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Wai 898, #1.1.49
Wai 928, # 1.1

BEFORE THE WAITANGI TRIBUNAL

RECEIVED
Waitangi Tribunal
27 Mar 2001
Ministry of Justice
WELLINGTON

IN THE MATTER of the Treaty of Waitangi Act 1975

AND

IN THE MATTER of claims to the Waitangi Tribunal by **JOHN WI** on behalf of Ngati Pahere and Ngati Rae-Rae

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STATEMENT OF CLAIM

The Claimants

1. This claim is lodged by **JOHN WI** on behalf of himself and NGATI RAE RAE and NGATI PAHERA, of the King Country ("the Claimants").

2. The Claimants are Maori and they claim that they have been prejudicially affected by the ordinances, acts, regulations, proclamations, notices and other statutory instruments and by the policies, practices, acts or omissions of the Crown, in terms of Section 6 of the Treaty of Waitangi Act 1975.

The Claim

3. The Claimants state that various ordinances, acts, regulations, proclamations, notices and other statutory instruments and the policies, practices, acts or omissions of the Crown, have prejudicially affected their rights as Maori under the Treaty of Waitangi in relation to:

   (a) The Ongarue Recreation Reserve, situated in the Ongarue township;

   (b) Certain Ngati Rae Rae and Ngati Pahera lands the Crown compulsorily acquired for the purpose of building railways, roads, parks, reserves; police stations, hospitals, Courts, post offices, cemeteries, churches, railway stations, television transmitters and for use as land fill;

   (c) Ngati Rae Rae and Ngati Pahera lands taken in lieu of payment for survey costs;

   (d) The Crown's breach of the Rohe Potae Pact which forbid the sale and consumption of liquor in the King Country region;

   (e) The Ongarue River and its tributaries; and

(f) The mountains within the rohe of Ngati Rae Rae and Ngati Pahera.

4. The Claimants reserve the right to amend this Statement of Claim.

5. Claimant counsel is Darrell Naden, Barrister, of Auckland, whose address for service is PO Box 72558, Papakura, Auckland.

Relief Sought

6. A recommendation from the Waitangi Tribunal that the Ongarue Recreation Reserve be returned to the exclusive ownership of Ngati Pahera and Ngati Rae Rae, or compensation be paid in lieu thereof;

7. A recommendation from the Waitangi Tribunal that certain Ngati Rae Rae and Ngati Pahera lands the Crown compulsorily acquired for the purpose of building railways, roads, parks, reserves; police stations, hospitals, Courts, post offices, cemeteries, churches, railway stations, television transmitters and for use as land fill be returned to the exclusive ownership of Ngati Pahera and Ngati Rae Rae, or compensation be paid in lieu thereof;

8. A recommendation from the Waitangi Tribunal that Ngati Rae Rae and Ngati Pahera lands taken in lieu of payment for survey costs be returned to the exclusive ownership of Ngati Pahera and Ngati Rae Rae, or compensation be paid in lieu thereof;

9. A recommendation from the Waitangi Tribunal that compensation be paid for the Crown's breach of the Rohe Potae Pact which forbid the sale and consumption of liquor in the King Country region;

10. A recommendation from the Waitangi Tribunal that ownership of the Ongarue River and its tributaries be vested in Ngati Pahera and Ngati Rae Rae;

11. A recommendation from the Waitangi Tribunal that the mountains within the rohe of Ngati Rae Rae and Ngati Pahera. be returned to the exclusive ownership of Ngati Pahera and Ngati Rae Rae.

12. Any other finding or recommendation as a result of prejudice suffered by the Claimants as a result of any ordinance, act, regulation, proclamation, notice and other statutory instrument and by any policy, practice, act or omission of the Crowns', the Waitangi Tribunal wishes to make.

DATED this 21st day of March 2001

CONFIRMATION OF COUNSEL

I, JOHN WI, OF NGATI PAHERA AND NGATI RAE RAE, AM THE PRINCIPLE CLAIMANT FOR THE NGATI PAHERA AND NGATI RARE RAE CLAIM TO THE WAITANGI TRIBUNAL. I HEREBY INSTRUCT DARRELL NADEN, BARRISTER, OF AUCKLAND, TO BE OUR LAWYER FOR THESE PROCEEDINGS.

DATE: 15/2/01

SIGNED: John Wi

C2001/05/00772.

DARRELL C. F. NADEN Barrister-at-law

PO Box 72558, Papakura, Auckland
Telephone/Facsimile: 09 298 1161

RECEIVED
WAITANGI TRIBUNAL
WELLINGTON
8 - MAY 2001
DEPT FOR COURTS
WELLINGTON

3 May 2001

The Registrarial Assistant
Waitangi Tribunal
DX SP 22525
WELLINGTON

Attention: **Jeremy Stevenson-Wright**

Tena koe

NGATI PAHERA-NGATI RAE RAE CLAIM

I refer to your correspondence dated 6 March 2001 requesting further detail as to the claim area of this claim, namely the location and boundaries of the rohe of Ngati Pahera and Ngati Rae Rae respectively.

Although this claim is lodged by two separate and distinct hapu, after consultation with the principle claimant it has been decided to provide the Tribunal with one single boundary description that encompasses the rohe of both hapu. This approach is consistent with the Statement of Claim, which is representative of both hapu's claim interests. We trust this approach is acceptable to the Tribunal.

General Location

The claim area is located in the King Country, just north of Taumarunui.

Approximate size

The claim area is approximately 235 square kilometres.

Boundary Description

The boundary of both Ngati Pahera and Ngati Rae Rae begins at the township of Okahukura and runs west to the township of Tuhua. From Tuhua, the boundary line runs in a northerly direction to the Tapuiwahine Valley and from there to the township of Tangitu. From Tangitu, the boundary line runs in an easterly direction across the Waihuka River to the mouth of the Waione Stream (where the Waione Stream converges with the Ongarue River). From this juncture, the boundary line runs along the Waione Stream to where it meets the Mangatukutuku Stream. From this juncture, the boundary

line runs along the Mangatukutuku Stream to its headwaters at the foot of the Hauhungaroa Ranges. From the headwaters of the Mangatukutuku Stream, the boundary line then runs in a westerly direction to Maunga Hikurangi. From Maunga Hikurangi, the boundary line then returns to Okahukura.

Please advise if the Boundary Description needs to be addended to the Statement of Claim. If so, the Boundary Description will be provided to you in that form. We trust that you have all of the information that is required to register this claim and we look forward to receiving a WAI registration number. However if any further information is required, please do not hesitate to contact the writer.

Yours faithfully

DARRELL NADEN
Barrister
L-2/dn