**WAITANGI TRIBUNAL**

Wai 2200

**CONCERNING** the Treaty of Waitangi Act 1975

**AND** the Porirua ki Manawatū District Inquiry

# MEMORANDUM-DIRECTIONS (NO. 53) OF DEPUTY CHIEF JUDGE C L FOX, PRESIDING OFFICER, SIR TAMATI REEDY (EMERITUS PROFESSOR), DR GRANT PHILLIPSON AND THE HONORABLE SIR DOUG KIDD

Tēnā koutou katoa

*Introduction*

1. On 20 August 2013, I directed parties to file submissions concerning Nga Kōrero Tuku Iho hui, which included issues about the location of hui, lists of members for various coordinating committees, and also the readiness of Muaūpoko to proceed with the first hui (Wai 2200, #2.5.65).

2. The Tribunal has received a number of submissions in response.[1]

*Nga Kōrero Tuku Iho hui – Muaūpoko*

3. On 20 September 2013, we received a Crown memorandum which supported Nga Kōrero Tuku Iho hui for Muaūpoko (Wai 2200, #3.1.507). The Crown agreed that Muaūpoko participation in Nga Kōrero Tuku Iho hui may benefit claimants participating in both the Tribunal's process and those in the direct negotiation process. The Tribunal acknowledges and welcomes the Crown's agreement to make a funding contribution for Muaūpoko.

4. The Tribunal has received a submission from the Muaūpoko Tribal Authority (Wai 2200, #3.1.510) and a joint memorandum of counsel on behalf of the Muaūpoko Claimant Cluster (Wai 2200, #3.1.513).

5. Both groups have agreed that the proposed December 2013 date is unsuitable for Muaūpoko and suggest that February 2014 would be more appropriate. The Tribunal would like to suggest the hui be held on **Monday 17 and Tuesday 18 February 2014**.

6. We understand that the Muaūpoko Tribal Authority and Muaūpoko Claimant Cluster are meeting in early October to discuss the organisation of the hui, the members of the coordinating committee, the proposed date, and venue for the hui.

[1] Wai 2200, #3.1.507, Wai 2200, #3.1.508, Wai 2200, #3.1.509, Wai 2200, #3.1.510, Wai 2200, #3.1.511, Wai 2200, #3.1.512, Wai 2200, #3.1.513, Wai 2200, #3.1.514, Wai 2200, #3.1.515, Wai 2200, #3.1.516, Wai 2200, #3.1.517, Wai 2200, #.1.518, Wai 2200. #3.1.519.

7. Following this meeting, parties are directed to file a joint memorandum providing a list of coordinating committee members, suitable dates and venue for the hui by **midday, Friday 25 October 2013**.

*Nga Kōrero Tuku Iho hui – Kauwhata, Ngāti Tukorehe and Ngāti Wehi Wehi*

8. The Tribunal received a joint memorandum of counsel from Te Iwi o Ngāti Tukorehe Trust and Te Iwi o Ngāti Tukorehe, Ngā Kaitiaki o Ngāti Kauwhata Incorporated, Ngā Hapū o Himatangi, Ngāti Te Au, Ngāti Turanga and Ngāti Rakau, Ngāti Hikitanga Te Paea, the Kauwhata Treaty Claims Komiti, Te Marae Komiti o Kauwhata Trust and Ngā Uri Tangata o Ngāti Kauwhata, Ngā Uri Tangata o Ngāti Kauwhata ki te Tonga, Ngāti Hinemata, Ngā Uri o Tukumaru, Ngāti Ngakohua, Ngāti Wairangi, Ngāti Ira, Ngāti Te Momo, Ngāti Takihiku, Ngāti Ngarongo and Ngāti Te Ringa (Wai 2200, #3.1.512).

9. The claimants have included an agreed list of members for their coordinating committee for Nga Kōrero Tuku Iho for Kauwhata, Ngāti Tukorehe, Ng Hapū o Himatangi and Ngāti Hikitanga Te Paea.

10. The claimants have also sought more time to enable the coordinating committee to meet and discuss a suitable venue for this Nga Kōrero Tuku Iho hui, and to meet with Ngāti Wehi Wehi.

11. The Tribunal supports this collaborative approach and grants leave for the coordinating committee to confirm a venue by **midday, Friday 25 October 2013**.

12. The Tribunal has also received a memorandum from counsel for Te Kotahitanga o Te Iwi o Ngāti Wehi Wehi (Wai 1482). Due to a number of reasons, Ngāti Wehi Wehi have been unable to participate in the process of forming a coordinating committee, and have not yet nominated members for the committee. Leave is sought for a meeting to take place with their whanaunga, so as to provide for their representation on the committee and to discuss the venue for the hui (Wai 2200, #3.1.511).

13. The leave sought by Ngāti Wehi Wehi is granted. The Tribunal expects to receive the additional names for the committee as part of the joint memorandum to be submitted at **midday, Friday 25 October 2013** (as above).

14. The Tribunal has also received a memorandum of counsel on behalf of Wai 2031, stating that the claimant, Simon Austin, prefers to be heard with those with whom he shares whakapapa, namely Ngāti Wehiwehi/Ngāti Kauwhata and Ngāti Raukawa through Hape ki Turangi (Wai 2200, #3.1.508).

15. The Tribunal supports Mr Austin's preference and asks that the coordinating committee ensure that time be made available for him to present his kōrero.

*Nga Kōrero Tuku Iho hui – Te Reureu at Te Tikanga Marae*

16. Ngā Iwi o Te Reureu provided the Tribunal with a list of coordinating committee members in a joint memorandum of counsel filed on behalf of Ngāti Waewae, Ngāti Pikiahu, Ngāti Matakore, Ngāti Rangatahi, Ngāti Rangatahi ki Rangitikei, Te Hiiri o Mahuta marae and the Ngāti Rangatahi Whanaunga Association Incorporated (Wai 2200, #3.1.514).

17. In addition, Ngā Iwi o Te Reureu noted that an additional member would be appointed to the committee, to represent Ngāti Whakatere ki Te Tonga.

18. We then received a memorandum from the Ngāti Whakatere ki te Tonga claimants, confirming their intention to participate in the hui at Te Tikanga Marae and nominating Te Meera Hyde as their committee member (Wai 2200, #3.1.516).

19. The Tribunal acknowledges these submissions and looks forward to further progress through the work of the agreed coordinating committee.

*Nga Kōrero Tuku Iho hui – Ngāti Pareraukawa at Ngātokowaru Marae*

20. The Tribunal received a letter from the Chair of the Ngātokowaru Marae committee, Rachael Selby (Wai 2200, #3.1.519). The letter provides a list of members for the coordinating committee and offers Matau Marae as a backup venue.

21. The Tribunal acknowledges the selection of this committee and looks forward to further progress through its work to coordinate the hui at Ngātokowaru Marae.

*Nga Kōrero Tuku Iho hui – Raukawa hui at Raukawa Marae*

22. As per my last memorandum-directions (Wai 2200, #2.5.65), Ng Hapū o Otaki have already selected a coordinating committee for the hui at Raukawa Marae. Other claimants had indicated a wish to join this committee and present their kōrero at Raukawa Marae. I directed counsel to file a joint memorandum by 30 September 2013, providing a final list of the coordinating committee.

23. A memorandum has now been received from counsel on behalf of the claimant cluster represented by Tumatanui, specifically for Wai 113, 1932, 408 and 757 (Wai 2200, #3.1.518), advising that the composition of the committee is not yet settled, and seeking leave to file further submissions by 11 October 2013.

24. The leave sought is granted but the Tribunal wishes the parties to clarify whether discussions have taken place between Tumatanui and the coordinating committee established by Ngā Hapū o Otaki. We are still expecting to receive a joint memorandum from all parties participating in the Raukawa hui at Raukawa Marae, as to the agreed composition of their coordinating committee.

25. Parties are directed to file this joint memorandum by **midday, Friday 25 October 2013.**

*Nga Kōrero Tuku Iho Hui – Te Ati Awa / Ngāti Awa ki Whakarongotai*

26. Two nominations for membership of the coordinating committee for Te Ati Awa/Ngāti Awa ki Whakarongotai have been filed.

27. The Tribunal received a memorandum of counsel from the Wai 1018 claimants of Ngāti Awa ki Kapiti, which proposed Rawiri Evans as their representative on a coordinating committee, and contained a preliminary list of witnesses who wish to present their Kōrero Tuku Iho (Wai 2200, #3.1.515).

28. On 30 September 2013, we received a memorandum from the Wai 2361 claimants, outlining progress to date among the Te Ati Awa/Ngāti Awa ki Whakarongotai cluster. The Wai 2361 claimants have nominated Chris Webber as their representative on the committee. Counsel sought leave to encourage non-represented claimants and other counsel to submit nominees, and to file a further memorandum on 4 October 2013 (Wai 2200, #3.1.517). The leave sought is granted.

29. The Tribunal still wishes to receive a joint memorandum from Te Ati Awa/Ngāti Awa ki Whakarongotai claimants, listing the members of their coordinating committee. It appears that this may take some time. Counsel are directed to file a memorandum updating us as to progress by **midday, Friday 25 October 2013**.

*Crown Forestry Rental Trust*

30. The Tribunal understands that there is no clear timeline for the resolution of the Crown Forestry Rental Trust (CFRT) funding issue, but that alternate Trustees have now been appointed by the High Court. It is imperative to resolve the question of funding for the Nga Kōrero Tuki Iho hui as soon as possible, so that the intensive preparation work required can get properly underway.

31. We ask CFRT to provide an update about funding assistance for these hui, and also regarding the casebook research programme, by **midday, Thursday 31 October 2013**.

*Conclusion*

32. A table is appended to this memorandum-directions summarising the latest information received by the Tribunal.

33. Tribunal unit staff are available to meet with the coordinating committees, and with claimants and counsel, to provide advice about the Nga Kōrero Tuku Iho process if this would be beneficial.

34. The Tribunal is looking forward to starting Nga Kōrero Tuku Iho hui with Muaūpoko in February 2014.

The Registrar is to send a copy of this direction to all those on the notification list for Wai 2200, the combined record of inquiry for the Porirua ki Manawatū District Inquiry.

**DATED** at Gisborne this 3rd day of October 2013

Deputy Chief Judge C L Fox
Presiding Officer
**WAITANGI TRIBUNAL**

# APPENDIX

| Hui | Venue | Back Up | Committee | Speakers | Presenters |
|---|---|---|---|---|---|
| 1 | To be advised | | | | Muaūpoko |
| 2 | Te Tikangā Marae | Poupatate Marae | Mr Te Meera Hyde, Mura Winchcombe, Turoa Karatea, John Reweti, Lou Chase, Hare Arapere, Puruhe Smith, Danny Karatea-Goddard, Marina Ponga, Grave Le Gros, Robert Jonathon | | Ngā Iwi o Te Reureu<br>Ngāti Rangatahi |
| 3 | Ngātokowaru Marae | Matau Marae | John Reweti, Wayne Kiriona, Rob Kuiti, Larry Parr, Rachael Selby | John Reweti | Ngāti Pareraukawa |
| 4 | To be advised | | To be confirmed | | Ngāti Kauwhata<br>Ngāti Tukorehe<br>Ngāti Wehi Wehi |
| 5 | Whakarongotai Marae, Waikanae | | Rawiri Evans Chris Webber | Dr Huirangi Waikere Puru, Apihaka Mack, Whaea Moe Ngaia, Ben Ngaia, Mei Hughes | Te Ati Awa/ Ngāti Awa |
| 6 | Raukawa Marae, Otaki | | To be confirmed | | Raukawa |