

APPENDIX

RECORD OF INQUIRY

RECORD OF HEARINGS

THE TRIBUNAL

The Tribunal constituted to hear Wai 411, concerning the Tarawera Forest, comprised Joanne Morris (presiding), John Baird, Professor Wharehuia Milroy, and Keita Walker.

THE COUNSEL

Rodney Harrison QC appeared for the Wai 411 claimants; Layne Harvey with Spencer Webster for the Wai 46 claimants; and Peter Andrew, Helen Carrad, and David Soper for the Crown.

THE FIRST HEARING

The first hearing took place at the Novotel Hotel in Wellington from 6 to 9 June 2000.

On 6 June, opening submissions were heard from Wai 411 claimant counsel Dr Harrison (doc A22).

On 7 June, evidence was heard from Beverley Adlam (doc A16), Gavin Park (doc A17), David Potter (doc A19), Mrs Te Rau Cameron (doc A18), and John Third (docs A11, A5).

On 8 June, opening submissions were heard from Wai 46 claimant counsel Mr Harvey (doc A27), and evidence was heard from John Groome (docs A8, A8(a)), John Hunia (doc A15), Dr Hirini Mead (doc A21), Ngahuia Rowson (doc A13), Mrs Te Rau Cameron, and Sam Tutua (doc A14).

On 9 June, opening submissions were heard from Crown counsel Mr Andrew (doc A30), and evidence was heard from Dr John Battersby (docs A10, A12) and Tom Cass (doc A29).

THE SECOND HEARING

The second hearing took place at the Novotel Hotel in Wellington from 18 to 22 September 2000.

On 18 September, evidence was heard from Dr John Battersby (docs A10, A12), Tom Cass (doc B68), John Groome (doc B70), Harris Martin (doc B71), and David Vance (docs B76, B76(a)).

On 19 September, evidence was heard from Dr Andrew McEwen (docs B73, B73(b)), Howard Moore (docs B72, B72(a)), and Richard Te Heu Heu (doc B77).

On 20 September, evidence was heard from Dr John Battersby (docs B67, B67(a), B74) and Dr Andrew McEwen.

On 21 September, closing submissions were heard from Wai 46 claimant counsel Mr Harvey (doc B79) and Wai 411 claimant counsel Dr Harrison (doc B80), and evidence was heard from Professor G Schmitt by videolink (doc B78).

On 22 September, an addendum to his closing submissions was presented by Wai 411 claimant counsel Dr Harrison (doc B80(a)), closing submissions were heard from Crown counsel Mr Andrew (docs B81, B81(a)), and Dr Harrison also made an oral reply to the Crown's closing submissions.

RECORD OF PROCEEDINGS**1. CLAIMS****1.1 Wai 411**

A claim by William Savage and Gavin Park on behalf of the former owners of the Tarawera 1 block, and their heirs and descendants, and the shareholders of Maori Investments Limited concerning the Tarawera Forest scheme, 14 May 1993

(a) Amendment to claim 1.1, 26 April 2000

1.2 Wai 872

A claim by David Potter concerning loss of family lands at Pokohu, Tarawera Valley, under section 438 of the Maori Affairs Act 1953, 5 September 2000

1.3 Wai 46

A claim by Hirini Moko Mead and Cletus Maanu Paul on behalf of themselves and Ngati Awa concerning confiscation of Ngati Awa lands and loss of tino rangatiratanga, 11 March 1988

(a) Amendment to claim 1.3, 18 July 1989

(b) Amendment to claim 1.3, 8 November 1990

(c) Amendment to claim 1.3, 16 December 1990

(d) Consolidation of claims 1.3, 1.3(a), and 1.3(b), undated

(e) Amendment to claim 1.3, undated

2. PAPERS IN PROCEEDINGS

- 2.1** Memorandum from chairperson to registrar directing latter to register claim 1.1 as Wai 411, 19 January 1994
- 2.2** Declaration that notice of registration of claim 1.1 given, 7 February 1994
List of parties sent notice of registration of claim 1.1, 7 February 1994
- 2.3** Memorandum from Tarawera Forests Limited to Tribunal opposing return of Tarawera 1 block, as requested in claim 1.1, and questioning jurisdiction of Tribunal to make recommendations in respect of that land, 4 July 1994
Memorandum from Tarawera Forests Limited to Tribunal opposing return of Putauaki, as requested in claim 1.1, and questioning jurisdiction of Tribunal to make recommendations in respect of that land, 4 July 1994
- 2.4** Memorandum from Tasman Pulp and Paper Company Limited to Tribunal opposing return of Putauaki, as requested in claim 1.1, and questioning jurisdiction of Tribunal to make recommendations in respect of that land, 6 July 1994
- 2.5** Memorandum from Wai 411 claimant counsel to Tribunal concerning hearing of Wai 62 and Wai 411 claims, 1 August 1994
- 2.6** Letter from counsel for Te Ika Whenua to registrar concerning hearing of evidence on Tarawera Forest and possible prejudice resulting therefrom, 9 September 1994
- 2.7** Memorandum from chairperson to registrar directing latter to release document A5, 14 November 1994
- 2.8** Memorandum from chairperson to registrar directing latter to register claim of Wahiao Gray as Wai 501, 1 May 1995
- 2.9** Memorandum from chairperson to parties concerning various matters raised by counsel at the eleventh and twelfth hearings of the Wai 46 claim, 13 December 1995
- 2.10** Memorandum from Tarawera Forests Limited to Tribunal concerning Putauaki, 6 March 1996
- 2.11** Memorandum from Tasman Pulp and Paper Company Limited to Tribunal concerning Putauaki, 2 April 1996

2.12 Memorandum from Wai 46 claimant counsel to Tribunal concerning part of paper 2.11, 11 June 1996

Letter from Wai 46 claimant counsel to counsel for Tasman Pulp and Paper Company Limited concerning part of paper 2.11, 11 June 1996

2.13 Memorandum from chairperson to registrar directing latter to arrange conference to determine whether Wai 411 could proceed to hearing and authorising Joanne Morris to conduct that conference, 25 February 2000

2.14 Memorandum from Joanne Morris to parties identifying issues needing to be clarified at 10 April 2000 conference, 6 April 2000

2.15 Facsimile from Wai 501 claimant Wahiao Gray to Wai 411 claimant counsel detailing former's inability to attend 10 April 2000 conference and requesting meeting, 7 April 2000

2.16 Facsimile from environmental manager, Fletcher Challenge Paper, to Tribunal concerning intended non-appearance of company at 10 April 2000 conference and future involvement in Tribunal process, 7 April 2000

2.17 Memorandum from Tribunal to parties concerning issues raised by Crown and claimant counsel at 10 April 2000 conference and advising of Tribunal's intention to proceed with hearing of Wai 411 claim, 12 April 2000

2.18 Memorandum from Wai 411 claimant counsel to Tribunal concerning proposed dates and venues for, and evidence to be presented at, hearing of Wai 411 claim and enclosing amended statement of claim substituting Beverley Adlam for the late Shuki Savage as principal claimant (claim 1.1(a)), 20 April 2000

2.19 Facsimile from Wai 46 claimant counsel to Tribunal concerning availability of counsel and witnesses for proposed hearing dates of Wai 411 claim, 26 April 2000

2.20 Memorandum from chairperson to registrar directing latter to register amended statement of claim 1.1(a), 4 May 2000

(a) Declaration that notice of registration of claim 1.1(a) given, 5 May 2000

Form letter from Tribunal to parties advising them of registration of claim 1.1(a), 5 May 2000

List of parties sent notice of registration of claim 1.1(a), 8 May 2000

2.21 Direction of chairperson constituting Tribunal of Joanne Morris (presiding), John Baird, Keita Walker, and Professor Wharehuia Milroy to hear Wai 411 claim, 4 May 2000

- 2.22** Memorandum from Tribunal to parties concerning dates of, and venues, evidence, and witnesses for, proposed first and second hearings and jurisdiction of Tribunal, 18 May 2000
- 2.23** Notice of first hearing, 18 May 2000
- 2.24** Declaration that notice of first hearing given, 18 May 2000
Form letter from Tribunal to parties advising them of first hearing, 18 May 2000
List of parties sent notice of first hearing, 18 May 2000
- 2.25** Memorandum from Wai 46 claimant counsel to Tribunal concerning dates of, and venues, evidence, and witnesses for, proposed first and second hearings, 10 May 2000
- 2.26** Letter from Wai 411 claimant counsel to registrar advising latter of former's prior professional dealings with Tribunal member Professor Wharehuia Milroy, 23 May 2000
- 2.27** Letter from Crown counsel to registrar advising latter that Crown has no objection to Professor Wharehuia Milroy continuing to serve as a member of Wai 411 Tribunal, 25 May 2000
- 2.28** Memorandum from chairperson to registrar directing latter to release document B1, 5 July 2000
- 2.29** Memorandum from Tribunal to parties advising them of postponement of July 2000 judicial conference to 25 July 2000 and listing matters on which Tribunal requires additional evidence or submissions, 10 July 2000
- 2.30** Memorandum from Tribunal to parties concerning 25 July 2000 judicial conference, research in respect of section 438 trusts and role and responsibilities of Maori Trustee, and evidence to be presented at, and agenda for, second hearing, 1 August 2000
- 2.31** Memorandum from Wai 411 claimant counsel to Tribunal concerning proposed Crown evidence, 24 August 2000
Letter from counsel for Fletcher Challenge Forests Limited to Wai 411 claimant counsel concerning latter's information request, 3 August 2000
- 2.32** Memorandum from chairperson to registrar directing latter to release document B71, 24 August 2000
- 2.33** Notice of second hearing, 5 September 2000
(a) Notice of second hearing, 5 September 2000

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2.34 Memorandum from chairperson to registrar directing latter to register claim 1.2 as Wai 872, 7 September 2000

2.35 Notice of Wai 872 claim, 7 September 2000

2.36 Memorandum from Crown counsel to Tribunal concerning relevance of supplementary evidence of Dr John Battersby, evidence of Professor Geoffrey Schmitt proposed to be introduced when witness unavailable for cross-examination, and powers of Tribunal to receive evidence, undated

2.37 Memorandum from Wai 411 claimant counsel to Tribunal concerning admission of evidence when witness unavailable for cross-examination, 5 September 2000

Badger v Whangarei Refinery Expansion Commission of Inquiry [1985] 2 NZLR 688

2.38 Memorandum from Tribunal to parties summarising matters canvassed at 6, 7, and 8 September 2000 judicial teleconferences, 13 September 2000

2.39 Memorandum from chairperson to registrar directing latter to register amendment to Wai 46 claim, 13 September 2000

2.40 Notice of amendment to Wai 46 claim, 14 September 2000

2.41 Memorandum from chairperson to registrar directing latter to release document B71, 25 August 2000

2.42 Memorandum from Tribunal to parties enclosing report of NZIER (doc C1) and requesting claimant submissions thereon, 23 November 2001

2.43 Form letter from registrar to Wai 411 claimant counsel, Wai 46 claimant counsel, and Wai 872 claimant advising them of intention of Wai 872 claimant and Wai 411 claimant counsel to file submissions on report of NZIER, 10 December 2001

2.44 Printout of e-mail from Wai 872 claimant to registrar advising latter of former's intention to file submissions on report of NZIER, 6 December 2001

2.45 Facsimile from Crown counsel to registrar commenting on report of NZIER and requesting leave to make submissions in reply to other parties' submissions on report, 13 December 2001
Form letter from registrar to presiding officer, Wai 411 and Wai 46 claimant counsel, and Wai 872 claimant advising them of submission of Crown counsel on report of NZIER, 13 December 2001

2.46 Letter from Wai 411 claimant counsel to registrar requesting leave to file late submissions on report of NZIER, 18 December 2001

2.47 Memorandum from Wai 872 claimant to Tribunal commenting on report of NZIER, 14 December 2001

2.48 Submission of Wai 411 claimant counsel concerning report of NZIER, 29 January 2002
Memorandum from chairman, Groome Forestry Consulting Limited, to Wai 411 claimant counsel commenting on report of NZIER, 25 January 2002

3. RESEARCH COMMISSIONS

3.1 Memorandum from John Third to Tribunal outlining progress on commissioned report, [July 1994]

3.2 Memorandum from Tribunal to Peter Clayworth commissioning him to collate information on aspects of Wai 411 claim not already fully documented and on role of Maori Trustee in setting up of Tarawera Forests Limited, 14 April 2000

Memorandum from Tribunal to registrar directing latter to add document B1 to Wai 411 record, 5 July 2000

3.3 Memorandum from Tribunal to Harris Martin commissioning him to prepare report on section 438 trusts and sales of Maori land, 10 August 2000

4. SUMMATIONS OF PROCEEDINGS

There are no summations of proceedings.

5. TRANSCRIPTS AND TRANSLATIONS

5.1 Crown Law Office transcription of evidence of Ngahuia Rowson, Maanu Paul, Layne Harvey, and Te Hau Tutua concerning 11 December 1965 meeting and inclusion of Mount Putauaki in Tarawera Forest project, September 1994

RECORD OF DOCUMENTS

A DOCUMENTS RECEIVED PRIOR TO END OF FIRST HEARING

A1 Topographical map of Whakatane region with two overlays showing boundaries of confiscated land and Rotoehu and Tarawera Forests, undated

A2 Brief of evidence of Ngahua Rowson concerning 11 December 1965 meeting between local Maori, Tasman Pulp and Paper Company Limited, and Department of Maori Affairs on Tarawera Forest project, undated

A3 Te Runanga o Ngati Awa (comp), 'Tarawera No 1', compilation of minutes of meetings held between 1964 and 1984 to discuss Tarawera Forest project and related documentation, August 1994

A4 Te Runanga o Ngati Awa (comp), 'Tarawera No 1', 3 vols, research report, August 1994, vol 1 (compilation of lists of original owners of Putauaki, Pokohu, Matata, Matahina, and Ruawahia blocks prior to their amalgamation into Tarawera 1 by Maori Land Court)

Te Runanga o Ngati Awa (comp), 'Tarawera No 1', 3 vols, research report, August 1994, vol 2 (compilation of minutes of meetings held between 1964 and 1984 to discuss Tarawera Forest project and related documentation)

Te Runanga o Ngati Awa (comp), 'Tarawera No 1', 3 vols, research report, August 1994, vol 3 (compilation of lists of original owners of Tarawera 1 following 1966 amalgamation by Maori Land Court)

A5 John Third, 'Tarawera Forests', report commissioned by Waitangi Tribunal, September 1994

(1.1)–(1.4) Supporting documents to document A5, May 1993 – January 1994

(2.1)–(2.33) Supporting documents to document A5, August 1966 – May 1994

(3.1)–(3.4) Supporting documents to document A5, November 1965 – August 1989

(4.1)–(4.2) Supporting documents to document A5, November 1961 – December 1961

(5.1)–(5.6) Supporting documents to document A5, June 1962 – December 1962

(6.1)–(6.40) Supporting documents to document A5, March 1963 – December 1963

(7.1)–(7.39) Supporting documents to document A5, February 1964 – December 1964

(8.1)–(8.46) Supporting documents to document A5, June 1965 – October 1965

(9.1)–(9.26) Supporting documents to document A5, November 1965 – December 1965

(10.1)–(10.50) Supporting documents to document A5, June 1966 – March 1966

(11.1)–(11.64) Supporting documents to document A5, April 1966 – December 1966

(12.1)–(12.21) Supporting documents to document A5, February 1967 – July 1967

- A6** Brief of evidence of John Hunia concerning Tarawera Forest project and attempts to have Putauaki returned, undated
- (a) 'Minutes of a Meeting held in Kokohinau Pa on Saturday 11 December 1965 Regarding Tarawera Valley Afforestation Proposals', typescript, undated
- (b) *In the Matter of Pokohu A2A1 and Other Lands* unreported, Maori Land Court, Judge K Gillanders Scott, Rotorua, 10 October 1966
- A7** Memorandum from counsel for Tasman Pulp and Paper Company Limited and Tarawera Forests Limited to Tribunal concerning scope of interim report. 30 November 1995
- A8** JG Groome, 'Maori Investments Limited: Waitangi Tribunal Claim Report', Groome Pöyry report 177/1995, August 1995
- (a) JG Groome, 'Maori Investments Limited', revised and updated edition, Groome Forestry Consulting Limited report, June 2000
- A9** Barry Rigby, 'A History of the Aupouri State Forest', report commissioned by Waitangi Tribunal, December 1999
- A10** John Battersby, untitled report commissioned by Crown concerning establishment of Tarawera Forests Limited, May 2000
- A11** 'Summary of Evidence: Tarawera Forests, Waitangi Tribunal Claim Wai 411', typescript, undated
- A12** John Battersby, 'Summary', summary of document A10, May 2000
- (a) Tasman projection chart, undated
- A13** Brief of evidence of Ngahua Rowson concerning 11 December 1965 meeting between local Maori, Tasman Pulp and Paper Company Limited, and Department of Maori Affairs on Tarawera Forest project, undated
- A14** Brief of evidence of Samuel Tutua concerning 11 December 1965 meeting and alienation of Putauaki, undated
- A15** Brief of evidence of John Hunia concerning 11 December 1965 meeting and alienation of Putauaki, undated
- A16** Brief of evidence of Rae Adlam concerning adverse effects of Tarawera Forest project on shareholders of Maori Investments Limited, undated

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- A17** Brief of evidence of Gavin Park concerning 11 December 1965 meeting, undated
- A18** English summary of evidence given by Mrs Te Rau Cameron in Maori concerning 11 December 1965 meeting, undated
- A19** Brief of evidence of David Potter concerning 11 December 1965 meeting and August 1966 Maori Land Court case, undated
- (a) Additional evidence of David Potter, undated
- A20** Summary of revised and updated report by JG Groome, undated
- (a) Curriculum vitae of JG Groome, undated
- A21** Brief of evidence of Hirini Mead concerning Ngati Awa historical traditions, 1866 raupatu, Tarawera Forest project and alienation of Putauaki, and establishment of Ngati Awa Trust Board and Te Runanga o Ngati Awa, undated
- A22** Opening submissions of Wai 411 claimant counsel, 5 June 2000
- (a) Supporting documents to document A22, various dates
- A23** GJ Schmitt, 'Address by GJ Schmitt Managing Director Tasman Pulp and Paper Company Limited to a Meeting of Maori Owners, Government Departments and Tasman to Discuss Forestry Development in the Tarawera Valley', typescript, undated
- A24** 'Note on the Agreement Re Tarawera Valley', typescript with handwritten annotations, 20 September 1965
- A25** Memorandum from AP Thomson to D Kennedy concerning 3 November 1964 meeting with Maori landowners and land values, 2 November 1964
- A26** Brief of evidence of John Groome concerning advisability of Maori landowners participating in the Tarawera Forest project, undated
- A27** Outline of opening submissions of Wai 46 claimant counsel, 8 June 2000
- A28** Letter from JR Sharp, registered valuer of Wright Stephenson and Company Limited, to Deputy Maori Trustee recommending that Department of Maori Affairs accept Tasman Pulp and Paper Company Limited's offer for 38,067 acres in Tarawera Valley for Tarawera Forest project, 5 April 1967

A29 Brief of evidence of Thomas Cass concerning requirements for shareholding in Maori Investments Limited, 8 June 2000

A30 Opening submissions of Crown counsel, undated

A31 Brief of evidence of Huia Pacey concerning mother's loss of title and access to, and ability to gether resouces from, Pokohu, 9 June 2000

A32 Letter from JA Dye to J Te H Grace seeking meeting to discuss proposed afforestation of Maori land between Lake Tarawera and Kawerau by Tasman Pulp and Paper Company Limited, 7 July 1964

A33 Transcripts of Maori Land Court sitting 2 August 1966, Whakatane

A34 *In the Matter of Pokohu A2A1 and Other Lands* unreported, Maori Land Court, Judge K Gillanders Scott, Rotorua, 10 October 1966

B DOCUMENTS RECEIVED PRIOR TO END OF SECOND HEARING

B1 Peter Clayworth (comp), 'Wai 411 Tarawera Forests Claim: Documents Relating to the Role of the Maori Trustee', assorted documents, July 2000, 2 vols

B2 Maori Investments Limited, *Maori Investments Limited First Annual Report and Accounts: For the Period 24 October 1968 to 31 October 1969* (Kawerau: Maori Investments Limited, 1970)

B3 Maori Investments Limited, *Maori Investments Limited Second Annual Report and Accounts: For the Period 1 November 1969 to 31 October 1970* (Kawerau: Maori Investments Limited, 1971)

B4 Maori Investments Limited, *Maori Investments Limited Third Annual Report and Accounts: For the Period 1 November 1970 to 31 October 1971* (Kawerau: Maori Investments Limited, 1972)

B5 Maori Investments Limited, 'Report of the Directors', paper presented at fourth annual general meeting of Maori Investments Limited, [1972-73]

B6 Maori Investments Limited, *Maori Investments Limited Fifth Annual Report and Accounts: For the Period 1 November 1972 to 31 October 1973* (Kawerau: Maori Investments Limited, 1974)

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B7 Maori Investments Limited, *Maori Investments Limited Sixth Annual Report and Accounts: For the Period 1 November 1973 to 31 March 1975* (Kawerau: Maori Investments Limited, 1975)

B8 Maori Investments Limited, *Maori Investments Limited Seventh Annual Report and Accounts: For the Period 1 April 1975 to 31 March 1976* (Kawerau: Maori Investments Limited, 1976)

B9 Maori Investments Limited, *Maori Investments Limited Eighth Annual Report and Accounts: For the Period 1 April 1976 to 31 March 1977* (Kawerau: Maori Investments Limited, 1977)

B10 Maori Investments Limited, 'Maori Investments Limited Statement of Accounting Policies, Forming Part of the Financial Statements for the Year Ended 31 March 1978', typescript, 1978
Tarawera Forests Limited, *Tarawera Forests Limited Tenth Annual Report and Accounts: For the Period 1 April 1977 to 31 March 1978* (Kawerau: Tarawera Forests Limited, 1978)

B11 Tarawera Forests Limited, 'Tarawera Forests Limited Statement of Accounting Policies, Forming Part of the Financial Statements for the Year Ended 31 March 1979', typescript, 1978

B12 Maori Investments Limited, 'Maori Investments Limited Financial Statements, 1980', typescript, 1980

B13 Maori Investments Limited, 'Maori Investments Limited Financial Statements, 1981', typescript, 1981

B14 Maori Investments Limited, *Maori Investments Limited Thirteenth Annual Report and Financial Statement: For the Year 1 July 1981 to 30 June 1982* (Kawerau: Maori Investments Limited, 1982)

B15 Tarawera Forests Limited, 'Tarawera Forests Limited Financial Statements 1983', typescript, 1983

B16 Maori Investments Limited, *Maori Investments Limited Fifteenth Annual Report and Financial Statement: For the Year 1 July 1983 to 30 June 1984* (Kawerau: Maori Investments Limited, 1984)

B17 Maori Investments Limited, *Maori Investments Limited Sixteenth Annual Report and Financial Statement: For the Year 1 July 1984 to 30 June 1985* (Kawerau: Maori Investments Limited, 1985)

B18 Maori Investments Limited, *Maori Investments Limited Seventeenth Annual Report and Financial Statement: For the Year 1 July 1985 to 30 June 1986* (Kawerau: Maori Investments Limited, 1986)

- B19** Maori Investments Limited, 'Maori Investments Limited Financial Statement for 1986/87', typescript, 1987
- B20** Maori Investments Limited, *Maori Investments Limited Nineteenth Annual Report and Financial Statement: For the Year 1 July 1987 to 30 June 1988* (Kawerau: Maori Investments Limited, 1988)
- B21** Maori Investments Limited, *Maori Investments Limited Annual Report & Balance Sheet, 1989* (Kawerau: Maori Investments Limited, 1989)
- B22** Maori Investments Limited, *Maori Investments Limited Annual Report & Balance Sheet, 1990* (Kawerau: Maori Investments Limited, 1990)
- B23** Maori Investments Limited, *Maori Investments Limited Annual Report & Balance Sheet, 1991* (Kawerau: Maori Investments Limited, 1991)
- B24** Maori Investments Limited, *Maori Investments Limited Annual Report & Balance Sheet, 1992* (Kawerau: Maori Investments Limited, 1992)
- B25** Maori Investments Limited, *Maori Investments Limited Annual Report & Balance Sheet, 1993* (Kawerau: Maori Investments Limited, 1993)
- B26** Maori Investments Limited, *Maori Investments Limited Annual Report & Balance Sheet, 1994* (Kawerau: Maori Investments Limited, 1994)
- B27** Maori Investments Limited, *Maori Investments Limited Annual Report & Balance Sheet, 1995* (Kawerau: Maori Investments Limited, 1995)
- B28** Maori Investments Limited, *Maori Investments Financial and Operating Report - 1996* (Kawerau: Maori Investments Limited, 1996)
- B29** Maori Investments Limited, *Maori Investments Financial and Operating Report - 1997* (Kawerau: Maori Investments Limited, 1997)
- B30** Maori Investments Limited, *Maori Investments Financial and Operating Report - 1998* (Kawerau: Maori Investments Limited, 1998)
- B31** Maori Investments Limited, *Maori Investments Financial and Operating Report - 1999* (Kawerau: Maori Investments Limited, 1999)

B32 Synopsis of submissions of Crown counsel concerning jurisdiction of Tribunal to consider allegations against Maori Trustee, September 1996

(a) Supporting documents to document B32, various dates

B33 Submissions of counsel for Wellington Tenth Trust concerning jurisdiction of Tribunal to inquire into actions of Maori Trustee, 11 September 1996

(a) Supporting documents to document B33, various dates

B34 Summary of oral submissions of Crown counsel in response to submissions of counsel for Wellington Tenth Trust concerning jurisdiction of Tribunal to inquire into actions of Maori Trustee, 17 September 1996

B35 Tarawera Forests Limited, *Tarawera Forests Limited First Annual Report and Accounts for the Period 2 October 1967 to 31 October 1968* (Kawerau: Tarawera Forests Limited, 1969)

B36 Tarawera Forests Limited, *Tarawera Forests Limited Second Annual Report and Accounts for the Period 1 November 1968 to 31 October 1969* (Kawerau: Tarawera Forests Limited, 1970)

B37 Tarawera Forests Limited, *Tarawera Forests Limited Third Annual Report and Accounts for the Period 1 November 1969 to 31 October 1970* (Kawerau: Tarawera Forests Limited, 1971)

B38 Tarawera Forests Limited, *Tarawera Forests Limited Fourth Annual Report and Accounts for the Period 1 November 1970 to 31 October 1971* (Kawerau: Tarawera Forests Limited, 1972)

B39 Tarawera Forests Limited, *Tarawera Forests Limited Fifth Annual Report and Accounts, 1972* (Kawerau: Tarawera Forests Limited, 1972)

B40 Tarawera Forests Limited, *Tarawera Forests Limited Sixth Annual Report and Accounts for the Period 1 November 1972 to 31 October 1973* (Kawerau: Tarawera Forests Limited, undated)

B41 Tarawera Forests Limited, *Tarawera Forests Limited Seventh Annual Report and Accounts for the Period 1 November 1973 to 31 March 1975* (Kawerau: Tarawera Forests Limited, undated)

B42 Tarawera Forests Limited, *Tarawera Forests Limited Eighth Annual Report and Accounts for the Period 1 April 1975 to 31 March 1976* (Kawerau: Tarawera Forests Limited, undated)

B43 Tarawera Forests Limited, *Tarawera Forests Limited Ninth Annual Report and Accounts for the Period 1 April 1976 to 31 March 1977* (Kawerau: Tarawera Forests Limited, undated)

B44 Tarawera Forests Limited, *Tarawera Forests Limited Tenth Annual Report and Accounts for the Period 1 April 1977 to 31 March 1978* (Kawerau: Tarawera Forests Limited, undated)(Wai 46 ROI, doc M88)

B45 Tarawera Forests Limited, *Tarawera Forests Limited Eleventh Annual Report and Accounts for the Period 1 April 1978 to 31 March 1979* (Kawerau: Tarawera Forests Limited, 1971)

B46 Tarawera Forests Limited, 'Tarawera Forests Limited Statement of Accounting Policies, Forming Part of the Financial Statements for the Year Ended 31 March 1979', typescript, [1979]
Tarawera Forests Limited, 'Tarawera Forests Limited Balance Sheet as at 31 March 1979', typescript, [1979]

Tarawera Forests Limited, 'Tarawera Forests Limited Notes to the Accounts, Forming Part of the Financial Statements for the Year Ended 31 March 1979', typescript, [1979]

Gilfillan, Morris and Company and Hutchison, Hull and Company, 'Report of the Auditors to the Members of Tarawera Forests Limited', typescript, [1979]

B47 Tarawera Forests Limited, 'Tarawera Forests Limited Statement of Profit for the Year Ended 31 March 1980', typescript, [1980]

Tarawera Forests Limited, 'Tarawera Forests Limited Balance Sheet as at 31 March 1980', typescript, [1980]

Tarawera Forests Limited, 'Tarawera Forests Limited Notes to the Accounts, Forming Part of the Financial Statements for the Year Ended 31 March 1980', typescript, [1980]

B48 Tarawera Forests Limited, *Tarawera Forests Limited Thirteenth Annual Report and Accounts for the Period 1 April 1980 to 30 June 1981* (Kawerau: Tarawera Forests Limited, 1981)

B49 Tarawera Forests Limited, *Tarawera Forests Limited Fourteenth Annual Report and Accounts for the Year 1 July 1981 to 30 June 1982* (Kawerau: Tarawera Forests Limited, 1982)

B50 Tarawera Forests Limited, 'Tarawera Forests Limited Statement of Accounting Policies, Forming Part of the Financial Statements for the Year Ended 30 June 1983', typescript, [1983]

Tarawera Forests Limited, 'Tarawera Forests Limited Balance Sheet as at 30 June 1983', typescript, [1983]

Tarawera Forests Limited, 'Tarawera Forests Limited Notes to the Financial Statements, Forming Part of the Financial Statements for the Year Ended 31 June 1983', typescript, [1983]

Tarawera Forests Limited, 'Tarawera Forests Limited Statement of Changes in Financial Position for the Year Ended 30 June 1983', typescript, [1983]

B51 Tarawera Forests Limited, *Tarawera Forests Limited Sixteenth Annual Report and Accounts for the Year 1 July 1983 to 30 June 1984* (Kawerau: Tarawera Forests Limited, 1984)

B52 Tarawera Forests Limited, 'Tarawera Forests Limited Statement of Changes in Financial Position for the Year Ended 30 June 1985', typescript, [1985]

Tarawera Forests Limited, 'Tarawera Forests Limited Notes to the Financial Statements, Forming Part of the Financial Statements for the Year Ended 30 June 1985', typescript, [1985]

Tarawera Forests Limited, 'Tarawera Forests Limited Balance Sheet as at 30 June 1985', typescript, [1985]

Tarawera Forests Limited, 'Tarawera Forests Limited Profit and Loss Account for the Year Ending 30 June 1985', typescript, [1985]

Tarawera Forests Limited, 'Tarawera Forests Limited Statement of Accounting Policies, Forming Part of the Financial Statements for the Year Ending 30 June 1985', typescript, [1985]

B53 Tarawera Forests Limited, *Tarawera Forests Limited Eighteenth Annual Report and Accounts for the Year 1 July 1985 to 30 June 1986* (Kawerau: Tarawera Forests Limited, 1986)

B54 Tarawera Forests Limited, *Tarawera Forests Limited Nineteenth Annual Report and Accounts for the Year 1 July 1986 to 30 June 1987* (Kawerau: Tarawera Forests Limited, 1987)

B55 Tarawera Forests Limited, *Tarawera Forests Limited Twentieth Annual Report and Accounts for the Year 1 July 1987 to 30 June 1988* (Kawerau: Tarawera Forests Limited, 1988)

B56 Tarawera Forests Limited, *Tarawera Forests Limited Twenty-First Annual Report and Accounts for the Year 1 July 1989 [sic] to 30 June 1989* (Kawerau: Tarawera Forests Limited, 1989)

B57 Tarawera Forests Limited, *Tarawera Forests Limited Twenty-Second Annual Report and Accounts for the Year 1 July 1989 to 30 June 1990* (Kawerau: Tarawera Forests Limited, 1990)

B58 Tarawera Forests Limited, *Tarawera Forests Limited Twenty-Third Annual Report and Accounts for the Year 1 July 1990 to 30 June 1991* (Kawerau: Tarawera Forests Limited, 1991)

B59 Tarawera Forests Limited, *Tarawera Forests Limited Twenty-Fourth Annual Report and Accounts for the Year 1 July 1991 to 30 June 1992* (Kawerau: Tarawera Forests Limited, 1992)

B60 Tarawera Forests Limited, *Tarawera Forests Limited Twenty-Fifth Annual Report and Accounts for the Year 1 July 1992 to 30 June 1993* (Kawerau: Tarawera Forests Limited, 1993)

- B61** Tarawera Forests Limited, *Tarawera Forests Limited Twenty-Sixth Annual Report and Accounts for the Year 1 July 1993 to 30 June 1994* (Kawerau: Tarawera Forests Limited, 1994)
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- B65** Tarawera Forests Limited, *Annual Report, 30 June 1998* (Kawerau: Tarawera Forests Limited, 1998)
- B66** Tarawera Forests Limited, *Annual Report, 30 June 1999* (Kawerau: Tarawera Forests Limited, 1999)
- B67** Dr John Battersby, untitled report concerning Mount Putauaki and the Tarawera Forests project, August 2000
- (a) Summary of document B67, September 2000
 - (b) Map, undated
 - (c) Letter from Dr John Battersby to Crown counsel enclosing various documents requested by Tribunal, 21 September 2000
- B68** Statement of Thomas Cass in response to Tribunal memorandum of 10 July 2000 (paper 2.29), 16 August 2000
- B69** Peter Clayworth (comp), 'Documents Relating to Amendments to Section 438 of the Maori Affairs Act 1953 Introduced by the Maori Affairs Amendment Act 1967', report commissioned by Waitangi Tribunal, 18 August 2000
- B70** Supplementary brief of evidence of John Groome concerning valuation of forestry land, undated
- B71** Brief of evidence of Harris Martin concerning use of section 438 of the Maori Affairs Act 1953, 15 August 2000
- (a) Letter from Harris Martin to Tribunal concerning public notice, attendance, and minutes of owners' meeting, 19 September 2000

B72 Brief of evidence of Howard Moore concerning derivation of Crown forest leases and forestry land values, undated

(a) Summary of document B72, undated

B73 Brief of evidence of Andrew McEwen concerning development of Tarawera forest project and operations of Tarawera Forests Limited, August 2000

(a) Summary of document bank, undated

(b) Summary of document B73, undated

(c) File note from AP Thomson and AL Poole, 13 July 1965

(d) Letter from AD McKinnon, 3 September 1965

(e) Letter from MB Grainger to director, forest economics, enclosing report on Tarawera Valley scheme, 21 July 1966

MB Grainger, 'The Tarawera Valley Scheme', report to director of forest economics, 21 July 1966

(f) Graph, undated

B74 Supplementary brief of evidence of Dr John Battersby concerning compensation paid to Edwards family and Otakanini Topu lease negotiations, August 2000

(a) Transcript of interview between Dr John Battersby and Professor Schmitt concerning Tasman Pulp and Paper Company Limited and Tarawera forest project, 1 August 2000

B75 'Notes on Minutes of Maori Investments Ltd Re Tarawera Forest Claim (From Maori Trust Office Files, Rotorua)', notes from directors' meetings, annual general meetings, and annual reports, 1968–91, undated

B76 David Vance, untitled report commissioned by Maori Investments Limited concerning financial implications of Wai 411 claim, undated

(a) Summary of document B76, 18 September 2000

B77 Brief of evidence of Richard Te Heuheu concerning establishment and present situation of Lake Taupo Forest Trust, undated

B78 Brief of evidence of Professor Geoffrey Schmitt concerning Tarawera Forest project, 15 September 2000

(a) Letter from Professor Geoffrey Schmitt to Crown counsel clarifying evidence given earlier, 21 September 2000

B79 Closing submissions of Wai 46 claimant counsel, undated

B80 Closing submissions of Wai 411 claimant counsel, 21 September 2000

(a) Addendum to closing submissions of Wai 411 claimant counsel concerning evidence of Professor Geoffrey Schmitt, undated

B81 Closing submissions of Crown counsel, 22 September 2000

(a) Professor I Hugh Kawharu, 'Maori Land Title', paper to conference on Maori land law, 1981

B82 Closing submissions of Wai 46 claimant counsel in response to closing submissions of Crown counsel, 5 October 2000

B83 Geoffrey Schmitt, vhs videotape of evidence to Tribunal given by video link, 21 September 2000

C DOCUMENTS RECEIVED SUBSEQUENT TO SECOND HEARING

C1 John Yeabsley and Ian Duncan, 'Wai 411 – Forestry Leases: Final Report', report to Waitangi Tribunal from New Zealand Institute of Economic Research Incorporated, November 2001