

**IN THE HIGH COURT OF THE COOK ISLANDS
HELD AT RAROTONGA
(LAND DIVISION)**

APPLICATION NO.s: 532/16 & 507/17

IN THE MATTER of Section 50 of the Cook Islands
Amendment Act 1946

AND
IN THE MATTER of the land known as **HOUSE SITE
153 AVARUA**

AND
IN THE MATTER of an application for Declaratory by
MICHAEL MOEROA PONGA
(532/16)

AND
IN THE MATTER of an application for Occupation Right
by **JEFFREY STRICKLAND**
(507/17)

Applicants

Hearing date: 20 April 2018

Appearances: Mrs T Browne for the Applicant (532/16)
Mr M Scowcroft for the Objector (532/16) and for the Applicant (507/17)

Decision: 25 June 2019

DECISION OF JUSTICE W W ISAAC

[1] The above matter was heard in Rarotonga on 20 April 2018 at which time I granted an Occupation Right order for the seaward half of House site 153 Avarua, Rarotonga. The order was to be on the standard terms and conditions and to be subject to a survey showing the proposed area with details of a right of way.

[2] A survey plan has been completed on 10 May 2018 by K Tiro, is attached to this minute.

[3] I now confirm the order made on 20 April 2018 for an Occupation Right order in favour of the application in terms of the attached plan.

Pronounced in Gisborne on this 25th day of June 2019.

W W Isaac
JUSTICE