

# **The Treasury**

## **Release of Submissions: Consultation on the Waitangi Tribunal's “Shares Plus” Proposal**

### **Release Document**

**November 2012**

**[www.treasury.govt.nz/publications/reviews-consultation/sharesplus/submissions](http://www.treasury.govt.nz/publications/reviews-consultation/sharesplus/submissions)**

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5 October 2012

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Dear Ministers

**NGATI RUAPANI KI WAIKAREMOANA**

1. We act for Wai 144 the claim made by Vern Winitana on behalf of Ngati Ruapani ki Waikaremoana ("**Ruapani**"). Our clients' have requested us to thank the Minister of Finance for attending the meeting held at Tuai on 27 September.
2. "Shares plus" was discussed at the Tuai hui, however, no other options were discussed. The tenor of the presentation by the Minister was that the Crown was not supportive of the "shares plus" concept.

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3. We note that the consultation has been undertaken at short notice and no information was supplied by the Crown as to the options it is considering in order to comply with its obligations under the Treaty of Waitangi. The Crown is obliged to provide sufficient information to our clients in order that they are able to make intelligent and useful responses to the raft of options being considered. As “shares plus” was the only option presented at Tuai, the conclusion open to our clients is that “shares plus” is the only option being considered by the Crown.
4. Further, the consultation did not address any methods by which the Crown will provide legally enforceable protection for the Ngati Ruapani claim to water. We see this as a fundamental flaw in the consultation process and methodology.
5. Our clients would like to discuss all of the options available to protect the claim of Ngati Ruapani to the water within the catchment of Waikaremoana. Please advise us when this can be undertaken.

Yours faithfully

Kathy Ertel & Co



Kathy L Ertel/Robyn Zwaan  
Principal/Solicitor