IN THE WAITANGI TRIBUNAL

Wai 2200

CONCERNING the Treaty of Waitangi Act 1975

AND the Porirua ki Manawatū District Inquiry

MEMORANDUM-DIRECTIONS (NO. 444) OF CHIEF JUDGE DR C L FOX CONCERNING POST-HEARING MATTERS FOR HEARING THREE OF THE WIDER INQUIRY PHASE

30 July 2025

Tēnā koutou katoa,

1. This memorandum-directions concerns post-hearing Tribunal questions and information requests for hearing three of the Wider Inquiry phase (held Monday 16 June 2025 to Wednesday 18 June 2025 at the Waitangi Tribunal offices in Wellington).

Post-hearing three filing requests

2. Requests for additional evidential information made at the hearing three are outlined below.

3. Counsel concerned should file the requested information by **5 pm**, **Thursday 21 August 2025**.

Map of inquiry district

4. In respect of the physical map of the inquiry district brought to the hearing by counsel Tom Bennion, Mr Bennion should file a high-resolution electronic copy with the Tribunal.

Bruce Stirling, 'Muaūpoko Gap-Filling Research Report', December 2024, (Wai 2200, #A252) report led by Tom Bennion

5. In respect of the evidence of Bruce Stirling (Wai 2200, #A252), the Tribunal asked Bruce Stirling to clarify whether Muaūpoko rangatira Tanguru was alive in 1840, and to provide a source if so (Wai 2200, #A252 at p 33).

6. The Tribunal further asked Mr Stirling to confirm whether the 100 Pai Mārire referred to at p 98 of his report were explicitly stated to be Pai Mārire, or whether they may been referred to by another name such as Hauhau.

7. Dr Phillipson also asked Mr Stirling to clarify the window of time available for a rehearing of the March 1873 Manawatū-Kukutauaki judgment.

8. I referred Mr Stirling to Graph 1.5 on page 61 of Dr Terry Hearn's 'The Social and Economic Experience of Porirua ki Manawatū Māori: an analysis and appraisal' report (Wai 2200, #A219) which details amounts invested by Māori Land Boards under the Native Land Amendment Act 1913 as at 31 March 1929, and asked Mr Stirling to assess whether Dr Hearn's data and findings were consistent with his own.

9. Counsel is to file Mr Stirling's responses to the above.

Dr Jonathan West, 'The Resource Management Act and Customary Fisheries in the Porirua ki Manawatū Inquiry District, 1991 to 2024', (Wai 2200, #A251) report led by counsel-to-assist Genevieve O'Brien

10. Dr Phillipson further asked Dr West to clarify whether the Greater Wellington Regional Council had delegated full decision-making authority to Te Upoko Taiao – Natural Resources Plan Committee, or whether the committee was authorised only to develop the regional plan. Counsel is to file Dr West's response.

Queries for other counsel arising from the questioning of Dr West's #A251 report

11. In respect of the evidence of Dr Jonathan West (Wai 2200, #A251), Dr Phillipson asked counsel Kieran Hewett of Woodward Law to provide a copy of the submission made by Ran Jacob on behalf of Te Rūnanga o Raukawa in response to the Ministry of Agriculture and Fisheries discussion paper 'Kaitiaki o Kaimoana: Treaty of Waitangi (Fisheries Claims) Settlement Regulations'. Counsel is to file the submission.

12. Dr Phillipson further asked the Crown to provide an update as to the progress of Iwi Management Plans within the rohe, and to file those plans with the Tribunal where they exist. Counsel for the Crown are to file accordingly.

Dr Terry Hearn, 'The Social and Economic Experience of Porirua ki Manawatū Māori: An Analysis and Appraisal', (Wai 2200, #A219) report led by counsel-to-assist Genevieve O'Brien

13. In respect of the evidence of Dr Terry Hearn (Wai 2200, #A219), the Tribunal asked Dr Hearn to clarify the role and powers of the three inspectors engaged by the Department of Health to serve in the inquiry district.

14. Dr Phillipson further referred Dr Hearn to Table 1.6 on page 42 of his report, and asked Dr Hearn to reconvert the figures in the table from decimals back to pounds and shillings, and to do the same with any other figures in the report which had been converted to decimals.

15. Dr Phillipson also asked Dr Hearn to provide further clarity on the purpose and justification of the practice of discounting Māori land, and when that process stopped.

16. Finally, Dr Phillipson asked Dr Hearn to clarify what was meant by the reference to a 'Māori and Pakeha Federation' (Wai 2200, #A219 at p 194).

17. Counsel is to file Dr Hearn's responses to the above.

Post-hearing three Tribunal questions

18. Questions in writing from Tribunal member Dr Grant Phillipson for the two Stirling authored reports (Wai 2200, #A222 & #A252) are **appended**.

19. Counsel leading Mr Stirling's evidence are directed to file responses by **5 pm, Tuesday 2 September 2025**.

20. Dr Phillipson's questions for the reports presented by Dr West (Wai 2200, #A251) and Dr Hearn (Wai 2200, #A219) will be advised in later memorandum-directions.

The Registrar is to distribute this direction to all parties on the notification list for Wai 2200, the combined record of inquiry for claims in the Porirua ki Manawatū District Inquiry.

DATED at Wellington on this 30th day of July 2025

Chief Judge Dr C L Fox
Presiding Officer
WAITANGI TRIBUNAL