

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

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

**CIV-2017-485-196
CIV-2017-485-250
CIV-2017-485-185
CIV-2017-485-223
CIV-2017-485-514
CIV-2017-485-317
CIV-2017-485-227
CIV-2017-485-513
CIV-2017-485-318
CIV-2017-485-291
CIV-2017-404-568
CIV-2016-485-770**

UNDER Marine and Coastal Area (Takutai Moana)
Act 2011

IN THE MATTER OF Applications for recognition orders

BETWEEN TE RŪNANGA O NGĀTI AWA for and on
behalf of NGĀTI AWA

TE TAWHARAU O NGĀTI PŪKENGĀ on
behalf of NGĀTI PUKENGĀ
Applicants

intituling cont over

Hearing: 23 July 2026 (by VMR)

Appearances: N Coates and S Burton for Ngāi Taiwhakaea Hapū; Te Whanau A
Apanui,
J Pou for Ngāti Makino Heritage Trust and Ngāti Pikiao Iwi Trust,
J Kahukiwa and G Brayne for Koromātua Hapū O Ngāti
Whakaaue
H K Irwin-Easthope and W I Gucake for Te Rūnanga O Ngāti
Awa
L Thompson for Te Rūnanga O Ngāti Whakaaue ki Maketū Inc
Manu Paora Whanau and Tangihia Hapū
T Thoms for Trustees of Rurima Island Māori Reservation
L H Watson for Ngāti Hikakino
M K Mahuika for Te Whanau a Apanui
T H Bennion for Te Tāwharau O Ngāti Pukenga

J P Koning for Te Rūnanga O Ngāti Whakahemo
G Melvin and D Kleinsman for Attorney-General (interested party)
T Greensmith-West for Whakatane District Council (interested party)
M Hill for Bay of Plenty Regional Council (interested party)
L Burkhardt for Western Bay of Plenty District Council (interested party)
J Hollis for Ford Land Holdings Pty Ltd (interested party)
M Tukapua for Ngāti Hokopu and Te Wharepaia (MAC-01-07-014) (interested party)
B Scott for Seafood Industry Representatives (interested party)
C Mataira for Ngā Pōtiki ā Tamapahore Trust (interested party)

Date of Minute: 6 August 2026

MINUTE (NO.4) OF POWELL J
[Case Management Conference]

MANUKORIHĪ TARAU on behalf of
NGĀI TAIWHAKAEA HAPŪ

MITA RIRINUI for and on behalf of TE
RŪNANGA O NGĀTI WHAKAHEMO

TANGIHIA HAPŪ

THE TRUSTEES OF RURIMA ISLAND
MĀORI RESERVATION

ENID RATAHI-PRYOR, STANLEY
RATAHI an POUROTO NGAROPŌ on
behalf of NGĀTI HIKAKINO, NGĀI TE
RANGIHOUHIRI II and TE TĀWERA

MR LAURIE PORIMA on behalf of
MANU PAORA WHANAU

TE RŪNANGA O TE WHĀNAU on behalf
of TE WHĀNAU A APANUI

NGĀTI MAKINO HERITAGE TRUST
and NGĀTI PIKIAO IWI TRUST on
behalf of NGĀTI MAKINO and NGĀTI
PIKIAO

HOKIMATEMAI KAHUKIWA on behalf
of KOROMATUA HAPŪ OF NGATI
WHAKAUE OF TE ARAWA WAKA

TE RŪNANGA O NGĀTI WHAKAUE KI
MAKETŪ INC on behalf of NGĀTI
WHAKAUE KI MAKETŪ HAPŪ

[1] This teleconference was convened to confirm arrangements through to the fixture of the Central Bay of Plenty applications. The hearing was confirmed to begin on 4 October 2027.

Venue

[2] Previous discussions around venue have been inconclusive with the most likely option identified as being the Baypark Stadium in Tauranga. The Registry advised prior to the teleconference that arrangements have been put in place for the hearing to take place in the conference centre at Te Whare Wānanga o Awanuiārangi. Following discussion with counsel, it was agreed counsel would have the opportunity to further discuss the venue with the Registry and leave is reserved to seek further directions if necessary.

Duration of hearing

[3] It was noted that while the Court had previously directed a 10 week hearing be set down for the hearing of the applications, it has in fact been scheduled for an eight week hearing commencing on 4 October 2027. Counsel are to advise as soon as possible if there is likely to be any issue completing the hearing of the applications within the time available, together with any particular approaches to the hearing of evidence that will be necessary to enable the applications to be determined within the eight weeks available.

Timetable

[4] The draft timetable filed by Ms Irwin-Easthope on behalf of a large number of the Central Bay of Plenty applicants was discussed. It was agreed that it was necessary for the filing of the applicants' evidence to be brought forward so to give more time to consider the appointment of a Pūkenga, and the provision of the agreed bundle by the Attorney-General was also incorporated into the timetable. The revised timetable agreed is included in the schedule to this minute.

Ngā Pōtiki

[5] Ngā Pōtiki sought leave to appear as an interested party at the Central Bay of Plenty hearing. There was no opposition to this expressed at the conference but the Crown sought further time to confirm its position. The Crown has subsequently confirmed it has no opposition, and an order is made accordingly.

Whakaari

[6] A number of applicants sought confirmation that all issues relating to Whakaari should be dealt with as part of the rehearing of the *Edwards* application rather than with the Central Bay of Plenty applications. In response, the Attorney-General indicated that there were potentially issues arising from this approach noting particularly that there is likely to be some issue with regard to the scope of the *Edwards* rehearing.

[7] Following discussion, it was agreed it was appropriate to leave a final decision on the determination of outstanding Whakaari applications will be made in the course of the Tauranga-Rotorua case management conference on 1 September 2026, but that it is to be noted that the position of the Central Bay of Plenty applicants and interested persons is that it is appropriate for all applications relating to Whakaari to be determined in the course of the *Edwards* rehearing if this is able to be accommodated.

Ngāi Taiwhakaea application to substitute named applicant.

[8] On behalf of Ngāi Taiwhakaea, Manukorihi Tarau applied for an order substituting Caroline Takotohiwi as the named applicant for Ngāi Taiwhakaea. It appears that Mr Tarau had previously been substituted for Ms Takotohiwi, although no formal order was made in relation to the substitution nor it appears that any change to the Court record was made. No other party has any interest in this application. After discussing the issue with counsel, to the extent it is necessary I make an order substituting Ms Takotohiwi in place Mr Tarau.

Powell J

SCHEDULE

Item	Due date
Applicants file their evidence (25 weeks before hearing)	12 April 2027
Interested parties, other than the Attorney-General, file their evidence (21 weeks before hearing)	10 May 2027
Submissions on whether to appoint a Pūkenga and confirmation of venue (20 weeks before hearing)	17 May 2027
Attorney-General files evidence (12 weeks before hearing)	12 July 2027
Applicants' evidence in reply to be filed and close of pleadings (7 weeks before hearing)	16 August 2027
Applicants file opening submissions, statement of agreed facts, and bundle of authorities (6 weeks before hearing)	23 August 2027
Interested parties file submission and bundles of authorities (4½ weeks before hearing)	3 September 2027
Attorney-General files common bundle (4 weeks before hearing)	6 September 2027
Attorney-General files submissions and bundles of authorities (3 weeks before hearing)	13 September 2027
Applicants file any statement of agreed facts and draft joint timetable to be filed (2 weeks before hearing)	20 September 2027
Final JC before hearing (if required) (1 week before hearing)	27 September 2027
Stage 1 Hearing Begins	4 October 2027