

Ngawha Geothermal Resource Report 1993

(Wai 304)

Waitangi Tribunal Report: 7 WTR

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Original cover design by Cliff Whiting,
invoking the signing of the Treaty of Waitangi and the
consequent development of Maori-Pakeha history interwoven in
Aotearoa, in a pattern not yet completely known, still unfolding

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The Honourable Minister of Maori Affairs
Parliament Buildings
Wellington

Te Minita Maori

Tena koe e te rangatira

This is the tribunal's report on the Ngawha geothermal claim. The report is the first concerned with a geothermal resource and we are currently considering further claims by the Te Arawa people in and around Rotorua.

At the request of the claimant trustees of the Parahirahi C1 Maori reservation and the hapu of Ngawha whom they represent, the tribunal granted urgency to the hearing of their claim. This was because a joint venture partnership comprising the Bay of Islands Electric Power Board and the Taitokerau Maori Trust Board has sought consents under the Resource Management Act 1991 to exploit the Ngawha geothermal resource for the purpose of electricity generation. The claimants are opposed to such a development. They fear it may harm their taonga, the hot springs and pools at Ngawha.

The report is concerned with two main claims. The first concerns the propriety of the Crown acquisition of some four acres on which are situate hot springs and pools formerly owned by the hapu of Ngawha. This land is vested in the Crown as a recreation reserve. The second concerns the question of whether the Geothermal Energy Act 1953 and the Resource Management Act 1991 adequately protect the claimants' rights under the Treaty of Waitangi to the geothermal resource at Ngawha.

Our findings and recommendations are recorded in chapter 8 but a full appreciation of the quite complex and novel issues involved can only be had by a perusal of the whole report.

Note re references

There are two types of references used in the text of this report. The more common references are those which begin with a letter of the alphabet, for example (A4:11). These are references to the tribunal record as contained in the Record of Inquiry listed in appendix 3. The Example above refers to the document A4 (the "A" series of documents are those documents admitted to the record preceding and including the first hearing) at page 11. Other references in the text are made to paragraphs within this report, for example, (8.2.1) refers to chapter 8 paragraph 8.2.1.

Also note that where a paper has been quoted in which capital letters and/or underlining have been used, these have been changed to italics.