

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

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

**CIV-2017-404-481
CIV-2017-485-193
CIV-2017-485-220
CIV-2017-485-221
CIV-2017-485-224
CIV-2017-485-226
CIV-2017-485-232
CIV-2017-485-259
CIV-2017-485-260
CIV-2017-485-267**

Group M

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

IN THE MATTER OF an application for orders recognising
Customary Marine Title and Protected
Customary Rights

On the papers:

Counsel: C Hirschfeld for Te Hika o Pāpāuma (CIV-2017-404-481)
L Watson for Ngāti Kere Hapū (CIV-2017-485-193)
N Coates and C Mosdell for Pāpāuma Marae Trustees (CIV-2017-485-220)
J Ferguson for Ngāti Kahungunu ki Wairarapa Tāmaki-nui-a-Rua
(CIV-2017-485-221)
R Siciliano for Rangitāne Tū Mai Rā Trust (CIV-2017-485-224)
S Yogakumar and M Sreen for Te Hika o Papaūma (CIV-2017-485-226)
D Naden, M Yogakumar and M Sreen for Ngāi Tūmāpuhia-ā-Rangi Hapū
(CIV-2017-485-232)
T Bennion for Ngāti Hinewaka (CIV-2017-485-259)
M Houra for Te Ātiawa ki Te Upoko o Te Ika a Maui Potiki Trust
(CIV-2017-485-260)
D Naden, M Yogakumar and M Sreen for Tukōkō and Ngāti Moe
(CIV-2017-485-267)

Interested parties:

B Lyall for Ngāi Tumapuhia-A-Rangi Ki Motuwairaka Inc
B Lyall for Ngāi Tumapuhia-A-Rangi Ki Okautete Inc
B Scott for Seafood Industry Representatives
G Melvin for Attorney-General

Minute: 9 March 2023

MINUTE (NO 6) OF CHURCHMAN

[1] A timetable order in this matter was set as long ago as 29 July 2022. The times for the filing of tangata whenua and historian evidence were extended in my minute of 6 December 2022.

[2] The time for interested party evidence to be filed is 16 March 2023, and for the Attorney-General's evidence 16 June 2023, with reply evidence to be filed on 7 July 2023. The close of pleadings date is 4 August 2023.

[3] By memorandum of counsel dated 7 March 2023, the Seafood Industry Representatives (an interested party) have sought a variation to their time for filing evidence. They say this results from them having "absorbed" evidence filed by the applicants in February 2023. It is not clear what particular evidence is being referred to, or what the interests of this interested party are, that necessitate the filing of evidence. Indeed, it is not clear what the proposed evidence is or how long it will take to prepare.

[4] The application is for an extension from 16 March 2023 until 16 June 2023 which is the same date as the Attorney-General is required to file his evidence. Alternatively, they seek the same extension granted to other interested parties, namely to 19 May 2023.

[5] The application is opposed by four applicant groups whose counsel filed a joint memorandum on 9 March 2023. The applicant groups do not oppose an extension to the alternative date of 19 May 2013.

[6] If an extension is granted until 16 June 2023, the applicants will only have three weeks to file any reply evidence. Given that the nature of the evidence proposed to be filed by the interested parties is presently unknown, it is not clear what reply evidence, if any, might be required.

[7] Imposing the same date as that on which the Attorney-General is required to file evidence would deprive the Attorney-General of the opportunity to file evidence in reply to the interested parties' evidence should the Attorney-General think that necessary. It would also distract the applicant groups from preparing their evidence in reply to that of the Attorney-General.

[8] Accordingly, the interested parties' application for an extension is granted, and the date for filing their evidence is to be 19 May 2023.

Churchman J