

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

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

**CIV-2017-485-280  
CIV-2017-485-295  
CIV-2017-485-296**

UNDER	the Marine and Coastal Area (Takutai Moana) Act 2011
IN THE MATTER OF	an application by Te Rūnanga o Ngāi Tahu on behalf of Ngāi Tahu Whānui for recognition orders (CIV-2017-485-280)
AND	an application by Colin Wayne Topi on behalf of Te Whānau o Topi for recognition orders (CIV-2017-485-295)
AND	an application by Melvin Hutchinson Herbert Cain, Jasmine Kay Whaitiri Stewart and Christian Wayne Fife on behalf of the landowners of the Ruapuke Island Group for recognition orders (CIV-2017-485-296)

On the papers:

Counsel: R E Brown and G F Dawson for Te Rūnanga o Ngāi Tahu  
J Inns for M Cain, J Stewart and C Fife  
R Fife for Te Whānau o Topi

Minute: 24 May 2021

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**MINUTE (NO. 2) OF CHURCHMAN J  
[Case Management Conferences 2021]**

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[1] By minute of 12 May 2021, I directed all applicants for recognition orders file a brief memorandum in advance of the forthcoming case management conferences (CMCs).

[2] By joint memorandum dated 21 May 2021, the three applicants whose cases were to be called at the Dunedin CMC on 10 June 2021, sought an adjournment of their applications with a dispensation of their appearance at the CMC.

[3] The memorandum stated that none of the applicants were in a position to proceed to hearing within the next 12 months.

[4] It seems that the reason for this is that the applicants are waiting for the Crown's draft Engagement Strategy to be confirmed as a final strategy.

[5] I infer that each of the applicants has, in addition to their applications to the High Court, also sought direct engagement with the Crown.

[6] The Court is now in a position where it is able to timetable applications toward fixtures. Depending on the length of the hearing, the fixtures may not be before 2023.

[7] The Court has an obligation to ensure that all proceedings filed in it are dealt with in as expeditious a manner as possible. The adjournment of proceedings until Crown engagement is completed, particularly when engagement is not scheduled to take place for many years, does not achieve that result.

[8] At this stage, I am not prepared to simply adjourn these proceedings and I direct that the Registrar arrange for a teleconference to be convened at the earliest possible convenient date for counsel to explain to the Court why, having commenced proceedings in the High Court, the parties would appear to no longer wish to actively pursue them.

**Churchman J**