

TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI

Wai 1750

E PĀ ANA KI
CONCERNING

te Treaty of Waitangi Act 1975

Ā,
AND

te North-Eastern Bay of Plenty
District Inquiry

HE PĀNUI WHAKAHAU A TE MANA WHAKAHAERE

*MEMORANDUM-DIRECTIONS OF THE PRESIDING OFFICER REGARDING
PROCEDURAL AND EVIDENTIAL MATTERS RELATED TO HEARINGS SIX – NINE*

20 Māehe 2026

Introduction

1. This memorandum-directions:
 - (a) issues Tribunal panel member Dr Grant Phillipson's post-hearing questions in writing for evidence presented at hearings six and seven of the North-Eastern Bay of Plenty (Wai 1750) District Inquiry;
 - (b) confirms leave sought by claimant coordinating counsel for technical witnesses Dr Aroha Spinks and Dr Matthew Cunningham to appear at hearing eight via audio-visual link (AVL); and
 - (c) addresses leave sought by claimant coordinating counsel to file Mark Derby's 'Ngāi Tamahaua Oral and Traditional History' report out of time.

Dr Grant Phillipson's post-hearing six and seven questions in writing

2. **Attached** are Dr Phillipson's questions in writing for:
 - (a) Bruce Stirling (#A32);
 - (b) Lynda Walter and Dr Andrew Brown (#A35, #C43(e) and #E8); and
 - (c) Claimant witnesses – Mihiterina Williams (#F4) and Mereaira Hata (#F12, #F12(a)).
3. Counsel responsible are directed to file witness responses by **5 pm, Thursday 2 April 2026**.

Appearance of Dr Spinks and Dr Cunningham at hearing eight

4. In my memorandum-directions dated 18 February 2026, I confirmed that technical witnesses Dr Spinks and Dr Cunningham would present their chapters in the 'Environmental Issues Report' (Wai 1750, #A34) at hearing eight (Wai 1750, #2.6.55).
5. On 11 March 2026, coordinating counsel for hearing eight, Tania Te Whenua and Lauren Chand, filed a memorandum seeking leave for Dr Spinks and Dr Cunningham to appear at hearing eight via AVL.
6. On 12 March 2026, counsel for the Ngāti Ngāhere (Carrington) (Wai 1884) claim, Dr Season-Mary Downs, Chelsea Terei-Tipene and Tatijana Simon-Larsen filed a memorandum seeking leave to attend hearing eight and complete cross-examination via AVL, given that they only seek to cross-examine Dr Spinks (Wai 1750, #3.2.311).
7. I granted the leave sought at [5] and [6] above.

Extension to file the 'Ngāi Tamahaua Oral and Traditional History' report, authored by Mark Derby

8. In memorandum-directions dated 18 February 2026, I directed any new technical evidence for hearing nine to be filed by 12 March 2026 (Wai 1750, #2.6.55(a)).
9. On 20 February 2026, Raewyn Clark and Alice Madsen filed a memorandum of counsel on behalf of the Ngāi Tamahaua (Biddle) (Wai 1781) and Mokomoko (Wai 203) claimants. Counsel advised that Mr Derby's report was set for completion by 20 March 2026,

however, a number of witnesses have recently become available to provide their kōrero for inclusion in the report (Wai 1750, #3.2.320).

10. Counsel accordingly seeks leave to file Mr Derby's report by 10 April 2026, noting that this will still allow the Tribunal and parties eight weeks to consider the report before hearing nine.
11. I confirm the leave sought is granted. Counsel should accordingly file Mr Derby's 'Ngāi Tamahaua Oral and Traditional History' report by no later than **5 pm, Friday 10 April 2026**.

Me tuku atu te Kairēhita i tētehi kape o tēnei whakahau ki ērā ki te rārangi whakamōhio mō Wai 1750, the North-Eastern Bay of Plenty District Inquiry.

The Registrar is to send this direction to counsel for the claimants, Crown counsel and all those on the distribution list for Wai 1750, the North-Eastern Bay of Plenty District Inquiry.

WHAKAPŪMAUTIA ki Te Whanganui-a-Tara i te 20th o Māehe 2026



Kaiwhakawā Judge M J Doogan
Te Mana Whakahaere

TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI