

24 Mar 2020

Ministry of Justice
WELLINGTON

APPENDIX

Page/Line	Reads	Amendment
357/25	...and as i do go through the document...	...and as i I do go through the document...
358/18	...te rūnanga o Ngāi-Tūmapuhia-ā-Rangi...	... te rūnanga Te Rūnanga o Ngāi-Tūmapuhia-ā-Rangi Ngāi Tūmapuhia-ā-Rangi ...
361/19	I say you don't have to go too far and integrate behind what they're actually saying.	I say you don't have to go too far and integrate interpolate behind what they're actually saying.
361/30	...an particular this hapū...	... an in particular this hapū...
362/20	...to what extent do this individuals...	...to what extent do this these individuals...
366/10	...are claims that do 'relate to' relate to the Ngāumu Forest lands...	...are claims that do 'relate to' relate to the Ngāumu Forest lands...
368/17	...and not Mr Colsons.	...and not Mr Colson's.
369/11	I think you will this...	I think you will know this...
369/30	...which go through these points in far greater detail.	...which goes through these points in far greater detail.
371/10	And this situation is even atypical to other...	And this situation is even a- typical atypical to other...
372/12	And i accept that...	And i I accept that...
372/16	One of the threads though through that...	One of the threads though through that...
372/17	...issue a damages like approach...	... issue eschew a damages like approach...
372/20	...by calculating course and affect...	...by calculating course cause and affect effect ...
373/7	...back in the say...	...back in the say day ...
373/12	...and i provide the quote from the submissions there...	...and i I provide the quote from the submissions there...
374/17	...this is in the case and titled (inaudible 12:07:26) and...	...this is in the case and titled (inaudible 12:07:26) Huu-Ay-Aht First Nations v Her Majesty the Queen in Right of

		Canada and...
374/18	...Okemasis (inaudible 12:07:30) band and her Majesty the Queen...	... Okemasis (inaudible 12:07:30) band and her Majesty the Queen Beardy's & Okemasis Band #96 and 97 v Her Majesty the Queen in Right of Canada...
375/24	I have a section that hen summarises...	I have a section that then summarises...
376/23	...done. there might...	...done. there There might...
377/9	...it was determined that his evening was admissible...	...it was determined that his evening evidence was admissible...
377/10	...not in entirely relevant...	...not in entirely relevant...
380/29	This is critical jurisdictional question as it engages what the Superior Court have described...	This is a critical jurisdictional question as it engages what the Superior Court superior courts have described...
381/2	...ordinary section 63 powers.	...ordinary section 6(3) powers.
381/6	When sections 8HB in its statutory context...	When sections 8HB is read is in its statutory context...
382/3	... how closely the relationship be.	... how closely the relationship must be.
382/9	...Crown Act or omission...	...Crown Act act or omission...
383/22	...the SOS Scheme...	...the SOS Scheme SOE scheme ...
388/4	...I'm about to look into statement of claim...	...I'm about to look into statements of claim...
388/13	...the Wai 429 claimants relies...	...the Wai 429 claimants relies rely ...
390/2	It's attached to Mark day, it says.	It's attached to Mark day and marked "A" , it says.
391/8	...the underlying blocks that were purchased by the Crown various times.	...the underlying blocks that were purchased by the Crown at various times.
391/18	...this is a map prepared by the	...this is a map prepared by the

	Crown Forest Rental Trust.	Crown Forestry Rental Trust.
392/6	...that are the subject of these Treaty settlement with Rangitāne.	...that are the subject of these Treaty settlement with Rangitāne.
393/10	...I mean people like Mr Robyn Pōtangaroa...	...I mean people like Mr Robyn Robin Pōtangaroa...
394/18	The Crown adopted a variety of polices practises and tactics...	The Crown adopted a variety of polices policies, practises practices and tactics...
395/23	So, the first one Part Pāhaua and Wilsons.	So, the first one Part Pāhaua and Wilson's.
406/1	And the Crown says that the Ngāumu Forest lands at issue at this proceeding...	And the Crown says that the Ngāumu Forest lands at issue at in this proceeding...
406/6	Also, as noted above, the Tribunal found that the Crown's – of the Castlepoint Block...	Also, as noted above, the Tribunal found that the Crown's purchase – of the Castlepoint Block...
407/7	Further, the claim about the confiscation of Maungaroa or also known as Barton's Run -intensive supervision	Further, the claim about the confiscation of Maungaroa or also known as Barton's Run– intensive supervision
408/7	If that make sense?	If that makes sense?
411/26	These claims to do not relate to the Ngāumu Forest lands...	These claims to do not relate to the Ngāumu Forest lands...
413/8	...the accepts that the 20th Century alienation of the Ngāumu Forest lands on that block are well-founded and do relate to the lands...	...the Crown accepts that the 20th Century alienation of the Ngāumu Forest lands on that block are well-founded and do relate to the lands...
413/11	Council for the settlement trust to submit...	Council Counsel for the settlement trust Settlement Trust to submit...
413/13	...cannot be set to be claims that relate to the Ngāumu Forest lands. They care claims about other lands...	...cannot be set-said to be claims that relate to the Ngāumu Forest lands. They care claims about other lands...
416/14	You can have regard to the fact of omissions trading units.	You can have regard to the fact of omissions emissions trading units.

420/5	But I do not say that need to make further recommendations under section 63 in this situation.	But I do not say that the Tribunal needs to make further recommendations under section 6(3) in this situation.
421/10	I can't be said...	It can't be said...
421/11	...the remedies sought by the Wai 429 claimants', seek.	...the remedies sought by the Wai 429 claimants', seek .
421/14	...this remedies' application.	...this remedies' application.
421/19	I don't know thought Your Honour that I need to go...	I don't know thought Your Honour that I need to go...
421/29	The end result is a remedy for the claim and the claims at an end...	The end result is a remedy for the claim and the claim's at an end...
422/20	this is from my paragraph 176 onwards.	this This is from my paragraph 176 onwards.
424/10	Section 8HB must be read subject to these relevant settlement legislation.	Section 8HB must be read subject to these relevant settlement legislation.
424/15	...the settlement legislation for that group is clear that it would be unlawful the for the Tribunal...	...the settlement legislation for that group is clear that it would be unlawful the for the Tribunal...
426/11	So, that group or people proposing they be...	So, that group or of people proposing they be...
426/30	And finally, the recipient would receive any additional compensation above the %5.	And finally, the recipient would receive any additional compensation above the %5 5%.
427/4	When the relevant claims were filed that the Crown says relates to the Ngāumu Forest lands, and so, those dates are set ou there in those paragraphs...	When the relevant claims were filed that the Crown says relates to the Ngāumu Forest lands, and so, those dates are set out there in those paragraphs...
427/22	...his legal submission as to what the regimes about...	...his legal submission as to what the regime's about...
430/6	Yes, identify the claims that you say well-founded...	Yes, identify the claims that you say are well-founded...
430/7	...identify the prejudice in the scale of that prejudice...	...identify the prejudice in and the scale of that prejudice...

431/26	That's what the economist have been thinking about too in their own very different ways.	That's what the economists have been thinking about too in their own very different ways.
433/19	And the point is that the words of the act just do not reflect Mr Quinn's opinion.	And the point is that the words of the act Act just do not reflect Mr Quinn's opinion.
433/20	"In Contrary to his evidence the act does not require the Tribunal to awarded 100% compensation unless it has 'good reason'. "The act wasn't drafted in that way.	"In Contrary contrast to his evidence the act Act does not require the Tribunal to awarded 100% compensation unless it has 'good reason'. "The act Act wasn't drafted in that way.
433/23	"Had Parliament intended the Tribunal to aware 100% compensation...	"Had Parliament intended the Tribunal to aware award 100% compensation...
434/11	...5% of the forest value is 11ot enough to redress grievances...	...5% of the forest value is 11ot not enough to redress grievances...
434/22	The next point is that the plain words of the act provide...	The next point is that the plain words of the act Act provide...
434/25	The Crown says that the plain words of the provision points to the Tribunal...	The Crown says that the plain words of the provision points to the Tribunal...
435/18	...had have been theirs...	...had have been theirs...
436/12	Your actually given quite a good commercial asset.	You're actually given quite a good commercial asset.
439/3	And, Mr Colson interpellated at this point and he said...	And, Mr Colson interpellated interpolated at this point and he said...
440/8	...there is a useful reference to a statement made by the president Court of Appeal in the Forest's case...	...there is a useful reference to a statement made by the president President of the Court of Appeal in the Forest's Forests case...
441/2	...two New Zealand Law Reports...	... two 2 New Zealand Law Reports...
444/25	And so, that actually as I said early, that makes a difference...	And so, that actually as I said early earlier , that makes a difference...
445/5	This is an issue already been addressed more in the Mangatū	This is an issue already been addressed more in the Mangatū

	proceeding then in this proceeding.	proceeding then than in this proceeding.
446/2	Well, I don't want to take it too strong a view on it.	Well, I don't want to take it a too strong a view on it.
447/21	And there are two circumstance where the statute says...	And there are two circumstances where the statute says...
448/7	...it's that second category that justify an extension.	...it's that second category that justify justifies an extension.
449/25	But the issue is, it's taken so incredibly long to get here and what the Crown says is that that's its fault and that length of time is a reason...	But the issue is, it's taken so incredibly long to get here and what the Crown says is that that's not its fault and that length of time is a reason...
452/9	But in the same time, no body suggesting the same of the Crown, I think.	But in the same time, no body nobody is suggesting the same of the Crown, I think.
454/12	So, I am going to speak to these submissions an what I am doing here...	So, I am going to speak to these submissions and what I am doing here...
454/14	...and there was two aspect to that evidence, Dr Meade and Mr Mellsop.	...and there was were two aspects to that evidence, Dr Meade and Mr Mellsop.
455/11	The losses that the regime assumed to have risen given the...	The losses that the regime assumed to have arisen given the...
456/10	He calculated – he calculated the economic loss to Ngāi-Tūmapuhia-ā-Rangi as it today, caused by the Crown's actions in purchasing various blocks as discounted prices...	He calculated – he calculated the economic loss to Ngāi-Tūmapuhia-ā-Rangi as it at today, caused by the Crown's actions in purchasing various blocks as at discounted prices...
457/2	Th Crown takes issue...	The Crown takes issue...
457/8	...claims that relates to the land in question...	...claims that relates to the land in question...
457/19	...the Crown says is the Tribunal's established practise...	...the Crown says is the Tribunal's established practise practice ...
457/29	...The economic base as calculated Dr Meade...	...The economic base as calculated by Dr Meade...

485/3	Just while Mr Graham is distribution those...	Just while Mr Graham is distribution distributing those...
485/11	There's an obvious issue that the Crown have said...	There's an obvious issue that the Crown have has said...
497/8	...I can provide it to the Tribunal, Kerry Murray of Sapere, which is the research group as I understand it...	...I can provide it to the Tribunal, Kerry Kieran Murray of Sapere, which is the research group as I understand it...
499/17	Yes, one witness from Mercury accepted at the highest level that in principle if principle if Mercury can continue to operate the dam, a way forward could be struck, but that was it.	Yes, one witness from Mercury accepted at the highest level that in principle if principle if Mercury can continue to operate the dam, a way forward could be struck, but that was it.
500/3	And before you make any final decision that the land should return, do call for further evidence about this points.	And before you make any final decision that the land should return, do call for further evidence about this these points.