

**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: 13 June 2024

Counsel: (Listed below)

Minute: 14 June 2024

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**MINUTE OF GRICE J  
(Timetable; issues for pūkenga; site visit; chronology; maps)**

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[1] Ms Walker indicated that, with the agreement of counsel, the Ngāti Raukawa ki te Tonga evidence would take a further half day on Monday to accommodate the reply to the evidence of Grant Huwyer for Te Rūnanga o Ngā Wairiki Ngāti Apa,<sup>1</sup> and the evidence of Dr Baker. Other counsel, Mr Bennion and Ms Black through Ms Walker, indicated that they had no issues to raise in terms of the reply evidence which had been served on all parties. If any matters do arise when counsel have had a chance to further consider the brief they should file a memorandum before close of business today, Friday 14 June 2024.

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<sup>1</sup> As referred to in my Minute dated 13 June 2024.

[2] Mr Lyall indicated his client's evidence would be ready to proceed after the close of the Ngāti Raukawa ki te Tonga evidence and there would be two witnesses, likely taking one day.

[3] Counsel confirmed that the hearing was tracking to timetable as there had been some leeway allowed in the agreed schedule. However a site visit has not yet been timetabled, which should occur preferably within this part of the hearing given all the evidence is to be concluded except the pūkenga report in this session.

[4] I also mentioned the following matters which would be of assistance to the Court if provided in this session:

- (a) *Issues for the pūkenga*: while these are not to be settled until 27 June 2024, I envisage the filing of drafts earlier than that and preferably by the middle of next week given the session is due to finish on 27 June 2024. Mr Irwin has filed his client's proposed issues.
- (b) *Visits by the Court to the relevant places mentioned in evidence*: consideration of when this might occur.
- (c) *Agreed chronology*: with the substantial volume of evidence filed in relation to the historical events it is apparent that the dates (or approximate timeframe) of many of the relevant events can be established. An agreed chronology would be of assistance to the Court.
- (d) *Maps of places mentioned at various times in the evidence as to historical events*: it would be helpful for the Court to have locations agreed by counsel and shown on the grid maps.

[5] Mr Irwin mentioned that his clients would be unfunded if the matter ran beyond 27 June 2024. Mr Ward noted he would raise that issue with Te Arawhiti.



Grice J

*Solicitors/Barristers*

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 Kapiti 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)