

# Applicant Information Update: Frequently Asked Questions

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## Questions about the Takutai Moana Applicant Information Form

### Why have I received this request to update our information?

You have received this letter because our records show you are the primary contact for a Takutai Moana application under the Marine and Coastal Area (Takutai Moana) Act 2011 or the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019.

### Why do I need to update my information?

Your application was filed on or before 3 April 2017. Te Tari Whakatau acknowledges that we may have had limited contact with you since then. Your contact details, representatives or circumstances may have changed.

By confirming or updating your information, you help make sure that you and your applicant group receive all updates about the progress of your application.

### Where can I get a copy of our application?

If you are an applicant, you can ask us for a copy of the application we have on file. Our contact details are on the last page of this document.

### What do applicants need to do?

Please:

- check the information we have provided
- confirm your contact details are correct, or
- tell us about any changes to representatives or key contacts.

You can do this by:

- completing the Application Information Form and returning it by email or post, or
- contacting us by email or phone to confirm or update your details.

If you need help, you can contact the analyst named in your letter, or use the contact details on the last page of this document.

If you have a Crown engagement application, please also:

- tell us if your preference is for progressing through the Crown Engagement Pathway, and
- let us know about any barriers affecting your application.

### Why does Te Tari Whakatau need our personal information?

We collect personal information to:

- confirm your representatives
- manage funding
- communicate with applicant groups, and
- support Court and Crown engagement processes.

We use this information to manage your application. We handle all personal information in line with the Privacy Act and only use it for lawful purposes.

### **How is personal information shared?**

We may share some information you provide in your application with government agencies and Ministers. This will only happen when it's necessary to carry out work under the Marine and Coastal Area (Takutai Moana) Act 2011 or related laws, including court or tribunal processes.

We generally publish email addresses and group names on our publicly accessible [Te Tari Whakatau website](#) so that:

- others can contact you during public consultation on your application,
- people seeking resource consents in your application area can consult with you, as required under the Act, and
- other applicants can connect with you.

If you do not want your personal email shared, you can give us a group or non-personal email address that you check regularly.

If you have concerns, please contact us.

### **Does this letter mean my application is being progressed now?**

No, this work does not change your application status.

If you want to discuss options for progressing your application, please contact us using the details below.

### **What if I don't have all the information for the Applicant Information Form?**

Contact us by email or phone. We are keen to hear from you and can help. Our contact details are at the end of this document.

### **What if there is not enough space on the form?**

You can send the extra information by email or contact us by phone.

### **What should I include under 'Barriers to progressing our application'?**

Tell us about any issues that affect your ability to move your application forward. This helps us understand what support you may need. We recognise that changes in legislation and in our operational process may have caused challenges for your application.

Examples of barriers include:

- disputes relating to your application with other groups or inside your application group
- difficulty finding evidence to support your application
- limited time or resources to support your application
- specialist help is needed
- being unsure about the Takutai Moana process.

## **Why ask about interest in the Crown Engagement Pathway?**

Some applicants applied to just the High Court, some to just the Crown Engagement Pathway, and some to both.

If you have a Crown application, it helps us know if you are still interested in using the Crown Engagement Pathway. This helps us plan our work and keep you informed.

## **Does confirming interest in Crown engagement commit us to that pathway?**

No, confirming your interest in Crown engagement does not limit you to that pathway if you also have a Court application.

## **Questions about the Crown engagement process**

### **How are applications prioritised for Crown engagement?**

Because funding and resourcing are limited, only a small number of coastlines can be progressed beyond the initial engagement step at one time. Many applications will remain in this initial stage for an extended period.

Throughout the year, we make decisions regarding coastlines moving beyond the initial engagement step and being added to the Crown engagement work programme.

Decisions are based on:

- your readiness – whether your group is well-organised and ready to progress your application,
- coastline readiness – if there are other applications for the same coastline, whether applicant groups along a coastline are coordinated and/or prepared to progress together, and
- Crown readiness – our capacity to support engagement at that time, for example funding availability and resourcing.

You can read more about the Crown engagement process on our [website](#).

### **What can I do to get our application prioritised?**

You can:

- confirm your representatives and governance arrangements
- work with other applicant groups for the same area of coastline
- gather evidence or do time-sensitive research, and/or
- complete readiness assessments.

If you feel ready to progress your application or would like support to get prepared, please contact us.

### **What if my application area is already part of a scheduled High Court hearing?**

If a scheduled hearing fully covers your application area, Crown engagement is unlikely to progress for that area while the hearing remains scheduled.

If the hearing is adjourned, delayed or does not go ahead, Crown engagement may be possible in the future.

### **Can Crown engagement-only applicants take part in High Court proceedings?**

Yes. You can apply to take part as an interested party. You should get legal advice before doing so.

Funding for court participation is only available if the Court accepts you as an interested party. Once confirmed, contact our funding team ([fundingtakutai@whakatau.govt.nz](mailto:fundingtakutai@whakatau.govt.nz)) for further information about funding for your application.

### **Can we withdraw our Crown engagement application?**

Yes. You can formally withdraw your Crown engagement application at any time. Crown engagement is a voluntary, non-judicial process, and you are not compelled to continue engagement or to reach an agreement.

Your authorised representative must write to the Minister to confirm this decision. Once withdrawn, your application cannot be reopened or reapplied for under the Act.

**If you want to discuss withdrawing your application, please contact us.**

### **What work is happening to address challenges created by two separate pathways to obtain recognition of customary interests?**

The Waitangi Tribunal and the Courts have both recognised that it is difficult to finalise determinations in one pathway when there are overlapping applications in the other pathway. We consulted applicants in 2022 on options to resolve these challenges. Work in this area continues.

### **How do I find out about funding for my application?**

Visit our website [Te Tari Whakatau - Funding information for applicants](#) or contact our funding team at [FundingTakutai@whakatau.govt.nz](mailto:FundingTakutai@whakatau.govt.nz).

### **How have the recent changes to the law (amendments to section 58 of the Marine and Coastal Area Act) affected my application?**

Information about the amendments to section 58 of the Marine and Coastal Area (Takutai Moana) Act 2011 is on our website. Impacts of section 58 are also discussed in [Amendments to the Marine and Coastal Area \(Takutai Moana\) Act 2011](#).

### **Where can I find information about Takutai Moana?**

More information is available on our website: [Te Tari Whakatau - Te Tira Takutai Moana](#).

## Need help, or need to contact us?

If you have questions or would like to speak to us, contact us by:

- **Email:** [takutaimoana@whakatau.govt.nz](mailto:takutaimoana@whakatau.govt.nz)  
Please include your applicant number in the subject line or email, if you have it. Your number begins with MAC or CIV
- **Telephone:** 0800 866 222
- **Post:** Please include your applicant number (beginning with MAC or CIV) in your correspondence and send it to:

*Te Tira Takutai Moana*

*Office of Treaty Settlements and Takutai Moana – Te Tari Whakatau*

*The Justice Centre*

*19 Aitken Street*

*SX10111*

*Wellington 6011*