

Ngai Tahu Land Report

Appendix 05 Schedule of Ancillary Claims

5.1 Schedule of Ancillary Claims

Appendix 5

SCHEDULE OF ANCILLARY CLAIMS

WITNESS REFERENCE NATURE OF GRIEVANCE

KAIKOURA

1 Te Wharetutu Haretu 1 Reserves too small

Stirling

Haututu (A18)

Whakaue 2 Portion of reserves taken by

Crown for scenic purposes

without knowledge of owners

and now used for holiday camps

or in private ownership.

No compensation

2 Trevor Howse Mangamaunu 1 More land than necessary taken

reserve A for roadway and railway

(A12) (Aa(r))

2 No compensation for roadway or

railway

3 Trevor Howse Kaikoura E Loss of area in exchange pre-1890

(Takahanga Pa)

4 Trevor Howse Kie Kie H Excessive roads through reserves

5 Trevor Howse Haututu L Reserve too small. Land behind L

never received in exchange

6 Trevor Howse South Bay F Loss of landing reserve

Te Hikuawaho

CANTERBURY

7 Riki Tau Taerutu (J10) 1 Inappropriate allocation as a fishery
2 Reduction of lagoon

8 Riki Tau Waimaiaia (J10) 1 No longer access to river
2 Too small
3 Should be re-gazetted

9 Riki Tau Torotoroa (J10) 1 Fishery reserve-drained (see also Te Maire Tau and useless .. H6)

10 Riki Tau Teakaka (J10) 1 Does not give access to reserves see also as first dedicated Te Maire Tau (H6)
2 Erosion of beds affected use of reserve
3 Ban against camping prevents use

11 Riki Tau Ihutai (J10) 1 Taken under PW Act in 1956 for sewage treatment see also Te Maire Tau (H6)

12 Riki Tau CT 199/076 Left dry by land drainage see also (Ellesmere Reserve) Te Maire Tau (H6)

13 Riki Tau Tutae Patu Lagoon Local Maori believe land theirs, but see also (J10) have no title-an old pa site and Te Maire Tau (H6) burial place of Turakautahi-founder of Kaipohia

14 Te Maire Tau Houhoupounamu (H6) Fishery easement, but drained by 1891

15 Rewi Brown Taumutu Claims right to village of Taumutu (Hearing 18.8.87)

16 Catherine Brown Ellesmere Landing This reserve of 5 acres should belong Reserve (H10)to the tangata whenua

17 Mere Teihoka Ellesmere Landing Objects to being called "a squatter" Reserve (H10) Claims Ellesmere Landing Reserve is Maori land

18 Rewi Brown Koru (H10) Right to this eel catching creek also Mere Teihoka claimed

19 Kelvyn Te Maire Pukatahi & Reserves lack access
Te Houriri
Reserve Tauhinu (H10)

20 Rangimarie Te Maihora Waihao 903 Reserve Poor agricultural value

21 Kelvyn Te Maire "The Box" (H10) A reserve which is not gazetted and
of significance to traditional
history
of the Waiha

22 Matthew Ellison Waikouaiti Lagoon Although given as a fishing reserve,
(H11) has has been designated a wildlife
area and
Maori cannot fish nor hunt there

23 Matthew Ellison Wanaka-Hawea 1 Access denied
2 100 acres reserve sold by M/T
without consent

ARAHURA

24 Kelly Wilson Reserve (D10) 1 Reserves for South Westland were

and 48 inadequate
Omoeroa Gillespies
Beach, Paringa, 2 Areas of inadequate reserves
Arawata, Jacksons acquired by Crown
Bay
3 Succession orders missed out
tangata whenua

25 Kelly Wilson Waitototo Paringa Land non-farmable. Land too steep
Karangarua and Land waterlogged
Kawhea

26 Kelly Wilson Karangarua An area of mahinga kai. Reserves

Karangarua and should have been granted
others

27 Kelly Wilson Arawata Land taken under Public Works Act
for aerodrome

28 Kelly Wilson Bruce Bay (D10) No compensation for Reserve 781
at Mahitahi in 1938 for construction
of a roadway. Five (5) chain scenic
reserve either side and strip reserve
either side of river

29 Kelly Wilson Bruce Bay (D10) Reserve Section 782-Needs protection from goldmining

30 Kelly Wilson Okarito Bay (D10) 1 Maori were forced to sell 281 acres of 500 acre block in 1952 for a low price

2 Balance "most likely" taken for other purposes under Public Works Act

31 James Russell Kaniere S.D. Rural Claims that he and others have been Section 1737, dispossessed of Rural Section 1737 Block 9 (D17) by the 1952 Land Transfer Act

32 Kelly Wilson Poerua Reserve at Poerua seems to have disappeared

33 James Russell Offshore Island "Dispossession" of some Katiwaewae as Taumaka Popotai islands off Te Tai Poutini coast

34 John Duncan Mawhera Incorp. Unable to obtain title to a section (non-Maori)

OTAKOU

35 Sydney Cormack Moeraki (E16, E20) Crown grant not seen as a valid Block 1, Section title 62,&23

36 Sydney Cormack Donaldson Land at Maori Land Court would not Moeraki (E16, E20) recognise title

37 Sydney Cormack Moeraki Maori women whose European husband (E16, E20) received land as half-caste grants not entitled to share

38 Mrs Wright Karitane (L22, p33) Foreshore containing bones in urupa. (nee Parata) Land taken back by Silverpeaks County Council

39 Magdeline Wallscott Pukekura L32 p28 Land taken for defence and no longer Harington Point required and should be handed back

40 Mrs Grooby-Phillips Otakou Peninsula Five (5) acres taken under Proc 976 (C5, C6) for defence purposes, no compensation and No longer required for defence

41 Riwai Karetai The Kaik, Claims right to live in Kaik
3.11.87 Otakou Peninsula See Jesse Beard (L10)
(L32, p41)

42 Magdeline Wallscott Lake Tatawai (L32 p28) Lake filled and fishing resource
see also: (C13a, C13b, E53, lost
Craig Ellison and H12 and H53)
Edward Ellison

43 Sydney Cormack Taieri Block 22 Several half-caste sections should
(E16, E20) have been allocated

44 Robert Agrippa Whaitiri Te Anau Section purchased for a meagre sum
for(L32 p25) nurses home being
offered back to Maori at inflated
price

45 Robert Agrippa Whaitiri Te Kau Excessive land taken for a television
(L32 p25) transmitter and long delay in
returning

46 Mori Pickering Waitaha Land taken from family at Waitaha
(L32, p10) without notice

MURIHUKU

47 Sydney Cormack Marunuku Acquired by Crown through
(E16, E20)aka Section 15 MPA.
Te Karoro Reserve

48 Sydney Cormack Marunuku Recreation Land taken in 1940 by Courts
Ground for a proposed recreation ground
which never eventuated and land
went back to Crown

49 Emma Grooby-Phillips Marunuku "Best" timber taken over 30 years
without Maori knowledge or payment

50 Emma Grooby-Phillips Marunuku Land taken for road upsets urupa and
no compensation

51 Sydney Cormack Tautuku 1000 acres set aside for those who
(E16, E2, L32 p73) signed Kemps Deed but did not receive
land. Not honoured

52 Sydney Cormack Tautuku Landless There are a number of small sections
Maori grants of Crown land scattered through Maori
landless grants

53 Taare Bradshaw Tautuku Urupa Urupa at Tautuku disrupted by (E8A, E8b) construction of a carpark and picnic area

54 Sydney Cormack Forest Hill Block Two (2) Sections sold to Europeans (E16, E20) containing valuable timber were valued unfairly

55 Sydney Cormack Waimumu Objection to taking of land at also (E16, E20, E8a, Hedgehope by Crown for a Taare Bradshaw and E8b) repeater station

56 Sydney Cormack Waimumu 2500 acres should have been Part 1, m Block 1 allocated as landless native land -not allocated and resumed by Crown under Maori Affairs Amendment Act 1967

57 Sydney Cormack Omaui Crown offered only one half of true value

58 Taare Bradshaw Omaui (E8s, E8b) Reduced by 369 acres to create a scenic reerve

59 Rena Naina Peti Fowler Invercargill Loss of seven house sites without Hundred, Block II notice and payment Section 73

60 Syd Cormack Aparima (E16, E20) 1 Crown took part section 71 and part of section 80 for a rifle range-never returned
2 Crown passed on land to Wallace County Council and then Riverton Borough Council for Night Soil Reserve and Rubbish tip

61 Sydney Cormack Aparima Section 37, Urupa at Aparima College disrupted Block XXV
Jacobs River Hundred (E16, E20)

62 Sydney Cormack Jacobs River Block 1 Eight of ten sections used by adjacent farmer without compensation

63 Jane Davis Aparima All lands taken for Domain or Recreational Reserve Recreational Reserve ie, Jacobs River Hundreds Block 25 Sections 16A, 17A, 18, 22-24, 37 (urupa), 38 (urupa), 82 and Ngarimu Street- Should be returned

64 Jane Davis Aparima Land should not have been rezoned as Jacobs River Hundred "industrial" as it was recognised Block 25 landing place of all Southland Maori Section 20 (E31)

65 Jane Davis Jacobs River Hundred These blocks should be returned to Pilot Reserve Maori Howell Point

66 Naomi Bryan Jacobs River Hundred Land zoned recreation and she was Section 25, Block 25 unable to deal with it. Fences bulldozed

67 Naomi Bryan Jacobs River Hundred Oxidation pond placed next to ten Block 25, Section 70 sections and building restriction imposed

68 Eva Wilson Jacobs River Hundred Lands should be reserved for Howells Point Pilot tourism and historic value Reserve

69 Wiremu Bill Davis Jacobs River Hundred Should be returned to Maori Howells Point Pilot ownership places of importance to Reserve More's Reserve Maori (L32 p66, E7)

70 Sydney Cormack Merivale Aparima Land passed out of Maori ownership Hundred Block 4, and should be investigated Section 56 (E16, E20)

71 Sydney Cormack Colac Bay (E16, E20) No compensation given to John Poko by Wallace County Council for construction of road over land

72 Sydney Cormack Colac Bay (E16, E20) Land donated by Mrs Cameron for school and no longer required for that purpose and should be returned to Maori owners

73 Lovell Hart Rangī Marama Boundaries of land not defined Colac Bay (C/T B1/1062 (E35))

74 Wiremu Bill Davis Colac Bay Riverton That land set aside in 1870s as half-caste grants between Colac Bay v Riverton are uncultivable and lack access

75 Sydney Cormack Ouetota Block 5 Reserve did not and should have Section 182 (E16) included site of Pahi pa

76 Sydney Cormack Te Waewae Bay (E16) The section is not recognised by Lands and Survey as Maori Land

77 Sydney Cormack East Rowallan Objection to retention of small & Alton Blocks (E16) blocks of Crown land and to width of roads allowed in reserve

78 Sydney Cormack Te Waewae Block 8 Should be Maori land because it has Section 6 (E16) Maori title in Land Court

79 Sydney Cormack Waiau (E16) 1700 acres improperly resumed by Crown

80 Teriana Nilsen Wairaurahiri Roadway access cannot be obtained and (E30, RD70) Maori owners denied right to control their own land

81 Teriana Nilsen Land between Hauroko Other blocks of reserved land and Poteriteri disappeared

82 Syd Cormack Te Waewae Bay Block Title taken from Maori and vested Block 13, Section 14 in Crown Sandhill Point

RAKIURA

83 Rena Fowler Paterson Inlet General discontent Block 16 (E13, 14, 15) Section 1 Loss of Section 1 which was The Neck granted to five of her tupuna Section 14 Block 1

84 Syd Cormack Titi Islands Successors of 32 trustees became (E16, E20) owners of some islands thus dispossessing persons other than descendants of the trustees

85 Harold Francis Ashwell Titi Islands The Titi Islands were unfairly (E3, E28, E29, RD63) included in the Rakiura sale

86 Sydney Cormack Centre Island That Rauatoka was a Kati Mamoe (Rauatoka) (E16, E20) retreat acquired by Crown by force

LEGISLATION OR PROCEDURES WHICH REQUIRE AMENDMENT

87 Robert Whaitiri Titi Islands That tangata whenua should have been informed of change in administration of their islands from CCL to Director/DOC

88 Aroha Reriti Crofts Maori Affairs That this amendment allowed land in Amendment Act 1967 multiple ownership to be willed to individuals and individualisation is detrimental to preservation of Maori culture

89 Te Maiharoa Maori prehistoric That Maori Environmental Officer should and historic sites be appointed in Government Departments to ensure protection of these sites from human interference

90 Tiny Wright Town and Country That restriction placed on Maori by Planning Act this Act prevents people building on inherited Maori land and ability of people to live with hapu

91 Sandra Lee (a) S.I Native That these five areas of legislation Reserve Act 1883 need review
(b) Westland & Nelson N.R Act 1887
(c) Maori Reserved Land Act 1955
(d) Maori Affairs Amendment Act 1967 (S.48(1)).
(e) Maori Incorporation Regulations 1969

92 Syd Ashton Boyd Maori Reserved Lands That leasing provisions of this Act Act 1955 are objectionable

93 Taare Bradshaw Town and Country That these Acts are confiscatory and Planning Act 1977 should be reviewed
Public Works Act

94 Teriana Nilsen Maori Affairs Act That Waitutu Incorporation should & Companies Act have right to control and own its own LAND and coastal waters

95 Sydney Cormack Counties Act M.4. That levy taken on sawn timber has Amendment Act 1967 not been used for maintenance of Maori Road and That 1967 Act

changed status of land from Maori
to European

96 Tiny Wright Traditional Maori That traditional Maori names have
Names (oral evidence been lost
18.8.87 at Rangiora)
(L32, p32)

97 Dorothy Hitchcox Maori Language That Maori language lost as it was
(L32 p35) not permissible to speak Maori at
school

98 Dorothy Walsh Maori Language Loss of cultural value through loss
(L32 p35) of language

99 Sydney Cormack Small Reserves and That allocations of reserves up to
unduly wide roads 30 acres under Landless Natives
(A22, A23) Act 1906 were too small. That
roadways of 2 chains were too wide

100 Sandra Lee Road taken from Maori That Maori owners had to pay
reserves (L32 p50) for roading from Maori reserves

101 Taare Bradshaw Loss of mana, language, General grievance covering
tribal structure various issues
(L32 p67) (E8a, E8b)

102 Sydney Cormack Crown grants and General complaint covering several
other issues. issues
(L32 p75)(A22)

103 Kelly Wilson South Westland That reserves created were
Omoeroa, Gillespies uneconomical and too small to farm
Beach paringa etc
(L32 p46)(D10)

104 Wiremu Davis Land set aside as That land allocated was unable to
half-caste grants be cultivated and led to loss

SUMMARY OF MAHINGA KAI ISSUES OTHER THAN SEA FISHERIES

105 Alan Russell Arahura River (D19) That legislative
assistance/protection
(see L39 p49) be given to prevent pounamu
fossickers in river bed

106 Mr Daniels Lake Wairewa That eels depleted by Council
(Forsyth) openingoutlet to sea and nets being
(oral 18.8.87) set at inlets

107 Emma Grooby-Philips Kororo Creek That eels have been depleted from Marunuku creek and shellfish from Marunuku (C5, C6)

108 Ihaia Hutana Arahura River That water level depleted by power station and affecting fishing at Arahura Pa

Waitangi Tribunal, Department of Justice, Wellington.