

**MARINE AND COASTAL AREA (TAKUTAI MOANA) ACT 2011
HAMILTON CASE MANAGEMENT CONFERENCE**

13 JULY 2020

Judicial Officer:

The Honourable Justice Churchman

Counsel:

A Sykes and J Chaney for CIV-2017-419-83

D Stone and C Leauga for CIV-2017-419-81

B Loader for CIV-2017-419-82

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 (self-represented) for CIV-2017-419-85

H Rauputu and H Jamieson for CIV-2017-419-80 and CIV-2017-485-216

J Ferguson for CIV-2017-419-84

Interested Party:

G Melvin for Attorney-General

HEARING COMMENCES ON MONDAY 13 JULY 2020 AT 10:00 AM

JUSTICE CHURCHMAN:

Tēnā koutou, tena koutou, tena huihui mai tātou katoa.

5

Good morning and welcome to those who are participating by AVL and those who are here in person.

Just as a heads up as to what I might like to hear from some of you today.

10 Firstly, those of you who have been looking at the website will appreciate that there has been a draft practice note in relation to mapping. That's due to the good work that's been done by the team and I acknowledge Ms Sykes' efforts here in that regard. And, also Mr Melvin, who is present by AVL link. So I'd encourage all of you to have a look at that draft practice note and to make
15 whatever submissions that you want to, and obviously if ultimately it becomes a final practice note as I anticipate it will, probably largely unchanged, to file your maps in accordance with it.

The other thing that some of you have heard me say, is that we're now looking
20 at potentially setting down matters for hearing from about the middle of next year, and what I would like to do, because I think it's most efficient and it avoids parties having to participate in serial hearings, is if there are natural groupings, half a dozen or whatever the number is, that we can address at one hit rather than have 200 separate hearings one after the other.

25

So, if you could give some thoughts where your client sits in respect of that. Obviously, as I've said in some prior CMCs, one of the critical thing to resolving these matters in an efficient and expeditious way is for parties to talk to those of their cross-applicants, client's cross-applicants, and if possible achieve some
30 measure of consensus.

So, I thank counsel for their various memoranda, and one of the reason why there are so relatively few of you is that the information provided in a lot of the memoranda was sufficient to justify dispensation with attendance.

- 5 So, what I would do now is ask Mr Registrar to go through and we can record appearances. Thanks.

REGISTRAR:

CIV-2011-419-83 – Tainui Hapū o Tainui Waka.

10 **SYKES:**

Ki te Kaiwhakawā koutou e noho mai nei kei raro i te maru o te mana o te Kingitanga me tēnei rohe o Tainui, a, tēnā tātou katoa.

- 15 May it please the Court, I appear this morning for Ms Angeline Greensill on behalf of Tainui Hapū o Tainui Waka. She apologises for her absence today. She was going to come in Sir but I think as has been made clear from submissions, we're trying to develop a co-operative approach and I'll expand on that later, but she says her absence is by no means disrespectful to the Court.

20 **JUSTICE CHURCHMAN:**

I will not take it that way. Thank you for that. Tēnā koe Ms Sykes.

REGISTRAR:

CIV-2017-419-81 – Ngāti Te Wehi.

LEAUGA:

- 25 Tēnā koutou katoa. May it may please the Court, counsel's name is Ms Leauga and I appear on behalf of the applicant, Dane Bradshaw, who has filed on behalf of Ngāti Te Wehi.

JUSTICE CHURCHMAN:

Tēnā koe Ms Leauga.

REGISTRAR:

CIV-2017-419-82 – West Coast Iwi and Hapū ki Marokopa Marae.

5 **LOADER:**

Tēnā koutou katoa, counsel's name is Ms Loader and I'm here on behalf of CIV-2017-419-82 claim on behalf of West Coast Iwi and Hapū ki Marokopa Marae. The original named claimant being Lorretta Maxine Poa but in accordance with the memorandum of counsel dated 14 June, we have requested that the named
10 applicant be replaced with Natasha Willerton.

JUSTICE CHURCHMAN:

Tēnā koe Ms Loader.

REGISTRAR:

15 CIV-2017-419-80 – Tootill and CIV-2017-485-216 – Ngā Hapū o Mokau ki Runga.

RAUPUTU:

Kei te Kaiwhakawā, otirā tātou katoa tēnā koutou. May it please your Honour, counsel's name is Ms Rauputu and I appear alongside my colleague Ms Jamieson on behalf of Glenn Tootill who represents the interests of Ngāti
20 Maniapoto and Kawhia Aotea and Whangaroa Harbour.

And the second application on behalf of Ngā Hapū o Mokau ki Runga, represented by Mokau ki Runga Regional Management Committee.

25 Your Honour we just note that we've recently been instructed to act for both of these applications, āe, tēnā tātou.

JUSTICE CHURCHMAN:

Tēnā kōrua.

REGISTRAR:

CIV-2017-419-84 – Waikato-Tainui.

5 **FERGUSON:**

Te Kaiwhakawā, tēnā koe. Counsel is Ferguson, appearing for Stanley Rahui Papa on behalf of Ngā Hapū me Ngā Marae o Te Takutai Moana o Waikato Tainui. First Sir, apologies that there isn't a memorandum. I have been playing catch-up following a whānau bereavement. I managed to file some but not this
10 one Sir. So, my apologies for that.

Ms Sykes would like me to lead off on some matters when we've gone through all of the call through of counsel Sir.

JUSTICE CHURCHMAN:

15 Tēnā koe Mr Ferguson.

REGISTRAR:

Interested party – the Attorney-General.

JUSTICE CHURCHMAN:

Mr Melvin could you turn your volume on, you must have your mute button
20 down.

MELVIN:

My apologies Sir, tēnā koe Sir. I appear for the Attorney-General and Mr Agnew from Te Arawhiti is with me this morning as well.

JUSTICE CHURCHMAN:

25 Tēnā kōrua.

Right, thank you. Now, if we can go through the substantive cases Mr Registrar.

REGISTRAR:

CIV-2017-419-84 – Waikato-Tainui.

FERGUSON:

5 Thank you Sir. We've had some constructive discussions with my friend
Ms Sykes for the claim brought by Ms Angeline Greensill **[inaudible 10:09:36]**
of Your Honour's encouragement for parties to try and coalesce and see where
matters can be constructively progressed. Also, we had a fleeting discussion
sorry, regarding her claim as well, or her client's claim.

10

The fact of the matter and certainly in terms of my client's application Sir, is that
it's one of those overarching claims that was made in order to ensure that all of
Waikato-Tainui hapū, marae and the groupings on the coast had an application
before the Court, but it is supportive and believes the primary cases should be
15 led from those hapū and marae interests, including those represented by my
friend Ms Sykes.

20

However, the initiative that we are wishing to explore between counsel and
other counsel that may be interested is to approach the Crown to look for some
form of priority engagement, because the preference is to see if we can get
priority in terms of direct engagement rather than the adversarial contest before
Your Honour, appreciating that's obviously Sir, if that isn't possible then we will
look to see where we can coalesce in terms of hearings that cover some of
those harbours collectively as soon as possible.

25

So that in order to allow for that to happen, I think we are in unison for a 12-
month adjournment for that purpose.

30

One of the recent developments that is of some relevance and interest to other
parties is that the Treaty claims, outstanding Treaty claims, of Waikato-Tainui

that's in relation to the West Coast harbours from Manukau down to Kawhia. A mandate has recently been granted by the Crown to Waikato-Tainui. Mr Papamai, my client Sir, is the chief negotiator for that. It covers a number of the iwi and hapū groupings, but not all and my friend Ms Sykes' clients are
5 not within that mandate although there's an ongoing mechanism for engagement.

Now, while those are different courses, very much Treaty settlement negotiations rather than applications under the Takutai Moana legislation,
10 there's obviously an inter-relationship Sir, and those matters need to speak to one another if those processes go ahead, and that's really another significant plan for why we want to seek priority engagement or at least explore that with the Crown because those settlement negotiations will proceed probably very quickly after a new Government is formed Sir.

15

So, there will be active Treaty negotiations going on in the space of those harbours and therefore we want to explore whether the Crown is willing to have parallel discussions in terms of the Takutai Moana claims that also apply to those areas Sir. So, that's the position, I think, unless my friend has anything
20 to add.

JUSTICE CHURCHMAN:

In respect of the Crown's draft engagement schedule which they've recently published, can you remind me what years it's anticipated these claims might otherwise be....

25 **FERGUSON:**

Mr Melvin will probably correct me, but I think it's after 2023 is it? I can't remember whether it is in the second, in the third or the fourth. I think it's not the last.

MELVIN:

30 It's from 2027 onwards I understand.

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FERGUSON:

2027 sorry. I was far too excited thinking it was 2023 onwards.

5 So, we will need, and obviously that process is likened for some submissions
Sir because it was all delayed due to the COVID pandemic, so I think that's the
approach that we want to try and jointly take. I'll be talking to my client about
that in the next day or two Sir.

JUSTICE CHURCHMAN:

10 Are you suggesting that engagement in the Treaty process with the Tribunal
could delay or interfere with the Marine and Coastal Area Act claim?

FERGUSON:

15 I think, and again my friend Mr Melvin will verify the position from the Crown's
perspective, but my understanding is that the Crown albeit that Te Arawhiti is
responsible, in an overarching sense, for both the Takutai Moana and the
Treaty processes, that they are very firm that there is a delineation between the
two and that the Treaty settlement process won't undermine or derogate from
the ability of claimants to progress applications under this legislation Sir.

JUSTICE CHURCHMAN:

20 No, and I would have thought, if anything, there's a possibility for research being
done for the one purpose actually being used for advancing the other purpose.

FERGUSON:

25 That's right, and that's the very conversation that I've had with my friend
Ms Sykes about the sense and utility of exploring to what extent that is possible
and if the Crown is in a position where it can obviously assist that through the
mechanisms that's available to it, then that will obviously be an added
encouragement for us to work closely together to try and advance those matters
Sir. And that seems to be, I think, just the trigger of that Treaty settlement
process and the mandate being granted for the Waikato-Tainui claims, it
doesn't go as far south obviously as the Maniapoto ones, they're in their own

settlement negotiations, but they certainly have shared interests in those bottom harbours. That means there's some utility, I think, in trying to put some efforts into a process that can advance these matters over the next 12 months Sir. And we would hope at that point Sir, to know whether we have got the
5 resourcing and the commitment from the Crown to engage or whether we actually have to move onto a hearing process Sir.

JUSTICE CHURCHMAN:

All right, thank you. Just one further thing. It is important to clarify exactly who the application is being advanced on behalf of and, as I've said in some recent
10 minutes, it seems to be that some parties haven't quite got the concept that it has to be, in terms of the Act, an iwi, a hapū or a whānau. And while a post-settlement entity can be the nominal applicant, in terms of the body that ultimately will get the recognition order, the case must be advanced on one of those entities.

15 FERGUSON:

I appreciate that Sir and that's particularly the case of a number of these iwi entity-led applications around the motu. They're obviously, as part of Te Whakakitenga o Waikato, which is the governance entity, and their rules. There are a large number, I think 67 hapū, that are represented on that but it's very
20 important for Your Honour, and not only for advancing our claim for that process of working through with those hapū that are separately represented and have separate claims to make sure that you know, we're making it clear we're not advancing their claim on behalf of those. We're supporting them, but these are the residual areas and that's still an ongoing process to work out where those
25 – which hapū are represented, and which are not. But I agree that that's also something that needs to be advanced sooner rather than later Sir, clarified for Your Honour.

JUSTICE CHURCHMAN:

Absolutely, and that in some of the cases that are now proceeding to hearing, the fact that that has not been ultimately resolved has been a detraction and has resulted in unnecessary duplications.

5 **FERGUSON:**

Yes.

JUSTICE CHURCHMAN:

So, I commend it to you if you put as much effort as you possibly can into addressing that issue so that hopefully, in 12 months' time, it will be clear
10 exactly who is advancing a case in respect of whom.

FERGUSON:

It's very sensible Sir, thank you.

JUSTICE CHURCHMAN:

Yes, thank you, Mr Ferguson. Now, do you wish to reply to something
15 Mr Ferguson said Ms Sykes?

SYKES:

Yes, if I could. Ms Greensill has arrived, but I just support the submissions that have been made by Mr Ferguson. We're in parallel process with the Treaty settlement negotiation between the Crown and Waikato-Tainui, but we have
20 been excluded from that and deliberately because Tainui Hapū o Tainui Waka have some variation in whakapapa, so it is an important exclusion, but it is a co-operative position, if I can put it that way Sir.

And Your Honour's first question to us this morning, "What would be appropriate
25 large natural groups?" We would say we are a large natural group and Waikato-Tainui is one, but we can work together to find I think an appropriate way to work an application by consent, I think full consent for a customary

marine title recognising those relationships and the exclusivity of those areas that are held by those respective hapū.

5 If I can talk about harbours, if that is the best way. Whaingaroa Harbour has been working very co-operatively with Aotea Harbour and is hopeful to develop a relationship with those claimants in the Kāwhia Harbour.

10 Now, there is some complexity in Kāwhia because Ngāti Maniapoto interests, which my friend Ms Rauputu represents, converge with my friend from Ngāti Te Wehi, Ms Leauga's clients. So, in terms of a large natural grouping, even though we don't derive from the same whakapapa, it would make sense I think from a territorial sovereignty perspective for those three harbours right through to Port Waikato to see if we can have a priority negotiation along the terms my friends – and the merit of it is we could avoid a hearing and that's why
15 we would be urging in any funding applications independent of this process some very skilled facilitators of the kind that the pukenga are able to perform in this jurisdiction to help us get through some of the more complex matters. That is why the adjournment for 12 months is sought, but of course, it is dependent now on funding and prioritisation from my friends, the Crown. They have
20 prioritised the Tainui-Waikato negotiations for the Treaty of Waitangi settlement. It makes enormous sense that these matters be dealt with in a same timeframe. So, that would answer your first proposition, who would be the natural groupings.

25 I cannot speak for claims like Ngāti Te Ata, they will normally appear in the Auckland judicial conferences, we have not approached them yet, but they are another separate group that naturally align to the kind of construct that we are talking about.

30 But as again, I have said three important matters, skilled facilitation, a recognition of taking parts to get to a whole, Sir, and then joint orders being perhaps drafted that would then, I would like to see them confirmed by the Court

in either a formal proof process, Sir, or some small inquiry. I am not hoping to have an eight-week inquiry like I am looking likely to now have for another area, Sir.

5 So, we are thinking that far ahead, and I do it for two reasons. My claimants are getting older and 2027 is a long horizon for them so that is driving us to be imaginative in the ways we could converge the process of engagement with the processes of litigation, Sir.

10 The second reason is the matters that are traversed by Mr Ferguson. We should be co-operating to some finality for the Treaty settlement matters. Ms Greensill's been waiting 40 years since she got a priority letter from the Honourable Prime Minister Bolger that her mother would have her claim negotiated shortly after the Tainui Settlement. For us, we would see that
15 promise being honoured if we could get this going and that is driving us.

We have initiated discussions with some of the counsel in this room. I have fuller discussions with McCaw Lewis representatives for their claimants in Whakamarurangi and Ngāti Mahanga, but I have not had full discussions yet
20 other than a telephone conversation with Mr Stone and this morning's discussions with Ms Raupatu. So, those matters would need also, to be canvased and something co-designed for it to work, Sir.

JUSTICE CHURCHMAN:

Yes, thank you, Ms Sykes. In terms of having a formal proof hearing, I am not
25 sure it is going to be quite that simple, but I think the concept is extremely valuable of the parties reaching such agreements as they are able to, and then embark upon Court hearing rather than coming along and asking the Court to try and resolve those issues.

ANNETTE SYKES:

30 Yes.

JUSTICE CHURCHMAN:

You mentioned skilled facilitation. Now, I am not sure whether you were alluding to something like a judicial settlement conference. Personally, I am very keen to try and advance that as a method. I am under no illusion it is going to resolve claims, but I think if you have something like a judicial settlement conference it could significantly narrow issues, reduce hearings and reduce the costs and stress to the parties.

There have been two occasions where we have – that has been raised, the Courts have made the necessary inquiries and have had an Associate Judge on standby, but ultimately have fallen over on each occasion because there has not been enough buy-in to give the Court confidence that it is a sensible use of the State's funds and also the parties times. It maybe you are thinking of something else altogether and that is fine if you are -

15 SYKES:

If I could just interrupt, Sir, I am contemplating an independent process, more like an arbitration like we did in the CNI Forest but not as complex, if I can use that. But, even before the settlement of the forest, I think Mr Carruthers QC facilitated the settlement of some forestry debates and that kind of dispute rather than using the Courts resources. But we are in the hands of my friend Mr Melvin and his team from Te Arawhiti with respect to how we would design that process. We would try and not have it legal dominated, if I can use that language because I believe the kaupapa of whanaungatanga and understanding of hapū rights. We have experts. We are all very fortunate in this group that the claimants we represent are all experts in their own territorial issues, and we just need to find the time and space for that to be explored as to how we can put the jigsaw together, if I could use that term, for orders to be made.

JUSTICE CHURCHMAN:

Yes, that is fine, and no doubt Mr Melvin in due course will either comment today on your suggestions or liaise further with you. Just one final point, you mention whakapapa links and the fact that some of the adjacent iwi don't
5 necessarily have those.

In terms of me looking at a large natural grouping, I am not looking at it solely through the vision of where the whakapapa links are. I also think geographical proximity may well make sense, even when there are no close whakapapa links
10 between the various applicants. So, do not think that geographical proximity in itself is not enough. It may well be.

SYKES:

I think that the whakapapa links converge to the territorial authority. They co-existed together for many, many, years. They had political kaupapa that
15 they combined on, but they do maintain their own and that's respected too. It's that facilitation we require, and can I say publicly, I'm very grateful today for the approach by Waikato-Tainui. They recognise it's the hapū that are the rights holder and we have 12 hapū in our configuration of Tainui Hapū o Tainui Waka and they have interests as I've said that spread between those three harbours,
20 but if we wanted to go to a proper territorial zone, I think we'd have to include Port Waikato, and we'd have to look at some of the Auckland-based groups that don't appear in this judicial conference to be invited, otherwise I think we would be seen to, in tikanga terms, not to be inclusive. Thank you, Sir.

25 The other matter is on the mapping. Thank you to Te Arawhiti, we have our funding. We have Moka Apiti doing our mapping and that's well down the track. We've nearly finished our traditional research. So, in terms of, if this failed in 12-months, we would not have the need for delays for a timetable to a hearing. That could easily be done because all that would be required is traditional
30 evidence, Sir, and that would naturally form part of the process that we're talking about.

JUSTICE CHURCHMAN:

Yes, tēnā koe.

SYKES:

Yes, thank you.

5 **JUSTICE CHURCHMAN:**

And Ms Greensill, nau mai haere mai ki Te Kooti Mātua.

Mr Registrar, the next case.

REGISTRAR:

10 CIV-2017-419-81, Ngāti Te Wehi.

LEAUGA:

Tēnā koutou katoa. We filed a memorandum Sir, and the main update for our clients that they made significant progress with their research and have a report, which is almost ready, and based on that report, I can indicate that our clients
15 do actually intend to amend their claim area and their map so, this will be relevant for further discussions with Ms Sykes and her clients. At this stage I could indicate that it's most likely that our clients will reduce their interests being sought to just Aotea Harbour rather than Kāwhia Harbour as well.

20 And then that we support Ms Sykes' submissions and we're open to working further to discuss any overlapping interest and other parties, and we'd also support an adjournment of six to 12 months to allow that to take place, thank you, Sir.

JUSTICE CHURCHMAN:

25 Yes, thank you. Just in terms of your new map, I am pleased to hear that it is likely to reduce rather than extend the area and, to the extent you might not be familiar with the decision in Ngāti Pahauwera, you might want to have a look at that just to see what constraints there might be around the filing of a new map.

I see in your memo, you talk of an adjournment of six months. Unless we have a specific CMC for this case in six months' time, it may be more convenient if we adjourn it for 12 months, and then if matters progress quicker than anticipated, you would have leave to come back and seek an earlier CMC. Do
5 you think that is likely to be an effective way of addressing this matter?

LEAUGA:

Yes, that we do not have any opposition to extend to 12 months. That would be fine.

10 **JUSTICE CHURCHMAN:**

All right, well pretty much all of the other cases either have been or will be adjourned for 12 months, and it sounds like you are making good progress. I would encourage you to keep communicating with those whose claims overlap with yours and I will be adjourning this for 12 months.

15 **LEAUGA:**

Thank you, Sir.

JUSTICE CHURCHMAN:

Thank you.

REGISTRAR:

20 CIV-2017-419-82 West Coast Iwi and Hapū ki Marokopa Marae.

LOADER:

Tēnā koe Your Honour, counsel filed a memorandum on 8th of June and in our update, we indicated that we are also making significant process towards developing the oral and traditional evidence and the oral process of engaging
25 an expert witness to revise the technical evidence in support, and so have
(inaudible 10:30:35–10:30:37) to engage with that.

It is important to our applicant group to engage with other applicant groups with overlapping interests so we appreciate your method of grouping together in terms of large natural groupings, and we've undertaken in terms of that engagement and we could see that it could easily be facilitated between the
5 three-overlapping claimant – the applicant groups being the 404, 526 and 419, 85.

JUSTICE CHURCHMAN:

Yes, thank you for that.

LOADER:

10 Thank you.

JUSTICE CHURCHMAN:

Keep up the progress that you have made and certainly, if you are having hui or wānanga with overlapping claimants, that is likely to be of considerable benefit. Are you happy with a 12-month adjournment?

15 **BROOKE LOADER:**

Yes, Your Honour.

JUSTICE CHURCHMAN:

All right, thank you Ms Loader.

REGISTRAR:

20 CIV-2017-419-80 Mr Tootill and CIV-2017-485-216 Ngā Hapū o Mōkau ki Runga.

JAMIESON:

Tēnā koe Your Honour, in respect of both applications, memorandums were filed to update the Court that historical research has been progressed.
25 However, we do seek adjournment for 12 months for both applications.

Just two points to note Sir. Firstly, we, counsel support and acknowledge the submissions of Mr Ferguson and Ms Sykes particularly in respect of the west coast harbours. So, the application by Glenn Tootill in respect of the Kāwhia, Whaingaroa and Aotea Harbours. However, I am going to have to seek
5 instructions from my clients before I commit to any particular detailed engagement. However, I do note that they are supportive of engaging and a collective and co-ordinated approach to the resolution of these applications.

Further, and like Ngāti Te Wehi, this particular application will also be seeking
10 to change, amend their application area to a smaller area than what was originally filed.

We have nothing further to add Your Honour.

JUSTICE CHURCHMAN:

15 Thank you, Ms Jamieson. You will have heard my comments to Ms Loader about what you need to think about when you are amending your applications in terms of filing a new map, and hopefully you will get some assistance from the templates in the draft practice note. Yes, thank you.

HEATHER JAMIESON:

20 Yes, thank you, Your Honour.

REGISTRAR:

For the interested parties, the Attorney-General.

MELVIN (BY AVL):

25 Thank you, Sir. I think I've only got one matter claims on really and that's the issue that my friends Mr Ferguson and Ms Sykes have raised in respect of West Coast harbours.

I don't have any particular instructions in relation to the possibility of there being contemporaneous Treaty of Waitangi settlement negotiations and Crown
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engagement in respect of Takutai Moana applications under the Takutai Moana Act, but I would say that that's an issue that the Crown would welcome discussions about. I can't really take it beyond that, at this stage.

- 5 It is important that those parties, but also all other parties make submissions if they have submissions on the Crown's draft Crown Engagement Strategy. So, that all parties' views can be heard and taken into account.

JUSTICE CHURCHMAN:

- 10 Yes, thank you, just on that point Mr Melvin, it does seem to me there is probably a potential for a saving and resources if there can usefully be a combination even if it simply results in less research having been done or research being done for one purpose being able to be utilised for another purpose. So, it seems to be there is a possibility of some savings, some efficiencies which no doubt Te Arawhiti will be enthusiastic to try and achieve.

- 15 **MELVIN:**

Yes, Sir.

JUSTICE CHURCHMAN:

And those are your submissions?

MELVIN:

- 20 Yes, thank you Sir.

JUSTICE CHURCHMAN:

- 25 All right well, look I thank all counsel for their submissions. It is greatly reassuring to the Court that compared to the situation that seemed to be the case last year, there has actually been significant engagement as between cross-applicants. I think that is inevitably going to be in the applicants' overall interests and is likely to take a lot of stress and a lot of time out of some of the hearings which will have to happen. So, thank you, counsel for doing that.

Mr Registrar we will now adjourn.

HEARING CONCLUDES: 10:36 AM