

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

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

**CIV-2017-485-196
CIV-2017-485-223
CIV-2017-485-318
CIV-2017-485-185
CIV-2017-485-317
CIV-2017-485-227
CIV-2017-485-513
CIV-2017-485-291**

UNDER the Marine and Coastal Area
(Takutai Moana) Act 2011

IN THE MATTER OF an application for orders recognising
Customary Marine Title and Protected
Customary Rights

Hearing: 12 December 2022

Counsel: H Irwin-Easthope for Te Rūnanga o Ngāti Awa (CIV-2017-485-196)
J Koning for Te Rūnanga o Ngāti Whakahemo (CIV-2017-485-223)
N Coates for Te Whānau a Apanui (CIV-2017-485-318)
T Castle (written submissions only) for Ngāi Taiwhakaea Hapū
(CIV-2017-485-185)
J Ferguson for Trustees of Rurima Island Māori Reservation
(CIV-2017-485-317)
L Watson for Ngāti Hikakino, Ngāi Te Rangihouhiri II and Te Tāwera
(CIV-2017-485-227)
J Mason for Manu Paora Whānau (CIV-2017-485-513)
J Pou for Ngāti Makino and Ngāti Pikiaio (CIV-2017-485-291)
J Kahukiwa for Hokematemai Kahukiwa on behalf of Koromatua Hapū o
Ngāti Whakaue o Te Arawa Waka (CIV-2017-485-568)
T Bennion for Te Tawharau o Ngāti Pūkenga (CIV-2017-485-250)
G Melvin for Attorney-General

Minute: 13 December 2022

**MINUTE (NO. 13) OF CHURCHMAN J
[CMCs – Rotorua and Tauranga (No.2)]**

CIV-2017-485-196 – *Te Rūnanga o Ngāti Awa*
 CIV-2017-485-223 – *Te Rūnanga Ngāti Whakahemo*
 CIV-2017-485-318 – *Te Whānau a Apanui*
 CIV-2017-485-317 – *Trustees of Rurima Island Māori Reservation*
 CIV-2017-485-227 – *Ngāti Hikakino, Ngāi Te Rangihouhiri II and Te Tāwera*
 CIV-2017-485-513 – *Manu Paora Whānau*
 CIV-2017-485-291 – *Ngāti Makino and Ngāti Pikiāo*
 CIV-2017-485-568 – *Hokematemai Kahukiwa on behalf of Koromatua Hapū o Ngāti Whakaue o Te Arawa Waka*
 CIV-2017-485-250 – *Te Tawharau o Ngāti Pūkenga*

[1] These claims relate to the area between the eastern boundary of the *Re Reeder* priority proceedings and the western boundary of the *Re Edwards* priority proceedings. Counsel submit that it would be most efficient to hear them all as one block. They seek timetable directions for a 10-week hearing in Q4 2024 (if available) otherwise in Q1 2025. They propose a draft timetable in the following form:

Step	Timeframe
Applicants file their evidence.	Six months prior to hearing.
Interested parties other than the Attorney-General file their evidence.	Four months prior to hearing.
Attorney-General files evidence.	Three months prior to hearing.
Submissions on pūkenga appointment (if required).	Three months prior to hearing.
Applicants' evidence in reply to be filed.	Two months prior to hearing.
Close of pleadings date.	Two months prior to hearing.
All parties file open submissions and bundles of authorities.	Two weeks prior to hearing.
Applicants file any statement of agreed facts.	Two weeks prior to hearing.
Draft joint hearing timetable to be filed.	Two weeks prior to hearing.
Hearing date subject to Court availability either late 2024 or early 2025.	

CIV-2017-485-185 – Ngāi Taiwhakaea Hapū

[2] Mr Castle filed a memorandum indicating the applicant was ready to proceed in either Q4 2024 or Q1 2025. The timetable proposed in the joint memorandum was supported.

[3] In addition to signing the joint memorandum, Ms Mason filed a separate memorandum. As the nominated applicant, Mr C M Paul is now deceased counsel sought to substitute Laurie Porima as substitute. Accordingly, I add Mr Porima's name to the application.

[4] The memorandum also noted that it was anticipated that the final version of historical evidence will be ready by early 2023. Tangata whenua evidence collection has not yet commenced.

[5] Ms Mason supported the timetable proposed in the joint memorandum. Given the broad support for that timetable, I adopt it.

[6] The attendance of all counsel at the 12 December 2022 CMC is excused. These matters are to be set down for a 10-week hearing on the first available date after the start of 2025. Once the date for the commencement of the hearing is fixed, the timetable as set out in the joint memorandum is to be implemented.

[7] All these matters will be called again in the June/July 2023 CMCs.

Churchman J