

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

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

**CIV-2017-485-523
and Ors**

BETWEEN Marine and Coastal Area (Takutai Moana)
Act 2011

AND applicants listed in the schedule to this
minute

Hearing: On the papers

Counsel: B Lyall and H Swedlund for Ngā Hapu o Taiamai Ki Te Marangāi
and Te Are Ahu Whenua Trust
S E Wroe for Ngāti Kuri Trust Board
C Hockly for Reweti, Rewha Whanau and Te Whakapiko hapu of
Ngāti Manaia
L Thornton for McGee Whanau, Ngāti Maraeariki and Ngāti
Rongo
W McCarthy for Ngātiwai (Whanau of Ohawini), Ngāi Uri o
Hairama Pita Kino Davies, Whangaroa Ngāiotonga Trust and
Walker
G Erskine and T Afeaki for Ngā Hapū o Tangaroa ki Te Ihu o
Manaia tae atu ki Mangawhai and Waimarie
T Sinclair and B Cunningham for Ngā Hapū o Ngāti Wai Iwi,
Ngāti Manu, Ngāti Rangī and Ngāti Kahu, Te Rarawa and Te
Uriohina
L Thornton for Ngāti Kawau, Ngāti Kawhiti, Ngāti Haiti and
Ngāitupango
T Bennion for Ngāti Pukenga
Self represented Ngāti Torehina Ki Mataure o Hau
Self represented Te Whanau o Hone Papita Raua Ko Rewa Ataria
Paama
T Castle for Te Hikutu Hapū
Self represented Ngāti Rahiri and Ngāti Kawa
D C F Naden and S M Yogakumar Te Popoto ki Otirei
R Zwaan Whakarara Māori Committee
K Dixon, A Castle and A Evans for Ngā Hapū o Te Wahapu o
Hokianga nui a Kupe, Henare Waata Whanau and Ngāti Takapari
C Panoho-Navaja for Ngāti Kuta and Patukeha ki te Rawhiti
J P Kahukiwa for Te Waiariki, Ngāti Korora, Ngāti Takapari
Hapū/Iwi Hapū of Niu Tireni
B Loader for Ngāti Tu ki Ngāpuhi

Minute: 4 July 2024

MINUTE OF CHURCHMAN J

CIV-2017-404-523 Ngā Hapu o Taiamai Ki Te Marangāi

[1] This applicant continues to engage with overlapping applicants and requires more time for this process to continue. The applicant has been unable to complete a contract with a historian or mapper until the Crown provides certainty that the costs of these services will be met. This matter will be called again at the 2025 Whangārei CMC and counsel's attendance at the 2024 CMC is excused.

CIV-2017-485-208 Ngāti Kuri Trust Board

[2] The applicant has had some discussion with applicants with overlapping claims. Uncertainty as to funding has meant that no other progress has been made. This application is adjourned for 12 months to be called in the 2025 Whangārei Case Management Conference (CMC). Counsel is excused from attendance at the 2024 CMC.

CIV-2017-485-352 Reweti and Rewha Whanau

CIV-2017-485-256 McGee Whanau

CIV-2017-485-306 Ngātiwai (Whanau of Ohawini)

CIV-2017-485-408 Ngāi Uri o Hairama Pita Kino Davies

CIV-2017-485-409 Whangaroa Ngāiotonga Trust

CIV-2017-488-029 Walker

[3] Counsel in these matters filed a joint memorandum. It records that there has been no progress in respect of those applicants who wish to pursue the Crown engagement pathway. Preparation for hearing is at an advanced stage but cannot

proceed further in the absence of guaranteed funding. All matters are adjourned for 12 months to be called again in the 2025 Whangārei CMC. Those counsel who sought leave to be excused from the 2024 Whangārei CMC are excused.

CIV-2017-404-579 Ngā Hapū o Tangaroa ki Te Ihu o Manaia tae atu ki Mangawhai and Waimarie

[4] This applicant is interested in the Whangārei Harbour Stage 1A and Whangārei Coast Stage 1B hearings and also has interests in areas both to the north and south of the 1A and 1B hearings. The only part of these additional areas that has been subject to an application by a cross applicant for hearing is the area covering Aotea (Great Barrier Island), Hauturu (Little Barrier Island) the Mokohinau Islands, Rakitu Island and Motu Tohora. The applicant seeks an order that, in respect of those parts of its application that are also within the application by Ngāti Rehua-Ngāti Wai Ki Aotea (CIV-2017-404-580) be adjourned until the 2025 Whangārei CMC and that counsel's attendance at the 2024 CMC are excused. Those requests are granted.

CIV-2017-404-554 Ngā Hapū o Ngāti Wai Iwi

[5] This applicant is involved in both the Whangārei 1A and Whangārei 1B hearings. It is awaiting the anticipated announcement in respect of funding by Te Arawhiti and its participation in the Whangārei 1B hearing is contingent upon funding being available. The matter is adjourned to be called in the 2025 Whangārei CMC and counsel's attendance at the 2024 CMC is excused.

CIV-2017-485-249 Ngāti Kawau, Ngāti Kawhiti, Ngāti Haiti and Ngāitupango

[6] Counsel's request for excusal from attendance at the 9 July 2024 CMC is granted and this application will be called again in the 2025 Whangārei CMC.

CIV-2017-485-250 Ngāti Pukenga

[7] This applicant appeared in the Whangārei Harbour Stage 1A hearing but is not involved in the Stage 1B hearing. Counsel's request to be excused from the 2024 Whangārei CMC is granted. This application is adjourned until the 2025 Whangārei CMC.

CIV-2017-404-525 Ngāti Manu and Ngāti Rangi

CIV-2017-404-540 Ngāti Torehina Ki Mataure o Hau

CIV-2017-404-555 Te whanau o Hone Papita Raua Ko Rewa Ataria Paama

CIV-2017-404-559 Ngāti Kahu, Te Rarawa and Te Uriohina

CIV-2017-404-570 Te Hikutu Hapū

Civ-2017-404-577 Ngāti Rahiri and Ngāti Kawa

CIV-2017-485-228 Te Whakapiko hapu of Ngāti Manaia

CIV-2107-485-252 Te Popoto ki Oturei

CIV-2017-485-279 Ngāti Takapari

CIV-2017-485-298 Whakarara Māori Committee

CIV-2017-485-307 Ngā Hapū o Te Wahapu o Hokianga nui a Kupe

CIV-2017-485-321 Ngāti Kuta and Patukeha ki te Rawhiti

CIV-2017-485-378 Ngāti Maraeariki and Ngāti Rongo

CIV-2017-485-438 Henare Waata Whanau

[8] No memoranda have been received from these applicants. They are required either to file a memorandum no later than 5 pm on Friday 5 July 2024 or attend either in person or by VMR at the Whangārei CMC to provide the Court with an update as to progress towards hearing.

CIV-2017-404-566 Te Waiariki, Ngāti Korora, Ngāti Takapari Hapū/Iwi of Niu Tireni

CIV-2017-404-573 Ngāti Tu ki Ngāpuhi

CIV-2017-485-239 Te Are Ahu Whenua Trust

CIV-2017-485-281 Patuharakeke Te Iwi

[9] Although no memoranda have been received from these applicants, as they have all been involved with the Whangārei Harbour hearings, it is assumed that they do not need any further directions. Counsel's attendance at the Whangārei CMC is therefore excused.

[10] In all matters which have been adjourned to the 2025 Whangārei CMC, counsel are required to file an updating memorandum no later than 30 days prior to that CMC.

Churchman J

Schedule

Applicants and Court numbers

Court Number	Applicant
CIV-2017-404-523	Ngā Hapu o Taiamai Ki Te Marangāi
CIV-2017-485-208	Ngāti Kuri Trust Board
CIV-2017-485-352	Reweti and Rewha Whanau
CIV-2017-485-256	McGee Whanau
CIV-2017-485-306	Ngātiwai (Whanau of Ohawini)
CIV-2017-485-408	Ngāi Uri o Hairama Pita Kino Davies
CIV-2017-485-409	Whangaroa Ngāiotonga Trust
CIV-2017-488-029	Walker
CIV-2017-404-579	Ngā Hapū o Tangaroa ki Te Ihu o Manaia tae atu ki Mangawhai and Waimarie
CIV-2017-404-554	Ngā Hapū o Ngāti Wai Iwi
CIV-2017-485-249	Ngāti Kawau, Ngāti Kawhiti, Ngāti Haiti and Ngāitupango
CIV-2017-485-250	Ngāti Pukenga
CIV-2017-404-525	Ngāti Manu and Ngāti Rangī
CIV-2017-404-540	Ngāti Torehina Ki Mataure o Hau

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