

WAITANGI TRIBUNAL

Wai 2358

CONCERNING

the Treaty of Waitangi Act 1975

ANDthe National Fresh Water and
Geothermal Resources Inquiry**MEMORANDUM-DIRECTIONS OF THE PRESIDING OFFICER**

1. On 19 July 2013 the Tribunal received a joint memorandum on behalf of the New Zealand Māori Council and the Crown (Wai 2358, #3.1.206) which proposed that the sole issue for determination in stage two of the inquiry should be:

What further reforms need to be implemented by the Crown in order to ensure that Māori rights and interests in specific water resources as found by the Tribunal at Stage One are not limited to a greater extent than can be justified in terms of the Treaty?¹

2. The Tribunal acknowledges the collaborative approach taken by the Crown, New Zealand Māori Council and co-claimants, and the suggested process for stage two of the inquiry, as outlined in their memorandum at paragraph 31.
3. I now direct interested parties to file submissions in response to this joint memorandum, no later than **midday, Friday 30 August 2013**. Appended to this memorandum-direction is a current list of all those interested parties that sought leave to participate in this inquiry in line with my previous directions (Wai 2358, #2.5.35).
4. Following receipt of these submissions the Tribunal will consider convening a judicial conference to hear from parties on how stage two of this inquiry should proceed.

The Registrar is directed to send a copy of this direction to counsel for the claimants, Crown counsel and all those on the distribution list for Wai 2358, the National Fresh Water and Geothermal Resources Inquiry.

DATED at Wellington this 2nd day of August 2013



Chief Judge W W Isaac
Presiding Officer

WAITANGI TRIBUNAL

¹ Wai 2358, #3.1.206, para 3.

<i>no.</i>	<i>counsel</i>	<i>who</i>	<i>Wai no</i>
1	T Afeaki	Sue Te Huinga Nikora & Sonny Akuhata of Ruawaiapu, Tairāwhiti, East Coast Lands & Waters claims	129
2	“”	Sue Te Huinga Nikora, Te Puia Springs, Te Tai Rāwhiti	222
3	“”	Waimarie Bruce of Ngāti Kahu o Torongare Te Parawhau, Ngāpuhi. Ngāti Kahu o Torongare/Te Parawhau Hapū claim	619
4	“”	Kingi Taurua of Ngāti Rahiri, Ngāti Kawa o Ngapuhi. Waitangi Lands and Resources claim	774
5	“”	Tamati Olsen and others on behalf of Te Iwi o Rakaipaka o Nuhaka, Waikokopu, Te Mahia, Tahaenui and Morere puia, Te Tai Rāwhiti	964
6	“”	Miriama Solomon (nee Tuoro) and Graeme Prebble Jnr of Te Honihoni, Te Ihutai, Te Mahuruhuru o Hokianga, Ngapuhi. Hokianga Regional Lands claim.	985
7	“”	Timothy Waitokia, Tracey Waitokia, Bill Ranginui and others on behalf of Ngāti Hineoneone o Atene, Whanganui, Te Tai Hauāuru	1028
8	“”	Hoane Titari John Wi and others of Ngāti Tutakamoana o Ngāti Maniapoto, Ngāti Rora o Ngāti Maniapoto, Te Rohe Pōtae	1455
9	“”	Louisa Collier, for and on behalf of Ani Taniwha and Rihari Dargaville and on behalf of Ngati Kawau	1673
10	“”	Rihari Dargaville for and on behalf of Ngarui Dargaville, Harry Te Awa, Jay Dunn, Nga Uri o Tama and Tauke Te Awa	2179
11	“”	Popu Tahere for and on behalf of himself and on behalf of Ngā Uri o Te Aho	1681
12	“”	Iris Niha for and on behalf of himself and on behalf of Ngā Uri o Te Aho	1722
13	“”	Louisa and Fred Collier on behalf of themselves and the descendants of Hinewhare	1541
14	David Stone/ Robert Wills	Hineamaru Lyndon and Louisa Collier for and on behalf of the descendants of Pomare Kingi	1524
15	K Ertel	Vernon Winitana & ors on behalf of Panekiri Tribal Trust Board, Ngāti Ruapani. Ruapani Lands claim	144
16	“”	Anaru Paine, Irene Williams, Sid Paine on behalf of Ngāi Tuhoe Potiki. Tumatawhero - Waikaremoana claim	795
17	“”	Dr Rangimarie Turuki Rose Pere or Kuini Te Iwa Beattie on behalf of Ngāti Rongo, Ngāti Hingaanga, Ngāti Hinekura, Te Whānau Pani and Ruapani-Tuhoe. Pere Kaitiakitanga claim.	1013
18	“”	Nicky Kirikiri and another on behalf of the owners and beneficiaries of the Te Heiotakoka 2B To Kopani 36 & 37 Trust. Te Heiotakoka 2B To Kopani 36 & 37 Trust claim.	1033
19	“”	Charles Aramoana and Sandra Jeanette Kari Kari Aramoana for themselves and Upokorehe hapū, Ngāti Raumoā, Roimata Marae Trust and Upokorehe. Upokorehe claim	1092
20	“”	Hinehou Polly Leef, Mekita Te Whenua, Richard Wikotu, Rocky Ihe and Kahukore Baker for the Whakatohea hapū, Rongopopoia ki Upokorehe. Rongopopoia Hapū Claim	1787
21	“”	Ani Taniwha for Ngāti Hine, Ngāti Kawau, Ngāti Kawhiti and Ngā Uri o Te Pona, Ngāti Hine, Ngāti Kawau, Ngāti Kawhiti and Ngā Uri o Te Pona (Taniwha) Claim	1666
22	“”	Christine Wallis and others, Wallis whānau claim	1908
23	“”	Julie Tamaia Taniwha for Ngā Uri o Te Pona. Ngā Uri o Te Pona	2149

Waahi Tapu			
24	“”	Justyne Te Tana for Herself, Pera Tuporo, Henare Tuporo 1, Henare Tuporo 2, Wiremu Tuporo, Winiata Tuporo, Pera Tuporo Taniwha Taipari, Talia Tuporo Taniwha, Cogan Tuporo Taniwha Parslow, Anahera Tuporo Taniwha, Zavier Tuporo Taniwha Te Tana. Taniwha and Others Lands Claim	2010
25	“”	Te Rarua (Kui) McClutchie - Morrell for Te Rarua (Kui) McClutchie - Morrell, descendents of Uepohatu and Ngāti Hau hapū whānau. East Coast Airing of Grievances Hearing Claim	2340
26	“”	Rapata Kaa for the hapū Ruawaiipu. Ruawaiipu Active Protection claim	1272
27	“”	Vivienne Taueki for herself, the descendants of Taueki and Muaupoko ki Horowhenua. Muaupoko (the descendants of Taueki) Claim	1629
28	“”	Ron Taueki and another for Muaupoko. Horowhenua Block claim	237
29	“”	Te Rūnanga o Ngāti Manawa	
30	“”	Sharon Barcello-Gemmell, Harvey Ruru and Jane duFeu on behalf of Te Ati Awa Te Tau Ihu Water Rights Claim	1454
31		Te Atiawa Manawhenua Te Tau Ihi Trust (Te Atiawa)	
32		Te Upokorehe Treaty Claims Trust (TUTCT)	
33	Kathy Ertel/Linda Thornton	Merehora and Peter Pokai Taurua on behalf of Ngāti Rahiri, Ngāti Kawa, Ngāti Manu, Ngāti Rangī, Ngāti Rehia, Ngāti Kuri, Ngāti Manu, Ueoneone me Parawhau hapū ki Ngā Puhī te iwi	2244
34	A Sykes/ J Pou/ T Wara	Arapeta Witika Pomare Hamilton and others on behalf of Ngāti Manu, Te Uri Karaka, Te Uri o Raewera, Ngapuhi ki Taumarere tribes. Tai Tokerau Land claim	354
35	“”	Jordan Haines for himself and on behalf of the whānau and hapū represented by the Ngāti Hinemanu me Ngāti Ngāti Paki and Ngāti Paki Heritage Trust. Awarua Block 4A 1 claim	647
36	“”	Mangaohane No 1 Block claim;	662
37	“”	Ngāti Paki and Ngāti Hinemanu (Winiata, Lomax, Cross and Teariki) Treaty Claim;	1835
38	“”	Oruamatua Kaimanawa Block (Hoet) Claim	1868
39	“”	Barbara Marsh, Tohe Raupatu and Muiora Barry on behalf of all the descendants and original owners of Part Kaingapihi No. 9, Karu o te Whenua and Kinohaku East 4B1 Block. Pio Pio Stores Site claim	691
40	“”	Atiria Rora Ormsby Takiari and the descendents of the owners of the land. Mokau Mohakatino and Other Blocks (Maniapoto) claim.	788
41	“”	Professor Patu Hohepa and Rudy Taylor on behalf of whānau and hapū of Hokianga. Ngapuhi Land and Resources; Te Mahurehure Claim.	549
42	“”	Professor Patu Hohepa and Rudy Taylor on behalf of whānau and hapū of Hokianga. Te Mahurehure Claim.	1526
43	“”	Lynnette Gloria Waitiahoaho Te Ruki and Gary Shane Te Ruki on behalf of the hapū of Ngāti Kahu and Ngāti Unu. Kakepuku Mountain and Kakepuku Block claim.	846
44	“”	Te Hapai Robert Ashby and Gail Rika on behalf of Ngā Uri o Mangakahia. Pakotai School and Village Claim.	1467
45	A Sykes	Tahuri o Te Rangī, Trainor Tait and Hinemoa Herewini, for and on behalf of themselves and Ngāti Ruapani	937
46	T Wara	Oma Heitia, for and on behalf of herself and the descendants of Hare Reweti Rongorongo	2197

47	“	Angeline Greensill, for and on behalf of herself and the Tainui hapu of Whaingaroa, including Ngati Koata (ki Whaingaroa), Ngati Kahu, Ngati Tahau, Ngato Te Kore, Ngati Pukoro, Ngati Te Ikaunahi, Ngati Tira, Ngati Hekem Ngati Rua Aruhe, Ngati Hounuku, Paetoka and Ngati Karu	125
48	“	Wairangi Whata and Willie Emery, on behalf of themselves and the beneficiaries of Waitangi No 3 Trust	
49	D Naden & B Loader	Harry and Evelyn Kereopa on behalf of Te Ihingarangi a hapū of Ngāti Maniapoto	762
50	“”	Marama Waddell on behalf of her whānau and her hapū who are members of Te Whiu, Te Uri Taniwha and Ngā Uri o Wiremu Hau raua ko Maunga Tai Wiremu Hau Whānau Lands (Northland) claim.	824
51	“”	Morehu McDonald on behalf of Ngāti Hinerangi and the Ngāti Hinerangi Trust Board	1226
52	“”	Te Enga Harris on behalf of Wiremu Hemi, Harris and Meri Otene whānau and on behalf of Ngāti Rangī, Ngāti Here, Ngāti Tupoto, Ngāti Hohaitoko, Ngāti Kopuru, Te Rarawa and Ngāti Uenuku. Land Alienation and Wards of the State (Harris) Claim.)	1531
53	“”	Mona Thompson and Ron Wi Repa on behalf of themselves, Ngāti Rakai, Ngāti Waimauku, Ngāti Waikorara, Ngāti Mihi, Ngāti Waiora, and Ngā Uri o Pehira Keepa and Ngā Uri o Wi Repa. Te Kaha Hapū (Thompson and Wi Repa) Claim.	1962
54	“”	Rueben Taipari Mare Porter on behalf of himself, his whānau and members of Kaitangata, Ngā Tahawai and Whānau Pani hapū of Northland. Tutamoe Pa Claim.	1968
55	“”	The combined claim of Chappy Harrison on behalf of the Harihona whānau and Ngāti Tara, and Robert Gabel on behalf of the descendants of Ngāti Tara, a hapū of Ngāti Kahu. Ngāti Tara (Gabel) Claim.	2000 (incl 1886)
56	“”	Piriwhariki Tahapeehi on behalf of Ngāti Mahanga, Ngāti Tamaoho and Ngāti Apakura. (Tahapeehi) Lands Claim.	1992
57	“”	Raymond Fenton and Gordon Lennox as co-claimants on behalf of themselves and on behalf of Ngāti Apakura	2291
58	“”	Phillip Hiroki Ripia for and on behalf of Hohepa Joseph Ripia and Robert Reginald Ripia Eagle, children of Erana Pera Manene Ripia (Nee Powhiro) and Manu Frederick Ripia	973
59	“”	Maggie Ryland, for and on behalf of Te Whānau a Te Aotawarirangi of Tokomaru Bay	1089
60	“”	Noeline Taia Nola Rangitaiapo Henare for and on behalf of Ngati Pahere, a hapu of Ngati Maniapoto	1480
61	T Shepherd	Whirinaki Māori Committee on behalf of Ngā hapū o Whirinaki and others (Hokianga)	700
62	K Taurau	Cheryl Turner, John Klaricich, Harerei Toia, Ellen Naera, Fred Toi, Warren Moetara and Hone Taimona claimants on behalf of Ngāti Korokoro, Ngāti Wharara, Te Pouka Hapū, Ngā Hapū o Te Wahapu o Hokianga nui a Kupe (Te Wahapu)	2003
63	T K Williams	Robert Marunui Iki Pouwhare for and on behalf of himself and the Ngāti Haka Patuheuheu Trust. Ngāti Haka and Patuheuheu Lands, Forests and Resources (Urewera) claim.	726
64	M Sinclair	Tahorakuri A130 Trust, Ohaaki Marae, Marae Reporoa	
65	“”	Tama-i-Uia Ruru and descendants of Tangauru - Muaupoko - Horowhenua	108





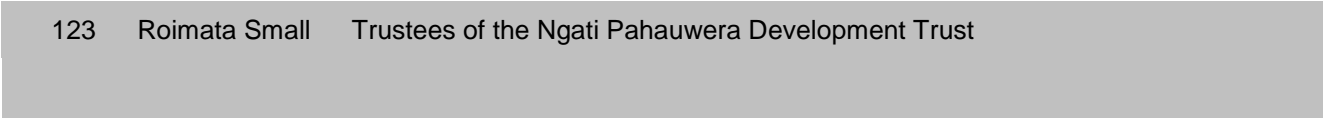
66	“”	Charles Rudd and the beneficial owners of Lake Horowhenua (Te Waipunahau), Hokio stream and Hokio beach	1631
67	“”	Hari Benevides, Wilson Ropoama, Graham Smith (Pohe Hapū) and descendants of Raketapaumu land block	1632
68	“”	Brigitte Te Awe Awe - Bevan on behalf of herself and descendants of Te Rangitepaea, Rangiotu, Ngāti Rangitāne	1627
69	J Mason, P Agius	David Potter and Andre Paterson on behalf of Ngāti Tionga hapū of Ngāti Rangitihī. Ngāti Rangitihī Inland and Coastal Land Blocks claim	996
70	“”	Haami Piripi, Chairperson of the Te Rūnanga o Te Rarawa on behalf of Te Rarawa. Tangonge (Kaitaia Lintel) claim.	1699
71	“”	Haami Piripi, Chairperson of the Te Rūnanga o Te Rarawa on behalf of Te Rarawa on behalf of Te Rarawa. Te Rarawa (Piripi) Claim.	1701
72	“	Michella Marino and Errol Churton for descendants of Taringa Kuri (Te Kaeaea) [from Ngati Wai hapu of Ngati Tama]. Wai 377 aka the 'Kaiwharawhara and Hutt Valley Lands Claim'.	377
73	M Taia, Q Duff, S Potter, T Tarawa	Te iti o Mahuta (Taharoa and Kawhia)	
74	“”	Janet Maria (Paki) King, representing the descendants of John Gilbert Paki and Rina Whawhakaia Reti. Ngāti Whawhakaia ki Aotea (Aotea). Okapu C Block (King) claim	1534
75	“”	Te Mateawa (Horowhenua)	
76	“”	Verna Tuteao, Herself and Uri of Wetini Mahikai, The Descendants of Wetini Mahikai and Hera Parekawa (Tuteao) Claim. Ngā Uri o Wetini Mahikai (Raglan).	2345
77	“”	Ngāti Paoa (Hauraki).	
78	“”	Daniel Toto, Daniel Toto, his whānau and descendants of his tupuna, Toto Whānau (Wairarapa, East Coast, Waikato and King Country). Tekikiri Meroiti Haungurunguru Toangina Toto Whānau Trust Claim	1826
79	“”	Ngā Uri o Hetaraka Takapuna (North Shore, Mahurangi and the Gulf Islands)	
80	“”	Ngā Uri o Ngāti Moetara (Pakanae and Waimamaku)	
81	none	Roimata Minhinnick of Ngāti Te Ata Waiohua	2362
82	none	Te Rangikaheke Bidois, Chairperson of Te Maru o Ngāti Rangiwewehi, on behalf of Ngāti Rangiwewehi	
83	D Edmonds	Te Atiawa Iwi Authority	
84	“”	Ngā Hapū o Ngaruahine Iwi Incorporated	
85	B Vertongen	Raukawa Settlement Trust	
86	“	Te Runanga o Toa Rangatira, Ngati Toa Rangitira	
87	J Ferguson & D Flavell	Waikato-Tainui Te Kauhanganui Incorporated	
88	J Ferguson	Freshwater Iwi Leaders Group	
89	“”	Ngāti Tama Manawhenua ki te Tau Ihu Trust	
90	“”	Te Rūnanga o Ngāti Whare	
91	“”	The Whanganui River Maori Trust Board	

92	Karen Feint	Ngāti Tūwharetoa	575
93	J Inns	Te Rūnanga o Ngāi Tahu	
94	P Harman	Savage Whānau Trust (Kawerau)	
95	none	J McEnteer Deputy-Chair of Hauraki Collective - Ngāi Tai ki Tamaki, Ngāti Hako, Ngāti Hei, Ngāti Maru, Ngāti Paoa, Ngāti Porou ki Hauraki, Ngāti Pukenga, Ngāti Rahiri Tumutumu, Ngāti Tamatera, Ngāti Tara Tokanui, Ngāti Whanaunga, Te Patukirikiri	
96	L Poutu	Ngāti Rangi collective, Ngāti Rangi Trust. Mark Tumanako Gray, Robert Mathew Gray, Toni Waho and others. The Waiouru to Ohakune Lands Claim	151
97	“”	Ngāti Rangi collective, Ngāti Rangi Trust. Matiu Marino Mareikura, Robert Gray and others. Te Puna Blocks claim	277
98	“”	Ngāti Rangi collective, Ngāti Rangi Trust. Hune Rapana, Colin Richards and Richard Manuate Pirere. The Makotuku & Ruapehu Survey Districts Claim	554
99	“”	Ngāti Rangi collective, Ngāti Rangi Trust. Sarah Reo on behalf of the descendants of Amiria Tamehana, Henare Ateara, Mere te Aowhakahinga. The Murimotu 3B1A No. 1 Block claim	569
100	“”	Ngāti Rangi collective, Ngāti Rangi Trust. Toni James Davis Waho of behalf of the descendants of Lena and Edward Waho and the hapū of Ngāti Rangi that descend from Paerangi-ite-Wharetoka. Ngāti Rangi (Paerangi-i-te-Wharetoka) claim.	1250
101	Spencer Webster	Rangi Paku on behalf of the Wairoa Waikaremoana Māori Trust Board. Kahungunu Ki Wairoa claim	621
102	“”	Pukeroa Oruawhata Geothermal Resource claim (335). Pihopa Kingi on behalf of Pukeroa Oruawhata Trust and the Proprietors of Ngāti Whakaue Tribal Lands Incorporated, Pukeroa Oruawhata Trust	317, 335
103	Hemi Te Nahu	Te Kenehi Teira, Michael Whareaitu, Johnny McGregor, Tracey Stretch, Rangitewhiu Jury, Kararaina Te Ira, Heemi Te Peeti, Hinekura Hemi, Huataki Whareaitu, Vance McGregor, Wayne McGregor, Christine Miritana, Pania Taylor, Heta Taylor, Tania Hippolite, Kim Hippolite, Kim Woon, Toha Eparaima and Puhi-Carlotta Campbell on behalf of themselves and Ngati Hinemata, Nga Uri o Tukumarū, Ngati Ngakohua, Ngati Wairangi, Ngati Ira, Ngati Te Momo, Ngati Takihiku, Ngati Ngarongo, Ngati Te Ringa	1944
104	“”	Harvey Karaitiana for and on behalf of himself and the descendants of Ngāti Hinerau, Ngāti Hineure, Ngāti Tutemohuta and Ngāti Te Urunga ('the Tauhara hapū')	18, 114, 500
105	Paul Beverley/David Randal	Contact Energy Limited	
106	none	Cherry Nikora on behalf of Te Maru o Ngāti Wahiao wish to be joined as members of the Te Arawa Geothermal Cluster	
107	none	Paula Werohia wishes to be joined as a co-claimant to the Te Arawa Geothermal Cluster	

108	none	Walter Pererika wishes to be joined as a co-claimant to the Te Arawa Geothermal Cluster	
109	none	Tony Haupapa wishes to be joined as a co-claimant to the Te Arawa Geothermal Cluster	
110	none	Tarati Kinita wishes to have the Waipupumahana C AhuWhenua Trust joined as co-claimant to the Te Arawa Geothermal Cluster	
111	Michael Sharp	David Te Hurihanganui Whata Wickliffe of Ngāti Tamakari wishes to have the following geothermally active Maori land blocks joined as co-claimants to the Te Arawa Geothermal Cluster: Paehinahina Mourea, Manupirua, Tautara Matawhaura, Rotoma No. 1, Pukaretu, Rotokawa Baths, Haumingi 1A2, Ruahine Kuharua	
112	Mai Chen	Ngahiwi Tomoana (Chairman, Ngāti Kahungunu Iwi Incorporated) on behalf of all iwi, hapū, whānau marae and claimant groups of Ngāti Kahungunu.	2379
113	"	Sir Graham Latimer and Tina Latimer, on behalf of themselves and the descendants of Paora (Te Patu), Paerata (Te Patu Koraha), Hare Reweti Hukatere (Te Patu Tere Tere), Ratima Aperahama (Whakakohatu, Tokaawai, Te Uriaranui) and Marara Ratima (Te Patu and Ngaitohianga)	1359
114	none	Fredrick C Allen of Te Atiawa iwi and trustee for Te Upoko O Te Ika in the Te Kahui Rongoa Trust. The Protection of Indigenous Flora & Fauna (Allen) claim.	740
115	Mark McGhie	Rufus Bristol for non-sellers of the Waimarino Block, Matiu, Henry, and Adam Haitana for Ngāti Tumanuka and Ngāti Ruakopiri/Patutokotoko, Buddy Taiaroa for Ngāti Kahukurapango, Petuere Kiwara for Ngāti Kowhaikura and other claimants associated with the Uenuku Tribal Authority.	1738, 1197 & 1072, 1189, 1073
116	Damien Stone	Trustees of Tauhara North No 2A, 2B and 2C Blocks, the Tauhara North No. 2 Trust	
117	Curtis Bidois	Trustees of Ngati Tahu Tribal Lands Trust	
118	Lara Burkhardt	TrustPower Ltd	
119	Frances Wedde	Bevan Taylor and Maungaharuru-Tangitu Incorporated, hapu of Maungaharuru-Tangitu	
120	"	Ranui Toatoa, for and on behalf of Mana Ahuriri Incorporated	
121	Richard Boast	Ngati Hineuru Incorporated	

122	Jennifer Braithwaite	Ian Perry and the Trustees of the Ngati Kahungungu ki Wairarapa-Tamaki Nui a Rua Trust
-----	----------------------	--

123	Roimata Small	Trustees of the Ngati Pahauwera Development Trust
-----	---------------	---



Please note that Robert Enright on behalf of Te Kawerau [a Maki] iwi Tribal Authority Inc withdrew on 27 June 2012. (Wai 2358, #3.1.145).