

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

CIV-2017-485-282
CIV-2017-485-210
CIV-2017-485-309
CIV-2017-485-183
CIV-2017-485-243
CIV-2017-485-212
CIV-2017-485-215
CIV-2017-485-310
CIV-2017-485-534
CIV-2011-485-803
CIV-2011-485-814
CIV-2011-485-797
CIV-2017-485-293
CIV-2017-485-300
CIV-2017-485-213

AND

IN THE MATTER OF applications by **Te Rūnanga o Ngāti Ruanui Trust, Araukuuku Hapū, Ngāti Mutunga o Wharekauri, Te Kaahui o Rauru Trust, Te Korowai o Ngaruahine Trust, Taranaki Iwi, Ngāti Mutunga, Te Atiawa Trust, Ngāti Tama, Okahu Inuawai Hapū, Kanihi-Umutahi Hapū, Ngāti Manuhiakai Hapū, Ngāti Hauā Hapū, Ngāti Tamaahuroa and Titahi Hapū, Ngāti Tū Hapū** for orders recognising customary marine title and protected customary rights

On the papers:

Counsel: J Inns for CIV-2017-485-282
T Bennion and E Whiley for CIV-2017-485-210
T Castle for CIV-2017-485-309
M Piripi for CIV-2017-485-183
D Edmunds for CIV-2017-485-243
A Kirwin for CIV-2017-485-212 and CIV-2017-485-215
N Milner for CIV-2017-485-310

T Hovell for CIV-2017-485-534

Self-represented:

M Brooks for CIV-2011-485-803

D Noble for CIV-2011-485-814

M Robinson for CIV-2011-485-797

D More for CIV-2017-485-293

C Scott for CIV-2017-485-300

H Manuirirangi for CIV-2017-485-213

Minute: 18 June 2020

MINUTE (NO. 18) OF CHURCHMAN J

[1] Memoranda have been filed on behalf of the above parties in response to the Court's minute dated 22 May 2020.

[2] The contents of those memoranda and the specific issues for each of the applicants will be summarised in the full minute that the Court will issue following the completion of the June/July round of case management conferences (CMCs).

[3] However, none of the memoranda seek the fixing of a timetable order towards hearing. The memorandum filed on behalf of Te Rūnanga o Ngāti Ruanui Trust (CIV-2017-485-282) queries as to whether a reference to what a memorandum filed on behalf of the three priority applicants referring to the extension of dates for filing of evidence being extended to July 2021. The Court has not yet set any timetable order for the priority application and that reference is presumed to be an invitation to the Court not to make any such order prior to July 2021.

[4] Accordingly, as those parties who were to appear at the New Plymouth CMC, and who have filed memoranda, have all sought a further adjournment and to be dispensed from the need to appear, the CMC scheduled for 16 July 2020 is vacated and the appearance of counsel dispensed with.

[5] If those applicants who have failed to comply with the direction to file a memorandum updating the Court on the current status of their application wish to have their application called, they should promptly contact the Registrar and, technology permitting, the hearing can

proceed with those applicants participating by way AVL link from New Plymouth to the hearing in Wellington.

[6] One particular order is required in relation to Ngāti Mutunga o Wharekauri (CIV-2017-485-309).

[7] At the [172] and [173] in the Court's minute of 25 July 2019,¹ the Court requested that, prior to the next CMC, the applicant address the issue of whether or not that part of its claims relating to the Chatham Islands/Wharekauri should be transferred to the Wellington registry on the basis that the two other claims pertaining to the Chatham Islands/Wharekauri/Rēkohu being progressed in Wellington.

[8] The memorandum filed on behalf of Ngāti Mutunga o Wharekauri iwi/hapū agrees to have that part of its application transferred to the Wellington registry so that any hearing can be held in conjunction with the other claims relating to the Chatham Islands/Wharekauri/Rēkohu. Accordingly, that part of the applicant's claim is transferred from the New Plymouth to the Wellington registry and will be called next in the CMC to be held in 2021 in Wellington.

Churchman J

¹ Minute (No. 2) of Churchman J, 25 July 2019.