OFFICIAL

IN THE WAITANGI TRIBUNAL

Wai 898
Wai 1606
Wai 2117

UNDER the Treaty of Waitangi Act 1975

IN THE MATTER OF the Rohe Pōtae District Inquiry

MEMORANDUM OF COUNSEL FOR THE WAI 1606 AND WAI 2117 CLAIMANTS SEEKING LEAVE TO CROSS-EXAMINE WITNESSES IN WEEK 9

Dated: 18th November 2013

RECEIVED
Waitangi Tribunal
18 Nov 2013
Ministry of Justice
WELLINGTON

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MEMORANDUM OF COUNSEL FOR THE WAI 1606 AND WAI 2117 CLAIMANTS SEEKING LEAVE TO CROSS-EXAMINE WITNESSES IN WEEK 9

MAY IT PLEASE THE TRIBUNAL:

1. Counsel acts for Liane Green whose Wai 1606 claim is made for and on behalf of Ngāti Peehi and Ngāti Te Kanawa, Stephen Walsh whose Wai 2117 claim is made for and on behalf of Ngāti Tahinga and other hapū.

2. Counsel seeks leave to cross-examine the authors of the:

   2.1 Wai 898, #A76 "Environmental and Wahi Tapu Report" when this report is presented during Week 9; and

   2.2 Wai 898, #A64 "Te Rohe Pōtae Harbours and Coast, Inland Waterways, Indigenous Flora and Fauna, Sites of Significance, Environmental Impacts Scoping Report"

   2.3 Wai 898, #A63 "Public Works and Other Takings in Te Rohe Potae District"

3. The Wai 1606 claim includes claims regarding:

   3.1 degradation of the enviroment and loss of biodiversity;

   3.2 Water quality and discharges into the Mangaokewa River;

   3.3 Destruction of wāhi tapu;

   3.4 Taking of land for a school.

4. The Wai 2117 claim includes a claim of destruction/desecration of wāhi tapu.

Environmental and Wāhi Tapu Issues

5. The focus of cross examination on environmental issues will be:

   5.1 Discharges into the Mangaokewa River;

   5.2 Local and Regional Council roles in protecting the environment;

   5.3 Compliance with permits;

   5.4 Loss of biodiversity;

   5.5 Exotic plantings

   5.6 Effects of deforestation;

   5.7 Effects of swamp drainage;

   5.8 Destruction of wāhi tapu.

6. Time required will be 30 minutes.

Public Works Takings

7. The focus of cross examination on pulbic works takings issues will be:

   7.1 Selection of land for takings.

8. Time required will be 5 minutes.

Dated this 18th day of November 2013

James Alexander Hope
Counsel for the Claimants (Wai 1606 & 2117)