OFFICIAL

WAITANGI TRIBUNAL

Wai 898, #2.1.36
Wai 775, #2.1

CONCERNING	the Treaty of Waitangi Act 1975
AND	a claim by Edward Parahi Wilson relating to Whaingaroa harbour, Waitetuna river and other Waikato waters and resources

MEMORANDUM-DIRECTIONS OF TRIBUNAL

The claim was received in the form of three different letters: two dated 6 October 1998 and received on 16 October 1998; and one dated 26 November 1998 and received on 1 December 1998. For administrative efficiency, the claimant has agreed to have the three matters registered under a single wai number. The Registrar will please enter this matter on the Register of claims and give it the next available wai number and record its date of receipt as 1 December 1998.

The claim concern the waters, foreshores, beds, and associated resources of:
(1) Whaingaroa harbour, Waitetuna river, and Ohautira stream;
(2) Waikato river;
(3) Waingaro river.

The claimant, on behalf of the Ngati Tamainu hapu, claims that he is, or is likely to be, prejudicially affected by legislation and by Crown actions relating to the confiscation of these waters, which he says dealt a crippling blow to the cultural, social, and spiritual well being of the tribe.

To the extent, if at all, that the claimant is seeking an inquiry into commercial fishing or fisheries, the Tribunal notes that it is prevented from inquiring into and making any recommendation in respect of commercial fishing or fisheries, or the deed of settlement between Crown and Maori relating to commercial fishing or fisheries (see section 6(7) of the Treaty of Waitangi Act 1975).

The Tribunal also notes that under section 6(4A) of the Treaty of Waitangi Act 1975, it is prevented from recommending the return to Maori ownership of any private land or the acquisition by the Crown of any private land unless the resumption provisions of the Treaty of Waitangi Act 1975 apply (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 may amend the claim at a later stage, if necessary.

1998/1999 b20

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
Department of Conservation
Claimant/counsel for:

- Wai 30 Tainui Land claim
- Wai 31 Maioro Lands claim
- Wai 125 Raglan Harbour claim
- Wai 330 Auckland-South Auckland-Waikato Lands claim
- Wai 426 Te Uku Landing Reserve claim
- Wai 508 Ngati Te Ata claim
- Wai 530 Nga Uri O Whawhakia claim
- Wai 537 Ngati Tahinga Iwi claim
- Wai 538 Ngati Whaita Land claim

Huakina Development Trust
Ngati Te Ata
Tainui Maori Trust Board
Waikato District Council
Environment Waikato

DATED at Wellington this 4th day of March 1999

Deputy Chief Judge NF Smith
Deputy Chairperson
WAITANGI TRIBUNAL

1998/1999/22C