

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

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

CIV-2011-485-821

IN THE MATTER OF the Marine and Coastal Area (Takutai
Moana) Act 2011

IN THE MATTER OF an application by the Trustees of the
Ngāti Pāhauwera Development Trust
TORO WAAKA, TUREITI MOXON,
CHAANS TUMATAROA-CLARKE,
REX ADSETT, GERALD ARANUI,
AMIRIA TOMOANA and TOM KEEFE
on behalf of NGĀTI PĀHAUWERA for
Customary Marine Title, Wāhi Tapu
Protection and Protected Customary Rights

On the papers:

Counsel: R N Smail, E A James for Ngāti Pāhauwera Development Trust
M K Mahuika, L A V Underhill-Sem and T W Afoa for Ngāti Pārau
G S G Erskine, D C F Naden, S M Yogakumar and M Sreen for
Ngāi Tahu ō Mōhaka Waikare
K M Anderson, A F Buchanan and M J Dicken for Maungaharuru-
Tangitū Trust (MTT)
B Lyall and L Thornton for Mana Ahuriri Trust
H P Harwood for Hawke's Bay Regional Council
M Williams for Pan Pac Forest Products Limited
A Williams for Seafood Industry Representatives
R Roff, R Budd and S Gwynn for Attorney-General

Minute: 17 March 2022

MINUTE (NO. 16) OF CHURCHMAN J

[1] By memorandum dated 16 March 2022, counsel for the Attorney-General, an interested party in these proceedings, noted that the Stage One decision in this matter does not specifically provide for interested parties to either file evidence or written submissions. Counsel seeks the following directions:

- (a) that interested parties have until **Friday 13 May 2022** to file submissions as to the nature of the recognition orders;
- (b) that the Attorney-General is granted leave to file evidence by **Friday 13 May 2022** with such evidence being confined to addressing the following matters:
 - (i) a suite of maps depicting the customary marine title areas found by the Court, including Hardinge Reef and Pania Reef, and land parcels affected by water and which may fall within the common marine and coastal area; and
 - (ii) evidence of land parcels that are affected by water which fall within the marine and coastal area, analysed by a Land Information New Zealand land expert, to ascertain if and how the Marine and Coastal Area (Takutai Moana) Act 2011 applies to them.

[2] It is appropriate for the Attorney-General to be granted such leave and leave is therefore granted for the Attorney-General to file such evidence together with written submissions by **5pm, 13 May 2022**.

[3] It is also appropriate for leave to be granted to any other interested party who wishes to file relevant evidence or written submissions and I grant any other interested party who wishes to do so leave to file evidence and submissions no later than **5pm, 13 May 2022**.

A handwritten signature in black ink, reading "P.B. Churchman J". The signature is written in a cursive, flowing style.

Churchman J