IN THE WAITANGI TRIBUNAL **WAI 898**
WAI 125

IN THE MATTER OF the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF Te Rohe Pōtae Inquiry (WAI 898)

AND

IN THE MATTER OF a claim by **Haami Whakatari Kereopa, Angeline Ngahina Greensill** and **Vivian Te Urunga Morell Kawharu** on behalf of Ngāti Koata (ki Whaingaroa), Ngāti Kahu, Ngāti Tahau, Ngāti Te Kore, Ngāti Pukoro, Ngāti Te Ikaunahi, Ngāti Tira, Ngāti Heke, Ngāti Rua Aruhe, Ngāti Hounuku, Paetoka and Ngāti Te Karu (Wai 125)

AFFIDAVIT OF ANGELINE ELIZABETH NGAHINA GREENSILL
Dated this ~~29th~~ 20th day of ~~March~~ April 2018

Annette Sykes & Co.
Barristers & Solicitors
8 – Unit 1 Marguerita Street
Rotorua, 3010
Phone: 07-460-0433
Fax: 07-460-0434

Counsel Acting: Annette Sykes / Rebekah Jordan / Jordan Bartlett
Email: asykes@annettesykes.com / rebekah@annettesykes.com / jordan@annettesykes.com

I, **ANGELINE ELIZABETH NGAHINA GREENSILL,** of Whaingaroa, make oath and ~~swear~~/affirm that:

Introduction

1. My name is Angeline Elizabeth Ngahina Greensill. I am the eldest daughter of the late Tuaiwa Hautai Kereopa (also known as Eva Rickard) and James Edwin Lancelot Rickard. Through my mother, I am a direct descendant of Kokako, Tainui, Ngāti Tahinga, Ngāti Koata, Ngāti Toa, Ngāti Te Ata, Waiohua and Ngāti Ruanui while through my father I am of Ngāti Porou descent.

Request for early reporting on Whaingaroa Harbours

2. I am swearing this affidavit to appraise the Tribunal of why we are seeking early reporting of Part Three of the Tribunal Statement of Issues (Issues 20 and 21) and in particular, reporting by the Tribunal as to the validity of those customary associations we assert in the West Coast Harbours, at Te Akau, Rakaunui, Te Kopua, and Te Whaanga on the foothills of Karioi maunga.

3. I know that these matters were discussed in the judicial conference convened on 26 February 2018 however this affidavit is being presented to contextualise some recent issues that arise largely from parallel efforts on our part to have our customary relationships and interests recognised in those Papamoana and Takutai Moana areas that sit adjacent to our tribal territories.

4. We ask that these discrete issues are reported as a matter of priority. We note that matters of customary association are likely to be reported in the first phase of reporting by the Tribunal however in the absence of any intimation as to the nature and extent of that reporting we ask if consideration may be given to the further following request.

5. At present Tainui Hapū o Tainui waka have made an application seeking recognition of our customary rights and customary marine title in the High Court pursuant to the Marine and Coastal Area (Takutai Moana) Act 2011. There are some significant matters that have arisen for our claims group since the filing of these applications which relate to the dimension of cross-claims that arise by virtue of

overlapping interests impacting on that application. We believe that the High court would be assisted by a description of these areas as part of the assessment of the customary associations we assert to those areas within the West Coast Harbours that we assert interests to.

6. We have given evidence to this Tribunal of our customary rights and interests across the three West Coast Harbours maintaining that Tainui o Tainui have always exercised kaitiakitanga in Te Taiao. Furthermore, we have emphasised that in breach of the principles of Te Tiriti, the Crown undermined our kaitiakitanga and imposed its own scheme of management and control of natural resources. I do not wish to traverse that material which is already before this Tribunal.

7. What I do wish to emphasise is that if the Tribunal was able to provide findings prior to the disposition of our High Court MACA claims then these findings will provide a solid foundation for our recognition orders now being sought in the High Court. They will also stave off any possible exclusive arrangement over these overlapping interests being negotiated with Waikato-Tainui or Te Whakakitenga o Waikato representatives.

8. Waikato-Tainui have held a series of hui with respect to these issues and despite our endeavours to mediate an approach continue to purport that they are the authorised voice of the Whaingaroa Harbours. This is a position which we have consistently challenged and rejected.

9. What is clear to me and our claimant group is that it emerged clearly in the Te Rohe Potae Inquiry of the Waitangi Tribunal that the Tainui hapū o Tainui waka and the Whaingaroa claims that we represent in particular, have different tribal and political histories to that of Maniapoto and other Rohe Potae iwi.

10. Our issues merit priority just as much as those of Rohe Potae interests notwithstanding we recognise that many of the Maniapoto interests have advanced their approach to an Agreement in Principle while our groups remain in the queue waiting for the Crown officials to formally engage in discussions with us as the settlement of our interests and claims.

11. Given the diversity in whakapapa, tribal and political histories and the geographical differences between the West Coast harbours, it would be prudent to have prioritised sections in the Reported dedicated to the Whaingaroa claims, and specifically to the three West Coast harbours accordingly.

SWORN / AFFIRMED at:)

On: 20 April 2018)

Before me:) Angeline Elizabeth Ngahina Greensill

A Solicitor of the High Court of New Zealand / Deputy Registrar

Daniel Rhys Ellison
Solicitor & Notary Public
Hamilton, New Zealand