OFFICIAL

Wai 898, # 2.1.25
Wai 575, #2.1

WAITANGI TRIBUNAL

CONCERNING the Treaty of Waitangi Act 1975

AND a claim by Sir Hepi Te Heu Heu relating to land and resources in the Ngati Tuwharetoa rohe

MEMORANDUM-DIRECTIONS OF TRIBUNAL

The Registrar will please enter this matter on the Register of claims and register it as Wai 575. The register should note that the claim was received on 30 April 1996.

The claim, described as a "comprehensive claim", is made by Sir Hepi Te Heuheu and the Tuwharetoa Maori Trust Board for the hapu of Ngati Tuwharetoa (which are listed at the commencement of the claim). The claim states that it has been lodged for administrative reasons, namely to meet funding criteria of the Crown Forestry Rental Trust, and the Tribunal is advised that administrative responsibility for the claim will pass to the Ngati Tuwharetoa Comprehensive Claim Charitable Trust once the trust is registered. However, by a letter dated 9 May 1996 from Mr Harvey Karaitiana, claimant for Wai 500 and secretary for Ngati Tutemohuta hapu which is one of the claimant hapu listed at the commencement of this claim, the Tribunal is advised that "Ngati Tutemohuta has opted not to nominate a candidate for the Tuwharetoa Trust Board's Comprehensive Treaty Claim Charitable Trust".

The claim raises grievances in respect of lands, forests, geothermal and other resources, environmental and conservation matters and intellectual property rights to fauna and flora in the Ngati Tuwharetoa rohe.

Although it is stated that the claim has been lodged for administrative reasons, the claimant hapu have requested an urgent hearing into the disposal of surplus Crown and state-owned enterprise land in the Ngati Tuwharetoa rohe. In order to consider the application, counsel for the claimants should file the grounds on which the application is made, including instances of how the current Crown protection mechanisms have proved to be ineffective.

The claim outlines a wide variety of relief sought by the claimant hapu. To the extent, if at all, that the claimants are 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 sections 8A to 8JH of the same Act.

In regards to Crown forest lands, the claimants ask that the Tribunal exercise its powers to make binding recommendations under section 8HB of the Treaty of Waitangi Act 1975 for the return

Maori ownership of Crown forest land in their rohe.

The claim requires research to be completed before it can go to a hearing. A research proposal has been submitted with the claim which the Tribunal is currently considering.

The claimant may amend the claim at a later stage, if necessary.

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

The Prime Minister, the Rt Hon JB Bolger
The Minister of Finance, the Rt Hon WF Birch
The Minister of State Owned Enterprises, the Hon Philip Burdon
The Minister in Charge of Treaty Negotiations, the Hon Douglas Graham
The Minister of Conservation, the Hon Simon Upton
The Minister of Lands, the Hon Denis Marshall
The Minister of Forestry, the Hon John Falloon
The Minister of Justice, the Hon Douglas Graham
The Minister of Defence, the Hon Warren Cooper
The Minister of Maori Affairs, the Hon John Luxton
Crown Law Office
Maori Land Information Office
Office of Treaty Settlements
Department of Survey and Land Information
Crown Forestry Rental Trust
Registrar, Maori Land Court, Rotorua
Registrar, Maori Land Court, Whanganui
Claimant/Counsel for:

Wai 48	Whanganui Ki Maniapoto Land claim
Wai 57	Rotokawa claim
Wai 61	Kaimanawa to Rotoaira Land claim
Wai 75	Hauhungaroa & Other Blocks claim
Wai 80	Waihaha & Other Lands claim
Wai 81	Mount Ruapehu claim
Wai 170	Wairakei Lands claim
Wai 212	Ika Whenua Lands & Waterways claim
Wai 226	Tuwharetoa Geothermal Areas claim
Wai 269	Kaingaroa Forest claim
Wai 288	Kaingaroa Forest claim
Wai 319	Kaingaroa Forest claim
Wai 358	Tatua West/Tuhingamata West Forestry claim
Wai 359	Hautu & Rangipo Prison Farms claim
Wai 376	Paeroa Te Akau Lands claim
Wai 382	Kaweka Forest Park claim
Wai 389	Te Rohe Potae Land & Resources claim
Wai 398	Tauhara Middle Block claim
Wai 445	Tauhara Middle Block (Claim No 2) claim
Wai 461	Mokai Geothermal Resource claim
Wai 478	Pukepoto A6 Block claim
Wai 480	Tongariro/Taupo Conservancy claim
Wai 500	Tauhara Middle No 1 Block claim
Wai 502	Tongariro National Park claim
Wai 524	Ruawahia & Other Blocks claim

Wai 538 Ngati Whaita Land claim
Wai 555 Taumatahoe Block claim
Wai 570 Tauranga Taupo No 1B & No 2B Block claim

Claimant/Counsel for those claims consolidated or grouped for inquiry with the following claims:

Wai 367 Lake Taupo South Taupo Lands claims
Wai 48 Whanganui Ki Maniapoto Land claim

Carter Holt Harvey Limited
Electricity Corporation of New Zealand Limited
Fletcher Challenge Limited
Forestry Corporation of New Zealand Limited
Land Corporation Limited
Maniapoto Maori Trust Board
Ngati Raukawa Trust Board
Tainui Maori Trust Board
Te Arawa Trust Board
Te Runanganui O Ngati Kahungunu
Te Runanganui O Te Arawa
Tuhoe Tuawhenua Maori Trust Board
Tuhoe Waikaremoana Trust Board
Tuwharetoa Maori Trust Board
Rangitikei District Council
Ruapehu District Council
Taupo District Council
Whakatane District Council
Bay of Plenty Regional Council
Manawatu-Wanganui Regional Council
Waikato Regional Council

DATED at Wellington this 31st day of May 1996

Deputy Chief Judge NF Smith
Deputy Chairperson
WAITANGI TRIBUNAL