

**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**

IN THE MATTER OF an application for recognition orders under the
Marine and Coastal Area (Takutai Moana)
Act 2011

BY Te Rūnanga o Ngāi Tahu (CIV-2017-485-280)

Te Whānau o Topi (CIV-2017-485-295)

Ruapuke Island Group (CIV-2017-485-296)

On the papers:

Counsel: R E Brown and G F Dawson for Te Rūnanga o Ngāi Tahu
J Inns for Te Whānau o Topi
R Fife for Ruapuke Island Group
G Melvin for Attorney-General

Minute: 20 June 2022

**MINUTE (NO. 10) OF CHURCHMAN J
[Case Management Conferences 2022 – Dunedin]**

CIV-2017-485-280

[1] The memorandum filed by counsel noted that this applicant had not yet made a final decision whether to pursue litigation through the High Court or direct engagement but was continuing to engage with Te Arawhiti.

[2] Extensive engagement had occurred with Papatipu Rūnanga. The gathering of historical evidence had commenced but, given the extent of the application area

(approximately half of New Zealand's coastline), it would be some time before this exercise was complete.

[3] Negotiations with other applicants whose applications overlap those of this claimant are ongoing. The claimant specifically supports the Ruapuke Island applicant groups in their applications.

[4] Counsel's request for a 12-month adjournment, and to be excused from attendance at the scheduled 2022 Dunedin case management conference (CMC) is granted.

CIV-2017-485-295 and CIV-2017-485-296

[5] The applicants have jointly engaged a historian and are also working collaboratively with Te Rūnanga o Ngāi Tahu. The historical research report is anticipated to be available in draft form at the end of July 2022.

[6] Once the report is available, the applicants anticipate being in a position to advise the Court which pathway they intend to follow and, if they resolve to pursue the litigation in the High Court, they will seek a timetabling order towards a hearing.

[7] The applicants request that the CMC scheduled for 4 July 2022 be adjourned until December 2022. The memorandum records that this course is supported by both Te Rūnanga o Ngāi Tahu and the Crown.

[8] Accordingly, these matters are adjourned to a date to be fixed by the Registrar in December 2022. No later than 30 days prior to the date fixed, the applicants will file a memorandum advising the Court as to pathway election and readiness for hearing.

[9] Counsel's attendance at the proposed 4 July 2022 CMC is excused and that CMC is vacated.

A handwritten signature in black ink, reading "P.B. Churchman J". The signature is written in a cursive, flowing style.

Churchman J