

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

**I TE KŌTI MATUA O AOTEAROA
KIRIKIROA ROHE**

CIV-2017-419-081

CIV-2017-419-084

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

IN THE MATTER of an application by Ngāti Te Wehi

IN THE MATTER of an application of Stanley Rahui Papa for
Waikato Tainui

Counsel: H Clatworthy and M Kennelly for CIV-2019-419-081
J Ferguson for CIV-2017-419-084

Minute: 7 March 2024

MINUTE OF CHURCHMAN J

[1] The Aotea Harbour hearing is scheduled to take place over two weeks starting 17 June 2024. Counsel involved have filed two joint memoranda addressing separate issues. The memorandum of 22 February 2024 records that the parties agree that the boundary line across the harbour mouth in respect of the Aotea Harbour hearing is the current boundary line for the Ngāti Whakamarurangi/Tainui application (MAC-01-04-010) which runs across the Aotea Harbour mouth.

[2] As Ngāti Whakamarurangi is a direct engagement only applicant, their application is not before this Court. In order to accurately define the hearing boundary as proposed the following must happen:

- (a) A copy of Ngāti Whakamarurangi application is to be provided to the Court;

- (b) All the participants in the hearing need to confirm the coordinates for the start and end of the line across the mouth of Aotea Harbour.

[3] The parties are having difficulty with mapping. In order to avoid any delays to the hearing I will proceed on the basis that the proposed line at the mouth of the Harbour as depicted on the map filed by the applicant, is accepted in principle (subject to coordinates being provided). This should assure Ngāti Whakamarurangi that they have no overlap with the proposed hearing area. Counsel are directed to file a compliant map showing the relevant coordinates as soon as they were available.

Appointment of Pūkenga

[4] The 26 February 2024 joint memorandum filed on behalf of Ngāti Te Wehi, Stanley Papa and Ngāti Whakamarurangi /Tainui (MAC-01-04-010) who are appearing under the Waikato-Tainui application CIV-2017-419-084, confirms that the appointment of Pūkenga has not been completed. The parties ask for an extension to confirm the availability of potential nominees and provide further detail to the Court regarding the proposed Pūkenga. I confirm that the parties have until noon 11 March 2024 to provide this information.

Churchman J