

WAITANGI TRIBUNAL

CONCERNING

the Treaty of Waitangi Act 1975

AND

a claim by Hardie Peni relating to lands, forests and resources in the Rangitoto Tuhua rohe, Maniapoto district

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 by facsimile on 23 January 1998.

The claim, lodged on behalf of Rangitoto Tuhua Incorporated, Ngati Rereahu-Maniapoto iwi, concerns the loss of lands, forests and resources in the Rangitoto Tuhua rohe. The claimant claims that the Crown wrongfully acquired lands and resources by actions that were in breach of the Treaty of Waitangi, and which have prejudicially affected him and the hapu within the rohe.

The claimant seeks a variety of relief including the return of Crown forest land pursuant to the provisions of the Crown Forests Assets Act 1989. 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 claim requires research to be completed before it can go to hearing and will be heard with other claims with which it overlaps. The claimant's request for the Tribunal to commission a researcher is noted and will be responded to by a member of the Tribunal's research staff.

The Tribunal advises that the issue of entering direct negotiations with the Crown should be taken up directly with the Office of Treaty Settlements. If the claimant enters direct negotiations with the Crown, the Tribunal should be advised accordingly.

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

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

Crown Law Office
Office of Treaty Settlements
Maori Land Information Office
Land Information New Zealand
Crown Forestry Rental Trust

1908/1999/90

Department of Conservation
Ministry of Agriculture and Forestry
Te Puni Kokiri

Claimant/counsel for:

Wai 48 Whanganui Ki Maniapoto claims
Wai 50 Rangitoto Tuhua 55A Block claim
Wai 146 King Country Lands claim
Wai 329 Rohe Potae Lands claim
Wai 389 Te Rohe Potae Land and Resources claim
Wai 399 Te Rongoroa A7 claim
Wai 424 Koromiko and Tarata claim
Wai 440 Tokanui Land claim
Wai 443 Ngati Raukawa claim
Wai 457 Hauturu East No 3B2 and 3A claim
Wai 472 Waikowhitiwhiti Block (Otorohanga Town Hall) claim
Wai 483 Umukaimata and Waiaraia Blocks claim
Wai 535 Ngati Maniapoto Lands and Resources claim
Wai 556 Umukaimata Block claim
Wai 586 Ngati Te Puta Hapu claim
Wai 587 Ngati Te Kanawa and Ngati Te Peehi claim
Wai 616 Ngati Rora claim
Wai 630 Ngati Rereahu Rohe claim
Wai 691 Pio Pio Stores Site claim

Carter Holt Harvey

Crown Forestry Management Limited

Electricity Corporation of New Zealand Limited

Rayonier New Zealand Limited

Tranz Rail Limited

Maniapoto Maori Trust Board

Ngati Raukawa Trust Board

Tuwharetoa Maori Trust Board

Otorohanga District Council

South Waikato District Council

Taupo District Council

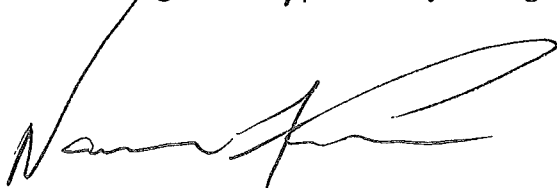
Waipa District Council

Waitomo District Council

Environment Waikato

and for his information, the member of Parliament for Te Tai Hauauru, Mr Tukoroirangi Morgan

DATED at Wellington this *11th* day of August 1998



Deputy Chief Judge NF Smith

Deputy Chairperson

WAITANGI TRIBUNAL

1998/1999/19