KEI MUA I TE AROARO O TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI

BEFORE THE WAITANGI TRIBUNAL **WAI 2200**

IN THE MATTER OF	**the Treaty of Waitangi Act 1975**
AND	
IN THE MATTER OF	**PORIRUA KI MANAWATŪ DISTRICT INQUIRY**

MEMORANDUM OF COUNSEL FOR THE CROWN FILING INFORMATION POST WIDER INQUIRY PHASE HEARING 5

31 Hōngongoi | July 2026

Te Tari Ture o te Karauna
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WELLINGTON

MAY IT PLEASE THE TRIBUNAL:

1. Post-hearing filings for wider inquiry phase hearing week 5 are due by 31 July 2026.

2. During the evidence of Remana Rudd-O'Sullivan (#X13), her Honour Chief Judge Fox asked the Crown to confirm whether the protocols for dealing with whale strandings had been placed on the Tribunal record. Counsel can advise that the Department of Conservation's Manawatū District Operational Plan for Marine Mammal Incidents (**MMI**), and specifically the 'turn-about' approach, is addressed in the brief of evidence of Tame Malcolm (#V5) at [83]-[89]. As set out in Mr Malcolm's brief, the 'turn-about' approach was proposed by Ngāti Apa, Rangitāne o Manawatū, and Muaūpoko. The issue, and possible solutions, were discussed with all potentially affected iwi over a couple of years and the 'turn-about' approach was adopted by DOC in May 2017. Relevant extracts from the MMI about the 'turn-about' process are **attached** to this memorandum (they had not been previously placed on the Tribunal record).

3. A number of witnesses on behalf of Wai 2139 referred to several former institutions located around Levin. The Tribunal requested that the Crown look into the status of these properties. The Crown is still compiling information about this matter and this will be filed once complete. Similarly, the Crown is considering what material, if any, may be filed in respect of the matters raised in [17]-[18] of the evidence of Tama Paki (#X14).

31 Hōngongoi |July 2026

T C Stephens KC / I M G Clarke
Counsel for the Crown

TO: The Registrar, Waitangi Tribunal
AND TO: Claimant Counsel