

Maori Development Corporation Report

Appendix 8

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Record of Inquiry

Record of Proceedings

1 Claims

1.1 Wai: 350

Date: 19 May 1993

Claimant: Whatarangi Winiata and Te Aho o Te Rangi Ratema Te Awe Kotuku for owners of Okawa Bay Resort and others

Concerning: Maori Development Corporation

1.2 Wai: 350

Date: 27 May 1993

Claimant: Hohepa Waiti for Te Ika Whenua

Concerning: Maori Development Corporation

1.3 Wai: 350

Date: 27 May 1993

Claimant: Te Arawa Kaumatua Council, Te Arawa Maori Trust Board, Te Runanganui o Te Arawa and Te Arawa Federation of Maori Authorities

Concerning: Maori Development Corporation

2 Papers in Proceedings

2.1 Tribunal direction to register Whatarangi Winiata claim, 21 May 1993

2.2 Notification of claim, 21 May 1993

2.3 Tribunal direction to register Hohepa Waiti claim, 2 June 1993

2.4 Notification of claim, 2 June 1993

2.5 Memorandum of Crown counsel, 31 May 1993

2.6 Advertisement from The Dominion, regarding sale of shares in Maori Development Corporation, 21 May 1993

2.7 Tribunal direction regarding chambers conference, 8 June 1993

2.8 Submission of counsel for claimants, 3 June 1993

2.9 Public notice and notification of hearing, 17 June 1993

2.10 Tribunal direction to constitute tribunal, 25 June 1993

2.11 Tribunal direction to register Te Arawa Kaumatua Council claim and notification of claim, 24 June 1993

2.12 Opening submissions of counsel for claimants
(Counsel for Runanganui o Te Ika Whenua)
(also as A18)

2.13 Submission of Crown counsel, 29 June 1993
(also as A30)

2.14 Letter from Whatarangi Winiata requesting further evidence be called
(also enclosing affidavit of Waari Ward-Holmes),
7 July 1993

2.15 Submission of counsel for claimants, in reply to submissions of Crown counsel (2.12), 7 July 1993

2.16 Closing submission of Crown counsel, 16 July 1993

2.17 Closing submissions of counsel for claimants, 22 July 1993

2.18 Letter from Maori Development Corporation regarding shareholdings of MDC and Maori investors, 15 July 1993

2.19 Letter from Crown counsel regarding sale process, 24 August 1993

2.20 Letter from Whatarangi Winiata requesting that the Tribunal gives attention to certain evidence relating to the High Court hearing between Taharoa C and the Maori Trustee, 17 September 1993

2.21 Crown response to Whatarangi Winiata's letter of 17 September 1993 (2.20), 22 September 1993

3 Research Commissions and Agreements

3.1 Butterworth G & S, Commission, 25 June 1993

Record of Documents

A First hearing at Waitangi Tribunal Meeting Room, Seabridge House,
Featherston St, Wellington, 28-29 June 1993

A1 Background information to the establishment of the Maori Development
Corporation
(Crown)

A2 Maori Development Corporation Annual Reports;
(a) 1989
(b) 1991
(c) 1992 (held in Waitangi Tribunal Library)
(registrar (of Waitangi Tribunal))

A3 Maori Development Corporation Newsletter - "Te Wero"; (held in Waitangi
Tribunal Library)
(a) No 3 (September 1988)
(b) No 4 (December 1988)
(c) No 6 (May 1989)
(d) No 7 (August 1989)
(e) No 9 (October 1990)
(registrar)

A4 Maori Economic Development Summit Conference, Conference Proceedings,
October 1984, extracts;
(a) Opening address of Hon. Koro Wetere, Minister of Maori Affairs
(pages B4-C3)
(b) Address of Whatarangi Winiata (pages G3 - H1)
(c) Closing address of Hon. Koro Wetere, Minister of Maori Affairs (pages
3E3-3E5)
(registrar)

A5 Maori Economic Development Summit Conference, Background Papers,
October 1984, extracts;
(a) Paper of Whatarangi Winiata (No 9)
(b) Paper of G M Tattersfield
(registrar)

A6 A Briefing on Maori and Economic Affairs, Maori Economic Development
Summit Conference 1984, (MA ECO 1984/3)
(registrar)

A7 Maori Economic Development Summit Conference 1984, He Kawenata, 31
October 1984, (MA ECO 1984/2)
(registrar)

A8 G M Tattersfield, A Maori Affairs (Development) Corporation, (MA ECO
1984/6)
(registrar)

A9 Dyall and Mako, Negative Funding and Inequity, Maori Economic Development Commission (MA ECO 1985/3)
(registrar)

A10 Report of the Maori Economic Development Commission on a Maori Development Bank, February 1986, (MA ECO 1986/5)
(registrar)

A11 The Maori Development Corporation 1987 (MA ECO 1987/7)
(registrar)

A12 Maori Economic Development Commission, 1987 (MA ECO 1987/6)
(registrar)

A13 Maori Development Corporation, Address presented by Waari Ward-Holmes for Press Conference to Launch the Corporation, 1 July 1987 (MA ECO 1987/1)
(registrar)

A14 Miscellaneous extracts
(registrar)

(a) Report of the Department of Maori Affairs, the Board of Maori Affairs and the Maori Trust Office for the year ended 31 March 1988, (AJHR 1987-90, volume VII, E13, pp 3-4)

(b) Address in Reply by Hon. Koro Wetere, Minister of Maori Affairs, 24 September 1987, (New Zealand Parliamentary Debates, volume 483, 1987, pp 131-132)

(c) Copy of Finance Act 1987, section 3 authorising Crown shareholding in Maori Development Corporation

(d) Report of Finance and Expenditure Committee, first reading of Finance Bill, 8 December 1987 (New Zealand Parliamentary Debates, volume 485, 1987, pp 1601-1613)

(e) Second Reading of Finance Bill, 8 December 1987 (New Zealand Parliamentary Debates, volume 485, pp 1803-1835)

(f) Third Reading of Finance Bill, 8 December 1987 (New Zealand Parliamentary Debates, volume 485, pp 1897- 1900)

(g) Positive Steps, an article concerning the Maori Development Corporation, New Zealand Business, pp 11-14, November 1987

A15 Evidence of Gwenda Monteith Paul
(Te Runanga o Te Ika Whenua)

A16 Evidence of G V & S M Butterworth, Preliminary Observations on an Urgent Claim by Te Runanga o Te Ika Whenua relating to the Maori Development Corporation
(registrar)

A16a Evidence of G V & S M Butterworth, Historical Narrative of the Events Leading to the Creation of the MDC with comments on the intentions of those involved
(registrar)

A17 Evidence of G V & S M Butterworth, concerning Maori Trustee
(registrar)

A18 Opening Submissions of Counsel for Claimants
(Counsel for Te Runanga o Te Ika Whenua)

(a) Supporting Documents (extracts of case law)

A19 Evidence of Cletus Maanu Paul
(Te Runanga o Te Ika Whenua)

A20 Evidence submitted by G V Butterworth concerning Maori Affairs
(registrar)

A21 Evidence of Thompson Parore
(Te Runanga o Te Ika Whenua)

A22 Submission by Russell T Feist
(Tuwharetoa Maori Trust Board on behalf of the iwi of Ngati Tuwharetoa)

A23 Evidence of Robert Te Kotahi Mahuta
(Crown)

A24 Evidence of Whatarangi Winiata and Te Aho o Te Rangi Ratema Te Awe Kotuku
(claimants for owners of Okawa Bay resort and others)

A25 Poutama Trust Annual Report 1992, Poutama Trust Deed, Maori Development Corporation Memorandum and articles
(Crown)

A26 Evidence of Tuwhakairiora Williams
(National Maori Congress)

A27 Evidence of Arama Kukutai
(claimants)

A28 Evidence of Horimatua Evans
(claimants)

A29 Options for Maori Development Finance and Banking Needs, Ian Fitzgerald,
Westpac
(claimantsants for owners of Okawa Bay Resort and others)

A30 Submissif Crown Counsel, 29 June 1993

(a) Department of Maori Affairs papers re: Vote Maori Affairs Budget 31
March 1989

A31 Case: New Zealand Maori Council v Attorney-General [1992] 2 NZLR 576
(Crown)

A32 Letter from Southpac Corporation Limited, sent to Federation of Maori
Authorities, 11 June 1993
(Crown)

A33 Press statement, Minister of Maori Affairs and Finance, 31 March 1993
(Crown)

A34 Letters of Support for Wai 350 Maori Development Claim:

(a) J Hawke, on behalf of Ngati Whatua o Orakei Maori Trust Board

(b) Kara Puketapu, on behalf of Te Runanganui o Taranaki Whanui ki te
Upoko o Te Ika a Maui

(c) O M Nicholls, on behalf of Moehau Nga Tangata Whenua Trust Board

(d) Mana Cracknell, on behalf of Te Whanau o Rongomaiwahine Trust Inc

A35 Transcriptions from the hearing 28-29 June 1993

o Russell Feist

o Dr Robert Mahuta

o Tuwhakairiora Williams

o Graham & Susan Butterworth

o Horimatua Evans

o Richard Shallcrass

o Thompson Parore

o Ian Fitzgerald

o Professor Whatarangi Winiata

(registrar)

A36 Response by Hon. Douglas Kidd, Minister of Maori Affairs to Catchy Brown,
Maori Programmes, TVNZ, 17 June 1993
(registrar)

A37 Extract from the MDC 1991 Report concerning the recommendations made in
the Wheeler-Campbell Review
(registrar)

B Second Hearing at Waitangi Tribunal Meeting Room, Seabridge House,
Featherston Street, Wellington, 30 September 1993

B1 Evidence of Whatarangi Winiata concerning the consideration of evidence from the High court case between Taharoa C and the Maori Trustee

B2 High Court decision *The Proprietors of Taharoa C Block v The Maori Trustee*, 13-17 September 1993, CL 41/93, 1 October 1993 (registrar)

Waitangi Tribunal, Department of Justice, Wellington.