IN THE WAITANGI TRIBUNAL	**WAI 3325** **WAI 3285** **WAI 3286**
CONCERNING	the Treaty of Waitangi Act 1975
AND **IN THE MATTER OF**	The Climate Change Priority Inquiry (Wai 3325)
AND IN THE MATTER OF	A claim by Lani Kereopa, Nicki Douglas, Roana Bennett and Mariana Te Rangi for and on behalf of themselves as representatives of their whānau, hapū and iwi and as representatives of Te Urunga o Kea the Te Arawa Climate Change Working Group (Wai 3285)

MEMORANDUM OF COUNSEL SEEKING EXTENSION TO FILE CLOSING SUBMISSIONS

Dated this 5th day of October 2026

RECEIVED
Waitangi Tribunal
6 Oct 26
Ministry of Justice
WELLINGTON

TE WHENUA LAW

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AND
IN THE MATTER OF

A claim by Tui Aroha Warmenhoven on behalf of herself as Trustee and Chair of Umuariki Marae and members of Ngāti Rangi Hapū and Te Whānau a Umuariki Hapū of Ngāti Uepōhatu Iwi of Te Papatipu o Uepohatu of the Ruatoria District (Wai 3286)

MAY IT PLEASE THE TRIBUNAL

1. This memorandum of counsel is filed on behalf of:

    a. Lani Kereopa, Nicki Douglas, Roana Bennett and Mariana Te Rangi for and on behalf of themselves as representatives of their whānau, hapū and iwi and as representatives of Te Urunga o Kea the Te Arawa Climate Change Working Group (Wai 3285); and

    b. Tui Aroha Warmenhoven as Trustee and Chair of Umuariki Marae for members of Ngāti Rangi Hapū and Te Whānau a Umuariki Hapū of Ngāti Uepōhatu Iwi of Te Papatipu o Uepōhatu of the Ruatoria District (Wai 3286).

2. By way of email dated 5 October 2026, her Honour Judge Milroy directed claimant counsel who are yet to file specific closing submissions, and their corresponding synopses, to file by no later than 5 pm, Monday 5 October 2026.

3. Regrettably despite best efforts, counsel will not be in a position to file the claimants' specific closing submissions and synopses by the deadline today and respectfully seek leave to do so by Friday 9 October.

4. Claimant closing submissions are in draft, however Counsel has not yet had an opportunity proof, gain instructions and finalise the submissions for filing.

5. Counsel has had a number of significant competing milestones during the relevant period including preparing evidence for and preparing to host Hearing Week 11 in Wai 1750 the North Eastern Bay of Plenty Inquiry; and drafting generic closing submissions on climate change impacts on Māori.

6. In addition, Counsel has together with Mr Michael Sharp prepared draft closing submissions on two weighty issues which are core to our respective clients' claims:

    a. Crown – Māori Engagement and

    b. International Law and Climate Change

7. We seek leave to file these submissions late as generic closing submissions by Tuesday 6 October.

8. It is submitted that taking a consolidated approach to these issues will better assist the Tribunal as it enables us to draw together the relevant technical evidence and make combined legal submissions in respect of our claimants' respective technical witnesses (Professor Caroline Foster and Professor Claire Charters on international law) and (Hon James Shaw, Dr Anthony Cole, Dayle Takitimu and Lani Kereopa on engagement).

Leave sought

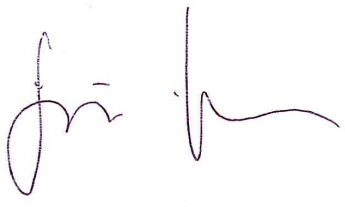
9. Counsel respectfully seeks leave to file:

   a. Generic Closing Submissions on International Law and Climate Change by Tuesday 6 October.

   b. Generic Closing Submissions on Crown - Māori Engagement by Tuesday 6 October.

   c. Claimant Specific Closing Submissions for Wai 3285; and Wai 3286 by Friday 9 October.

DATED this 5th day of October 2026



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Tania Te Whenua
Claimant Counsel