

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

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

CIV-2011-485-793

IN THE MATTER OF the Marine and Coastal Area (Takutai
Moana) Act 2011

IN THE MATTER OF applications by Colin Francis Reeder and
Ors on behalf of Ngā Potiki a Tamapahore
Trust for an order recognising Customary
Marine Title and Protected Customary
Rights

On the papers:

Counsel: A Warren for Ngā Potiki a Tamapahore Trust (CIV-2011-485-793)
 J N Gear for Ngai Te Rangi Settlement Trust (CIV-2017-485-244)
 S T Webster for Ngāti He Hapū Trust (CIV-2017-485-219)
 T H Bennion for Te Tāwharau o Ngāti Pūkenga (CIV-2017-485-250)
 S Fletcher for Ngā Hapū o Te Moutere o Motiti
 J Mason for Ngāti Whakaue ki Maketu
 A Tapsell and N Tahana for Ngā Hapū o Ngāti Ranginui
 Settlement Trust
 J Koning for Ngāti Whakahemo
 H Irwin-Easthope for Te Runanga o Ngāti Awa
 G Melvin for Attorney-General

Minute: 15 June 2020

**MINUTE (NO. 6) OF CHURCHMAN J
(Ngā Potiki)**

[1] By minute (No 5) of 13 May 2020, the Court varied the timetable directions in this matter as a result of practical difficulties caused by the COVID-19 restrictions.

[2] By joint memorandum dated 8 June 2020, counsel in CIV-2011-485-2793; CIV-2017-485-244; CIV-2017-485-219; and CIV-2017-485-250 filed a joint memorandum seeking to further vary the timetable directions.

[3] Attached to the memorandum was correspondence from the historian who had been retained detailing the practical difficulties he had experienced which meant that his evidence would be unable to be filed in accordance with the revised timetable set in the 13 May 2020 minute. Counsel sought to have the timetable for the filing of applicant evidence varied from 19 June 2020 to 6 July 2020; to have the timetable for interested party evidence amended from 15 September 2020 to 30 September 2020; and to have evidence on behalf of the Attorney-General amended from 15 October 2020 to 30 October 2020.

[4] It was proposed that the balance of the Stage 1 timetable could remain as set out in the minute of 13 May 2020 and that there would be no change to the Stage 2 timetable.

[5] The memorandum confirmed that counsel for the Attorney-General, Tauranga City Council and Bay of Plenty Regional Council supported the timetable change.

[6] The memorandum also sought leave to file all relevant maps supporting the affidavit evidence after that affidavit evidence had been filed. The date proposed was 24 July 2020. The hope was expressed that the applicants would be able to file one combined map book that would cover all applicant evidence. This seems a sensible suggestion.

[7] I am satisfied that a further variation of the timetable directions is required. The amended Stage 1 timetable is:

- (a) the applicant evidence is to be filed and served by **6 July 2020**;
- (b) interest party evidence is to be filed and served by **30 September 2020**; and
- (c) evidence on behalf of the Attorney-General is to be filed and served by **30 October 2020**.

[8] Unless altered, the timetable directions in the 13 May 2020 minute remain.

[9] Leave is granted to the applicants to file and serve the maps supporting their cases no later than **24 July 2020**.

Churchman J