

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

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

CIV-2017-485-318

IN THE MATTER OF the Marine and Coastal Area (Takutai
Moana) Act 2011

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

BY the Trustees of Te Runanga o Te Whanau
on behalf of TE WHANAU A APANUI

On the papers:

Counsel: M K Mahuika and L A V Underhill-Sem for Applicant

Minute: 4 June 2019

MINUTE (NO. 1) OF CHURCHMAN J

[1] Counsel for the Trustees of Te Runanga o Te Whanau on behalf of Te Whanau A Apanui (the Applicant), have filed a memorandum in this matter dated 16 May 2019.

[2] The Applicant is in Group I for case management purposes in this group contains one priority hearing application (CIV-2011-485-817), (the Priority Application).

[3] A case management conference for the Priority Application has been set for 5 February 2020 with the substantive hearing commencing on 17 August 2020.

[4] The Applicant indicates that it is engaging directly with the Crown in respect of its claim and has requested that these proceedings be adjourned *sine die*.

[5] Counsel for the Applicant seeks to be excused from the case management conference in Rotorua on 19 June 2019, although he notes that it still intends to participate in the proceedings relating to the Priority Application.

[6] It is not appropriate that this application be adjourned *sine die*. The purpose of the series of case management conferences is to allow the Court to monitor what is happening with each application, and to ensure that things are in fact moving forward.

[7] Accordingly, I excuse the attendance of counsel from case management conference of June 2019 but indicate that when the next case management conference in relation to the Priority Application is scheduled, the Court will expect a further memorandum from counsel indicating exactly what the Applicant's position is as at that date.

Churchman J