

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

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

**CIV-2017-404-537  
CIV-2017-404-546  
CIV-2017-404-554  
CIV-2017-404-558  
CIV-2017-404-563  
CIV-2017-404-566  
CIV-2017-404-573  
CIV-2017-404-579  
CIV-2017-485-231  
CIV-2017-485-239  
CIV-2017-485-250  
CIV-2017-485-281  
CIV-2017-485-283  
CIV-2017-485-286  
CIV-2017-485-305  
CIV-2017-485-398  
CIV-2017-485-515  
CIV-2017-485-799  
GROUP E**

UNDER the Marine and Coastal Area (Takutai  
Moana) Act 2011

IN THE MATTER of JOSEPH ROBERT KINGI on behalf of Nga  
Puhi nui tonu, Ngati Rahiri, Ngati Awa, Nga  
Tahuhu and Ngaitawake

AND continued: .../2

Hearing: On the papers

Counsel: B Lyall and H Swedlund for Stephen Panoho on behalf of Te Rae  
Ahu Whenua Trust CIV-2017-485-239  
...continued: .../2

Minute: 11 October 2023

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## MINUTE OF HARVEY J

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- AND Trustees of Ngati Rehua-Ngatiwai ki Aotea Trust on behalf of Ngati Rehua-Ngatiwai Ki Aotea
- AND Kare Rata for Nga Hapu o Ngati Wai
- AND Rihari Dargaville for Ngaitawake
- AND Te Runanga o Ngati Whatua
- AND Pereri Mahanga on behalf of Te Waiariki, Ngati Korora, Ngati Takapari Hapū/Iwi of Niu Tireni
- AND Maia Maria Nova Honetana for Ngai Tahu, Ngati Tuu (Ngati Tuu to Ngati Tu ki Ngāpuhi), Ngāti Kūkukea
- AND Ngā Hapū o Tangaroa ki Te Ihu o Manaia tae atu ki Mangawhai
- AND Te Rūnanga o Ngati Hine
- AND Stephen Panoho on behalf of Te Rae Ahu Whenua Trust
- AND Te Tawharau o Ngati Pukenga on behalf of Ngati Pukenga
- AND Patuharakeke Te Iwi Trust Board
- AND Ngatiwai Trust Board
- AND Patuharakeke Te Iwi Trust Board
- AND Tamihana Akitai Paki on behalf of Te Parawhau Hapu
- AND Louisa Te Matekino Collier & Ors on behalf of Ngati Kawau & Te Waiariki Korora
- AND Elvis Shayne Reti for Whangaruru, Whangarei and Whangaroa
- AND Application by Korokota Marae on behalf of Te Parawhau Hapū

[1] Memoranda from counsel are due on 23 October 2023. Issues to be canvassed include the appointment of pūkenga. I would also like counsel to make submissions on the possibility of referrals of questions of tikanga to the Māori Appellate Court as set out in s 99 of Marine and Coastal Area (Takutai Moana) Act 2011. I am aware that this matter had been raised at an earlier judicial conference.

[2] As the first stage of hearings is due to commence in February 2024, it may be that any such referral is impractical. However, there may be some utility in considering a referral for any overlapping claims in southern most part of the hearing district the second stage of the hearings due to commence in July 2024. In any event, I would appreciate counsels' views.

[3] An in person pretrial conference of up to a half day is to be arranged for Friday **1 December 2023**. A suitable venue in Auckland will be arranged. In exceptional circumstances, audio visual attendance will be considered.

[4] The agenda will include hearing details such as the order of appearance, the unavailability of the hearing venue up to four days a month, and the need for translation so that appropriate arrangements can be made. I am also aware of a minute recently issued by Walker J concerning a March 2024 fixture for another matter affecting counsel so ensuring those matters are properly accommodated within the hearing programme here will be considered. The extent to which evidence may be taken as read, including both technical and lay evidence, as well as its relevance will also be discussed.

[5] Finally, I confirm that the case management conference scheduled for 13 October 2023 is now vacated.



Harvey J

Counsel – continued:

M Chen and C Saunders for Te Rūnanga o Ngāti  
Whatua CIV-2017-404-563  
G Erskine for Ngā Hapū o Tangaroa ki Te Ihu o Manaia

Tae atu ki Mangawhai CIV-2017-404-579  
R Roff for the Attorney-General

Solicitors:

Bryce Lyall and Hannah Swedlund

[Bryce@brycelyall.com](mailto:Bryce@brycelyall.com),

[Hannah@brycelyall.com](mailto:Hannah@brycelyall.com)

Mai Chen, Barrister, Auckland

[mai.chen@maichen.nz](mailto:mai.chen@maichen.nz)

Caleb Saunders, Barrister, Auckland

[Caleb.saunders@maichen.nz](mailto:Caleb.saunders@maichen.nz)

Grant Erskine, Barrister, Auckland

[grant@afeakichambers.c.nz](mailto:grant@afeakichambers.c.nz)

Rachel Roff, Wellington

[Rachel.roff@cliftonchambers.co.nz](mailto:Rachel.roff@cliftonchambers.co.nz)

Crown Law, Wellington

[Yasmin.moinfar-young@crownlaw.govt.nz](mailto:Yasmin.moinfar-young@crownlaw.govt.nz)

[Luke.borthwick@crownlaw.govt.nz](mailto:Luke.borthwick@crownlaw.govt.nz)