

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

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

CIV-2017-485-220

IN THE MATTER OF the Marine and Coastal Area
 (Takutai Moana) Act 2011

AND

IN THE MATTER OF an application by the trustees of Pāpāuma
 Marae on behalf of the original owners of
 Mataikona 1, 2 and 3 Blocks and their
 descendants

On the papers:

Counsel: K Tahana and N Coates for applicant

Minute: 15 June 2020

MINUTE (NO. 15) OF CHURCHMAN J

[1] The applicant has filed a memorandum dated 8 June 2020 advising the Court of the current state of its proceeding and requesting a dispensation from the obligation to attend at the case management conference in Wellington on 29 June 2020.

[2] The memorandum also seeks a direction that the Crown confirm whether it intends to enter into direct negotiations with the applicant and if so, when those negotiations can commence.

[3] The background is that the applicant has applied to have direct negotiations with the Crown but there has been no substantive response from the Crown beyond noting that the application has been received.

[4] The memorandum confirms that the applicant continues to prepare evidence and that if the Crown does not wish to engage in negotiation, it should be in a position to proceed to a hearing in 2021.

[5] Given the indication by the Crown as to likely progress in respect of notifying applicants about direct negotiations that the Court received 12 months ago, it is disappointing that some applicants are still awaiting a substantive response.

[6] The applicant's request for their appearance on 29 June 2020 to be dispensed with is granted. However, the Court will not make a direction in relation to the Crown's obligation to notify parties about its position on direct negotiations without hearing from the Crown. The Crown's response will be recorded in the minute detailing matters discussed at the CMC.

Churchman J