

APPENDIX III

**SUMMARY OF CLAIMS IN THE HAWKE'S
BAY AND MOHAKA KI AHURIRI DISTRICTS**

AS AT 8 AUGUST 1996

HAWKE'S BAY CLAIMS

Wai 69

Claimant: Eru Smith (deceased)

Hapu/iwi: Ngati Kahungunu

Date lodged: 2 December 1988; further statement 19 April 1990

Area involved: Rangaika Maori reserve, block III of the Kidnapper survey district

Claim/issues: This claim relates specifically to the above block. It is claimed that Acts of Parliament resulted in the loss of title. Principal issues are the possible failure of the Native Land Court to properly investigate customary title, and the Crown's possible negligence in ensuring that the only reserve from a large sale area was alienated, and by a non-occupant. The claim states that the Crown failed to ensure that the land remained as a reserve for their use.

Wai 71

Claimant: Myrtle Tahiti Rangiihu and Rongonui Tomoana

Hapu/iwi: Ngati Kahungunu, Ngati Hori, Ngati Hawea, Ngati Tukuoterangi

Date lodged: 10 April 1988

Area involved: Mangateretere West block, on bank of Ngaruroro River, total about 1253 acres

Hawke's Bay

Claim/issues: This block was brought before the Native Land Court in 1866, and therefore is subject to the issues facing similar blocks about the adequacy of the court's procedures and the subsequent alienation of this land.

Wai 127

Claimant: Waipa Te Rito and others

Hapu/iwi: Ngati Hinemanu

Claim registered: 27 November 1989

Claim/issues: This claim concerns Puketapu Hill, Fernhill, located just out of Hastings. It appears to be within the original boundaries of Native Land Court facilitated Heretaunga block purchase. The claimants contend that this hill is a wahi tapu and should be protected as such, but at present no such protection has been afforded.

Wai 161

Claimant: Don Hutana and others

Hapu/iwi: Ngati Kahungunu

Date lodged: 28 September 1990

Area involved: The Waipukurau block purchased by Donald McLean November 1851, and other Crown purchases made in the 1850s such as Porangahau, and Tautane.

Claim/issues: The claimants' cite as relevant issues the adequacy of the instructions given to McLean, relating to reserves, price, fishing rights and mahinga kai, and wahi tapu. The claimants have identified the subsequent retention or alienation of the reserves as an issue, as well as further purchases made by the Crown, and issues relating to the activities of the Native Land Court pre-1873.

On 26 January 1993, the claimants drew particular attention to Lake Whatuma, which they claim was never sold.

Wai 166

Claimant: The Rangitane Tamaki Nui-a-Rua Incorporated

Summary of Claims in the Hawke's Bay and Mohaka ki Ahuriri Districts

Hapu/iwi: Rangitane, Ngati te Rangiwhakaeua

Date lodged: 21 September 1990

Area involved: Manawatu blocks 1–7, Tautane blocks, and Mangatoro block southern Hawke's Bay. Claim area from just north of Cape Turnagain south to Mataikona River inland to Ruahine and Tararua Ranges (ie, includes Wairarapa).

Claim/issues: This is an accompanying claim with Rangitane o Wairarapa (Wai 175). Issues include Crown purchases in the 1850s and 1870s, particularly the Tamaki-nui-a-Rua area. The claim cites the instructions to Ormond and McLean, regarding reserves, claimed gross under pricing of land with huge timber resources, damage to eco-systems, fishing rights, wahi tapu; operations of the Native Land Court, including inadequate investigation of customary owners; and public works acquisitions, as further issues. The claim also includes educational, health and social issues.

Wai 171

Claimant: Henare Matua Kani

Hapu/iwi: Ngati Kahungunu ki Heretaunga

Date lodged: 16 November 1990

Area involved: Ruataniwha, Tautane, and Ruahine blocks

Claim/issues: Claimants state that blocks in the above area purchased between 1854 and 1859 were unlawful, because of the actions of Crown purchaser D McLean, particularly if they were contrary to the Declaration of Independence and the Treaty of Waitangi both of which Te Hapuku signed. The claimants raise the issue of the reserves from those blocks, and ask what happened to them. They are also concerned about the price paid, and subsequent management of natural resources in the area.

Wai 263

Claimant: Marei Apatu

Hapu/iwi: Ngati Hinemanu

Date lodged: 21 October 1991

Hawke's Bay

Area involved: The Te Koau Block in the northern Ruahine Ranges and the Ngaruroro River headlands district

Claim/issues: The claimants are concerned with the particular history of the Te Koau block, which was the subject of a royal commission in 1891. They state that in 1906 17,400 acres was vested in owners, and that 7100 acres were compensated for. They raise questions about this, and ask why the land was not returned.

Wai 270

Claimant: James Broughton and others

Hapu/iwi: Ngati Te Whatuiapiti, Ngati Kahungunu

Date lodged: 29 January 1992

Area involved: Kairakau block

Claim/issues: This claim deals with a discrete block of 14 acres, some of which was taken in 1973 for the purposes of water supply. It is claimed that no compensation was awarded for the water supply acquisition, or for land taken for Te Apiti Road. The claimants are concerned at proposed subdivision of the block, and consequent rates issues and adequacy of water issues.

Wai 382

Claimant: Wero Karena and others, on behalf of Ngati Te Upokoiri, Ngati Hinemanu. Claimant also acknowledges Ngati Tuwharetoa, Ngati Maruwahine, Ngati Tamawahine, Ngati Hineuru and Ngati Mahu and Owhaoko C7 Trust Board interest.

Date lodged: 19 July 1993

Claim registered: 10 September 1993

Claim area: Kaweka Forest Park, surrounding land, including Ngaruroro River

Claim/issues: The claimants specifically identify the land purchase programme of 1840 to 1862 as having conducted 'irregular and unauthorised' purchases. They claim ownership of the Ngaruroro River and riverbed. Issues include Crown's involvement and management of land in the area.

Summary of Claims in the Hawke's Bay and Mohaka ki Ahuriri Districts

Wai 397

Claimant: Rawiri Eparima Kamau and others on behalf of Ngati Whatuiapiti, Ngati Rangikoinake, Ngati Te Upokoiri, Ngati Hinemanu, Ngati Te Ao and Ngati Kahungunu

Date lodged: 22 November 1993

Claim registered: 17 December 1993

Claim area: Gwavas Forest Park, including surrounding lands

Claim/issues: The claim identifies the actions of the Crown land purchase department 1840 to 1865 as a principal grievance. The claim mentions boundary disputes, understanding by Maori of transactions, and whether the Crown adequately established the correct owners of blocks, and obtained all their consent.

Wai 401

Claimant: Kenneth Renata Broughton, of Ngati Hinemanu, Ngati Te Upokoiri

Date lodged: 12 October 1993

Claim registered: 26 November 1993

Claim area: Lands within the estate of Renata Kawepo

Claim/issues: The claimant is the grandson of Wi Broughton, who, according to the claimant, was given charge as representative of Ngati Hinemanu and Ngati Te Upokoiri, on the death of Renata Kawepo. This secession was given legal status by will a year before Renata's death in 1888. Following Renata's death, however, Airini Donnelly, Renata's grand-niece produced a second will made in her favour. The claimant seeks the legal status of Renata's first will to Wi Broughton to be confirmed.

Wai 402

Claimant: Mare Reiharangi Kupa, of Ngati Te Upokoiri

Date lodged: 21 September 1993

Claim registered: 26 November 1993

Hawke's Bay

Claim area: A small area called Point Ngaruroro River bed, adjacent to Omaha 2D5B2B2, block X, Heretaunga survey district

Claim/issues: The claim states that her family lost the land via the Native Land Amendment and Native Land Claims Adjustment Act 1926. The claimant states that the Crown has refused to return the land to her, but instead has leased the land at a five year non-renewable term.

Wai 516

Claimant: John Ngamoia Gillies, on behalf of Ngati Kurukuru and Ngati Whakaiti

Date lodged: 4 May 1995

Claim registered: 7 June 1995

Claim area: Waingongoro Stream, Waimarama

Claim/issues: The claimants are concerned at neglect by the Hawke's Bay Catchment and Rivers Control Board regarding the Waingongoro Stream. They allege that the efforts to control water flow of the stream has now resulted in the absence of water flowing past their marae, and also allege that nothing has been done despite repeated inquiries to former board and the now responsible authority, the Hastings District Council.

Wai 527

Claimant: Heke Morris and others

Date lodged: 13 July 1995

Claim registered: 24 July 1995

Claim area: Pakipaki, south-west of Hastings, former Kakiraawa block

Claim/issues: The claimants state that land for a school-house was gifted by their tipuna on the condition that it was used for such. Accordingly the three acres of land were taken under the Public Works Act 1905, with no mention of conditions on *Gazette* entry, but Native Land Court Minute Book refers to this intent. The claimants lodged the claim in the belief that the Ministry of Education was planning to sell part of the land.

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Wai 536

Claimant: Ashley K Apatu and others

Date lodged: 21 July 1995

Claim registered: 15 August 1995

Claim area: Pakowhai, Ngaruroro River

Claim/issues: This concerns the remnant of land still owned by Maori on the site of the Pakowhai Pa, and the Hawke's Bay Regional Council's apparent plan to use some of this land to construct a stop-bank. The claimants feel this land should not be forfeited for this purpose. They claim that 100 acres of the original 126-acre native reserve was taken by the 'Rivers Authorities'. They state that construction has damaged their farm on the remaining 22 acres.

Wai 574

Claimant: Mereana Wickliffe and Hannah Black

Date lodged: 2 February 1996

Claim registered: 29 March 1995

Claim area: Te Mata block, south of Havelock North

Claim/issues: The claimants are descendants of Te Heipora, one of Te Hapuku's wives and mother of his son, Karanema. A reserve was made during the purchase of Te Mata block in 1855 for the use in perpetuity by Te Heipora's descendants. The reserve was sold to the Crown in 1858. The claimants state that the Crown should not have allowed its sale, and ask that compensation be made for its loss.

Wai 595

Claimant: Marei Apatu and others

Date lodged: 27 May 1996

Claim registered: 12 July 1996

Hawke's Bay

Claim area: Heretaunga Aquifer, Hawke's Bay

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Claim/issues: This is a claim over ownership and guardianship of the Heretaunga aquifer. The claim states that the aquifer is a taonga over which the claimants have rangatiratanga. They believe they have an obligation to protect this natural resource, which they never sold.

Wai 596

Claimant: Irimana Heemi Totoru Matenga

Date lodged: 16 May 1996

Claim registered: 12 July 1996

Claim area: Ngatarawa blocks, Hawke's Bay

Claim/issues: This claim concerns irregularities in the passage of these blocks through the Native Land Court, and concerns their subsequent purchase.

MOHAKA KI AHURIRI CLAIMS

Wai 55

Claimant: Te Otane Reti and others

Hapu: Ngati Hinepare, Ngati Mahu, Ngati Paarau, Ngati Tu, Ngai Tawhao, Ngai Te Ruruku

Date lodged: 17 February 1988

Claim area: Te Whanganui-a-Orotu, Napier

Claim/issues: The claim concerns the Crown's appropriation of the lagoon, Te Whanganui-a-Orotu. It was reported on by the Tribunal on 13 June 1995. Currently the claimants are seeking recommendations for specific remedies.

Wai 119

Claimant: Ariel Aranui and Ngati Pahauwera Incorporated Society, now managed by Ngati Pahauwera Section 30 Incorporation

Claim received: 6 April 1990

Hawke's Bay

Claim locations: Rohe of Ngati Pahauwera, Hawke's Bay

Claim/issues: The parts relating to the Mohaka River were granted urgency and reported on by the Tribunal in 1992. The claimants have yet to settle the River claims. The rest of the claim relates mostly to Crown purchasing in the Mohaka area.

Wai 147

Claimant: H Baker, Waimakuku Whanau Trust Incorporated

Claim received: 30 May 1990

Claim location: Tarawera 5A block, Tarawera, Hawke's Bay

Claim/issues: This claim concerned the Crown's cancelling of Baker whanau's title to Tarawera 5A. The claimants signed a deed of settlement with the Minister of Treaty Negotiations in December 1995.

Wai 168

Claimant: A Hadfield and others

Claim registered: 31 August 1990

Claim location: Waiohiki lands, Hawke's Bay

Claim/issues: This claim relates to the taking of land for river control, gravel pits, shingle extraction from the Tutaekuri River. Issues include adequate consultation, compensation paid and other associated compulsory acquisition and river issues.

Wai 191

Claimant: Tamihana Matekino Nuku and others (Te Awahohonu Trust)

Claim received: 17 April 1991

Claim location: Tarawera block, Hawke's Bay

Claim/issues: This claim concerns Tarawera C9 block and the Mohaka Waikare confiscation. The issues have been researched on their behalf by the Wai 299 claimants.

Summary of Claims in the Hawke's Bay and Mohaka ki Ahuriri Districts

Wai 216

Claimant: Moari Karaitiana, on behalf of the Te Matai 1 and 2 Blocks Trust

Claim received: 20 June 1991

Location: Te Matai and Pakaututu blocks, Hawke's Bay

Claim/issues: The claimants contend that this land was incorrectly included in the confiscation district, and that Pakaututu lands were part of a later forced sale. The Te Matai blocks are still in Maori ownership; yet there are current issues of land-locking, destruction of wahi tapu, and environmental concerns.

Wai 299

Claimant: Bevan Taylor and others

Hapu: Ngati Tu, Ngati Hineuru, Ngati Pahauwera, Ngai Tataara, Ngati Kurimokihi

Claim received: 29 July 1992

Claim location: Mohaka Waikare district, Hawke's Bay

Claim/issues: Concerns the Mohaka Waikare confiscation and associated grievances. These include the operation of the Native Land Court, Crown purchasing in the nineteenth and more especially, in the twentieth century, and environmental issues.

Wai 400

Claimant: Hoani Hohepa and others on behalf of Ngati Hinepare and Ngati Mahu

Claim received: 26 November 1993

Claim location: Ahuriri, Hawke's Bay

Claim/issues: Concerns grievances relating to the Crown's purchase of the Ahuriri block in 1851, and associated issues such as the reserves, and protection of wahi tapu.

Hawke's Bay

Wai 430

Claimant: Charles Hirini, Hapuku whanau

Claim received: 25 November 1994

Claim location: Blocks that were part of the Mohaka consolidation and development scheme.

Claim/issues: This claim concerns the Rawhiti and other blocks at Mohaka. The main issues include the consolidation of land, the Mohaka development scheme, survey liens, and rate arrears.

Wai 432

Claimant: C Hirini and others on behalf of Ngati Pahauwera

Claim registered: 25 May 1994

Claim area: Te Whanganui a Orotu

Claim/issues: This claim represents Ngati Pahauwera's claim of tangata whenua status in Te Whanganui a Orotu. The Waitangi Tribunal heard evidence in support of the claim as part of the Wai 55 hearings. In its *Te Whanganui-a-Orotu Report 1995*, the Tribunal, on the evidence before it, rejected the claim. It was not revived at the Wai 55 remedies hearing.

Wai 436

Claimant: Wi Te Tau Huata, Ngai Tane

Claim received: 27 June 1994

Claim/issues: Because of representation difficulties this claim is explicitly expressed as a cross-claim to that of Wai 119. It identifies the Mohaka forest as the claim area.

Wai 451

Claimant: Wi Te Tau Huata, Te Runanganui o Ngati Pahauwera

Claim received: 17 January 1995

Summary of Claims in the Hawke's Bay and Mohaka ki Ahuriri Districts

Claim/issues: This claim relates to the non-settlement between Ngati Pahauwera and the Crown following the recommendations of the Mohaka River Tribunal in 1992. It claims that the Crown has neglected its responsibilities in not implementing the recommendations of the Tribunal in its *Mohaka River Report*, published in 1992. It asks to be treated as overlapping to the Wai 119 claimant group.

Wai 488

Claimant: Terry O'Sullivan, Apiata whanau

Claim received: 3 November 1994

Claim/issues: This concerns part of Tatarakina C block, which was one of the Mohaka–Waikare blocks confiscated in 1867, and then returned in 1870. The claim appears to be about the present and future management of the block, including issues relating to environmental damage to the top western corner of Tatarakina C block, which the claimant states are significant to the Apirata whanau.

Wai 491

Claimant: N Baker, Waimakuku Whanau Trust

Claim received: 27 October 1994

Claim location: Tatarakina block, Hawke's Bay

Claim/issues: This claim concerns similar issues as Wai 147, this time associated with Tatarakina 2A block.

Wai 598

Claimant: David Kinita and Matawhero Whanau Trust

Claim lodged: 24 May 1994

Claim location: Tatarakina block, Hawke's Bay

Claim/issues: This claim relates to the Crown's cancelling of title to the Tatarakina 7 block in the 1920s. The issues relate to, among others, compensation for loss of title, development.

Hawke's Bay

Wai 599

Claimant: Tuhiao Kahukiwa and Te Pohe Whanau Trust

Claim lodged: 24 May 1996

Claim location: Tarawera block, Hawke's Bay

Claim/issues: This claim relates to the Crown's cancelling of title to the Tarawera 7 block in the 1920s. The issues include compensation for loss of title, loss of development.

Wai 600

Claimant: Te Rina Sullivan and others

Claim lodged: 24 May 1996

Claim location: Tarawera block, Hawke's Bay

Claim/issues: This claim relates to the Crown's cancelling of title to the Tarawera 1F block in the 1920s. Issues include loss of title and loss of development.

Wai 601

Claimant: Winifred Kupa and others

Claim lodged: 24 May 1994

Claim location: Tatarakina block, Hawke's Bay

Claim/issues: This claim relates to the Crown's cancelling of title to the Tatarakina 2 and 5 blocks in the 1920s. Issues include loss of title, loss of development.

Wai 602

Claimant: Willie Bush and others

Claim lodged: 15 June 1996

Claim location: Tatarakina block, Hawke's Bay

Summary of Claims in the Hawke's Bay and Mohaka ki Ahuriri Districts

Claim/issues: This claim concerns the cancellation of title to the Tatarakina 6 block by the Crown in the 1920s. Issues include loss of title and loss of development.

OTHER CLAIMS

Wai 201

Claimants: W H Christie, Tuehi Ratapu, Wiki Hapeta, and Charles Cotter on behalf of the Ngati Kahungunu tribe

Claim registered: 14 May 1991

Claim area: Rohe of Ngati Kahungunu, from Wairoa to Wairarapa, inland to Lake Waikaremoana and the mountain ranges

Claim/issues: The statement of claim acts as a comprehensive claim on behalf of all Ngati Kahungunu, and covers all issues pertaining to Ngati Kahungunu, and grievances that have occurred within the outlined rohe of the claim. The claim specifies some of those grievances as Crown land purchasing, operation of the Native Land Acts, confiscation, natural resource issues, forestry, loss of wahi tapu, loss of taonga, and lack of economic development. In 1991, the Tribunal anticipated hearing all the claims in the Wairoa ki Wairarapa district in one inquiry. Therefore, all claims were consolidated and grouped for inquiry with Wai 201. The Tribunal has realised that it is unfeasible to hear all these claims in one hearing, and has consequently grouped the claims for inquiry into smaller districts; for example, Mohaka ki Ahuriri.

Wai 473

Claimant: Tom Hemopo, on behalf of Te Taiwhenua o Whanganui a Orotu

Registered: 28 October 1994

Claim area: Napier, Hawke's Bay

Claim/issues: This claim relates to the provision of Health services in the Napier and Hawke's Bay area. In particular, it cites the lack of consultation by Healthcare Hawke's Bay with tangata whenua.

Wai 542

Claimant: Huriana Lawrence, on behalf of Te Kapuamatotoro

Hawke's Bay

Registered: 31 August 1995

Claim area: Includes the East Coast and South Island

Claim/issues: This claim relates to legislation which led to the loss of Te Kapuamatoto tribal lands south of Gisborne, Hawke's Bay, and in the South Island. It also contains a reference to intellectual property rights.