WAITANGI TRIBUNAL

Wai 3575

CONCERNING the Treaty of Waitangi Act 1975

AND an application for an urgent hearing by Kauri Quince on behalf of himself

MEMORANDUM-DIRECTIONS OF THE DEPUTY CHAIRPERSON

1. On 24 August 2026, the Tribunal received a statement of claim (Wai 3575, #1.1.1) and an application for an urgent hearing (Wai 3575, #3.1.2) from Kauri Quince on behalf of himself. The claim concerns the Crown policy and processes leading to the Climate Change Response (Tort Liability) Amendment Act 2026.

2. Along with the application for an urgent hearing, the applicant filed an index of supporting documents, a response to an Official Information Act request and an unsworn/unaffirmed affidavit (Wai 3575, #3.1.2(a), #A1 & #A2).

3. 26 August 2026, I directed the applicant to file a sworn/affirmed version of the affidavit and any other outstanding evidence relevant to the application by 28 August 2026.

4. On 28 August 2026, I granted the applicant an extension to file a sworn/affirmed version of the affidavit and any other outstanding evidence relevant to the application by 11 September 2026. I also directed the Crown and any interested parties to respond to the application for an urgent hearing by 25 September 2026 and for the applicant to file any submissions in reply to those of the Crown and any interested parties by 9 October 2026.

5. On 11 September 2026, the applicant informed the Tribunal, via email to the Tribunal Registry, that he no longer wishes to seek an urgent inquiry in relation to his substantive claim. For clarity, the applicant confirmed it is only the urgent application he is withdrawing, and he still wants the substantive claim to progress through the appropriate standard procedural pathway.

Decision

6. Pursuant to the *Guide to Practice and Procedure of the Waitangi Tribunal* (2023), the applicant may withdraw the application by notifying the Tribunal Registrar in writing at any time prior to the release of the determination of their application.[1]

7. I confirm the withdrawal of Mr Quince's application. All further filing deadlines and next steps regarding the application are similarly abandoned.

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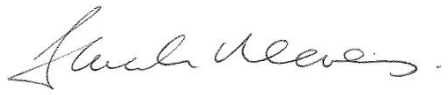
[1] Waitangi Tribunal, *Guide to the Practice and Procedure of the Waitangi Tribunal* (2023) at 3.48.

8. When registering the substantive claim, it was identified that the issues raised by Mr Quince's claim appear to fall within the scope of the Climate Change (Wai 3325) Priority Inquiry or the Natural Resources and Environmental Management (Wai 3450) Kaupapa Inquiry if urgency was not granted (Wai 3575, #2.1.1).

9. Given the Climate Change Priority Inquiry has progressed to hearing closing submissions from parties, I encourage Mr Quince to seek the inclusion of his claim in the Natural Resources and Environmental Management Kaupapa Inquiry with the withdrawal of this application.

The Registrar is to send a copy of this direction to the applicant, Crown counsel and those on the notification list for Wai 3575, the Climate Change Tort Liability (Quince) claim.

DATED at Wellington this 15th day of September 2026



Judge Sarah Reeves
Deputy Chairperson
WAITANGI TRIBUNAL