

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

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

**CIV-2017-485-183
CIV-2017-485-301
CIV-2017-485-254**

UNDER the Marine and Coastal Area (Takutai Moana) Act 2011

IN THE MATTER of an application by the TRUSTEES OF TE KAAHUI O RAURU TRUST for and on behalf of NGAA RAURU KIITAHU for recognition orders under the Marine and Coastal Area (Takutai Moana) Act 2011

AND

IN THE MATTER of an application by GERRARD PAUL ALBERT and TE KENEHI ROBERT MAIR on behalf of TE AWA TUPUA and NGĀ HAPŪ ME NGĀ URI O TE IWI O WHANGANUI

AND

IN THE MATTER of an application by CHRISTOPHER HENARE TAHANA, EDWARD (FRED) CLARK, HAYDEN TŪROA and NOVENA McGUICKIN on behalf of TE PATUTOKOTOKO

Hearing: On the papers

Counsel: M M Piripi for Te Kaahui o Rauru Trust in CIV-2017-485-183
J P Ferguson for Te Awa Tupua and Ngā Hapū me ngā uri o te iwi o Whanganui in CIV-2017-485-301
L L Black for Te Patutokotoko in CIV-2017-485-254

Date of Minute 12 December 2023

MINUTE OF CHURCHMAN J

[1] This minute addresses applications for recognition orders between the Kai Iwi and Rangitikei rivers. There are four High Court applications in relation to this area, the three listed above and the application in CIV-2017-485-511 (Ngā Wairiki Ngāti Apa). This applicant is currently not represented by counsel.

[2] In addition to the four applications before the High Court there are also four Crown engagement only applications in this area:

- (a) Rakautaua Whenua Tōpū Trust (MAC-01-10-020);
- (b) Rakautaua 1 C Māori Reservation (MAC-01-10-012);
- (c) Ngā Poutama Nui a Awa, Aokehu and Ngāti Taanewai (MAC-01-11-003); and
- (d) Ngā Hapū o Himatangi (MAC-01-11-004).

[3] Counsel in CIV-2017-484-183, CIV-2017-485-301 and CIV-2017-485-254 filed a joint memorandum. The memorandum confirms that its contents have been discussed with the self-represented applicant in CIV-2017-485-511.

[4] Essentially, the memorandum confirms that there have been some discussions between counsel for overlapping applicants and the applicants directly but that these are continuing. There have also been some discussions with overlapping Crown only engagement applicants and/or their counsel.

[5] Although hearings are proposed for areas to the north of the Kai Iwi River and south of the Rangitikei River, in relation to the area between these two rivers the preferred pathway for all applicants is Crown engagement:

- (a) Further meetings between all of the applicants (i.e. High Court and Crown engagement) are required.

- (b) Meetings are scheduled to occur between these applicants over the coming months and a joint meeting is sought with Te Arawhiti early in 2004 to seek a commitment to direct engagement.

[6] The memorandum asks that applications relating to the area between the Kai Iwi River and the Rangitikei River be adjourned until the June 2024 case management conferences and the case management conference scheduled for 14 December 2023 be vacated.

[7] Given the current situation as explained in the memorandum, this seems sensible and I make the orders accordingly.

Churchman J

Solicitors / Counsel:
Mr M M Piripi, Whāia Legal, Wellington
Mr J P Ferguson, Kahui Legal, Wellington
Ms L L Black, Black Law, Nelson