



**TE KŌTI PĪRA O AOTEAROA  
THE COURT OF APPEAL OF NEW ZEALAND**

**COURT BUSINESS**

**MONDAY 29 NOVEMBER 2021**

**COURTROOM ONE**

THE HONOURABLE JUSTICE COOPER, THE HONOURABLE JUSTICE CLIFFORD  
THE HONOURABLE JUSTICE GILBERT  
MS LOTOMAU

**MISCELLANEOUS MOTIONS**

**10:00am**

**CA303/2021; CA314/2021; CA326/2021; CA327/2021; CA330/2021; CA332/2021; CA339/2021 –  
Interlocutory Applications in relation to appeals from judgment of Churchman J [2021] NZHC  
1025 under the Marine and Coastal Area (Takutai Moana) Act 2011**

- Application for leave to intervene by the Seafood Industry
- Application to strike out CA303/2021 by Nga Hāpu o Whakatōhea and Ngāi Tai
- Application to strike out CA303/2021, CA314/2021 and CA332/2021 by Te Ūpokorehe Treaty Claims Trust
- Application to strike out cross-appeal of Ngāti Ruatakenga (Ngāti Rua) in CA330/2021 by the late Claude Augustin Edwards (deceased), Adriana Edwards and others on behalf of Te Whakatōhea.
- Contingent application by Landowners Coalition Incorporated for leave to intervene if CA303/2021 is struck out

*List of Appeals to which Applications relate:*

**CA303/2021** Landowners Coalition Incorporated (A C Dartnall) v The Late Claude Augustin Edwards (deceased), Adriana Edwards & Ors on behalf of Te Whakatōhea & Ors (J S Cooper QC, Y Singh, T Sinclair, B M Cunningham, T T Williams, C Linstead-Panofo, E Rongo, A Sykes, T H Bennion, J M Pou, B Lyall)

**CA314/2021** Te Rūnanga O Ngāti Awa (H K Irwin-Easthope, K J Tarawhiti) v The Late Claude Augustin Edwards (deceased), Adriana Edwards & Ors on behalf of Te Whakatōhea & Ors (K S Feint QC, A T Sykes, S W Fletcher, A H Warren)

**CA326/2021** Larry Delamere on behalf of Pākōwhai Hāpu (CIV-2017-485-264) (Y Singh, T Sinclair) v The Late Claude Augustin Edwards (deceased), Adriana Edwards & Ors on behalf of Te Whakatōhea & Ors (H K Irwin-Easthope, K J Tarawhiti)

**CA327/2021** The Late Claude Augustin Edwards (deceased), Adriana Edwards & Ors on behalf of Te Whakatōhea (Y Singh, B M Cunningham, T Sinclair) v John Hata, Te Ringahuiā Hata & Antoinette Hata on behalf of Ngāti Patumoana (CIV-2017-485-253) & Ors

**CA330/2021** Christina Davis on behalf of Ngati Muriwai Hāpu (M Sinclair, M Sharp) v The Late Claude Augustin Edwards (deceased), Adriana Edwards & Ors on behalf of Te Whakatōhea & Ors

**CA332/2021** Barry Kiwara on behalf of Kutarere Marae (M Sinclair, M Sharp) v The Late Claude Augustin Edwards (deceased), Adriana Edwards & Ors on behalf of Te Whakatōhea & Ors (T Sinclair, B M Cunningham, T H Bennion, A Sykes, B Lyall, T Williams, H K Irwin-Easthope, K J Tarawhiti)

**CA339/2021** Dean Flavell on behalf of Hiwarau C, Turangapikiktoi, Waiōtahe & Ōhiwa of Whakatōhea (B M Cunningham, Y Singh, T Sinclair) v The Late Claude Augustin Edwards (deceased), Adriana Edwards & Ors on behalf of Te Whakatōhea & Ors (B M Cunningham, T Sinclair, T H Bennion, A Sykes, B Lyall, T Williams, C Linstead-Panoho, J M Pou, H K Irwin-Easthope, K J Tarawhiti)

### **PUBLIC ACCESS:**

Under Level 3 Restrictions all hearings will be conducted remotely (by MS Teams or VMR) and no attendance in Court will be permitted.

Under Level 2 Restrictions hearings will be conducted in person or remotely (by MS Teams or VMR) as advised by the Registry.

### **If you are visiting the Court or attending a hearing in a courtroom you MUST:**

- **Register your attendance by using the Court's QR code (or on a list maintained by Court Security).**
- **Remain 2 metres apart at all times.**
- **Wear a facemask or face covering in public areas and courtrooms, other than when required to speak in court.**
- **Observe hygiene requirements (you may elect to wear gloves).**

**For further information, please refer to the relevant alert level in the Court's Protocol:**

<https://www.courtsofnz.govt.nz/publications/announcements/covid-19/court-protocols/court-of-appeal/>

Please direct any enquires to: [courtofappeal@justice.govt.nz](mailto:courtofappeal@justice.govt.nz)

### **DISCLAIMER:**



This list is published by the Ministry of Justice on behalf of the Court of Appeal of New Zealand. The Ministry has taken all reasonable measures to ensure the quality and accuracy of the information contained in this list.

**However, it is the responsibility of users of the information contained in this list to ensure compliance with conditions, including suppression, or other legal obligations governing access, release, storage and re-publication.**

Details may be subject to change at short notice and the list is intended as a **guide only**.

**If in doubt you should consult the Court:** [courtofappeal@justice.govt.nz](mailto:courtofappeal@justice.govt.nz)

### **INFORMATION:**

#### **Locations:**

The Court of Appeal is located at: [54 Molesworth St, Thorndon, Wellington](#)

All hearings are at the Court of Appeal in Wellington unless otherwise specified.

The Court also sits at the following High Courts (however, please note documents cannot be filed at these addresses – all documents must be sent to the Court at the above Wellington address):

Auckland High Court (Historic Building) – [24 Waterloo Quadrant, Auckland](#) (NB: The Court of Appeal will no longer sit at the Auckland Hearing Centre on Queen Street)

Wellington High Court – [2 Molesworth Street, Wellington](#)

Christchurch High Court (Justice Precinct) – [20 Lichfield Street, Christchurch](#)

Dunedin High Court – [1 Stuart Street, Dunedin](#)

**Lower Court Judgments cited above may be found at the following links (if publicly available):**

Senior Courts Judgments of Public Interest: <https://www.courtsofnz.govt.nz/judgments/>

District Court of New Zealand: <https://www.districtcourts.govt.nz/>

Judicial Decisions Online: <https://forms.justice.govt.nz/jdo/Search.jsp>

New Zealand Legal Information Institute (NZLII): [http://www.nzlii.org/databases.html#nz\\_cases](http://www.nzlii.org/databases.html#nz_cases)