

WAITANGI TRIBUNAL

Wai 3558

CONCERNING

the Treaty of Waitangi Act 1975

AND

a claim by Kristi Henare, Moana Henare and Thelma Connor on behalf of the whānau and hapū of Ngāti Hau

MEMORANDUM-DIRECTIONS OF THE DEPUTY CHAIRPERSON

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 19 February 2026.

The claimant should please take note of the 'Wai' number reference at the top of the page. Please use this claim number in any communication with the Tribunal.

This claim is lodged by Kristi Henare, Moana Henare and Thelma Connor on behalf of the whānau and hapū of Ngāti Hau, and concerns natural resources and environmental management in relation to the degradation of Puhipuhi Forest. The claimant alleges that the Crown has breached the principles of the Treaty of Waitangi by:

- significantly damaging Ngāti Hau lands, either directly or indirectly, by seizing control turning the Puhipuhi Forest into a mercury mine and then leaving the environmental damage in place for generations;
- excluding Ngāti Hau from the decision-making in acquiring the land and using it for commercial purposes;
- failing to implement damage mitigation efforts;
- causing Ngāti Hau to deal with the costs of environmental destruction and lack of economic development or benefit from previous operations; and
- preventing Ngāti Hau from using the area to sustain its people through welcoming visitors or any other sustainable economic activity.

The claimant seeks a variety of relief, including recommendations that the Crown:

- acknowledges the grievances raised in this claim;
- provides a sincere and public apology to the claimants, their whānau and their iwi that is included in any communication around the Puhipuhi Forest by Crown agencies such as the Department of Conservation in any retelling of the history of the site; and
- commits to resourcing and funding a restoration effort, led by Ngāti Hau in accordance with their tikanga, including committing to the resourcing of spiritual healing for members of Ngāti Hau that require it.

The claimant may amend this claim at a later stage. In any case the Tribunal may require the claimant to prepare a fully particularised statement of claim before the claim can be heard.

The Tribunal currently runs district and kaupapa inquiry programmes in which claims are grouped either by district or by kaupapa (thematic) issue. Historical claims are those that raise grievances which arose before 21 September 1992. Contemporary claims have grievances that arose on or after that date. Some claims have both historical and contemporary grievances.

The allegations made in this claim are contemporary in nature. They pertain to natural resources and environmental management and as such may be best suited for consideration in Wai 3450, the Natural Resources and Environmental Management Kaupapa Inquiry.

The claimant should also note that this claim is registered only insofar as it concerns contemporary allegations of Treaty breaches by the Crown.

When the time comes for the claim to be prepared for hearing, the Tribunal will decide whether there are any matters in the present claim that the Tribunal may not inquire into. The claimant needs to be aware that there are some matters that the Tribunal is not allowed to inquire into, such as any Bill that has been introduced into Parliament (unless the Bill has been referred to the Tribunal under section 8 of the Treaty of Waitangi Act 1975). Also, when historical claims are settled, the settlement legislation usually forbids the Tribunal from inquiring further into the matters that have been settled.

The claimant also needs to be aware that the Tribunal does not make settlements. After the Tribunal has completed an inquiry into claims, it writes a report making recommendations to the Crown. It cannot tell the Crown what to do; it may only recommend that the Crown acts to address the negative consequences of its breaches of the principles of the Treaty.

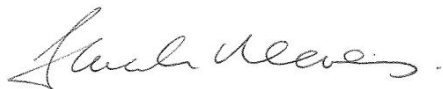
Legal Aid Services provides help for Waitangi Tribunal claimants. For advice on getting a lawyer or receiving funding, please contact Legal Aid Services at their Wellington central office or one of the local offices; the claimant should check their telephone directory for contact details.

Any questions about the contents of this document should be directed to The Registrar, Waitangi Tribunal, DX SX 11237, Wellington; phone (04) 914 3000, fax (04) 914 3001; email wt.registrar@justice.govt.nz.

The Registrar is to send a copy of this direction to the claimant and to:

- Crown Law Office;
- Te Tari Whakatau, Office of Treaty Settlements and Takutai Moana;
- Crown Forestry Rental Trust;
- Legal Aid Services;
- Te Puni Kōkiri;
- Department of Conservation; and
- All those on the notification list for Wai 3450, the Natural Resources and Environmental Management Kaupapa Inquiry.

DATED at British Columbia, Canada this 10th day of March 2026

A handwritten signature in cursive script, appearing to read "Sarah Reeves".

Judge Sarah Reeves
Deputy Chairperson

WAITANGI TRIBUNAL