IN THE HIGH COURT OF NEW ZEALAND
WELLINGTON REGISTRY

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

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CIV-2017-404-479
CIV-2017-404-481
CIV-2017-485-226
CIV-2017-485-267
CIV-2017-485-232
CIV-2017-485-229
CIV-2017-485-258
CIV-2017-485-211
CIV-2017-485-220
CIV-2017-485-224
CIV-2017-485-217
CIV-2017-485-316

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IN THE MATTER OF	the Marine and Coastal Area (Takutai Moana) Act 2011
AND	
IN THE MATTER OF	applications by **Te Atianga o Ngā Uri o Wharekauri, Te Kia o Papaūma, Tukōkō and Ngāti Moe, Nga Uri o Ngai Tumapuhia a Rangi Hapū, Ngāti Raukawa ki te Tonga, Williams, Tupoki Takarangi Trust, Pāpāuma Marae Trustees, Rangitāne Tū Mai Rā Trust, Hunau of Tame Horomona Rehe, and Moriori Imi** for orders recognising customary marine title and protected customary rights

On the papers:

Counsel: C Hirschfeld for CIV-2017-404-479 and CIV-2017-404-481
A Mohamed for CIV-2017-485-226, CIV-2017-485-267 and
      CIV-2017-485-232
K Tahana, N Coates and C Conroy-Mosdell for CIV-2017-485-229
D Edmunds CIV-2017-485-258
K Tahana and L Underhill-Sem for CIV-2017-485-211 and
      CIV-2017-485-220
R Siciliano and A Anderson for CIV-2017-485-224
M Solomon for CIV-2017-485-217 and CIV-2017-485-316

MINUTE (NO. 20) OF CHURCHMAN J

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[1]   Counsel for 26 of the applicants whose cases are to be called in the case management conference (CMC) scheduled for 29 June 2020 have filed memoranda as requested in the Court's minute of 22 May 2020. Some have sought adjournment for a further 12 months and others have sought to participate in the hearing by way of AVL.

[2]   One applicant, Margaret Morgan-Allen, on behalf of the David Morgan Whānau (CIV-2017-485-214), seeks directions that their application be timetabled to a hearing. The fact that this applicant is seeking a timetable order may mean that other overlapping applicants might now wish to attend the hearing as one of the issues that the Court will have to address in the interests of ensuring that the number of hearings that overlapping parties are obliged to participate in is kept to a minimum in order to reduce cost and inconvenience, is whether there should be a combined hearing in relation to a group of applicants who claim interests in the same area.

[3]   Counsel who had previously advised the Court that they wished to be excused attendance from the CMC should advise the Registrar if their position has changed as a result of this information.

[4]   A full minute will be issued following the completion of the 2020 round of CMCs, but the following directions are made:

    (a)   CIV-2017-404-479 (Te Atianga o Ngā Uri o Wharekauri) and CIV-2017-404-481 (Te Kia o Papaūma) (counsel C Hirschfeld) adjourned for 12 months and counsel's attendance excused;

    (b)   CIV-2017-485-226 (Te Hika o Papaūma), CIV-2017-485-267 (Tukōkō and Ngāti Moe), CIV-2017-485-232 (Ngā Uri o Ngai Tumapuhia A Rangi Hapū) (counsel A Mohamed) adjourned for 12 months and counsel's appearance excused;

(c)   CIV-2017-485-229 (Ngāti Raukawa ki te Tonga) (counsel K Tahana, N Coates, and C Conroy-Mosdell) adjourned for 12 months and counsel excused from attendance at the CMC;

(d)   CIV-2017-485-258 (Williams) (counsel D Edmunds) adjourned for 12 months and counsel excused from attendance at the CMC;

(e)   CIV-2017-485-211 (Tupoki Takarangi Trust) and CIV-2017-485-220 (Pāpāuma Marae Trustees) (counsel K Tahana and L Underhill-Sem) adjourned for 12 months and counsel excused from attendance at the CMC;

(f)   CIV-2017-485-224 (Rangitāne Tū Mai Rā Trust) (counsel R Siciliano and A Anderson) adjourned for 12 months and counsel excused from attendance at the CMC; and

(g)   CIV-2017-485-217 (Hunau of Tame Horomona Rehe) and CIV-2017-485-316 (Moriori Imi) (counsel M Solomon) seeks directions regarding representation and leave to participate by AVL. Leave to participate by AVL is granted. The other issues will be dealt with at the CMC.

[5]   The memoranda from counsel who did not seek to be excused will be dealt with at the CMC. Those counsel who have not filed memoranda on behalf of the clients they represent are encouraged to do so.

Churchman J