

WAITANGI TRIBUNAL

Wai 3511

CONCERNING

the Treaty of Waitangi Act 1975

AND

a claim by Cale Wairepo on behalf of himself

MEMORANDUM-DIRECTIONS OF THE DEPUTY CHAIRPERSON

The Registrar will please enter this matter on the register of claims and give it the next available Wai number. The register should note that the claim was received on 3 June 2025.

The claimant has applied to have their claim heard urgently by the Tribunal and this application will be dealt with in separate directions.

The claimant should please take note of the 'Wai' number reference at the top of the page. Please use this claim number in any communication with the Tribunal.

This claim is lodged by Cale Wairepo on behalf of himself, and concerns quarrying activity on and around Te Weraiti Maunga and Mangapiko Awa. The claimant alleges that the Crown has breached the principles of the Treaty of Waitangi by:

- allowing continued quarrying on or near Te Weraiti Maunga and Mangapiko Awa, despite their sacred status;
- failing to ensure mana whenua were consulted in the granting or renewal of quarry consents;
- failing to enforce section 6(e) of the Resource Management Act 1991;
- uphold Treaty principles in environmental governance; and
- breaching undertakings in the Ngāti Hinerangi Deed of Settlement (the Settlement Deed) to protect the cultural and environmental value of Ngāti Hinerangi lands.

The claimant seeks a variety of relief, including that the Crown:

- provides for immediate suspension of quarry activity until a co-governance framework is established;
- provides for the legal recognition and protection of Te Weraiti Maunga and Mangapiko Awa as wāhi tapu; and
- provides appropriate cultural and ecological redress for Ngāti Hinerangi.

The claimant may amend this claim at a later stage. In any case the Tribunal may require the claimant to prepare a fully particularised statement of claim before the claim can be heard.

The Tribunal currently runs district and kaupapa inquiry programmes in which claims are grouped either by district or by kaupapa (thematic) issue. Historical claims are those that raise grievances which arose before 21 September 1992. Contemporary claims have grievances that arose on or after that date. Some claims have both historical and contemporary grievances.

If an urgent hearing is not granted for this claim, it would appear to fall within the scope of the Natural Resources and Environmental Management (Wai 3450) kaupapa inquiry.

The claimant should also note that the Ngāti Hinerangi Claims Settlement Act 2021 (the Settlement Act) prevents the Tribunal from inquiring into claims concerning the Settlement Deed, the Settlement Act or the redress provided thereunder unless the claim is made in respect of the interpretation or implementation of the Settlement Deed or Settlement Act (section 15(4)–(5)). This claim is registered only insofar as it concerns contemporary allegations of Treaty breaches by the Crown where the Tribunal retains its jurisdiction.

When the time comes for the claim to be prepared for hearing, the Tribunal will decide whether there are any matters in the present claim that the Tribunal may not inquire into. The claimant needs to be aware that there are some matters that the Tribunal is not allowed to inquire into, such as any Bill that has been introduced into Parliament (unless the Bill has been referred to the Tribunal under section 8 of the Treaty of Waitangi Act 1975). Also, when historical claims are settled, the settlement legislation usually forbids the Tribunal from inquiring further into the matters that have been settled.

The claimant also needs to be aware that the Tribunal does not make settlements. After the Tribunal has completed an inquiry into claims, it writes a report making recommendations to the Crown. It cannot tell the Crown what to do; it may only recommend that the Crown acts to address the negative consequences of its breaches of the principles of the Treaty.


Legal Aid Services provides help for Waitangi Tribunal claimants. For advice on getting a lawyer or receiving funding, please contact Legal Aid Services at their Wellington central office or one of the local offices; the claimant should check their telephone directory for contact details.

Any questions about the contents of this document should be directed to The Registrar, Waitangi Tribunal, DX SX 11237, Wellington; phone (04) 914 3000, fax (04) 914 3001; email wt.registrar@justice.govt.nz.

The Registrar is to send a copy of this direction to the claimant and to:

- Crown Law Office;
- Te Tari Whakatau – The Office of Treaty Settlements and Takutai Moana;
- Crown Forestry Rental Trust;
- Legal Aid Services;
- Te Puni Kōkiri;
- Ministry for the Environment;
- Te Puāwaitanga o Ngāti Hinerangi Trust; and
- all those on the notification list for Wai 3450, the Natural Resources and Environmental Management kaupapa inquiry.

DATED at Wellington this 23rd day of July 2025



Judge Sarah Reeves
Deputy Chairperson

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