

IN THE WAITANGI TRIBUNAL

CONCERNING the Treaty of Waitangi Act 1975

AND the Te Paparahi o Te Raki Inquiry

MEMORANDUM-DIRECTIONS OF JUDGE C T COXHEAD

12 November 2013

1. This memorandum-directions addresses leave sought for post-hearing filing for weeks 2 and 5 and pre-hearing week 6 filing for stage 2 of the Te Paparahi o Te Raki inquiry.

Post-hearing week 2 filing

Amended version of Te Kapotai Hapū Kōrero and accompanying document bank

2. On 1 November 2013 Season-Mary Downs and Roxy Dhanjee, counsel for Te Kapotai and Ngāti Pare Hapū Claim (Wai 1464) and the Waikare Inlet Claim (Wai 1546), sought leave to file an amended version of Te Kapotai Hapū Kōrero (Wai 1040, #F26) and accompanying document bank, due 1 November 2013, on Tuesday 3 December 2013 (#3.2.301). I grant the leave sought. The amended document and accompanying document bank are due by **12pm, Tuesday 3 December 2013**.

Post-hearing week 5 filing

Extension sought for filing of Crown questions for week 5 witnesses

3. On 1 November 2013 Crown counsel Andrew Irwin and Rachel Hogg sought leave to file post-hearing questions for week 5 witnesses on 4 November 2013 (#3.2.300). I grant the leave sought. These have now been filed (#3.2.305, #3.2.305(a)).

Post-hearing week 5 filing: Department of Conservation report 'The Puhipuhi Mercury Mine: History and Site Description 2010'

4. On 1 November 2013 Cameron Hockly and Brooke Loader, counsel for the Pomare Kingi & the Tohunga Suppression Act Claim (Wai 1524) and the Descendants of Sylvia Jones Claim (Wai 1959) sought leave to file 'The Puhipuhi Mercury Mine: History and Site Description 2010', prepared by the Department of Conservation (#3.2.302).
5. Counsel submit that the report is pertinent to the Wai 1959 claim, that it gives a comprehensive history of mercury mining at Puhipuhi, that it would complement the tangata whenua evidence given, and that they understand that other Ngāti Hau claimants wish to speak to this in their evidence.
6. I grant the leave sought. Counsel may file the report by **12pm, Monday 18 November 2013**.

Pre-hearing week 6 filing

Extensions sought for filing of week 6 timetable

7. On 4 November 2013 Terena Wara, coordinating counsel for the Mangakahia taiwhenua, sought leave to file the hearing week 6 timetable on 11 November 2013 (#3.2.306). On 11 November, Ms Wara sought further leave to file on 12 November 2013. I grant the leave sought.

Extension sought for filing of week 6 summary of Tony Walzl, 'Te Tai Tokerau District Māori Council Hapū Claims Collective Mana Whenua Report' (#E34)

8. On 5 November 2013 Linda Thornton and Bryce Lyall, counsel leading week 6 witness Tony Walzl for the presentation of 'Te Tai Tokerau District Māori Council Hapū Claims Collective Mana Whenua Report' (#E34), sought leave to file the summary, due 4 November 2013, by 22 November 2013.
9. Counsel suggested that questions of clarification could be put to Mr Walzl by 27 November 2013, these could be answered by 6 December 2013, and non-lead counsel could make any requests for cross examination by 11 December 2013.

10. I grant the leave sought for Mr Walzl to file the summary of his report by **12pm, Friday 22 November 2013**. However, the subsequent dates suggested by counsel are not realistic. Questions of clarification for Mr Walzl are now due by **12pm, Friday 29 November 2013**. Mr Walzl's response to any questions of clarification is due by **12pm, Friday 6 December 2013**. Requests by non-lead counsel to cross-examine Mr Walzl are due by **12pm, Tuesday 10 December 2013**.

The Registrar is to send this direction to all those on the notification list for Wai 1040, the Te Paparahi o Te Raki inquiry.

DATED at Rotorua this 12th day of November 2013



Judge C T Coxhead
Presiding Officer

WAITANGI TRIBUNAL