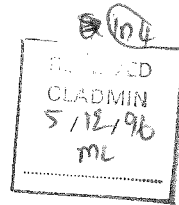


OFFICIAL

Wai 1200, 2.1.73

WAITANGI TRIBUNAL



Wai 641

CONCERNING

the Treaty of Waitangi Act
1975

AND

a claim by Heemi Biddle
relating to lands and
resources in the Ngati
Hine rohe

MEMORANDUM-DIRECTIONS OF TRIBUNAL

The Registrar will please enter this matter on the Register of claims and give it the next available wai number. The Register should note that the claim was received on 3 October 1996.

The claim, lodged by Heemi Biddle for the Ngati Hine hapu, concerns the Crown's acquisition of lands and resources in the Ngati Hine rohe. The claim includes grievances in respect of intellectual property rights, environmental issues and consultation processes between Ngati Hine and the Crown.

The claimant seeks a variety of relief including the return of Ngati Hine lands still in Crown ownership, the vesting of ownership of the Waimarino river in Ngati Hine, reform of aspects of the Resource Management Act 1991 and the establishment by negotiation of certain protocols to ensure that consultation between Ngati Hine and the Crown is both practical and meaningful.

The claimant also requests that urgency be given to the parts of the claim which concern the sale of surplus Crown and state-owned enterprise lands in the Ngati Tuwharetoa rohe and the establishment of a land bank for such properties. In order to consider the request for urgency, counsel for the claimants should file a memorandum with the Tribunal stating the grounds on which the application is made, including instances of how the current Crown protection mechanisms are prejudicing the interests of Ngati Hine.

To the extent, if at all, that the claimant is seeking the return of land which is private land (as defined by section 2 of the Treaty of Waitangi Act 1975), the Tribunal notes that, under section 6(4A) of the same Act, it is prevented from recommending the return to Maori ownership of any private land or the acquisition by the Crown of any private land. This restriction, however, is qualified by the resumption provisions of the Treaty of Waitangi Act 1975 (see sections 8A to 8HJ of the Act).

The Tribunal notes that the claimant is bringing the claim under the umbrella of Wai 575, the Ngati Tuwharetoa Comprehensive claim. The claim requires research to be completed before it can go to a hearing. The claim falls within the Volcanic Plateau Rangahaua Whanui district for which a district report has been commissioned by the Tribunal. This report, which is the form of a "working paper-first release", has been completed and the Registrar is directed to send a copy to the claimant.

The claimant may add to or amend this claim at a later stage, if necessary.

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A copy of this direction should be sent to the claimant and to claimant counsel and notification should go to:

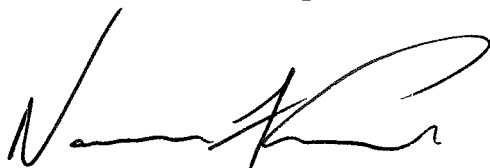
Crown Law Office
Office of Treaty Settlements
Maori Land Information Office
Land Information New Zealand
Crown Forestry Rental Trust
Department of Conservation
The Maori Trustee
Registrar, Maori Land Court, Rotorua
Registrar, Maori Land Court, Wanganui
Claimants or their counsel for those claims on the notification list for Wai 575: Ngati Tuwharetoa Comprehensive claim, and to claimants or their counsel for:

Wai 416: Rangatira No 7 Block claim
Wai 443: Ngati Raukawa claim
Wai 490: Tokaanu Hot Springs Reserve claim
Wai 554: Makotuku and Ruapehu Survey Districts claim
Wai 569: Murimotu 3B1A No 1 Block claim
Wai 592: Mangakoura Whanau Trust claim
Wai 604: Runanga Blocks claim
Wai 628: Tahorakuri No 2 Block claim
Wai 629: Rangatira A143 Block claim

Secretary, Maniapoto Maori Trust Board
Secretary, Ngati Raukawa Maori Trust Board
Secretary, Tuwharetoa Maori Trust Board
Chief Executive, Electricity Corporation of New Zealand Limited
Chief Executive, Land Corporation Limited
Chief Executive, Taupo District Council
Chief Executive, Waikato Regional Council
and, for their information, to:

Rt Hon JB Bolger, Prime Minister
Rt Hon WF Birch, Minister of Finance
Hon Philip Burdon, Minister for State-Owned Enterprises
Hon Paul East, Minister of Corrections
Hon Douglas Graham, Minister in Charge of Treaty of Waitangi Negotiations
Hon John Luxton, Minister of Maori Affairs
Hon Denis Marshall, Minister of Lands, and
Hon Simon Upton, Minister of Conservation

DATED at Wellington this *5th* day of December 1996



Deputy Chief Judge NF Smith
Deputy Chairperson
WAITANGI TRIBUNAL

1996/1997/370