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BEFORE THE WAITANGI TRIBUNAL **WAI 3465**

IN THE MATTER OF	the Treaty of Waitangi Act 1975
AND IN THE MATTER OF	the Poho-o-te-rangi Lands (Koia) claim brought by Allan Henry Koia (Henry Koia) on behalf of himself and the beneficiaries of the Mo Koia Land Trust
AND IN THE MATTER OF	Claim consolidation

Memorandum of Claimant Seeking Claim Consolidation

Dated: 30 April 2026

Henry Koia
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Waitangi Tribunal
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MAY IT PLEASE THE TRIBUNAL

Introduction

1. I am the claimant for the Wai 3465 Poho-o-te-rangi Lands (Koia) claim ("Wai 3465 claim").

2. By this memorandum, I respectfully seek a direction from the Tribunal that the Wai 3465 claim be consolidated into the Wai 3300 Constitutional Kaupapa Inquiry ("Wai 3300 Inquiry").

3. I submit that the Wai 3465 claim raises issues of constitutional significance that fall squarely within the scope and purpose of the Wai 3300 Inquiry.

Background

4. The Wai 3465 claim concerns allegations that the Crown has acted inconsistently with the principles of te Tiriti o Waitangi 1840, including by:

   (a) exceeding the lawful limits of kāwanatanga; and
   (b) infringing the claimant's and beneficiaries' exercise of tino rangatiratanga over Māori freehold land.

5. The Wai 3465 claim arises in the context of Crown policies, practices, and legislation that impose obligations on Māori landowners—specifically rating and taxation regimes—without free, prior, and informed consent.

6. I submit that these issues are not merely local or fact-specific, but instead raise fundamental constitutional questions concerning the relationship between Māori and the Crown under te Tiriti.

Alignment with Wai 3300 Inquiry Themes

7. I set out below the alignment between the Wai 3465 claim and the inquiry themes confirmed by the Tribunal for the Wai 3300 Inquiry.

Wai 3300 Inquiry Theme	Alignment with the Wai 3465 Claim
1. Mana motuhake, tino rangatiratanga, autonomy and self-government, tikanga	The Wai 3465 claim is grounded in the assertion of te tino rangatiratanga over Poho-o-te-rangi lands, including the establishment of the Poho-o-te-rangi Sovereign Land Council as an expression of tikanga-based governance authority guaranteed under Article II of te Tiriti o Waitangi.
2. Kāwanatanga, constitutional legitimacy and sovereignty, parliamentary sovereignty and systems, ngā ture pākehā	The claim raises a core constitutional question as to the limits of kāwanatanga and whether the Crown may lawfully impose rates and taxation on Māori freehold land without consent.
3. 'Dual Governance' – the relationship between kāwanatanga and te mana Māori motuhake	The claim engages directly with dual governance, asserting the coexistence of Māori and Crown authority and challenging the Crown's failure to recognise that relationship.
4. Electoral rights and systems	The claim raises issues concerning representation and consent, including the absence of effective mechanisms for Māori landowners to influence decisions affecting their lands
5. Local government and te Tiriti o Waitangi / the Treaty of Waitangi	The imposition of rates by the Gisborne District Council unconstitutionally enabled by Crown law is a direct imposition of Crown sanctioned local government action alleged to be inconsistent with te Tiriti, particularly in the absence of consent - and, therefore, the Crown is acting in violation of Tiriti principles.
6. Human rights and te Tiriti o Waitangi / the Treaty of Waitangi	The claim asserts breaches of fundamental rights, including self-determination and property rights, and references international standards including the UNDRIP.
7. Citizenship rights	The claim raises questions as to whether citizenship obligations are being imposed inconsistently with Tiriti guarantees, particularly where such obligations undermine tino rangatiratanga.

8. I submit that the Wai 3465 claim engages all seven inquiry themes.

9. In declining my application for an urgent inquiry into the Wai 3465 claim on 2 September 2025, Judge Reeves noted:

" …

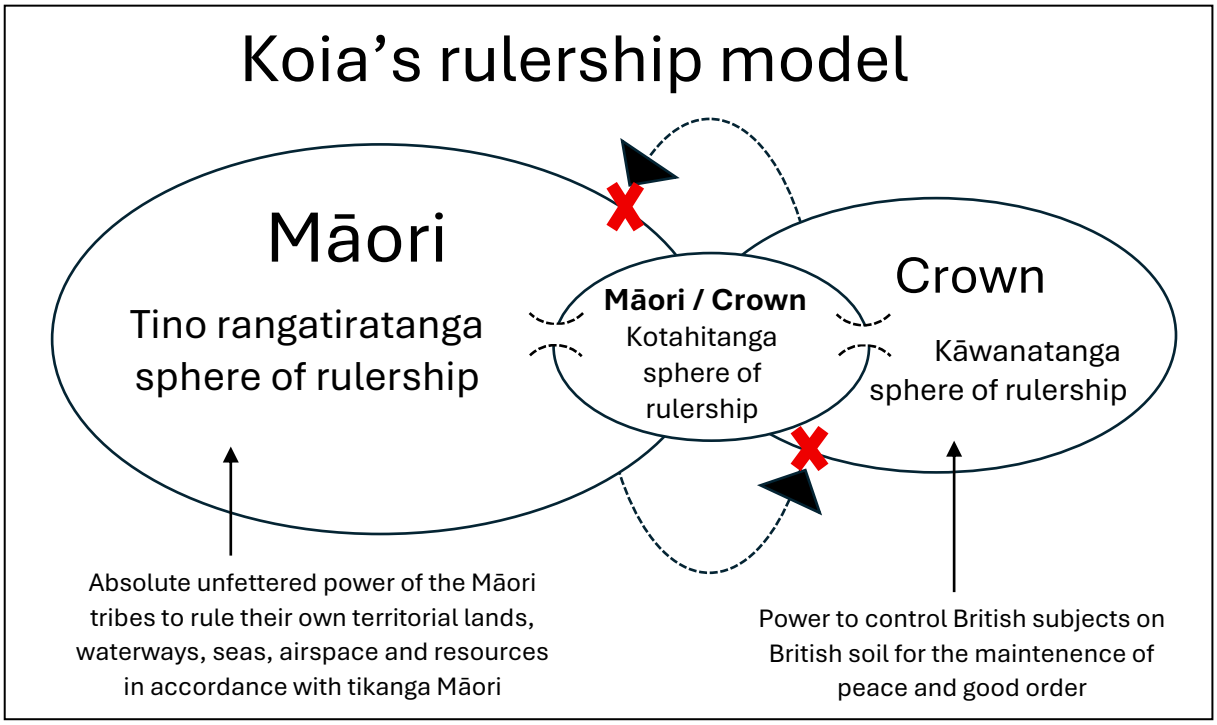
- The applicant raised a number of issues and suggestions which are pertinent to the Constitutional Kaupapa inquiry in terms of rangatiratanga and kawanatanga issues, and local government, or the Economic Development Kaupapa inquiry in terms of issues concerning taxation and the basis for such.

12. Urgency is declined but the Registrar is directed to note this matter for potential inclusion in the inquiries noted." (Wai 3465, #2.5.2)

Koia's Rulership Model

10. I respectfully draw the Tribunal's attention to Koia's Rulership Model, appearing as Figure 1 in my memorandum filed 4 June 2025 (Wai 3465, #3.1.3).

11. A copy of the model is reproduced here for ease of reference.



12. This model is central to the Wai 3465 claim and forms a foundational component of the claimants' case.

13. The model articulates a constitutional framework comprising three spheres of rulership:

    (a) tino rangatiratanga, being the authority of Māori to govern their lands, resources, and affairs in accordance with tikanga;
    (b) kāwanatanga, being the authority of the Crown to govern British subjects on British soil and only for the maintenance of peace and good order; and
    (c) kotahitanga, being a relational sphere through which interaction between the two occurs on the basis of agreement.

14. In support of the Wai 3465 claim, the claimants will assert and present evidence to support their argument that this framework reflects the constitutional arrangements envisaged by te Tiriti o Waitangi 1840, particularly as understood by my Tipuna who signed it, and when applied within the broader 1840 East Coast political context.

15. Under these constitutional arrangements, the exercise of kāwanatanga by the Queen of England is not unfettered, and that any interaction with the tino rangatiratanga sphere must occur through the kotahitanga sphere and be grounded in agreement.

16. The Wai 3465 claim is founded on allegations that the settler establishment acting under the guise of the NZ Crown has acted inconsistently with these arrangements, including through the imposition of statutory obligations on Māori freehold land without free, prior, and informed consent, and that the true Tiriti partner, the British Crown, has turned a blind eye to it, in violation of Tiriti principles.

Relevance to the Wai 3300 Constitutional Kaupapa Inquiry

17. I submit that Koia's Rulership Model engages directly with the subject matter of the Wai 3300 Inquiry.

18. In particular, the model is relevant to the Tribunal's consideration of:

(a) the scope and limits of kāwanatanga;
(b) the nature and protection of tino rangatiratanga;
(c) the relationship between Māori and Crown authority, including dual governance; and
(d) the constitutional legitimacy of existing NZ Crown systems and structures.

19. I further submit that the Wai 3465 claim raises issues of a constitutional nature that extend beyond the specific factual circumstances of the claim.

20. Consolidation of the Wai 3465 claim into the Wai 3300 Inquiry would enable the Tribunal to:

(a) consider the constitutional framework illustrated in Koia's Rulership Model alongside other claimant perspectives;
(b) ensure a coherent and integrated inquiry into constitutional arrangements; and
(c) avoid duplication and fragmentation of related issues.

21. Accordingly, I submit that the centrality of Koia's Rulership Model to the Wai 3465 claim supports and strengthens the case for consolidation.

Conclusion and Orders Sought

22. The Wai 3465 claim raises fundamental constitutional questions concerning the nature of authority under te Tiriti o Waitangi, the limits of kāwanatanga, and the protection of tino rangatiratanga.

23. These questions are squarely within the scope of the Wai 3300 Inquiry.

24. I respectfully submit that consolidation is necessary to ensure a coherent, efficient, and complete inquiry into matters of national constitutional significance.

25. Accordingly, I seek the following directions:

(a) that the Wai 3465 Poho-o-te-rangi Lands (Koia) claim be consolidated into the Wai 3300 Constitutional Kaupapa Inquiry; and

(b) such further directions as the Tribunal considers appropriate.

Dated at Rotorua this 30th day of April 2026

Signature of claimant …….