



Fast-track Approvals Act 2024 – Treaty settlements and other obligations (Section 18) report

Project Name: FTAA-2606-1256 Beachlands South

To:	Date:
Panel Convener, Jane Borthwick	14 July 2026

Number of attachments: 8	Attachments: 1. Provisions of section 18 of the Fast-track Approvals Act 2024 2. Project location map 3. List of relevant Māori groups 4. Coastal marine area statutory acknowledgement (Ngāi Tai ki Tāmaki) 5. Coastal statutory acknowledgement (Te Ākitai Waiohūa) 6. Excerpts from the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement 7. Excerpt from Ngāi Tai ki Tāmaki conservation relationship agreement 8. Deed plan for Waikōpua cultural redress property (Ngāi Tai ki Tāmaki) 9. Excerpt from Te Ākitai Waiohūa Whakaaetanga Tiaki Taonga agreement
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Key points

1. As required by section 49 of the Fast-track Approvals Act 2024 (the Act), the Ministry for Cities, Environment, Regions & Transport (on behalf of the Secretary for the Environment) has prepared this report on Treaty settlements and other obligations (section 18 of the Act) in relation to the substantive application FTAA-2606-1256 Beachlands South.
2. The applicant, Beachlands South Limited Partnership, proposes to develop an approximately 268-hectare site at Beachlands, Auckland, into approximately 2,000 dwellings of a variety of housing types and densities. The project will also comprise a commercial local centre, primary and secondary schools, an ecological protected area network, a series of open spaces including a golf course, public access to and along the marine and coastal area, public transport and road upgrades, and supporting infrastructure. The applicant is seeking approvals under the Act which would otherwise be sought under the Resource Management Act 1991 (RMA), Wildlife Act 1953, and Heritage New Zealand Pouhere Taonga Act 2014.

3. Section 18(2) of the Act requires that the report provide a list of relevant Māori groups, including relevant iwi authorities and Treaty settlement entities. Many of those groups must be invited by the panel to comment on a substantive application under section 53(2) of the Act.
4. Auckland has a complex Treaty settlement landscape with many overlapping interests. Some groups have settled while others are still in settlement negotiations with the Crown for both individual group and collective redress. There are also a number of applicants seeking recognition of their customary interests over the marine and coastal area, which forms part of the project area. Accordingly, there are a significant number of relevant Māori groups for this project area, which we have listed at **Attachment 3**.
5. The Treaty settlements and other arrangements relevant to the project area are: Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014; Ngāi Tai ki Tāmaki Claims Settlement Act 2018; Ngāti Tamaoho Claims Settlement Act 2018; Ngāti Pāoa Claims Settlement Act 2025; Te Ākitai Waiohūa deed of settlement; and the Te Patukirikiri deed of settlement.
6. The Ngāi Tai ki Tāmaki and Te Ākitai Waiohūa settlements provide for coastal statutory acknowledgements over statutory areas which include, and are adjacent to, parts of the project area. The application also includes proposed activities, such as the construction and operation of an outfall for treated wastewater, which may affect these statutory areas. We consider inviting Ngāi Tai ki Tāmaki and Te Ākitai Waiohūa to comment on the application under section 53 of the Act will meet the obligation under the statutory acknowledgement provisions to provide a summary of the application to the holder of the statutory acknowledgement.
7. The Ngā Mana Whenua o Tāmaki Makaurau collective redress deed, and the Ngāi Tai ki Tāmaki, Ngāti Tamaoho, Te Ākitai Waiohūa, Ngāti Pāoa, and Te Patukirikiri Treaty settlements, provide for conservation relationship agreements with the Department of Conservation (DOC), which include procedural requirements in relation to the Wildlife Act 1953 approval sought by the applicant. Our view is that the panel will need to consider how it might:
 - a. comply with the consultation process set out in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement when engaging with Tūpuna Taonga o Tāmaki Makaurau Trust on the conservation approvals being sought (unless a modified arrangement can be agreed); and
 - b. consider whether, and how, to apply the consultation process set out in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement when engaging with the relevant iwi members of the Tāmaki Collective.

Signature



Stephanie Frame
Manager – Fast-track Operations

Introduction

8. For a substantive application that relates to a listed project, under section 49 of the Act, the Environmental Protection Authority (EPA) must request a report from the responsible agency (Secretary for the Environment) that is prepared in accordance with section 18(2) and (3) of the Act (but does not contain the matters in section 18(2)(l) and (m)).
9. The information which must be provided in this report includes:
 - a. relevant iwi authorities, Treaty settlement entities, applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011 (MACA), and other Māori groups with interests in the project area; and
 - b. relevant principles and provisions in Treaty settlements and other arrangements.
10. This report is structured accordingly. We have provided a list of the relevant provisions of section 18 at **Attachment 1**.

Proposed project

11. The applicant, Beachlands South Limited Partnership, proposes to develop an approximately 268-hectare site at Beachlands, Auckland, into approximately 2,000 dwellings of a variety of housing types and densities. The project will also comprise a commercial local centre, primary and secondary schools, an ecological protected area network, a series of open spaces including a golf course, public access to and along the marine and coastal area, public transport and road upgrades, and supporting infrastructure. The project area is at 110 Jack Lachlan Drive, 620, 712, 758 and 770 Whitford-Maraetai Road, and the adjacent marine and coastal area to the west. The applicant owns the majority of the land within the project area except 758 and 770 Whitford-Maraetai Road.
12. The applicant is seeking approvals under the Act which would otherwise be sought under the RMA (including subdivision, land disturbance, vegetation alteration or removal, wastewater treatment and discharge, taking and diversion of water, stormwater diversion and discharge, and a number of activities in the coastal marine zone), Wildlife Act 1953 (authority for the capture, handling, temporary holding, and relocation of indigenous lizards), and Heritage New Zealand Pouhere Taonga Act 2014 (archaeological authority).
13. We have provided location maps at **Attachment 2**.

Relevant iwi authorities, Treaty settlement entities, and other Māori groups

14. We note that some entities identified below may be included in more than one category. We have included a composite list of all groups at **Attachment 3**, including contact details.¹

Iwi authorities

15. Under section 4(2) of the Act, 'iwi authority' has the same meaning as in section 2(1) of the RMA:

the authority which represents an iwi and which is recognised by that iwi as having authority to do so.

16. We consider the following groups to be the relevant iwi authorities for the project area:

¹ These are the contact details we could locate in the time available, and in some cases they will be the generic email address for the entity.

- a. Ngāi Tai ki Tāmaki Trust, representing Ngāi Tai ki Tāmaki;
- b. Ngāti Tamaoho Settlement Trust, representing Ngāti Tamaoho;
- c. Te Ākitai Waiohū Waka Taua Inc, representing Te Ākitai Waiohū;
- d. Ngāti Maru Rūnanga Trust, representing Ngāti Maru;
- e. Te Patukirikiri Iwi Trust, representing Te Patukirikiri;
- f. Ngāti Pāoa Iwi Trust, representing Ngāti Pāoa;
- g. Ngāti Tamaterā Treaty Settlement Trust, representing Ngāti Tamaterā;
- h. Ngaati Whanaunga Incorporated Society, representing Ngaati Whanaunga;
- i. Hako Tūpuna Trust, representing Hako; and
- j. Te Whakakitenga o Waikato, representing Waikato-Tainui.

Treaty settlement entities

17. Under section 4(1) of the Act, “Treaty settlement entity” means any of the following:

- (a) a post-settlement governance entity (PSGE):*
- (b) a board, trust, committee, authority, or other body, incorporated or unincorporated, that is recognised in or established under any Treaty settlement Act:*
- (c) an entity or a person that is authorised by a Treaty settlement Act to act for a natural resource feature with legal personhood:*
- (d) Te Ohu Kai Moana or a mandated iwi organisation (as those terms are defined in section 5(1) of the Maori Fisheries Act 2004):*
- (e) an iwi aquaculture organisation (as defined in section 4 of the Maori Commercial Aquaculture Claims Settlement Act 2004).*

18. Under the Act, a PSGE:

- (a) means a body corporate or the trustees of a trust established, for the purpose of receiving redress in the Treaty settlement of a claimant group,—*
 - (i) by that group; or*
 - (ii) by or under an enactment or order of a court; and*
- (b) includes—*
 - (i) an entity established to represent a collective or combination of claimant groups; and*
 - (ii) an entity controlled by an entity referred to in paragraph (a); and*
 - (iii) an entity controlled by a hapū to which redress has been transferred by an entity referred to in paragraph (a).*

19. In keeping with the procedural principles outlined at section 10 of the Act, we only identify those PSGEs which are specified in the relevant Treaty settlement Act or Treaty settlement deed.²

20. We have identified the following relevant Treaty settlement entities for this project area:

- a. Tūpuna Taonga o Tāmaki Makaurau Trust/Whenua Haumi Roroa o Tāmaki Makaurau Limited Partnership, PSGEs for Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014;
- b. Ngāi Tai ki Tāmaki Trust, PSGE for Ngāi Tai ki Tāmaki Claims Settlement Act 2018;
- c. Ngāti Tamaoho Settlement Trust, PSGE for Ngāti Tamaoho Claims Settlement Act 2018; and
- d. Ngāti Pāoa Iwi Trust, PSGE for Ngāti Pāoa Claims Settlement Act 2025.

21. A PSGE may be established ahead of finalising a deed of settlement and/or enactment of Treaty settlement legislation. The following PSGEs in this category are also relevant:

- a. Te Ākitai Waiohua Settlement Trust, PSGE for Te Ākitai Waiohua deed of settlement (signed November 2021);
- b. Te Patukirikiri Iwi Trust, PSGE for Te Patukirikiri deed of settlement (signed October 2018);
- c. Ngāti Tamaterā Treaty Settlement Trust, PSGE for Ngāti Tamaterā deed of settlement (initialled September 2017);
- d. Ngāti Maru Rūnanga Trust, PSGE for Ngāti Maru deed of settlement (initialled September 2017);
- e. Taonga o Marutūāhu Trustee Limited/Marutūāhu Rōpū Limited Partnership, PSGEs for Marutūāhu collective redress deed (initialled July 2018);
- f. Ngaati Whanaunga Ruunanga Trust, PSGE for Ngaati Whanaunga deed of settlement (initialled August 2017);
- g. Hako Tūpuna Trust, PSGE for Hako settlement (deed of on-account signed October 2014, agreement in principle signed July 2011); and
- h. Te Whakakitenga o Waikato, PSGE for Waikato-Tainui remaining claims (terms of negotiation signed December 2020).

Groups mandated to negotiate Treaty settlements

22. In addition to the PSGEs identified at paragraph 21, the following groups have recognised mandates to negotiate a Treaty settlement over an area which may include the project area, and are in the early stages of negotiating their Treaty settlements with the Crown:

- a. Ngāti Koheriki, represented by Ngāti Koheriki Claims Committee.

² Should a panel be made aware of a Treaty settlement entity established after the Treaty settlement Act is enacted (e.g. on the advice of a PSGE), then there would appear to be nothing to prevent the panel from inviting that entity to comment on the application under section 53(2)(c) of the Act.

Takutai Moana groups and ngā hapū o Ngāti Porou

23. The project area includes part of the marine and coastal area. At the time of writing, there are no groups with court orders or agreements that recognise protected customary rights (PCR) or customary marine title (CMT) under MACA within the project area.
24. The following applicant groups are seeking recognition of CMT or PCR in the marine and coastal area which includes part of the project area:
- a. MAC-01-03-011: Ngāti Tamaterā;
 - b. MAC-01-03-001: Hauraki Māori Trust Board;
 - c. MAC-01-03-010: Ngāti Tamaoho;
 - d. MAC-01-02-005/ CIV-2017-404-569: Ngāti Te Ata;
 - e. MAC-01-02-004/ CIV-2017-404-518: Ngāti Taimanawaiti;
 - f. MAC-01-02-003/ CIV-2017-404-564: Ngāi Tai ki Tāmaki;
 - g. MAC-01-01-133: Te Kaunihera o Te Tai Tokerau;
 - h. MAC-01-01-105: Reti Whānau;
 - i. MAC-01-01-091: Ngaati Whanaunga (PCR);
 - j. MAC-01-01-056: Ngā Puhī Nui Tonu (Te Kotahitangā Marae);
 - k. MAC-01-03-006: Ngāti Maru;
 - l. MAC-01-01-058: Ngā Puhī Nui Tonu (Waitangi Marae);
 - m. MAC-01-01-023: Ihaia Paora Weka Tuwhera Gavala Murray Mahinepua Reserve Trust Ngāti Rua Iti Ngāti Muri, Ngatiruamahue Ngāti Kawau Ngāti Haiti Ngāitupango Ngā Puhī Ngāti Kahu Te Auopouri;
 - n. MAC-01-01-073/ CIV-2017-485-398: Ngāti Kawau and Te Waiariki Korora;
 - o. CIV-2017-404-558: Ngāitawake; and
 - p. CIV-2017-404-537: Ngā Puhī nui tonu, Ngāti Rāhiri, Ngāti Awa, Ngāi Tāhuhu and Ngāitawake.
25. The project area is not within ngā rohe moana o ngā hapū o Ngāti Porou (as set out in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019).

Iwi or hapū whose practices are recognised under the Fisheries Act 1996 through regulation or bylaws

26. The project area does not include a taiāpure-local fisheries area, mātaihai reserve, or area subject to a bylaw or regulations made under Part 9 of the Fisheries Act 1996. Under section 186A of the Fisheries Act 1996, there is a temporary closure in place for the collection of cockles at Umupuia Beach, but this is approximately 12 kilometres along the coast to the east of the project area.³

³ Fisheries (Umupuia Beach Temporary Closure) Notice 2024 (Notice No. MPI 1854). At the time of writing, the closure is in place until 6 August 2026.

Owners of identified Māori land where electricity infrastructure or land transport infrastructure is proposed

27. Section 39 of the Act provides that before a substantive application is lodged for a listed project or a referred project, the Minister may determine under section 23 or 24 that, for the purposes of the project, an activity described in section 5(1)(a) is not an ineligible activity if it:
- a. is the construction of electricity lines or land transport infrastructure by (or to be operated by) a network utility operator that is a requiring authority; and
 - b. would occur on identified Māori land that is Māori freehold land or General land owned by Māori that was previously Māori freehold land.
28. This project does not involve an activity described in section 23(1) (i.e. including both (a) and (b)) of the Act.

Iwi authorities and groups representing hapū who are party to relevant Mana Whakahono ā Rohe or joint management agreements

29. If the project area is within the boundaries of either a Mana Whakahono ā Rohe or joint management agreement, and the application includes a proposed RMA approval described in section 42(4)(a) to (d) (resource consent, certificate of compliance, or designation), we are required to identify the relevant iwi authority/group that represent hapū that are parties to these arrangements.
30. We have not identified any Mana Whakahono ā Rohe or joint management agreements that are relevant to the project area, and accordingly there no parties to these arrangements to identify. We understand that in 2018, Ngāi Tai ki Tāmaki initiated negotiations with Auckland Council to develop a Mana Whakahono ā Rohe, but an agreement has yet to be reached.

Any other Māori groups with relevant interests

31. We did not identify any other Māori groups with relevant interests.
32. We note that the applicant, as a limited partnership, includes Ngāi Tai Hāpai Development Limited Partnership, comprising Ngāi Tai ki Tāmaki together with six further iwi partners (Raukawa, Taranaki Iwi, Pare Hauraki (collective), Ngāti Tama (Te Taihu), Ngāruahine and Ngāti Maru (Taranaki)).

Relevant principles and provisions in Treaty settlements and other arrangements

Treaty settlements

33. Under section 4(1) of the Act, a Treaty settlement includes both a Treaty settlement Act and a Treaty settlement deed which is signed by both the Crown and representatives of a group of Māori.
34. The following Treaty settlements relate to land, species of plants or animals, or other resources within the project area:

Treaty settlement Acts

- a. Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014;
- b. Ngāi Tai ki Tāmaki Claims Settlement Act 2018;

- c. Ngāti Tamaoho Claims Settlement Act 2018;
- d. Ngāti Pāoa Claims Settlement Act 2025;

Deeds of settlement

- e. Te Ākitai Waiohua deed of settlement signed 12 November 2021; and
- f. Te Patukirikiri deed of settlement signed 7 October 2018.

Relevant principles and provisions

35. Section 7 of the Act requires all persons exercising powers and functions under the Act to act in a manner consistent with Treaty settlements. The relevant principles and provisions for each of these settlements are set out below.

Crown acknowledgements and apologies

- 36. The Crown offers acknowledgements and an apology to relevant groups as part of Treaty settlement redress to atone for historical wrongs that breached te Tiriti o Waitangi/the Treaty of Waitangi, to restore honour, and begin the process of healing.
- 37. As part of its apologies to Ngāi Tai ki Tāmaki, Ngāti Tamaoho, Ngāti Pāoa, Te Ākitai Waiohua, and Te Patukirikiri, the Crown stated that it looked forward to building a new relationship with these groups based on co-operation, mutual trust, and respect for te Tiriti o Waitangi/the Treaty of Waitangi and its principles. The redress mechanisms provided for in Treaty settlements should be viewed in the context of these intentions.

Statutory acknowledgements

- 38. The Ngāi Tai ki Tāmaki and Te Ākitai Waiohua settlements provide for coastal statutory acknowledgements which are relevant to this application. A statutory acknowledgement is an acknowledgement by the Crown of a 'statement of association' between the iwi and an identified area (the 'statutory area').
- 39. Under the RMA and the relevant settlement Acts, a consent authority must, when considering a resource consent for a proposed activity that is within, adjacent to, or directly affecting a statutory area:
 - a. provide a summary of the application to the holder of the statutory acknowledgement. The summary of the application must be the same as would be given to an affected person by limited notification under the RMA. The summary must be provided as soon as is reasonably practicable after the relevant consent authority receives the application, but before they decide whether to notify the application; and
 - b. have regard to the statutory acknowledgement when deciding whether the holder (generally a PSGE) is an 'affected person' for the purposes of notification decisions under the RMA.⁴
- 40. The holder of a statutory acknowledgment may also cite this as evidence of their association with a statutory area in any submission before a relevant consent authority (or the Environment Court, Heritage New Zealand Pouhere Taonga (HNZPT), EPA, or a board of inquiry), which may, in turn, take that statutory acknowledgement into account.

⁴ In addition to consent authorities, the Environment Court and Heritage New Zealand Pouhere Taonga must also have regard to statutory acknowledgements in relation to some of their processes.

41. The Ngāi Tai ki Tāmaki and Te Ākitai Waiohū coastal statutory acknowledgements are relevant because:
- a. as shown in the location maps at Attachment 2, the site of the proposed development is adjacent to the statutory areas,⁵ as the western boundary follows the coast for approximately 2.7 kilometres. This coastal area is known as the Whitford Embayment, into which three tidal creeks (Waikōpua, Tūranga, and Mangemangeroa) discharge;
 - b. the application includes the construction (by directional drilling) and ongoing operation of an outfall for treated wastewater within the marine and coastal area, as Stage Two of the proposed wastewater strategy. The pipeline will be entirely below the seabed for approximately two kilometres, before discharging treated wastewater into the sea at the centre of the Whitford Embayment via a submerged diffuser;
 - c. the proposal will also involve the ongoing discharge of treated stormwater into the marine and coastal area via stormwater outfalls, which may affect the statutory area; and
 - d. given the proximity of the site to the coast, there may be effects on the statutory area from other proposed activities, such as construction earthworks.
42. We consider the process of inviting comment from the relevant Treaty settlement entities under section 53(2)(c) of the Act (including providing information about the application) is comparable to the process under a Treaty settlement and the RMA of providing those who hold statutory acknowledgements with a summary of the application. We note that the Te Ākitai Waiohū coastal statutory acknowledgement is not yet in force since the settlement legislation has not been enacted.
43. For your reference, we have provided the relevant provisions for the Ngāi Tai ki Tāmaki and Te Ākitai Waiohū coastal statutory acknowledgements, including the relevant statements of association and deed plans, at **Attachments 4 and 5** (respectively).⁶
44. The Office of Treaty Settlements and Takutai Moana – Te Tari Whakatau (Te Tari Whakatau) advise that the iwi of the Marutūāhu Collective (which includes Ngāti Pāoa, Ngaati Whanaunga, Ngāti Maru, Ngāti Tamaterā and Te Patukirikiri) have signalled their intention to pursue coastal statutory acknowledgement redress over an area that includes the marine and coastal area within the project area. While the Marutūāhu Collective redress deed has yet to be signed, we have already identified the Marutūāhu Collective PSGEs above as relevant Treaty settlement entities/groups in settlement negotiations in relation to this application.

Conservation relationship redress

45. The proposed Wildlife Act 1953 approval for the capture, handling, temporary holding, and relocation of indigenous lizards is within scope of conservation relationship agreements provided for in the relevant Treaty settlements.

Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement

46. The Ngā Mana Whenua o Tāmaki Makaurau (also known as the Tāmaki Collective) collective redress deed provides for a relationship agreement with DOC which applies to

⁵ Separated by the Jack Lachlan Drive Esplanade Reserve.

⁶ Since the statutory acknowledgements provisions are standard drafting across Treaty settlement Acts, we have only provided the legislative provisions from the Ngāi Tai ki Tāmaki Claims Settlement Act 2018.

the project area. Amongst other matters, this relationship agreement enables Ngā Mana Whenua o Tāmaki Makaurau (represented by Tūpuna Taonga o Tāmaki Makaurau Trust) and DOC to identify categories of statutory authorisations that may have a high impact on the spiritual, ancestral, cultural, customary, and historic values of Ngā Mana Whenua o Tāmaki Makaurau. DOC advises that they consider Wildlife Act 1953 approvals are covered by the statutory authorisation processes in the relationship agreement, and while there is currently no list of specified categories of statutory authorisations, they refer all categories of application to Tūpuna Taonga o Tāmaki Makaurau Trust for comment (except requests for minor variations to existing authorisations).

47. The consultation process for statutory authorisations set out in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement requires iterative engagement with Ngā Mana Whenua on identified categories of authorisation. That process includes the following specific steps:
- a. DOC notifies Ngā Mana Whenua of the application, timeframe for a decision and the timeframe for Ngā Mana Whenua response;
 - b. Ngā Mana Whenua notify DOC of their response, interests, and views in relation to the proposal;
 - c. DOC acknowledges how Ngā Mana Whenua interests and views will be included in the decision-making process;
 - d. DOC will consider whether it is possible to reconcile any conflict between Ngā Mana Whenua interests and views and other considerations in the decision-making process;
 - e. DOC will record as part of a decision document the interests and views of Ngā Mana Whenua; and
 - f. DOC will communicate its decision to Ngā Mana Whenua as soon as practicable after it is made.
48. More broadly, the principles to be followed by DOC when consulting Ngā Mana Whenua include:
- a. ensuring consultation takes place as soon as reasonably practicable;
 - b. providing Ngā Mana Whenua with sufficient information to make informed comments and/or submissions;
 - c. approaching consultation with an open mind and genuinely considering any views or concerns of Ngā Mana Whenua; and
 - d. requiring the DOC to report back to Ngā Mana Whenua on decisions made.
49. In keeping with section 7 of the Act, and the procedural obligations outlined at clause 5 in Schedule 3 of the Act, the panel will need to consider how to accommodate the consultation procedures set out in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement as part of their consideration of the Wildlife Act 1953 approval sought by the applicant. We discuss this further below.
50. We have included the relevant excerpts from the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement at **Attachment 6**.
- Ngāi Tai ki Tāmaki conservation relationship agreement*
51. The Ngāi Tai ki Tāmaki deed of settlement provides for a conservation relationship agreement with DOC. This agreement requires DOC to consult with Ngāi Tai ki Tāmaki on applications for statutory authorisations in their area of interest, including the Wildlife Act

1953 approval sought by the applicant, through a process consistent with consultation provisions in the conservation relationship agreement in the Ngā Mana Whenua o Tāmaki Makaurau collective redress deed.⁷ We have included the relevant excerpt from the Ngāi Tai ki Tāmaki conservation relationship agreement at **Attachment 7**.

Ngāti Tamaoho conservation relationship agreement

52. The Ngāti Tamaoho deed of settlement provides for a conservation relationship agreement with DOC. This agreement includes statutory authorisations as one of a number of management activities where Ngāti Tamaoho are interested in working more closely with DOC, but there are no specific details on consultation processes. However, this agreement states that it is to be read in conjunction with the relevant parts of Part A, and Parts B and C, of the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement (Part A includes the consultation provisions for statutory authorisations outlined at paragraphs 47-48 and at **Attachment 6**).

Te Ākitai Waiohū conservation relationship agreement

53. The Te Ākitai Waiohū deed of settlement provides for a conservation relationship agreement with DOC. This agreement includes taonga species and statutory authorisations amongst those activities where Te Ākitai Waiohū are seeking to work more closely with DOC. The agreement includes some general principles for involvement of Te Ākitai Waiohū in conservation decision-making processes, such as providing sufficient information and time for Te Ākitai to identify their interests in an issue, while taking into account DOC's statutory obligations. As with the Ngāti Tamaoho conservation relationship agreement, the Te Ākitai Waiohū agreement states that it is to be read in conjunction with the relevant parts of Part A, and Parts B and C, of the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement.

Ngāti Pāoa conservation relationship agreement

54. The Ngāti Pāoa deed of settlement provides for a conservation relationship agreement between Ngāti Pāoa and DOC, but an agreement has yet to be entered into. The deed does not include a draft conservation relationship agreement. DOC advise that the development of a conservation relationship agreement with Ngāti Pāoa is in progress, but Ngāti Pāoa are currently focused on other aspects of their settlement implementation. Ngāti Pāoa are also part of the Tāmaki Collective.

Te Patukirikiri conservation relationship agreement

55. The Te Patukirikiri deed of settlement provides for a consideration relationship agreement between Te Patukirikiri and DOC to be entered into by settlement date (i.e. following enactment of settlement legislation). The deed of settlement does not specify the content of the conservation relationship agreement, and a draft agreement is not included in the documents schedule to the deed. However, Te Patukirikiri are part of the Tāmaki Collective.

Summary of advice

56. Our advice is that these conservation relationship agreement provisions are relevant to the panel when considering a substantive application, as the decision-maker on the proposed approval under the Wildlife Act 1953. Under clause 5 of Schedule 3 of the Act, if any Treaty

⁷ The Tāmaki Collective comprises Ngāi Tai ki Tāmaki, Ngāti Maru, Ngāti Pāoa, Ngāti Tamaoho, Ngāti Tamaterā, Ngāti Te Ata, Ngāti Whanaunga, Ngāti Whātua o Kaipara, Ngāti Whātua Ōrākei, Te Ākitai Waiohū, Te Kawerau ā Maki, Te Patukirikiri, Te Rūnanga o Ngāti Whātua.

settlement Act includes procedural arrangements relating to the appointment of a decision-making body for hearings and other procedural matters, the panel convener or panel must comply with the arrangements in the legislation as if they were a relevant decision maker. Other procedural matters include:

- a. a requirement for iwi or hapū to participate in the appointment of hearing commissioners to determine resource consent applications or notice of requirement lodged under the RMA;
- b. a requirement that notice be given to any person or specified class of person of any steps in a resource management process;
- c. any consultation requirements with iwi or hapū; or
- d. any other matter of procedure for determining a matter granted under a specified Act that corresponds to an approval under the Act.

57. The Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement requires a consultation process for the proposed Wildlife Act 1953 approval which would be partially met by inviting comments from Tūpuna Taonga o Tāmaki Makaurau Trust as per section 53(2) of the Act. To comply with all of the procedural requirements, and to thereby meet its obligations under clause 5 of Schedule 3 of the Act, the panel will need to consider how it could accommodate the iterative, ‘back and forth’ nature of the consultation processes required by the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement. This might include the panel following this consultation process or seeking agreement with Tūpuna Taonga o Tāmaki Makaurau Trust to a modified arrangement.

58. As members of the Tāmaki Collective, Ngāi Tai ki Tāmaki, Ngāti Tamaoho, Te Ākitai o Waiohū, Ngāti Pāoa, and Te Patukirikiri will be consulted on the proposed Wildlife Act 1953 approval through the Tūpuna Taonga o Tāmaki Makaurau Trust, using whatever internal process is followed by the collective. In addition, all of these groups will be invited to comment on the substantive application as iwi authorities/Treaty settlement entities under section 53(2).

59. However, the panel may also need to consider whether to apply the more interactive consultation process set out in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement to their engagement with each of the relevant iwi members of the collective.

60. This is most apparent in the case of Ngāi Tai ki Tāmaki, whose conservation relationship agreement states that DOC will carry out consultation with them “consistent with the process set out in clause 11 of the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement”. It is less clear whether to apply those same processes to consultation with:

- a. Ngāti Tamaoho, whose conservation relationship agreement is to be read in conjunction with the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement;
- b. Te Ākitai Waiohū, whose conservation relationship agreement includes the same provision, but their settlement legislation has yet to be enacted (while the conservation relationship agreement is provided for by the deed of settlement rather than the settlement Act, its execution is subject to the passage of the legislation);
- c. Ngāti Pāoa, who have yet to enter into a conservation relationship agreement; and
- d. Te Patukirikiri, who have yet to enter into a conservation relationship agreement, and whose settlement legislation has yet to be enacted.

61. In considering this matter, the panel will need to balance the requirements of section 7 of the Act, to act in a manner consistent with Treaty settlements (paragraph 35 refers), with the procedural principles set out at section 10, to use timely, efficient, consistent, and cost-effective processes that are proportionate to the functions, duties, or powers being exercised.
62. Our view is that the panel will need to consider how it might:
- a. comply with the consultation process set out in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement when engaging with Tūpuna Taonga o Tāmaki Makaurau Trust on the Wildlife Act 1953 approval being sought (unless a modified arrangement can be agreed); and
 - b. consider whether, and how, to apply the consultation process set out in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement when engaging with the relevant iwi members of the Tāmaki Collective.

Other redress

Waikōpua cultural redress property

63. The Ngāi Tai ki Tāmaki Claims Settlement Act 2018 provided for the transfer of Waikōpua, comprising two tidal islets at the head of the Waikōpua Creek estuary, to Ngāi Tai ki Tāmaki as a cultural redress property. Upon transfer, the property ceased to be a conservation area and was declared and classified as a local purpose reserve (for the purposes of wetland management). The Waikōpua Local Purpose (Wetland Management) Reserve, as it is now known, is located a short distance south of the project area. The transfer of this property through the settlement underscores the strong traditional association of Ngāi Tai ki Tāmaki with this coastal area. We have provided a copy of the deed plan for Waikōpua at **Attachment 8**.

Whakaaetanga Tiaki Taonga

64. The Te Ākitai Waiohūa deed of settlement provides for a Whakaaetanga Tiaki Taonga to be entered into with the Cultural and Heritage Parties,⁸ including HNZPT. Appendix B of the Whakaaetanga Tiaki Taonga briefly summarises the process for seeking an archaeological authority from HNZPT under the Heritage New Zealand Pouhere Taonga Act 2014, including the requirement in that legislation that applicants must consult tangata whenua. For your information, we have provided this excerpt at **Attachment 9**.
65. While the reference to this consultation requirement in the Whakaaetanga Tiaki Taonga forms part of the Treaty settlement deed for Te Ākitai Waiohūa, we note that schedule 8 clause 2(1)(i) of the Act already requires applications for an archaeological authority to include a statement regarding consultation with tangata whenua. Further, the Whakaaetanga Tiaki Taonga has yet to be executed since the Te Ākitai Waiohūa settlement legislation has not been enacted.
66. Finally, we note that iwi and hapū are likely to have cultural associations with ancestral lands, water, sites, wāhi tapu, and other taonga beyond what is specifically identified in a Treaty settlement or other arrangements. Local tangata whenua and their representatives would be best placed to advise on such matters in the first instance.

⁸ Manatū Taonga Ministry for Culture and Heritage, Department of Internal Affairs, Archives New Zealand, National Library of New Zealand, Museum of New Zealand Te Papa Tongarewa, HNZPT, Ngā Taonga Sound & Vision.

Customary Marine Title/Protected Customary Rights

67. As noted above, part of the project area is within the marine and coastal area, but it not within a customary marine title area, protected customary rights area, or within or adjacent to ngā rohe moana o ngā hapū o Ngāti Porou.
68. However, as noted at paragraph 24, there are currently 16 applicant groups seeking recognition of PCR or CMT over areas which include the parts of the project area. Under section 53(2)(e) of the Act, the panel must also invite comments from MACA applicants identified in this report. This will provide applicant groups with an opportunity to comment on the application and have their views taken into consideration by the panel when making a decision on the substantive application for this project.⁹ The proposed construction and operation of an outfall for treated wastewater within the marine and coastal area is likely to a relevant aspect of the application for these groups.
69. We note that if any of the CMT/PCR applications are ultimately successful, a number of rights would be conferred on the relevant applicants under MACA, including a permission right that applies to activities that are to be carried out under future resource consents within a CMT area.

Taiāpure-local fisheries/mātaitai reserves/areas subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996

70. As noted above, the project area does not include a taiāpure-local fishery, mātaitai reserve, or area subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996.

Mana Whakahono ā Rohe/Joint management agreement

71. As noted above, we have not identified any Mana Whakahono ā Rohe or joint management agreements that are relevant to the project area.

Consultation with departments

72. In preparing this report, we are required to consult relevant departments. We sought advice from Te Puni Kōkiri and Te Tari Whakatau regarding the relevant Māori groups, and have incorporated their views into this report.

⁹ We note sections 62(2) and 62A of MACA provide for CMT applicants to be notified of, and consulted on, applications for resource consents in that part of the common marine and coastal area where CMT is being sought.

Attachment 1: Provisions of section 18 of the Fast-track Approvals Act 2024

Section	Information required	Paragraph reference in this report
18(1)	The Minister must, for a referral application, consider a report that is prepared and provided by the responsible agency in accordance with this section.	Not applicable to substantive applications – section 18 report is required by section 49.
18(2)(a)	Any relevant iwi authorities and relevant Treaty settlement entities	15-21
18(2)(b)	Any Treaty settlements that relate to land, species of plants or animals, or other resources within the project area	33-34
18(2)(c)	The relevant principles and provisions in those Treaty settlements, including those that relate to the composition of a decision-making body for the purposes of the Resource Management Act 1991	35-66
18(2)(d)	Any recognised negotiation mandates for, or current negotiations for, Treaty settlements that relate to the project area.	22
18(2)(e)	Any court orders or agreements that recognise protected customary rights or customary marine title within the project area.	23, 67
18(2)(f)	Any applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011 that seek recognition of customary marine title or protected customary rights within the project area.	24, 68-69
18(2)(g)	Whether the project area would be within or adjacent to, or the project would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou (and, if so, the relevant provisions of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019).	25, 67
18(2)(h)	Whether the project area includes any taiāpure-local fisheries, mātaihai reserves, or areas that are subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996 (and, if so, who the tangata whenua are).	26, 70
18(2)(i)	Whether the project involves an activity that could be the subject of a determination under 23 (and, if so, who the owners of the land are).	27-28
18(2)(j)	If the proposed approvals include an approval described in any of section 42C(4)(a) to (d) (resource consent, certificate of compliance, or designation),	29-30, 71

	(i) iwi authorities and groups that represent hapū that are parties to any relevant Mana Whakahono ā Rohe or joint management agreements. (ii) The relevant principles and provisions in those Mana Whakahono ā Rohe and joint management agreements.	
18(2)(k)	Any other Māori groups with relevant interests.	31-32
18(2)(l)	A summary of— (i) comments received by the Minister after inviting comments from Māori groups under section 17(1)(d) and (e); (ii) any further information received by the Minister from those groups	Not applicable to substantive applications
18(2)(m)	The responsible agency's advice on whether, due to any of the matters identified in this section, it may be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts.	Not applicable to substantive applications
18(3)	In preparing the report required by this section, the responsible agency must consult relevant departments.	72
18(4)	The responsible agency must provide the report to the Minister not later than 20 working days after the date for providing comments under section 17(6).	N/A
18(5)	However, if the Minister requests further information about a referral application under section 20, the time period specified in subsection (4) ceases to run for the period of time specified in the request.	N/A

Attachment 2: Project location map





Attachment 3: List of relevant Māori groups

Name of group	Type of group (section of Act)	Contact person	Contact email
Ngāi Tai ki Tāmaki Trust	iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a))	Jada MacFie, CE	
Ngāti Tamaoho Settlement Trust	iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a));	Tori Ngataki, chair	
Te Ākitai Waiohua Waka Taua Inc	iwi authority (s18(2)(a))	Nigel Denny Snr, chair	
Ngāti Pāoa Iwi Trust	iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a))	Blair Anderson	
Ngāti Maru Rūnanga Trust	iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a)); mandated entity (s18(2)(d))	Waati Ngamane	
Te Patukirikiri Iwi Trust	iwi authority s18(2)(a)); Treaty settlement entity (s18(2)(a)); mandated entity (s18(2)(d))	Wiremu Peters, chair	
Ngāti Tamaterā Treaty Settlement Trust	iwi authority s18(2)(a)); Treaty settlement entity (s18(2)(a)); mandated entity (s18(2)(d))	Michelle Wilson, CE	
Ngaati Whanaunga Incorporated Society	iwi authority (s18(2)(a))	Boni Renata, GM	
Hako Tūpuna Trust	iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a)); mandated entity (s18(2)(d))	John Linstead	

Te Whakakitenga o Waikato Incorporated	iwi authority s18(2)(a)); Treaty settlement entity (s18(2)(a)); mandated entity (s18(2)(d))	Jaedyn Falwasser	
Te Ākitai Waiohū Settlement Trust	Treaty settlement entity (s18(2)(a)), mandated entity (s18(2)(d))	Karen Wilson	
Ngaati Whanaunga Ruunanga Trust	Treaty settlement entity (s18(2)(a)), mandated entity (s18(2)(d))	Boni Renata, GM	
Tūpuna Taonga o Tāmaki Makaurau Trust/ Whenua Haumi Roroa o Tāmaki Makaurau Limited Partnership	Treaty settlement entity (s18(2)(a)),	Karen Wilson, chair	
Taonga o Marutūāhu Trustee Limited/ Marutūāhu Rōpū Limited Partnership	Treaty settlement entity (s18(2)(a)); Mandated entity (s18(2)(d))	Paul Majurey, chair	
Ngāti Koheriki Claims Committee	Mandated entity (s18(2)(d))	Kiwi Johnson	
MAC-01-01-058: Ngā Puhī Nui Tonu (Waitangi Marae)	MACA applicant (s18(2)(f))	Joseph Robert Kingi	
MAC-01-02-003 /CIV-2017-404-564: Ngāi Tai ki Tāmaki	MACA applicant (s18(2)(f))	Jada MacFie	
MAC-01-02-004 /CIV-2017-404-518: Ngāti Taimanawaiti (Ngāti Tai)	MACA applicant (s18(2)(f))	Jasmine Cotter-Williams	
MAC-01-01-073 /CIV-2017-485-398: Ngāti Kawau and Te Waiariki Kororā	MACA applicant (s18(2)(f))	Louisa Collier	
MAC-01-02-005/CIV-2017-404-569: Ngāti Te Ata	MACA applicant (s18(2)(f))	Roimata Minhinick	
CIV-2017-404-558: Ngāitawake	MACA applicant (s18(2)(f))	Rihari Dargaville	
CIV-2017-404-537: Ngā Puhī nui tonu, Ngāti Rāhiri, Ngāti Awa, Ngāti Tāhuhu and Ngāitawake	MACA applicant (s18(2)(f))	Joseph Robert Kingi	

MAC-01-01-056: Ngā Puhī Nui Tonu (Te Kotahitanga Marae)	MACA applicant (s18(2)(f))	Joseph Robert Kingi	
MAC-01-01-023 Ihaia Paora Weka Tuwhera Gavala Murray Mahinepua Reserve Trust Ngāti Rua Iti Ngāt I Muri Ngatiruamahue Ngāti Kawau Ngāti Haiti Ngāitupango Ngā Puhī Ngāti Kahu Te Aupouri	MACA applicant (s18(2)(f))	Tahua Murray	
MAC-01-03-011: Ngāti Tamatera	MACA applicant (s18(2)(f))		
MAC-01-03-006: Ngāti Maru	MACA applicant (s18(2)(f))	Paul Majurey	
MAC-01-01-105: Reti Whānau	MACA applicant (s18(2)(f))	Elvis Reti	
MAC-01-03-010: Ngāti Tamaoho	MACA applicant (s18(2)(f))	Tori Ngataki, chair	
MAC-01-03-001: Hauraki Maori Trust Board	MACA applicant (s18(2)(f))	Paul Majurey	
MAC-01-01-091: Ngaati Whānaunga (PCR)	MACA applicant (s18(2)(f))	Mike Baker	
MAC-01-01-133: Te Kaunihera o Te Tai Tokerau	MACA applicant (s18(2)(f))	Rihari Dargaville	

Attachment 4: Coastal marine area statutory acknowledgement (Ngāi Tai ki Tāmaki)

Statutory acknowledgement provisions (Ngāi Tai ki Tāmaki Claims Settlement Act 2018)

Subpart 2—Statutory acknowledgement and deed of recognition

73 Interpretation

In this subpart,—

relevant consent authority, for a statutory area, means a consent authority of a region or district that contains, or is adjacent to, the statutory area

statement of association, for a statutory area, means the statement—

- (a) made by Ngāi Tai ki Tāmaki of their particular cultural, historical, spiritual, and traditional association with the statutory area; and
- (b) set out in part 1 of the documents schedule

statutory acknowledgement means the acknowledgement made by the Crown in section 74 in respect of the statutory areas, on the terms set out in this sub-part

statutory area means an area described in Schedule 2, the general location of which is indicated on the deed plan for that area

statutory plan—

- (a) means a district plan, regional coastal plan, regional plan, regional policy statement, or proposed policy statement as defined in section 43AA of the Resource Management Act 1991; and
- (b) includes a proposed plan, as defined in section 43AAC of that Act.

Statutory acknowledgement

74 Statutory acknowledgement by the Crown

The Crown acknowledges the statements of association for the statutory areas.

75 Purposes of statutory acknowledgement

The only purposes of the statutory acknowledgement are—

- (a) to require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgement, in accordance with sections 76 to 78; and
- (b) to require relevant consent authorities to record the statutory acknowledgement on statutory plans that relate to the statutory areas and to provide summaries of resource consent applications or copies of notices of applications to the trustees, in accordance with sections 79 and 80; and
- (c) to enable the trustees and any member of Ngāi Tai ki Tāmaki to cite the statutory acknowledgement as evidence of the association of Ngāi Tai ki Tāmaki with a statutory area, in accordance with section 81.

76 Relevant consent authorities to have regard to statutory acknowledgement

- (1) This section applies in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.
- (2) On and from the effective date, a relevant consent authority must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to the activity.
- (3) Subsection (2) does not limit the obligations of a relevant consent authority under the Resource Management Act 1991.

77 Environment Court to have regard to statutory acknowledgement

- (1) This section applies to proceedings in the Environment Court in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.
- (2) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 274 of the Resource Management Act 1991, whether the trustees are persons with an interest in the proceedings greater than that of the general public.
- (3) Subsection (2) does not limit the obligations of the Environment Court under the Resource Management Act 1991.

78 Heritage New Zealand Pouhere Taonga and Environment Court to have regard to statutory acknowledgement

- (1) This section applies to an application made under section 44, 56, or 61 of the Heritage New Zealand Pouhere Taonga Act 2014 for an authority to undertake an activity that will or may modify or destroy an archaeological site within a statutory area.
- (2) On and from the effective date, Heritage New Zealand Pouhere Taonga must have regard to the statutory acknowledgement relating to the statutory area in exercising its powers under section 48, 56, or 62 of the Heritage New Zealand Pouhere Taonga Act 2014 in relation to the application.
- (3) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to the statutory area—
 - (a) in determining whether the trustees are persons directly affected by the decision; and
 - (b) in determining, under section 59(1) or 64(1) of the Heritage New Zealand Pouhere Taonga Act 2014, an appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application.
- (4) In this section, **archaeological site** has the meaning given in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

79 Recording statutory acknowledgement on statutory plans

- (1) On and from the effective date, each relevant consent authority must attach information recording the statutory acknowledgement to all statutory plans that wholly or partly cover a statutory area.
- (2) The information attached to a statutory plan must include—
 - (a) a copy of sections 74 to 78, 80, and 81; and
 - (b) descriptions of the statutory areas wholly or partly covered by the plan; and
 - (c) the statement of association for each statutory area.

- (3) The attachment of information to a statutory plan under this section is for the purpose of public information only and, unless adopted by the relevant consent authority as part of the statutory plan, the information is not—
- (a) part of the statutory plan; or
 - (b) subject to the provisions of Schedule 1 of the Resource Management Act 1991.

80 Provision of summary or notice to trustees

- (1) Each relevant consent authority must, for a period of 20 years on and from the effective date, provide the following to the trustees for each resource consent application for an activity within, adjacent to, or directly affecting a statutory area:
- (a) if the application is received by the consent authority, a summary of the application; or
 - (b) if notice of the application is served on the consent authority under section 145(10) of the Resource Management Act 1991, a copy of the notice.
- (2) A summary provided under subsection (1)(a) must be the same as would be given to an affected person by limited notification under section 95B(4) of the Resource Management Act 1991 or as may be agreed between the trustees and the relevant consent authority.
- (3) The summary must be provided—
- (a) as soon as is reasonably practicable after the relevant consent authority receives the application; but
 - (b) before the relevant consent authority decides under section 95 of the Resource Management Act 1991 whether to notify the application.
- (4) A copy of a notice must be provided under subsection (1)(b) not later than 10 working days after the day on which the consent authority receives the notice.
- (5) The trustees may, by written notice to a relevant consent authority,—
- (a) waive the right to be provided with a summary or copy of a notice under this section; and
 - (b) state the scope of that waiver and the period it applies for.
- (6) This section does not affect the obligation of a relevant consent authority to decide,—
- (a) under section 95 of the Resource Management Act 1991, whether to notify an application;
 - (b) under section 95E of that Act, whether the trustees are affected persons in relation to an activity.

81 Use of statutory acknowledgement

- (1) The trustees and any member of Ngāi Tai ki Tāmaki may, as evidence of the association of Ngāi Tai ki Tāmaki with a statutory area, cite the statutory acknowledgement that relates to that area in submissions concerning activities within, adjacent to, or directly affecting the statutory area that are made to or before—
 - (a) the relevant consent authorities; or
 - (b) the Environment Court; or
 - (c) Heritage New Zealand Pouhere Taonga; or
 - (d) the Environmental Protection Authority or a board of inquiry under Part 6AA of the Resource Management Act 1991.
- (2) The content of a statement of association is not, because of the statutory acknowledgement, binding as fact on—
 - (a) the bodies referred to in subsection (1); or
 - (b) parties to proceedings before those bodies; or
 - (c) any other person who is entitled to participate in those proceedings.
- (3) However, the bodies and persons specified in subsection (2) may take the statutory acknowledgement into account.
- (4) To avoid doubt,—
 - (a) neither the trustees nor members of Ngāi Tai ki Tāmaki are precluded from stating that Ngāi Tai ki Tāmaki has an association with a statutory area that is not described in the statutory acknowledgement; and
 - (b) the content and existence of the statutory acknowledgement do not limit any statement made.

Deed plan for statutory area (attachments schedule to deed of settlement)



Excerpts from statement of association (documents schedule to deed of settlement)

DOCUMENTS

1: STATEMENTS OF ASSOCIATION

Coastal Marine Area (as shown on deed plan OTS-403-128)

Ngāi Tai Ki Tāmaki are a maritime people without boundaries and have been voyagers since ancient times. Ngāi Tai ki Tāmaki are acknowledged as being amongst the original inhabitants of Aotearoa. It is inevitable that some of the most significant sites of arrival, ritual, landmark and subsequent habitation, both seasonal and permanent, are now shared with others, others with whom we share close links through whakapapa and shared histories, others who through the passage of time and history hold ahi kaa in different places. Ngāi Tai hold fast to the knowledge of our associations to the places and the people as taonga tuku iho. From Te Arai out to Hauturu out to Aotea and throughout Hauraki and Tāmaki Makarau and all the islands within, Ngāi Tai have significant multiple, and many layered associations.

...

Whakakaiwhara ki Umupuia ki Maraetai ki Okokino

Is the name of the peninsula and headland Pā that provided the shelter for the Tainui Waka from te hau marangai (easterly gale). It was here that a number of the crew went ashore and made a feast from the fruit of the Kiekie vine known as "whara". Therefore they called this place Te Whaka-kai-whara from the act of feasting on this delicious and plentiful fruit. This peninsula was the permanent home to many Ngāi Tai as part of an extensive complex of Kainga and Pā in this vicinity.

Te Huna a Tane and Tokamai was where Tanewhakatia came ashore from the Tainui and planted the kopi that became the sacred karaka grove that is known to this day as Te Huna a Tane. Tanewhakatia was left here as Kaitiaki when Tainui moved on to explore the coastline to the North. The long bay on the north coast of Whakakaiwhara came also to be known as Te Huna a Tane. Tokamai is the name of the rocky headland between Te Huna a Tane and Te Whanake a large bay close to the Umupuia reserve, a site of ancient occupation used up to the 1800s.

Wainui Bay In early Land Court maps is now known as Umupuia Beach. The stream at the eastern end of the Beach is known as Te Kuti or Te Kuiti. It was in proximity to Te Kuti that a hangi was laid down, an underground spring was activated by the heat, the resulting explosive result caused the name Umu- puia (earth oven of erupting steam) to be applied to the place. Umupuia has long been a centre of Ngāi Tai and Ngāi Tai gatherings and occupation and is the site of the current Ngāi Tai marae.

Te Waiomaru is a stream between the headlands of Papawhitu Pa and Te Aute. The name derives from the Ngāi Tai ancestor Maruwhenua. Te Waiomaru was among the lands gifted to Te Raukohekohe's followers by her husband Te Whatatau and his people around the late 1600s. Waiomaru as a name has over time become Waiomanu to many people.

Papawhitu – the place of gathered forces – is a small headland Pā commonly referred to as Maraetai Pā and Waiomanu Pā. This pā supported a population of around 200 people from the 16th century onwards. Ohinerangi is the large sacred stone on the beach at Maraetai between Pohaturoa and Papawhitu Pā. Named for the Turehu ancestress of Ngāi Tai known as Hinerangi or Hinemairangi. The stone is said to be Hinerangi herself turned to stone as the result of Te Pakurangarahihi (battle of the sun's rays), and she acts as a Mauri and Kaitiaki of the Maraetai foreshores, protecting Ngāi Tai from the effects of seismic and volcanic activity.

Pohaturoa (also Powhaturoa) refers to the coastal settlements of Ngāi Tai extending between the boundary marker of Waipara Stream and the Ohinerangi stone. Pohaturoa is also identified among the lands gifted by Te Uri o Te Ao of Ngāi Tai to the descendants of Te Whatatau and Te Raukohekohe. The Principal chiefs of Pohaturoa between the 18th and 19th centuries descended from the two younger sons of Te Wana named Te Hangaiti and Te Whatata.

Waipara is the stream that emerges at Maraetai beach at the western end and marks the northwestern boundary of the Pohaturoa block with the kowahatu Ohinerangi being another marker. Para is the Ngāi Tai name for the giant Kokopu and hence the name Waipara.

Maraetai was the name given to the sea offshore of the Umupuia and Pohaturoa coast and inside Te Arai-roa (Waiheke Island). In later times the headland now known as Te Pene Point around to Omana became generally known as Maraetai. In describing the takiwā of "The land of Te Wana" Anaru Makiwhara named the area between Omanawatere and Waipara as Maraetai. This became the site of The Fairburn Mission Station and school, the first in the district.

Te Tahua is the name of a rocky outcrop just offshore from Omanawatere Pā and had significance as a marker and kaimoana reef.

Omanawatere was named after Manawatere the Ngāi Tai ancestor who arrived in this area shortly before the Tainui waka who left his mark, (Te Tuhi a Manawatere) on a large Pohutukawa tree as an indicator for those following to know this was a good safe place to settle. Manawatere came by way of Hauraki leaving his mark in various places. It was here at the place now known as Omana and at Tuwakamana Pa that Manawatere is best remembered for leaving his mark known as "Te Tuhi a Manawatere". There is a large pohutukawa at Tuwakamana (Cockle Bay) that bears a plaque in commemoration of this important event in the history of the Howick and Maraetai district. The fortified Pā and other wāhi tapu features are thought to date from the early 1600s. Eroding coastline has revealed a number of Pohutukawa burials in the cliff faces and foreshore that have been analysed and provide Radio carbon dating to that period. The significance of the Pohutukawa as a marker for events including burials is highlighted by these Ngāi Tai histories.

Te Rua Tauiroha means "the cave that contracts and expands". Consistent with the tradition of intertidal burials and the significance of the Pohutukawa, this cave situated between Te Puru and Omana opened and closed with the tides, and was associated with rituals of arrivals and departures both physical and spiritual. These areas and the large Pohutukawa presiding over them were sacred sites to Ngāi Tai and are considered wāhi tapu to this day.

Te Puru was for centuries a burial ground of Ngāi Tai of Omanawatere and those residing between Mangemangeroa and Te Puru. Te Puru is now a sports field. While developing the fields, against Ngāi Tai wishes, a number of centuries old burial sites were disturbed. These kōiwi were reinterred and a section of the grounds were reshaped to form a burial mound that is marked by a carved Pou.

Te Kawau is the prominent headland lying between Sunkist Bay and the west end of Shelly Bay at Beachlands. This was a headland Pā overlooking mara kai (gardens) nestled in the bay and the outlook over the bay allowed observation of the waka passages to Tuwakamana and the important Pā Te Naupata and the Mangemangeroa and Turanga estuaries. The Shelly Bay Reserves east of the point contain surface midden and other evidence of long established kainga and occupation over many centuries.

Te Paritu situated at the eastern end of Sunkist Bay, Te Pari Tu (the upstanding cliff face) is the small islet adjacent to the headland of Te Kawau. The small bay sheltered inside Te Paritu was another pre-European agricultural area. Paritu is also the name of an important Ngāi Tai ancestor, he was the son of Potaka younger brother of Te Kuraiawhetu and the father of Tāmaki Te Ao.

The name Kahawairahi indicates the plentiful waters of the Beachlands, Whitford embayment. The site of the present day Pine Harbour Marina, these protected waters and coastlines were occupation sites of longstanding, containing extensive modified gardening soils with the highest concentrations of midden, pits and terraces situated between the now Pine Harbour marina and the Waikopua Creek mouth. The rich nature of the area and the immediate proximity to the famed kumara gardens of Motukaraka attracted attention over the centuries and the region was subject to

a number of devastating raids between the 17th and early 19th centuries. Ngāi Tai have regard for many Wāhi Tapu in this area.

Kauriwhakiwhaki was an important access point to Motukaraka and is the area now known as Beachland. Kainga and gardens were extensive in this area.

Te Awakarihi is a major Pā standing inland and upstream of Waikopua. These were fishing settlements renowned for extensive drying racks and food storage areas. Kumara gardens adorned the gentle north facing slopes which were also suitable for Taro and Hue.

Tuwakamana is the abbreviated form of Te Tauranga Waka a Manawatore (the landing place of Manawatore). Both the headland Pā and the beach below carry the name Tuwakamana. The Pā and its associated cultivations were settled by Manawatore's Ngāi Tai followers, upon their arrival in the area soon after him aboard the Tainui Waka. Over time later generations constructed the fortifications of the Pā around the 1600s. Tuwakamana was one of the many Pā Ngāi Tai retreated from in the face of the Musket raids of the 1820s, becoming wāhi tapu because of the many deaths caused by these new weapons.

Paparoa Pā was situated on the high ground above the coast that forms the present day Howick. The coastal landscapes between Turanga and Te Naupata were intensively occupied and cultivated and the villages and people were afforded protection by the likes of Paparoa Pā. However the abundance attracted hostilities in the 17th century and the Pā was pillaged at that time. Although the Pā itself was not reoccupied and became wāhi tapu the wider area continued to be occupied and cultivated by Ngāi Tai.

Te Rae o Hinerangi is named for the "brow of Hinerangi" the Turehu ancestress. This place name applies to the volcanic structures extending into the sea from the foreshores of Paparoa to Ngataierua. There are many archaeological features including ancient and unique modified gardens and soils extending from here to Te Naupata along Te Okokino (Eastern Beachlands).

Te Wai o Taiehu ki Waitematā

Te Wai o Taiehu (Tāmaki River), also called Otaiki and Te Waimokoia. The name Te Wai o Taiki was given by the Ngāi Tai ancestor Taiki and refers specifically to the mouth of the Tāmaki River. The name Te Waimokoia is the proper name for the whole of the Tāmaki Estuary, and was named after the guardian Taniwha of Ngāi Tai and Tainui called Mokoiahikuwaru. According to Anaru Makiwhara it was Taiehu who named the awa Te Waimokoia, and therefore another name is Te Wai o Taiehu, another korero suggests that Taiki is another name for Taiehu. This awa was a main thoroughfare for waka wanting to portage through to the west coast and as such was a main trading route providing passage past many Pa and trading centres of Ngāi Tai and their related tribes.

Waiorohe (Karaka Bay) was a mooring site of Tainui waka inside the west heads of the Tāmaki. From here Horoiwi left the waka and settled with the Tangata whenua at Te Pane o Horoiwi. Te Keteanataua and Taihaua disembarked and made their way to Taurere, whilst Taiehu and others of Ngāti Tai/ Ngāi Tai went on by foot to explore the upper reaches of the river and the shores of the Manukau Harbour. The Karaka trees of the bay descend from the sacred Karaka grove Te Uru-Karaka a Parehuia of Taurere Pa. Te Waiorohe was the site of a great battle at which some important ancestors of Ngāi Tai were killed. Te Waiorohe was also the scene of the first of Auckland's two Treaty of Waitangi signings on 4th March 1840. Although this signing largely involved another Iwi it is said that some Ngāi Tai rangatira were present and signed with others.

Te Pane o Horoiwi headland was known by an earlier name, Te Upokotamarimari. When Horoiwi arrived on the Tainui he sighted this headland giving it the ancient Ngāi Tai and Ngā Oho name Te Pane o Horoiwi. Horoiwi went ashore there, marrying Whakamuhu, chieftainess of the Tangata

Whenua. In due course the people of Whakamuhu and Horoiwi became simply known as Horoiwi and merged over time with Ngāi Tai and later Waiohua, consequently the history of Te Pane o Horoiwi and origins of the name are sometimes also associated with Te Naupata peninsula on the eastern head of the Tāmaki River. With the escalation of warfare between Northland peoples and the Tāmaki, Hauraki and Waikato districts of Tainui, Te Pane o Horoiwi became a frequent landing site for invading ope taua during the late 18th and 19th centuries. Ngāi Tai became embroiled in some of these conflicts in support of their Hauraki relations and continued to share occupation well into the 1800s.

The headland Pā Whakamuhu and associated kainga were situated west of Te Pane o Horoiwi with some sources saying that the name of the Pā was not after the ancestress Whakamuhu herself but after the ambush (Whakamuhu) of her father who had been killed there. His daughter had been given the name Whakamuhu in memorial of his death, before she married Horoiwi.

Te Whanganui (St Heliers Bay) was known because of its importance as a landing site for Waka arriving at the Tāmaki Heads from Te Waitemata or further north.,

Te Matarae a Mana “The eyebrow of Mana” is the headland named after the (Ngāi Tai /Te Kawerau) ancestor Manaoterangi who built his Pā here in the mid 1700s. Ngāi Tai share interests at Te Matarae a Mana and also in the associated shark fishing grounds.

Te Onewa Pā is situated at the end of Northcote Point and protected kumara gardens and fishing grounds. The name refers to the ditch separating the fortified point from the mainland and is also the name of a type of stone used in digging trenches of that type. Held by Ngāti Tai / Ngāi Tai from the time of Tainui settlement, Te Onewa was attacked repeatedly throughout the 17th and 18th centuries. The fluctuating tides of fortune saw Ngāi Tai and their allies come and go but continue their occupation up until the time of the Musket Raids when they were forced to vacate until about the 1830s at which time they reoccupied the Pa and remained in occupation during Heteraka Takapuna's time.

Attachment 5: Coastal statutory acknowledgement (Te Ākitai Waiohū)

Deed plan for statutory area (attachments schedule to deed of settlement)



Excerpts from statement of association (documents schedule to deed of settlement)

Coastal statutory acknowledgement area (as shown on deed plan OMCR-131-037)

The shores of Hikurangi (Waitakere Ranges) and the Hauraki Gulf (Tikapa Moana) through to the Manukau and Waitematā Harbours, are vital coastal areas to Te Ākitai Waiohū.

Te Ākitai Waiohū maintains an enduring association with the coastal marine area, incorporating the western coast of Hikurangi from Woodhill in the north, to Whatipu in the south, through to the Manukau Harbour in its entirety, across to the Waitematā Harbour and out to the Hauraki Gulf, from Whangaparaoa in the north to Orere Point in the south ('the Coastal Area').

The Coastal Area was the primary means of obtaining fresh kaimoana (seafood), incorporating a variety of fish and shellfish, as well as accessing coastal bird roosting and nesting sites. Some food was also prepared by smoking, drying or curing before it was stored at appropriate sites along the coast. In a time when fish, birds and shellfish were the primary sources of protein, the sustenance provided by the Coastal Area was not just significant, but critical to the survival of Te Ākitai Waiohū and their ancestors. Different bodies of water and parts of the Tāmaki Makaurau coastline provided access to kaimoana that varied depending on location and season.

A vast selection of shellfish including Pipi, Tuangi (Cockle), Tio (Pacific Oyster), Tipa (Scallop), Kutai (Mussels), Kuku (Freshwater Mussel), Tio Para (Rock Oyster), Pupu (Cats eye), Peraro (Scimitar Shell), Koura (Crayfish), Papaka (Crab), Titiko or Karahu (Mud Snail), Hanikura (Wedge Shell), Pupu rore (Volute), Kaikaikaroro (Ostrich Foot Mollusc), Kawari (Whelk), Ngaeti (Periwinkle), Ngakihi (Limpet), Tuatua, Kina (Sea Urchin or Sea Egg) and, in specific places, Toheroa, are found in the Coastal Area.

Gathering such a wide variety of shellfish species was possible in the harbours alone which were seen as natural 'foodbowls'. The shallow, sandy intertidal environment of the Manukau Harbour is more appropriate to some species while the deeper waters of the Waitematā Harbour are better suited to others. The same is true of shellfish in the cooler, choppy waters of the Hikurangi coast compared to the warmer, calmer environment of the Hauraki Gulf.

Similarly Mango (Shark), Whai (Stingray), Tuna (Eel), Patiki (Flounder), Tamure (Snapper), Kanae (Mullet), Arara (Trevally), Tarakihi, Kahawai, Moki, Kahu (Kingfish), Koinga or Pioke (Dogfish), Parore (Black Bream), Puwhaiu (Gurnard), Hapuku (Groper), Mohimohi (Pilchard), Uku (Skate) and, in some areas, Inanga (Whitebait) are all fish that were traditionally caught in the Coastal Area.

Catching such fish demanded an intimate knowledge of the ideal water temperature and conditions, migration patterns and spawning grounds of different species. The Manukau Harbour was known to empty in the autumn months as fish returned to the deeper waters of the ocean during the winter. However, the fish would return from the open sea again in the spring months to spawn in the warmer waters of the harbour.

The people of Te Ākitai Waiohū were able to maximise the amount of fish caught while making allowances for spawning to occur, thus ensuring future stocks were adequately replenished.

Various species of migratory birds also nest along the shores of the Coastal Area. The name of the Manukau Harbour is said to originate from the existence of these colonies with "Manukau Noa Iho" meaning "just birds" as a reference to what was initially heard and found in the harbour area.

Local birdlife including the Kotuku (Heron), Takapu (Gannet), Kawaupaka or Parekareka (Shag), Parera (Duck), Tete (Teal), Tuturiwhatu (Dotterel), Karoro (Gull), Tara (Tern), Torea (Oystercatcher), Pohowera (Dotterel), Kuaka (Godwit), Kereru (Wood Pigeon), Ruru (Morepork), Oi (Petrel), Kotare (Kingfisher), Pihoihoi (Pipit), Riroriro (Warbler), Piwakawaka (Fantail) and Korora (Penguin) can be found in the Coastal Area.

These birds were captured and in some cases their eggs gathered for food. The feathers of specific birds, such as the Kotuku, were also worn or weaved into clothing. Key bird roosting sites in the Manukau Harbour were traditionally found at Māngere, Onehunga, Te Motu a Hiaroa (Puketutu Island), Kohia (Wiroa Island), Ihumātao, Puhinui, Waimahia (Weymouth), Karaka, Paraheka (Seagrove), Whakarongotukituki (Auckland Airport) and Whatāpaka (Clarks Beach). The Hikurangi coast also has bird gathering sites with Takapu (Gannet) and Tete (Teal) colonies as far north as Te One Rangatira (Muriwai Beach.)

The Coastal Area was a crucial means of transportation by waka (canoe) throughout the region. This is particularly true of Tāmaki Makaurau, which is dominated by its harbours and became a place where waka travel was much faster and more efficient than trekking over land.

To assist in travel, various landmarks were used as navigation points and boundary markers. In the Coastal Area, these markers were usually motu (islands) or notable features along the coastline such as naturally elevated headlands. In Tāmaki Makaurau, the numerous maunga on the mainland also served as obvious landmarks that can be easily seen from the Coastal Area.

Travelling conditions along the western parts of Tāmaki Makaurau were viewed as treacherous. The rocky coastline of Hikurangi is open to the cold, harsh waters of Te Tai o Rehua (Tasman Sea). The Manukau Harbour, although less exposed, is no less dangerous with its shallow waters, strong tidal currents and shifting sandbanks. This is particularly true for the narrow entrance of

the Manukau Harbour, which features a series of sand bars that have a long-standing reputation of stranding and sinking vessels.

This is reflected in a traditional story behind the name for the Manukau Harbour, Te Manukanuka a Hoturoa 'the anxiety of Hoturoa' which is a reference to Hoturoa, the captain of the Tainui waka. It is said Hoturoa became anxious when the Tainui waka first approached the Manukau heads and its dangerous sand bars, which led to the name for the harbour.

The inner sections of the Manukau Harbour are no less complicated and contain a network of water channels and beds to navigate. The northern channels Wairopa and Purakau flow between the Motukaraka, Karore, Oriori and Te Tau banks, while the southern channels, Papakura and Waiuku, flow around the Hikihiki, Poutawa, Hangore and Huia banks.

In comparison the Hauraki Gulf and Waitematā Harbour, with its deeper navigable channel, gentle current and limited tidal range, feature much calmer waters with Rangitoto island and the numerous other motu in Tīkapa Moana providing some shelter from the South Pacific Ocean.

The name Waitematā or 'water of Te Matā is said to come from Kahumatamomoe of the Te Arawa waka when he laid his mauri stone Te Matā on Boat Rock in the harbour south west of Te Matarae o Mana (Kauri Point).

The Coastal Area was and continues to be a vital transport route facilitating travel, exploration, communication and trade throughout Tāmaki Makaurau. Sites along the coastline were selected to build and maintain waka. Strategically placed waka landing and launch sites were also identified along the shores of the Coastal Area, some leading on to waka portages over land.

The Māngere inlet is a key transport route between the main harbours of Tāmaki Makaurau. There is a waka (canoe) portage Te Tō Waka that connects the eastern section of the Manukau Harbour from the Māngere inlet over land in Ōtāhuhu through to the Tāmaki River (Te Wai o Taiehu or Te Waimokoia) and on to the Waitematā Harbour and Hauraki Gulf. The waka portage is just over one kilometre in length and represents the shortest distance between the eastern and western coasts of Tāmaki Makaurau. This is also the shortest distance between the Tasman Sea and South Pacific Ocean in Aotearoa, making it a logical passage for travel.

Numerous other motu of significance to Te Ākitai Waiohūa populate the entire Coastal Area.

Te Motu a Hiaroa (Puketutu Island) is the largest island in the Manukau Harbour. It was occupied and cultivated by Waiohūa and their Ngā Oho ancestors dating back to the first arrival and settlement of people in Tāmaki Makaurau. Given its ancient history, Te Motu a Hiaroa is a tapu (sacred) island that featured a series of stonefields or stone walls for kumara and food gardens, defensive fortifications and tuahu or places of worship to engage in ceremony.

Waiohūa also utilised seasonal fishing settlements in the Manukau Harbour which were based on motu, including Paraurekau (Pararekau Island), Waikirihinau (Kopuahingahinga Island), Orewa and Puketakauere (Shark Island).

The Waitematā Harbour also features notable motu including Pahiki (Herald Island) and Motumanawa (Pollen Island). Motungaegae (Watchmans Island) off the coast of Herne Bay was said to be a former Waiohūa pā site based on a motu that was much larger than the sandstone islet that exists today.

The Hikurangi coast and Manukau heads feature a series of rocky islets from Whatipu north to Te One Rangatira. These include Motutara, Ohaea (Oaia Island), Kauwahaia, Te Ihumoana, Taitomo, Panatahi, Paratutai, Taitomo (Camel Rock), Te Piha (Lion Rock), Te Marotiri o Takamiro (Cutter Rock) and Te Toka Tapu a Kupe (Ninepin Rock). In ancient times, a food gathering landscape named Paorae was also said to exist around the Manukau heads. This openly exposed terrain with shifting sands and ceaseless erosion did not survive beyond the 18th Century.

The Tikapa Moana motu of significance to Te Ākitai Waiohūa are located from Tiritiri o Matangi (Tiritirimatangi Island) in the north at Whangaparaoa through to Rangipukea in the east, on the coast of the Coromandel. Between these particular motu lie Motukorea (Browns Island), Rotoroa (Rotoroa Island), Motuhurakia (Rākino Island), Motutapu, Motuihe, Rangitoto, Waiheke, Pakatoa, Ponui and Pakihi, all of which are closely associated with the volcanic history of the Hauraki gulf. Tikapa (Gannet Rock) sits north of Waiheke Island and is named after the sobbing sound made by tidal waters against the islet. These motu were not only used as landmarks, but were places of shelter.

The importance of the coastal areas for food and transport also meant that many Te Ākitai Waiohūa pā and kainga (settlements) were built along the coastline or on motu. These sites were used to defend and take advantage of the natural resources and transport routes provided by the Coastal Area. Key coastal kainga at Ihumātao, Pūkaki, Māngere, Karaka and Waimihia (Conifer Grove) were still occupied by Te Ākitai Waiohūa through to the 19th Century.

Many pā or kainga were strategically built on headlands and naturally elevated sections of motu or the coast, to provide a strategic vantage point overlooking the surrounding area. Natural landmarks on the coast were also used by Te Ākitai Waiohūa to signify events, associations, boundaries or navigation points. Coastal settlements usually featured natural escape routes to avoid extensive conflict as they did not have the defensive features of inland pā, such as those based on maunga, to defend resources or transport routes. Te Puponga in Hikurangi was used as a fishing boundary marker and navigation point for entering the Manukau Harbour. The Karangahape pā site is at Puponga Point in Karangahape (Cornwallis).

The waters of the Coastal Area are also seen as a living entity with its own mauri (life force) and mana (prestige), representative of the iwi associated with these waters. The life sustaining waters of the Coastal Area are a sacred resource with cleansing, purifying and healing properties that must be nurtured and protected. The various bodies of water have their own taniwha or spiritual guardians associated with them. As kaitiaki (stewards), these taniwha protect the waters and natural resources along with iwi associated with the area.

As a result, the Coastal Area is seen as a taonga of great cultural and spiritual significance to Te Ākitai Waiohūa.

Kaiwhare is a taniwha associated with the Manukau Harbour and the Hikurangi coast at Piha that takes the form of a colossal sting ray. Kaiwhare is said to have formed the Manukau Harbour with its various sand banks and channels by the thrashing of his tail. Ureia is a taniwha that takes the form of a whale and is associated with the Waitematā Harbour and Hauraki Gulf, south to the Firth of Thames. The taniwha Taramainuku guards the entrance to the Manukau Harbour. The taniwha Te Mokoroa watches the tuna (eels) and fish of Waitakere through to the western reaches of the Waitematā Harbour from his lair at Te Mokoroa. Paikea, a taniwha guarding the Hikurangi coastline, is said to stay at Anawhata and venture as far south as the Manukau heads. Te Moko Ika Hikuwaru is the reptilian guardian taniwha of Te Wai o Taiehu or Te Waimokoia (Tāmaki River) that resides at Te Kai o Hikuwaru or Te Wai Roto o Moko Ika (Panmure Basin).

These taniwha provide important tohu or signs that, although the Coastal Area sustains the people of Te Ākitai Waiohū by providing them with invaluable food and resources, the region can also be a dangerous place if it is not valued or afforded the appropriate respect.

Taniwha and the ancient ancestors of Te Ākitai Waiohū associated with the Coastal Area are still recognised today through pepeha, karakia, waiata and traditional stories. They are also cultural representations of tikanga, kawa and kaitiakitanga that continue to be expressed and applied by the people of Te Ākitai Waiohū today.

Te Ākitai Waiohū hold an ancient customary association with the coastal marine area, which has eternally sustained the existence of the people of Tāmaki Makaurau, as a means of transport, by obtaining food and other basic necessities of life. There is a corresponding cultural perspective that such a crucial relationship demands ongoing respect and recognition. Thus the historical and spiritual connection of Te Ākitai Waiohū with the coastal marine area is viewed as essential to the preservation of its very existence and an affirmation of its identity as a people.

Attachment 6: Excerpts from the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement

11 STATUTORY AUTHORISATIONS

- 11.1 The strategic partnership objectives will guide the parties to determine appropriate engagement on statutory authorisations within the Tāmaki Makaurau Region.
- 11.2 As part of these strategic objectives, Ngā Mana Whenua and the Department will identify, and keep under review, categories of statutory authorisations that may have high impact on the spiritual, ancestral, cultural, customary, and historic values of Ngā Mana Whenua.
- 11.3 As the Department works within time limits to process applications for some forms of statutory authorisations, it will notify Ngā Mana Whenua o Tāmaki Makaurau (as part of the meetings referred to in paragraph 11.2) of the time frames for providing advice.
- 11.4 The strategic partnership objectives will guide the parties to determine potential opportunities for Ngā Mana Whenua o Tāmaki Makaurau to obtain statutory authorisations on public conservation land within the Tāmaki Makaurau Region, including in relation to commercial opportunities.
- 11.5 The Department will actively advise and encourage all prospective applicants within the Tāmaki Makaurau Region to consult with Ngā Mana Whenua before filing their application. The Department will also consult Ngā Mana Whenua at an early stage on such categories of authorisations or renewal of authorisations within the Tāmaki Makaurau Region.
- 11.6 For the types of Statutory Authorisations within the Tāmaki Makaurau Region agreed to in clause 11.2 , Ngā Mana Whenua and the Department will adopt the following process:
 - a. the Department notifies Ngā Mana Whenua of the application, timeframe for a decision and the timeframe for Ngā Mana Whenua response;
 - b. Ngā Mana Whenua, within an agreed timeframe, notify the Department of their response including the nature of their interests in the proposal and their views in relation to the proposal;
 - c. the Department acknowledges Ngā Mana Whenua interests and views as conveyed (providing an opportunity to clarify or correct the Department's understanding of those interests and views), how those interests and views will be included in the decision-making process and any apparent issues or conflict that may arise;

- d. the Department will, in making a decision, consider whether it is possible to reconcile any conflict between Ngā Mana Whenua interests and views and other considerations in the decision-making process;
- e. the Department will record in writing as part of a decision document the nature of Ngā Mana Whenua interests and the views of Ngā Mana Whenua as conveyed; and
- f. the Department will communicate its decision to Ngā Mana Whenua as soon as practicable after it is made.

...

23 CONSULTATION

23.1 Where consultation is undertaken with Ngā Mana Whenua, the Department will:

- a) Ensure that Ngā Mana Whenua or the relevant iwi/hapū are consulted as soon as reasonably practicable following the identification of the proposal or issues to be the subject of the consultation;
- b) Provide Ngā Mana Whenua or the relevant iwi/hapū with sufficient information and time to make informed comments and/or submissions in relation to any of the matters that are subject of the consultation;
- c) Approach the consultation with an open mind and genuinely consider any views and/or concerns that Ngā Mana Whenua or the relevant iwi/hapū may have in relation to any of the matters that are subject to the consultation; and
- d) Report back to Ngā Mana Whenua or the relevant iwi/hapū Governance Entity on any decision that is made.

23.2 Where Ngā Mana Whenua participates in consultation under this Relationship Agreement, Ngā Mana Whenua will provide to the Department information on the nature of the Ngā Mana Whenua interest and the views of Ngā Mana Whenua in relation to the proposal or issue upon which they are being consulted.

The entire document can be found at this link [Tāmaki Makaurau Collective Redress Deed Schedule - Documents 5 Dec 2012](#) (pages18-36)

Attachment 7: Excerpt from Ngāi Tai ki Tāmaki conservation relationship agreement

4: CONSERVATION RELATIONSHIP AGREEMENT

7. STATUTORY AUTHORISATIONS

- 7.1 The Department will carry out consultation with Ngāi Tai ki Tāmaki, through its Kaitiakitanga Roopu, concerning applications for statutory authorisations within their area of interest consistent with the process set out in clause 11 of the Ngā Mana Whenua o Tāmaki Makaurau Conservation Relationship Agreement.
- 7.2 Ngāi Tai ki Tāmaki has strong interests in exploring the following types of opportunities for concessions that involve public conservation land:
- 7.2.1 Hikoi o Te Motu/ Guided walking tours on Rangitoto, Motutapu, Motuihenga, Motukorea, Waiheke, public conservation land in the southern Hunua and Maungauika (while under the Department's administration);
 - 7.2.2 Hikoi o Te Moana/Guided kayak or waka tours on the Gulf (including marine mammal and native coastal bird watching permits);
 - 7.2.3 glamping or hosted camping on Hauraki motu;
 - 7.2.4 hosting of sporting events; and
 - 7.2.5 hosting of cultural events eg Matariki.

The entire document can be found at this link (from page 48): [Ngāi Tai ki Tāmaki Deed of Settlement Documents Schedule 7 Nov 2015](#)

Attachment 8: Deed plan for Waikōpua cultural redress property (Ngāi Tai ki Tāmaki)



Attachment 9: Excerpt from Te Ākitai Waiohua Whakaaetanga Tiaki Taonga agreement

DOCUMENTS

5: WHAKAAETANGA TIAKI TAONGA

MAHI HURA WHENUA - MĀORI HERITAGE AND ARCHAEOLOGY

15. The Heritage New Zealand Pouhere Taonga Act 2014 ("the Act") defines an archaeological site as a place associated with pre-1900 human activity where there may be evidence relating to the history of Aotearoa/New Zealand. When any development is planned that may affect an archaeological site or suspected archaeological site, the developer must apply for an archaeological authority. The archaeological authority provisions are contained in the Act. The developers must consult tāngata whenua. Pouhere Taonga staff:

- a) assess the impact of proposed land development on Māori cultural values, and check that consultation between developers and hapū or iwi has been conducted; and
- b) help liaise with communities – tāngata whenua, landowners, developers, archaeologists.

The complete Whakaaetanga Tiaki Taonga can be found in the documents schedule to the Te Ākitai Waiohua deed of settlement at this link: [Te Ākitai Waiohua — Deed of Settlement — Documents](#)