



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

Project Name: FTAA-2512-1164 Delmore

To:	Date:
Panel Convener, Jane Borthwick	16 February 2026

Number of attachments: 4	Attachments: <ol style="list-style-type: none">1. Provisions of section 18 of the Fast-track Approvals Act 20242. Project location map3. List of relevant Māori groups4. Ngāti Manuhiri coastal statutory acknowledgement5. Te Kawerau ā Maki coastal statutory acknowledgement6. Ngāi Tai ki Tāmaki coastal statutory acknowledgement7. Te Ākitai Waiohua coastal statutory acknowledgement8. Excerpt from Te Ākitai Waiohua Whakaaetanga Tiaki Taonga
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Ministry for the Environment contacts:

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Key points

1. As required by section 49 of the Fast-track Approvals Act 2024 (the Act), the Ministry for the Environment (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-2512-1164 Delmore.
2. The applicant, Vineway Limited, proposes a residential development on approximately 109.18 hectares west of Ōrewa. The project includes the proposed construction of up to 1,213 dwellings, one residential super lot, a commercial area, two neighbourhood parks and other open space areas, roading infrastructure, three waters and other supporting infrastructure. The applicant is seeking approvals under the Act that would otherwise be sought under the Resource Management Act 1991 (RMA) and the 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. There are groups in the post-settlement phase with others at different stages of the Treaty settlement process, including some groups seeking both individual and collective settlement redress. We have provided a summary of the relevant Māori groups identified under section 18(2) at **Attachment 3**.
5. The relevant Treaty settlements for the project area are the Ngāti Manuhiri Claims Settlement Act 2012, Ngāti Whātua o Kaipara Claims Settlement Act 2013, Te Kawerau ā Maki Claims Settlement Act 2015, Ngāi Tai ki Tāmaki Claims Settlement Act 2018, Ngāti Pāoa Claims Settlement Act 2025, and the deeds of settlement signed with Te Ākitai Waiohūa and Te Patukirikiri respectively.
6. The Ngāti Manuhiri, Te Kawerau ā Maki, Ngāi Tai ki Tāmaki, and Te Ākitai Waiohūa settlements provide for coastal statutory acknowledgements, including over the Ōrewa River estuary. While the project area does not include this statutory area, the application includes proposed activities (such as stormwater and earthworks) which could directly affect the nearby estuary via the waterways onsite.
7. We consider inviting Ngāti Manuhiri, Te Kawerau ā Maki, 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.

Signature

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Ilana Miller
General Manager – Investment Strategy & 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)(a) 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, Vineway Limited, proposes a residential development on approximately 109.18 hectares west of Ōrewa. The project includes the proposed construction of up to 1,213 dwellings, one residential super lot, a commercial area, two neighbourhood parks and other open space areas, roading infrastructure, three waters and other supporting infrastructure. The applicant is seeking approvals under the Act that would otherwise be sought under the RMA (including subdivision, land use, water, discharge), and the Heritage New Zealand Pouhere Taonga Act 2014 (archaeological authority and approval for a specified person to carry out activities covered by the authority).
12. The project area comprises six properties on Upper Ōrewa Road and Russell Road. Vineway Ltd is the signatory to sale and purchase agreements for all properties in the proposed project area (conditional on securing the approvals necessary to deliver the project).
13. We have provided a location map 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:
 - a. Ngā Maunga Whakahii o Kaipara Development Trust, representing Ngāti Whātua o Kaipara;

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.

- b. Te Rūnanga o Ngāti Whātua, representing Ngāti Whātua;
- c. Ngāti Manuhiri Settlement Trust, representing Ngāti Manuhiri;
- d. Te Kawerau Iwi Settlement Trust, representing Te Kawerau ā Maki;
- e. Ngāti Maru Rūnanga Trust, representing Ngāti Maru;
- f. Ngāti Pāoa Iwi Trust, representing Ngāti Paoa;
- g. Te Patukirikiri Iwi Trust, representing Te Patukirikiri;
- h. Ngāi Tai ki Tāmaki Trust, representing Ngāi Tai ki Tāmaki;
- i. Ngāti Tamaterā Treaty Settlement Trust, representing Ngāti Tamaterā;
- j. Ngaati Whanaunga Incorporated Society, representing Ngaati Whanaunga;
- k. Hako Tūpuna Trust, representing Hako;
- l. Te Ākitai Waiohua Waka Taua Inc, representing Te Ākitai Waiohua; and
- m. Ngāti Te Ata Claims Support Whānau Trust, representing Ngāti Te Ata.

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. Ngāti Manuhiri Settlement Trust, PSGE for Ngāti Manuhiri Claims Settlement Act 2012;
 - b. Ngā Whakahii o Kaipara Development Trust, PSGE for Ngāti Whātua o Kaipara Claims Settlement Act 2013;
 - c. Te Kawerau Iwi Settlement Trust, PSGE for Te Kawerau ā Maki Claims Settlement Act 2015;
 - d. Ngāi Tai ki Tāmaki Trust, PSGE for Ngāi Tai ki Tāmaki Claims Settlement Act 2018; and
 - e. 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 Patukirikiri Iwi Trust, PSGE for Te Patukirikiri (deed of settlement signed October 2018);
 - b. Te Ākitai Waiohua Settlement Trust, PSGE for Te Ākitai Waiohua (deed of settlement signed November 2021);
 - c. Ngāti Tamaterā Treaty Settlement Trust, PSGE representing Ngāti Tamaterā (deed of settlement initialled September 2017);
 - d. Ngaati Whanaunga Ruunanga Trust, PSGE representing Ngaati Whanaunga (deed of settlement initialled August 2017);
 - e. Ngāti Maru Rūnanga Trust, PSGE representing Ngāti Maru (deed of settlement initialled September 2017);
 - f. Taonga o Marutūāhu Trustee Limited/Marutūāhu Rōpū Limited Partnership, PSGEs representing Marutūāhu Collective (collective redress deed initialled July 2018);
 - g. Te Rūnanga o Ngāti Whātua, representing Ngāti Whātua (agreement in principle for remaining claims signed August 2017); and
 - h. Hako Tūpuna Trust, PSGE representing Hako (deed of on-account signed October 2014, agreement in principle signed July 2011).

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 Te Ata Claims Support Whānau Trust, representing Ngāti Te Ata.

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 does not include the common marine and coastal area, and accordingly there are no relevant applicant groups under MACA, and no court orders or agreements that recognise protected customary rights or customary marine title within the project area.
24. 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

25. The project area does not include a taiāpure-local fisheries area, mātaimai reserve, or area subject to a bylaw or regulations made under Part 9 of the Fisheries Act 1996.

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

26. Section 23 of the Act provides that, in making a decision on a referral application under section 21, the Minister may determine 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.
27. 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

28. 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.
29. We have not identified any Mana Whakahono ā Rohe or joint management agreements that are relevant to the project area. We note that Ngāi Tai ki Tāmaki initiated negotiations for a Mana Whakahono ā Rohe with Auckland Council in 2018, but an agreement has not been reached.

Any other Māori groups with relevant interests

30. Te Puni Kōkiri advise that the Hauraki Māori Trust Board also have interests in the project area. The Hauraki Trust Board represents the interests of twelve Hauraki iwi on some matters.

Relevant principles and provisions in Treaty settlements and other arrangements

Treaty settlements

31. 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.
32. The following Treaty settlements relate to land, species of plants or animals, or other resources within the project area:

Treaty settlement Acts

- a. Ngāti Manuhiri Claims Settlement Act 2012;
- b. Ngāti Whātua o Kaipara Claims Settlement Act 2013;
- c. Te Kawerau ā Maki Claims Settlement Act 2015;
- d. Ngāi Tai ki Tāmaki Claims Settlement Act 2018; and
- e. Ngāti Pāoa Claims Settlement Act 2025.

Treaty settlement deeds

- f. Te Patukirikiri Deed of Settlement signed 7 October 2018; and
- g. Te Ākitai Waiohua Deed of Settlement 12 December 2021.

Relevant principles and provisions

33. 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

34. 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.
35. As part of its apologies to Ngāti Manuhiri, Ngāti Whātua o Kaipara, Te Kawerau ā Maki, Ngāi Tai ki Tāmaki, Ngāti Paoa, Te Patukirikiri, and Te Ākitai Waiohua, 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

36. A statutory acknowledgement is an acknowledgement by the Crown of a 'statement of association' between the iwi and an identified area (the 'statutory area'). 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.³
37. 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, the Environmental Protection Authority, or a board of inquiry), which may, in turn, take that statutory acknowledgement into account.
38. The Ngāti Manuhiri, Te Kawerau ā Maki, Ngāi Tai ki Tāmaki, and Te Ākitai Waiohua settlements provide for a coastal statutory acknowledgement over the marine and coastal area, which includes the Ōrewa River estuary. While the project area does not include the statutory area (less than two kilometres away), it includes a stream which is a tributary of the Ōrewa River and drains directly to the Ōrewa River estuary.
39. Based on the information provided, the applicant proposes to treat and discharge at least some stormwater into the watercourses within the project area. The application documents include proposed erosion and sediment controls to manage the effects of earthworks on the downstream environment. However, it is still possible that the application may directly affect the statutory area.
40. We consider the process of inviting comment (including providing information about the application) under the Act 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. As relevant Treaty settlement entities, Ngāti Manuhiri, Te Kawerau ā Maki, Ngāi Tai ki Tāmaki, and Te Ākitai Waiohua will be invited to comment on the application under section 53(2)(c) of the Act.
41. For your reference, we have provided the coastal statutory acknowledgement provisions for Ngāti Manuhiri, Te Kawerau ā Maki, Ngāi Tai ki Tāmaki, and Te Ākitai Waiohua, including the relevant statements of association and deed plans, at **Attachments 4, 5, 6, and 7** (respectively).⁴

Other redress

Whakaaetanga Tiaki Taonga

42. The Te Ākitai Waiohua deed of settlement provides for a Whakaaetanga Tiaki Taonga to be entered into with the Cultural and Heritage Parties,⁵ including Heritage New Zealand

³ 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.

⁴ Since the statutory acknowledgements provisions are standard drafting across Treaty settlement Acts, we have only provided the legislative provisions from the Ngāti Manuhiri Claims Settlement Act 2012.

⁵ 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, Heritage New Zealand Pouhere Taonga, Ngā Taonga Sound & Vision.

Pouhere Taonga (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. We have provided this excerpt at **Attachment 8**.

43. While the reference to this consultation requirement in the Whakaaetanga Tiaki Taonga forms part of the Treaty settlement deed for Te Ākitai Waiohua, 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 Waiohua settlement legislation has not been enacted.

Right of first refusal

44. The Ngāti Whātua o Kaipara Claims Settlement Act 2013 provides for a 'right of first refusal' (RFR) over two properties adjacent to the project area:
- a. a 'non-exclusive' RFR over the Nukumea Scenic Reserve (along with the Marutūāhu Collective, who have an initialled redress deed) to the north-east; and
 - b. an exclusive RFR over Lot 3 DP 327701 and Lot 1 DP 310813 to the east.

45. The applicant advises that, following consultation with the Department of Conservation, they plan to set the development back from the boundary with Nukumea Scenic Reserve to mitigate adverse effects on the reserve.

46. We understand that the exclusive RFR land is now part of the neighbouring Ara Hills development, but we cannot confirm whether Ngāti Whātua o Kaipara exercised their RFR.

Commercial redress properties

47. The Ngāti Pāoa deed of settlement records that two Treaty settlement landbank properties near the project area (formerly 105 and 115 Kōwhai Road) were transferred to Ngāti Pāoa as 'early release properties' in 2015. These appear to form part of the Millwater development.

48. We have analysed the other relevant Treaty settlements and have not identified any other redress which applies to the project area. However, 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.

Customary Marine Title/Protected Customary Rights

49. As noted above, the project area is 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.

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

50. 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

51. 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

52. In preparing this report, we are required to consult relevant departments. We sought advice from Te Puni Kōkiri and The Office of Treaty Settlements and Takutai Moana – Te Tari Whakatau regarding the relevant Māori groups, and have incorporated their views into this report.

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, obtain and consider a report that is prepared 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	31-32
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	33-48
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, 49
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.	23, 49
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).	24, 49
18(2)(h)	Whether the project area includes any taiāpure-local fisheries, mātaītai 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).	25, 50
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).	26-27
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),	28-29, 51

	<ul style="list-style-type: none"> (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.	30
18(2)(l)	<p>A summary of—</p> <ul style="list-style-type: none"> (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)	<p>In preparing the report required by this section, the responsible agency must—</p> <ul style="list-style-type: none"> (a) consult relevant departments; and (b) provide a draft of the report to the Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti. 	<p>52 (section 18(3)(a))</p> <p>Section 18(3)(b) not applicable to substantive applications</p>
18(4)	Those Ministers must respond to the responsible agency within 10 working days after receiving the draft report	Not applicable to substantive applications

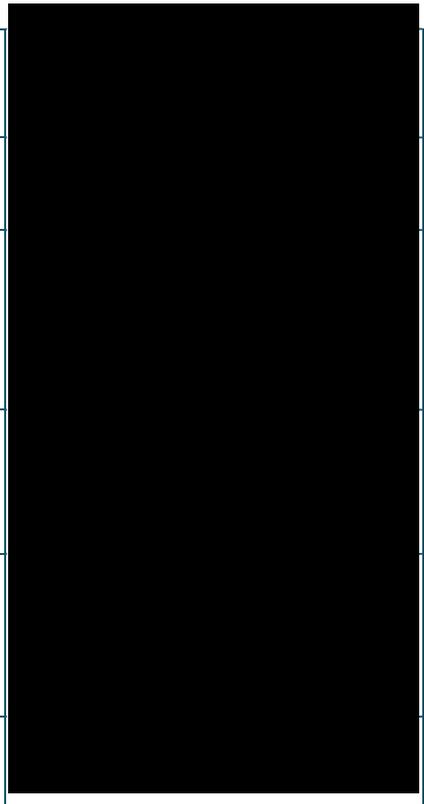
Attachment 2: Project location map



Attachment 3: List of relevant Māori groups

Name of group	FTAA section	Contact person	Contact email
Te Rūnanga o Ngāti Whātua	Iwi authority (s18(2)(a)), negotiation mandate (s18(2)(d))	Dame Naida Glavish	[REDACTED]
Ngā Maunga Whakahii o Kaipara Development Trust	Iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a))	Margie Tokerangi, chair	[REDACTED]
Ngāti Manuhiri Settlement Trust	Iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a))	Terrence (Mook) Hohneck	[REDACTED]
Te Kawerau Iwi Settlement Trust	Iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a))	Edward Ashby	[REDACTED]
Ngāti Maru Rūnanga Trust	Iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a)), negotiation mandate (s18(2)(d))	Waati Ngamane, chair	[REDACTED]
Ngāti Pāoa Iwi Trust	Iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a))	John Hutton, CE	[REDACTED]
Te Patukirikiri Iwi Trust	Iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a)), negotiation mandate (s18(2)(d))	Wiremu Peters, Kelly Ngamane-Hudson	[REDACTED]
Ngāi Tai ki Tāmaki Trust	Iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a))	Jada MacFie, CE	[REDACTED]
Ngāti Tamaterā Treaty Settlement Trust	Iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a)), negotiation mandate (s18(2)(d))	Michelle Wilson, CE	[REDACTED]
Hako Tūpuna Trust	Iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a)), negotiation mandate (s18(2)(d))	John Linstead	[REDACTED]
Te Ākitai Waiohua Waka Taua Inc	Iwi authority (s18(2)(a))	Nigel Denny Snr	[REDACTED]

Ngaati Whanaunga Incorporated Society	Iwi authority (s18(2)(a))	Boni Renata
Ngāti Te Ata Claims Support Whānau Trust	Iwi authority (s18(2)(a)), negotiation mandate (s18(2)(d))	Josie Smith
Te Ākitai Waiohua Settlement Trust	Treaty settlement entity (s18(2)(a)), negotiation mandate (s18(2)(d))	Karen Wilson
Ngaati Whanaunga Ruunanga Trust	Treaty settlement entity (s18(2)(a)), negotiation mandate (s18(2)(d))	Boni Renata
Taonga o Marutūāhu Trustee Limited/Marutūāhu Rōpū Limited Partnership	Treaty settlement entity (s18(2)(a)), negotiation mandate (s18(2)(d))	Paul Majurey
Hauraki Māori Trust Board	Other Māori group with relevant interests (s18(2)(k))	David Taipari



Attachment 4: Ngāti Manuhiri coastal statutory acknowledgement

Statutory acknowledgement provisions (Ngāti Manuhiri Claims Settlement Act 2012)

Version as at
30 November 2022

Ngāti Manuhiri Claims Settlement Act 2012

Part 2 s 29

Subpart 2—Statutory acknowledgement and deed of recognition

Statutory acknowledgement

26 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

statements of association means the statements—

- (a) made by Ngāti Manuhiri of their particular cultural, spiritual, historical, and traditional association with the statutory areas; and
- (b) that are in the form set out in part 2 of the documents schedule

statutory acknowledgement means the acknowledgement made by the Crown in section 27 in respect of each statutory area, on the terms set out in this subpart

statutory area means an area described in Schedule 1, with the general location (but not the precise boundaries) indicated on the deed plan referred to in relation to the area.

27 Statutory acknowledgement by the Crown

The Crown acknowledges the statements of association.

28 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, as provided for in sections 29 to 31; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications, or copies of notices of resource consent applications, to the trustees, as provided for in section 33; and
- (c) to enable the trustees and members of Ngāti Manuhiri to cite the statutory acknowledgement as evidence of the association of Ngāti Manuhiri with a statutory area, as provided for in section 34.

Section 28(a): amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

29 Relevant consent authorities to have regard to statutory acknowledgement

- (1) On and from the effective date, a relevant consent authority must have regard to the statutory acknowledgement relating to a statutory area in deciding, under section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to an activity within, adjacent to, or directly affect-

ing the statutory area and for which an application for a resource consent has been made.

- (2) Subsection (1) does not limit the obligations of a relevant consent authority under the Resource Management Act 1991.

30 Environment Court to have regard to statutory acknowledgement

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

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

- (1) If, on or after the effective date, an application is 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,—
 - (a) Heritage New Zealand Pouhere Taonga, in exercising its powers under section 48, 56, or 62 of that Act in relation to the application, must have regard to the statutory acknowledgement relating to the statutory area; and
 - (b) the Environment Court, in determining under section 59(1) or 64(1) of that Act any appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application, must have regard to the statutory acknowledgement relating to the statutory area, including in making a determination as to whether the trustees are persons directly affected by the decision.
- (2) In this section, **archaeological site** has the meaning given in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

Section 31: replaced, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

32 Recording statutory acknowledgement on statutory plans

- (1) On and from the effective date, a 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) the provisions of sections 26 to 31 and 33 to 36 in full; and

- (b) the descriptions of the statutory areas wholly or partly covered by the plan; and
 - (c) any statements of association for the statutory areas.
- (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.

33 Provision of summaries or notices of certain applications to trustees

- (1) Each relevant consent authority must, for a period of 20 years starting on 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) The information provided in a summary of an application must be the same as would be given to an affected person by limited notification under section 95B of the Resource Management Act 1991, or as may be agreed between the trustees and the relevant consent authority.
- (3) A summary of an application must be provided under subsection (1)(a)—
- (a) as soon as is reasonably practicable after the consent authority receives the application; but
 - (b) before the consent authority decides under section 95 of the Resource Management Act 1991 whether to notify the application.
- (4) A copy of a notice of an application must be provided under subsection (1)(b) no later than 10 working days after the day on which the consent authority receives the notice.
- (5) This section does not affect a relevant consent authority's obligation,—
- (a) under section 95 of the Resource Management Act 1991, to decide whether to notify an application, and to notify the application if it decides to do so; or
 - (b) under section 95E of that Act, to decide whether the trustees are affected persons in relation to an activity.

34 Use of statutory acknowledgement

- (1) The trustees and any member of Ngāti Manuhiri may, as evidence of the association of Ngāti Manuhiri with a statutory area, cite the statutory acknowledgement that relates to that area in submissions to, and in proceedings before, a relevant consent authority, the Environmental Protection Authority or a board of inquiry under Part 6AA of the Resource Management Act 1991, the Environment Court, or Heritage New Zealand Pouhere Taonga concerning activities within, adjacent to, or directly affecting the statutory area.
- (2) The content of a statement of association is not, by virtue of the statutory acknowledgement, binding as fact on—
 - (a) relevant consent authorities;
 - (b) the Environmental Protection Authority or a board of inquiry under Part 6AA of the Resource Management Act 1991;
 - (c) the Environment Court;
 - (d) Heritage New Zealand Pouhere Taonga;
 - (e) parties to proceedings before those bodies;
 - (f) 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 Ngāti Manuhiri are precluded from stating that Ngāti Manuhiri 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.

Section 34(1): amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

Section 34(2)(d): replaced, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

35 Trustees may waive rights

- (1) The trustees may waive the right to be forwarded summaries, and copies of notices, of resource consent applications under section 33 in relation to a statutory area.
- (2) Rights must be waived by written notice to the relevant consent authority stating—
 - (a) the scope of the waiver; and
 - (b) the period for which it applies.
- (3) An obligation under this subpart does not apply to the extent that the corresponding right has been waived under this section.

36 Application to river or stream

- (1) If any part of the statutory acknowledgement applies to a harbour, that part of the acknowledgement also applies to the bed of the harbour and everything above the bed.
- (2) If any part of the statutory acknowledgement applies to a river or stream, that part of the acknowledgement—
 - (a) applies only to—
 - (i) the continuously or intermittently flowing body of fresh water, including a modified watercourse, that comprises the river or stream; and
 - (ii) the bed of the river or stream, meaning the land that the waters of the river or stream cover at its fullest flow without flowing over its banks; but
 - (b) does not apply to—
 - (i) a part of the bed of the river or stream that is not owned by the Crown; or
 - (ii) an artificial watercourse; or
 - (iii) a tributary flowing into the river or stream.

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



Excerpt from statements of association (documents schedule to deed of settlement)

COASTAL STATUTORY ACKNOWLEDGEMENT AREA

Statutory Area

The area to which this Statutory Acknowledgement applies is the Ngāti Manuhiri Coastal Acknowledgement Area, as shown on deed plan OTS-125-06. This statutory acknowledgment should be considered alongside the Ngāti Manuhiri statutory acknowledgments for the adjoining coastal environment, rivers and the offshore islands.

Statement of Association for the Ngāti Manuhiri Coastal Statutory Acknowledgement Area

The coastal marine area and the coastal environment adjoining are central to the origins, mana and identity of Ngāti Manuhiri as an iwi, and as part of the ocean-focused tribal grouping Ngāti Wai ki te Moana.

Ngāti Manuhiri have an important ancestral relationship with the coastal marine area extending from Mangawhai (the Mangawhai Harbour) to Matakana (the Matakana Estuary). Broader and shared ancestral interests are also maintained within a coastal area covering the seaway known as Te Moana Nui ō Toi – the great sea of Toi (the central and northern Hauraki Gulf). In the north, Ngāti Manuhiri share ancestral relationships and interests from Paepae ō Tū (Bream Tail) on the eastern coastline, out to the islands of Tūturu (Sail Rock) and Pokohinu (the Motuhinau Islands group).

The Ngāti Manuhiri coastal statutory acknowledgement area encompasses the islands of Hauturu-o-Toi / Little Barrier Island, and Aotea (Great Barrier Island), where Ngāti Manuhiri have shared ancestral interests, including on Rangiahua (Flat Island), Motu Mahuki, Motu Taiko, and their marine environs. Ngāti Manuhiri accept that their relatives Ngāti Rehua act as primary kaitiaki of these interests at Aotea.

The southern boundary of the Ngāti Manuhiri coastal statutory acknowledgement area extends from the south western extremity of Aotea (Great Barrier Island) through the seas known traditionally as Taitūmata and Te Awanui ō Hei, to Takapou (Channel Island). It then runs westward through the seaway known as Moana Te Rapu, to the south of the Whāngaparōa Peninsula, to reach the eastern coastline of the Auckland region at Ōkura. There are places of spiritual, historical, cultural and economic importance to Ngāti Manuhiri along the entire coastline between Ōkura and Paepae ō Tū (Bream Tail). Seaways of particular significance to Ngāti Manuhiri include Waimiha (Ōmaha Bay) which was associated with the annual whale migrations described below, Moanauriuri (Kawau Bay), and Waihi (the North Channel of Kawau Bay). This latter area is a place of particular mana associated with the landmarks and ritually important areas of Karangatuoro, Matatūahu, Tangaroa and Tokatū.

Te Moana Nui ō Toi Te Huatahi – The Great Sea of Toi Te Huatahi

Ngāti Manuhiri trace descent from the famous early Māori ancestor and voyager Toi Te Huatahi, after whom Te Moana Nui ō Toi (the central and northern Hauraki Gulf) is named. This ocean area, and its mauri or spiritual essence, kaitiaki or spiritual guardians, biodiversity, seaways, islands, and traditions, lie at the heart of the identity of Ngāti Manuhiri. Te Moana Nui ō Toi, and its islands and coastal margins are also associated with the earliest ancestral origins of Ngāti Manuhiri, through descent from the ancestors Maui Pae, Manaia, and Tahuhunuiorangī. This seaway was also associated with the arrival of the Tainui and Aotea waka in the region, and the renowned ancestors Rakataura and Turi from whom the eponymous ancestor Manuhiri descends.

The annual whale migrations through Te Moana nui ō Toi were of major significance to Ngāti Manuhiri, and remain so. They symbolise ancestral associations, the changing of the seasons, and the rich marine biodiversity contained within this vast ocean area. The coastal seaways between Whāngaparāoa, 'the bay of the sperm whales', and Tokatū Point, provided a resting place for migrating whales and their calves. The seaway lying to the north of Tāwharanui, and extending towards Hauturu-o-Toi / Little Barrier Island, was known traditionally as Waimiha or Te Aumiha. This name has layers of meaning relating to the whale calves that rested in the coastal waters, the ambergris cast ashore by the whales, and the heavy seas that arise in this area. Whales often stranded on this part of the coast, in particular on the northern side of the Tokatū Peninsula, bringing a rich bounty for Ngāti Manuhiri. On occasions whales were also caught by the young men of the tribe, both as a symbol of manhood and as a resource. The name of the nineteenth century Ngāti Manuhiri leader Te Kiri Kaiparaoa symbolises this activity and the exercise of rangatiratanga:

He reirei ngā niho parāoa, he parāoa ngā kauae.

"If you wear a necklace of sperm whale teeth, you need the jaws of a sperm whale to carry them".

Te Ao ō Tangaroa - The Realm of Tangaroa

The seas of Te Moana Nui ō Toi provided a vast source of food for Ngāti Manuhiri over the generations, including sea mammals, a great variety of fish, shellfish, seaweed and sea birds. Knowledge relating to the location and resources of individually named tauranga ika (fishing grounds) was handed down over the generations until this practice was disrupted by the introduction of modern sonar devices. Of particular importance to Ngāti Manuhiri were tauranga ika associated with whāpuku (groper), tarakihi, tawatawa (mackerel), tāmure (snapper), kahawai, and haku (kingfish). The tauranga mango (shark fishing grounds) of Kawau Bay were used by Ngāti Manuhiri and others to catch the school shark species known locally as muri. This important winter food source was coveted by iwi and became the cause of significant conflict in the eighteenth century. Ngāti Manuhiri continued to harvest muri from this area regularly until the establishment of a shark oil processing factory at Sandspit in the late nineteenth century, and periodically until the 1920s.

Te Takutaimoana – the Coastline

The coastline extending between the Whāngaparāoa Peninsula and Paepae ō Tū (Bream Tail) includes a wide range of rocky, sandy and estuarine marine habitats, once rich in a variety of inshore fish species, koura and shellfish. Ngāti Manuhiri were traditionally reliant on this kaimoana resource, which was harvested seasonally according to strict customary practices until the alienation of most of the Ngāti Manuhiri tribal domain by the late nineteenth century. In spite of this, the Ngāti Manuhiri rangatira Te Kiri Kaiparaoa continued to assert rights over the resources of the coastline between Tokatū and Pākiri until his death in 1873. Prior to the introduction of animal pest species, deforestation and land clearance in the mid nineteenth century, the coastal environment also contained seal colonies, for example Te Pūrei Kekenō at Hāwera (Tī Point). There were also large seabird breeding colonies on most of the larger coastal headlands from which birds and eggs were harvested. Settlement was focused around sheltered bays, harbours and river mouths, with fortified pā protecting the resources of each of these communities.

Places of special significance to Ngāti Manuhiri on this coastline include: Tiritiri Mātangi Island, named after the Waikato birthplace of the eponymous ancestor Manuhiri, Whangaparāoa, "the bay of the sperm whales", Motu Mahurangi (Mahurangi Island), Awa Waiwerawera (the Waiwera River), Te Awa Pūhoi (the Pūhoi River), Te Muri ō Tarariki, Waihē (the Mahurangi River), Te

Korotangi (a fortified pā), Ōpahi, Motu Kororā (Saddle Island), Matakanakana (a fortified pā), Awa Matakanakana (Matakana Harbour and River), Purahurawai (Scandrett's Bay/Mullet Point), and the islands of Te Mau Tohorā ā Manaia (Motuora), Moturekareka, Motumanu, Motuketekete, Taungamārō, Takangaroa, Ruakoura, Tangaroa, and Te Kawau Tūmārō ō Toi (Kawau Island).

The coastline extending from Matakanakana northward around the Tokatū Peninsula to Whāngateau contains numerous areas of significance to Ngāti Manuhiri. These include traditional inshore fishing grounds, netting and kaimoana gathering areas, pā, kāinga, wāhi tapu, tūahu, and navigational and historical landmarks. Examples are provided by: Waimarumarū, Wai ihe, Pākarakā, Karangatuoro, Te Ngaere, Waikauri, Matatūahu, Ōponui (a fortified pā), Mangatāwhiri, Pāhī (a fortified pā), Tokatū, Waikōkōwai, Pukeruhiruhi (a fortified pā), Waimaru, Waitapu, Te Kiekie, Te Wairenga and Te Taumutu (Ōmaha Spit), Whāngateau, Waikōkopu, Uruhau, Pātito (a fortified pā), Koekoea (a fortified pā), Hāwera, Te Pūrei Kekenō, Piupiu (a fortified pā), Kohuroa (Matheson Bay), Whānga ō maha (Leigh Harbour), Panetiki, Motururu, Wakatūwhenua, Motu Hāwera, Ōkākari (a fortified pā), Pitokuku, Taumata (a fortified pā), Ngā One Haea (Pākiri Beach), Te Ārai ō Tāhuhu (a fortified pā), Mangawhai, and Paepae ō Tū (Bream Tail). Several of these coastal sites, including the main harbours and the region's longest east coast beach, are of particular significance to Ngāti Manuhiri as outlined below.

...

Ongoing Association with the Coastal Area

Following the alienation of most of their coastal land in the nineteenth century, Ngāti Manuhiri continued to utilise the resources of the coastal marine area. The Ngāti Manuhiri rangatira Te Kiri Kaiparaoa operated the coastal trading vessel *Industry* from 1858. His son in law Tenetahi Te Riringa was a renowned sailing captain, operating such vessels as the *Rangatira*, and his sons Wi Taiawa and Kiri Paraone ran a trading service and commercial fishing operation out of Whānga ō Maha (Leigh Harbour) for many years. Ngāti Manuhiri were involved in commercial fishing operations in the area until recently, and continue to hold significant commercial fishing interests through the Ngāti Wai Trust Board. Ngāti Manuhiri were associated with the establishment and operation of the Hauraki Gulf Maritime Park in 1967, and have more recently played an active role on the Hauraki Gulf Forum established under the provisions of the Hauraki Gulf Marine Park Act 2000.

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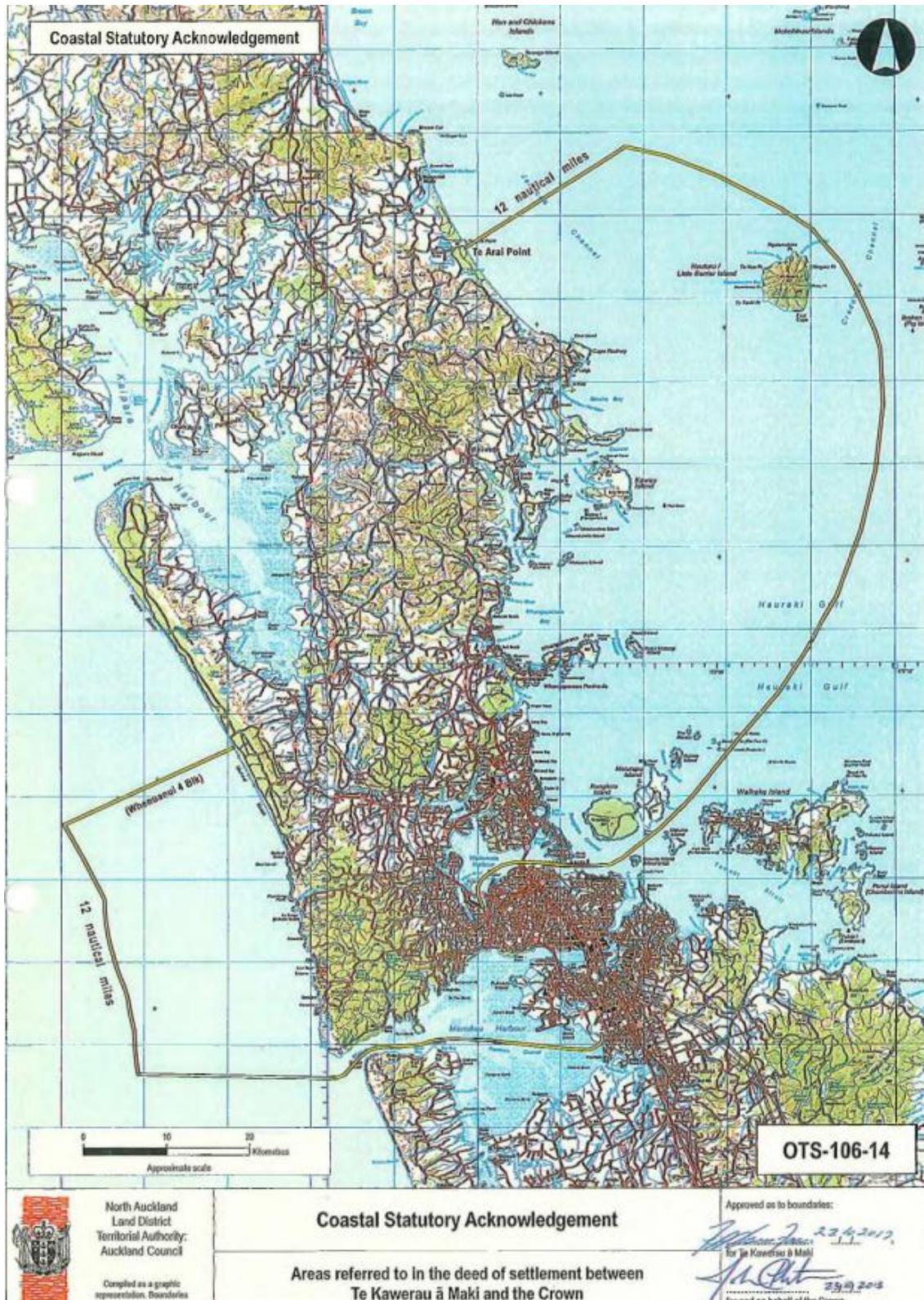
DOCUMENTS SCHEDULE

2: STATEMENTS OF ASSOCIATION

In their role as kaitiaki, Ngāti Manuhiri continue to play an active role in coastal planning, monitoring and management processes administered by the Auckland Council and the Department of Conservation. Ngāti Manuhiri has also played an active partnership role with the Auckland Council in the establishment and management of the Tāwharanui Open Sanctuary ecological restoration project, and its associated Marine Protection Area. As the iwi develops further capacity it looks forward to being fully engaged in exercising kaitiakitanga in partnership with other iwi, the Crown and the wider community, within its coastal acknowledgement area. .

Attachment 5: Te Kawerau ā Maki coastal statutory acknowledgement

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



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

DOCUMENTS

4: STATEMENTS OF ASSOCIATION

TE KAWERAU Ā MAKI COASTAL STATUTORY ACKNOWLEDGEMENT AREA

Statutory Area

The area to which this Statutory Acknowledgement applies is the Te Kawerau ā Maki Coastal Acknowledgement Area, as shown on the deed plan OTS-106-14. This statutory acknowledgement should be considered alongside the Te Kawerau ā Maki statutory acknowledgements for the adjoining coastal environment and rivers of significance.

Statement of Association for the Te Kawerau ā Maki Coastal Statutory Acknowledgement Area

The coastal marine area and the coastline adjoining it are of central importance to the identity of Te Kawerau ā Maki, particularly in relation to the area adjoining the heartland of the iwi in West Auckland. Te Kawerau ā Maki hold a long and enduring ancestral and customary relationship with the coastal marine area bordering the northern shores of the Manukau Harbour, the west coast of the Waitākere Ranges and the upper Waitematā Harbour. Broader and shared ancestral interests are also held with a more extensive coastal area of interest covering Te One Rangatira (Muriwai Beach), the lower Waitematā Harbour, the coastline adjoining the North Shore – Mahurangi districts, and parts of Te Moana nui ō Toi (the Hauraki Gulf).

Mahurangi

The wider coastal environment lying between Ōrewa and the Mahurangi River is known traditionally as Mahurangi. It takes its name from the small island pā located off the mouth of Awa Waiwerawera (the Waiwera River). Te Kawerau ā Maki have a shared ancestral and customary interest in this locality, which was named by the ancestor Rakataura, and which was occupied by Maki and his descendants. The customary relationship held by Te Kawerau ā Maki with the adjoining land block of Maungatauhoro was recognised by Te Kawerau rangatira and the Native Land Court when title to the Mahurangi reserve was investigated in 1866. The enduring Te Kawerau ā Maki relationship with this area, and its hot springs, was reflected by the fact that the late nineteenth and early twentieth century tribal leader, Te Utika Te Aroha, named one of his daughters Waiwera. This name has continued to be passed down within the iwi to commemorate the ancestral and customary association with Mahurangi.

Through descent from Maki and all four of his sons, Te Kawerau ā Maki have shared ancestral interests in the coastline extending to the north of Mahurangi. Places with which Te Kawerau ā Maki hold a special ancestral association include: Te Korotangi (a fortified pā at the mouth of Waihē, the Mahurangi River), Ōpāheke ō Rotu (Ōpāheke Point), Pukeruhi (a fortified pā at Tāwharanui), and Te Hāwera ā Maki / Goat Island. Te Kawerau ā Maki ancestral and customary relationships with the coastal area north of Matakana were recognised by related Te Kawerau

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DOCUMENTS

4: STATEMENTS OF ASSOCIATION

rangatira when they were placed on the title to the Mangatāwhiri Block (Tāwharanui–Ōmaha) with other Te Kawerau people in 1873.

Te Kawerau ā Maki also have a shared ancestral association with the main islands standing off this coastline, in particular Te Kawau-tūmārō-ō-Toi (Kawau Island) and Te Hauturu-ō-Toi / Little Barrier Island. This association is claimed through the conquest of Hauturu by Maki and his brother Mataahu, and the subsequent occupation of the island by their descendants until the early 1840s. It was at this time that the Te Kawerau ā Maki rangatira Te Ngerengere is documented to have visited his Ngāti Manuhiri relative Taurekura on Hauturu. Te Kawerau ā Maki continue to treasure their ancestral relationship with Hauturu and the wider coastal environment that surrounds it, while also recognising the enduring kaitiaki role that their Ngāti Manuhiri whanaunga play.

Attachment 6: Ngāi Tai ki Tāmaki coastal statutory acknowledgement

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.

...

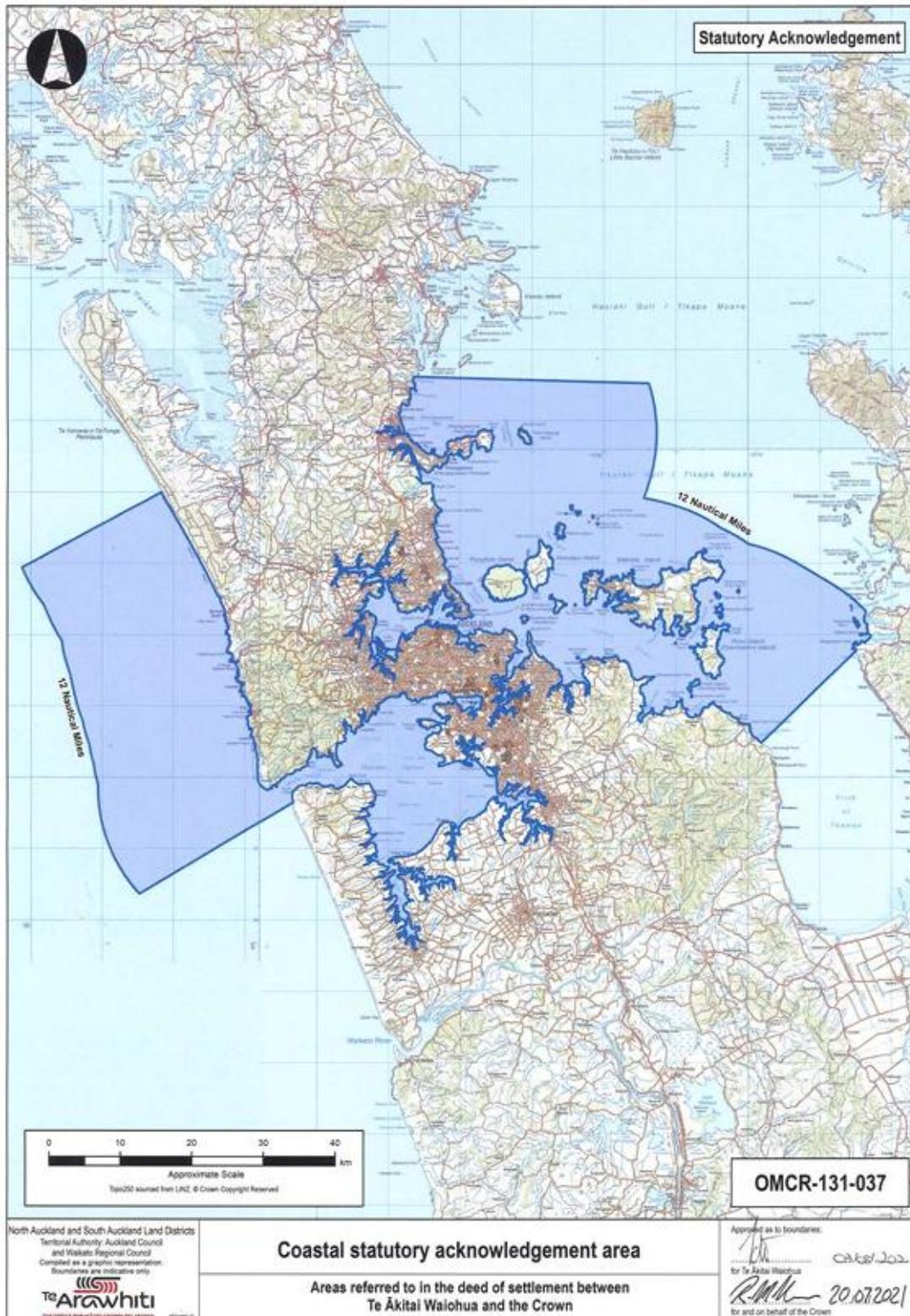
Tiritirimatangi ki Te Kawau Tu Maro o Toi ki Mahurangi

Through Ngāti Taihaua ancestry shared with other close relations there emerged the later descent groups of Ngāti Kahu and Ngāti Poataniwha through whom Ngāi Tai ki Tāmaki established shared occupation of the North Shore and Upper Waitemata Harbour, going on to extend mutual interests along the Mahurangi coastline as far north as Orewa and Te Arai Point. Through Ngāti Taihaua, Ngāti Kahu and Ngāti Poataniwha ancestry, Ngāi Tai Ki Tāmaki and others hold shared interests in the adjacent islands of Rangitoto, Tiritirimatangi and Te Kawau Tu Maro o Toi.

It is a Ngāi Tai Tradition that through the relationships of Taihua with subsequent aggressors Ngāi Tai enjoyed ongoing occupation of those places. During hearings into land transactions that were ongoing post 1840 Ngāi Tai Rangatira continued to assert their whakapapa and claims to this entire area and to these motu.

Attachment 7: Te Ākitai Waiohū coastal statutory acknowledgement

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 Wairoa 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 Tikapa 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 Matare 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 Taikehu 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 Waiohū 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 Tīkapa Moana motu of significance to Te Ākitai Waiohū 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. Tīkapa (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 Waiohū 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 Waiohū 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 Waiohū 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 Puonga in Hikurangi was used as a fishing boundary marker and navigation point for entering the Manukau Harbour. The Karangahape pā site is at Puonga 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 Waiohū.

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 Waitemata 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 Waitemata 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 8: 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](#)