

I TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI

WAI 2358  
Wai 2460

I RARO I TE MANA O

te ture o te Tiriti o Waitangi 1975

Ā

I TE TAKE O

te pakirehua **National Freshwater and Geothermal Resources Inquiry** (Wai 2358)

Ā

I TE TAKE O

tētahi kerēme nā **Anthony Whareraupo Olsen, Trudy Elizabeth Paatu Olsen, me Kathryn Fiona Wheturereata Olsen**, mō ngā iwi o **Waitaha** me **Kāti Māmoe** (Wai 2460)

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**MEMORANDUM OF COUNSEL REGARDING WRITTEN RESPONSES TO  
QUESTIONS IN WRITING FOR HEARING THREE OF STAGE THREE OF THE  
WAI 2358 INQUIRY**

**Date: 17 December 2025**

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Counsel acting: V Tumai / T Henry

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Waitangi Tribunal

17 Dec 25

Ministry of Justice  
WELLINGTON

## **MAY IT PLEASE THE TRIBUNAL**

1. This memorandum of counsel is filed on behalf of Anthony Whareraupo Olsen and on behalf of the iwi Waitaha and Kāti Māmoe (Wai 2460).

## **MEMORANDUM-DIRECTIONS**

2. Paragraph 36 of the Memorandum-directions dated 4 November 2025<sup>1</sup> refers to written questions from Tribunal panel member Dr Grant Phillipson attached as Appendix B<sup>2</sup> to the Memorandum-directions. His Honour, Judge Isaac, directed all answers to Dr Phillipson's questions to be filed no later than 5 pm, Friday 12 December 2025.

## **DOCUMENTS AND INFORMATION REQUESTED IN RELATION TO WAI 3444**

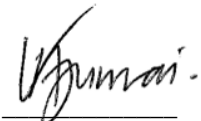
3. On Friday, 12 December 2025, counsel filed via email, a memorandum of counsel regarding written responses to questions in writing for Hearing Three of the Stage three inquiry, along with a document bundle, attached as **Appendix A**, consisting of:
  - a. Questions in writing from Tribunal member Dr Grant Phillipson for witnesses that appeared at hearing three of stage three of the National Freshwater and Geothermal Resources Inquiry (Wai 2358);
  - b. Oral questions raised by the Waitangi Tribunal Panel and recorded by Counsel during the presentation of Deborah Kissick's ("Miss Kissick") evidence (Wai 2358, #175) at hearing three of stage three of the National Freshwater and Geothermal Resources Inquiry (Wai 2358) but not recorded in the Tribunal's written questions; and
  - c. Deborah Kissick's response to a question from the Crown detailed in the Crown Memorandum and Appendices Accompanying the Crown Memorandum dated 5 December 2025.

4. At [4] of Appendix A, Ms Kissick provides a response to the following question:

*“Para 351: As discussed, please file the table and appendix in the Waikato Regional Plan defining ‘significant geothermal features’.”*

5. Ms Kissicks’ response included a table setting out the ‘*Signature Geothermal Feature types*’. However, the headings in the table are not readable, as the shading is too dark for the text to be visible. As a result, the table cannot be properly read.
6. Accordingly, counsel respectfully seek leave to refile the response to Question 4 with a readable version of the table. A copy of the response is attached as **Appendix A** to this Memorandum.

**DATED at Manukau this 17<sup>th</sup> day of December 2025**



Victoria Tumai  
**Counsel Acting**



Tui Henry  
**Counsel Acting**