

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI

SC 31/2021  
[2021] NZSC 153

BETWEEN POUTAMA KAITIAKI CHARITABLE  
TRUST AND D & T PASCOE  
Applicants

AND TARANAKI REGIONAL COUNCIL  
First Respondent

NEW PLYMOUTH DISTRICT COUNCIL  
Second Respondent

NEW ZEALAND TRANSPORT AGENCY  
Third Respondent

Court: William Young, Glazebrook and O'Regan JJ

Counsel: H P Harwood for First and Second Respondents  
P T Beverley, D G Allen and T J Ryan for Third Respondent  
P F Majurey and V N Morrison-Shaw for Te Rūnanga o Ngāti  
Tama Trust as Interested Party

Judgment: 8 November 2021

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**JUDGMENT OF THE COURT**

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**The application for recall of this Court's judgment of 15 July 2021  
(*Poutama Kaitiaki Charitable Trust v Taranaki Regional Council*  
[2021] NZSC 87) as reissued on 23 September 2021 is dismissed.**

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**REASONS**

[1] Poutama Kaitiaki Charitable Trust filed with the Court a memorandum which, in effect, seeks the recall of our decision of 15 July 2021 as reissued on 23 September

2021.<sup>1</sup> Nothing is advanced in the memorandum which would warrant that course of action. Accordingly, the application is dismissed.

Solicitors:

Buddle Findlay, Wellington for Respondents and Te Rūnanga o Ngāti Tama Trust

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<sup>1</sup> *Poutama Kaitiaki Charitable Trust v Taranaki Regional Council* [2021] NZSC 87.