



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

Project Name: FTAA-2511-1132 Matakana Country Club

| | |
|---|------------------|
| To: | Date: |
| Hon Chris Bishop, Minister for Infrastructure | 18 February 2026 |

| | |
|--------------------------|---|
| Number of attachments: 7 | 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 statutory acknowledgements5. Te Kawerau ā Maki coastal statutory acknowledgement6. Ngāi Tai ki Tāmaki coastal statutory acknowledgement7. Comments received from the Minister for Māori Development and/or Minister for Māori Crown Relations: Te Arawhiti |
|--------------------------|---|

Ministry for the Environment contacts:

| Position | Name | Cell phone | 1 st contact |
|--------------------------------|-----------------|------------|-------------------------|
| Principal Author | Stephen Church | | |
| Manager, Fast-track Operations | Stephanie Frame | s 9(2)(a) | ✓ |
| General Manager | Ilana Miller | s 9(2)(a) | |

Key points

1. The Ministry for the Environment (on behalf of the Secretary for the Environment) has prepared this report on Treaty settlements and other obligations under section 18 of the Fast-track Approvals Act 2024 (the Act), in relation to the FTAA-2511-1132 Matakana Country Club referral application.
2. The applicant, Matakana Country Club Ltd, proposes to develop a retirement village on an approximately 73.9-hectare site at 120 Tongue Farm Road, Matakana, west of Warkworth. The proposed retirement community includes 208 independent living units, a 30-bed care facility, and a range of communal and recreational facilities. 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. 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. The project area also borders the marine and coastal area. Accordingly, there are a significant number of relevant Māori groups for this project area, which we have listed at **Attachment 3**.

4. The Treaty settlements and other arrangements relevant to the project area are the Ngāti Manuhiri Claims Settlement Act 2012, Te Kawerau ā Maki Claims Settlement Act 2015, Ngāi Tai ki Tāmaki Claims Settlement Act 2018, and Ngāti Pāoa Claims Settlement Act 2025.
5. The Ngāti Manuhiri, Te Kawerau ā Maki, and Ngāi Tai ki Tāmaki settlements provide for coastal statutory acknowledgements that adjoin the project area. In addition, the Ngāti Manuhiri settlement provides for a statutory acknowledgement over the Matakana River, which incorporates the estuarine area surrounding the project area.
6. Under the RMA and the relevant Treaty settlements, a consent authority must have regard to a statutory acknowledgement when deciding whether an iwi is an ‘affected person’ for the purposes of notification decisions and must provide a summary of any consent applications relevant to the statutory area to a statutory acknowledgement holder. We consider the process of inviting comment (including providing information about the application) from these groups under the Act is comparable to the requirements for statutory acknowledgements under the RMA and Treaty settlements.
7. None of the groups invited to comment on the referral application under section 17(1)(d) of the Act provided a response.
8. The Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti support the application for referral.
9. We do not consider there are any matters raised in this report which make it more appropriate for the proposed approvals to be authorised under another Act or Acts.

Signature



Ilana Miller
General Manager – Delivery & Operations

Introduction

10. Under section 18 of the Act, you must obtain and consider a report on Treaty settlements and other obligations for each referral application, prepared by the responsible agency (Secretary for the Environment).
11. 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;
 - b. relevant principles and provisions in Treaty settlements and other arrangements;
 - c. a summary of comments and further information received from invited Māori groups; and
 - d. advice on whether it may be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts.
12. This report is structured accordingly. We have provided a list of the relevant provisions of section 18 at **Attachment 1**.

Proposed project

13. The applicant, Matakana Country Club Ltd, proposes to develop a retirement village on an approximately 73.9-hectare site at 120 Tongue Farm Road, Matakana, west of Warkworth. The proposed retirement community includes 208 independent living units, a 30-bed care facility, and a range of communal and recreational facilities. Approximately 25 hectares will be dedicated to native forest, wetland and riparian planting. The project area borders the Matakana River and its estuarine margins (i.e. the marine and coastal area).
14. The applicant is seeking approvals under the Act that would otherwise be sought under the RMA (including land disturbance, discharge permit, water take) and an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014. The applicant has a sale and purchase agreement with the owners of the land.
15. We have provided a location map at **Attachment 2**.

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

16. 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**.

Iwi authorities

17. 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.
18. We consider the following groups to be the relevant iwi authorities for the project area:
 - a. Te Rūnanga o Ngāti Whātua, representing Ngāti Whātua;
 - b. Ngāti Manuhiri Settlement Trust, representing Ngāti Manuhiri;
 - c. Te Kawerau Iwi Trust, representing Te Kawerau ā Maki;

- d. Ngāi Tai ki Tāmaki Trust, representing Ngāi Tai ki Tāmaki;
- e. Ngāti Pāoa Iwi Trust, representing Ngāti Pāoa;
- f. Ngāti Maru Rūnanga Trust, representing Ngāti Maru;
- g. Ngāti Tamaterā Settlement Trust, representing Ngāti Tamaterā;
- h. Ngaati Whanaunga Incorporated Society, representing Ngaati Whanaunga;
- i. Ngāti Te Ata Claims Support Whānau Trust, representing Ngāti Te Ata;
- j. Hako Tūpuna Trust, representing Hako; and
- k. Ngātiwai Trust, representing Ngātiwai.

Treaty settlement entities

19. 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).

20. 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).

21. 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.¹

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

¹ 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.

- a. Ngāti Manuhiri Settlement Trust, PSGE for the Ngāti Manuhiri Claims Settlement Act 2012;
 - b. Te Kawerau Iwi Trust, PSGE for the Te Kawerau ā Maki Claims Settlement Act 2015;
 - c. Ngāi Tai ki Tāmaki Trust, PSGE for the Ngāi Tai ki Tāmaki Claims Settlement Act 2018; and
 - d. Ngāti Pāoa Iwi Trust, PSGE for the Ngāti Pāoa Claims Settlement Act 2025.
23. 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 Rūnanga o Ngāti Whātua, representing Ngāti Whātua (agreement in principle for remaining claims signed August 2017);
 - b. Taonga o Marutūāhu Trustee Limited/Marutūāhu Rōpū Limited Partnership, PSGEs for Marutūāhu collective redress deed (initialled July 2018);
 - c. Ngaati Whanaunga Ruunanga Trust, PSGE for Ngaati Whanaunga deed of settlement (initialled August 2017);
 - d. Ngāti Maru Rūnanga Trust, PSGE for Ngāti Maru deed of settlement (initialled September 2017); and
 - e. Ngāti Tamaterā Settlement Trust, PSGE for Ngāti Tamaterā deed of settlement (initialled September 2017).

Groups mandated to negotiate Treaty settlements

24. In addition to the PSGEs identified at paragraph 23, 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;
 - b. Hako Tūpuna Trust, representing Hako; and
 - c. Ngātiwai Trust, representing Ngātiwai.

Takutai Moana groups and ngā hapū o Ngāti Porou

25. 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.
26. 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

27. 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

28. 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.
29. 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

30. 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.
31. We have not identified any Mana Whakahono ā Rohe or joint management agreements that are relevant to the project area, and accordingly there are 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

32. While the project area is not within the marine and coastal area, it is directly adjacent to it (as shown in the maps at Attachment 2). Accordingly, we have included the following applicants for protected customary rights and/or customary marine title over the marine and coastal area surrounding the project area as 'other Māori groups with relevant interests' (under section 18(2)(k) of the Act):
- a. MAC-01-03-011: Ngāti Tamatera;
 - b. MAC-01-03-001: Hauraki Maori Trust Board;
 - c. MAC-01-01-085/ CIV-2017-485-276: Ngāti Rongo o Mahurangi;
 - d. MAC-01-02-007: Te Kawerau a Maki;
 - e. MAC-01-02-005/ CIV-2017-404-569: Ngāti Te Ata;
 - f. MAC-01-02-003/ CIV-2017-404-564: Ngāi Tai ki Tāmaki;
 - g. MAC-01-01-140/ CIV-2017-404-563: Te Rūnanga o Ngāti Whātua;
 - h. MAC-01-01-133/ CIV-2017-404-558: Ngāitawake Te Kaunihera o Te Tai Tokerau;
 - i. MAC-01-01-125/ CIV-2017-404-570: Te Hikutu Whānau and Hapū (PCR);
 - j. MAC-01-01-105/ CIV-2017-485-515: Reti Whānau;
 - k. MAC-01-01-091: Ngāati Whānaunga (PCR);
 - l. MAC-01-01-079/ CIV-2017-404-545: Ngāti Manuhiri;

- m. MAC-01-01-056: Ngā Puhi Nui Tonu (Te Kotahitangā Marae);
- n. MAC-01-01-131/CIV-2017-485-283: Iwi, whānau and hapū of Ngātiwai;
- o. MAC-01-03-006: Ngāti Maru;
- p. MAC-01-01-058: Ngā Puhi Nui Tonu (Waitangi Marae);
- q. MAC-01-01-050/ CIV-2017-404-537: Ngā Puhi Nui Tonu (Awataha Marae);
- r. MAC-01-01-023: Ihaia Paora Weka Tuwhera Gavala Murray Mahinepua Reserve Trust Ngāti Rua Iti Ngāti Muri Ngatiruumahue NgatiKawau Ngati Haiti Ngaitupango NgaPuhi NgatiKahu Te Auopouri;
- s. MAC-01-01-073/ CIV-2017-485-398: Ngāti Kawau and Te Waiariki Korora;
- t. CIV-2017-404-567: Te Taou (Waitematā);
- u. CIV-2017-485-378/ MAC-01-01-080: Ngāti Maraeariki and Ngāti Rongo and Hapū; and
- v. CIV-2017-404-537/ MAC-01-01-050: Ngā Puhi nui tonu, Ngāti Rāhiri, Ngāti Awa, Ngāi Tāhuhu and Ngāitawake.

33. For your information, the applicant reports they have consulted with eleven iwi (including Ngāti Whātua o Kaipara, Ngāti Whātua Ōrākei, and Te Uri ō Hau, whose areas of interest do not include the project area) and twelve MACA applicants.

Relevant principles and provisions in Treaty settlements and other arrangements

Treaty settlements

34. 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.
35. The following Treaty settlements relate to land, species of plants or animals, or other resources within the project area:
- a. Ngāti Manuhiri Claims Settlement Act 2012;
 - b. Te Kawerau ā Maki Claims Settlement Act 2015;
 - c. Ngāi Tai ki Tāmaki Claims Settlement Act 2018; and
 - d. Ngāti Pāoa Claims Settlement Act 2025.

Relevant principles and provisions

36. 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

37. 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.

38. As part of its apologies to Ngāti Manuhiri, Te Kawerau ā Maki, Ngāi Tai ki Tāmaki, and Ngāti Pāoa, 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

39. A statutory acknowledgement is an acknowledgement by the Crown of a 'statement of association' between the iwi and an identified area (the 'statutory area'). The Ngāti Manuhiri, Te Kawerau ā Maki, and Ngāi Tai ki Tāmaki settlements provide for a coastal statutory acknowledgement over the marine and coastal area adjacent to the project area. In addition, the Ngāti Manuhiri settlement provides for a statutory acknowledgement over the Matakana River, which incorporates the estuarine area surrounding the project area.
40. Based on the information provided, the applicant proposes to treat (through construction of wetlands and vegetated swales) and discharge stormwater from the project area to the estuarine receiving environment. The application documents include proposed erosion and sediment controls to manage the effects of earthworks on the downstream estuarine environment. The applicant also proposes riparian planting of native species along drainage lines and tributaries of the Matakana River. We note the applicant does not anticipate any structures in the marine and coastal area itself, which would require a coastal permit.
41. 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.²
42. 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.
43. We consider the process of inviting comment (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. You have already invited Ngāti Manuhiri, Te Kawerau ā Maki, and Ngāi Tai ki Tāmaki, as relevant iwi authorities and Treaty settlement entities, to comment on the application. Should you accept this referral application, these groups will also be invited for comment by the panel on a substantive application under section 53(2)(c) of the Act.

² 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.

44. For your reference, we have provided the coastal statutory acknowledgement provisions for Ngāti Manuhiri, Te Kawerau ā Maki, and Ngāi Tai ki Tāmaki, including the relevant statements of association and deed plans, at **Attachments 4, 5, and 6** (respectively).³
45. 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. This is underscored by the archaeological assessment commissioned by the applicant, which identified several recorded and potential sites of early Māori occupation in or near the project area, and the cultural impact assessment prepared by Ngāti Manuhiri. 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

46. 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

47. 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

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

Summary of comments received and advice

Comments from invited Māori groups

49. Pursuant to section 17(1)(d) of the Act, on 5 December 2025 you invited written comments from the Māori groups identified above in paragraphs 16-33, from a list we previously provided you. These groups were provided with access to the application material and had 20 working days from receipt of the copy of the application to respond.
50. You did not receive comments from any of these groups.

Consultation with departments and Ministers

51. In preparing this report, we are required to:
- 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 (for response within 10 working days).
52. 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 incorporated their views into this report.

³ 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.

53. The Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti support this application for referral. We have included a copy of the Minister's comment at **Attachment 7**.

Advice on whether it may be more appropriate to deal with the proposed approvals under another Act/s

54. Under section 18(2)(m), this report must include our advice on whether, due to any of the matters identified in section 18, it may be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts.

55. We do not consider there are any matters raised in this report which make it more appropriate for the proposed approvals to be authorised under another Act or Acts.

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. | 10-12 |
| 18(2)(a) | Any relevant iwi authorities and relevant Treaty settlement entities | 17-23 |
| 18(2)(b) | Any Treaty settlements that relate to land, species of plants or animals, or other resources within the project area | 34-35 |
| 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 | 36-45 |
| 18(2)(d) | Any recognised negotiation mandates for, or current negotiations for, Treaty settlements that relate to the project area. | 24 |
| 18(2)(e) | Any court orders or agreements that recognise protected customary rights or customary marine title within the project area. | 25, 46 |
| 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. | 25, 46 |
| 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). | 26, 46 |
| 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). | 27, 47 |
| 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). | 28-29 |
| 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), <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. | 30-31, 48 |

| | | |
|-----------------|---|-------|
| | (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. | 32-33 |
| 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 | 49-50 |
| 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. | 54-55 |
| 18(3) | In preparing the report required by this section, the responsible agency must— (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. | 51-52 |
| 18(4) | Those Ministers must respond to the responsible agency within 10 working days after receiving the draft report | 53 |

Attachment 2: Project location map





Figure 1: Site Location Plan (Source: Boffa Miskell)

Attachment 3: List of relevant Māori groups

| Name of group | Type of group (section of Act) |
|---|--|
| Te Rūnanga o Ngāti Whātua | Iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a)); negotiating mandate (s18(2)(d)) |
| Ngāti Manuhiri Settlement Trust | Iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a)) |
| Te Kawerau Iwi Trust | Iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a)) |
| Ngāi Tai ki Tāmaki Trust | Iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a)) |
| Ngāti Pāoa Iwi Trust | Iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a)) |
| Ngāti Maru Rūnanga Trust | Iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a)); negotiating mandate (s18(2)(d)) |
| Ngāti Tamatera Settlement Trust | Iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a)); negotiating mandate (s18(2)(d)) |
| Ngaati Whanaunga Incorporated Society | Iwi authority (s18(2)(a)) |
| Ngāti Te Ata Claims Support Whānau Trust | Iwi authority (s18(2)(a)); negotiating mandate (s18(2)(d)) |
| Hako Tūpuna Trust | Iwi authority (s18(2)(a)); negotiating mandate (s18(2)(d)) |
| Ngātiwai Trust | Iwi authority (s18(2)(a)); negotiating mandate (s18(2)(d)) |
| Ngaati Whanaunga Ruunanga Trust | Treaty settlement entity (s18(2)(a)); negotiating mandate (s18(2)(d)) |
| Taonga o Marutūāhu Trustee Limited/ Marutūāhu Rōpū Limited Partnership | Treaty settlement entity (s18(2)(a)); negotiating mandate (s18(2)(d)) |
| MAC-01-03-011: Ngāti Tamatera | Other Māori group with relevant interests (s18(2)(k)) |
| MAC-01-03-001: Hauraki Maori Trust Board | Other Māori group with relevant interests (s18(2)(k)) |
| MAC-01-01-085/CIV-2017-485-276: Ngāti Rongo o Mahurangi | Other Māori group with relevant interests (s18(2)(k)) |
| MAC-01-02-007: Te Kawerau a Maki | Other Māori group with relevant interests (s18(2)(k)) |

| | |
|---|---|
| MAC-01-02-005/ CIV-2017-404-569: Ngāti Te Ata | Other Māori group with relevant interests (s18(2)(k)) |
| MAC-01-02-003/ CIV-2017-404-564: Ngāi Tai ki Tāmaki | Other Māori group with relevant interests (s18(2)(k)) |
| MAC-01-01-140/ CIV-2017-404-563: Te Rūnanga o Ngāti Whātua | Other Māori group with relevant interests (s18(2)(k)) |
| MAC-01-01-133/ CIV-2017-404-558: Ngāitawake Te Kaunihera o Te Tai Tokerau | Other Māori group with relevant interests (s18(2)(k)) |
| MAC-01-01-125/ CIV-2017-404-570: Te Hikutu Whānau and Hapū (PCR) | Other Māori group with relevant interests (s18(2)(k)) |
| MAC-01-01-105/ CIV-2017-485-515: Reti Whānau | Other Māori group with relevant interests (s18(2)(k)) |
| MAC-01-01-091: Ngāati Whānaunga (PCR) | Other Māori group with relevant interests (s18(2)(k)) |
| MAC-01-01-079/ CIV-2017-404-545: Ngāti Manuhiri | Other Māori group with relevant interests (s18(2)(k)) |
| MAC-01-01-056: Ngā Puhī Nui Tonu (Te KotahitaNgā Marae) | Other Māori group with relevant interests (s18(2)(k)) |
| MAC-01-01-131/CIV-2017-485-283 : Iwi, whānau and hapū of Ngātiwai | Other Māori group with relevant interests (s18(2)(k)) |
| MAC-01-03-006: Ngāti Maru | Other Māori group with relevant interests (s18(2)(k)) |
| MAC-01-01-058: Ngā Puhī Nui Tonu (Waitangi Marae) | Other Māori group with relevant interests (s18(2)(k)) |
| MAC-01-01-050/ CIV-2017-404-537: Ngā Puhī Nui Tonu (Awataha Marae) | Other Māori group with relevant interests (s18(2)(k)) |
| MAC-01-01-023: Ihaia Paora Weka Tuwhera Gavala Murray Mahinepua Reserve Trust Ngāti Rua Iti Ngāti Muri Ngatiruamahue NgatiKawau Ngati Haiti Ngaitupango NgaPuhī NgatiKahu Te Aupouri | Other Māori group with relevant interests (s18(2)(k)) |

| | |
|--|---|
| MAC-01-01-073/ CIV-2017-485-398: Ngāti Kawau and Te Waiariki Korora | Other Māori group with relevant interests (s18(2)(k)) |
| CIV-2017-404-567: Te Taou (Waitematā) | Other Māori group with relevant interests (s18(2)(k)) |
| CIV-2017-485-378/ MAC-01-01-080: Ngāti Maraeariki and Ngāti Rongo and Hapū | Other Māori group with relevant interests (s18(2)(k)) |
| CIV-2017-404-537/ MAC-01-01-050: Ngā Puhi nui tonu, Ngāti Rāhiri, Ngāti Awa, Ngāi Tāhuhu and Ngāitawake | Other Māori group with relevant interests (s18(2)(k)) |

Attachment 4: Ngāti Manuhiri statutory acknowledgements

Deed plans for statutory areas (attachments schedule to deed of settlement)





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

MATAKANA RIVER

Statutory Area

The area to which this Statutory Acknowledgement applies is the area known as the Matakana River, and specifically that section of the river located above the river mouth boundary with the coastal marine area, as shown on deed plan OTS-125-18.

Cultural, Spiritual, Historic and Traditional Association of Ngāti Manuhiri with Te Awa Matakanakana - the Matakana River

Te Awa Matakanakana (also known as the Matakana River) is of major significance to Ngāti Manuhiri as a sub-regional boundary marker. In 1853 the Crown identified the area north of the river as 'Parihorō's Claim', with Parihorō then being the oldest Ngāti Manuhiri rangatira in occupation of the district. The river provided an important inland route to kāinga and cultivations located on the fertile country located at the navigable head of the river. It also provided a wide range of food taken from both the fresh and salt water sections of the river. Beyond the river mouth was one of the most valued tauranga mango (shark fishing grounds) in the region. Here over many generations, down to the late nineteenth century, Ngāti Manuhiri and their relatives gathered large quantities of school sharks known locally as muri. The upper reaches of the Matakana River were protected by several pā, including Pukematekeo, while the lower reaches and the adjoining harbour were protected by the headland pā known as Matakanakana – 'the glowering eyes'. This pā, which is of considerable significance to Ngāti Manuhiri, gives its name to the river and the surrounding district.

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 Whāngaparāoa 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 Tahuhuniorangi. 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 (Pāhiri 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.

16

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. .

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.

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), Pukeruhiruhi (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

11

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: Comments received from the Minister for Māori Development and/or Minister for Māori Crown Relations

Feedback Details

| | |
|-------------|--|
| Feedback ID | * FDB001798V0R3 |
| Title | * Hon Tama Potaka Comment |
| Regarding |  Draft section 18 report for Minister comment |
| Comments | I support the application progressing to the Expert Panel for Substantive consideration. |

Feedback Contacts

| | |
|----------------------|---|
| Created By (Contact) |  Bria Kerei-Keepa |
| Source | Portal |
| Application |  Matakana Country Club |
| Created By |  # Portals-Fast Track Portal - ftaa-portal |
| Created On | 18/02/2026 8:18 AM |