

WHAKATAU | BRIEFING

Proactive release of Briefings and Cabinet Papers: Proposed Amendments to Te Ture Whenua Maori Act 1993

Date:	9 May 2025	Priority	High
Classification	In Confidence	Tracking Number	TPK-72283

Action sought	Date action required by
It is recommended that you: 1. Agree to the proactive release of a series of briefings and the respective Cabinet paper on the proposed Amendments to Te Ture Whenua Maori Act 1993. Proposed redactions to attachments 1-7 have been identified and are listed in Appendix 1.	9 May 2025

Contact for telephone discussion (if required)				
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Joanna Pohatu	Manager, Te Pou Taiao		+64277327567	√
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Other Agencies Consulted					
<input type="checkbox"/> MBIE	<input type="checkbox"/> MoJ	<input type="checkbox"/> NZTE	<input type="checkbox"/> MSD	<input type="checkbox"/> TEC	<input type="checkbox"/> MoE
<input type="checkbox"/> MFAT	<input type="checkbox"/> MPI	<input type="checkbox"/> MfE	<input type="checkbox"/> DIA	<input type="checkbox"/> Treasury	<input type="checkbox"/> MoH
<input type="checkbox"/> MHUD	<input type="checkbox"/> Other				

Attachments	
	<p>Attachment 1: 2025 03 10 BP 71932 Public consultation approach for proposed amendments to Te Ture Whenua Maori Act 1993 FINAL – Signed</p> <p>Attachment 2: 2025 Te Ture Whenua Maori Act 1993 - Seeking approval of the Minister's foreword for the Discussion Document</p> <p>Attachment 3: 2025 03 18 72038 Seeking approval to lodge Cabinet Paper and Discussion Document on changes to Te Ture Whenua Maori Act 1993</p> <p>Attachment 4: 2025 03 19 TPK 72038 Discussion Document - Proposed amendments to Te Ture Whenua Maori Act 1993</p> <p>Attachment 5: Cabinet paper: Proposed Amendments to Te Ture Whenua Maori Act 1993 - Approval to consult (Draft redacted)</p> <p>Attachment 6: Cabinet paper: <i>Proposed Amendments to Te Ture Whenua Maori Act 1993: Approval to Consult (ECO-25-SUB-0027)</i> – Signed</p> <p>Attachment 7: Cabinet Economic Policy Committee Minute [ECO-25-MIN-0027].</p> <p>Attachment 8: Proactive release cover sheet.</p>

Minister's office to complete:

- | | |
|---|--|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Declined |
| <input type="checkbox"/> Noted | <input type="checkbox"/> Needs change |
| <input type="checkbox"/> Seen | <input type="checkbox"/> Overtaken by Events |
| <input type="checkbox"/> See Minister's Notes | <input type="checkbox"/> Withdrawn |

9 May 2025

Te Minita Whanaketanga Māori

Proactive release of Briefings and Cabinet Papers: Proposed Amendments to Te Ture Whenua Maori Act 1993

Purpose

1. This briefing seeks your agreement to the proactive release of a series of briefings and respective Cabinet papers on the proposed Amendments to Te Ture Whenua Maori Act 1993, with proposed redactions to some of the attachments 1-7.

Background

2. On 26 March 2025 you took the Cabinet Paper “Proposed Amendment to Te Ture Whenua Maori Act 1993: Approval to Consult” (*ECO-25-SUB-0027*) to the Cabinet Economic Policy Committee (ECO) for consideration.
3. The paper outlined the Government’s decision to consult publicly on a package of legislative amendments aimed at improving the workability of Te Ture Whenua Maori Act 1993 (TTWM Act).
4. Cabinet approved and confirmed the release of the discussion document on 31 March 2025 [ECO-25-MIN-0027]. Public consultation commenced on 31 March 2025. The consultation document is publicly available on Te Puni Kōkiri website.
5. In accordance with the Cabinet Office Circular CO (18) 4 and the commitment recorded in the Cabinet paper, the material must be published online within 30 business days of final Cabinet decisions, unless there is a justified reason to withhold or delay publication.
6. The release of this Cabinet paper has been slightly delayed due to officials prioritising the delivery of regional hui as part of the public consultation for proposed amendments to TTWM Act.

Cabinet material to be released

7. The Cabinet material and briefings to be proactively released are attached to this briefing and comprises:
 - **Attachment 1:** 2025 03 10 BP 71932 Public consultation approach for proposed amendments to Te Ture Whenua Maori Act 1993 FINAL – Signed;
 - **Attachment 2:** 2025 Ture Whenua Maori Act 1993 - Seeking approval of the Minister's foreword for the Discussion Document;
 - **Attachment 3:** 2025 03 18 72038 Seeking approval to lodge Cabinet Paper and Discussion Document on changes to Te Ture Whenua Maori Act 1993;
 - **Attachment 4:** 2025 03 19 TPK 72038 Discussion Document - Proposed amendments to Te Ture Whenua Maori Act 1993;

- **Attachment 5:** Cabinet paper: Proposed Amendments to Te Ture Whenua Maori Act 1993 - Approval to consult;
 - **Attachment 6:** Cabinet paper: *Proposed Amendments to Te Ture Whenua Maori Act 1993: Approval to Consult*; and
 - **Attachment 7:** Cabinet Economic Policy Committee Minute [ECO-25-MIN-0027].
8. We have reviewed each of the attached papers. Most of the content reflects information that is already publicly available, including references to funding implications, operational impacts on the Māori Land Court, and details of the Technical Advisory Panel's engagement. However, we do propose a small number of redactions to some of the papers. These redactions are to protect the private information of officials, or as the information is going to become public soon. This is in-line with requirements under the Official Information Act 1982 (**OIA**).
9. Where appropriate, Te Puni Kōkiri has consulted with agencies, i.e. the Ministry for Primary Industries (MPI) and Māori Land Court (MLC), regarding the reference to their agency's views and/or if it is appropriate to be proactively released. **Appendix 1** outlines the proposed redactions and rationale (under the OIA), as well as feedback provided from agencies we have consulted with.

Next Steps

10. Subject to your agreement, we will publish the attached documents (with relevant redactions) and the proactive release cover sheet on the Te Puni Kōkiri website, following your approval.
11. The proactive release of these documents may trigger Official Information Act requests for further information. Te Puni Kōkiri will manage any such requests through standard processes.

Recommended Action

12. It is recommended that you:

1. **agree** to the proactive release of a series of briefings and the respective Cabinet paper on the proposed Amendments to Te Ture Whenua Maori Act 1993. **Yes / No**
Proposed redactions to attachments 1-7 have been identified and are listed in Appendix 1.



Bernard Te Paa
Paeārahi, Hauora, Te Puni Kaupapa-Here| General Manager, Wellbeing Policy

Hon Tama Potaka
Te Minita Whanaketanga Māori

Date: ____ / ____ / 2025

Appendix 1: Proposed redactions to documents comprising the proactive release

Paper	Proposed radiation	Rationale	Agency comment – if applicable
Attachment 1: 2025 03 10 BP 71932 Public consultation approach for proposed amendments to Te Ture Whenua Maori Act 1993 FINAL – Signed	Phone numbers of officials.	Redact under s9(2)(a) of the OIA (<i>to protect the privacy of a natural persons</i>).	
Attachment 2: 2025 Ture Whenua Maori Act 1993 - Seeking approval of the Minister's foreword for the Discussion Document	Phone numbers of officials.	Redact under s9(2)(a) of the OIA (<i>to protect the privacy of a natural persons</i>).	
Attachment 3: 2025 03 18 72038 Seeking approval to lodge Cabinet Paper and Discussion Document on changes to Te Ture Whenua Maori Act 1993	Phone numbers of officials.	Redact under s9(2)(a) of the OIA (<i>to protect the privacy of a natural persons</i>).	
Attachment 4: 2025 03 19 TPK 72038 Discussion Document - Proposed amendments to Te Ture Whenua Maori Act 1993	No redactions proposed.		
Attachment 5: Cabinet paper: Proposed Amendments to Te Ture Whenua Maori Act 1993 - Approval to consult	Para 28: <i>changes to TTWM act will better support landowner aspirations and unlock the economic potential of whenua māori, for example by supporting the development of up to</i>	Redact the highlighted text under s18(d) that the information requested is or will soon be publicly available.	Ministry of Primary Industry (MPI) officials were consulted and directed Te Puni Kōkiri to redact the highlighted sentence under s18(d) of the OIA.

	<i>600,000 hectares of underutilised māori land. fully utilising this land would generate over \$2 billion in annual revenue and employment¹.</i>		They advised this is in accordance with Office of the Ombudsman guidance which states that if there is still further work to be done to prepare for publication, including quality assurance, consultation and approval processes, a redaction is reasonable, provided the delay until its release is not undue. MPI expect to have the report launched in June.
Attachment 6: Cabinet paper: Proposed Amendments to Te Ture Whenua Maori Act 1993: Approval to Consult	<i>Para 28: changes to TTWM act will better support landowner aspirations and unlock the economic potential of whenua māori, for example by supporting the development of up to 600,000 hectares of underutilised māori land. fully utilising this land would generate over \$2 billion in annual revenue and employment².</i>	Redact the highlighted text under s18(d) that the information requested is or will soon be publicly available.	Ministry of Primary Industry (MPI) officials were consulted and directed Te Puni Kōkiri to redact the highlighted sentence under s18(d) of the OIA. They advised this is in accordance with Office of the Ombudsman guidance which states that if there is still further work to be done to prepare for publication, including quality assurance, consultation and approval processes, a redaction is reasonable, provided the delay until its release is not undue. MPI expect to have the report launched in June.

¹ MPI (unpublished), 2024.

² MPI (unpublished), 2024.

IN CONFIDENCE

Attachment 7: Cabinet Economic Policy Committee Minute [ECO- 25-MIN-0027]	No redactions proposed.		
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