

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI O AOTEAROA

SC 19/2026  
[2026] NZSC 113

BETWEEN

MERYL TAIMANIA CARTER, RAINA  
RAEWYN DOAR, RAYMOND PAUL  
EDMONDS, JONATHON PEARCE  
EDWARDS, ANITA LEE MARSH,  
TAIPARI BARRY PHILLIP MUNRO AND  
WHITIAO RAEWYN PAUL AS  
TRUSTEES OF WHATITIRI MĀORI  
RESERVES TRUST  
First Applicant

NEW ZEALAND MĀORI COUNCIL  
Second Applicant

AND

ATTORNEY-GENERAL  
First Respondent

NORTHLAND REGIONAL COUNCIL  
Second Respondent

Court: Ellen France and Kós JJ

Counsel: M S Smith KC for Applicants  
D A Ward and K Peirse-O’Byrne for First Respondent  
J V Ormsby and M J Doesburg for Second Respondent

Judgment: 25 August 2026

---

JUDGMENT OF THE COURT

---

- A** Leave to appeal is granted (*Carter v Attorney-General* [2025] NZCA 677).
- B** The approved question is whether the Court of Appeal was correct to dismiss the appeal.
-

## REASONS

[1] Leave is granted in general terms, but parties should focus on the two issues posed in the application—i.e., (1) whether s 18(1)(a) or (h) of Te Ture Whenua Māori Act 1993 confers jurisdiction over the title claim; and (2) whether s 18(1)(c) confers jurisdiction over the compensation claim.

[2] Leave is also being granted in *Cairns v Mercury NZ Ltd*.<sup>1</sup> That appeal raises issues overlapping those in the present appeal. The appeals are to be heard together.

[3] Counsel in the two appeals are directed to confer to manage presentation of written and oral submissions in the most efficient manner possible, including by preparing a joint issues list. A case management conference is directed for 9.30 am on Friday, 9 October 2026.

Solicitors:

Woodward Law, Wellington for Applicants

Te Tari Ture o te Karauna | Crown Law Office, Wellington for First Respondent

Wynn Williams, Auckland for Second Respondent

---

<sup>1</sup> *Cairns v Mercury NZ Ltd* [2026] NZSC 114.