

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

CIV-2017-485-000218

IN THE MATTER OF An application by HORI TURI
ELKINGTON, of Wellington, trustee of the
Ngāti Koata Trust, for recognition orders
under the Marine and Coastal Area
(Takutai Moana) Act 2011

(AND OTHER PROCEEDINGS LISTED
IN THE SCHEDULE TO THIS
MEMORANDUM)

Date: 10 July 2017

MINUTE/DIRECTIONS OF VENNING J

Solicitors: Crown Law, Wellington (D A Ward and G L Melvin)
Lovell & Associates Ltd, Upper Hutt

[1] The previous minutes on this file refer. As with Mallon J's minute of 1 June 2017 this minute relates to all applications for recognition orders under the Marine and Coastal Area (Takutai Moana) Act 2011 before the High Court. It is issued under this proceeding for convenience.

[2] In response to the minute of 1 June 2017 the Crown has filed a further memorandum of 30 June 2017 together with a number of annexures.

[3] In addition counsel for the Crown has made a suggestion for the steps which might be taken to advance the proceedings further.

[4] The Registrar has also referred a number of memoranda filed by counsel for applicants or other interested parties. I have considered those memoranda.

[5] The present focus to advance these proceedings must be to ensure that all applicants who claim an interest within the various zones identified by the Crown are accurately identified and that the extent of the zones are clarified. Applicants should have the opportunity to consider the applications made by other interested parties within that same zone. Where there is an overlap and/or commonality between the applications, that may affect the position taken by the applicants/interested parties and may well affect how the matter is dealt with both by the Court and also by the Crown in terms of any potential resolution short of hearing.

[6] To facilitate that progress I make the following directions:

- (a) The applicants in each zone listed in Annexure C to the Crown's memorandum of 30 June 2017 are to serve by email copies of their applications on all other counsel and parties within that zone by 17 July 2017.
- (b) All applicants and current registered interested parties are then to file memoranda by 14 August 2017, addressing, but not necessarily limited to the following matters:

- [i] confirming the applications in which they seek to appear and be heard;
- [ii] setting out the grounds for their interest in that proceeding; and
- [iii] confirming agreement or otherwise with the Crown's proposed grouping.

[7] The Court will then allocate case management conferences focused on the zones identified by the Crown. In advance of the conferences, the Crown will be directed to file updating memoranda, addressing the issues which remain outstanding from the 1 June minute.

[8] For management purposes all applications under the Act will be held and managed initially at least, within the Wellington Registry. Documents are to be filed with that Registry, but maintaining the original CIV reference.

Venning J