

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

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

**CIV-2017-404-537  
GROUP E**

UNDER the Marine and Coastal Area (Takutai Moana) Act 2011 and Orders Recognising Customary Marine Title and Protected Customary Rights

IN THE MATTER

of an application by JOSEPH ROBERT KINGI on behalf of Ngapuhi nui tonu, Ngati Rahiri, Nga Tahuhu and Ngaitawake at Auckland and Northland Rohe for orders recognising Customary Marine Title and Protected Customary Rights Applicant

Hearing: On the papers  
Counsel: J Mason for the Applicant  
Minute: 19 September 2023

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**MINUTE (No 5) OF HARVEY J**

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Solicitors: Phoenix Law Limited, Wellington

[1] Mr Kingi was directed on 2 June last to file an amended application by 2 September next. I am aware that Mr Kingi has experienced challenges with his representation in terms of unavailability. This has resulted in compliance difficulties with the direction. To avoid doubt, I make no criticism of Mr Castle in this context.

[2] A memorandum dated 18 September 2023 was received confirming that Ms Mason has now been instructed by Mr Kingi. She seeks a brief extension to comply. It is said that Te Rūnanga o Ngāti Whātua do not oppose the request.

[3] I consider the request reasonable. Ms Mason has until 2 pm on **Friday 22 September** next to comply with my earlier directions in every respect.

[4] Mr Castle filed a memorandum on 14 September seeking leave to withdraw as counsel and for the Court to note the change of solicitor on the record for Mr Kingi to Phoenix Law.

[5] I thank Mr Castle for his memorandum and grant leave as requested.

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Harvey J