

**BEFORE THE WAITANGI TRIBUNAL
WELLINGTON**

**WAI 2358
WAI 354
WAI 662
WAI 691
WAI 788**

IN THE MATTER OF

the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF

the National Freshwater and
Geothermal Resources Claim (**Wai
2358**)

MEMORANDUM OF COUNSEL

Dated this 13th day of March 2017

RECEIVED Waitangi Tribunal
13 Mar 2017
Ministry of Justice WELLINGTON

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**AND
IN THE MATTER OF**

a claim by **Arapeta Wikito Pomare Hamilton** on behalf of the descendants of **Pomare II** and members of **Ngati Manu, Te Uri Karaka, Te Uri o Raewera** and **Ngapuhi ki Taumarere** tribes (Wai 354)

**AND
IN THE MATTER OF**

a claim by **Peter Steedman, Herbert Steedman** and **Jordan Winiata-Haines** on behalf of themselves and the descendants of **Winiata Te Whaaro** and hapū of **Ngāti Paki** (WAI 662)

**AND
IN THE MATTER OF**

a claim by **Tohe Raupatu (Deceased), Muiora Barry** and **June McTainsh** on behalf of all the descendants of the original owners of **Part Kaingapipi No. 9 Block** (WAI 691)

**AND
IN THE MATTER**

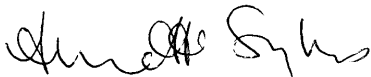
a claim by **Atiria Rora Ormsby Takiari, Jacob Wikiperi Hiriaki, Barbara Ngawai Taite Marsh (Deceased), Wareriana Ngauru, Muiora Barry, Patrick Louis Taylor** and **June McTainsh** on behalf of the hapu at **Mokau ki Runga** (WAI 788)

MAY IT PLEASE THE TRIBUNAL

1. This Memorandum of Counsel is filed with respect to recent directions of the Tribunal seeking submissions from counsel as to whether it is appropriate for Mr Castle to continue to sit on the Inquiry panel in light of recently disclosed interests.
2. This Memorandum of Counsel is filed for and on behalf of:
 - a) a claim by Arapeta Hamilton on behalf of the descendants of Pōmare II, Ngāti Manu, Te Uri Karaka, Te Uri o Raewera and Ngāpuhi ki Taumarere tribes (Wai 354);
 - b) a claim by Peter Steedman, Herbert Steedman and Jordan Winiata-Haines on behalf of themselves and the descendants of Winiata Te Whaaro and hapū of Ngāti Paki (WAI 662);
 - c) a claim by Tohe Raupatu (Deceased), Muiora Barry and June McTainsh on behalf of all the descendants of the original owners of Part Kaingapipi No. 9 Block (WAI 691); and
 - d) a claim by Atiria Rora Ormsby Takiari, Jacob Wikiperi Hiriaki, Barbara Ngawai Taite Marsh (Deceased), Wareriana Ngauru, Muiora Barry, Patrick Louis Taylor and June McTainsh on behalf of the hapu at Mokau ki Runga (WAI 788).
3. Counsel has read the Memorandum of Crown Counsel #Wai 2358, # 3.2.61 and concurs with observations and requests contained in paragraph 3 therein.

4. Counsel accordingly seeks those matters to be disclosed to enable a fuller response to the issue now posited.

DATED at Rotorua this 13th day of March 2017



Annette Sykes

Jordan Bartlett

Counsel for Interested Parties