

**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 22nd day of March 2017



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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 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).
2. By way of Memorandum-Directions dated 9 March 2017 and 13 March 2017 (“the Directions”), the Presiding Officer sought submissions on whether it was appropriate for Mr Timothy Castle to continue as a panel member on the Wai 2358 inquiry, in light of the recent disclosure of his position and prior shareholding in Kahurangi Virgin Waters Ltd.
3. We have reviewed the Memorandum of Counsel filed by Mr Fowler QC dated 20 March 2017 in support of Mr Castle remaining as a panel member in the Wai

2358 inquiry. We support this memorandum and in accordance with the submissions made therein, agree that Mr Castle should remain as a panel member.

DATED at Palmerston North & Rotorua this 22nd day of March 2017



Annette Sykes

Jordan Bartlett

Counsel for Interested Parties