

OFFICIAL

2 April 1990

To the Registrar
Waitangi Tribunal
Tribunals Division
Justice Department
Private Bag
WELLINGTON

Tena ano Koe,

RE: AMENDMENT OF CLAIM

We, whose names are given below, and who are the claimants in a notice of claim dated 30 March 1987 and an amendment of claim dated 19 April 1989 relating to the land commonly known as Te Ngae Mission farm, hereby amend and add to that claim as follows:

AMENDMENT OF CLAIM

1. That the people of Ngati Rangiteaorere are the owners of Tikitere B block (PR129/31) (ML Plan 19230). Centred on and about Tikitere B is a geothermal resource.
2. The geothermal resource has always been and continues to be considered by the Ngati Rangiteaorere as taonga as described in the second article of the Treaty of Waitangi.
3. That any regime for the use of the geothermal resource which does not take full account of the views of the tangata whenua is a breach of the second article of the Treaty of Waitangi.
4. That the provisions of the Geothermal Energy Act 1953 whereby the right to use and control geothermal resource was vested in the Crown rather than the tangata whenua was a breach of the Treaty of Waitangi.
5. We therefore claim that the Tribunal recommend:
 - (i) That the right to use the geothermal resource in the vicinity of Tikitere B be strictly controlled by the tangata whenua, the Ngati Rangiteaorere either alone or in conjunction with the regional authority
 - (ii) That any licence to use the geothermal resource include an obligation on the licensee to conduct research into the capacity of the geothermal resource.

- (iii) That the tangata whenua be an equal party to any licensing of the geothermal resource and be entitled to receive an equal share of any licence fees or royalties payable by any licensee.
6. We are making submissions to the Select Committee considering the Resource Management Bill, proposed to be introduced by the Government. We therefore ask that the Tribunal defer consideration of this amended claim pending the report back to Parliament of the Select Committee on the Resource Management Bill. Should the Resource Management Bill be amended to take into account our concerns we would propose withdrawing our amended claim in respect of the geothermal resource centred at Tikitere B.
7. That we be allowed to amend our claim after the select Committee on the Resource Management Bill has reported back to Parliament.

DATED at Wellington this 2nd day of April 1990.

The Aho Welsh of Tikitere, Kuia
 Amarama Te Kirikaramu
 Tuku Hohepa
 Ngana Te Kirikaramu
 Ngawai Dulcie Hapeta
 Dr Ngahuia Te Awekotuku
 Montigue Rangiteaorere Curtis
 Constance Mary Ganderton
 Bonita Makarena Morehu
 James Te Kiri
 Pirihiira J Fenwick
 Rauawa Manahi

By their solicitor
 and duly authorised agent


D E HURLEY