

BEFORE THE WAITANGI TRIBUNAL
TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI

WAI 2358

IN THE MATTER OF
I TE TAKE O

the Treaty of Waitangi Act 1975

AND
Ā

IN THE MATTER OF
I TE TAKE O

the National Fresh Water and Geothermal
Resources Inquiry – Stage three of the Inquiry

**MEMORANDUM OF COUNSEL FILING RESPONSES TO MATTERS ARISING
FROM HEARING WEEK THREE**

22 JANUARY 2026

KĀHUI
LEGAL

Kaiwawao
PO Box 1654
WELLINGTON

Waea: (04) 495 9999
Rōia: T Hauraki / T Paki / R Morar

RECEIVED

Waitangi Tribunal


22 Jan 26

Ministry of Justice
WELLINGTON

MAY IT PLEASE THE TRIBUNAL

1. This memorandum of counsel is filed on behalf of Tūaropaki Trust (the **Trust**), which is an interested party to the National Fresh Water and Geothermal Resources Inquiry (the **Inquiry**).
2. The Trust participated in hearing week three of stage three of the Inquiry, which was held from 15 to 19 September 2025.
3. Following that hearing, his Honour Judge Isaac directed that Counsel file the following further information on behalf of the Trust in response to various matters arising from hearing week three, including:¹
 - (a) a readable version of the Finance Bill (No. 2) 1994;
 - (b) confirmation of how many production wells the Trust has at present;
 - (c) a copy of the contemporary and historical title of land overlying the Mōkai geothermal field that was transferred from the Crown to Contact Energy Ltd; and
 - (d) further detail regarding hardships the Trust has faced as a result of Crown policy and actions.
4. On 17 December 2025, his Honour directed that all outstanding responses to matters arising from hearing week three be filed by 23 January 2026.²
5. Accordingly, this memorandum files the **attached** response and accompanying appendices on behalf of the Trust to all outstanding matters arising from hearing week three.

DATED this 22nd day of January 2026



T N Hauraki / R E Morar
Counsel for Tūaropaki Trust

¹ Wai 2358, #2.6.142.

² Wai 2358, #2.6.145.