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IN THE WAITANGI TRIBUNAL **KEI MUA I TE TARAIPIUNARA**	**WAI 3325** **WAI 421** **WAI 593** **WAI 869** **WAI 1383** **WAI 1890** **WAI 3278** **WAI 3288** **WAI 3279**
UNDER	**The Treaty of Waitangi Act 1975**
CONCERNING	**The Climate Change Priority Inquiry**
AND	**Wai 421, Wai 593, Wai 869, Wai 1383, and Wai 1890**
AND	**Wai 3278**
AND	**Wai 3279**
AND	**Wai 3288**

JOINT MEMORANDUM OF COUNSEL

Dated: 3 September 2025

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KŌKIRI CHAMBERS

RECEIVED
Waitangi Tribunal
3 Sep 25
Ministry of Justice
WELLINGTON

MAY IT PLEASE THE TRIBUNAL

KIA WHAKAAE MAI TE TARAIPIUNARA

1. This memorandum of counsel is filed on behalf of the following claimants:

    a. Te Waimate Taiamai ki Kaikohe Claims Alliance (Wai 421, Wai 593, Wai 869, Wai 1383, Wai 1890);

    b. The Ngāti Ruapani ki Waikaremoana Climate Change Claim (Wai 3278);

    c. The Ngāti Porou ki Hauraki Climate Change Claim (Wai 3288); and

    d. Te Upokorehe Future Generations Climate Change Claim (Wai 3279).

2. Claimants were directed to file the balance of claimant evidence by 28 April 2025.[1]

3. This memorandum of counsel respectfully seeks leave to file the evidence of David Tong after this deadline.

4. Mr Tong is an expert in international climate policy and law. His evidence provides a summary of findings and research concerning the incompatibility of new oil and gas expansion with the Paris Agreement's objectives.

5. Due to his schedule Mr Tong did not have capacity to complete his evidence before the deadline. We have recently been able to meet with Mr Tong and finalise his brief.

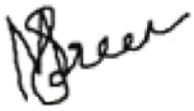
6. This evidence, while being filed after the deadline, is targeted and relevant to the inquiry as it deals with contemporary Crown policy in the climate policy space. Specifically, it is relevant to Issue 3.1.

[1] Wai 3325, #2.6.3 at [4].

7. Mr Tong's evidence would be able to be presented in hearing week 5, which would allow the Crown several months to review the evidence and, if required, file evidence in response. We also note that there is still outstanding claimant expert evidence to potentially be filed, such as the evidence of Dr Meade for Wai 3287.

8. Given this, leave is respectfully sought for this evidence to be placed on the record of inquiry, and presented during claimant evidence.

Dated: 3 September 2025



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