

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

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

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

IN THE MATTER OF See schedule
APPLICATIONS BY

Hearing: On the Papers

Counsel: J L Inns for Te Whanau o Topi and Raupuke Island Group
J A Riddell for Ngāi Tu-ahu-riri and Ngāi Tahu Whanui
T Castle for Te Runganga o Rangitane o Kaituna
A K Irwin for Ngāti Koata
M Radich for Rangitane O Wairau
L Black for Tahuaroa-Riwaka Houra Whanau, Tahuaroa-Watson
Whanau and Henare Tahuaroa-Watson Whanau
Self represented Te Atiawa o Te Waka-a-Maui

Interested parties
J Inns for Ngati Rarua

Minute: 15 July 2025

**MINUTE OF CHURCHMAN J
[Nelson / Dunedin Case Management Conference
scheduled for 6 August 2025]**

Schedule

CIV-2017-485-295	Te Whanau o Topi
CIV-2017-485-296	Raupuke Island Group
CIV-2017-485-266	Ngāi Tu-ahu-riri
CIV-2017-485-280	Ngāi Tahu Whanui
CIV-2017-485-167	Te Runganga o Rangitane o Kaituna
CIV-2017-485-218	Ngāti Koata

CIV-2017-485-251 Rangitane O Wairau
CIV-2017-485-171 Tahuaroa-Riwaka Houra Whanau
CIV-2017-485-172 Tahuaroa-Watson Whanau
CIV-2017-485-182 Henare Tahuaroa-Watson Whanau
CIV-2017-485-365 Te Atiawa o Te Waka-a-Maui

CIV-2017-485-295 (Te Whanau o Topi) and CIV-2017-485-296 (Ruapuke Island Group)

[1] The Stage 1 hearing in relation to these applications is completed and a decision is awaited. The applications are adjourned to be called again at the 2026 Case Management Conferences (CMC). Counsel attendance is excused.

CIV-2017-485-266 (Ngāi Tu-ahu-riri); CIV-2017-485-280 (Ngāi Tahu Whanui); CIV-2017-485-167 (Te Runganga o Rangitane o Kaituna) and CIV-2017-485-251 (Rangitane O Wairau)

[2] Given legislative and funding uncertainty these parties seek no directions.

CIV-2017-485-218 (Ngāti Koata)

[3] This applicant has both direct Crown engagement and High Court applications. It has been unable to make any progress with its direct engagement application and indicates that when the matter is next called it may seek a hearing to be allocated in respect of these proceedings.

CIV-2017-485-171 (Tahuaroa-Riwaka Houra Whanau); CIV-2017-485-172 (Tahuaroa-Watson Whanau); CIV-2017-485-182 (Henare Tahuaroa-Watson Whanau) and CIV-2017-485-365 (Te Atiawa o Te Waka-a-Maui)

[4] These applicants have not filed an updating memorandum. If they do not do so prior to 5 August 2025 they are required to attend the 6 August 2025 CMC by way of VMR.

[5] All applicants who have sought to have their attendance excused are excused attendance at the 6 August 2025 CMC. The CMC will proceed by way of VMR only.

Interested parties

Ngāti Rarua

[6] The Ngāti Rarua Settlement Trust is Crown engagement only applicant but on 26 May 2023 was granted leave to appear in five over-lapping applications. Its preparation towards hearing has been hampered by funding difficulties. Counsel's application to be excused attendance at the 6 August 2025 CMC is excused. This matter will next be called at the 2026 CMC.

Attorney-General

[7] On 4 July 2025 counsel for the Attorney-General filed a memorandum in relation to funding. The memorandum addressed funding under the Financial Assistance Scheme (FAS) for applicants under the Marine and Coastal Area (Takutai Moana) Act 2011.

[8] The memorandum advised that the interim 2024/25 FAS settings would remain for the 2025/2026 financial year and that the Crown would continue to prioritise funding for:

- Crown engagement applicant engagement groups who are close to seeking ministerial determination in the current financial year:
- High Court applicant groups who have High Court hearings scheduled in either of the 2025/26 or 2026/27 financial years.

[9] Budgeted work plans for the 2025/26 financial year are required before funding will be provided.

Discussion

[10] The funding available is insufficient to fund all the applications that are ready for hearing and where applicants are seeking fixtures.

[11] The Court's ability to schedule fixtures to take place beyond the end of the 2026/27 financial year is compromised by the fact that such cases have no priority to seek funding and until funding is granted most applicants are not in a position to properly prepare for hearing.

[12] The ability of the Court to ensure the timely and efficient disposal of the cases before it is therefore significantly adversely affected.

Churchman J

Solicitors:

Ocenlaw New Zealand, Nelson for Te Whanau o Topi and Ruapuke Island Group

Te Kura Taka Pini Ltd, Christchurch for Ngāi Tūāhuriri hapū

Radich Law, Blenheim for Te Rūnanga a Rangitāne o Wairau Trust