

IN THE WAITANGI TRIBUNAL
KEI MUA I TE ROOPU WHAKAMANA I TE TIRITI O WAITANGI

WAI 863
WAI 429

IN THE MATTER OF

The Treaty of Waitangi Act 1975

AND

IN THE MATTER OF

The Wairarapa ki Tararua Inquiry

AND

IN THE MATTER OF

An application for resumption of
Crown Forest Licensed Lands by
Ryshell Griggs and Mark
Chamberlain on behalf of Ngāi
Tūmapūhia-ā-rangi hapū (Wai
429)

APPLICATION FOR RESUMPTION OF LICENSED LAND PURSUANT TO S 8HB OF
THE TREATY OF WAITANGI ACT 1975
Dated the 30th day of July 2018



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APPLICATION FOR RESUMPTION OF CROWN FOREST LAND

TAKE NOTICE that **RYSHELL GRIGGS** and **MARK CHAMBERLAIN** will move the Waitangi Tribunal for binding recommendations pursuant to section 8HB(1)(a) of the Treaty of Waitangi Act 1975 (“**the Act**”) that the Licensed Land that is more particularly described in Schedule 1 (“**the Licensed Land**”) be returned to **NGĀI TŪMAPŪHIA-Ā-RANGI** by vesting in **TE RŪNANGA O NGĀI TŪMAPŪHIA-Ā-RANGI**, together with compensation pursuant to Schedule 1 of the Crown Forests Assets Act 1989, and the accumulated rentals held in relation to that portion of the forest,

UPON THE GROUNDS THAT:

1. The applicants are the co-named claimants of the Wai 429 claim which is filed on behalf of Ngāi Tūmapūhia-ā-Rangi hapū;
2. The applicants are acting with the support and authority of Te Rūnanga o Ngāi Tūmapūhia-ā-Rangi which was incorporated on 17 August 2006 and whose beneficiaries are the members of Ngāi Tūmapūhia-ā-Rangi;
3. The applicants and Te Rūnanga o Ngāi Tūmapūhia-ā-Rangi have the support of Ngāi Tūmapūhia-ā-Rangi hapū to make this resumption application before the Waitangi Tribunal;
4. Ngāi Tūmapūhia-ā-Rangi’s Wai 429 claim relates to Crown forest licensed land;
5. The Waitangi Tribunal has already found that the historical Wai 429 Treaty of Waitangi claim of Ngāi Tūmapūhia-ā-Rangi is well-founded (as set out in the *Wairarapa ki Tararua* report (2010)).
6. Ngāi Tūmapūhia-ā-Rangi has suffered significant and lasting prejudice as a result of the Crown’s breaches of the Treaty.
7. The action to be taken under section 8HB(1) of the Act to compensate for or remove the prejudice occasioned by the Crown’s breaches of the Treaty of Waitangi should include the return of the Licensed Land to Ngāi Tūmapūhia-ā-Rangi;

8. And as set out in the briefs of evidence of Mark Phillip Chamberlain and Takirirangi Smith and further evidence yet to be filed on behalf of Ngāi Tūmapūhia-ā-Rangi.

DATED this 30th day of July 2018

Two handwritten signatures are shown side-by-side. The signature on the left is a stylized, cursive 'K' followed by a large 'D'. The signature on the right is a cursive signature that appears to read 'A Castle'.

K Dixon/A Castle
Counsel for Ngāi Tūmapūhia-ā-Rangi

SCHEDULE OF LICENSED LAND SOUGHT

The Licensed Land sought by this application is Part Ngaumu Crown Forest Licensed Land that is within the Waitangi Tribunal's Wairarapa ki Tararua inquiry district (the former Pahaoa, Whareama, Te Maipi, Kaiwhata, Tupapakuraa, and Tupurupuru blocks), being more particularly described in Certificate of Title WN1300/9 as Lot 1 DP 44333, Lots 1 and 2 DP 44334, Lots 1 and 2 DP 45816, Lot 1 DP 51675, Lot 1 DP 52798, Lot 2 DP 52799, Lot 3 DP 52800, Lot 1 DP 58263, Lot 1 DP 59047, Lots 1 and 2 DP 69972, Lots 1 and 2 DP 69973, Lot 1 DP 69974, Lot 1 DP 69975, Lot 1 DP 69976, part Lot 1 DP 69977, Lot 1 DP 69980, Lot 1 DP 69981, Lot 1 DP 69982, Lots 1 and 2 DP 69983, and Lots 1, 2, 3 and 4 DP 69986.