

I TE RŌPŪ WHAKAMANA
I TE TIRITI O WAITANGI

Wai 1750
Wai 1794

KEI RARO I TE MANA

te ture o te Tiriti o Waitangi 1975

I TE TAKE O

the North-Eastern Bay of Plenty
District Inquiry (Wai 1750)

Ā

I TE TAKE O

a claim by Muriwai Wehi, Vini
Stevens, William Smith and Aden
Webb, on behalf of the
Whakatōhea hapū Tūranga Pikitoi
(Wai 1794)

Memorandum of Counsel

16 Hakihea | December 2025

NGĀTAHI LAW

RECEIVED

Waitangi Tribunal

17 Dec 25

Ministry of Justice
WELLINGTON

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TĒNĀ, E TE TARAIPUNARA

Introduction

1. This Memorandum of Counsel is filed on behalf of Muriwai Te Wehi, Vini Stevens, William Smith, and Aden Webb, representing Te Whakatōhea hapū Tūranga Pikitoi (Wai 1794) in the North-Eastern Bay of Plenty District Inquiry.

Memorandum-Directions

2. By memorandum-directions #2.6.49¹ dated 28 November 2025, His Honour Judge Doogan directed all parties to file post hearing week 6 procedural and evidential matters by 5pm Tuesday 16 Hakihea/December 2025.
3. On 20 November 2025, opening submissions² for Tūrangapikitoi Hapu claim (Wai 1794) were presented followed by Hariette Takirua Marjorie Bell (E29) who spoke to her PowerPoint.
4. The directions request the following be filed;
 - a) Counsel to file Hariette Takirua Marjorie Bell PowerPoint presentation³;
 - b) Counsel to file to Ahorangi Professor Tom Roa the definition of ‘moruru’⁴ referred to by Mr Sinclair in opening submissions (Wai 1750, #3.3.38 at [22]).
5. Hariette Takirua Marjorie Bell PowerPoint was filed with the Tribunal Registrar at Kutarere hearings on 20 November 2025 receiving appellation number from his Honour (E29)(b). If there is an issue with the PowerPoint filing counsel has the file available for refiling.
6. Ahorangi Professor Tom Roa question ‘what is a ‘moruru’ was discussed among claimants being more widely known as ‘kokopu’ being a type of cockabullies’. Not to provide evidence from the bar a search for the ‘moruru’ among claimants sources

¹ Waitangi Tribunal, *Memorandum-Directions of Presiding Officer Judge M J Doogan*, Wai 1750, (#2.6.49) 28 November 2025).

² Wai 1750, #3.3.38.

³ Wai 1750, (#2.6.49), para 29

⁴ Wai 1750, (#2.6.49), para 28.

and online revealed the following They are a freshwater fish species with life beginning as an egg spawned in leaf debris on freshwater stream beds thereby become hatchlings venturing to the sea returning upstream as whitebait 4 to 5 months later.

7. However, the terms 'kokopu' in particular the 'banded kokopu' known to Maori as the 'moruru' distinct yet from the same family as the 'maruru'.
8. The moruru is one of 26 species from the galaxiidae family with a unique feature of one dorsal fin located posteriorly. The most common feature is they do not have scales, their skin is leathery smooth and slippery which produces no slime as an eel does.
9. The maruru on the other hand has a stocky large head, 2 separate dorsal fins, strong body scales and pelvic fins located forward toward the gill openings. Coloring is dark and black, is nocturnal moving no more than 2 kilometres inland from the coastline.
10. The; 'moruru' is a nocturnal species able to scale vertical stream faces penetrating up to 180 kilometres inland, up to an elevation of 550 metres. They are endemic to New Zealand/Aotearoa. They eat spiders ants weta and beetles that fall into the water. The term 'ruru' may refer to the moruru nocturnal habits.
11. A small research project was put together for Mr Roa given the diversity of the 'moruru' the 'maruru' 'the Bullies-cockabullies' 'the whitebait' from 'Genusgalaxias' and 'Eleotridae' being two of several whakapapa contained in the research project, makes very interesting reading. Attached as Appendix "A|".

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16 Hakihea /16 December 2025



Tony Sinclair
Counsel for Wai 1794