

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

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

**CIV-2017-485-267  
Group M, Stage 1(a)**

UNDER the Marine and Coastal (Takutai Moana) Act  
2011, ss 98 and 100

AND

IN THE MATTER OF an application by Kahura James Watene, on  
behalf of Ngāi Tūkoko and Elizabeth Lily Te  
Piki Watene on behalf of Ngāti Moe for an  
order recognising Customary Marine Title  
and Protected Customary Rights

On the Papers

Counsel: D Naden, M Sreen, S M Yogakumar and A Crawford for the  
Applicant

Minute: 30 August 2023

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**MINUTE OF GWYN J  
(Second amended application for recognition orders)**

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[1] On 28 August 2023 counsel for the applicant filed a second amended originating application on notice for a recognition order pursuant to the Marine and Coastal Area (Takutai Moana) Act 2011 (Act) and a supporting memorandum of counsel.

[2] The principal amendment sought to the application is to replace the representative for Ngāti Moe, currently Kahura James Watene, with Elizabeth Lily Te Piki Watene. Accordingly, [7] of the second amended application reflects this change. The person who will be the representative of Ngāi Tukoko and the holder of the Recognition Orders is confirmed as Kahura James Watene.

[3] The applicant also seeks further minor amendments to the Application:

- (a) Correction of the name “Tukōkō” to “Ngāi Tūkoko”.
- (b) The southeast boundary of the application area was identified in the application as “Mataikona, which is commonly known as Cape Palliser”. Leave is sought to correct “Mataikona” to “Matakitaki”, as the correct Māori word.
- (c) [13] is amended to include reference to s 58(1) of the Act, which concerns Customary Marine Title (CMT). The grounds relied on for the CMT application remain unchanged.

[4] All of these matters are formal in nature and I grant leave permitting the amendments in this minute.

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**Gwyn J**

*Solicitors:*  
Tamaki Legal, Auckland