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## MINUTE (NO. 29) OF CHURCHMAN J

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### Background

[1] On Monday 28 September 2020, a judicial conference was held to address the timetabling of the balance of this hearing.

[2] The eight weeks that this case was originally set down for will expire on 9 October 2020. It is clear that the hearing will not be concluded by that date.

[3] It appears likely that the hearing of all the evidence will be complete and the report from the Pukenga available to counsel by that date. It also seems likely that the transcripts of the evidence in the proceedings will not be available by this date.

[4] It is appropriate that counsel have an opportunity to review and take instructions in respect of the contents of the Pukenga report. Following the submissions of counsel, the Court has made these timetable directions:

- (a) the Court will adjourn following completion of the hearing of evidence on 9 October 2020;
- (b) the Court will reconvene for the hearing of the closing submissions of counsel to take place in Rotorua in the week of 19-23 October 2020;
- (c) a poroporoaki will take place at 12.00 noon on 23 October 2020;
- (d) leave is reserved to counsel to file amended final submissions to take into account any matters not covered in their final submissions that emerge following the availability of all of the complete transcript of evidence. Such submissions are to be in writing and are limited to addressing only those matters directly arising from the transcript. They are to be filed and served within five days of the transcript becoming available; and

- (e) the Court will deliver an interim decision addressing the issue of whether or not any applicant has made out a case for an order of customary marine title or protected customary rights under the Act. That decision will be circulated to all applicants and interested parties who will have 10 working days from its receipt to make submissions as to the form of any order that the Court has indicated that it intends making. Such submissions will be in writing.

**Churchman J**