

# Ngai Tahu Land Report

Publisher : Waitangi Tribunal 1992

## Appendix 03 Record of Fisheries Documents

### 3.3 Record of Fisheries Documents

Appendix 3

Record of Fisheries Documents

NOTE: Documents marked with an \* are ruled confidential and are available only to counsel. Copies cannot be made.

The reference in brackets after each document refers to the person or party producing the document in evidence

A FIRST HEARING AT TUAHIWI MARAE, 17 AUGUST 1987 AND RANGIORA HIGH SCHOOL, 17-20 AUGUST 1987

Document:

A17 Submission of Henare R Tau with attachment of Te Ngai Tuahuriri Runanga Incorporated rules

A26 Opening submissions of claimants' counsel

B SECOND HEARING AT TUAHIWI MARAE, 21-23 SEPTEMBER 1987

Document:

B13 Ngai Tahu fishery claim, received 28 September 1987 (registrar)

C THIRD HEARING AT OTAKOU MARAE, 2 NOVEMBER 1987 AND RE-CONVENING AT TUAHIWI MARAE, 5 NOVEMBER 1987

Document:

C8 (a) Evidence of Dr Atholl Anderson on Maori settlement at Otakou  
(b) References to C8(a)  
(counsel for claimants)

C13 (a) Submission of Craig Ellison on pollution of lands and waters in Otago  
(b) Documents presented with C13(a)

C23 Correspondence of Tipene O'Regan on claim of Kurahaupo Waka and aquacultural-rural developments, Kaparatehau Lake Grassmere), received 10 November 1987  
(registrar)

H SEVENTH HEARING AT TUAHIWI MARAE AND TE RAU AROHA MARAE, BLUFF, 11-20 APRIL 1988

Document:

H1 Evidence of Dr Atholl Anderson on mahinga kai  
(counsel for claimants)

H2 Supporting papers to H1 (see H3)  
(counsel for claimants)

H3 Figures and tables supplementary to H1 and H2  
(counsel for claimants)

H5 Evidence of David T Higgins and William A G Goomes on sea fishery  
(counsel for claimants)

H6 Evidence of Rawiri Te M Tau and Henare R Tau on mahinga kai, Tuahuriri area (submission of Henare R Tau withdrawn and replaced by J10; see also H57)  
(counsel for claimants)

H7 Evidence of Wiremu T Solomon and Trevor H Howse on mahinga kai, Kaikoura area  
(counsel for claimants)

H8 Evidence of Ray Hooker, Hemi Te Rakau, Kelly R Wilson, Gordon McLaren, Albert K Te Naihi-McLaren, Iris Climo, James M Russell, Allan L Russell on mahinga hi, Arahura area (submission of Hemi Te Rakau replaced by H36)  
(counsel for claimants)

H9 Evidence of James P McAloon, Mere K E Teihoka (Hamilton), Catherine E Brown, Morris T Love, Rewi Brown, Donald R Brown on mahinga kai, Waihora area  
(counsel for claimants)

H10 Evidence of Jack T Reihana, Wiremu Torepe, Kelvin Anglem, Murray E Bruce, Kelvyn T A D Te Maire and Rangimarie Te Maiharoa on mahinga kai, Arowhenua area  
(counsel for claimants)

H11 Evidence of Matt Ellison on mahinga kai, Puketeraki area  
(counsel for claimants)

H12 Evidence of Edward Ellison on mahinga kai, Otakou area  
(counsel for claimants)

H13 Evidence of Robert A Whitiri, Harold F Ashwell, Paddy Gilroy, Taare H  
Bradshaw, Huhana P B Morgan, and Kevin O'Connor on mahinga kai, Murihiku  
area  
(counsel for claimants)

H15 Memorandum of counsel for the New Zealand Fishing Industry Board and New  
Zealand Fishing Industry Association, dated 8 April 1988

H16 Curriculum vitae of Dr Atholl Anderson  
(counsel for claimants)

H17 Submission of Tipene O'Regan on behalf of the Ngai Tahu Trust Board on  
mahinga kai (fisheries), (see addenda, H20)

H21\* Hoani Te Kaahu "He korero mo Kati Tuhaitara", Beattie Papers 582/F/17,  
Hocken Library  
(counsel for claimants)

H22\* (a) "He korero mo Tuteurutira raua ko Hinerongo"  
(b)\* "He korero mo Kati Kuri"  
(counsel for claimants)

H23\* Map of Fiordland fishing marks (also J32)  
(counsel for claimants)

H24\* Map of Kaikoura fishing marks (also J33)  
(counsel for claimants)

H25\* Map of Banks Peninsula fishing marks (also J34)  
(counsel for claimants)

H26\* Map of Foveaux Strait fishing marks (also J35)  
(counsel for claimants)

H27\* Whakapapa of Wiremu Solomon  
(counsel for claimants)

H28\* Map of Kaikoura, place names  
(counsel for claimants)

H29\* Map of Kaikoura, kai manu and kai moana  
(counsel for claimants)

H30\* Map of Kaikoura, tohu raumati  
(counsel for claimants)

H32\* Map of Kaikoura, kai awa  
(counsel for claimants)

H33\* Map of Ngati Kuri kai ika  
(counsel for claimants)

H34\* Key to maps H27 to H33  
(counsel for claimants)

H35 Marcus Solomon "Boatman"  
(counsel for claimants)

H37\* Archaeological evidence of Te Tai Poutini Maori settlement  
(counsel for claimants)

H38\* Map of Te Tai Poutini archaeological sites  
(counsel for claimants)

H41\* Map of south Westland mahinga kai areas  
(counsel for claimants)

H42\* Map of features of south Westland  
(counsel for claimants)

H45 Evidence of Montero J Daniel on Taumutu site visit, 16 April 1988

H46 Material supplied for Wairewa and Waihora site visit, 16 April 1988  
(counsel for claimants)

H47 Submission of Te Ao Hurae Waaka on Arowhenua

H48 Submission of Kelvin Anglem on Timaru and Waitarakao

H52 Submission of David M Miller on mahinga kai, Purakanui area  
(counsel for claimants)

H53 Submission of Edward Ellison on mahinga kai  
(counsel for claimants)

H54\* Map of mahinga kai, Murihiku area  
(counsel for claimants)

H56 Submission of George Te Au on mahinga kai, Murihiku area

I EIGHTH HEARING AT TRIBUNALS DIVISION BOARDROOM, DATABANK  
HOUSE,  
WELLINGTON, 19 MAY 1988

Document:

I6 Issues raised by the evidence of the claimants as determined by the tribunal (see I1-4)  
(registrar)

J Ninth hearing, held at the Tuahiwi Marae, 27-30 June 1988

Documents:

J5 Submissions of the Waitaha Management Group in association with the South Westland Runanga, Tuturuua Runanga, West Coast Fishermens' Association and Maruia Society

J7 Amended claim in respect of fisheries, dated 25 June 1988  
(registrar)

J8 Map of Fiordland taken from an 1838 admiralty chart in Edward Shortland The Southern Districts of New Zealand (1851). Copied from A Charles Begg & Neil Begg The World of John Boulton, including an account of sealing in Australia and New Zealand (Whitcoulls, Christchurch 1979) fig 15

J9 Copies of statutes and regulations relating to Lake Waihora  
(counsel for claimants)

J10 Evidence of Henare R Tau, David Higgins, Trevor H Howse, Peter Ruka and Barry Brailsford on mahinga kai (Note: D Higgins' evidence replaces H5, B Brailsford's evidence replaces H4 and H R Tau's evidence replaces that included in H6)  
(counsel for claimants)

J11\* Map of kai roto, Kaikoura  
(counsel for claimants)

J12\* Map of groper grounds, Kaikoura area (1)  
(counsel for claimants)

J13\* Map of groper grounds, Kaikoura area (2)  
(counsel for claimants)

J14\* Map of groper grounds, Kaikoura area (3)  
(counsel for claimants)

J18 Barry Brailsford The Greenstone Trails: The Maori Search for Pounamu (Reed, Wellington 1984)  
(counsel for claimants)

J19 Barry Brailsford The Tattooed Land (Reed, Wellington 1981)  
(counsel for claimants)

J20\* Map of mahinga kai, Christchurch area  
(counsel for claimants)

J21\* Overlay to J20, wakawaka boundaries, Christchurch mahinga kai  
(counsel for claimants)

J22\* Map of mahinga kai districts according to Matiaha Tiramorehu  
(counsel for claimants)

J23 Map of archaeological sites (see H3 Fig 1)  
(counsel for claimants)

J28 Map of te aka o tuwhenua, wakawaka ika (fishing wakawaka North Canterbury)  
(counsel for claimants)

J29\* Map of Waitaki wakawaka, collected 1897 and presented to the Native Land Court 1925  
(counsel for claimants)

J30\* Map of Canterbury wakawaka, collected 1897 and presented to the Native Land Court 1925  
(counsel for claimants)

J31\* Map of currents, Punakaiki to Kahurangi Point  
(counsel for claimants)

J32\* Map of Fiordland fishing marks and grounds (also H23)  
(counsel for claimants)

J33\* Map of Kaikoura fishing grounds (also H24)  
(counsel for claimants)

J34\* Map of Banks Peninsula to Otago fishing grounds and marks (also H25)  
(counsel for claimants)

J35\* Map of Foveaux Strait fishing grounds and marks (also H26)  
(counsel for claimants)

J36\* Map of tuku moana, tuna heke, wakawaka for Lake Forsyth (Wairewa)  
(counsel for claimants)

J37\* Additional note to the evidence of Trevor H Howse on Wairewa (see J10)  
(counsel for claimants)

J39 Evidence of James P McAloon on mahinga kai, Ngai Tahu-Ngati Mamoe marine property rights  
(counsel for claimants)

J40\*Overlay to J28, kohanga o kaikai oara (North Canterbury fisheries)  
(counsel for claimants)

J41\*Overlay to J28, maunga karanga  
(counsel for claimants)

J42\*Map of South Island ocean currents  
(counsel for claimants)

J43 Final statement of David Higgins on Ngai Tahu fisheries (see J10)  
(counsel for claimants)

J44 Additional evidence of Peter Ruka on Ngai Tahu fisheries  
(counsel for claimants)

J45 Additional evidence of Henare R Tau on Ngai Tahu fisheries (see J10)

J51\* Map of Kaikoura to Banks Peninsula fishing marks and fishing grounds  
(counsel for claimants)

J52\* Map of Taiaroa Head to Nugget Point fisheries and fishing marks  
(counsel for claimants)

K ON 30 JUNE 1988 THE CROWN OPENED ITS RESPONSE TO THE CLAIM

Document:

K1 Opening submission of Crown counsel

K2 Supporting papers to K1

L TENTH HEARING AT THE SOUTHERN CROSS HOTEL, DUNEDIN, 25-28  
JULY 1988

Document:

L32 Summary from the submissions of ancillary and other issues raised in the Ngai  
Tahu claim  
(registrar)

M ELEVENTH HEARING AT COLLEGE HOUSE, CHRISTCHURCH, 29  
AUGUST -  
1 SEPTEMBER 1988

Document:

M14 Evidence of Tony Walzl on Ngai Tahu reserves 1848-1890  
(counsel for Crown)

M15 Supporting papers to M14  
(counsel for Crown)

M16 Evidence of David A Armstrong on the Crown's reserve policy concerning Ngai  
Tahu 1890-1944  
(counsel for Crown)

M17 Supporting papers to M16 (2 vols)  
(counsel for Crown)

O THIRTEENTH HEARING AT THE STUDENT UNION BUILDING, OTAGO  
UNIVERSITY,  
DUNEDIN, 7-10 NOVEMBER 1988

Document:

O27 Map of South Island used as base for overlays for Kemp's purchase  
(a) Overlay to O27, Maori reserves (general use and fishing)  
(b) Overlay to O27, boundaries, purchase documents (lands of Crown)  
distinguishing general and SOE lands  
(c) Overlay to O27, boundaries of various purchases  
(counsel for Crown)

O52 Memorandum of deputy-chairperson on mahinga kai - sea fisheries claims, dated  
10 November 1988 (see O53)  
(registrar)

O53 Memorandum of deputy-chairperson amending memorandum dated 10  
November 1988, dated 14 November 1988 (see O52)  
(registrar)

P FOURTEENTH HEARING AT COLLEGE HOUSE, ILAM, CHRISTCHURCH,  
5-9 DECEMBER.  
1988

Document:

P9 (a) Submissions of Crown counsel on mahinga kai  
(b) Supporting documents to P9(a)  
(c) Documents relating to fishery easements  
(d) Key to maps of Banks Peninsula, the Kaikoura coast and Kemp's purchase  
(counsel for Crown)

P10 Evidence of Anthony Walzl on mahinga kai (see O48, Q19, Q21)  
(counsel for Crown)

P11 Supporting papers to P10  
(counsel for claimants)

P12 Evidence of Robert D Cooper, MAFFish, on records of Maori fisheries in  
government archives since 1840

P13 Supporting paper to P12

P16 (a) Evidence of Ronald W Little, MAFFish, on the physical nature of Lakes  
Ellesmere and Forsyth  
(b) Evidence of Dr Peter Todd, MAFFish, on eel and lamprey biology and the eel

fisheries in Lakes Ellesmere and Forsyth

(c) Evidence of Professor Walter C Clark on Maori involvement in management of freshwater fisheries and game resources in the North Canterbury acclimatisation district, with specific reference to Lake Ellesmere

(d) Evidence of Paul Sager, MAFFish, on the Opihi River-potential effects on fish of flow augmentation

(counsel for Crown)

P32 (a) Map of Christchurch land drainage, present day

(b) Map of Christchurch land drainage, c 1855

(c) Long term planning for the Avon-Heathcote estuary, Christchurch City Council, 1980

(counsel for Crown)

Q FIFTEENTH HEARING AT MANCAN HOUSE, CHRISTCHURCH, 7-9  
FEBRUARY 1989

Document:

Q1 Submission of counsel for the claimants on deputy-chairperson's memorandum of 10 November 1988 on sea fisheries claims (see O52)

Q2 Submission of Mervyn N Sadd on deputy-chairperson's memorandum of 10 November 1988 on sea fisheries claims (see O52)

Q7 Submission of Crown counsel on Ngai Tahu sea fisheries

Q8 Evidence of Anthony Walzl on economy of Ngai Tahu  
(counsel for Crown)

Q9 Supporting papers to Q8  
(counsel for Crown)

Q12 Submissions of counsel for the New Zealand Fishing Industry Association

Q13 Submissions of counsel for the New Zealand Fishing Industry Board

Q21 Observations of the claimants on the evidence of Anthony Walzl on mahinga kai  
(see P10, P11)  
(counsel for claimants)

Q24 Interlocutory determination of deputy-chairperson on procedure relating to hearing of sea-fisheries claim,  
dated 10 February 1989  
(registrar)

Q27 Submissions of the Wellington District Law Society to the chairperson of the Maori Fisheries Committee, House of Representatives, Wellington on the Maori Fisheries Bill 1988

Q31 Memorandum of Crown counsel on Ngai Tahu sea fisheries, dated 13 March 1989  
(registrar)

R SIXTEENTH HEARING AT THE CHATEAU REGENCY, CHRISTCHURCH,  
10-13 APRIL 1989

Document:

R9 Opening submission of Crown counsel on Ngai Tahu sea fisheries

R10 Submission of Crown counsel on legislation concerning fisheries

R11 Evidence of John A Colman, MAFFish, on marine fish and the environment  
(counsel for Crown)

R12 Evidence of John D Booth, MAFFish, on rock lobster fishery  
(counsel for Crown)

R13 Evidence of Talbot Murray, MAFFish, on South Island paua fishery  
(counsel for Crown)

R14 (a) Evidence of Jacqui Irwin, MAFFish, on shallow water fin fisheries of the South Island

(b) Evidence of Tony Avery, MAFFish, on shoreline and shallow-water shellfisheries of the South Island

(c) Evidence of Graeme McGregor, MAFFish, on South Island blue cod fishery

(d) Evidence of Lawrence J Paul, MAFFish, on South Island shark fisheries  
(counsel for Crown)

R15 a) Evidence of Rosemary J Hurst, MAFFish, on South Island barracouta fishery

(b) Evidence of John B Jones, MAFFish, on South Island blue warehou fishery

(c) Evidence of Alistair B MacDiarmid, MAFFish, on South Island red cod fishery  
(counsel for Crown)

R16 Evidence of Lawrence J Paul, MAFFish, on South Island groper, tarakihi and bluenose fisheries

(a) Evidence of Robert H Mattlin, MAFFish, on South Island squid fishery  
(counsel for Crown)

R17 Evidence of Mary E Livingston, MAFFish, on South Island silver warehou fishery

(a) Evidence of John A Colman, MAFFish, on South Island hake fishery

(b) Evidence of John A Colman, MAFFish, on South Island ling fishery  
(counsel for Crown)

R18 Evidence of Kevin J Sullivan, MAFFish, on hoki fishery  
(counsel for Crown)

R19 Evidence of Donald A Robertson, MAFFish, on orange roughy fishery  
(a) Evidence of Peter McMillan, MAFFish, on South Island oreo fishery  
(counsel for Crown)

R20 Evidence of Robin Allen, MAFFish, on the role of fisheries research  
(counsel for Crown)

R21 Evidence of Ian N Clark, MAFFish, on development of the quota management system  
(a) Economic Review of the New Zealand Fishing Industry 1987-88 (NZFIB, February 1989)  
(counsel for Crown)

R22 Evidence of Bruce Shallard, MAFFish, on the quota management system  
(counsel for Crown)

R23 Evidence of Robert D Cooper, MAFFish, on the effect of fishery management policies on Maori involvement in fishing  
(counsel for Crown)

R24 Evidence of Grant Thomas Crowthers, MAFFish, on fisheries compliance  
(counsel for Crown)

R25 Evidence of Ian N Clark, MAFFish, on the economics of the South Island fishery  
(counsel for Crown)

R26 Evidence of Robert D Cooper, MAFFish, on local control and management of coastal fisheries by Maori  
(counsel for Crown)

R27 Audiovisual aids to MAFFish evidence, book of slide copies  
(counsel for Crown)

R28 Audiovisual aids to MAFFish evidence, box of slides used in presentation  
(counsel for Crown)

R30\* "Mahinga Kai List 1880" presented to Tipene O'Regan by MAFFish

R31 Question from the tribunal to MAFFish on the nature and extent of Ngai Tahu fishing in traditional times in relation to specific fish and shellfish  
(registrar)

R32 Further evidence in support of R25 on exclusion of part-time fishers  
(counsel for Crown)

R37 Memorandum of counsel for NZFIB and NZFIA on timetabling and hearing dates  
for sea-fisheries portion of claim

- R38 (a) Evidence of John A Colman, MAFFish, on marine fish and the environment, supplement to R11
- (b) Curriculum vitae of Alan Coakley, supplement to R14(a)-(d)
- (c) Evidence of Kevin J Sullivan, MAFFish, on hoki fishery, supplement to R18
- (d) Evidence of Rosemary J Hurst, MAFFish, on barracouta, blue warehou and red cod, supplement to R15(a)-(c)
- (e) Evidence of Mary E Livingston, MAFFish, on silver warehou and red cod, supplement to R17, 17(a)-(b)
- (f) Evidence of Neil Martin, MAFFish, on effect of fisheries management policies on Maori involvement in fishing, supplement to R23
- (g) Evidence of Robert D Cooper, MAFFish, on local control and management of coastal fisheries by Maori, supplement to R26
- (h) Evidence of Ian N Clark, MAFFish, additional data on TAC's catch values and valuation definitions, supplement to R25
- (i) Evidence of Henry J Cranfield, MAFFish, on dredge oysters
- (j) Evidence of Ron Blackwell, MAFFish, on gurnard
- (k) Evidence of Graeme McGregor, MAFFish, on stargazer
- (l) Evidence of Rosemary J Hurst, MAFFish, on gemfish
- (m) Evidence of John A Colman, MAFFish, on southern blue whiting
- (n) Evidence of Talbot Murray, MAFFish, on tuna
- (o) Evidence of Lawrence J Paul, MAFFish, on species composition of the modern commercial fishery for marine finfish in the Ngai Tahu region of the South Island
- (p) Evidence of Lawrence J Paul, MAFFish, on South Island marine fisheries bibliography  
(counsel for Crown)

S THE SEVENTEENTH HEARING AT THE CHATEAU REGENCY,  
CHRISTCHURCH, 29 MAY -  
2 JUNE 1989

Document:

- S1 Evidence of Robert D Cooper, MAFFish, on history of the New Zealand paua fishery  
1860-1973  
(counsel for Crown)
- S2 (a) Evidence of Dr Murray A Bathgate on the archaeological and early documentary record concerning Maori fishing in the South Island including reference to two reports by Dr Foss Leach (S4 and S5)  
(counsel for Crown)
- (b) Curriculum vitae of Dr Murray A Bathgate
- (c) Curriculum vitae of Dr Foss Leach
- S3 Supporting papers to S2 (2 vols)  
(counsel for Crown)

S4 Report of Dr Foss Leach on the archaeology of Maori marine food harvesting  
(see S2)

S5 Report of Dr Foss Leach on archaeological time trends in South Island Maori  
fishing  
(see S2)

S6 (a) Evidence of David J Alexander on history of sealing and whaling in southern  
New Zealand  
(b) Supporting papers to S6(a)

S7 Evidence of Anthony Walzl on Ngai Tahu fishing 1840-1908  
(counsel for Crown)

S8 Supporting documents to S7  
(counsel for Crown)

S9 Evidence of David A Armstrong on Ngai Tahu fishing in the twentieth century,  
overview  
(counsel for Crown)

S10 Supporting papers to S9 (2 vols)

S11 (a) Evidence of counsel for Tane Moana Runanga Trust Incorporated on Ngai  
Tahu  
fishing  
(b) Evidence of John Solomon on Ngai Tahu fishing (including evidence of  
William Pacey)  
(c) Evidence of Morris Jacobs on Ngai Tahu fishing (including the evidence of  
Charles B Harvey, Raymond F Harvey, Stewart C Harvey, Graham D Harvey)  
(d) Evidence of James N Pohio on Ngai Tahu fishing (including the evidence of  
T M Taiaroa and Beresford Davis)  
(counsel for Tane Moana Runanga Trust)

S12 Maori language documents selected from the Taiaroa papers, Canterbury  
Museum  
Library, and their translations by Sarah M Williams  
(counsel for Crown)

S13 Evidence of Lawrence J Paul, MAFFish, on the use of "marks" to locate fishing  
grounds  
(counsel for Crown)

S14 Evidence of Lawrence J Paul, MAFFish, on the likely capture and use of fish  
species  
by Ngai Tahu fishing people in traditional times (see R31)  
(counsel for Crown)

S15 J R Goodwin "Some Examples of Self-Regulatory Mechanisms in Unmanaged Fisheries" FAO Fisheries Report (289) Suppl 2  
(counsel for Crown)

S16 Evidence of Professor Ian A Gordon on the meaning of "fisheries" particularly in the Treaty of Waitangi  
(counsel for NZFIB and NZFIA)

S17 Evidence of Richard N Holdaway on Maori conservation of natural resources in the pre-European and proto-historic periods of New Zealand history  
(counsel for NZFIB and NZFIA)

S19 Evidence of Alison F Mannell, partner in crayfishing venture  
(counsel for NZFIB and NZFIA)

S20 Evidence of Ralph E Brown, crayfisherman and marine farmer  
(counsel for NZFIB and NZFIA)

S21 Evidence of Steven J Anderson, crayfisherman  
(counsel for NZFIB and NZFIA)

S22 Evidence of Patrick King on the meaning of mahinga kai  
(counsel for Crown)

S25 Opening submission of counsel for the NZFIA and NZFIB

T THE EIGHTEENTH HEARING AT THE CHATEAU REGENCY,  
CHRISTCHURCH, 12-16  
JUNE 1989

Document:

T4 Dr George Habib "Ngaitahu Claim to Mahinga Kai", June 1989, commissioned by the Waitangi Tribunal

(a) Report on Ngai Tahu fisheries evidence

(b) Report on the mahinga kai lists 1880 (see R30)

(c) Assessment of Crown evidence on the mahinga kai fisheries aspects of the Ngai Tahu claim

(d) Report on evidence on sealing and whaling by the Crown and fishing industry

(e) Curriculum vitae of Richard O Boyd, Ika Venture Corp Ltd  
(registrar)

T12 Archival material in the registers of Native Affairs Department and the Canterbury Provincial Council, prepared by Jenny Murray  
(registrar)

U THE NINETEENTH HEARING AT THE CHATEAU REGENCY,  
CHRISTCHURCH, 3-6 JULY  
1989

Document:

U1 Evidence of Dr Harry Morton on sealing and whaling  
(counsel for NZFIA and NZFIB)

U2 Evidence of Kevin P Molloy on sealing and whaling  
(a) "The Range and Magnitude of the European Sealing Effort in New Zealand Waters, 1790-1830"  
(b) "Whaling and Land Based Resources - A Study of Impact and Interaction within the Boundaries of South Island Ngai Tahu Occupation"  
(counsel for NZFIA and NZFIB)

U4 Submission of counsel for Tane Moana Runanga Trust

U5 Evidence of Morris Jacob  
(counsel for Tane Moana Runanga Trust)

U6 Submission of John Solomon  
(counsel for Tane Moana Runanga Trust)

U7 (a) Submission of James N Pohio  
(b)\* Whakapapa tipuna of James N Pohio  
(counsel for Tane Moana Runanga Trust)

U8 Evidence of William Pacey  
(counsel for Tane Moana Runanga Trust)

U9 Submission of Robert Pacey  
(counsel for Tane Moana Runanga Trust)

V THE TWENTIETH HEARING AT TRIBUNALS DIVISION BOARDROOM,  
DATABANK  
HOUSE, WELLINGTON, 1-2 APRIL 1989

Document:

V1 Submissions of counsel for NZFIB and NZFIA

V4 Transcript of Tipene O'Regan's oral submission to the Waitangi Tribunal, 1 June 1989  
(registrar)

V5 comments of Dr Murray A Bathgate on the evidence of Dr Harry Morton and Kevin P Molloy relating to sealing and whaling (see U1, U2)  
(counsel for Crown)

V6 Comments of Dr Murray A Bathgate on the reports of Dr George Habib  
(a) Report on Ngai Tahu fisheries evidence, June 1989 (see T4(a))  
(b) Assessment of Crown evidence on the mahinga kai fisheries aspects of the

Ngai Tahu claim (see T4(c))  
(counsel for Crown)

V8 Further submissions of counsel for NZFIB and NZFIA on the question of the meaning and effect of "exclusive...possession of their...fisheries"

W THE TWENTY FIRST HEARING AT TUAHIWI MARAE, 14-17 AUGUST  
1989

Document:

W1 (a) Closing address of counsel for the claimants  
(b) Supplement to W1(a)  
(counsel for claimants)

W6 Claimants summary of grievances on Otakou, Murihiku, Rakiura, Arahura,  
mahinga kai

W8 Comments of MAFFish on report on Crown fisheries evidence by Dr George  
Habib (see T4(c))  
(counsel for Crown)

X THE TWENTY SECOND HEARING AT TUAHIWI MARAE, 1-15  
SEPTEMBER 1989

Document:

X4 Closing address of Crown counsel, vol 4

X11 Memorandum of Crown counsel providing answers to "issues" (see I6)

Y THE TWENTY THIRD HEARING AT TUAHIWI MARAE, 9-10 OCTOBER  
1989

Document:

Y1 Reply of claimants' counsel to the Crown's closing address

Z TWENTY FOURTH HEARING AT TRIBUNALS DIVISION, DATABANK  
HOUSE,  
WELLINGTON, 28 JUNE 1990

Document:

Z1 Application by NZFIB and NZFIA for leave to adduce further evidence, received  
22 May 1990  
(registrar)

Z2 Memorandum of counsel for NZFIB and NZFIA in support of Z1, received 22  
May 1990

Z3 Directions of deputy-chairperson as to hearing of application by NZFIB and NZFIA for leave to adduce further evidence, dated 29 May 1990  
(registrar)

Z4 Memorandum of Crown counsel in response to deputy-chairperson's directions dated 29 May 1990, received 15 June 1990 (see Z3)

Z5 Memorandum of counsel for NZFIB and NZFIA, received 28 June 1990

Z6 Submissions of Crown counsel in respect of questions raised in the deputy-chairperson's directions dated 29 May 1990, received 28 June 1990 (see Z3)

Z7 List of affidavits of first and second defendants filed in High Court proceedings (CP 559/87) requested by the deputy-chairperson's directions dated 29 May 1990  
(counsel for Crown)

Z9 Interlocutory determination by Tribunal on an application for leave to adduce further evidence, dated 2 July 1990  
(registrar)

Z15 Evidence of Professor Peter Munz on the interpretation of historical documents, with reference to Magna Carta  
(counsel for NZFIB and NZFIA)

Z16 Evidence of Graham V Butterworth summarising conclusions reached on the impact of the speeches of the Maori members of parliament on the 1907 Fisheries Amendment Bill in the House of Representatives  
(a) Evidence of Graham V Butterworth on the Maori political system of the 1890s and 1900s  
(b) Supporting papers to Z16(a)  
(counsel for NZFIB and NZFIA)

Z17 Evidence of Susan M Butterworth on the history of the New Zealand fishing industry 1840-1923  
(a) Supporting papers to Z17  
(counsel for NZFIB and NZFIA)

Z18 Evidence of Gregory C Billington, NZFIB, on the history of the New Zealand fishing industry 1963-1989  
(a) Reports of the Fishing Industry Board 1965-1975 (see Z18)  
(b) Reports of the Fishing Industry Board 1976-1989 (see Z18)  
(counsel for NZFIB and NZFIA)

Z19 Evidence of Gary Bevin, NZFIB, on the quota management system and the economic implications of the Maori Fisheries Act 1988  
(counsel for NZFIB and NZFIA)

Z20 Evidence of David G Anderson, NZFIA, with attachment of Paul Titchener The Story of Sanford Ltd: The first one hundred years (1980?) and lists of shareholders and directors of Otakou Fisheries Ltd  
(counsel for NZFIB and NZFIA)

Z21 Evidence of Peter J Stevens, New Zealand Federation of Commercial Fishermen, with attachment of rules of the federation as at 1 August 1986  
(counsel for NZFIB and NZFIA)

Z22 Evidence of Neville L Climo on the quota management system and Lake Ellesmere  
(counsel for NZFIB and NZFIA)

Z23 Evidence of Kenneth J Nordstrom, fisherman, on the individual transferable quota system and Lake Ellesmere  
(counsel for NZFIB and NZFIA)

Z24 Evidence of Trevor J Gould, fish processor, on the Lake Ellesmere fishery  
(counsel for NZFIB and NZFIA)

Z25 Evidence of Clem G Smith, fisherman, on the history of the Lake Ellesmere fishery and in the individual transferable quota system  
(counsel for NZFIB and NZFIA)

Z26 Evidence of William D Wards on Lake Ellesmere  
(counsel for NZFIB and NZFIA)

Z27 Evidence of Clifford Broad on the quota management system in relation to Stewart Island  
(counsel for NZFIB and NZFIA)

Z28 Evidence of Ian J Munro, fisherman, on the individual transferable quota system in relation to Stewart Island  
(counsel for NZFIB and NZFIA)

Z29 Evidence and supporting papers of Peter I Talley, Talleys Fisheries Limited  
(counsel for NZFIB and NZFIA)

Z30 Evidence of David C Sharp, Wilson Neil Limited  
(counsel for NZFIB and NZFIA)

Z31 Evidence of Antony D Threadwell, Pegasus Bay Fishing Company on the quota management system  
(counsel for NZFIB and NZFIA)

Z32 Evidence of Ronald T Mackay, Big Glory Seafoods Limited  
(counsel for NZFIB and NZFIA)

Z33 Evidence of Lewis L Miller, Bapods Limited  
(counsel for NZFIB and NZFIA)

Z34 Evidence of Ronald E Caughey, Mossburn Enterprises Limited  
(counsel for NZFIB and NZFIA)

Z35 Evidence of Bruce W Urwin, Urwin and Co Limited  
(counsel for NZFIB and NZFIA)

Z36 Evidence of Ben L Calder, Johnsons Oysters Limited on the quota management system  
(counsel for NZFIB and NZFIA)

Z37 Evidence of Kypros Kotzikas, United Fisheries Limited, on the quota management system  
(counsel for NZFIB and NZFIA)

Z38 Evidence of Cameron A McCulloch, Johnson & de Rijk Packing Company Limited

(a) Evidence of Cameron A McCulloch, Riverton Fishermens Co-operative

(b) Evidence of Cameron A McCulloch, Southfish Co-operative Limited  
(counsel for NZFIB and NZFIA)

Z39 Evidence of Eric F Barratt, Sanford (South Island) limited, on the history of the New Zealand fishing industry and the individual transferable quota system  
(counsel for NZFIB and NZFIA)

Z40 Memorandum of deputy-chairperson giving directions as to filing of evidence, responses thereto and timetabling of further hearings, dated 3 September 1990  
(registrar)

Z41 Further memorandum of the claimants on Z10, dated 12 September 1990  
(counsel for claimants)

Z42 unallocated

Z43 Evidence of Donald M Loveridge, commentary on evidence of Professor Ian Gordon (see S16)  
(counsel for Crown)

Z44 Evidence of Donald M Loveridge on the deeds of sale  
(counsel for Crown)

Z45 Evidence of Robert D Cooper on the development of consultation channels and the development by MAFFish  
(counsel for Crown)

Z46 Evidence of Robin L Allen on the MAF involvement in the latest developments in Maori fisheries  
(counsel for Crown)

Z47 Evidence of John L McKoy on the definition of inshore, offshore and deepwater fisheries  
(counsel for Crown)

Z48 Evidence of Ian N Clark on the history of New Zealand's deepwater fishery: discovery and development  
(counsel for Crown)

Z49 Evidence of Tony Walzl on the Crown/Maori relationship over fisheries 1840-1900, and the Crown management of the fisheries  
(a) Supporting papers to Z49  
(b) Supporting papers to Z49  
(counsel for Crown)

Z50 Maori Appellate Court decision on case stated re cross claim  
(registrar)

Z48 Evidence of Ian N Clark on the history of New Zealand's deepwater fishery: discovery and development  
(counsel for Crown)

Z49 Evidence of Tony Walzl on the Crown/Maori relationship over fisheries 1840-1900, and the Crown management of the fisheries  
(a) Supporting papers to Z49  
(b) Supporting papers to Z49  
(counsel for Crown)

Z50 Maori Appellate Court decision on case stated re cross claim  
(registrar)

AA THE TWENTY FIFTH HEARING AT DATABANK HOUSE, WELLINGTON,  
20 DECEMBER  
1990

Document:

AA1 Evidence of Paul R Roberts on behalf of the NZFIB (see AA19)  
(counsel for NZFIB and NZFIA)

AA2 Evidence of Professor Lee Anderson on the Quota Management System  
(counsel for NZFIB and NZFIA)

AA3 Evidence of Peter I Talley on the Quota Management System  
(counsel for NZFIB and NZFIA)

AA4 Submissions of counsel for Te Runanganui o Te Tau Ihu o Te Waka a Maui

AA5 Notice of Application for Order of Stay  
(counsel for Te Runanganui O Te Tau Ihu O Te Waka A Maui)

AA6 Notice of Application for Order of Stay  
(counsel for Rangitane ki Wairau)

AA7 Affidavit of Michael John Switzer in support of Application for Order of Stay  
(counsel for Te Runanganui O Te Tau Ihu o Te Waka a Maui)

AA8 Further evidence of Professor Lee Anderson  
(counsel for NZFIB and NZFIA)

AA9 Further evidence of Clem George Smith  
(counsel for NZFIB and NZFIA)

AA10 Tribunal directions as to filing particulars of evidence, responses thereto and timetabling of further hearing, 26 February 1991  
(registrar)

AA11 Tribunal memorandum concerning Application for Stay of Proceedings, 25 January 1991  
(registrar)

AA12 Evidence of Tipene O'Regan,  
Annexures:

- (a) List of Ngai Tahu affidavits
- (b) Affidavit of Henare Rakiihia Tau
- (c) Affidavit of Wiremu Torepe
- (d) Affidavit of Tipene O'Regan
- (e) Affidavit of David Higgins
- (f) Affidavit of Harold Ashwell
- (g) Affidavit of Hana Morgan
- (h) Affidavit of Matapura Ellison
- (i) Affidavit of Edward Ellison
- (j) Affidavit of Donald Brown
- (k) Affidavit of James McAloon
- (l) Affidavit of Dr Athol Anderson
- (m) Affidavit of Ray Hooker
- (n) Affidavit of Tipene O'Regan
- (o) Statement by Donald Robert Brown
- (p) Affidavit of James McAloon
- (q) Maarire Goodall, "Translation and the Treaty", from Now See Hear
- (r) Transcript of cross examination of Professor I A Gordon  
(counsel for claimants)

AA13 Evidence of James McAloon (see AA17)  
(counsel for claimants)

AA14 Tribunal direction regarding commission of Dr G Habib, 15 March 1991  
(registrar)

AA15 Correspondence from solicitors for NZFIB and NZFIA to solicitor for Ngai Tahu  
Maori Trust Board regarding evidence of Tipene O'Regan, 15 April 1991 (see AA12)  
(counsel for NZFIB and NZFIB)

AA16 Evidence of Tipene O'Regan, 20 April 1991

Annexures:

- (a) Extract from Court of Appeal judgment regarding Te Runanga O Muriwhenua, 22 February 1990
- (b) Maori Fisheries Commission background paper on the Maori Fisheries Act
- (c) Interim proposal on Maori fisheries circulated by deputy prime minister, 26 October 1988
- (d) Maori Fisheries Commission draft discussion paper on allocation of quota property rights to iwi
- (e) Extract regarding barracouta fishing
- (f) Extracts regarding Fisheries Act
- (g) Comments by Paul Canhan on fishing evidence submitted by MAFFish and Crown witnesses
- (h) Correspondence from Ngai Tahu Maori Trust Board to the Minister of Conservation regarding Kaikoura whale management issues
- (i) Paper on responses of sperm whales to commercial whale watching boats off the Kaikoura coast
- (j) Paper on pre-European Maori utilisation of marine resources in Muriwhenua
- (k) Paper on pre-European Maori utilisation of marine resources in the Ngai Tahu territory
- (l) Extracts on fish and shellfish species
- (m) References for archaeological data on fishing and shellfishing in regions between Muriwhenua and Ngai Tahu territories  
(counsel for claimants)

AA17 Memorandum of Dr Donald Loveridge in response to evidence of James McAloon (see AA13; also Z43, Z44)  
(counsel for Crown)

AA18 Memorandum of Tony Walzl in response to evidence of James McAloon (see AA13; also Z49)  
(counsel for Crown)

AA19 Memorandum of Phillip John Major in response to evidence of Paul Rex Roberts (see AA1)  
(counsel for Crown)

AA20 Correspondence from solicitors for NZFIB and NZFIA to solicitors for Ngai Tahu Maori Trust Board regarding evidence of James McAloon, 17 April 1991 (see AA13)  
(counsel for NZFIB and NZFIA)

AA21 Evidence of Tipene O'Regan, 3 May 1991  
(counsel for claimants)

AA22 Tribunal direction regarding the hearing of final submissions, May 1991  
(registrar)

AA23 Tribunal direction amending research commission for Dr G Habib, 8 May 1991  
(registrar)

AA24 Memorandum of Phillip John Major in response to the evidence of Tipene O'Regan (see AA12, AA16)  
(counsel for Crown)

AA25 Tribunal direction appointing claimant counsel, 27 May 1991  
(registrar)

AA26 Professor Alan D Ward "Overview submission in the Ngai Tahu fishing rights claim", May 1991, commissioned by the Waitangi Tribunal  
(registrar)

AA27 Tribunal direction authorising claimant research, 26 February 1991  
(registrar)

AA28 Further evidence Paul Rex Roberts, 4 June 1991  
(counsel for NZFIB and NZFIA)

AA29 Dr George Habib "Overview Report on Evidence Submitted by the Crown, the Claimants and the Fishing Industry", June 1991, commissioned by Waitangi Tribunal  
(registrar)

AA30 Further evidence of Eric Francis Barratt, June 1991  
(counsel for NZFIB and NZFIA)

AA31 Further evidence of David Goldie Anderson, June 1991  
(counsel for NZFIB and NZFIA)

AA32 Further evidence of Peter Ivan Talley, June 1991  
(counsel for NZFIB and NZFIA)

AA33 Copy of Maori Fisheries Act 1989  
(counsel for NZFIB and NZFIA)

AA34 Te Kupenga: A Guide to the Maori Fisheries Act, Manatu Maori and the Maori Fisheries Commission  
(counsel for NZFIB and NZFIA)

AA35 Correspondence from counsel for NZFIA and NZFIB to registrar Waitangi Tribunal regarding appearance by fishing industry representatives before

Waitangi Tribunal, 6 June 1991  
(counsel for NZFIB and NZFIA)

AA36 Tribunal memorandum regarding presentation of fishing industry representatives to Wa/tangi Tribunal, 13 June 1991  
(registrar)

AA38 Compilation of New Zealand fisheries legislation, Chapman Tripp Sheffield Young  
(counsel for NZFIB and NZFIA)

AA39 Evidence of Whaimutu Dewes on behalf of Maori Fisheries Commission  
(a) Amended evidence of Whaimutu Dewes on behalf of Maori Fisheries Commission  
(counsel for Maori Fisheries Commission)

AA40 Tribunal direction amending claimant research authorisation, 20 June 1991  
(registrar)

AA41 Submissions of counsel for claimants on the Maori Fisheries Act 1989

AA42 Submissions of Crown counsel on the Maori Fisheries Act 1989

AA43 Submissions of counsel for NZFIB and NZFIA on the Maori Fisheries Act 1989

AA44 Supplementary submissions of counsel for claimants on the Maori Fisheries Act 1989

AA45 Te Reo Te Tina A Tangaroa, newsletter of the Maori Fisheries Commission  
(a) Issue 1, September 1990  
(b) Issue 2, November 1990  
(c) Issue 3, December 1990  
(d) Issue 4, March 1991  
(e) Issue 5, June 1991  
(f) Issue 6, July 1991  
(counsel for Maori Fisheries Commission)

AA46 Supplementary report and proposed recommendation by Waitangi Tribunal, 15 July 1991  
(registrar)

AA47 Memorandum of claimants on the issue of Ngai Tahu legal personality, 30 June 1991  
(counsel for claimants)

AA48 Tribunal directions regarding submissions on particular matters, 15 July 1991  
(registrar)

AA49 Submissions of counsel for the claimants on Ngai Tahu marine fishery grounds of complaint, July 1991

AA50 Report of the Maori Fisheries Commission for the year ended 31 March 1990 (counsel for Maori Fisheries Commission)

ABTHE TWENTY-SIXTH HEARING AT DATABANK HOUSE, WELLINGTON, 25 SEPTEMBER 1991

Document:

AB1 Final submissions of counsel for the claimants on sea fisheries claim (counsel for claimants)

AB2 Additional submissions of Crown counsel on sea fisheries claim (counsel for Crown)

AB3 Further submission of counsel for the claimants on Ngai Tahu control over the commercial use of their sea fisheries post 1840

AB4 Extract from Fisheries Act 1983 (counsel for Crown)

AB5 Crown list of authorities (counsel for Crown)

AB6 Final submissions of counsel for NZFIB and NZFIA

AB7 Evidence of Professor L Anderson in response to comments of Dr George Habib (counsel for NZFIA & NZFIB)

AB8 Peter H Pearse Building on Progress: fisheries policy development in New Zealand, report for Minister of Fisheries July 1991 (counsel for NZFIA & NZFIB)

AB9 Speech by Hon. Doug Kidd, Minister of Fisheries to NZFIA conference, 3 April 1991 (counsel for NZFIB and NZFIA)

AB10 New Zealand Fishing Industry Economic Review 1990 (counsel for NZFIB and NZFIA)

AB11 Atlas of Fishstock Codes, Maori Fisheries Commission (counsel for NZFIB and NZFIA)

AB12 MAFFish discussion document on implications of the Pearse Report for Maori fishing rights (Counsel for claimants)

AB13 Submissions of counsel for claimants on Ngai Tahu rangatiratanga in sea fisheries  
(counsel for claimants)

AB14 Submissions of counsel for the Crown in response to Tribunal questions  
(counsel for Crown)

AB15 Submissions of counsel for claimants in reply to the Crown, NZFIB and NZFIA  
(counsel for claimants)

AB16 Further submissions of counsel for NZFIA and NZFIB  
(counsel for NZFIA and NZFIB)

AB17 Supplementary report of Waitangi Tribunal on Ngai Tahu legal personality, 6 September 1991  
(registrar)

AB18 Tribunal direction regarding extension of appointment of counsel, 21 August 1991  
(registrar)

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*Waitangi Tribunal, Department of Justice, Wellington.*