

ROTOAIRA FOREST TRUST

P.O. Box 155,
TURANGI, N.Z.

Telephone: (0746) 8839 9th June 1988.

Wai 1130, 1.1.3

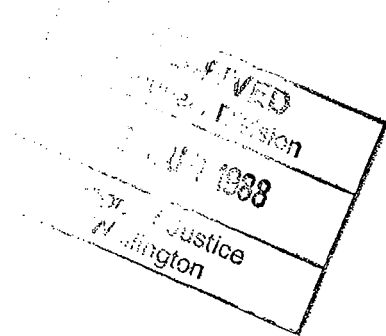
OFFICIAL

In reply please quote:

Our Ref: 141/6/21.

Your Ref:

The Registrar,
Waitangi Tribunal,
Tribunals Division,
Department of Justice,
P.O. Box. 10-044,
WELLINGTON.



Dear Madam/Sir,

The Trustees of Rotoaira Forest Trust and their beneficiaries claim to be prejudicially affected by the acquisition of the following Maori lands by the Crown being lands all previously owned by the following sub-tribes of Ngati-Tuwharetoa all represented today by the Trustees of Rotoaira Forest Trust. The sub-tribes affected and represented by the Trust are:

Ngati-Waewae, Ngati-Hikairo, Ngati-Matangi,
Ngati-Pouroto, Ngati-Marangataua, Ngati-Kurauia,
Ngati-Rongomai, Ngati-Turumakina and Ngati-Turangitukua.

The Maori lands acquired by the Crown in the past and to which the aforesaid sub-tribes represented by the Trustees of Rotoaira Forest Trust lay claim are:

1. All the Rangipo Waiau and Rangipo North lands now known as the Army Defence Lands lying to the north east and the north of the Township of Waiouru and bounded to the west by the Tongariro National Park and to the east by the Kaimanawa State Forest Park and to the north by the Maori owned Rangipo North 7C and 6C Blocks.
2. Those portions of the Oruamatua Kaimanawa Blocks acquired by the Crown and the Defence Department in the past years.
3. The lands acquired by the Crown in the past and now known as the Kaimanawa State Forest Park.
4. The Rangipo and Hautu Blocks acquired by the Crown in the past and now known as the Hautu and Rangipo Prison Farms or the Tongariro Prison Farms of approximate area, 15,000 hectares.
5. Okahukura 6A1 Block of 41.8849 ha. Part Okahukura 6B Block of 210.9744 ha. Part Okahukura 8M2C1 Block of 151.4729 ha. Part Okahukura 8M2C1 Block of 700 ha. Okahukura 8M2B3A5 Block of 56.9847 ha. Part Okahukura 2B1 Block of 26.4780 ha. Part Waimanu 2E Block of 17 ha. Section 1, Block 1, Pihanga S.D. of 43.1502 ha. Part Section 2, Block 1, Pihanga S.D. of 83.1000 ha.
6. Taurewa East No 4, Taurewa Part B5B1, Taurewa Part B5B2 all totalling 1017.8 ha. Okahukura Part 6B of 253 ha. Okahukura Part 6B of 207 ha. Taurewa East No 4, Part 1B1 of 252 ha.

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7. Taurewa East No 4 Part A2 of 329.8 ha. Taurewa East No 4 Part B2 of 18 ha. Taurewa East No 4, Part 4B of 256 ha. Okahukura Part 8M1, Part 8A2, Part 1, Part 2, and Part 8A all a total of 260.8 ha.
8. The Taurewa Blocks now part of the Taurewa Farm Development owned by the Crown and lying north of the Township of National Park and bounded to the east by the Tongariro National Park and to the west by the Tongariro State Forest No 42.
9. All the Maori land acquired by the Crown in the past and now known as Tongariro State Forest No 42.
10. The following Blocks of Maori owned land purchased by the then Native Land Purchasing Officers of the Native Department, Wanganui, for the Crown in the years 1918 to 1922 being an area of 35,054a. 1r. 01p. for the sum of Seventy seven thousand three hundred and three pounds, eighteen shillings and two pence (77,303. 18. 2) or Two pounds and two shillings per acre.

Just prior to the purchase of these lands by the Native Land Purchase Officer for the Crown, the then N.Z. Forestry Department predecessor of the N.Z. Forest Service Department had, because of their substantial native forest content valued these lands at One million two hundred and ninety nine nine hundred and seventy nine pounds (1,299,979. 0. 0.) or Thirty seven pounds per acre. For your information, attached is a copy of a letter to the Minister of Lands & Maori Affairs, the Hon. K.T. Wetere. The Blocks of Maori land purchased by the Native Land Purchase Officer for the Crown were:

BLOCK.	AREA.	PURCHASE PRICE.
Hauhungaroa 1D1.	3,000a. 0r. 00p	4,125. 0. 0.
Hauhungaroa D2.	6,977a 0r 12p	8,319. 18. 9.
Okahukura 3.	441. 0. 00p	1,346. 8. 8.
Okahukura 4B.	726. 2r. 27p.	486. 16. 4.
Okahukura 6.	1,822a 3r 33p.	4,233. 11. 6.
Pukepoto 1.	1,631a. 0. 00.	4,892. 19. 10.
Pukepoto 2.	1,301a. 0. 00.	3,903. 0. 0.
Pukepoto 3.	1,022a. 0. 00.	3,066. 0. 0.
Pukepoto 4.	696a. 0. 00.	2,435. 19. 10.
Waimanu 2G.	5,603a. 3r. 00p.	7,909. 13. 7.
Waituhi Kuratau 1B.	752a. 0r 09p	376. 9. 4.
Waituhi Kuratau 4A.	4,610a. 0r. 00p	14,982. 9. 6.
Waituhi Kuratau 4B1	4,089a. 1r. 08p	13,327. 1. 4.
Waituhi Kuratau 4B2.	2,208a. 0r. 23p	7,769. 18. 9.
Waimanu 1.	173a. 0r. 09p.	196. 10. 9.
	<u>35,054a. 1r. 01p.</u>	<u>77,303. 18. 2.</u>

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These aforesaid Hauhungaroa, Okahukura, Pukepoto, Waituhi Kuratau and Waimanu Blocks of 35,054a. 1r. 01p are now part of Waituhi State Forest 112, Pukepoto State Forest 122 and Tongariro State Forest 42. In 1935, the aforesaid sub-tribes of Ngati-Tuwharetoa through the then Paramount Chief of Ngati-Tuwharetoa the late Hoani te Heu Heu attempted by proper and legal means via the Supreme Court and the Court of Appeal, to have their lands returned to them. This was unsuccessful as Parliament had passed legislation validating the land purchases and other actions by the Crown.

The Court of Appeal however granted the respondent leave to take their matter to the Privy Council for consideration. This was done by the respondent sub-tribes via the late Hoani te Heu Heu citing Clause (2) two of the Treaty of Waitangi as their vehicle. The Privy Council in a judgement delivered by the then Lord Chancellor, Viscount Simon, in 1941 held that without statutory rights the Maoris could not rely on the Treaty in the Courts as a redress or for reparation.

Rotoaira Forest Trust on behalf of its beneficiary owners and their sub-tribes CLAIM that the acquisition of all the aforesaid lands in Paras (1) to (10) by the Crown in the past has prejudicially and materially affected their previous Maori owners or, their descendents, and is totally inconsistent with the spirit and the letter of the Treaty of Waitangi as it exists today.

Accordingly the WAITANGI TRIBUNAL is asked to recommend that all the aforesaid lands in Paras (1) to (10) be returned to the original owners or their descendents or if this is not possible, to recommend that the Crown make reparation or such compensation as the Tribunal considers reasonable and fair.

The Tribunal is asked to hear this claim in a Public Hall in the Township of Turangi where the Office of the Rotoaira Forest Trust is located and where many of the descendents of the original owners of the aforesaid lands reside.

PERSONS or GOVERNMENT DEPARTMENTS who may be affected by these claims and who should have Notice of them are:

The Department of Defence. The Department of Conservation.

The Lands & Survey Department or its successors.

The Ministry of Forestry. The Department of Maori Affairs.

The Justice Department.

The Solicitors for Rotoaira Forest Trust who will represent the Trust and its beneficiaries with their sub-tribes in these claims are Tripe Matthews and Feist, P.O. Box 5003, Wellington.

Yours faithfully,

For and on behalf of the Rotoaira Forest Trustees,
J.T. Asher.
Trust Secretary.

