OFFICIAL

IN THE WAITANGI TRIBUNAL
OF NEW ZEALAND

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| IN THE MATTER | of the Treaty of Waitangi Act 1975 |
| A N D | |
| IN THE MATTER | of the Te Rohe Pōtae District Inquiry (Wai 898) |
| A N D | |
| IN THE MATTER | of Wai 1410 claim by Davis Apiti for and on behalf of Ngāti Te Wehi |

**OPENING REMARKS ON BEHALF OF DAVIS APITI – WAI 1410**

RECEIVED
Waitangi Tribunal
*22 Nov 13*
Ministry of Justice
WELLINGTON

Director
Aidan Warren

Solicitors Acting
Glenn Tootill
Jerome Burgess

JMB-107228-2-417-V2

One on London
1 London Street
PO Box 9348
Hamilton 3240
New Zealand

**DX** GP 20020
**T** 64-7-838 2079
**F** 64-7-839 4652
**W** www.mccawlewis.co.nz

McCaw Lewis
LAWYERS

**MAY IT PLEASE THE TRIBUNAL**

1. Counsel appears on behalf of Mr Davis Apiti, being the named claimant for Wai 1410.

2. This is a specific claim made on behalf of Ngāti Te Wehi relating to Resource Consent processes and the protection of wāhi tapu within the rohe of Ngāti Te Wehi and in the context of a subdivisional development at Maukutea.

3. Mr Apiti has filed a Brief of Evidence (#N41) and the Tribunal may be aware that there is a detailed account of the issues arising for Ngāti Te Wehi in the Wai 898, #A76 "Environmental and Wāhi Tapu Report."

4. Mr Apiti has attempted to highlight the significance of Maukutea to Ngāti Te Wehi and pinpoint some of the key issues that he and Ngāti Te Wehi argue highlights the inadequacy of the resource consent and the Historic Places Trust process for Ngāti Te Wehi. The Brief of Evidence adds to the chorus of tangata whenua witnesses who have and will call for ongoing change to the Resource Management Act and how many feel isolated and left out of the Resource Consent process to their detriment.

5. Given the current Hearing Week 7 timetable slippages, Mr Apiti has decided to prepare a written summary of his Brief of Evidence. This will be followed by a short DVD presentation which, in a pictorial sense, encapsulates his Brief of Evidence.

6. Finally, this claim highlights that there remains significant deficiencies in the statutory framework governing heritage protection and resource management – something that will be developed further as part of closing submissions.

DATED at Kāwhia this 9th day of October 2013

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**Aidan Warren/Jerome Burgess**
Counsel for the Claimant