

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

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

**CIV-2017-419-81  
CIV-2017-419-82  
CIV-2017-404-526  
CIV-2017-404-575  
CIV-2017-485-207  
CIV-2017-485-216  
CIV-2017-485-209  
CIV-2017-485-202  
CIV-2017-419-85**

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

AND

IN THE MATTER OF      applications by **Ngāti Te Wehi, West  
Coast Iwi and Hapū ki Marokopa  
Marae, Ngā Tini Hapū o Maniapoto,  
Ngaati Mahuta ki te Hauaaauru, Ngāti  
Apakura, Ngā Hapū o Mokau ki Runga,  
Te Tūnanganui o Ngāti Hikairo,  
Te Tokanganui-a-Noho Regional  
Management Committee** for orders  
recognising customary marine title and  
protected customary rights

On the papers:

Counsel:                      D Stone and C Leauga for CIV-2017-419-81  
   B Loader for CIV-2017-419-81  
   C Hirschfeld for CIV-2017-404-526  
   R Siciliano for CIV-2017-404-575  
   T Bennion for CIV-2017-485-207, CIV-2017-485-216 and  
   CIV-2017-485-209  
   M Piripi for CIV-2017-485-202  
   W Jensen (representative) for CIV-2017-419-85

Minute:                      26 June 2020

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## **MINUTE (NO. 23) OF CHURCHMAN J**

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[1] Ten of the 12 applicants whose applications are to be called at the Hamilton CMC ON 13 July 2020 have filed memoranda as directed by the Court in its minute of 22 May 2020.

[2] The detail in those memoranda will be addressed in the minute to be issued by the Court following the completion of the 2020 round of case management conferences (CMCs) but this minute will address the various requests by counsel for attendance by AVL, dispensation from attendance, and adjournments where dispensation from attendance has been sought.

[3] I make the directions in relation to attendance as follows:

- (a) Ngāti Te Wehi (CIV-2017-419-81) (counsel D Stone and C Leauga). The application to attend by AVL is granted.
- (b) West Coast Iwi and Hapū ki Marokopa Marae (CIV-2017-419-082) (counsel B Loader). Counsel's memorandum dated 14 May 2020 advises of a change of identity for one of the named applicants. A separate memorandum of 8 June 2020 indicates the applicants are "currently working towards a two-year work plan" and "will provide a further update on progress by 8 December 2020". The memorandum does not indicate whether counsel will be attending in person at the Hamilton CMC, whether they wish to attend by AVL, or wish to be excused. Counsel should clarify their attendance status with the Registrar prior to the CMC.
- (c) Ngā Tini Hapū o Maniapoto (CIV-2017-404-526) (counsel C Hirschfeld, B Tupara and T A Thompson). The application is adjourned for 12 months and counsel's attendance at the Hamilton CMC excused.
- (d) Ngaati Mahuta ki te Hauaauru (CIV-2017-404-575) (counsel R Siciliano). The application is adjourned for 12 months and counsel's attendance at the Hamilton CMC excused.

- (e) Ngāti Apakura (CIV-2017-485-207), Ngā Hapū o Mokau ki Runga (CIV-2017-485-216), Ngā Hapū o Mokau ki Runga (CIV-2017-485-209) (counsel T Bennion and E Whiley). All are adjourned for 12 months and counsel's appearance dispensed with.
- (f) Te Tūnanganui o Ngāti Hikairo (CIV-2017-485-202) (counsel M Piripi). A 12 months adjournment is granted and counsel's appearance excused.
- (g) Te Tokanganui-a-Noho Regional Management Committee (CIV-2017-419-85) (W Jensen, representative) has emailed the Registrar advising an intention to attend the Hamilton CMC. At the CMC the Court will expect to be advised what progress has been made in advancing this claim.

[4] Those counsel/applicants who have not yet filed and served memoranda are requested to do so without delay.

**Churchman J**