IN THE WAITANGI TRIBUNAL

WAI 2200
WAI 2139

IN THE MATTER	of the Treaty of Waitangi Act 1975
AND	
IN THE MATTER	of the Porirua ki Manawatū Inquiry (Wai 2200)
AND	
IN THE MATTER	of a claim by Timothy Tukapua and Dennis Greenland on behalf of Muaūpoko and the Muaūpoko Tribal Authority (Wai 2139)

MEMORANDUM OF COUNSEL

Dated: 3 August 2026

RECEIVED
Waitangi Tribunal
3 Aug 2026
Ministry of Justice
WELLINGTON

MAY IT PLEASE THE TRIBUNAL:

1. This memorandum is filed on behalf of Wai 2139, a claim by the Muaūpoko Tribal Authority.

2. At hearing five of the wider inquiry phase, counsel were given leave to file questions in writing to Tā Taihakurei Durie, one of the authors of the brief of evidence on the record of inquiry as Wai 2200, #X22.

3. The brief of evidence discussed the origins of the Horowhenua block, and an alleged sanctuary set aside by Te Whatanui, said to be around 20,000 acres.[1]

4. In preparing his evidence for the upcoming MACA rehearing of Kapiti Coast applications, Professor Belgrave included a detailed explanation of how he considers that the 20,000 acre sanctuary idea came into existence.

5. This explanation is contained with a lengthy report included in the cross-examination bundle for the hearing.[2] The explanation itself is 18 pages long, from pages 205 – 223 (paragraphs [959] – [1037]).

6. The origin of the 20,000 acres figure was also a question posed by Dr Grant Phillipson to Professor Belgrave at hearing four and in post-hearing questions in writing.[3] Professor Belgrave provided a part answer in his response to that question at, paragraphs [134] – [179].[4]

7. Accordingly, the following questions are for Tā Durie:

    a. Can you provide sources for your discussion of the sanctuary and the origin of the idea that it contained 20,000 acres?

    b. Do you have any comment on the explanation provided by Professor Belgrave in both the 18 pages of his MACA research and written answer to questions noted above?

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1 Wai 2200, #X22, at [187] – [201] and [315].
2 Wai 2200, #X25, at pp 205 – 223.
3 Wai 2200, #2.6.315(a), at [18].
4 Wai 2200, #A254(d).

Dated at Wellington this 3rd day of August 2026

Tom Bennion / Emma Whiley / Kudrat
Counsel for Wai 2139