

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI

SC 11/2018  
[2018] NZSC 41

BETWEEN                      NGĀI TAI KI TĀMAKI TRIBAL TRUST  
                                         Applicant

AND                                MINISTER OF CONSERVATION  
                                         First Respondent

                                         FULLERS GROUP LIMITED  
                                         Second Respondent

                                         MOTUTAPU ISLAND RESTORATION  
                                         TRUST  
                                         Third Respondent

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

Counsel:                        A H C Warren for Applicant  
                                         C D Tyson and C C McKay for First Respondent  
                                         A F Pilditch for Second Respondent  
                                         S J M Mount QC and A R Longdill for Third Respondent

Judgment:                      8 May 2018

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**JUDGMENT OF THE COURT**

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- A**            **Leave to appeal is granted (*Ngāi Tai ki Tāmaki Tribal Trust v Minister of Conservation* [2017] NZCA 613).**
- B**            **The approved question is whether the Court of Appeal was correct to dismiss the appeal of the applicant to that Court.**
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Solicitors:  
McCaw Lewis, Hamilton for Applicant  
Crown Law Office, Wellington for First Respondent  
Cook Morris Quinn, Auckland for Second Respondent  
Alderton Mackenzie, Auckland for Third Respondent