

## The last victims of colonisation

New Plymouth council appears to have resolved its longest-running issue, a problem that began more than 150 years ago, and came up at the first NPDC meeting in 1989.

The reason most councillors gave for supporting the Waitara Lands Bill when they passed it unanimously was it's as good as they can make it. They're convinced it is the last chance to resolve the biggest grievance – compensating Waitara hapū (note the plural doesn't have an "s", councillors) for the confiscation of their land in 1863. Another attempt would wait another generation, they said.

To whom did they say this? I could be wrong, but most of those in the council public gallery appeared to be the ones still feeling most aggrieved – the leaseholders. Their presence made for a surreal denouement to this ancient dispute, all-the-more-strange because despite the earnest wishes of those councillors present (five of the 14 were absent), it may not be the end of the matter.

The 10 leaseholders who took this last-minute opportunity to recount their interminable wait for justice, made it clear they don't accept that the opportunity to freehold at last is a fair deal. They say many can't afford to pay the latest valuations, a stance dismissed by one councillor, who told them everybody is aware how much property values have risen around the country.

Why did their pleas fall on closed ears? One reason may be timing, in the sense that theirs hasn't come...until now, and seemingly too late. The system dealing with Land Wars and other confiscations was required to stick to the same big issue as elsewhere – material and symbolic compensation for grievous harm to Māori. The leaseholders have been at the rag end of that, even though in reality their situation is more current and persistent in its injustice.

Another reason is the several hundred leaseholders left it late to get organised. They came to the council and the government as a loose-knit group of individuals, labelled as such in the council agenda. It made them easily dismissed as a side issue that must be tidied away so final resolution is not delayed.

As if by some pre-arranged agreement, the councillors sat mutely as leaseholders spoke, asking no questions. However, after the last address by their de facto leader, Kaumatua Grant Knuckey, the mayor fired a couple of questions designed to discredit him. If there was any discredit, it was to himself.

The leaseholders' grievance is a separate story, one that should now be given the focus it deserves. However, if this diverse mix of Pākehā and about 250 Waitara Māori is ever to make a real impact, they need a named organisation with elected officers, written records, documented research, and legal guidance. Because as heart-rending as their stories sound, so far that's all they are – hearsay.

Some who've been there nearly half a century say they have written evidence of broken council promises, but in recent years no collation and analysis seem to have been done to produce a coherent body of evidence. That may have existed nearly two decades back when a group went to court, but the resulting dismissal seemed to knock the wind out of further concerted effort.

While the council concedes its bill will not meet the full aspirations of *anyone* involved, that downplays the fact some parties' wishes are more fully accommodated than others.

Some leaseholders say their situation is unchanged. If they can't afford the \$100,000 or so needed to freehold, they will continue to pay rates and mortgages - but also ground rental of thousands, sums that will rise to five figures as the current 21-year leases mature and hit their second, ever-more-expensive halves.

The council has put aside \$50,000 to provide leaseholders with financial advice. That would be better spent on an independent panel to examine each individual case properly and determine the extent of distress and entitlement, according to agreed criteria and procedures.

Government funding should then be available to assist proven cases, perhaps to subsidise a scheme whereby future ground rent goes towards buying the freehold. Governments usually back off such deals, fearing precedent. But the danger of that is minimal, because as Treaty Negotiations Minister Andrew Little confirms, there is no other situation like this in the country.

If the settlement system can mature into a workable process to deal effectively with historical hurts, why can't that opportunity to be extended to these last – and for now, lost – victims of colonisation?