

WE ARE SEEKING YOUR FEEDBACK

We have developed a draft strategy to progress Crown engagement applications under the Marine and Coastal Area (Takutai Moana) Act 2011 (te Takutai Moana Act). The strategy aims to streamline the Ministerial determination process and provide clarity to you, as applicants, on the timeframes for engagement. Your feedback will help us to ensure we have fully understood the implications of this strategy and how we might be able to assist you to progress your application prior to, and during engagement with the Minister for Treaty of Waitangi Negotiations (the Minister). The final strategy will be considered by Cabinet following input from this consultation.

A COASTLINE APPROACH TO ENGAGEMENT

Te Takutai Moana Act allows for groups to apply for the recognition of their customary interests through the High Court (High Court pathway) or directly to the responsible Minister (Crown engagement pathway). Close to 600 applications were received. Approximately 203 applications were received by the High Court and 382 were lodged for Crown engagement. Of these, 175 applied for both the High Court and Crown engagement pathway.

It is not possible for us to progress all applications at once due to the large volume of applications. Therefore, our strategy aims to streamline the Crown engagement process, and by focusing our effort, enable greater opportunities for partnership between applicants and the Crown in how we make progress. The strategy proposes that applications are progressed using a regional coastline approach. We are seeking your views to ensure all potential challenges and opportunities with this approach are identified.

A coastline approach to Crown engagement involves focusing engagement along entire stretches of the coast. The aim is to progress all applications within selected areas at the same time, while still maintaining the individual nature of each application. This coastline approach would help to streamline key processes and promote efficiency ensuring that overall progress towards determinations can be accelerated. It also means that we can work with you to design our approach to making progress on your coastline.

Tier	Parts of coastline	Projected timeframe
1	<ul style="list-style-type: none"> Coastline from the northern boundary of the rohe of Ngāti Porou to southern boundary of the rohe of Ngāi Tāmanuhiri Coastline within the rohe of Rongomaiwahine Taranaki coastline (Whanganui River to Mokau River) 	2020-2023
2	<ul style="list-style-type: none"> Coastline within the rohe of Te Whānau ā Apanui hapū Hawke's Bay (western boundary of Rongomaiwahine) to Cape Turnagain (excluding Ngāti Pāhauwera High Court application area) Tītī Rakiura/Foveaux Strait (Ruapuke Island) 	2023-2027
3	<ul style="list-style-type: none"> Cape Turnagain to Pencarrow Head Mokau River to Waikato Heads Ngāi Tahu (excluding Tītī Rakiura/Foveaux Strait) 	2027-2035
4	<ul style="list-style-type: none"> Top of the South Island (Te Tau Ihu) Northland (excluding Te Uri o Hau) Coromandel Peninsula to Bowentown. 	2035-2045

PROJECTED TIMELINES FOR ENGAGEMENT

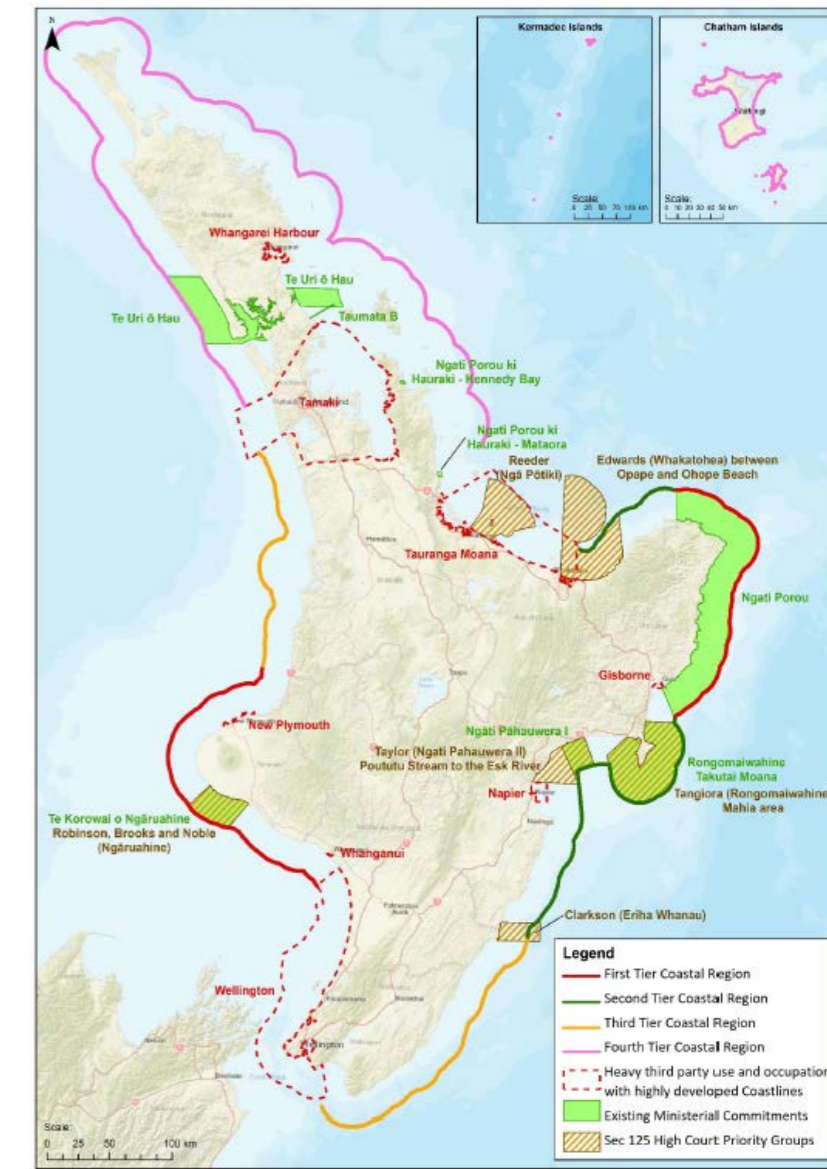
The strategy proposes a tiered approach to progressing coastlines. Prioritisation of these tiers considered a number of factors including:

The degree of overlap between applications – areas of coastline with fewer overlapping applications mean there is a greater likelihood of the Minister agreeing to formally engage with an application.

Where applications are being considered by the High Court – this avoids duplication of effort and potential conflicts with High Court processes as applications can only be progressed through one pathway at a time.

The readiness and willingness of individual applicants to proceed to terms of engagement – minimises the risk of undue delays.

The level of third-party use and the extent to which land abutting the coast is Māori owned – can help give an indication of exclusive use and an applicant group's ability to control access to an area.



HAVE YOUR SAY

Fill out the 'Submission Form' available on the Te Arawhiti website or write your own submission and send it to: Te Arawhiti, Level 3/19 Aitken Street Wellington You can also talk to us on 0800 866 222