

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

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

**CIV-2017-485-167
CIV-2017-485-171
CIV-2017-485-172
CIV-2017-485-182**

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

IN THE MATTER OF of applications by Te Runanga o Rangitane o
Kaituna Incorporated,
Hineahu Tahuaroa-Riwaka Houra Whānau,
Tahuaroa-Watson Whānau, and
Henare Tahuaroa-Watson Whānau

Hearing: On the papers

Counsel: T J Castle for Te Runanga o Rangitane o Kaituna Incorporated
L C Black for Hineahu Tahuaroa-Riwaka Houra Whānau,
Tahuaroa-Watson Whānau and Henare Tahuaroa-Watson Whānau

Minute: 23 July 2024

MINUTE OF CHURCHMAN J

CIV-2017-167 Te Runanga o Rangitane o Kaituna Incorporated

[1] The named applicant in these proceedings, Michael Bradley, died some two years ago. The new applicant is Lynette Bradley. The late Mr Bradley's passing appears to have altered progress towards preparation for hearing and the application will not be ready for hearing for some time. It is adjourned to be called again at the 2025 Nelson Case Management Conference (CMC). Counsel's attendance at the Wellington CMC on 26 July 2024 is excused. Counsel is encouraged to communicate with his instructing solicitor in an attempt to obtain instructions as to what steps the applicant is undertaking to progress this matter toward hearing.

CIV-2017-485-171 Tahuaroa-Riwake Houra Whānau

CIV-2017-485-172 Tahuaroa-Watson Whānau

CIV-2017-485-182 Henare Tahuaroa-Watson Whānau

[2] The applicants in CIV-2017-485-171 still have some way to go in completing their historical research. That matter is adjourned for 12 months for call again at the 2025 Nelson CMC. The applicants in CIV-2017-485-172 which relates to the area around Arapaoa Island are ready to proceed and seek allocation of a fixture.

[3] Counsel advises that the Te Ātiawa and Rangitāne o Wairau applicants do not object to the allocation of fixture and intend to participate in any fixture allocated. Counsel indicates that she has been unable to make contact with counsel for Rangitāne o Kaituna CIV-2017-485-167 to ascertain their view.

[4] Mr T J Castle is counsel in that matter, and he has filed a memorandum for the CMC. His contact details are available from that memorandum and counsel for these applicants is encouraged to contact him and directly ascertain whether or not Rangitāne o Kaituna intend participating in the Arapaoa Island hearing.

[5] Until that information is known and the identity of all applicants intending to participate in the hearing, it is premature to allocate a hearing date. In any event, given the recent funding changes it may be more productive for counsel, as a preliminary step, to contact Te Arawhiti, advise them of the proposed length of hearing and number of parties participated to be involved, and ascertain whether Te Arawhiti is in a position to fund such a hearing. That information will assist the Court in determining whether it is appropriate to make directions setting the matter down for hearing. This application is adjourned to the 2025 Nelson CMC.

[6] CIV-2017-485-182 The applicants in this matter are still sometime away from completing their evidence but they are actively engaging with overlapping applicant Ngāti Rarua. This application is adjourned for 12 months to be called at the

2025 Nelson CMC. Counsel's attendance at the Wellington CMC on 26 July 2024 is excused.

Churchman J