

# Te Ika Whenua - Energy Assets Report 1993

## Appendix 4 Record of Proceedings & Record of Documents

### 1. Claims

1.1 Wai: 212

Date: 6 June 1991

Claimants: Hohepa Joseph Waiti and another for Te Runanganui o Te Ika Whenua

Concerning: Ika Whenua lands & waterways

(a) Urgent claim Aniwhenua and Wheao dams  
30 November 1992

(b) Urgent claim Murupara logging head  
30 November 1992

(c) Urgent claim  
16 December 1992

(d) Urgent particulars  
23 February 1993

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*Waitangi Tribunal, Department of Justice, Wellington.*

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### **2. Papers in proceedings**

- 2.1 Tribunal directions on Ika Whenua lands & waterways claim wai 212, 18 June 1991
- 2.2 Memorandum from Te Runanga o Te Ika Whenua requesting urgent hearing of wai 212 Aniwhenua and Wheao dams, 30 November 1992
- 2.3 Memorandum from Te Runanga o Te Ika Whenua requesting urgent hearing of wai 212 Murupara logging head, 30 November 1992
- 2.4 Tribunal directions on requests for urgent hearings, 14 December 1992
- 2.5 Memorandum from Te Runanga o Te Ika Whenua providing further information in respect of application for urgent hearing 16 December 1992
- 2.6 Tribunal directions on request for urgent hearing regarding Aniwhenua and Wheao dams, 22 December 1992
- 2.7 Tribunal direction on request for urgent hearing regarding Murupara logging head, 22 December 1992
- 2.8 Certificate of notification of claim regarding Murupara logging head, 14 January 1993
- 2.9 Letter of support of claim by Tainui Maori Trust Board, 15 January 1993
- 2.10 Letter of support of claim by Whanganui River Maori Trust Board, 18 January 1993
- 2.11 Letter of support of claim by Te Runanga o Ngati Apa, 18 January 1993
- 2.12 Draft summary notes of judicial conference held on 18 January 1992
- 2.13 Tribunal directions following the conference of interested parties on 18 January 1993, 3 February 1993
- 2.14 Memorandum of Crown counsel, 3 February 1993
- 2.15 Affidavit of Cletus Maanu Paul, 9 February 1993

- 2.16 Tribunal directions following the conference of interested parties on 8 February 1993, 16 February 1993
- 2.17 Draft summary notes of conference held on 8 February 1993
- 2.18 Tribunal directions to constitute a sitting of the tribunal, 19 February 1993
- 2.19 Notification of hearing & notice 23 February 1993
- 2.20 Memorandum of Crown counsel setting out Crown energy policy and proposed restructuring of electricity supply authorities 2 March 1993
- 2.21 Opening submission of counsel for claimants 8 March 1993
- 2.22 Opening submission of counsel for Crown 9 March 1993
- 2.23 Closing submission of counsel for claimant 10 March 1993
- 2.24 Memorandum of claimant counsel - urgent application for interim relief 31 March 1993
- 2.25 Memorandum on behalf of Whanganui River Maori Trust Board - Energy Companies Act 1992 transfer of river assets 1 April 1993
- 2.26 Claimant memorandum of 31 March 1993 in response to tribunal memorandum of 16 February 1993
- 2.27 Tribunal direction of 2 April 1993 - claimant memorandum 31 March 1993
- 2.28 Tribunal memorandum of 2 April 1993 - claimant request for urgent application for interim relief
- 2.29 Copy of statement of claim to the High Court from Te Runanganui o Te Ika Whenua Incorporated Society (claimants counsel)

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### **3. Research commissions & agreements**

3.1 Direction of tribunal to commission research Dr I G Bertram 25 February 1993

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### **Record of documents**

A First hearing for Ika Whenua claims (Aniwhenua and Wheao dams) at Rotorua Maori Land Court, 8-10 March 1993

#### A1 Maps

- a) Cadastral map of Kaingaroa No 1
- b) Cadastral map of Murupara
- c) Topographical map of Murupara Logging Head

A2 Dr Bertram brief paper on "Electricity Industry Restructuring Background to the Transfer of ESA Assets"

A3 A guide to the New Zealand electricity industry and the report of the Electricity Task Force September 1989 (counsel for crown)

A4 Revised establishment plan Bay of Plenty Electricity Power Board December 1992 (counsel for crown)

A5 Establishment Plan Rotorua Electricity Limited (counsel for crown)

A6 Evidence of Dr Geoff Bertram on the Aniwhenua and Wheao dams and the Energy Companies Act 1992 March 1993 (counsel for claimants)

- a) Supporting documents to the evidence of Dr Geoff Bertram (counsel for claimants)

A7 Opening submission of counsel for claimants 8 March 1993

#### Supporting documents

- a) Vol I 1-6
- b) Vol II 7-12

A8 Evidence of kaumatua

- 1 Hohepa Waiti (whakapapa confidential)
- 2 Thomas Higgins

a) Map (tributaries & special places)

3 Taima Maria Makarena Rangitauira

4 Hana Rora Meihana

5 Te Whaiti Waiti

6 Muriwai Charles Waiti

a) Planning map no 3 Whakatane

b) Proposed Kioreweku hydro-electric project

7 Percy Marunui Murphy

8 Rewi Kohiti Wihare

9 Te Rauparaha Tihema

10 Billy Rano Messent

11 James Edward Doherty

12 Eddie Iraia Heurea

13 Maanu Cletus Paul

attachments:

a) Photograph Kaingaroa 1960

b) " Kaingaroa 1886

c) " Kaingaroa 1969

d) " early planting of Kaingaroa

e) " cave drawings, Murupara

f) Pumice & pines, Joan Boyd GP Publications 1992

g) Letter National Institute of Water & Atmospheric  
Research Limited

h) Report of Electricorp on Matahina elver

i) Map depicting ash beds

j) Notes from Kaingaroa no 1

k) waiata

14 Evidence of Irihapeti Edwards

15 Evidence of Teresa Paul-Issac

16 Evidence of Rangi Haumata Anderson

17 Evidence of Maurice Toetoe

18 Evidence of Thomas Maher

(counsel for claimants)

A9 Opening submission of counsel for Crown 9 March 1993

attachments:

a) Approval of establishment plans

b) Letter of National Maori Congress 7 February 1992

c) Submission to Select Committee Planning & Development (Energy Sector Reform Bill - Tainui Maori Trust Board)

d) Submission to Select Committee Planning & Development (Energy Sector Reform Bill - Whanganui River Maori Trust Board)

e) Letter of Electricity Distribution Reform Unit

f) Letter of Minister of Energy

g) National Maori Congress proposal for Maori ownership in the new energy company 1992

h) Letter of National Maori Congress 10 November 1992

i) Letter of Te Arawa 13 November 1992

j) Tribunal direction 22 December 1992

k) NZ Maori Council v Attorney-General 1992

A10 Evidence of Te Kotahitanga Tait

(Tuhoe-Waikaremoana Maori Trust Board)

A11 Evidence of Archie Te Atawhai Taiaroa

(Whanganui River Maori Trust Board)

A12 Evidence of National Maori Congress

A13 Evidence of Timoti Rangitakatu

(Te Runanga o Ngati Tahu)

A14 Closing submission of counsel for claimants 10 March 1993

A15 Interim report of the tribunal on Te Ika Whenua 1 April 1993

B1 Evidence of Rachel Paul on Murupara Log Yard and Rail Head Report

a) Document Bank Volume I

b) Document Bank Volume II

c) Document Bank Volume III

(counsel for claimants)

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