

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

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

**CIV-2017-404-481  
CIV-2017-485-221  
CIV-2017-485-224  
CIV-2017-485-232  
CIV-2017-485-259  
CIV-2017-485-260  
CIV-2017-485-267  
Group M Stage 1(a)**

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

In the matter of an application by George Matthews on behalf of Te Hika o Pāpāuma for orders recognising Customary Marine Title and Protected Customary Rights

On the Papers

Counsel: C Hirschfeld, B Tūpara and T Atairehia Thompson for Te Hika o Pāpāuma (CIV-2017-404-481)  
J P Ferguson for Ngāti Kahungunu ki Wairarapa Tāmaki-nui-a-Rua (CIV-2017-485-221)  
R Siciliano and C Mataira for Rangitāne Tū Mai Rā Trust (CIV-2017-485-224)  
D Naden, M Sreen and S M Yogakumar for Ngāi Tūmapūhia-a-Rangi Hapū (CIV-2017-485-232)  
T Bennion and G Davidson for Ngāti Hinewaka (CIV-2017-485-259)  
M Houra for Te Ātiawa ki Te Upoko o Te Ika a Maui Potiki Trust (CIV-2017-485-260)  
M Sreen, S M Yogakumar and A Crawford for Tukōkō and Ngāti Moe (CIV-2017-485-267)  
J Prebble and C Barnett for the Attorney-General

Interested parties:

B Lyall for Ngāi Tūmapūhia-a-Rangi Ki Motuwairaka Inc and Ngāi Tūmapūhia-a-Rangi Ki Okautete Inc  
B Scott for Seafood Industry Representatives  
B Lyall and H Swedlund for Kawakawa 1D2 Ahu Whenua Trust

Minute: 25 May 2023

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**MINUTE OF GWYN J**  
**(Timetable for filing of evidence)**

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[1] On 3 May 2023 I granted leave for Te Tika o Pāpāuma to participate in the Stage 1(a) hearing in respect of the Whareama river mouth.<sup>1</sup> At that stage, Te Hika o Pāpāuma had indicated it was able to comply with existing timetable directions, including to file any evidence in relation to its interests in the Whareama river mouth by 28 April 2023. The grant of leave was predicated on it doing so.<sup>2</sup>

[2] Most recently, on 15 May 2023, counsel for Te Hika o Pāpāuma proposed to file the balance of its evidence for participation Stage 1(a) on or before 30 June 2023.

[3] I have now received a memorandum from counsel for the Attorney-General. Counsel note that on the current timetable the evidence of interested parties is due by 19 May 2023 and the Attorney-General by 16 June 2023. If Te Hika o Pāpāuma does not file its evidence until 30 June 2023 the Attorney-General will not have an opportunity to review and consider all applicant groups' evidence prior to filing his evidence, as allowed for in the current timetable.

[4] I accept that the Attorney-General, and likely also the parties, would be prejudiced by Te Hika o Pāpāuma's proposed late filing.

[5] Accordingly, I direct that the balance Te Hika o Pāpāuma's evidence relating to its participation in Stage 1(a) must be filed and served by **5.00 pm 9 June 2023**.

[6] I signal now that if Te Hika o Pāpāuma is not able to meet that deadline it will be necessary to review the decision to grant leave to Te Hika o Pāpāuma to participate in the stage 1(a) hearing.

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**Gwyn J**

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<sup>1</sup> Minute of Gwyn J (Northern Boundary for the Stage 1(a) hearing) dated 3 May 2023 at [23].

<sup>2</sup> Minute of Gwyn J (Te Hika o Pāpāuma) dated 16 May 2023 at [3].