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IN THE WAITANGI TRIBUNAL	**WAI 898** WAI 1448, et al.
IN THE MATTER OF	The Treaty of Waitangi Act 1975
AND	
IN THE MATTER OF	Te Rohe Potae Inquiry
AND	
IN THE MATTER OF	Ngati Te Wehi Cluster (Wai 1448, 1495, 1501, 1502, 1592, 1804, 1899, 1900, 2125, 2126, 2135 & 2183)

MEMORANDUM OF COUNSEL SEEKING LEAVE TO FILE LATE QUESTIONS OF CLARIFICATION AND SEEKING LEAVE TO CROSS-EXAMINE WEEK 13 TECHNICAL WITNESSES DATED 19th MAY 2014

RECEIVED
Waitangi Tribunal
19 May 2014
Ministry of Justice
WELLINGTON

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MAY IT PLEASE THE TRIBUNAL

1. This memorandum is filed in response to the directions of the Presiding Officer that questions of clarification and leave sought for the cross-examination of expert witnesses appearing in Week Thirteen of the hearings should be filed three weeks before the hearing date.[1]

Questions of Clarification

2. Counsel seeks leave to file these questions of clarification to the following technical witnesses concerning their respective reports, namely:

    a. Heather Bassett and Richard Kay, *Crown Administration and the Alienation of Maori Land in Te Rohe Potae Inquiry District, c. 1931-2010*;[2] and
    b. David Alexander, *An Overview of Selected Environmental and Resource Management Issues in Te Rohe Potae Inquiry District, with the focus on the period since 1970*.[3]

3. Counsel attaches Appendices A and B respectively containing the questions of clarification for the above reports.

4. Counsel wishes to note for the sake of thoroughness that an Appendix of questions of clarification for Messrs Innes and Mitchell on their Te Akau D Alienation History report was filed on 18 August 2013[4] and is on the record of inquiry as Wai 898, #3.3.296(a).

Leave Sought to Cross Examine

5. Counsel is leading cross-examination on Mr Innes and can indicate that 30 minutes is required.

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[1] Wai 898, #2.5.129
[2] Wai 898, #A75
[3] Wai 898, #A148
[4] Wai 898, #3.3.296, Memorandum of Counsel.

6. Counsel seeks leave to cross-examine the following technical witnesses with the following estimates:

    a. Heather Bassett & Richard Kay for 20 minutes;
    b. David Alexander for 10 minutes; and
    c. Dr Donald Loveridge[5] for 20 minutes.

7. Counsel will ask questions to Ms Bassett and Mr Kay about the Ngati Te Wehi block interests, the operation of the Maori Trustee and the Okapu Development Scheme.

8. Counsel will ask questions to Mr Alexander about environmental and resource management issues in Okapu and Aotea harbour.

9. Counsel will ask questions to Dr Loveridge about the legislation of the Māori Land Administration Acts, engagement by the Crown with Rohe Potae Māori regarding proposed legislation and the function of the Māori Land Boards.

DATED at Auckland this 19th May 2014

David Martin Stone | Augencio Bagsic |Cameron Hockly

TO: The Registrar, Waitangi Tribunal; Crown Law Office and those on the notification list for Wai 898 Te Rohe Potae Inquiry.

[5] Wai 898, #A93 *"The Bane of the Native Race": The Problem of Unused Maori Lands in King Country during the First Decade of the 20th Century*