IN THE HIGH COURT OF NEW ZEALAND WELLINGTON REGISTRY

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

CIV-2011-485-817

UNDER The Marine and Coastal Area

(Takutai Moana) Act 2011

IN THE MATTER of an application for an order recognising

Customary Marine Title and Protected

Customary Rights by the late

Claude Augustin Edwards (deceased), Adrian Edwards and others on behalf of

Te Whakatōhea, and Others

Counsel: T Sinclair and

T Sinclair and B Cunningham for Te Whakatōhea (CIV-2011-485-817); Hiwarau C, Turangapikitoi, Waiōtahe, and Ōhiwa of Whakatōhea (CIV-2017-485-375); Pākōwhai Hapū (CIV-2017-485-264); and Te Whānau-a-Apanui Hapū (CIV-2017-485-278)

- T K Williams and C Linstead-Panoho for Ngai Tamahaua Hapū (CIV-2017-485-262) and Te Hapū Titoko o Ngai Tama (CIV-2017-485-377)
- E Rongo for Ngāi Tai (CIV-2017-485-270) and Ririwhenua Hapū (CIV-2017-485-272)
- C Leauga, D Stone and D Lafaele for Te Whānau a Harawaka (CIV-2017-485-238)
- B Lyall for Te Ūpokorehe Treaty Claims Trust (CIV-2017-485-201)
- M Sinclair, M Sharp and J Waaka for Ngāti Muriwai Hapū (CIV-2017-485-269)
- A Warren and K Ketu for Te Uri o Whakatōhea Rangatira Mokomoko (CIV-2017-485-355)
- A Sykes, J Chaney (17–21 August) and C Dougherty Ware (31 August–23 October) for Ngāti Ira o Waiōweka (CIV-2017-485-299)
- T Bennion for Ngāti Patumoana (CIV-2017-485-253)
- J Pou for Whakatōhea Māori Trust Board (CIV-2017-485-292)
- C Hirschfeld for Ngāti Huarere ki Whangapoua (CIV-2017-404-482) (watching brief only)
- T Castle for Ngāi Taiwhakaea (CIV-2017-485-185) (watching brief only)

Interested Parties:

K Feint QC for Ngāti Ruatakenga (CIV-2017-485-292)

C Finlayson QC, A Dartnall, P Cornegè and S Eldridge for Landowners Coalition Incorporated

H Irwin-Easthope and K Tarawhiti for Te Rūnanga o Ngāti Awa (CIV-2017-485-196)

M Mahuika and N Coates for Te Rūnanga o te Whānau-a-Apanui (CIV-2017-485-318)

R Roff, R Budd and S Gwynn for Attorney-General

M Jones for Whakatāne District Council

T Reweti for Bay of Plenty Regional Council and Ōpōtiki District Council

A Williams for Seafood Industries Representatives

Minute: 16 December 2021

MINUTE OF CHURCHMAN J (Re Edwards (Whakatōhea) – Stage 2 directions)

Start date and hearing time

[1] The Stage 2 hearing in this matter to finalise recognition orders will commence at 10am on Tuesday 15 February 2022, and conclude no later than 5pm, Friday 26 February 2022.

Venue

[2] The hearing will be held at the Millennium Hotel Rotorua in the Mokoia Room.

COVID-19 matters

[3] Millennium Hotel have a policy of requiring to sight the Vaccine Pass of anyone coming onto their premises. While the Court has full authority as to what occurs inside the courtroom (in this case the Mokoia Room at Millennium Hotel), the Millennium Hotel are entitled to apply their policy to anyone entering their building. Accordingly, counsel, witnesses and any other attendees who wish to be physically present, will need to present a Vaccine Pass.

[4] Provision will be made for attendance by way of VMR for those who wish to not attend in person. All those seeking to attend by VMR should contact the Registrar (Mr Tom Roughan) to make the necessary arrangement.

Draft recognition orders, submissions and evidence

[5] Written briefs of any evidence that the parties propose to tender in relation to the finalisation of recognition orders is to be filed and served no later than 5pm, Monday 31 January 2022, along with any legal submissions and the proposed draft recognition orders.

PB Churchman J

Churchman J