

**IN THE HIGH COURT OF NEW ZEALAND
WELLINGTON REGISTRY**

**I TE KŌTI MATUA O AOTEAROA
TE WHANGANUI-A-TARA ROHE**

**CIV-2017-485-160; CIV-2017-485-214
CIV-2017-485-229; CIV-2017-485-273
CIV-2017-485-511; CIV-2017-485-261
CIV-2017-485-248; CIV-2017-485-258
CIV-2017-485-260; CIV-2017-485-211**

GROUP N, STAGE 1(a) and STAGE 1(b)

BETWEEN

the Marine and Coastal Area (Takutai Moana Act) 2011.

AND

applications for orders recognising Customary Marine Title and Protected Customary rights

Continued...

Hearing: 12 June 2024

Counsel: (Listed below)

Minute: 13 June 2024

MINUTE OF GRICE J (Application by Ngāti Raukawa ki te Tonga to call reply evidence to Te Rūnanga o Ngā Wairiki Ngāti Apa (CIV-2017-485-511) evidence of Grant Huwyer)

[1] On 20 May 2024 I granted Mr Shenton's application to call evidence of Grant Huwyer. Mr Shenton said he had been unsuccessful in obtaining legal representation and continued to be self-represented. Mr Shenton has only appeared at the hearing when needed and Mr Bennion has been helpfully liaising with Mr Shenton to keep him apprised of progress.

[2] Mr Huwyer read a statement of evidence which had been earlier filed and served in relation to the application for customary rights filed on behalf of Te Rūnanga o Ngā Wairiki Ngāti Apa under CIV-2017-485-511. The application for Mr Huwyer

to give evidence was made on the basis that he is the son of the original deponent named on the application, who is now elderly and did not give oral evidence.

[3] The evidence for Mr Shenton's application preceded that of Trustees of Te Ātiawa ki Whakarongotai Charitable Trust on behalf of Te Ātiawa ki Whakarongotai (CIV-2017-485-248), represented by Mr Cameron and Ms Samuels.

[4] Ms Walker for Ngāti Raukawa ki te Tonga said that while her clients had earlier indicated opposition, they withdrew that opposition and sought leave to call evidence in reply if necessary. Leave was granted. Any reply evidence was to be given at the time in the schedule already allocated for Ngāti Raukawa ki te Tonga if possible.

[5] Ms Walker advised at the end of the day that reply evidence was to be circulated that evening and she had spoken to counsel who had indicated no opposition to that evidence being called on Monday 17 June 2024. This would extend the proposed evidence time for Ngāti Raukawa ki te Tonga by half a day. Dr Ward and Mr Bennion also reserved their position on the further reply evidence and should address that once they have had the opportunity to review the proposed further evidence.

[6] Accordingly the matter should be reviewed on 13 June 2024.



Grice J

Solicitors

A R Irwin and O T H Neas for Ngāti Tamarangi hapū of Muaūpoko iwi
N R Coates, P Walker and T I M Hautapu for Ngāti Raukawa ki te Tonga (Kāhui
Legal, Wellington)

B R Lyall, M R G van Alphen-Fyfe and H L B Swedlund for Te Whānau Tima
(Seymour) and Te Ahi Kā o Te Mateawa

C Shenton (self-represented) for Te Rūnanga o Ngā Wairiki Ngāti Apa

T H Bennion and E A Whiley for Muaūpoko Tribal Authority Incorporated (Bennion
Law, Wellington)

T N Ahu, A M Cameron and A J Samuels for Te Ātiawa Ki Whakarongotai (Whāia
Legal, Wellington)

E K Rongo and Z JMPNR Tait for Ngāti Toa Rangatira (Oranganui Legal Limited,
Paraparaumu)

D A Ward, D O Kleinsman and A H Ou for Attorney General (Crown Law,
Wellington)

F R Wedde and C E Bulow for Manawatū-Whanganui Regional Council, Greater
Wellington Regional Council and Kāpiti Coast District Council (Bundle Findlay,
Wellington)

L L Black for Te Patutokotoko (Black Law, Nelson)

C F Finlayson KC for Rangitāne o Manawatū Settlement Trust

B A Scott for Seafood Industry

C M Hockly for Horowhenua 11 Part Reservation Trust (Hockly Legal, Auckland)