

IN THE SUPREME COURT OF NEW ZEALAND

SC 135/2017  
[2018] NZSC 24

BETWEEN NGĀTI WHĀTUA ŌRĀKEI TRUST  
Applicant

AND ATTORNEY-GENERAL  
First Respondent

NGĀTI PAOA IWI TRUST  
Second Respondent

MARUTŪĀHU RŌPŪ LIMITED  
PARTNERSHIP  
Third Respondent

Court: Elias CJ, William Young and O'Regan JJ

Counsel: J E Hodder QC, J W J Graham and R M A Jones for Applicant  
D J Goddard QC and D A Ward for First Respondent  
N M Whittington and S L K Shaw for Second Respondent  
P F Majurey for Third Respondent

Judgment: 23 March 2018

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**JUDGMENT OF THE COURT**

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- A** Leave to appeal is granted (*Ngāti Whātua Ōrākei Trust v Attorney-General* [2017] NZCA 554).
- B** The approved question is whether the Court of Appeal should have allowed the applicant's appeal to that Court.
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**REASONS**

[1] The approved question is framed so as to permit the applicant to advance the arguments foreshadowed in its leave submissions.

[2] The Court intends to set a fixture for the hearing of the appeal in the week beginning 7 May 2018 or early in the week beginning 14 May 2018. We ask the Registrar to consult with counsel on the actual fixture date. The Court will then set a timetable for submissions.

Solicitors:

Chapman Tripp, Auckland for Applicant

Crown Law Office, Wellington for First Respondent

Meredith Connell, Wellington for Second Respondent

Atkins Holm Majurey Ltd, Auckland for Third Respondent