of trustees – minutes
179 (3)	28/3/2000	Notice of meeting to be held 16/4/2000 to discuss Millennium hui 15/3/2000 – letter rescheduling above to 26/3/2000
180	28/3/2000	Letter, M Tinkler to D Bradshaw – receipts and costs for meeting 192/2000
181	7/2/2000	Invitation to meeting 19/2/2000 sent to all owners.
182	21/1/2000	Letter from M Tinkler on behalf of L Bradshaw to Te Amohia McQueen stating the Trustees are not required to convene an AGM of the owners under the Trust terms.
183	19/12/1999	Minutes
184	21/11/99	Letter from Te Amohia McQueen
185	14/12/1999	Letter from Waitangi Tribunal re claim and location
186	10/1999	Statement of Claim – Treaty of Waitangi
187	6/12/1999	Letter to Laurie Bradshaw, Thomas Moke, Miki Apiti, Tumate Mahuta – notice of meeting 19/12/1999
188	16/11/1999	Letter from J Hutcheson to Te Amoihia McQueen, attaching copies of minutes, accoutns as requested. Noting MT is only Agent.
189	8/10/1999	Letter to Laurie Bradshaw, Thomas Moke, Miki Apiti, Tumate Mahuta – notice of meeting 17/10/1999
190	4/10/1999	Letter D Cave to MT re Education Grants.
191	11/3/1999	Letter from Minister of Maori Development acknowledging receipt of letter re Manuaitu

		Block.
192	4/8/1999	Letter to Laurie Bradshaw, Thomas Moke, Miki Apiti, Tumate Mahuta – notice of meeting 15/8/1999
193	28/5/1999	Letters to various – Education Grants granted.
194	26/4/1999	Letter to Laurie Bradshaw, Thomas Moke, Miki Apiti, Tumate Mahuta – notice of meeting 30/5/1999 Prior letter noting meeting date of 1/5/1999
195	20/2/1999	Minutes to meeting of Trustees
196	14/12/1998	Letter from Gloria Hughes, Motakotako Marae to MT thanking Raoraokauere A3 for grant of $10,000.
197	17/3/1999	Letter to Karon Kommendal from MT including minutes and explaining block matters. Replies to letter of 20/11/1998
198	10/11/1998	Dept of Courts – explanation of Wesleyan Grant – Roadway
199	16/2/1999	Letter to Laurie Bradshaw, Thomas Moke, Miki Apiti, Tumate Mahuta re expenses.
200	1/3/1999	Letter to Jocob H Wete – enclosing minutes to meeting 7/11/1998 and other.
201	5/2/1999	Letter to Wayne Jones enclosing minutes to meeting as requested Letter to Karen komedal as above.
202	3/2/199	Letters to many inviting to meeting 20/2/1999
203	10/12/1998	Letter to Allen Thompson attaching meeting minutes. His letter earlier on file.
204	8/12/1998	Contract with Mr Hopa for research.
205	1/12/1998	Letter to Laurie Bradshaw, Thomas Moke, Miki Apiti, Tumate Mahuta – minutes attached and consequent actions.
		End Volume 6
Volume 5		
206	18/11/1998	D Cave to MT – expenditure records attached.
207	13/11/1998	D Cave to MT – encl. financial reports AGM minutes from 7/8 Nov 1998
208	11/11/1998	MT to Diane Bradshaw – letter + owners list and minutes.
209		Chairmans Report
210	16/10/1998	Notice of 3 day hui to discuss various land issues.
211	14/8/1998	Request by owner for land lease info, and noted action.
212	4/10/1998	Minutes of meeting of trustees
213	18/9/1998	File note re owner attendance at office, Amohia, and request for information.
214	22/9/1998	Letter to Robert Wayne Jones – re lease and his succession to land Similar response letter to Pauline Bellamy of 17/9/1998 – her letter of 14/9/1998
215	9/9/1998	Letter to Laurie Bradshaw, Thomas Moke, Miki Apiti, Tumate Mahuta - re meting 4/10/1998
216	7/6/1998	Minutes, block owners meeting
217	4/5/1998	Notice of meetin 7/6/1998
218	29/4/1998	Letter to Boss Mahara from Maureen Tinkler re Hui-a-Iwi
219	27/4/1998	Letter to Taff Rangiawha re contribution to Motakotako Marae from M Tinkler
220	27/4/1998	Letter to Laurie Bradshaw, Thomas Moke, Miki Apiti, Tumate Mahuta re Kaumatua identified for grants, from MT
221	4/4/1998	Minutes of trustee meeting
222	6/4/1998	Letter to Laurie Bradshaw, Thomas Moke, Miki Apiti, Tumate Mahuta - meeting outcomes
223	6/4/1998	Letter from L Bradshaw to Te Amohia McQueen – acknowledging tabling of her letter.
224	7/3/1998	Minutes of meeting of trustees.
		End of Volume 5

Exhibit 'B

DEPARTMENT OF LANDS AND SURVEY
"a century of service to the land 1876-1976"

VJW

6/1/1394
OUR REFERENCE HO DO 13/31
YOUR REFERENCE

FOR VERBAL ENQUIRIES PLEASE ASK F

HEAD OFFICE
CHARLES FERGUSSON BUILDING
BOWEN STREET
TELEGRAPHIC ADDRESS "HEADLANDS"
TELEPHONE 735 022

POSTAL ADDRESS
PRIVATE BAG
WELLINGTON 1
NEW ZEALAND

10 NOV 1977

The Minister of Lands

RESERVATION OF LAND

PROPOSAL
To reserve an area of land for scientific purposes to be known as the Aotea Heads Scientific Reserve.

LAND AND AREA
Oioroa Block, Blocks I and II Kawhia North Survey District.
Area: 535 ha approximately.

LOCATION
Situated on the northern side of Aotea Harbour mouth approximately 20 km south of Raglan and 50 km south west of Hamilton.

STATUS
Crown land by Head Office Deed No 415.

DESCRIPTION
A stark, windswept peninsula of constantly moving sand dunes, covered sparsely with a mixture of exotic and indigenous coastal vegetation. Along the exposed western shore, in the north-west especially, and also along the harbour shore are larger areas of more or less stable vegetation with the majority of the species being introduced ones. Some pasture grasses are encroaching on the stablized sand areas while pohutukawa trees are thriving on part of the fore dunes. For the most part however the area is a vast windswept and fascinating desert through the black sand dunes of which the midden deposits of early Maori and premaori cultures show as white shell outcrops.

EXPLANATION OF TRANSACTION
This area is the last Crown land block of sand dunes, in an almost completely unmodified state, on this part of the west coast. Reserve status would ensure that it remained this way without threat of pine afforestation or mining of the valuable iron sands which has destroyed or modified many similar west coast areas in the past.

By reserving this area for scientific purposes there is an opportunity to observe the movement and deposition of these high density sands and also the stablizing influence of native and introduced plants on them.

The historic significance of the area also warrants a high degree of preservation and it is felt that a Scientific Reserves status would adequately protect these values as well.

Geological Values
Dr A S Edmonds and Dr C S Nelson (University of Waikato) both took part in the Land Use Committee inspection. The following was taken from the report which they prepared independently :

"Geologically the proposed reserve area on the north side of the

LAND USE COMMITTEE REPORT
The Land Use Committee inspected the area on 20 December 1976. They felt that it was important to get scientific reserve designation on this area as soon as possible to prevent livestock and vehicular movement across the dunes.

The committee was in unanimous agreement that the area should become scientific and historic reserve to allow continuing studies to be made on the various aspects of special interest contained in the area and for the reserve to be administered by the Commissioner of Crown Lands.

DIRECTOR-GENERAL OF LANDS' COMMENTS
You have also received representations (attached) from Mrs D Moore, Assistant Secretary, Raoraokauere Development Scheme, suggesting that the Block be disposed of to a Maori Incorporation that is being formed, so that it may afforest the area and thus prevent sand encroachment on to adjoining land. I do not agree that this area should be planted or developed because it is rich in archaeological and historic features and happens to be one of the last remaining unmodified areas of its type in New Zealand containing artifacts dating back to the oldest period of human occupation in New Zealand.

The New Zealand Historic Places Trust is in agreement with the proposal to reserve the area.

SURVEY
Required. Cost to be borne by Crown.

REIMBURSEMENT OF WORKS AND TRADING ACCOUNT
Book value: Nil. No reimbursement of the Works and Trading Account necessary.

P R ACTION
Of national interest. On completion of reservation an item for press release will be forwarded to you.

PLANS
Attached.

RECOMMENDATION
That you approve the reservation of the above land for scientific purposes to be named the Aotea Heads Scientific Reserve.

On completion of survey, Gazette notices will be forwarded for your signature. Also attached is a draft reply to Mrs Moore, for your signature please, if you concur.

AUTHORITY
Section 167 of the Land Act 1948.

Director-General

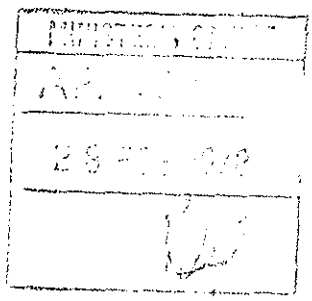
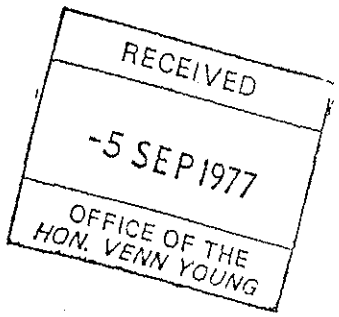


Exhibit 'C'



4 Ramsay Rd
Frankton
28th Aug., 1977

HON VENN YOUNG M.P.

Minister of Lands

Parliament Buildings

Dear Sir,

Scheduled Blocks.

Te Pahi A1	220 a	RaoraokauereA3	242a
Te Pahi A2	118a	Raoraokauere A4	109a
Te Pahi A3	377a	Raoraokauere A5a	60a
Manuaitu B1	105 a	Raoraokauere A5b	151a
Manuaitu A1	55a	Raoraokauere B	20a
Tauranga BA1	157a	Rauiri A	25a
RaoRaokauere A2	97a	Rauiri B	161

RAORAOKAUERE MARAE TE IWI.

On the 11th of June 1977 a meeting of the assembled owners of the above blocks was held at Waahi Marae Huntly and a decision was made to form an Incorporation to amalgamate these blocks of land.

A steering committee was duly elected with the appointment of Mr Koro Wetere as Chairman. A meeting was held at the Maori Affairs Dept, Hamilton 10th August 1977 at 10am to discuss and plan the development of these lands.

Under the direction of the Committee I have written to the N.Z. Forest Service, Agriculture and Fisheries Dept, N.Z. Fruit Growing Federation, and the Ruakura Research Station for their experties to view the prospects of the area for the utilisation of all its resources, including seafood farming.

I have also been instructed to write to you concerning the 1200 acres of Crown Land adjoining these lands known as the Orioi Block. Some concern was expressed by the farmers in the area and the owners at the encroachment of the sand onto their farmlands, and if the idle Crown Lands were to be included in the RaoRaokauere Development Scheme it would mean a total of over 3000 acres would, be available for immediate use. The Scheme for the Crown Lands would be Aforestation to arrest the sand which at the moment poses a threat to bordering lands. We ask whether your Office would include the Crown Lands for Development .

10

Idle Maori Land has always been considered waste of resources and our Committee can see the future wealth of the project as a source of employment for our people and a way back to the Papakainga of the Marae for the re education of our young people in the spiritual values pertaining to their land and not forgetting that we also live in the age of economics.

RaoRaokauere Marae has been land locked by European farmers for many years, and the farmers too, have been using the lands without legal leases or compensation. As a Committee we believe this is a challenge to the Maori owners, and there are obstacles to be surmounted and we hope that, in your wisdom the idle Crown Lands can be included in the RaoRaokauere Development Scheme and must eventually contribute to the wealth of the country.

we await your reply

I am

Sincerely

(Mrs) .....Assistant Sec.

RAORAOKAUERE DEVELOPMENT SCHEME

L.&S.—F. 13A

31

Exhibit 'D'

Department of Lands & Survey

TELEGRAPHIC ADDRESS: "HEADLANDS" TELEPHONE 735022

HEAD OFFICE,
PRIVATE BAG,
CHARLES FERGUSSON BUILDING,
WELLINGTON 1.

OUR REFERENCE: 6/1/1394
YOUR REFERENCE:
FOR VERBAL INQUIRIES
PLEASE ASK FOR:

20 February 1978

Minister of Lands

Late last year I forwarded for your approval, a proposal to reserve approximately 535 ha of the Cioroa Crown Block for scientific purposes to be known as the Aotea Heads Scientific Reserve. (Submission attached).

With this submission was a reply to Mrs D Moore, Assistant Secretary, Raoraokauere Development Scheme, 4 Ramsay Road Hamilton, who had earlier made representations to you asking that the Block be disposed of to a Maori Incorporation that was being formed. (Copy attached).

Before agreeing to the reservation, you asked to be assured that the department could not partially meet her request.

I have subsequently obtained the Commissioner of Crown Lands, Hamilton, views and he i strongly against the alienation of any of the Cioroa Block to the Raoraokauere Development Scheme, for to contemplate such a move would be to sericusly threaten the possibility of establishing the scientific reserve. I endorse his views.

Furthermore the geological and historic features of the north Aotea Heads are not confined entirely to the Cioroa Block, but do extend beyond to include Maori land to the northeast. This land includes forest, swamp land, mudflats and an off-shore islet. If the entire geological feature of the Aotea Heads is to be preserved then this area also should, in the course of time, be acquired to complete the preservation of ocean beach, active dune, coastal forest and mudflat, an entire ecological cross section that for wilderness, scenic, historic and geological reasons should be reserved and added to. To reduce the area proposed for reserve would be to threaten the entire concept of preserving in a natural form, a little modified area of duneland, perhaps the last such area available on the west coast of the central North Island. Rather than releasing part of the Cioroa Block to the Incorporation we should be considering the acquisition of the adjacent Maori land itself to enlarge the reserve and to complete the protection of a very unusual and unique area.

If you concur, a reply to Mrs Moore on these lines, is attached for your signature, please.

Director-General

12

URGENT

Exhibit 'E'

MARTIN, Greg [RCO,HAM]

To: ANDERSON, Barney [MAORI,HAM]
Cc: RITCHIE, Neville [TEC,HAM]
Subject: Exposed Bodies Aotea : Ministerial Question.

Barney,

I had a call from Brian Sheppard of the Minister's Office today to say that Tuku Morgan had received an enquiry from one of his constituants about the Department exploding bombs on an urupa site at Raoraokauira Beach. The question was did DoC Officers consult with the Community. The message was that someone had spoken to Barney Anderson about the matter. The Minister asked that the matter be followed up and he has requested a report etc.

I tried to contact you by cell phone and also got in touch with Waikato Area Manager, Tony Roxburgh. I could find no knowledge with in our system about this suggested action.

I had informed Brian Shaeppard that we had been dealing with some exposed skeletons at the Aotea Heads scientific reserve and that Barney Anderson had been working that issue through with some of the local people. I told Brian that I would investigate and see what I could find out.

With no result, I phoned back the Minister's Office and said that DoC Waikato had no knowledge of exploding bombs in this location and that I had been unable to contact you at that point. Brian too had done some further work on the subject and it seems that there was some mis communication somewhere along the line. He had contacted Defence Department and other sources and had come to the conclusion that it was "exposed bodies" rather than "exploding bombs" that were being referred to. An interim reply has gone forward, to hold this issue, however we will need to report to the Minister's Office directly.

Can you please respond appropriately. You may need to think about a direct briefing session with Tuku Morgan. You will reall I mentioned to you earlier this week that Neville had received a line of enquiry on this and I suspected the issue would emerge in a bigger way. We will need to handle this carefully, especially if our management integrity is being questioned.

For your urgent attention please.

Greg Martin
Waikato Conservator

G Martin

Responded to Ministerial. Spoke to Tuku at Waahi Marae and brought him up to date with issue. Have asked Bossie Mahara, instigator of enquiry, to convene a hui at Okapu Marae to clarify this matter and to address any concerns or misunderstandings.

Barney.

13

Exhibit 'F'

of 8

13/311

AB

r DB prentice

82 489

13 May 1986

Mrs E Rickard
Te Kopua Rd
RAGLAN

Tena Koe Mrs Rickard

When you called at my office on Monday 12th May about the Oioroa Block I said I would try to find out some details of the Crown acquisition for you.

Well I have searched our records and found that:

1. This block is part of the Aotea Block that the Crown purchased 6th June 1854.

2. The people who sold the land to the Crown and signed the Deed were:

   Ko Te Aho
   Te Kewene
   Wakana
   Taukawe
   and Heteraka

3. The sale was witnessed by two Wesleyan Missionaries, Gideon Smales and John Whitely and two other people, namely Wiremu Kumete and John Hobbs.

4. Because this land was purchased by the Crown in 1854, eight years before the 1862 Maori Lands Act which authorised the setting up of Maori Land Courts, the Waikato Maniapoto Court will have no records for the land.

While we were talking you referred to Army exercises that were or had taken place in the Reserve. I have checked our records in respect of this and no authority has been or would be given for such activities. If you have knowledge of any current use of this kind, I would very much appreciate advice of it and details and dates.

Kia Ora.

DB Prentice
for Chief Surveyor

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Exhibit 'G'

Department of Conservation
Waikato Conservancy
HAMILTON

Our Ref: Oioroa- Aotea Scientific Reserve

27 June 2001

TO: Greg Martin

FROM: Joe Harawira

SUBJECT: **Removal of Artefacts from Oioroa- Aotea Scientific Reserve**

The following is an account of a hui held in Kawhia on 25 June 2001, to which the Department of Conservation were invited to attend. From all accounts, the hui was jointly called by the NZ Police and the Maori Trust Office at the request of Davis Apiti. A total of 24 were in attendance at this community hui, including the Maori Queens uncle, Tumate Mahuta.

I was contacted on 15 June by Meto Hopa to say that a hui was planned for the following week re: the above kaupapa. He wanted to know if I was aware of it. I told him that I wasn't. He asked if I would attend the hui with him given that the Oioroa –Aotea Scientific Reserve was to be discussed as part of the hui. I arranged to pick him up from Pirongia on my way through.

I received a call on the 16th June from the Maori Trust Office and one Maureen Tinkler informed me of the hui and that they would like the Department of Conservation to be present. She explained that the removal of artefacts from the reserve was to be discussed. I informed her that I would attend. About a half hour later, Davis Apiti rings up to ask if I knew about the hui and that he would like DOC to be present. He said that he has for a long time, been concerned about the removal of artefacts from the reserve and that DOC needed to front up to the hui. He spoke about there not being any signage on the reserve to warn and inform people who are visiting the reserve not to remove anything from the reserve. I explained to him that the WAO had already begun costing and preparing for signage to be put up on the reserve. I was already aware that he had been in contact with Rachel the previous week and knew this anyway. I informed Davis that I would be there. I immediately spoke to yourself about the hui and consequently it was decided that both Neville and Owen be informed. I spoke to both and Owen said that he would like to attend. I also left a message for Tony to contact me when he returned from the AMs hui in the Hawkes Bay. Tony in the end was not available.

The hui was held at the Kawhia Boat Club and was opened with a mihi by Constable Steve Rickard who then opened the floor for mihimihi. The hui took a while to warm up but eventually people stood to have their say. Bevan Taylor eventually spoke and said that he had in his possession artefacts that he had found over the past 15 years, not all from the scientific reserve. According to Bevan, most of them had been found on the opposite side of the harbour to the reserve. He spoke about not purposely going out to dig for artefacts, but that he had found them exposed on his walks around the harbour. Some of the hui were of the view that the artefacts should have been left where they were but these were counteracted by others who said that the next person to happen upon them would take them. Bevan felt that all of the artefacts in his possession were safe, and in a sense he has appointed himself as a kaitiaki of these artefacts. He has made no secret of the fact that he has them in his possession and in his korero mentioned that he was quite willing to give the taonga over when he felt that some sort of management plan was put in place for them. He said that he would give them back when he felt that the time was right. He was insulted by the way Davis approached him and asked for them to be returned.

Meto Hopa spoke of the artefacts from the Maori perspective, in that if the right protocols were not carried out, things would happen. In a sense, the stance that Meto was taking was that the taonga should not have been removed.

Davis spoke about his concern re: taonga being removed from the reserve. Bevan asked why it was that Davis had involved the police in calling a hui and just what his motive was. Davis spoke about the taonga belonging to the people of the Aotea Harbour(the inference being that the Taylors-Ngati Tama, were not from the area and basically had no right to the artefacts). Davis asked what DOC was doing to stop people from going on to the reserve. I said that he was well aware of DOC preparing signs to put up on the reserve, but that signs would not stop anyone from going on to the reserve.

Meto brought the hui back to the kaupapa, by saying that the artefacts actually belonged to the crown because of the designation as a scientific reserve under the management of DOC and that it was up to DOC and the Police to decide what should be done with these taonga. The hui broke for 15 minutes to allow myself and the two Police officers to confer as to the options. We eventually decided that the artefacts should be handed over to DOC and that because we had heard in the discussions that Bevan didn't want them to leave Kawhia, that they be stored in the local Police station. Bevan Taylor was unhappy with the storing of them in the police station so I offered the Museum as a safe place. He was happier with the Museum rather than the Police station but still had reservations about the Museum. I eventually asked the hui to be able to talk to the Taylor brothers alone and the hui agreed. Lunch was to be taken at that point.

I met with the Taylor brothers to work through the options and finally came up with discussing the option of issuing a permit /authority to hold until such time as the issues of whom these taonga should be returned to, how, and when were resolved. The Taylor brothers seemed to prefer this option. We went back to have lunch and after lunch, I announced what had been decided . No questions came from the floor and I assumed that everyone was happy with the outcome. The hui finished with a karakia by Tawhe Rangiawha. Hui concluded at 2.15 pm.

Actions.
Draw up Authority/Permit to hold.

Decide on length of time for authority to hold.
Itemise artefacts for permit
Signoff from Conservator

Signoff by Bevan Taylor
Copy for Conservancy
Copy for Bevan Taylor

Other Issues raised:
Oioroa Artefacts being held by others of the community. Will they be returned at some stage?
Signage for the reserve.
Hui with Minister- 12 July? What is our involvement from Ministers side.

1004 160

7/987

20 June 2001

Tumate Mahuta, Te Ohaki Road, **HUNTLY**
Meto Hopa, P. O. Box 2740, **TAUPO**
Joe Harawira, Department of Conservation, Private Bag 3072, **HAMILTON**

Tena Koe

OIOROA BLOCK

Further to our telephone discussions earlier this week, I confirm that a meeting has been arranged to discuss the removal of artefacts from this land, and is scheduled as follows:

Time	***10.30 a.m.***
Date	***Monday, 25 June 2001***
Venue	***Kawhia Boat Club*** ***KAWHIA***

Paul Francis and Steve Rickards of the Kawhia Police will lead discussions to resolve ongoing issues regarding the preservation of the ancient Maori artefacts and the protection and integrity of Koiwi present on this land. I understand that members of the Kawhia community will also be in attendance, including Davis Apiti who has previously voiced his concerns about the increasing number of visitors to this land. Your suggestions and recommendations in implementing strategies to help safeguard this land will be sought and it is anticipated that constructive discussions will achieve this.

It is intended for this meeting to be relatively discreet however, you are welcome to invite others who also have an interest in this matter.

I look forward to meeting with you.

Kia Ora

Sandra Lee 04-4706555

Maureen Tinkler
Land Administration Officer
for **MAORI TRUSTEE**

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781

Waikato Museum of Art and History

Hamilton City Council
Te kaunihera o Kirikiriroa

Private Bag 3010
Hamilton
New Zealand

Phone 07 838 6699
www.hcc.govt.nz

1 February, 2001

Maureen Tinkler
Land Administration Officer
Office of the Maori Trustee
Private Bag 3020
Hamilton

Tena koe

Artifacts from Oioroa Block, Aotea

The Museum does hold artefacts from the Oioroa Block. These come from several different sources and from several different sites. Some of the sites are identifiable as ones recorded under the New Zealand Archaeological Association's site recording scheme, but other locations were described as being simply Aotea, Aotea sandhills, or Aotea Harbour. It is likely, but not certain, that some of these sites are within the Oioroa Block.

Those locations that were recorded were done so under the previous imperial map system. Owen Wilkes, the local NZAA Site Filekeeper based at the Department of Conservation, has informed our History Curator Lyn Williams of some of the new site numbers under the metric system. Sites represented by taonga in the Museum which are within or partially within the Oioroa Block are: Koreromaiwaho pa (R15/1), R15/17, R15/18, as well as other unspecified sites in the dunes. We do not know if the latter are covered by those site numbers. – It may be possible to figure this out by comparison of notes and maps, but this will take some time and I understand that you have an urgent need for this information.

The material came in during the 1970s and 1980s as a result of the archaeological surveys undertaken by the University of Auckland, the Land Use Commission, some from the archaeologist on our own staff at that time and the remainder of the material from individual donors.

The material includes sinkers, files, stone flakes, drill bits, adzes, minnow lure, sandstone fragment, and dog bones. Refer to the attached inventory.

By one of those coincidences that frequently occur, last week we received a donation of further material from the Oioroa block, from two or more places in the sand dunes. The material has not yet been listed but includes moa bone, sea mammal bone, flakes in a variety of stone types, and a beautiful argillite adze. The adze is an early style ("archaic") hafted quadrangular shape, highly polished on three sides. I regret that a full inventory is not possible, given the time-frame and the fact that we in the process of appointing a new Ethnology Curator.

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I trust this has been of some assistance, for further information please contact Pauline Farquhar, Registrar of Collections 07 838 6712 or Lyn Williams, Curator of History 07 838 6572.

Yours, with regards,

Dr Ray Thorburn
Director

Waikato Museum of Art & History
1 Grantham Street, Hamilton
Phone 07 838 6709 / Mobile 025 536 557
Fax 07 838 6571
Email ray.thorburn@hcc.govt.nz

Copy to:

Oioroa Block, Aotea

Accession No	Name/Title
1976/[illegible]	sinker (mahe)
1983/95/2	Minnow
1983/95/3	End of file
1983/95/4	File Fragment
1983/95/5	File
1983/95/6	Flake (Black Argillite)
1983/95/7	Drill~bit, Siliceous Sintor
1983/95/8	Adze (fragment)
1983/95/9	Flakes (Siliceous Sinter)
1983/95/10	Sandstone
1983/95/1	fishing sinker, stone
1970/410/1	adze
1971/32/1	File
1971/32/2	flakes
1971/32/3	flakes
1971/32/4	flake
1971/32/5	flake
1971/32/6	flake
1971/32/7	flake
1971/32/8	teeth, dog
1971/32/9	Dog bone - jaw
1971/32/10	Dog bones

MINUTE SHEET

Department: .....

Subject: AOTEA HEADS - KOIWI. Section: ..... abs ref File No. MAO 3202

Date: 2-2-98

To—

Note for file.

Grant ph. 07 8710750

Tawhi ph. 8256759

Received a phone call from Grant Taylor, Kawhia, to inform me that he had come across 2 Koiwi at the Aotea Heads beside a midden. The 2 remains were intact and lying exposed on top of the sand.

Mr Taylor was fishing with friends at the Head and later walked over the dunes. He estimates that the distance from the beach to the Koiwi is approx-inately 30-45 minutes walking time. Mr Taylor left the Koiwi undisturbed.

I phoned my uncle at Kawhia, Allan Rubay, to seek his advice. Our grandfather is from Aotea. He advised me to contact the Kaumatua at Motakotakoto seek direction as to the interment of the Koiwi.

5-2-98

Phoned Tawhi Rangiawha from Motakotako and informed him of the Koiwi at Aotea. Tawhi will contact the Kaumatua at OKapu Marae, Aotea and Henry Gray (minister), and will advise me of a suitable date to visit the site and bury the Koiwi. I informed Tawhi that the DOC boats can carry 6 persons of these 6 there will be Tony, Neville, Self, and Grant leaving room for 2 Kaumatua. Tawhi will arrange with the ones at OKapu for another boat.

Meto Hopa: Reasearcher

169 Spindley Road
Te Awamutu

Telephone (07) 870 3232

22nd February 1999

The Honourable Tau Henare
Minister of Maori Affairs
Parliament Buildings
WELLINGTON

E Te Minita Tena Koe

"Ko Karioi te Maunga, Ko Aotea te Waka, Ko Manuaitu te whenua, Ko Te Ari Ari te tangata"

Reference: Oioroa Block (DOC Estate), Manuaitu Block

On the 7th day of November 1998 I was instructed by the Raoraokauere A3 Ahu Whenua Trust to commence research on the Oioroa and Manuaitu blocks, Aotea Harbour, Raglan. My findings were reported to the Trust, on the 20th February 1999, at Turangawaewae Marae, Ngaruawahia.

I present to you my report to date regarding these blocks, the history of Manuaitu and draw your attention to certain issues that have arisen since the undertaking of this research.

These issues require an independent and specific resolution. I submit that central government has a pivotal role to play in the resolution process of lands and invoke your support and comments on the following;

The bill of sale of Oioroa Block

- See Gazette Notice 28th June 1984

- Oioroa, Deed 415, the Bill of Sale to the Crown, DOC Estate

Reference is given in **Manuaitu Block, Minute Book No 2, 1887**, which relates to evidence given;

"Part of the100 pounds from the sale of Oioroa block was presented to the Chiefs of **Ngati Tahinga, Ngati Tainui and Ngati Whakamarurangi.** The offer of money was refused based on the lack of mandate from the chiefs for the sale of this land"

I refer to evidence from the Minute Book as a **parai-weta-hoko**, not a true bill of sale. (Sale and ownership issues are in question)

Moves must be considered to return the ownership of Oioroa block currently administered by the Department of Conservation back to Maori.

It is confirmed that this request shall restrict its considerations to Oioroa block, DOC Estate, some of the Manuaitu lands are in Maori ownership, some are private land.

Following a recent visit to Oioroa and Manuaitu blocks along with Kaumatua and Department of Conservation staff, I expressed my concerns to DOC staff regarding their conduct in removal of koiwi and taonga from the Waahi Tapu sites. Acknowledgment of the Wairua in accordance with the principles of manakitanga and aroha must be maintained.

Environmental Waikato and Department of Conservation Manager Toni Roxburgh is open to suggestions in altering the current zoning and Maori Reserve has been muted. The protection of the Oioroa is paramount. Preservation of the iron sands be maintained erradicating any future approach to mining the sands in the future.

A request that (Sections of Te Ture Whenua Act), assist in providing provision and support for the removal of the current Scientific Reserve zoning, to Maori Reservation by reason of its Waahi Tapu, its historical significance, spiritual and emotional association with Maori.

Te Papa-Tonga Rewa currently houses 40,000 taonga, no one has identified these to date. I have contacted Pare Hopa, Maori Anthropology Department, Auckland University to assist in locating taonga removed from these areas concerned.

- **Manuaitu historical sites of significance**

Manuaitu is home to the Kingitanga Movement, establishment of the Pai Marire , Pa sites, over 103 waahi tapu, Te Papa o Whatihua, Te Puna o Korotangi, the burial place of the Aotea Waka

I make a further reference to Kupe and this sons whom occupied Motutere Island for some time.

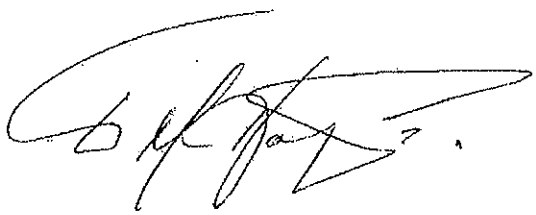
Please note that the northern tribes of Nga Puhi and Ngati Whatua are connected by inter-marriage to the Te Ari Ari and Kawharu tribes from Aotea

Manuaitu history dates back to being one of the earliest human settlements in this country and for these reasons my approach has been to recommend a directive that is fair and represents that Maori has a central role in looking after their land, especially where whakapapa is involved.

I await your comments Minister at your earliest convenience.

"Me aroha koe ki tenei take I roto to matou tikanga"

Naku noa, na



Meto Hopa
Researcher

Exhibit 'I'

1607

Maureen Tinkler

To: Glenn Webber
Subject: Oioroa Block

I talked to you about a ministerial sent to Minister Sandra Lee by the trustees of Raoraokauere A3 in April.

The landowners of Raoraokauere A3 have lodged a claim with the Waitangi Tribunal for the Oioroa Block to be vested as a Maori Reservation. It is currently a Scientific Reserve and adminstered by DOC. This block is basicially iron sand dunes and there are large deposits of middens evidencing the ancient occupation by Ngati Tama. The shifting sands periodically uncover valuable artefacts and koiwi and because the block is so accessible from the Aotea and Kawhia Harbours there has been many instances of pilfering and desecration of human remains.

The trustees of Raoraokauere A3 have extended an invitation to the Minister to hear a presentation of their claim for the return of this land and hopefully for her to fast track this.

I am to attend a meeting with the Kawhia Police on Monday to discuss a recent incidence of theft from this land. Tumate Mahuta who is one of the trustees of Raoraokauere A3 is also attending as are DOC staff. As there will undoubtedly be questions as to whether a reply has been received from Sandra Lee I would appreciate it if you could Email the current position. I understand that it may be possible for Sandra Lee to attend a meeting on Sunday 12 August 2001. Can you confirm whether this date is available.

Maureen Tinkler

The views expressed in this email and any accompanying attachments do not necessarily reflect those of the Maori Trust Office. The Maori Trust Office does not accept any responsibility whatsoever for any loss or damage that may result from reliance on or the use of the information contained in this email or any accompanying attachments.

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NB I have telephoned Sandra Lee's office on 4 occasions trying to progress this matter. Therefore doesn't seem to be any other way to get a reply

25/6/2001.

26

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12 June 2001

HON. SANDRA LEE
Minister of Conservation,
WELLINGTON

Tena Koe

OIOROA BLOCK, AOTEA HEADS SCIENTIFIC RESERVE.

The trustees of Raoraokauere A3 wrote to you on 1 April 2001 seeking your assistance in their endeavours to return this land as a Maori Reservation. The trustees invited you to attend their meeting on Sunday 1 July 2001 at Turangawaewae Marae and would like to present their research into the history of this land and discuss this issue with you.

As the trustees have not yet received an answer to their invitation, I am writing on their behalf to progress this matter. If this date is not suitable for you to attend I am sure that the trustees could arrange for an alternative date.

Kia Ora

Maureen Tinkler
Land Administration Officer
for MAORI TRUSTEE

Raoraokauere A3 Charitable Trust

P.O.Box 1274 ~ Opepe South Block ~ State Highway 5, Napier / Taupo ~ TAUPO
Phone 07-3781150 ~ Fax 07 3781150

Exhibit 'J'

12th October 1998

Environment Waikato
P.O.Box 4010
HAMILTON

FOR THE ATTENTION OF :- Jim Dalm

Dear Jim

re :- Aotea Heads DOC Reserve Meeting 9.10.98

I write to thank you for your involvement in the setting up of our meeting with yourself, Tony Roxborough, DOC Hamilton and trustee's of interested parties.

I believe all present were most pleased with the discussions that ensued and the obvious desire of everyone to build a amicable working relationship, to work together to protect the asset that the Aotea Heads DOC Reserve is.

Thank you for your hospitality on this day and copies of the minutes taken will be forwarded as soon as possible.

Yours faithfully

Diane Cave
SECRETARY

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GRAYSON NEAL LTD
Land Information Services

LINZ Accredited Agent
P.O. Box 12350
HAMILTON

Phone (07) 858 3539
Fax (07) 858 3150
or phone (07) 853 6630
email jneal@hn.pl.net

6 August 1999

RECEIVED
- 9 AUG 1999
Department of Conservation
Waikato Conservancy

The District Conservator
Dept of Conservation
Private Bag 3072
Hamilton

Attention: George Teruki

Aotea Harbour-Oioroa Block

As you are aware the Department of Conservation has had discussions with Trustees owners of the adjoining Maori Blocks Being the Raoraokauere Blocks. These Trustees/owners who are descendants of the original owners of Oioroa Block are keen to have Oioroa Block returned to Maori ownership.

Two issues are present.

* The Tangata Whenua of the land at Aotea North are keen to have the land vested in Maori on the proviso that the land be protected to safeguard the historical significance of the land. The present protection would be extended from the current scientific reserve to include protection of the burial sites as well as cultural and historical interests.

  They are seeking a sec 338 vesting order through the Maori Land Court. The ownership of the land could be vested in an ancestor to protect the land from future alienation. The protection added to the reserve would need to finalised but would extend the protection which is currently in existence.

  Trustees could be appointed to manage the reserve in terms of agreed principles between DOC and Trustees.

* The other option is to seek redress form the Waitangi Tribunal. This is the less preferred option due to the unnecessary expense and time delay.

I understand that discussions with Tony Roxborgh on the former suggestion were meet with positive but tentative acceptance. I seek comments as to your Departments policy on these suggestions. I do not wish to pre-empt and decisions which my clients may take but wish to create a formal path for the consultation to proceed forward.

A meeting of the Raoraokauere Trust is scheduled for Sunday 15th August 1999. The meeting would like a reply to your Departments position on this proposal which will be presented by me at the meeting. If I can be of any assistance please feel free to contact me.

Yours faithfully

John Neal.

John Neal

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Department of Conservation
Te Papa Atawhai

Our Ref: RSF 004

11 August 1999

Grayson Neal LTD
Land Information Services
P O Box 12350
HAMILTON

ATTENTION: John Neal

Dear John

AOTEA HARBOUR - OIOROA BLOCK - AOTEA HARBOUR SCIENTIFIC RESERVE

I have your letter dated 6 August 1999.

Firstly, I confirm that earlier this year the Conservancy's Waikato Area Manager, Tony Roxburgh, informed me that he had been approached by Aotea iwi, namely Diane Bradshaw, about the possibilities of changing the reserve classification of the Aotea Heads Scientific Reserve to something that is more acceptable to iwi and that they would like a status under the old Maori Affairs Act or similar, which recognises cultural values, the urupa etc in place of or in addition to a Reserves Act classification.

The writer had at the time of receiving your letter only undertaken some preliminary investigations into this request and as yet I have not provided our Area Manager with the information sought so that he could either pass this information on to either Diane Bradshaw or other local iwi members or discuss this with them.

However, it is obvious from your letter that the iwi are anxious to progress this matter on the basis that the land is returned to them (if that path is possible, preferably without seeking redress by way of a claim to the Waitangi Tribunal) and revested in maori ownership under the Te Ture Whenua Maori Act as a reserve with an appropriate classification which would be extended from the current scientific reserve to include protection of the burial sites, as well as cultural and historical interests; with Trustees appointed to manage the reserve in terms of agreed principles between the Department and the Trustees.

The present status of this land is as you know a scientific reserve subject to the Reserves Act 1977. The general purposes of a scientific reserve and how such a reserve shall be administered under the Act are set out in Section 21 of the Act. A copy of that Section is attached for your information together with a copy of a letter sent to the then Raglan

Waikato Conservancy
Private Bag 3072, 18 London Street, Hamilton, New Zealand
Telephone 07-838 3363, Fax 07-838 1004

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County Council in 1984 which sets the significance and importance of this reserve and why it was classified as a Scientific Reserve.

Turning now to the matter raised by you as to the Departments policy in regard to the two issues outlined in your letter. I have since discussed this matter with staff in our Head Office Legal and Treaties Unit Divisions and am informed that the Department should not be returning any reserve or conservation lands to iwi except through the Office of Treaty Settlements ie under the Waitangi Treaty claims process. It is considered that the return of such lands other than through the Waitangi claims process could prejudicially effect current or future claims and or claimant groups and the nature of the settlements of those claims if successful.

The only other possible option, which would address some of your client Trust's concerns, may be covered by Section 35 of the Reserves Act 1977 which deals with the appointment of Trustees to control and manage a reserve vested in the Crown. A copy of that section is attached for your information. If this path was pursued by your Trust, the Department would need to consult with local tangata whenua (this may not necessarily be limited to consultation with your client Trust), the Waikato Conservation Board, interest groups and give public notification of such a proposal and hear any objections/submissions received before a decision could be made.

I regret I am unable to give you a more favourable reply.

Yours faithfully

George Teruki
Community Relations Officer
for Waikato Conservator

Meto Hopa
Researcher / Historian
P.O. Box 1274
Taupo 2740.

Ref: Field trip Report,
Oioroa Scientific Reserve,
Aotea.

To: Raoraokauere A 3,
Trustees,
11th June 2001.

On Tuesday 30th ~~June~~ May 2001 a field trip had been arranged by myself and Mr Joe Harawira Field Officer from the Department of Conservation Waikato Hamilton. Transport had been arranged by the Department of Conservation but due to the weather condition the trip was postponed.
The field trip was then organised for Tuesday 5th June 2001.

Representatives from the Department of Conservation Joe Harawira, Tony Roxburgh, Syd Rifle, Jim Dahm, Owen Wilkes, on behalf of the shareholders Raoraokauere A 3, myself Mr Meto Hopa and colleague Mrs Isabella Dunn - Young.
The reason why this trip has been arranged because of it's spiritual essences, a hikoi over the sands of Oioroa Scientific Reserve, we had the assistance of the local caretakers of the Aotea Harbour, Mr Davis Apiti and his two colleagues.

We left Taupo 7am met with the D.O.C at 9.30am at Pironga. We left Pironga at 9.45 am arrived at Aotea Harbour Maukutea south side of the Oioroa Scientific Reserve . We then crossed over by boat to Oioroa to Korua Point from Korua Point is were we made our hikoi to the north east and then to northern top of Oioroa summit . On our travel we came across shell middens and other species. I was asked by Mr Jim Dahm "What was the purpose or what was I looking for ?", I told him "that to me this is a spiritual Nature and I am trying to locate the areas where the Urupa's are", I didn't want to say to much. Another question was asked by one of the D.O.C members that came on the hikoi "What was our intention or what was the purpose of this hikoi ?" My answer was , "the shareholder of Raoraokauere A 3 and shareholders of the Manuaitu Block would like to have Oioroa returned to them because of it's spiritual and historical nature "and it should be done in a good manner, he responded by saying "you could have a good chance".
When Oioroa Block was sold in 1853 what I don't understand is that those who sold the block were actually selling there Urupa's. Oioroa is a great big mass urupa koiwi (human bones). These are popping up like mushrooms even today, but when this block was sold to the crown for ONE HUNDRED POUNDS the money was returned to the subtribes of the area of Manuaitu . The people didn't want the money the money was returned to those who sold it. That means those who sold Oioroa didn't have the mandate of all the

subtribes. This is the reason why the shareholders would like the Oioroa Block returned to them because of it's spiritual nature, but it would be hard to get it back from the crown, But we would like to compromise with the crown in a good relationship so it would be good for one and the other". His reply was I don't think you would have any difficulty in getting it back to Maori ownership.
When we reached the top of the summit north of Oioroa we were looking north down onto the sand dunes to one of the old Urupa's near the old pa site Koreromaiwaho, the surrounding area near the old Urupa in the 1960 the area was used for defence purposes as a live ammunition motar range. In 1998 myself and Kaumatua Taff Rangiawha along with Mr Barney Anderson field officer at the time for the Department of Conservation along with two of his colleagues. We removed two koiwis that had been exposed to higher stable ground.
This Urupa was also a shell midden the koiwi were exposed on top, also there were old motar shells beside the koiwis. When we went daunt have a look at the old Urupa to see if any more koiwi had beenexposed old motar shells are still there, one of Davis Apiti companion told me that there are more koiwi beneath the sand and shell midden, he was the one that reported the koiwi that had been exposed it is sad to see this Urupa had been shelled with motars. We started our way back to Korua point headed west towards the sea shore, half way down Mr Davis Apiti and myself made our way back to where we started from Korua Point, he pointed out an area where he haddock across exposed koiwi and had reburied the koiwi and placed two big stones to mark the area where they laid. Other took different paths from the top of the summit and adventurely we arrived back at Korua Piont. We had lunch then made our way home we arrived home in Taupo around 8.30 pm. Our day was thoroughly enjoyed by all.

Over the last two weeks it was mainly research, going back through old papers that had been already researched. The issues was to focus on the block known as Oiroa Scientific Reserve. This is the kaupapa mainly and to find some way to compromise or to find a solution with the crown in handing Oioroa back to Maori we can only try kia ora koutou.

Noho iho ra.

Department of Conservation
Te Papa Atawhai

Internal Correspondence

Our ref: RSF 004

COPY

27 June 2001

TO: Waikato Area Manager, Tony Roxburgh
Kaupapa Atawhai Manager, Joe Harawira

FROM: Greg Martin, Waikato Conservator

SUBJECT: DAVIS APITI – AOTEA SCIENTIFIC RESERVE

NOTE FOR FILE

On Tuesday 26 June 2001 I received a call from Davis Apiti following a conversation he had with Joe Harawira (Kaupapa Atawhai Manager) and also following on from a hui that had been held the previous day in the Kawhia Boat Club. The hui was to discuss the security of taonga and public access to the Aotea Scientific Reserve. The hui had been called by Davis Apiti and the Department received an invitation through the Maori Trustee to be in attendance. (Joe Harawira has provided a separate note on the discussion.)

Davis Apiti expressed to me his mounting concern over the Department's management of the Aotea Scientific Reserve. He had read the Reserves Act and was strongly of the belief that the Department was not adequately protecting the Reserve. He mentioned that no signs were in place about the site as had been previously promised by the Department.

I stopped him at that point and alerted him to the fact that the placement of signs could in effect create greater interest in the site from the enquiring public than is the case at present. I said that any wording on the signs would need to be very carefully thought through and I advised him that the Department had the matter of signs in hand and would be dealing with this issue. He went on further about the Department's inadequate management of this site in his opinion, and also seemed to refer to our general management in the area.

He said that he had been appointed as Kaitiaki for the area and that was why he had particular concerns that he was now raising with me. He talked about a partnership with the Department over the management of this and other sites in the area. I said to him that I had been briefed on the outcome of the hui the preceding day by Joe Harawira and that I understood that some of the adzes and artefacts that had been removed from the site had occurred over a period of 15 years. He responded saying that the person responsible was not tangata whenua and he was concerned about the Department's approach to offer an Authority to Hold Permit until some of these issues could be resolved.

On the issue of partnership, I challenged Mr Apiti to consider what he would do if this reserve was handed back to him in its entirety. In other words, to put him in the position that the Department finds itself in. He said that he would approach the Department and see if he could raise some funding to properly resource the management of the site.

I responded saying that the Department has numerous partnership arrangements operating throughout the Conservancy. I reminded him as I have discussed with him on previous occasions the breadth of the work the Department is involved in. I said that we have 110 staff spread across the whole conservancy and we have numerous partnerships and relationships which are successful that we presently maintain. I said that if he was proposing to take on the full management of this and other sites, then he needed to realise that that involved issues such as fire control, whale strandings, compliance and law enforcement, weed control, land management, public access and a lot of issues that would stretch his resources, just as those of the Department are stretched. I suggested to him that he would need to decide what priority issues are important in terms of protection. Just as the Department can not do everything it would like to do, if he was managing the site he would soon find that he too could not do everything that is required. I said that if an attempt is made to try and cover every issue then the effort and energy becomes dissipated and in the end, very little can be achieved.

He responded saying that he agreed with that. He had come to the view himself over the past 12 months or so, that to achieve any progress requires a focus on one or two issues at a time and in his mind, the management of Aotea Scientific Reserve was presently a priority issue.

He suggested that he convene a meeting of the appointed Kaitiaki in the area with the Department to look at management/partnership issues in the area. He said that this needed to happen quickly and he undertook to come up with a date within the month of July. I responded saying that the Department would be interested in participating in such a meeting. I suggested that the issues were perhaps wider than those of just the Department and that it might involve an inter-agency meeting with representatives from MFish, Police, the Department and possibly the Maori Trustee.

He asked who was going to be responsible in the Department and I said this is a matter that would rest with the Waikato Area Manager (Tony Roxburgh) with the support of Joe Harawira. I said that any date for a proposed hui should firstly be conveyed to the Waikato Area Manager. Mr Apiti seemed satisfied with that response.

Greg Martin
Waikato Conservator

Department of Conservation
Waikato Area Office
Te Rapa

Our Ref: RSF 004

RECEIVED
13 AUG 2001

02 July 2001

TO: Bruce Postill
Greg Martin
Joe Harawira
Sid Ryfle
Eamonn Ganley
Greg Potts

FROM: A J Roxburgh

SUBJECT: **MANAGEMENT OF AOTEA (OIOROA) SCIENTIFIC RESERVE**

This is an update on where we are at with the future Management of the Aotea Scientific Reserve and the management actions required.

Background

Back in March 1999, I was invited by Diane Bradshaw of the Raoraokauere Trust to discuss the future management of Oioroa. I note from the file that Barney Anderson also meet with Diane and Trust members about the same time. The Trust considers that the current classification of the Reserve does not afford adequate protection and recognition of the site, its waahi tapu, history and importance to local Hapu. At that time Barney and I were of the understanding that a claim was likely to be made under the TOW for the crown land under Reservation.

On 11 August 1999, a file note to Grayson Neal Ltd from George Teruki indicates continued Iwi interest in the land being returned and the possibly of re-vested the site in Maori ownership under the Te Ture Whenua Maori Act.

History and Reservation

The site, an area of 535ha, was reserved for Scientific Purposes in 1977 following an inspection by the then Land Use Committee. It was considered to be the last remaining Crown land block incorporating unmodified sand dunes on the Waikato West Coast. Many of the other significant dunes (Kawhia and Taharoa) were either being mined for their iron ore or planted in exotic pine forests. In the Committee's view, reserving the area for scientific purposes provided an opportunity to observe the movement and deposition of these high-density sand and the stabilising influence of native and introduced plants.

As well as the scientific importance it was acknowledged the dunes contained a wealth of history. 50 archaeological sites, including middens, villages, pa sites and urupa had been recorded at that time and some of these belong to the oldest period of human settlement in NZ.

Wildlife values were also assessed to be high with a range of wading and coastal species utilising the dunes and wetted perimeter of the harbour.

In all the Committee considered that the classification of Scientific Reserve would provide the greatest protection.

Current Interest

In June of this year, Diane again raised the issue and the site inspected. Those present were Meto Hopa (komatua for the area); Elisabeth --- (representing Diane Bradshaw); Jim Dahm (private consultant employed by Diane to prepare a paper on management issues associated with the site); Davis Apiti (Okapu Marae); Bevan and Grant Taylor (local residents) and: David Stephens, Joe Harawira, Sid Ryfle, Owen Wilkes and Tony Roxburgh from DOC.

The purpose of the day was to discuss the issues of concern to Hapu and explain the management being undertaken at the site. The issues raised were:

- the protection of the historic and archaeological sites from stock and wind erosion
- theft of artefacts by people
- fencing the boundary between the Peacock property and the Reserve
- controlling pest plants like *pampus*
- illegal trespass onto the Reserve by people and motor bikes.

Since the site meeting, the NZ Police and Maori Trust Office, at the request of Davis Apiti, were responsible for calling a meeting to address illegal trespass and removal of artefacts from the site. Davis has also been very insistent (conversation with both Greg Martin and Tony Roxburgh) that the Department provides and erect signs informing people of the Reserve status and the need for a permit to enter the site. He has also raised the issue of local kaitiaki being warranted to enforce the provisions of the Reserves Act.

Change in Classification

Head Office has advised that Reserve land should not be returned other than through the Office of Treaty Settlements, under the TOW claims process.

The only other option is to consider:

i) a change of classification which, more appropriately reflects the interests and desires of the Hapu, and,

ii) the possibility of vesting day to day management of the site in the local Hapu.

I meet with Jim Dahm on 28 June and explored these possibilities with him. He will present the legal options available under the Reserves Act to Diane Bradshaw, who in turn I understand, will be meeting with the Minister of Conservation.

My discussions with Jim Dahm and Joe Harawira, indicate that a change in classification may be acceptable and this combined with more involvement in day to day management and decision making will go some way to alleviating the concerns raised. At a local level we can certainly improve our liaison with Hapu, we could warrant kaitiaki and be more proactive with signage and on site management issues and enforcement.

Proposed Actions

The actions I propose for the next month and those to be responsible for them are as follows:

i) Collate existing information on natural, historic, archaeological and recreational use of the Reserve (action: Bruce Postill)

ii) Prepare three wooden signs that clearly identify the Reserve. These will be positioned at key access sites (action: Bruce Postill).

iii) Establish a small working group to consider signage at Aotea Township that will help educate and inform the public on the historical, cultural and scientific importance of the Reserve. This should include approaching the District Council for assistance in erecting an information shelter. Such a group will include members of the Marae responsible for the Reserve (action: Bruce Postill)

iv) Investigate the possibility of kaitiaki attending one a CLE training course with the view of issuing them honorary ranger warrants to enforce provisions under the Reserves Act 1977 (action: Greg Potts)

v) Liase with the Aotea Marae to obtain names of person suitable as warrant holders (action: Sid Ryfle)

vi) Review the status and conditions of the grazing agreements for land leased to Peacock and recommend changes necessary to protected indigenous vegetation (action: E Ganley)

vii) Prepare site lead weed programme for the Reserve based on the report prepared by David Stephens (action: Sid Ryfle) and

Local Iwi have, since at least May 1999, sought a ssue of changing the name of the Reserve to reflect its importance to local Hapu. In their view the "Scientific" classification under the Reserve Act 1977 does not acknowledge the history and cultural feelings and attachment Hapu have for the area, nor

DEPARTMENT OF CONSERVATION - NGĀTI TE WEHI

MEMORANDUM OF UNDERSTANDING

PARTIES

A. **The Trustees of Raoraokauere A3 Block as representatives of Ngāti Te Wehi for the Oioroa Block, also known as the Aotea Heads scientific reserve, ("Ngāti Te Wehi " being the representative body for the Aotea Harbour)**

B **Department of Conservation – Waikato Conservancy ("the Conservancy")**

INTRODUCTION

A. The Department of Conservation administers protected land throughout Aotearoa / New Zealand. Part of the land area administered by the Conservancy includes areas around Kawhia and Aotea Harbours. These regions have particular significance to the iwi of Ngāti Te Wehi. The statutory functions and powers of the Department of Conservation are provided under the Conservation Act 1987 and various other acts listed in the First Schedule to that Act.

B. The Conservancy administers land within Te Rohe o Tainui. Ngāti Te Wehi has identified the particular protected land areas that they have interests in, whether those interests are overlapping or exclusive, and, more particularly 500.1914 hectares, more or less, being the land known as the Aotea Heads Scientific Reserve, being the Oioroa Block and, being all that area of land defined on Survey Office Plan number 5534, a copy of which is annexed hereto.

C. The Conservancy recognises Ngāti Te Wehi as tangata whenua of the Oioroa Block which is administered by the Conservancy in the wider Waikato region.

D. The parties accept and endorse the principles of the Treaty of Waitangi. The parties also accept that the Conservancy is required to give effect to those principles under section 4 of the Conservation Act 1987, and nothing in this memorandum affects, alters or diminishes those obligations. Within this context, the Conservancy recognise that Ngāti Te Wehi continue to exercise its tino rangatiratanga within the land identified as Oioroa Block.

E. The parties are committed to building their relationship in the spirit of friendship, partnership and co-operation in the appropriate fashion, e.g. ongoing consultation and education.

F. The parties acknowledge:

- The hapu and whanau of Ngāti Te Wehi are autonomous entities having tino rangatiratanga in their own right.
- Ngāti Te Wehi is bound to uphold its tikanga as laid down by the tupuna of Ngāti Te Wehi.

- The Conservancy is bound by legislation that prescribes its statutory powers and functions. Furthermore, the Conservancy is bound by common law principles relating to the exercise of its statutory powers and functions. It is also bound by government policy from time to time.

- The contents of this memorandum shall not require the parties to act outside the above requirements.

BACKGROUND

Ngāti Te Wehi and the Conservancy have decided that a process needs to be established for the development and growth of a mutual ongoing relationship. The parties are desirous of entering into this Memorandum of Understanding ("memorandum") to establish the ongoing working relationship and interaction between the parties.

This relationship will be in accordance with the following:

Purpose:

To establish a relationship and framework with which to:

- Achieve effective and efficient liaison and the exchange of information;
- Achieve an effective and efficient working relationship;
- Achieve full cultural understanding and respect;
- To conserve the natural and historic resources of Oioroa Block for the benefit of present and future generations;
- Protect the values of cultural heritage;
- Protect historical sites of significance;
- Give effect to the principles of Te Tiriti o Waitangi / Treaty of Waitangi 1840.

Principles:

For the purpose of achieving a good working relationship, the parties agree to use all reasonable endeavors to:

- Co-operate fairly, openly, honestly and in good faith;
- Mutually respect the needs of both parties;
- Establish a firm working relationship; and
- Recognise and respect the legal rights and obligations of both parties.

Interaction:

Both parties acknowledge that the following principles of interaction will apply to any relationship established by this memorandum:

- Recognise and respect the legal rights and obligations of both parties;
- Undertake ongoing consultation;
- Appropriate and early notification of relevant proposals or plans to the parties;

- Provide relevant and further information on reasonable request;
- Listening to what others have to say and considering responses;
- Open mindedness;
- Take account of reasonable time requirements of the other party; and
- Respecting cultural concerns.

AGREEMENT

1. The Conservancy recognises the unique status of Ngāti Te Wehi as tangata whenua for the Oioroa Block, and, the Conservancy recognises the need for that interest to be considered in dealings with other parties.

2. The parties acknowledge that this memorandum has application only to those hapu and whanau of Ngāti Te Wehi whose interests lie within the land administered by the Conservancy as noted in introductory paragraph.

GOAL

3. To forge an understanding between the parties by cementing relationships of trust and mutual understanding.

OBJECTIVES

4. To develop a consultative relationship between the Conservancy and Ngāti Te Wehi on issues that impact on their social, economic and cultural wellbeing and development, so far as those matters may relate to the Conservancy's statutory functions and powers.

5. To develop candid and open sharing of information between the Conservancy and Ngāti Te Wehi. Care needs to be taken when using such information and its sources should always be acknowledged.

6. To develop mutual respect and confidence so that sensitive and/or confidential information may be shared. The Conservancy and Ngāti Te Wehi need to have due regard to the sensitive and/or confidential nature of information and any legal obligations of either party.

7. To develop mutual respect between the Conservancy and Ngāti Te Wehi at all times, particularly in public statements and even when disagreement may be apparent.

8. To develop a mutual commitment to the overall protection and conservation of the natural and historic resources administered by the Conservancy

9. To develop ongoing information sharing and mutual education to promote greater understanding of resource implications, cultural values and practices.

STATEMENT OF PRINCIPLES

10. In developing the understanding and in observing their functions and duties as prescribed by the tikanga of Ngāti Te Wehi and by legislation and policy, the parties will uphold the following principles:

- To acknowledge that the Conservancy is bound by legislation that prescribes its powers and functions; and by common law principles relating to the exercise of its statutory powers and functions; and government policy from time to time.

- To acknowledge that the contents of this memorandum shall not require the Conservancy to act otherwise than in accordance with those matters mentioned in the above bullet point and referred to in the introductory paragraph D.

- To actively promote the conservation and protection of the natural and historic resources administered by the Conservancy and those taonga of significance to Ngāti Te Wehi in a way that recognises the cultural and spiritual relationship of Ngāti Te Wehi with the natural world.

- To develop an effective understanding by the exercise of the utmost good faith, co-operation, flexibility and responsiveness in the parties dealings with each other.

- To promote early consultation of Ngāti Te Wehi in the preparation, implementation and the review of the Conservancy's policies and statutory planning instruments (i.e. conservation management strategies and plans affecting any land areas contained in the Oioroa Block).

- To have regard to the interests of Ngāti Te Wehi in the conservation and protection of natural and historic resources by recognising and providing for kaitiakitanga.

- To recognise tino rangatiratanga right of Ngāti Te Wehi as guaranteed in Article II of the Treaty of Waitangi in relation to their resources.

CONSULTATION

Principles of Consultation

On issues requiring consultation:

(a) The Conservancy will provide sufficient information to Ngāti Te Wehi so they can make informed decisions.

(b) The Conservancy will provide reasonable time for both the participation of Ngāti Te Wehi and the consideration of the advice given.

(c) The Conservancy will give genuine consideration of that advice, including a willingness to change their position if that is the result of the consultation.

(d) The Conservancy will provide effective co-ordination of information and procedures between the parties to prevent duplication of effort and to facilitate early warning of significant issues.

(e) When Ngāti Te Wehi has received the necessary information for any consideration, it will inform the Conservancy as to the appropriate kawa and tikanga and respond with its comments or concerns in a reasonable time to the Conservancy and where practicable, will respond within indicative timelines for feedback.

(f) Ngāti Te Wehi may inform the Conservancy as to whether the proponent of an application and/or project has adequately informed and/or consulted with Ngāti Te Wehi and whether their concerns have been accommodated in relation to that project and/or application. However, the obligation to make an informed decision via consultation rests with the Conservancy.

(g) The parties acknowledge that consultation does not necessarily mean agreement; nor does consultation equate to a veto right to Ngāti Te Wehi in respect of any project and/or application.

Protection of Sensitive Information

11. Where Ngāti Te Wehi has provided the Conservancy with sensitive and/or confidential information, e.g. concerning waahi tapu or other sites of significance, or aspects of tikanga Maori:

(a) The Conservancy will protect such information in its care and restrict access to it, in accordance with the Official Information Act 1982.

(b) The Conservancy will give due respect and recognition to "silent files" or plans held by Ngāti Te Wehi

(c) Ngāti Te Wehi will undertake to protect any sensitive and/or confidential information that the Conservancy may give them. No sensitive and/or confidential information held by either party from the other party, will be released to any third party without the express permission of the originating holder of such information.

RESOURCING

12. The parties recognise that in fulfilling its statutory duties, the Conservancy may require assistance and information from Ngāti Te Wehi through the consultation process.

13. The parties acknowledge that resourcing from the Conservancy to Ngāti Te Wehi may include the provision of particular technical and conservation management advice, expertise, tools, information and negotiated contracts for specified works and/or services from Ngāti Te Wehi, not including consultation.

ONGOING CONSULTATION

14. To encourage information sharing, the parties will meet at least twice each calendar year to discuss issues of mutual importance, indicate areas of concern and revise procedures as necessary.

15. There will be provision for additional meetings to be held at the agreement of both parties.

REVIEW OF MEMORANDUM

16. This memorandum may be reviewed annually or at such a time as may be mutually agreed between the parties. This memorandum may be further amended by mutual agreement.

WAITANGI TRIBUNAL

17. (a) The Conservancy recognises the existence of the Waitangi Tribunal Claim (Wai 827/0 – The Oioroa Block, Aotea Heads (King Country) claim lodged by Raoraokauere A3 Charitable Trust on the 28th April 2000 and on behalf of the Statement of Claim made by the Raoraokauere Ahu Whenua Trust received on the 8th December 1999).

(b) This memorandum is without prejudice to the abovementioned claim and/or any subsequent negotiations and settlement of that claim between the Crown and respective claimants.

Signed by the Parties at Turangawaewae Marae, Ngaruawahia, this 22 RD **day of Februray 2003**

EXECUTION

BY: The Trustees of Raoraokauere A3
On behalf of NGÄTI TE WEHI:

Signature of authorised signatory

Name of authorised signatory

Signature of authorised signatory

Name of authorised signatory

Signature of authorised signatory

Name of authorised signatory

Signature of authorised signatory

Name of authorised signatory

Signature of authorised witness

Name of authorised signatory

And witnessed by:

Signature of witness

Name of witness

Occupation

Address

DEPARTMENT OF CONSERVATION
by: Greg Martin
Conservator
Waikato Conservancy
Acting under delegated authority
Pursuant to Section 53 Conservation Act 1987

Signature of authorised signatory

Name of authorised signatory

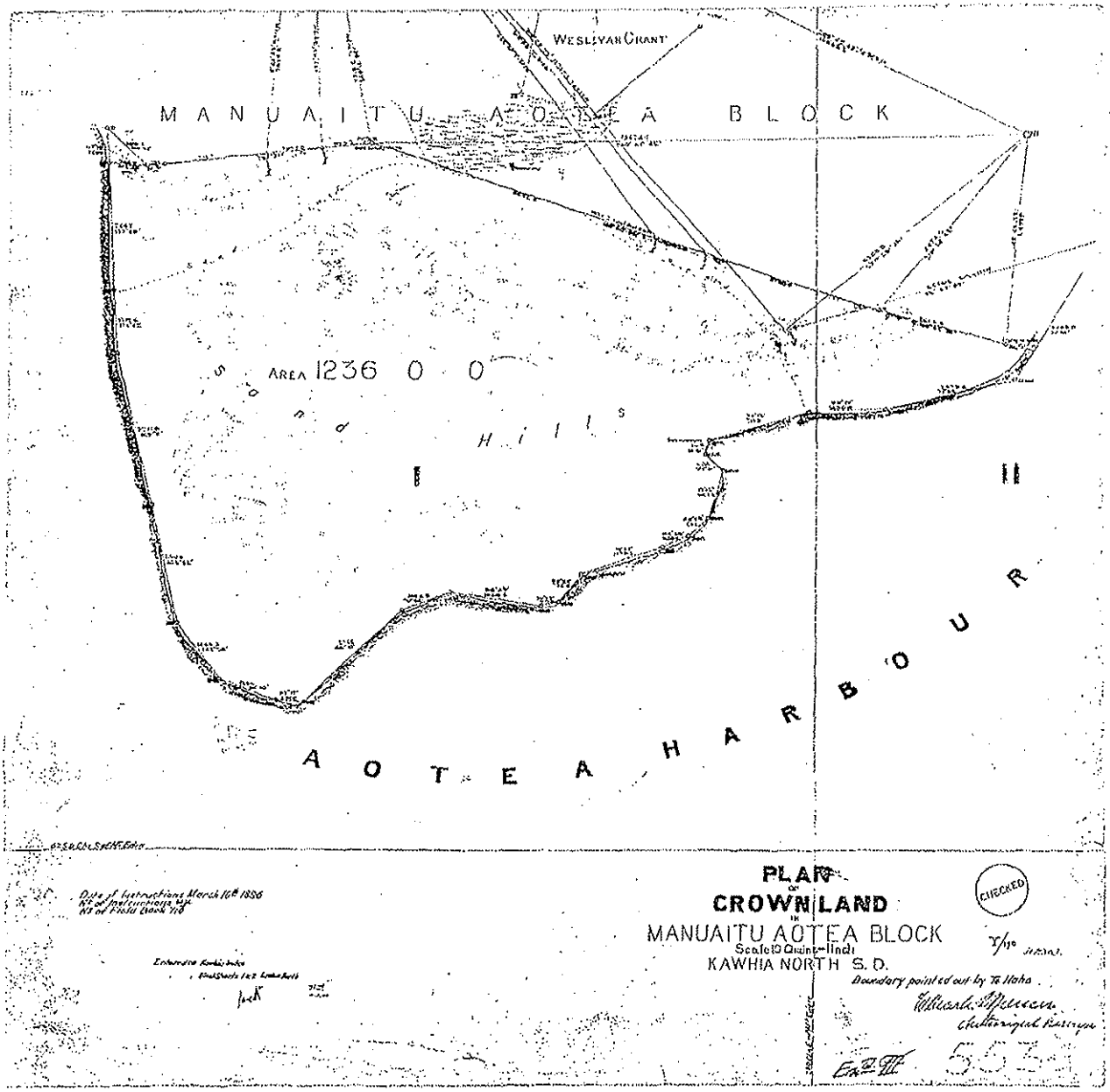
And witnessed by:

Signature of witness

Name of witness

Occupation

Address


WESLEYAN GRANT
MANUAITU AOTEA BLOCK
AREA 1236 0 0
HILLS
AOTEA HARBOUR
PLAN
of
CROWN LAND
in
MANUAITU AOTEA BLOCK
Scale 10 Chains = 1 Inch
KAWHIA NORTH S. D.
Boundary pointed out by Te Waha
CHECKED

TE TUMU PAEROA
The New Māori Trustee

MEETING MINUTES

Raoraokauere A3 Trust

Trustee Meeting with adjoining landowners

DATE	17 November 2013
TIME	10.00 am
LOCATION	On site – Phillips Road, Te Mata
ATTENDEES	Raoraokauere A3 Trustees: Thomas Moke, Diane Bradshaw, Te Amohia McQueen Raoraokauere A2 Trustees Awhi Reid, Boss Mahara, Philip Mahara Tauranga A1B Trustees Charles Haggie, Raymond Tui Tai Rakena, Tainui Tamati, Boss Mahara Tauranga A2B landowner Christian Rapana Manuaitu B7 and Tauranga A2E landowner Heather Thomson Manuaitu B1 Trustees Albert Kewne, John Pouwhare Te Rete A1A and Tauranga C landowner David Peacocke Te Tumu Paeroa: Maureen Tinkler Also Present Helena Haggie, Albert McQueen, Huihana Rewa,

The meeting opened with Mihi and Karakia

Raoroakauere A3 Trust

Tom Moke said that lack of access to Raoraokauere A3 had been foremost in the minds of the trustees for many years. Our kaumatua as well as our departed trustees the late Tumate Mahuta, Binga Haggie and Laurie Bradshaw had all worked tirelessly to find a solution. There has been a lot of discussion, which started back in the early 1990s, about all groups working together, putting aside individual differences to achieve access. Our trust has carried out substantial research over the years and made the application that is currently before the Maori Land Court.

We engaged an engineer and surveyor to assess the best and most practical access over the adjoining land. They have identified three possible access routes. The cheapest option, which is also considered to have the least impact on the land, is to construct a route which follows an historic access track and will cross land that is owned by Tauranga A1B Trust, Aotea Farms Ltd and Raoraokauere A2 Trust. The proposed route is 2.2 km long and will require stream crossings and earthworks as well as fencing. It will cost more than $200,000 to physically form this road and the adjoining landowners may wish to be compensated for giving up their own land. However today we need to agree, in principle; on an access road that will satisfy everyone's requirements. In particular its route. We will then discuss the specifics of the road, its costs and whether adjoining land owners expect to be compensated once the Maori Land Court has made an order.

Diane Bradshaw added the Raoraokauere A3 Trust had been working to achieve access for nearly 20 years and it was essential to get everyone's agreement on this.

Te Amohia McQueen supported these views and said she had only recently come onto the Trust and wanted the owners to be able to consider alternative opportunities to use their land even if it is not farming, and therefore access is fundamental to achieving owner aspirations.

Tauranga A1B Trust

Charles Haggie reaffirmed his position as chairperson of the Tauranga A1B Trust that the trustees could not agree for an access track to be formed through the middle of their block. He pointed out that his trust has already given away land and rights to assist others obtain access. He said some years ago the owners of Tauranga A1B block agreed for a legal right of way to be formed across their land for the benefit of the owners of the adjoining Maori land, Tauranga A2A, A2B, A2C, A2D, A2E and A2F blocks. The owners of the original title Tauranga A2 were members of the Rapana, Haddon and Moors Whanau who formed the Tukotahi Trust about 20 years ago and later subdivided the block into the six titles. Four of these titles were subsequently sold to the Peacocke family and are no longer Maori Land.

Raymond Tai Rakena supported these comments but said there may be a possibility for the existing farm track to be widened at the boundary so that the Tauranga A1B block is not cut up.

Tainui Tamati said he also did not agree for the Tauranga A1B to be cut up and pointed out there is already a perfectly good access track over Peacocke's farm which should be available for access.

Boss Mahara supported these comments.

Tauranga A2B Trust

Christian Rapana said the Tauranga A2B block is now vested in him as kaitiaki for his family. He said his grandmother was Lucy Haddon who was the original owner of this land. He expressed concern about Peacocke refusing access to others and said Peacocke was currently crossing his land without his permission.

Manuaitu B7 and Tauranga A2E[i]

Heather Thomson advised she has recently purchased the land block Tauranga A2E from Gloria Rapana. She confirmed that she provided evidence to the Maori Land Court to satisfy their requirements under the preferred classes' provisions and that she has hapu and whanau connections to this site. She also advised that owns the land where the existing council roadway extends from Phillips Road. She explained that the road had not been formed on the correct surveyed alignment and is actually formed over her block, Manuaitu B7. She said there had been some instances, such as gates being placed across this road by Peacocke, thus preventing vehicle access to her own property. These sorts of actions have had potential to cause conflict. However, from her point of view she would not deny access to others. In fact she has fought for access to her land located at Rauiri for many years and sees today's discussion as an opportunity to open up the landscape to owners of all the Maori land blocks who are currently being denied.

Raoraokauere A2

Awhi Reid said she is a trustee for Raoraokauere A2 and agrees with the philosophy that access should be made available to all. She stressed that it is important for everyone to work together and hopes that we can. Emphasised we need to be united to achieve access.

Boss Mahara and Philip Mahara supported Awhi's comments and said as there is already a formed road which gives access to all blocks it is logical that this should be the legal access.

Aotea Farm Ltd

David Peacock said the weather today was good and therefore it was a good day to be meeting on the site, however, in winter parts of his farm track is not passable and therefore substantial earthworks, culverts and money would be required to upgrade for road vehicles to travel through. He said he could not agree to any proposal that would allow his main farm track to be used as the main thoroughfare for the owners of properties which are mainly located to the rear of his holding. His main objection to using his existing farm track is about personal safety for himself, his staff and his family and for the security of his property and equipment. As everyone knows his house is only

12 metres away from the track and his main farm sheds are also sited very close to the track and the doors are usually unlocked and open.

He re-stated his belief that the alternate route which would travel over Tauranga A1B, his own land Tauranga C and Raoraokauere A2 would be more direct than his existing farm track and would provide quick and easy access for all users. This route would also be cheaper to form compared to upgrading the existing routes.

He emphasised that he is willing to give up some of his own land holding to form this route and acknowledged there would be benefits for him farming the land as having another track will make it easier for he and his staff to more quickly get around the farm to shift stock and manage equipment.

He said that whatever the intentions of the parties, any access would effectively default to a public road as there are too many owners who would be entitled to use it and very difficult to control whether visitors are entitled to be there or not.

There was general consensus between the parties that they agree to disagree on this matter and they acknowledged that the Maori Land Court would issue directions to all parties.

The meeting then closed with a karakia.

Maureen Tinkler 17.11.13[i]