OFFICIAL

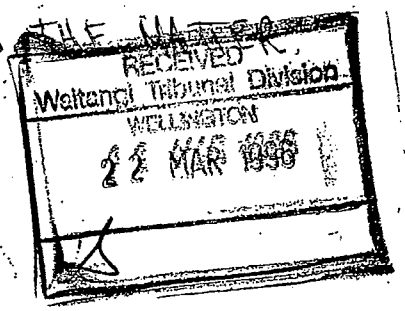
Wai 898, #1.1.28
Wai 587, # 1.1

BEFORE THE WAITANGI TRIBUNAL

IN THE MATTER OF THE TREATY OF WAITANGI ACT 1975

AND

IN THE MATTER OF CLAIMS TO THE WAITANGI TRIBUNAL BY PITA POU HAERETI AND HAAMIORA MOERUA BY THEMSELVES AND ON BEHALF OF THE NGATI TE KANAWA AND NGATI TE PEEHI HAPUS OF THE NGATI MANIAPOTO IWI



STATEMENT OF CLAIM

CLAIMANTS ON BEHALF OF THEMSELVES AND ON BEHALF OF THE NGATI TE KANAWA AND NGATI TE PEEHI HAPUS OF THE NGATI MANIAPOTO IWI

HISTORICAL CLAIM

① TRIBAL HAPU SOVEREIGNTY THROUGH MISREPRESENTATION BY THE CROWN

TRIBAL HAPU LANDS TAKEN FOR A CROWN RAILWAY LINE

TRIBAL HAPU LANDS TAKEN BY THE CROWN BY LIEN SURVEY

TRIBAL HAPU LANDS HELD UNDER THE CROWN PASTROL LEASES.

TRIBAL HAPU LANDS TAKEN FOR CROWN FORESTS LEASEHOLD RESERVES PARKS COASTAL RESERVES WATERWAYS LAKES RIVERS HARBOURS CATCHMENT CONTROL RECREATIONAL FISHING SHELLFISH MAHANGA KAI WETLANDS ENDOWMENT LANDS FOR SCHOOLS, HALLS.

①

TRIBAL HAPU LANDS TAKEN FOR WATER MINERALS LIMESTONE OIL AND GAS PETROLEUM COAL AND MINING RIGHTS BELOW THE LAND AND WATER SURFACE

TRIBAL HAPU LAND KNOWN TITLES AS THE ROHE POTAE BEING DISTORTED BY CROWN AGENCIES AND COURTS CAUSING IT UNDER MAORI TIKANGA TO BE DESTROYED FOR ALL TIMES.

THE CROWN TAKING AWAY NGATI TE KANAWA AND NGATI TE PEEHI HAPU FISH AND SHELLFISH AND THERE FISHING AND SHELLFISH GATHERING RIGHTS IN THERE ANCESTRAL ROHE AND BOUNDARIES WHERE EXIST WATERWAYS LAKES RIVERS HARBOURS INSHORE AND DEEPSEA COASTAL AREAS,

THE CROWN DESTROYING NGATI TE KANAWA AND NGATI TE PEEHI HAPU INDIGENOUS FORESTRY BY ALLOWING ITS SETTLERS POLICY TO DEVELOP UNCHECK AND WITHOUT PROPER SUPERVISION TO ENSURE IT COMPLIES WITH THE RIGHTS GRANTED TO THE NGATI TE KANAWA AND NGATI TE PEEHI HAPUS OF THE NGATI MANIAPOTO IWI UNDER THE TREATY OF WAITANGI

THE CROWN SETTLERS POLICY WHICH DESTROYED WILD GAME BIRD LIFE AND INSECTS INDIGENOUS TO AOTEAROA AND TO THE ROHE OF THE NGATI TE KANAWA AND NGATI TE PEEHI HAPUS OF THE NGATI MANIAPOTO IWI

CONTEMPORARY CLAIM.

THE CROWN RECENT LEGISTLATION SUCH AS THE

STATE OWNED ENTERPRISE ACT
THE CROWN PROTECTION POLICY ON CROWN SURPLUS LANDS

RESOURCE MANAGEMENT ACT.
FOREST ADMENDMENT ACT
CONSERVATION ACT
FISHERIES ACT.

AND SUCCESSIVE ACTS OF PARLIAMENT INCLUDING EDUCATION HEALTH SOCIAL SERVICES HOUSING EMPLOY IMMAGRATION ARMED SERVICES JUSTICE LANDS FORESTS

THE REVERSAL OF THE 1852 NEW ZEALAND CONSTITUTION IN 1988 WHICH PREVENTS NGATI TE KANAWA AND NGATI TE PEEHI OF THE NGATI MANIAPOTO IWI THE RIGHT TO ESTABLISH THEIR OWN SELF GOVERMENT MAKE LAWS AND THE RIGHT TO TAX AS IT SEES FIT WITHIN THEIR ROHE AND TRIBAL BOUNDAIRIES

A BREACH BY THE CROWN OF THE SACRED AGREEMENT KNOWN AS THE "ROHE POTAE PACT". IN RELATION TO THE CONTINUATION OF THE CROWNS MAIN TRUNK RAILWAY AND NO LIQOUR BEING ALLOWED INTO THE KING COUNTRY OR TE ROHE POTAE O MANIAPOTO AS DEFINED BY THE NGATI MANIAPOTO HIGH CHIEFS REWI MANIAPOTO WAHANUI TAONUI AND THE NGATI TEKANAWA AND NGATI TE PEEHI CHIEFS AND KAUMATUAS WHO SUPPORTED THIS SACRED PACT 1943 TE ONE HAERETI E.H. RELOITI AIHE TE HUIRAMA TUARIRI HOHAPA TITI TOI.

(2) RESERVATION THIS CLAIM IS MADE WITH THE EXPRESS RESERVATION IN REPECTS OF FURTHER AND ADDITIONAL ELEMENTS PARTICULARS OF WHICH WILL BE SUPPLIED.

(3)

Relief Sought By The Claimant

Ngati Te Kanawa and Ngati Te Peehi Hapu will not be bound by the terms of the Crown / Maniapoto Maori Trust Board Settlement or any other authority than its own.

Direct Negotiation with the Crown is desired by Ngati Te Kanawa and Ngati Te Peehi Hapus by its nominated representatives.

That the Crown stay the sale of all its Surplus Property so that it may form part of the Settlement Package to Assist Ngati Te Kanawa and Ngati Te Peehi Hapu of the Ngati Maniapoto Iwi to rebuild their Iwi to full status as a sovereign nation of people recognised in the Declaration of Independence 1835.

That the right to Self Determination protected by the Declaration of Independence 1835 and gaureented under the Treaty of Waitangi and recognised by the 1852 New Zealand Constitution be granted to the Claimants.

Compensation from the Crown for the Breach of the Sacred Agreement known as the "Rohe Potae Pact" as defined by Ngati Maniapoto High Chiefs Chiefs Kaumatuas and Others in relation to the Railway and Liquor Issue.

ECOGNITION OF THE EXCLUSIVE RIGHTS OF NGATI TE KANAWA AND NGATI TE PEEHI HAPU OF THE NGATI MANIAPOTO IWI TO ITS FISHERIES REFERRED TO IN PARAGRAPH 1

THAT COMPENSATION FOR THE WRONGFUL WITHHOLDING OF THOSE LANDS AND TITLES DESCRIBED IN PARAGRAPH 1 BE MADE BY THE CROWN TO NGATI TE KANAWA AND NGATI TE PEEHI HAPU OF THE NGATI MANIAPOTO IWI.

ITS OWNERSHIP RIGHTS TO TAWARAU FOREST
KINOHAKU BLOCK AND OTHERS
HAS NOT GIVEN ITS PROPERTY RIGHTS TO IWI
HAS NOT ASKED IWI TO NEGOTIATE ON ITS BEHALF

RECOGNITION OF THE EXCLUSIVE RIGHTS OF NGATI TE KANAWA AND NGATI TE PEEHI HAPU OF THE NGATI MANIAPOTO IWI TO ITS FISHIERIES AT MARAKOPA KAWHIA MARAKOPA RIVER TAWARAU RIVER KIRITEHERE AND OTHERS IN ITS ROHE.

THAT THE EXCLUSIVE TITLE TO POSSESION USE AND CONTRO OF OUR PORTION OF KAWHIA HARBOUR AND MARAKOPA COAST MENTIONED IN PARAGRAPH 1 INCLUDING THE FORESHORES AN THE FISHERIES IN THAT HARBOUR AND THE MARAKOPA COAST BE GRANTED TO THE NGATI TE KANAWA AND NGATI TE PEEHI HAPU OF THE NGATI MANIAPOTO IWI AND TO THE EXTENT THAT THEY HAVE NOT BEEN GIVEN EFFECT TO IN THE PAST AND ARE NOW DEPLETED THAT COMPENSATION BE PROVIDED TO THE CLAIMANT.

IN SOFAR AS AS EXCLUSIVE RIGHTS HAVE BEEN INTERFERED WITH AND CANNOT BE RESTORED, SUFFICIENT COMPENSATION IN CONFORMITY WITH MAORI CUSTOMS AND TRADIONS. (5)

COMPENSATION IN REPECTS OF THE DISRUPTION TO NGATI TE KANAWA AND NGATI TE PEEHI HAPU OF THE NGATI MANIAPOTO IWI AND IN PARTICULAR THE SOCIAL DISLOCATION WHICH HAS OCCURRED AS A CONSEQUENCE OF THE ACTS OMMISSION AND POLICIES OF THE CROWN SET OUT ABOVE.

THAT THE WAITANGI TRIBUNAL FURTHER PROVIDE FUNDS TO DO RESEARCH IN SUPPORT OF THIS CLAIM

COMPENSATION FOR THE COST OF PREPARING AND SUBMITTING THE PRESENT CLAIMS.

DATED AT TE ANGA THIS 21ST DAY OF MARCH 1995
RD 8
TEKUITI

PETER POLI HAEREITI

HAMMIORA MOERUA.

THIS STATEMENT OF CLAIM IS FILED BY E.D.V. ORMSBY
WHOSE ADRESS IS 9 NETTIE ST
TEKUITI

(6)