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I TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI

IN THE WAITANGI TRIBUNAL **WAI 2358**

KEI RARO I TE MANA O te ture o te Tiriti o Waitangi 1975

ME

I TE TAKE O te pakirehua o te National Freshwater and Geothermal Resources (Wai 2358)

JOINT MEMORANDUM OF COUNSEL CLARIFY REQUEST FOR EXTENSION TO FILE CROSS-EXAMINATION DOCUMENTS FOR HEARING FOUR

Dated 16 Mahuru 2026

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RECEIVED
Waitangi Tribunal
16 Sep 26
Ministry of Justice
WELLINGTON

TAUHARA NORTH No.2 TRUST

"Kia mau ki te whenua; Whakamahia te whenua; Hei painga mo nga uri whakatipuranga"

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TĒNĀ, E TE TARAIPUNARA

1. This Memorandum of Counsel is filed on behalf of:

    a. Te Urunga Aroha Evelyn Kereopa on behalf of her whānau, and of Te Ihingārangi, a hapū of Maniapoto (Wai 762);

    b. Merle Ormsby, Tiaho Pillot, and Daniel Ormsby on behalf of themselves, and the descendants of Te Taawhi Patena Mariu and Rauaiterangi Mary Patena (Wai 1196);

    c. Ian John Mitchell on behalf of Ngāti Hineira and Te Uri Taniwha of Ngāpuhi (Wai 1716);

    d. Bryce Peda-Smith on behalf of himself and on behalf of the late Nuki Aldridge, and Te Taumata o Tangitu – the Tahawai (Aldridge) claim (Wai 2377);

    e. Anthony Whareraupo Olsen on behalf of the iwi Waitaha and Kāti Māmoe (Wai 2460);

    f. Tauhara North No.2 Trust (Wai 3444); and

    g. The Ngāti Tahu-Ngāti Whāoa Collective, comprised of:

        i. Ngāti Tahu – Ngāti Whāoa Rūnanga Trust,

        ii. Ngāti Tahu Tribal Lands Trust,

        iii. Paeroa South B2B1 Trust,

        iv. Tahorakuri A1 Sec 33b Ah Whenua Trust,

        v. Tutukau East Z Trust,

        vi. Te Toke Marae,

        vii. Mataarae Marae,

        viii. Ohāki Marae, and

        ix. Waimahana Marae.

2. On 14 September 2026 counsel filed a joint memorandum of counsel seeking an extension of time to 18 September 2026 to file cross-examination documentation for hearing four ("**earlier memorandum**").

3. The Presiding Officer granted the extension in an email from the Waitangi Tribunal dated 15 September 2026.

4. In a follow-up email to the Waitangi Tribunal dated 16 September 2026, counsel sought confirmation that the extension granted also applied to the Firms listed in Appendix A to the earlier memorandum. The Tribunal confirmed that it did not and to file a subsequent joint memorandum, clarifying the extension is also sought for the Firms listed in the Appendix A which would then be put to the Presiding Officer ahead of the extended deadline of 18 September 2026.

5. Accordingly, the purpose of this joint memorandum is to clarify counsel's earlier memorandum. Counsel confirms the request in the earlier memorandum for an extension of time to file cross-examination documents was intended to also apply to the Firms listed in Appendix A to the earlier memorandum.

6. Counsel apologises for the oversight and requests that this joint memorandum of counsel is placed before the Presiding Officer at the earliest opportunity.

DATED at **Tamaki Makaurau** this **16th** day of **September 2026**

Tania Waikato

Counsel Acting for Tauhara North No.2 Trust (Wai 3444)

Victoria Tumai

Counsel Acting for Wai 762, Wai 1196, Wai 1716, Wai 2460 and Wai 2377 Claimants