



# Cabinet

## Minute of Decision

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*This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.*

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### **Report of the Cabinet Māori Crown Relations - Te Arawhiti Committee: Period Ended 2 September 2022**

On 5 September 2022, Cabinet made the following decisions on the work of the Cabinet Māori Crown Relations - Te Arawhiti Committee for the period ended 2 September 2022:

MCR-22-MIN-0014	<b>Takutai Moana Dual Pathway Problem: Release of Consultation Document</b> Portfolio: Treaty of Waitangi Negotiations	CONFIRMED
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Rachel Hayward  
Acting Secretary of the Cabinet



# Cabinet Māori Crown Relations - Te Arawhiti Committee

## Minute of Decision

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### Takutai Moana Dual Pathway Problem: Release of Consultation Document

**Portfolio**                      **Treaty of Waitangi Negotiations**

On 30 August 2022, the Cabinet Māori Crown Relations - Te Arawhiti Committee (MCR):

- 1        **noted** that there is a lack of cohesion between the two pathways for recognition of customary marine title (CMT) under the Takutai Moana Act 2011 (the Act) – the High Court and direct engagement with the Crown – which if not addressed could result in unjust outcomes for iwi, hapū and whānau groups (the dual pathways problem);
- 2        **noted** that the Cabinet Māori Crown Relations Te Arawhiti Committee invited the Minister for Treaty of Waitangi Negotiations to report back on options for addressing the dual pathways problem [MCR-21-MIN-0015];
- 3        **noted** that there are three legislative options for addressing the dual pathways problem:
  - 3.1      Option 1: enable a decision maker to take account of and determine all relevant applications for CMT for an application area at the same time so that if CMT is recognised no subsequent CMT decision can be made in the other pathway for the same area; or
  - 3.2      Option 2: enable a CMT issued in one pathway to be varied to reflect subsequent decisions made in the other pathway; or
  - 3.3      Option 3: enable a decision maker to take account of and determine all relevant applications for CMT for an application area at the same time without preventing subsequent decisions in the other pathway and enable a CMT issued in one pathway to be varied to reflect subsequent decisions in the other pathway;
- 4        **agreed** to the release of the consultation document attached under MCR-22-SUB-0014 seeking feedback on the three options to all applicants for CMT recognition under the Act;
- 5        **noted** that the Minister for Treaty of Waitangi Negotiations will write to the Chief High Court Judge to inform her of the consultation;

- 6 **invited** the Minister for Treaty of Waitangi Negotiations to report back to MCR with final policy decisions following consideration of the submissions received from applicants.

Sam Moffett  
Committee Secretary

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**Present:**

Hon Kelvin Davis (Chair)  
Hon David Parker  
Hon Nanaia Mahuta  
Hon Stuart Nash  
Hon Peeni Henare  
Hon Willie Jackson  
Hon Kiri Allan  
Hon Meka Whaitiri

**Officials present from:**

Office of the Prime Minister  
Officials Committee for MCR

## In Confidence

Office of the Minister for Treaty of Waitangi Negotiation  
Cabinet Māori Crown Relations: Te Arawhiti Committee

## Takutai moana dual pathway problem: Release of consultation document

### Proposal

- 1 This paper seeks agreement to release a consultation document to Takutai Moana Act 2011 applicants seeking their views on options to address a problem with the dual pathway in the Act.

### Relation to government priorities

- 2 This proposal supports the Government's manifesto commitment of continuing the partnership path with Māori and realising the promise of Te Tiriti o Waitangi.

### Executive Summary

#### *Dual pathway problem*

- 3 Te Takutai Moana Act 2011 (the Act) provides two separate pathways for having customary marine title (CMT) recognised in the common marine and coastal area (takutai moana) – through the High Court and through direct engagement with the Crown (Crown engagement). This is referred to as the dual pathway. Applicants were able to apply under either or both pathways.
- 4 The dual pathway was created to give applicants a choice about how they obtain recognition of iwi, hapū and whānau customary interests under the Act. However, there is a lack of cohesion between the pathways which means it is not working as intended (the dual pathway problem). This needs to be addressed quickly to avoid the potential that some groups will be unfairly denied CMT or lose the opportunity to have their applications heard.
- 5 I previously briefed Cabinet on this and was invited to report back with options to address it [CAB-21-MIN-0441 refers]. Further detail on the dual pathway problem is provided at **Appendix 1**.

#### *Options and proposed consultation*

- 6 After considering non-legislative and legislative options developed by my officials, I have concluded that legislative change is required.
- 7 I am now seeking Cabinet's agreement to release the attached consultation document on options for legislative change to address the dual pathway problem. In summary, the options are:

IN CONFIDENCE

- 7.1 Option 1: enable decision makers to consider and determine all applications in an area at the same time and if a CMT is issued then no applications can be determined for the same area by the other decision maker; or
- 7.2 Option 2: enable a CMT issued in one pathway to be varied to reflect subsequent decisions made in the other pathway; or
- 7.3 Option 3: enable decision makers to consider and determine all applications in an area at the same time (without preventing subsequent decisions being made in the other pathway) and enable a CMT issued in one pathway to be varied to reflect decisions in the other pathway.
- 8 The consultation document will be released in September for consultation with all takutai moana applicants during September and October. As the options will likely have an impact on the workload of the High Court in hearing takutai moana applications, I will also write to the Chief High Court Judge to inform her of the options for legislative change.
- 9 I propose reporting back to Cabinet to seek policy approvals after considering submissions received during consultation. Any policy decisions would be advanced through a Takutai Moana Amendment Bill.

*Wai 2660 inquiry*

- 10 The Waitangi Tribunal is due to publish final findings and recommendations from its Wai 2660 kaupapa inquiry into the Act (Wai 2660) later this year.
- 11 A wider government response to Wai 2660 will take time [REDACTED] s(9)(2)(g)(i) [REDACTED]. Due to the urgency for addressing the dual pathway problem, I do not propose we wait for the Wai 2660 response to be finalised to make changes to address it.

**Context and previous decisions**

- 12 The Act provides two separate pathways for having CMT applications considered and determined – the High Court and Crown engagement. This is referred to as the dual pathway. If applicants applied to only the Crown *or* only the High Court, they are referred to as single pathway applicants. If applicants applied to *both* the Crown *and* the High Court, they are referred to as dual pathway applicants. There are 213 single pathway applicants and 349 dual pathway applicants.
- 13 With more applications being heard in the High Court and progressed through Crown engagement, it is evident that the dual pathway is not working as intended and the lack of cohesion between the pathways may result in unjust outcomes for applicant groups.
- 14 Under the Act more than one group can be recognised as having CMT in the same part of the common marine and coastal area (a shared CMT). However, not all groups seeking recognition of CMT over the same area are in the same

pathway. There is a lack of procedural provisions in the Act for when this situation arises, which if left unaddressed could result in applicant groups not being able to have their applications heard, or not be included in what should be a shared CMT. Put another way, the Act is silent on how recognition of CMT in the High Court can be reconciled with recognition of CMT by the Crown (and vice versa). This is particularly problematic for single pathway applicants, who cannot change their original choice of pathway under the Act.

- 15 The dual pathway problem has been raised by applicants and judges involved in current High Court cases. For example, Justice Powell, the presiding officer in the *Ngā Pōtiki Stage Two* hearing, commented on the “cascading sequence of unjust outcomes” that could result. **Appendix 1** provides greater detail on the problem and how it is currently playing out in consideration of CMT applications.
- 16 In November 2021, Cabinet agreed to options being explored to address the dual pathway problem and noted I would report back with a proposed approach to resolving it [CAB-21-MIN-0441 refers].

### **Objectives for improving the dual pathway process**

- 17 I have drawn on the purpose of the Act and the core values underpinning the Crown’s takutai moana engagement strategy [CAB-21-MIN-0076 refers] to establish three core objectives for improving the dual pathway process:
  - 17.1 provide a timely solution to the dual pathway problem to prevent groups from being unfairly denied recognition of CMT and the rights connected to it;
  - 17.2 provide a fair, transparent and timely process for all applicants to have their applications for CMT considered; and
  - 17.3 promote cohesion and clarity of process between the two pathways.
- 18 I do not consider there is a non-legislative option (or combination of non-legislative options) that would meet these core objectives. All rely on good-faith relationships between applicants and/or assume collaboration and alignment in application process and timeframes will be possible. Even where there is goodwill, collaboration and alignment, the non-legislative options by themselves are unlikely to provide the certainty of outcome I am trying to achieve for applicants. **Appendix 2** describes the non-legislative options in detail.

### **The consultation document seeks feedback from applicant groups on three options for legislative change**

- 19 Three options for legislative change address the lack of cohesion between the pathways by focusing on the procedural changes needed to address the problem, rather than any wider changes to the underlying policy settings of the Act.

*Option 1: Enable decision makers to take account of all relevant applications for CMT in an application area at the same time*

- 20 Option 1 would enable the decision maker (whether the High Court or the Minister) to take account of and determine all relevant applications for an application area at the same time. It would mean the High Court could determine a single pathway application made to the Crown (and vice versa). If applicants did not want that decision maker to determine their application, they could choose not to participate. However, if CMT was recognised for other groups that did participate in the determination process, no subsequent determination can be made in the other pathway for the same area.

*Option 2: Enable a CMT to be varied to reflect relevant determinations made in the other pathway*

- 21 Option 2 would enable a CMT to be varied to include groups in the other pathway, if the decision maker in the other pathway is satisfied they also meet the test for CMT (resulting in a shared CMT).
- 22 For example, if the High Court issued a CMT recognition order for some applicant groups in an area, and then at a later date the Minister determined further applicant groups in that area also meet the test for CMT, the further applicant group(s) could be added to the existing recognition order.

*Option 3: Combining options 1 and 2*

- 23 Option 3 would enable either decision maker to take account of all the relevant applications in a coastline at the same time, irrespective of which pathway an application was originally made in. However, if single pathway applicants chose to stay in their original pathway and were also found to meet the test for CMT, they could be added to the recognition order or Act that was made in the other pathway.
- 24 The key sections of the consultation document (attached at **Appendix 3**) focus on:
- 24.1 Introduction from me, as the Minister responsible for the administration of the Act: this section acknowledges the dual pathway problem, why it is important to address, and encouraging feedback on the options.
- 24.2 Potential changes to the legislation: this section sets out the three options for legislative change and provides commentary on potential impacts of each of the options.
- 24.3 How will the change be implemented: this section explains that legislative change will be needed to give effect to the preferred option and the timeframes for this.
- 24.4 How does this relate to the Wai 2660 kaupapa inquiry: This section explains why a change is needed ahead of wider consideration of any findings and recommendations made by the Waitangi Tribunal when it releases its final report later this year.

- 24.5 What happens next: this section informs applicants that Cabinet decisions will be needed on the preferred option and that Te Arawhiti will keep applicants up to date through its takutai moana pānui.
- 24.6 He pātai: this section provides specific questions about the options that applicants can answer in their submissions.
- 24.7 How to have your say: this section describes how applicants can provide their views on the options to Te Arawhiti.

### Consultation approach

25 It is important we involve applicants in this policy process, through the proposed consultation, to ascertain how the options would affect them in their particular situations and which, if any, option they prefer. Applicants may also identify wider implications of the options we should take into account when taking final policy decisions.

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s(9)(2)(g)(i)

27 Should Cabinet agree, the consultation document will be released to applicants on 9 September. The deadline for feedback to be provided will be 21 October, providing a 6-week consultation period. Te Arawhiti officials will be available to meet with, or talk to, any applicants who wish to do so to discuss the options.

28 The options will likely have an impact on the workload of the High Court in hearing takutai moana applications, as more applications may need to be heard by the Court. If Cabinet agrees to the release of the consultation document, I will write to the Chief High Court Judge to inform her of the options being consulted on.

### Wai 2660 kaupapa inquiry

29 The Waitangi Tribunal (the Tribunal) is conducting a kaupapa inquiry into the Act (Wai 2660) and is due to report back later this year with its final findings and recommendations. These are likely to call for wider reforms to the Act that would change some underlying policy settings. This could include changes to the dual pathway, as the problem has been raised in the Tribunal.

30 Consulting on technical changes to resolve the problem with the dual pathway procedure and not considering wider changes to the Act now, could result in criticism that the government is not going further and addressing the more fundamental changes the Tribunal may call for.

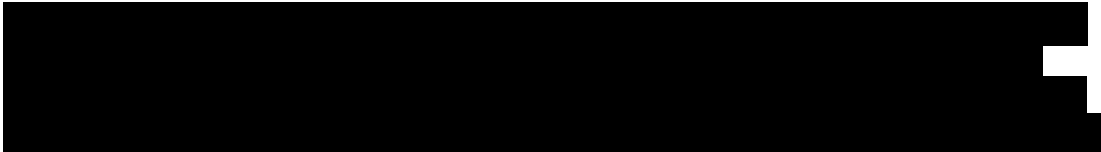
31 The Government's response to Wai 2660 will take time to consider, and any legislative change that may result will be a longer-term process. Unless the dual pathway problem is resolved quickly, some groups will be unfairly denied of having the application for CMT heard.



- 32 I have aimed to manage any risks associated with either criticism of, or confusion about, our approach to dealing with this problem now separate to a response to Wai 2660 in future with the specific messaging on this in the consultation document.

### Financial Implications

- 33 There are no financial implications associated with the release of this consultation document.

- 34  s(9)(2)(f)(iv)

### Legislative Implications

- 35 There are no legislative implications associated with the release of the consultation document.
- 36 All three of the proposed options for resolving the problem will involve legislative change in order to take effect.

### Regulatory Impact Statement

- 37 The Treasury's Regulatory Impact Analysis team has determined that this proposal is exempt from the requirement to provide a Regulatory Impact Statement on the grounds that it has no or only minor impacts on businesses, individuals, and not-for-profit entities.

### Consultation

- 38 Crown Law, The Ministry of Justice, Te Puni Kōkiri and The Treasury have been consulted in the preparation of this Cabinet paper. The Department of Prime Minister and Cabinet has been informed about this proposal.

### Proactive Release

- 39 I intend to proactively release this Cabinet paper and the attached consultation document with any necessary redactions under the Official Information Act 1982.

### Recommendations

The Minister for Treaty of Waitangi Negotiations recommends that the Committee:

- 1 **note** that there is a lack of cohesion between the two pathways for recognition of customary marine title (CMT) under the Takutai Moana Act 2011 (the Act) – the High Court and direct engagement with the Crown – which if not addressed could result in unjust outcomes for iwi, hapū and whānau groups (the dual pathways problem).

I N C O N F I D E N C E

- 2 **note** that Cabinet invited the Minister for Treaty of Waitangi Negotiations to report back on options for addressing the dual pathways problem [CAB-21-MIN-0441 refers].
- 3 **note** that there are three legislative options for addressing the dual pathways problem:
  - 3.1 Option 1: enable a decision maker to take account of and determine all relevant applications for CMT for an application area at the same time so that if CMT is recognised no subsequent CMT decision can be made in the other pathway for the same area; or
  - 3.2 Option 2: enable a CMT issued in one pathway to be varied to reflect subsequent decisions made in the other pathway; or
  - 3.3 Option 3: enable a decision maker to take account of and determine all relevant applications for CMT for an application area at the same time without preventing subsequent decisions in the other pathway and enable a CMT issued in one pathway to be varied to reflect subsequent decisions in the other pathway.
- 4 **agree** to the release of a consultation document seeking feedback on the three options to all applicants for CMT recognition under the Act.
- 5 **note** that, subject to Cabinet agreement, the Minister for Treaty of Waitangi Negotiations will write to the Chief High Court Judge to inform her of the consultation.
- 6 **note** that, subject to Cabinet agreement, the Minister for Treaty of Waitangi Negotiations will seek final policy decisions from Cabinet following consideration of the submissions received from applicants.

Authorised for lodgement

Hon Andrew Little  
Minister for Treaty of Waitangi Negotiations

I N C O N F I D E N C E

## Appendix 1: Overview of the dual pathway problem

### Overarching problem: Inability to integrate CMT decisions across both pathways

- 1 The Act provides two separate pathways for having customary marine title (CMT) considered – the High Court and/or Crown engagement. This is referred to as the dual pathway. If applicants applied to only *either* the Crown *or* the High Court, they are referred to as single pathway applicants. If applicants applied to *both* the Crown *and* the High Court, they are referred to as dual pathway applicants.
- 2 Many applications have overlapping areas, and some of these are single pathway applicants. Even where all applications that overlap in a particular area are dual pathway applicants, problems can still arise if one or more applicant prefers to pursue their application in the High Court and others prefer to pursue Crown engagement.
- 3 Unless all applicants with overlapping application areas are progressing in the same pathway (and therefore to the same decision maker), there is potential for unintended and unjust outcomes.

### Unintended outcome 1: CMT may not be able to be recognised

- 4 The current legislation only allows for the decision maker under the Crown pathway (the Minister for Treaty of Waitangi Negotiation) to make determinations on Crown pathway applications, and for the decision maker under the High Court pathway (High Court Judges) to make determinations on High Court pathway applications.
- 5 This means that where the High Court is considering an application in which a Crown pathway only application has overlapping area, the Judge does not have the jurisdiction to determine the Crown only pathway application when considering CMT. It also means that where the Minister for Treaty of Waitangi Negotiations is considering an application in which a High Court pathway only application has overlapping area, the Minister does not have the mandate to determine the High Court only pathway application when considering CMT.
- 6 This could mean that some groups are either unfairly denied CMT recognition (i.e. left out of the group for who have CMT recognised), or that the judge or Minister decides they cannot recognise CMT at all as there are other interested parties with customary interests that should be recognised.
- 7 For example, Te Kapu o Waitaha have only made an application in the Crown pathway. The application is seeking recognition in an area that overlaps significantly with the area being considered in the *Ngā Pōtiki stage two* High Court hearing.
- 8 As Te Kapu o Waitaha did not make a High Court application, they can only participate in the hearing as an interested party. In its opening submissions of the *Ngā Pōtiki stage two* hearing, Crown Law has said that the Court does not have jurisdiction to determine the Te Kapu o Waitaha application.

- 9 Justice Powell, the presiding judge, has raised concerns orally that he may not be able to make an order recognising CMT for any applicant if the evidence shows that Waitaha Iwi shares CMT with other groups who are participating in the hearing. Justice Powell has commented on the “cascading sequence of unjust outcomes” that could result.

Unintended outcome 2: Unclear jurisdiction to recognise CMT

- 10 The problem is also playing out in the Ngāti Pāhauwera hearings. The presiding judge, Justice Churchman, has suggested three possible options for dealing with an application area shared by a dual pathway applicant and a Crown single pathway applicant. The first option would be for the Court to make a recognition order for shared CMT with the consent of the two applicants, however Justice Churchman has questioned whether the groups could confer jurisdiction by consent. The second option could be for the Court to make obiter (non-binding) comments about matters within the application area which the Crown when making a decision could take into account. The third option is to do neither.
- 11 An earlier solution proposed by Justice Churchman was that the Crown pathway applicant, could seek a determination from the Crown as soon as possible, so they can be included in the shared CMT order. However, the Act does not allow for determinations in one pathway to be given effect to in the other pathway.

- 12 This situation results in a third unintended outcome, which is outlined below.

Unintended outcome 3: Some applicants may feel unable to pursue their preferred pathway

- 13 As the Act does not enable CMT decided in one pathway to be recognised in a determination issued through the other pathway, some applicants will be forced to participate in a pathway that may not be their first choice.
- 14 This situation arose in the recent *Whakatōhea* hearing. In that case, part of the application area under consideration by the High Court overlapped with that of Ngāti Awa. Ngāti Awa is a dual pathway applicant, but their preference was to pursue determination through the Crown pathway. In order to have their CMT recognised in the overlapping area, Ngāti Awa had to participate in the High Court pathway.
- 15 This situation is against the intent of the Act to provide a real and meaningful choice for applicants and does not fulfil Cabinet’s desire to make takutai moana engagement a mana-enhancing process.

## Appendix 2: Non-legislative options considered

### Non-legislative option 1: Do nothing

- 1 This option would see the status quo maintained and result in continued confusion for applicants and unclear lines of decision making for the granting of CMT.
- 2 Doing nothing to address the integration issues will mean that over time some groups will be unfairly denied of their CMT.

### Non-legislative option 2: Encourage CMT holders to apply to vary their recognition order under s111 to include other relevant applicants

- 3 Section 111 of the Act allows existing CMT holders to apply to have the group to which the CMT order applies varied.
- 4 The Crown could encourage existing CMT holders to use this to include other groups who should also have had their rights to this CMT recognised.
- 5 I do not consider that this option would work in practice because there is no clear incentive for existing CMT holders to be willing to include other groups in their CMT once they have been issued with it.

### Non-legislative option 3: Encourage applicant groups to combine their applications so they can be considered in the appropriate pathway

- 6 The Crown could encourage applicant groups to combine their applications with groups who have applied through the other pathway so a combined application can be considered through one pathway. This would enable the collective claim for CMT to be considered.

7

[REDACTED]

s(9)(2)(g)(i)

- 8 This option also relies on different groups being ready to have their applications considered at the same time, which is unlikely to be workable in practice.
- 9 This option would also still result in two separate titles, which does not help to address the problem.

**Appendix 3: Takutai moana applicant consultation document**

# TAKUTAI MOANA DUAL PATHWAY CONSULTATION

## Message from the Minister

***Ko te āio o te moana, ka whītikia e te kiore***

***When there is complete agreement in tribal affairs, great difficulties can be overcome***

Tēnā koutou,

When you submitted your applications for customary marine title (CMT), you had a choice of whether to apply to the High Court, the Crown, or both.

Only one CMT can be issued per area of the takutai moana. Any groups that meet the test for CMT over an area can jointly hold the CMT (a shared CMT). However, if overlapping applications were not made to the same decision-maker, then they may not be considered alongside each other. This leads to a risk that some groups that can meet the test may not have their CMT recognised, because the first decision-maker is unable to consider their application. This is clearly wrong.

The takutai moana legislation did not anticipate this and has not been well set up to support CMT decision making in these situations. I am considering ways to change the legislation so that all applications that should be considered for CMT in an area are. This document sets out options for changes to the legislation. I want to hear your views on which of the three options you think would be best.

**Please send your feedback to [takutaimoana@tearawhiti.govt.nz](mailto:takutaimoana@tearawhiti.govt.nz) or kōrero with Te Kāhui Takutai Moana about the issue by 5pm on 21 October 2022.**

Nāku noa, nā

Hon. Andrew Little

Minister for Treaty of Waitangi Negotiations



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## Potential changes to the legislation

### Option 1: Enable decision makers to take account of all relevant applications for an application area at the same time

Option 1 would enable all relevant applications to be considered at the same time by either the High Court or the Crown. If applicants did not wish to have their application considered by that decision maker, they may choose not to participate. However, if CMT is recognised for other applicants in the area as part of this process, any applicant who chose not to participate would not be able to have a CMT decision made in the other pathway for that area.

### Option 2: Enable a CMT to be varied to take account of decisions in the other pathway.

Option 2 would mean decision makers could still only consider and determine the applications made in their pathway, but would enable a CMT issued in that pathway to be varied to include applicant groups if the other decision maker is satisfied, they also meet the test for CMT (a shared CMT).

For example, if the High Court made a CMT recognition order for one or more applicant groups in an area, and then at a later date the Minister determined further applicant groups in that area also meet the test for CMT, the further applicant group(s) could be added to the existing recognition order.

### Option 3: Combining options 1 and 2

Option 3 would enable either decision maker to take account of all the relevant applications in a coastline at the same time, irrespective of which pathway an application was originally made in. However, if applicants chose to stay in their original pathway and were also found to meet the test for CMT, they could be added to the recognition order or Act that was made in the other pathway.

## Commentary on the options

It is important to note that there is an inherent trade-off to be made between enabling all applications for CMT to be considered and providing for CMT, once issued, to be enduring.

Option 1 would provide for CMT, once issued to be enduring, but may mean that some groups would have to participate in a process they did not originally choose, or risk not having their application for CMT considered at all.

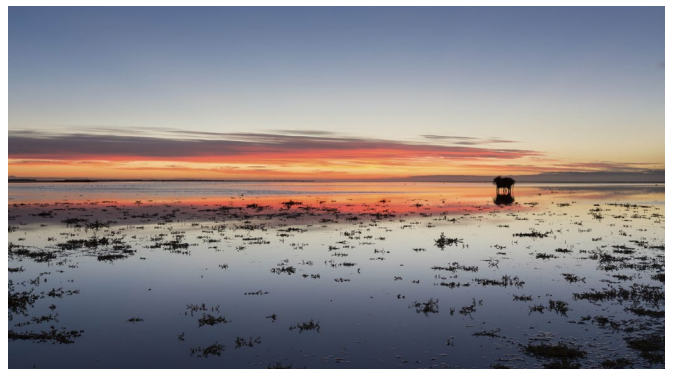
Options 2 and 3 would mean that applicants can maintain their original choice without risking not having their application for CMT considered. But this would mean that a CMT can be issued and then later on when other applications are considered, other groups that also meet the test for CMT in this area can be added to the CMT. Groups may have to participate in more than one process.

Groups who are added later to a CMT could potentially be disadvantaged if the earlier holder(s) of CMT took decisions over that area that later groups may not have agreed with.

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## How will the change be implemented?

Each of these options will need legislative change. A draft Bill will need to be prepared and go through a Parliamentary process.







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## How does this relate to the ongoing Wai 2660 inquiry?

The Waitangi Tribunal is conducting a kaupapa inquiry into the Act (Wai 2660) and is due to report back later this year with findings. These may call for wider reforms to the Act that could involve changing some fundamental parts of it.

It is important to both address the pressing problem with the dual pathway now, so applicant groups are not unfairly denied having their application for CMT heard and determined, and to also consider a wider government response to Wai 2660 in future.

Changes made now to fix this dual pathway problem, will not affect the government considering all the findings and recommendations of the Tribunal once it releases its final report.

The longer this problem continues, the more applicants there will be who are at risk of not having CMT recognised. This is why it is so important to this dual pathway problem now.

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## What happens next?

Your feedback on these options is a crucial next step in the process and will be taken into account when Cabinet decides which option to progress.

Te Arawhiti will keep you updated on the process in future takutai moana pānui.

## HE PĀTAI

1. Which of the three options do you support and why?
2. Are there any options you do not support and why?
3. Are there any other matters you think should be taken into account when considering which of these options to progress with?

## How to have your say

Te Arawhiti staff are happy to receive your views by email or to kōrero with you. Please email [takutaimoana@tearawhiti.govt.nz](mailto:takutaimoana@tearawhiti.govt.nz)

**Consultation closes at 5pm on  
21 October 2022**

