

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

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

**CIV-2017-485-250
CIV-2017-404-564
CIV-2017-404-569
CIV-2017-404-528**

UNDER	the Marine and Coastal Area (Takutai Moana) Act 2011
IN THE MATTER OF	applications for recognition orders
BY	TAWHARAU O NGĀTI PŪKENGĀ on behalf of NGĀTI PŪKENGĀ
	NGAI TAI KI TAMAKI TRUST on behalf of NGAI TAI
	ROIMATA MINHINNICK for NGĀTI TE ATA
	KENNETH JON LINSTED for NGĀTI HAKO Applicants
AND	NGĀTI MARU, NGĀTI TAMATERĀ, and HAURAKI MĀORI TRUST BOARD Interested parties

Hearing: On the papers

Counsel: T Bennion for Ngāti Pūkenga (CIV-2017-485-250)
R A Siciliano for Ngāi Tai ki Tāmaki Trust (CIV-2017-404-564)
J P Kahukiwa for Ngāti Te Ata (CIV-2017-404-569)
P F Majurey and A K Scharting for Ngāti Maru, Ngāti Tamaterā and Hauraki Māori Trust Board

Minute: 13 November 2025

MINUTE OF CHURCHMAN J

[1] The Manaia Harbour hearing has been set down for three weeks to commence on 11 May 2026.

[2] The timetable directions required that the applicant's evidence be filed by 14 November 2025.

[3] Today, a joint memorandum has been filed by counsel for Te Tawharau o Ngāti Pūkenga on behalf of Ngāti Pūkenga; Ngai Tai ki Tamaki Trust on behalf of Ngai Tai; Roimata Minhinnick on behalf of Ngāti Te Ata and Ngāti Maru; Ngāti Tamaterā and Hauraki Māori Trust Board.

[4] As a result of the recent passing of the Marine and Coastal Area (Takutai Moana) (Customary Marine Title) Amendment Act 2025 (the Act) the memorandum seeks to vacate the scheduled fixture and for the allocation of a replacement fixture no earlier than 1 August 2026.

[5] The memorandum notes that counsel for Ngāti Hako (Mr Hirschfeld) does not presently have instructions and neither consents to nor opposes the adjournment request.

[6] I accept that the significant changes introduced by the Act mean that the parties will need to consider just what new evidence may be required to meet the different test and that it would not be appropriate for the currently scheduled hearing to go ahead.

[7] Accordingly, the Manaia Harbour hearing is vacated.

[8] It is not presently possible to allocate a new fixture date. These cases will be called again at the 2026 Hamilton Case Management Conference (CMC) and counsel are to file and serve updating memoranda no later than two weeks prior to the CMC date.

Churchman J