BEFORE THE WAITANGI TRIBUNAL

Wai 686 #S2 Wai 369 #A8



IN THE MATTER OF

The Treaty of Waitangi Act 1975

AND

IN THE MATTER OF

A claim by Horimatua Evans on behalf of

himself and his whanau

BRIEF OF EVIDENCE OF BRENT MATUA EVANS DATED 2001

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WAITANGI TRIBUNAL

II 0 SEP 2001

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- My name is Brent Matua Evans. I live in Bangalow, New South Wales.
- 2. I want to make a submission on the terrible events that occurred on Waiheke Island.
- 3. In 1983 I was studying Agriculture at Massey University in Palmerston North, and it seemed at the time to be a good idea to apply to be settled on Waiheke, where the whanau has strong roots. So we applied for the lease. A farm plan and budgets were prepared and we attended an interview at the Department of Maori Affairs in Hamilton. Subsequently we were offered the farm and we accepted.
- 4. Later in 1983 we became aware of claims made by Ngati Paoa (from TV coverage etc.) but we were assured by the Department this was of no significance and that there were not going to be any ongoing problems. They were just a few disaffected people, we were told. The land had, after all, been turned down by the Tainui Trust Board of whom Ngati Paoa formed part, so we believed the Department when they reassured us that everything was legitimate.
- 5. But when we arrived at the property on Waiheke Island we found that a group of protesters and members of the Department had occupied the farm! The Department's farm manager was part of the protest and he impeded our occupation of the farm for over a week.
- 6. It was at this time that I became aware of the resentment against our *whanau* on the island and in the Department over having been offered the lease on Waiheke. I was made to feel a pariah we had become the problem. We could not even go down to the Onetangi hotel for a drink for fear of being insulted or worse. I was

- shocked by the hostility shown us and resentful that the Department had so misled us.
- 7. We became increasingly aware of the serious nature of the Ngati Paoa claim. In addition, people from the Department starting visiting the farm on a strangely regular basis (every 3 months or so). The inspectors were particularly unhelpful, never letting us know what their views were on what we should be or should not be doing. They were unhelpful, but we did not understand why until later. In addition, the local council refused to recognise our lease of the farm.
- 8. It was a very stressful situation. This did not help my mother who sadly died in the first year we were there. I was, at 22, left with Dad to care for my younger brother and a farm in hostile circumstances. Also, with the change in government policy the farm had become increasingly uneconomic. I cannot believe the Department did not know that this would happen.
- 9. We met many times with the Ngati Paoa claimants over the coming years and we would have been happy to relinquish the farm as long as we could have exited the property in a dignified manner. We felt that we were an innocent party in the whole mess.
- 10. In the coming years our farm income dropped dramatically and our costs ballooned interest rates were at an all-time high. This compounded our problems on the farm. We then found that we did not have the resources to combat the gorse, pay staff wages or apply adequate levels of fertiliser. However we introduced goats to some effect.
- 11. The Department did not seem to care about our plight on the farm despite it being a Part 24 settlement. It was clearly in their interest

- to offer no assistance to us, and then in due course they could offer the farm back to Ngati Paoa.
- 12. I worked on the farm for three years from February 1984 until April 1987. I stayed on the farm as long as I could but I had to eventually leave for Australia as the situation on the farm for myself and my partner had become intolerable. I was bombarded with aggressive notices from the Department to rectify so-called breaches that had never been discussed with us. We were stunned by the Department's aggression and unreasonableness at a time when the government was encouraging just the opposite. The Department was disorganised in the way they tried to bill us for the lease, and an ominous silence prevailed if we asked for explanations or help.
- 13. In hindsight I feel that we should have not been allowed to settle on the farm, right at the outset. Although we thought we could make a good go of farming on Waiheke, the Department must have known right from the start that the property was a marginal economic proposition. It was never outlined to us the seriousness of the gorse problem that had been on the property, and the likely costs of keeping the gorse under control. The farm suffered from drought in summer. Facial eczema was also a problem for stock on the property. The soils were incredibly poor and required large quantities of fertiliser to maintain production levels. After looking at the farming history of the property and all the problems we were likely to face, the Department clearly knew they were putting us on an uneconomic proposition.

14. This was totally contrary to the spirit of Part 24 settlement as far as our *whanau* was concerned. They let us hang, screwing every last cent out of us, destroying the *whanau* emotionally and then robbing us of the land to satisfy a political end.

DATED THIS DAY OF 2001

BRENT MATUA EVANS