

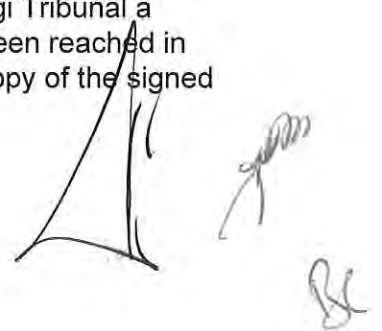


## Representation

- 6 The Incorporation agrees that it is the legitimate representative of the Wai 90 claimants and of the beneficial descendants of the original owners of the land described in the first paragraph of this Agreement.

## OPERATIVE PART

- 1 This Deed constitutes the entire agreement between the parties and will form the full and final settlement between the Crown and the claimants of all aspects of the Wai 90 claim and any other claim arising out of Wai 90 whether at law or otherwise. The claimants agree that this settles all aspects of their claim Wai 90 including costs, legal or otherwise.
- 2 This Deed is intended to create legal relations between the parties and will become operative upon the date of execution.
- 3 The Crown apologises for breaching the principles of the Treaty of Waitangi in that it entered onto and quarried material from the Incorporation's land between 1936 and 1944 without consultation with or permission of the owners, and without compensating these owners.
- 4 Section 9 on SO 50740 Block X Rotoma Survey District will be returned to the Incorporation through the Maori Land Court at nil consideration to the Incorporation.
- 5 The Crown will pay the claimants' negotiating costs, being \$9,719.07 (GST inclusive) paid in March 1994 and \$1,406.25 (GST inclusive) paid on execution of this agreement.
- 6 Telecom will be free to apply to the Waitangi Tribunal, pursuant to section 8D (1) of the Treaty of Waitangi Act 1975, to have the section 27A memorial on the title of part Lot 1 Block X, Rotoma S.D. (the Telecom site) lifted.
- 7 The Incorporation agrees to advise the Waitangi Tribunal that it consents to the Tribunal recommending to the Minister of Lands that the Telecom site be no longer liable to resumption under section 27B of the State-Owned Enterprises Act 1986 and to use its best endeavours to ensure that any other parties to any claim submitted under section 6 of the Treaty of Waitangi Act 1975 do not oppose the Tribunal recommendation as aforesaid.
- 8 The Crown may publicise this settlement, but before doing so, the Crown will consult with the Incorporation's negotiators.
- 9 Within two months of the signing of this Agreement, representatives of the claimants and counsel for the Crown will file with the Waitangi Tribunal a memorandum informing the Tribunal that a settlement has been reached in the Wai 90 claim and will also file with the memorandum a copy of the signed Agreement as evidence of the settlement.

Handwritten signatures and initials at the bottom right of the page. There are three distinct marks: a large, stylized signature, a smaller signature to its right, and the initials 'BC' at the bottom right.

**SIGNED BY:**

Honourable Douglas Arthur Montrose Graham  
Minister in Charge of Treaty of Waitangi Negotiations

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In the presence of:

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)

(Witness)

Name *B Clark*  
Address *Director*  
Occupation *Office of Treaty Settlements*

Joseph Poroa Malcolm  
for and on behalf of the Wai 90 claimants  
and Chairman of the Proprietors of Rotoma No. 1 Block  
Incorporated

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)  
)  
)

In the presence of:

)   
)

(Witness)

Name *Murray Patchell*  
Address *Rotoma*  
Occupation *Chartered Accountant*