

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

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

**CIV-2017-485-160; CIV-2017-485-214  
CIV-2017-485-229; CIV-2017-485-273  
CIV-2017-485-511; CIV-2017-485-261  
CIV-2017-485-248**

**GROUP N, STAGE 1(a)**

BETWEEN

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

AND

applications for orders recognising  
Customary Marine Title and Protected  
Customary rights

Continued...

On the papers 11 July 2025

Counsel: (Listed below)

Minute: 11 July 2025

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**MINUTE OF GRICE J  
(Timetabling stay and other matters)**

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[1] Muaūpoko seeks a stay of the CMT judgment of 13 June 2025. If a stay were granted, the hearing scheduled for the wāhi tapu hearing and miscellaneous orders would not go ahead as scheduled on 29 September 2025.<sup>1</sup>

[2] Muaūpoko seek the stay as they have filed an appeal and are seeking a priority fixture for the matter in the Court of Appeal. Rangitāne has also filed an appeal and indicates that it supports the stay. Mr Bennion for Muaūpoko also noted that

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<sup>1</sup> Minute dated 13 June 2025 (Grice J).

Mr Shenton who had carriage of the Ngāti Apa application had retained a lawyer and may also support Muaūpoko.

[3] Ngāti Raukawa, Te Whānau Tima (Seymour), Te Ātiawa and Ngāti Toa oppose the stay application.

[4] Ngāti Tamarangi (Mr Taueki) supports the setting down of the wāhi tapu applications and any further directions or orders to finalise the CMT orders. Mr Neas for Ngāti Tamarangi has no further instructions at present.

[5] The other parties abide by the decision of the Court. Ms Wedde indicates that the councils are unlikely to participate in the stay application, although awaits instructions. The Crown will act to assist the Court on issues.

[6] The application for stay is set down for hearing on **28 July 2025**. The following timetable is directed:

- (a) The application for stay and supporting material (including an affidavit) has been filed and served. Rangitāne will file and serve any supporting affidavit on or before **14 July 2025**;
- (b) Notices of opposition will be filed and served on or before **15 July 2025** together with any affidavits (or those will be filed and served within one day of the notice);
- (c) The applicants and parties in support must file and serve submissions and authorities **by 21 July 2025**; and
- (d) The respondents must file and serve submissions and authorities **by 24 July 2025**.

[7] If the stay application is successful, the outstanding matters including the wāhi tapu and any related matters requiring directions and orders to finalise CMTs will not likely proceed on 29 September 2025. However, all parties including Muaūpoko see some benefit in progressing the surveying regardless.

[8] Therefore, it may be that further directions and orders might be considered at a hearing then. In addition, issues concerning PCRs (in particular in relation to the consultation with councils), subject to the decision on those being available, might also be dealt with in the latter part of the period the 29 September 2025 - 10 October 2025. For the time being if the hearing is to proceed on all issues the following parties have agreed on a timetable: :

- (a) Ngāti Raukawa (CIV-2017-485-229);
- (b) Te Ātiawa ki Whakarongotai (CIV-2017-485-248);
- (c) Te Whānau Tima (Seymour) and Ngā Ahi Kā o Te Hapū o Te Mateawa (CIV-2017-485-273);
- (d) Ngāti Toa Rangatira (MAC-01-12-021);
- (e) Kāpiti Coast District Council, Greater Wellington Regional Council and Horizons Regional Council; and
- (f) Seafood Industry Representatives (SIR).

[9] That wāhi tapu timetable, amended by around one week from the initial proposal to allow for the stay application being dealt with is directed as follows:

Step	Date
Applicants to file wāhi tapu evidence, indicative maps, and draft conditions	4 pm, Friday 8 August 2025
Interested parties file reply evidence	4 pm, Friday 5 September 2025
Applicants file submissions	4 pm, Friday 19 September 2025
Interested parties file submissions	4 pm, Wednesday 24 September 2025
Hearing date	29 September 2025 – 10 October 2025

[10] Mr Hockly for the Lake Trust had also sought a direction for the survey of the delineation point for the Hōkio Stream. Mr Bennion will liaise with Mr Hockly over the discussion today with a view to ensuring the Trust participates in the surveying arrangements if necessary.

  
Grice J

*Solicitors/Barristers*

O T H Neas for Ngāti Tamarangi hapū of Muaūpoko iwi

P Walker and T I M Hautapu for Ngāti Raukawa ki te Tonga (Kāhui Legal, Wellington)

H L B Swedlund for Patrick Seymour on behalf of Te Whānau Tima (Seymour) and Ngā Ahi Kā o Te Hapū o Te Mateawa

T H Bennion for Muaūpoko Tribal Authority Incorporated (Bennion Law, Wellington)

A M Cameron for Te Āti Awa ki Whakarongotai Charitable Trust (Whāia Legal, Wellington)

E K Rongo for Te Rūnanga o Toa Rangatira Inc (Oranganui Legal Limited, Paraparaumu)

D O Kleinsman and A H Ou for Attorney General (Crown Law, Wellington)

F R Wedde for Manawatū-Whanganui Regional Council, Wellington Regional Council and Kāpiti Coast District Council (Buddle Findlay, Wellington)

C F Finlayson KC (Innes Dean Lawyers, Palmerston North) for Rangitāne o Manawatū Settlement Trust