

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

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

CIV-2011-485-817

UNDER	the Marine and Coastal Area (Takutai Moana) Act 2011
IN THE MATTER OF	an application for an order recognising Customary Marine Title and Protected Customary Rights
BY	the late Claude Augustin Edwards (deceased), Adrian Edwards and others on behalf of Te Whakatōhea
BY	Dean Flavell on behalf of Hiwarau C, Turangapikitoi Waiōtahe and Ōhiwa of Whakatōhea (CIV-2017-485-375)
BY	Larry Delamere on behalf of Pākōwhai Hapū (CIV-2017-485-264), and Te Whānau-a- Apanui (CIV-2017-485-278)
BY	Tracy Francis Hillier on behalf of Ngāi Tamahaua Hapū (CIV-2017-485-262), and Te Hapū Titoko o Ngāi Tama (CIV-2017-485-377)
BY	Muriwai Maggie Jones on behalf of Ngāi Tai (CIV-2017-485-270), and Muriwai Maggie Jones and Te Aururangi Davis on behalf of Ririwhenua Hapū (CIV-2017-485-272)
BY	Te Ūpokorehe Treaty Claims Trust and others on behalf of Te Ūpokorehe (CIV-2017-485-201)
BY	Christina Davis on behalf of Ngāti Muriwai Hapū (CIV-2017-485-269)
BY	Pita Tori Biddle and Karen Stefanie Mokomoko on behalf of Te Uri o Whakatōhea Rangatira Mokomoko (CIV-2017-485-355)

- BY Te Rua Rakuraku on behalf of Ngāti Ira o Waiōweka (CIV-2017-485-299)
- BY John Hata, Te Ringahuaia Hata and Antoinette Hata on behalf of Ngāti Patumoana (CIV-2017-485-253)
- BY Whakatōhea Māori Trust Board on behalf of Whakatōhea Hapū (CIV-2017-485-292)

On the papers:

Counsel:

- B Cunningham for:
 Te Whakatōhea (CIV-2011-485-817)
 Hiwarau C, Turangapikitoi Waiōtahe and Ōhiwa of Whakatōhea (CIV-2017-485-375)
 Pākōwhai Hapū (CIV-2017-485-264)
 Te Whānau-a-Apanui Hapū (CIV-2017-485-278)
- C Panoho-Navaja for:
 Ngāi Tamahaua Hapū (CIV-2017-485-262)
 Te Hapū Titoko o Ngāi Tama (CIV-2017-485-377)
- E Rongo for:
 Ngāi Tai (CIV-2017-485-270)
 Ririwhenua Hapū (CIV-2017-485-272)
- B Lyall for Te Ūpokorehe Treaty Claims Trust (CIV-2017-485-201)
- M Sharp for Ngāti Muriwai Hapū (CIV-2017-485-269)
- K Ketu and C Ratapu for Te Uri o Whakatōhea Rangatira Mokomoko (CIV-2017-485-355)
- A Sykes for Ngāti Ira o Waiōweka (CIV-2017-485-299)
- G Davidson for Ngāti Patumoana (CIV-2017-485-253)
- J Pou for Whakatōhea Māori Trust Board (CIV-2017-485-292)
- K Feint KC for Ngāti Ruatakenga

Interested Parties:

- H Irwin-Easthope and K Tarawhiti for Te Rūnanga o Ngāti Awa (CIV-2017-485-196)
- N Coates for Te Rūnanga o te Whānau-a-Apanui (CIV-2017-485-318)
- C Leauga, D Stone and D Lafaele for Te Whānau a Harawaka (CIV-2017-485-238)
- R Roff, R Budd and S Gwynn for Attorney-General
- A Green and M Jones for Whakatāne District Council
- T Reweti for Ōpōtiki District Council
- R M Boyte for Bay of Plenty Regional Council
- B Scott for Seafood Industry Representatives

Minute: 19 October 2022

MINUTE (NO. 5) OF CHURCHMAN J
[Slip rule]

[1] Pursuant to r 11.10 of the High Court Rules 2016, I have amended the judgment dated 13 October 2022 as follows:

- (a) Intituling page:
 - (i) J Pou for Whakatōhea Māori Trust Board (CIV-2017-485-292) is added;
 - (ii) C Leauga, D Stone and D Lafaele for Te Whānau a Harawaka (CIV-2017-485-238) is added;
- (b) [93], lines 1 and 7, the word “Toriana” should read “Kelvin”;
- (c) [94], lines 1 and 6, the word “Toriana” should read “Kelvin”;
- (d) [102](c), line 2, the word “Toriana” should read “Kelvin”;
- (e) [255], line 6, the word “Toriana” should read “Kelvin”; and
- (f) [345], line 6, the words Ngāti Ira should read “Ngāi Tamahaua”.

[2] I direct the Registrar to distribute fresh copies to counsel.

Churchman J