



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

**Project Name: FTAA-2511-1146 North West Rapid Transit**

<b>To:</b>	<b>Date:</b>
Panel Convener, Jane Borthwick	6 March 2026

Number of attachments: 8	Attachments: <ol style="list-style-type: none"><li>1. Provisions of section 18 of the Fast-track Approvals Act 2024</li><li>2. Project location map</li><li>3. List of relevant Māori groups</li><li>4. Te Wai o Pareira/Henderson Creek and tributaries statutory acknowledgement (Te Kawerau ā Maki)</li><li>5. Coastal statutory acknowledgement (Te Kawerau ā Maki)</li><li>6. Coastal marine area statutory acknowledgement (Ngāi Tai ki Tāmaki)</li><li>7. Coastal statutory acknowledgement (Te Ākitai Waiohūa)</li><li>8. Arch Hill Scenic Reserve statutory acknowledgement (Te Ākitai Waiohūa)</li><li>9. Excerpt from Te Ākitai Waiohūa Whakaaetanga Tiaki Taonga</li></ol>
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### Ministry for the Environment contacts:

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### Key points

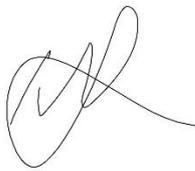
1. As required by section 49 of the Fast-track Approvals Act 2024 (the Act), the Ministry for the Environment (on behalf of the Secretary for the Environment) has prepared this report on Treaty settlements and other obligations (section 18 of the Act) in relation to the substantive application FTAA-2511-1146 North West Rapid Transit.
2. The applicant, New Zealand Transport Agency (NZTA), proposes to develop a new bus rapid transit link, and associated infrastructure, stations and connections, between

Brigham Creek and Auckland City Centre (Ian McKinnon Drive), alongside State Highway 16. 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. The land required for the project is either currently owned or will be owned by the Crown.

3. Section 18(2) of the Act requires that the report provide a list of relevant Māori groups, including relevant iwi authorities and Treaty settlement entities. Many of those groups must be invited by the panel to comment on a substantive application under section 53(2) of the Act.
4. Auckland has a complex Treaty settlement landscape with many overlapping interests. Some groups have settled while others are still in settlement negotiations with the Crown for both individual group and collective redress. There are also a number of applicants seeking recognition of their customary interests over the marine and coastal area, which forms part of the project area. Accordingly, there are a significant number of relevant Māori groups for this project area, which we have listed at **Attachment 3**.
5. The Treaty settlements and other arrangements relevant to the project area are: Ngāti Whātua Ōrākei Claims Settlement Act 2012; Ngāti Whātua o Kaipara Claims Settlement Act 2013; Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014; Te Kawerau ā Maki Claims Settlement Act 2015; Ngāi Tai ki Tāmaki Claims Settlement Act 2018; Ngāti Tamaoho Claims Settlement Act 2018; Ngāti Pāoa Claims Settlement Act 2025; Te Ākitai Waiohua deed of settlement; and the Te Patukirikiri deed of settlement.
6. The Te Kawerau ā Maki, Ngāi Tai ki Tāmaki, and Te Ākitai Waiohua settlements provide for statutory acknowledgements over statutory areas (Te Wai o Pareira/Henderson Creek, marine and coastal area, and Arch Hill Scenic Reserve) which incorporate parts of the project area. Based on the information provided by the applicant, the proposed works will directly affect these statutory areas.
7. We consider inviting Te Kawerau ā Maki, Ngāi Tai ki Tāmaki, and Te Ākitai Waiohua 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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Max Gander-Cooper  
**Acting Manager – Fast-track Operations**

## Introduction

8. For a substantive application that relates to a listed project, under section 49 of the Act, the Environmental Protection Authority (EPA) must request a report from the responsible agency (Secretary for the Environment) that is prepared in accordance with section 18(2) and (3)(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, NZTA, proposes to develop a new bus rapid transit link, and associated infrastructure, stations and connections, between Brigham Creek and Auckland City Centre (Ian McKinnon Drive), alongside State Highway 16. The applicant is seeking approvals under the Act that would otherwise be sought under the RMA, including twelve designations and resource consents, and archaeological authorities under the Heritage New Zealand Pouhere Taonga Act 2014. No approvals are sought in the area between Te Atatū and the Waterview interchange as the project will rely on the existing bus shoulder lanes along the causeway.
12. The land required for the project is either currently owned or will be owned by the Crown – all land acquisitions and licenses to occupy will be negotiated in accordance with Public Works Act 1981 processes.
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.<sup>1</sup>

### 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;
  - b. Te Rūnanga o Ngāti Whātua, representing Ngāti Whātua;

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<sup>1</sup> 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.

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

### **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.<sup>2</sup>

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

- a. Ngāti Whātua Ōrākei Trust, PSGE for Ngāti Whātua Ōrākei Claims Settlement Act 2012;
- b. Ngā Maunga Whakahii o Kaipara Development Trust, PSGE for Ngāti Whātua o Kaipara Claims Settlement Act 2013;
- c. Tūpuna Taonga o Tāmaki Makaurau Trust/Whenua Haumi Roroa o Tāmaki Makaurau Limited Partnership, PSGEs for Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014;
- d. Te Kawerau Iwi Settlement Trust, PSGE for Te Kawerau ā Maki Claims Settlement Act 2015;
- e. Ngāi Tai ki Tāmaki Trust, PSGE for Ngāi Tai ki Tāmaki Claims Settlement Act 2018;
- f. Ngāti Tamaoho Settlement Trust, PSGE for Ngāti Tamaoho Claims Settlement Act 2018; and
- g. Ngāti Pāoa Iwi Trust, PSGE for Ngāti Pāoa Claims Settlement Act 2025.

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

- a. Te Ākitai Waiohua Settlement Trust, PSGE for Te Ākitai Waiohua deed of settlement (signed November 2021);
- b. Te Patukirikiri Iwi Trust, PSGE for Te Patukirikiri deed of settlement (signed October 2018);
- c. Ngāti Tamaterā Treaty Settlement Trust, PSGE for Ngāti Tamaterā deed of settlement (initialled September 2017);
- d. Ngāti Maru Rūnanga Trust, PSGE for Ngāti Maru deed of settlement (initialled September 2017);
- e. Taonga o Marutūāhu Trustee Limited/Marutūāhu Rōpū Limited Partnership, PSGEs for Marutūāhu collective redress deed (initialled July 2018); and
- f. Hako Tūpuna Trust, PSGE for Hako settlement (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;
- b. Ngāti Koheriki Claims Committee, representing Ngāti Koheriki; and

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<sup>2</sup> 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.

- c. Te Rūnanga o Ngāti Whātua, representing Ngāti Whātua remaining claims (agreement in principle signed August 2017).

### **Takutai Moana groups and ngā hapū o Ngāti Porou**

23. The project area includes parts of the marine and coastal area. At the time of writing, there are no groups with court orders or agreements that recognise protected customary rights or customary marine title within the project area, under MACA.
24. The following applicant groups are seeking recognition of customary marine title (CMT) or protected customary rights (PCR) within the project area, under MACA:
  - a. MAC-01-02-006/CIV-2017-404-520: Ngāti Whatua Orakei;
  - b. MAC-01-01-058: Ngā Puhī Nui Tonu (Waitangi Marae);
  - c. MAC-01-02-003/CIV-2017-404-564: Ngāi Tai ki Tāmaki;
  - d. CIV-2017-404-567: Te Taou (Waitematā);
  - e. MAC-01-02-004/CIV-2017-404-518: Ngāti Taimanawaiti (Ngāti Tai);
  - f. MAC-01-01-073/CIV-2017-485-398: Ngāti Kawau and Te Waiariki Kororā;
  - g. MAC-01-02-005/CIV-2017-404-569: Ngāti Te Ata;
  - h. CIV-2017-404-558: Ngāitawake;
  - i. CIV-2017-404-537: Ngā Puhī nui tonu, Ngāti Rāhiri, Ngāti Awa, Ngāi Tāhuhu and Ngāitawake;
  - j. MAC-01-01-056: Ngā Puhī Nui Tonu (Te Kotahitangā Marae);
  - k. MAC-01-01-023: Ihaia Paora Weka Tuwhera Gavala Murray Mahinepua Reserve Trust Ngāti Rua Iti Ngāti Muri;
  - l. MAC-01-03-011: Ngāti Tamatera;
  - m. MAC-01-02-007: Te Kawerau a Maki;
  - n. MAC-01-03-006: Ngāti Maru;
  - o. MAC-01-01-125: Te Hikutu Whānau and Hapū (PCR);
  - p. MAC-01-01-105: Reti Whānau;
  - q. MAC-01-03-010: Ngāati Tamaoho;
  - r. MAC-01-03-001: Hauraki Maori Trust Board;
  - s. MAC-01-01-091: Ngāati Whānaunga (PCR);
  - t. MAC-01-01-133: Te Kaunihēra o Te Tai Tokerau; and
  - u. MAC-01-01-140: Te Rūnanga o Ngāti Whātua.
25. The project area is not within ngā rohe moana o ngā hapū o Ngāti Porou (as set out in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019).

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

26. The project area does not include a taiāpure-local fisheries area, mātaītai 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**

27. Section 39 of the Act provides that before a substantive application is lodged for a listed project or a referred project, the Minister may determine under section 23 or 24 that, for the purposes of the project, an activity described in section 5(1)(a) is not an ineligible activity if it:
- a. is the construction of electricity lines or land transport infrastructure by (or to be operated by) a network utility operator that is a requiring authority; and
  - b. would occur on identified Māori land that is Māori freehold land or General land owned by Māori that was previously Māori freehold land.
28. This project does not involve an activity described in section 23(1) (i.e. including both (a) and (b)) of the Act. The applicant advises that 233 of the 372 properties either partially or fully within the proposed designation are privately owned. The applicant has not noted whether any of the privately owned properties are identified Māori land, and has not sought a determination under section 23.

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

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

### **Any other Māori groups with relevant interests**

31. In addition to the groups identified above, the applicant advises they have also consulted with Te Whakakitenga o Waikato and Te Ahiwaru Waiohua. The project area is outside the area of interest for Waikato-Tainui remaining claims. However, Te Puni Kōkiri have previously advised that Te Whakakitenga o Waikato, representing Waikato-Tainui, may have interests in this area. Accordingly, we have included Te Whakakitenga o Waikato and Te Ahiwaru Waiohua as other Māori groups with relevant interests.

## **Relevant principles and provisions in Treaty settlements and other arrangements**

### **Treaty settlements**

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

### *Treaty settlement Acts*

- a. Ngāti Whātua Ōrākei Claims Settlement Act 2012;
- b. Ngāti Whātua o Kaipara Claims Settlement Act 2013;
- c. Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014;
- d. Te Kawerau ā Maki Claims Settlement Act 2015;
- e. Ngāi Tai ki Tāmaki Claims Settlement Act 2018;
- f. Ngāti Tamaoho Claims Settlement Act 2018;
- g. Ngāti Pāoa Claims Settlement Act 2025;

### *Deeds of settlement*

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

## **Relevant principles and provisions**

34. 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*

35. 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.
36. As part of its apologies to Ngāti Whātua Ōrākei, Ngāti Whātua o Kaipara, Te Kawerau ā Maki, Ngāti Tamaoho, Ngāi Tai ki Tāmaki, Ngāti Pāoa, Te Ākitai Waiohua, and Te Patukirikiri, the Crown stated that it looked forward to building a new relationship with these groups based on co-operation, mutual trust, and respect for te Tiriti o Waitangi/the Treaty of Waitangi and its principles. The redress mechanisms provided for in Treaty settlements should be viewed in the context of these intentions.

### *Statutory acknowledgements*

37. A statutory acknowledgement is an acknowledgement by the Crown of a 'statement of association' between the iwi and an identified area (the 'statutory area'). Parts of the project area are within the statutory area for the following statutory acknowledgements:
- a. Te Wai o Pareira/Henderson Creek and tributaries statutory acknowledgement (Te Kawerau ā Maki Claims Settlement Act 2015);
  - b. coastal statutory acknowledgement (Te Kawerau ā Maki Claims Settlement Act 2015);
  - c. coastal marine area statutory acknowledgement (Ngāi Tai ki Tāmaki Claims Settlement Act 2018);
  - d. coastal statutory acknowledgement (Te Ākitai Waiohua deed of settlement); and
  - e. Arch Hill Scenic Reserve statutory acknowledgement (Te Ākitai Waiohua deed of settlement).

38. 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.<sup>3</sup>
39. The holder of a statutory acknowledgement may also cite this as evidence of their association with a statutory area in any submission before a relevant consent authority (or the Environment Court, Heritage New Zealand Pouhere Taonga (HNZPT), EPA, or a board of inquiry), which may, in turn, take that statutory acknowledgement into account.
40. The project will cross two estuarine tributaries within the statutory area of the Te Wai o Pareira/Henderson Creek statutory acknowledgement (Te Kawerau ā Maki), and the three coastal statutory acknowledgements listed above (Te Kawerau ā Maki, Ngāi Tai ki Tāmaki, Te Ākitai Waiohua). Based on information provided by the applicant, the proposed bridge construction in these areas will have temporary effects, which they have assessed as very low without mitigation. Permanent effects are limited to loss of habitat from one set of bridge piers and shading from bridge structures over a small area. The applicant is proposing conditions to manage construction impacts, including minimising sediment release during mangrove removal, site reinstatement following construction works, and standard good practice measures to manage the risk of contaminant discharge.
41. From what we can ascertain, the applicant is proposing works within statutory area of the Arch Hill Scenic Reserve, which is subject to a statutory acknowledgement for Te Ākitai Waiohua, that may include a potential stormwater wetland, cut batter and retaining wall. We note that this statutory acknowledgement, and that for the Te Ākitai Waiohua coastal area discussed above, is not yet in force since the Te Ākitai Waiohua settlement legislation has not been enacted.
42. We consider the process of inviting comment from the relevant Treaty settlement entities under section 53(2)(c) of the Act (including providing information about the application) is comparable to the process under a Treaty settlement and the RMA of providing those who hold statutory acknowledgements with a summary of the application.
43. For your reference, we have provided the relevant provisions for the statutory acknowledgements listed at paragraph 37, including the relevant statements of association and deed plans, at **Attachments 4, 5, 6, 7 and 8** (respectively).<sup>4</sup>

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<sup>3</sup> 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.

<sup>4</sup> Since the statutory acknowledgements provisions are standard drafting across Treaty settlement Acts, we have only provided the legislative provisions from the Te Kawerau ā Maki Claims Settlement Act 2015.

## Other redress

### *Right of first refusal*

44. Part of the project area is adjacent to the Unitec Mt Albert campus and former Carrington hospital site, which are both subject to a 'right of first refusal' (RFR) as provided by the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014. We understand this right has been exercised in relation to parts of this land, which the three Tāmaki Makaurau rūpū of Marutūāhu, Ngāti Whātua and Waiohua-Tāmaki and their project partners are developing into a major residential development.

### *Whakaaetanga Tiaki Taonga*

45. The Te Ākitai Waiohua deed of settlement provides for a Whakaaetanga Tiaki Taonga to be entered into with the Cultural and Heritage Parties,<sup>5</sup> including HNZPT. Appendix B of the Whakaaetanga Tiaki Taonga briefly summarises the process for seeking an archaeological authority from HNZPT under the Heritage New Zealand Pouhere Taonga Act 2014, including the requirement in that legislation that applicants must consult tangata whenua. For your information, we have provided this excerpt at **Attachment 9**.
46. 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.

### *Treaty settlements landbank property*

47. The proposed designation includes a property at 178-220 Triangle Road, Massey (0.7355 hectares) held by the Crown in the Treaty Settlements Landbank. The Office of Treaty Settlements and Takutai Moana – Te Tari Whakatau (Te Tari Whakatau) advises that this property has not been identified for redress as part of any individual settlement to date. The property is also subject to the RFR provided for by the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014.
48. Finally, we note that iwi and hapū are likely to have cultural associations with ancestral lands, water, sites, wāhi tapu, and other taonga beyond what is specifically identified in a Treaty settlement or other arrangements. Local tangata whenua and their representatives would be best placed to advise on such matters in the first instance.

## **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.
50. However, as noted at paragraph 24, there are currently 21 applicant groups seeking recognition of PCR or CMT over areas which include the parts of the project area. Under section 53(2)(e) of the Act, the panel must also invite comments from MACA applicants identified in this report. This will provide groups an opportunity to comment on the

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<sup>5</sup> Manatū Taonga Ministry for Culture and Heritage, Department of Internal Affairs, Archives New Zealand, National Library of New Zealand, Museum of New Zealand Te Papa Tongarewa, HNZPT, Ngā Taonga Sound & Vision.

application and have their views taken into consideration by the panel when making a decision on the substantive application for this project.<sup>6</sup>

51. We note that if any of the CMT/PCR applications are ultimately successful, a number of rights would be conferred on the relevant applicants under MACA, including a permission right that applies to activities that are to be carried out under future resource consents within a CMT area.

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

52. 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**

53. 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**

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

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<sup>6</sup> We note sections 62(2) and 62A of MACA provide for CMT applicants to be notified of, and consulted on, applications for resource consents in that part of the common marine and coastal area where CMT is being sought.

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

Section	Information required	Paragraph reference in this report
18(1)	The Minister must, for a referral application, 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	32-33
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	34-48
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.	24, 50-51
18(2)(g)	Whether the project area would be within or adjacent to, or the project would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou (and, if so, the relevant provisions of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019).	25, 49
18(2)(h)	Whether the project area includes any taiāpure-local fisheries, mātaimai reserves, or areas that are subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996 (and, if so, who the tangata whenua are).	26, 52
18(2)(i)	Whether the project involves an activity that could be the subject of a determination under 23 (and, if so, who the owners of the land are).	27-28
18(2)(j)	If the proposed approvals include an approval described in any of section 42C(4)(a) to (d) (resource consent, certificate of compliance, or designation),	29-30, 53

	<ul style="list-style-type: none"> <li>(i) iwi authorities and groups that represent hapū that are parties to any relevant Mana Whakahono ā Rohe or joint management agreements.</li> <li>(ii) The relevant principles and provisions in those Mana Whakahono ā Rohe and joint management agreements.</li> </ul>	
<b>18(2)(k)</b>	Any other Māori groups with relevant interests.	31
<b>18(2)(l)</b>	<p>A summary of—</p> <ul style="list-style-type: none"> <li>(i) comments received by the Minister after inviting comments from Māori groups under section 17(1)(d) and (e);</li> <li>(ii) any further information received by the Minister from those groups</li> </ul>	Not applicable to substantive applications
<b>18(2)(m)</b>	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
<b>18(3)</b>	<p>In preparing the report required by this section, the responsible agency must—</p> <ul style="list-style-type: none"> <li>(a) consult relevant departments; and</li> <li>(b) provide a draft of the report to the Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti.</li> </ul>	<p>54 (section 18(3)(a))</p> <p>Section 18(3)(b) not applicable to substantive applications</p>
<b>18(4)</b>	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	Type of group (section of Act)	Contact person	Contact email
<b>Te Rūnanga o Ngāti Whātua</b>	iwi authority (s18(2)(a)); mandated entity (s18(2)(d))	Dame Rangimarie Naida Glavish, DNZM	
<b>Ngā Maunga Whakahii o Kaipara Development Trust</b>	iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a))	Margie Tukerangi, chair	
<b>Ngāti Whātua o Ōrākei Trust Board</b>	iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a))	Marama Royal, chair	
<b>Ngāti Maru Rūnanga Trust</b>	iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a)); mandated entity (s18(2)(d))	Waati Ngamane	
<b>Ngāi Tai ki Tāmaki Trust</b>	iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a))	Jada MacFie, CE	
<b>Ngāti Tamaterā Treaty Settlement Trust</b>	iwi authority s18(2)(a); Treaty settlement entity (s18(2)(a)); mandated entity (s18(2)(d))	Michelle Wilson, CE	
<b>Ngāti Pāoa Iwi Trust</b>	iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a))	John Hutton, CE	
<b>Te Patukirikiri Iwi Trust</b>	iwi authority s18(2)(a); Treaty settlement entity (s18(2)(a)); mandated entity (s18(2)(d))	Wiremu Peters, chair	
<b>Hako Tūpuna Trust</b>	iwi authority (s18(2)(a)); Treaty	John Linstead	

	settlement entity (s18(2)(a)); mandated entity (s18(2)(d))	
<b>Te Kawerau Iwi Settlement Trust</b>	iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a))	Edward Ashby, CE
<b>Te Ākitai Waiohua Waka Taua Inc</b>	iwi authority (s18(2)(a))	Nigel Denny Snr, chair
<b>Ngāti Te Ata Claims Support Whānau Trust</b>	iwi authority (s18(2)(a)), mandated entity (s18(2)(d))	Josie Smith
<b>Ngāti Tamaoho Settlement Trust</b>	iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a));	Tori Ngataki, chair
<b>Te Ākitai Waiohua Settlement Trust</b>	Treaty settlement entity (s18(2)(a)), mandated entity (s18(2)(d))	Karen Wilson
<b>Tūpuna Taonga o Tāmaki Makaurau Trust/ Whenua Haumi Roroa o Tāmaki Makaurau Limited Partnership</b>	Treaty settlement entity (s18(2)(a)),	Paul Majurey, chair
<b>Taonga o Marutūāhu Trustee Limited/ Marutūāhu Rōpū Limited Partnership</b>	Treaty settlement entity (s18(2)(a)); Mandated entity (s18(2)(d))	Paul Majurey, chair
<b>Ngāti Koheriki Claims Committee</b>	Mandated entity (s18(2)(d))	Kiwi Johnson
<b>MAC-01-02-006/CIV-2017-404-520: Ngāti Whatua Orakei</b>	MACA applicant (s18(2)(f))	
<b>MAC-01-01-058: Ngā Puhī Nui Tonu (Waitangi Marae)</b>	MACA applicant (s18(2)(f))	Joseph Robert Kingi

<b>MAC-01-02-003 /CIV-2017-404-564: Ngāi Tai ki Tāmaki</b>	MACA applicant (s18(2)(f))	Jada MacFie
<b>CIV-2017-404-567: Te Taou (Waitematā)</b>	MACA applicant (s18(2)(f))	Marama Stead
<b>MAC-01-02-004 /CIV-2017-404-518: Ngāti Taimanawaiti (Ngāti Tai)</b>	MACA applicant (s18(2)(f))	Jasmine Cotter-Williams
<b>MAC-01-01-073 /CIV-2017-485-398: Ngāti Kawau and Te Waiariki Kororā</b>	MACA applicant (s18(2)(f))	Louisa Collier
<b>MAC-01-02-005/CIV-2017-404-569: Ngāti Te Ata</b>	MACA applicant (s18(2)(f))	Roimata Minhinnick
<b>CIV-2017-404-558: Ngāitawake</b>	MACA applicant (s18(2)(f))	Rihari Dargaville
<b>CIV-2017-404-537: Ngā Puhī nui tonu, Ngāti Rāhiri, Ngāti Awa, Ngāti Tāhuhu and Ngāitawake</b>	MACA applicant (s18(2)(f))	Joseph Robert Kingi
<b>MAC-01-01-056: Ngā Puhī Nui Tonu (Te Kotahitanga Marae)</b>	MACA applicant (s18(2)(f))	Joseph Robert Kingi
<b>MAC-01-01-023 Ihaia Paora Weka Tuwhera Gavala Murray Mahinepua Reserve Trust Ngāti Rua Iti Ngāti iMuri Nagatiruamahue Ngāti Kawau Ngāti Haiti Ngāitupango Ngā Puhī Ngāti Kahu Te Aupouri</b>	MACA applicant (s18(2)(f))	Tahua Murray
<b>MAC-01-03-011: Ngāti Tamatera</b>	MACA applicant (s18(2)(f))	
<b>MAC-01-02-007: Te Kawerau a Maki</b>	MACA applicant (s18(2)(f))	Robin Taua-Gordon
<b>MAC-01-03-006: Ngāti Maru</b>	MACA applicant (s18(2)(f))	Paul Majurey
<b>MAC-01-01-125: Te Hikutu Whānau and Hapū (PCR)</b>	MACA applicant (s18(2)(f))	Eve Rongo
<b>MAC-01-01-105: Reti Whānau</b>	MACA applicant (s18(2)(f))	Elvis Reti
<b>MAC-01-03-010: Ngāti Tamaoho</b>	MACA applicant (s18(2)(f))	Tori Ngataki, chair

<b>MAC-01-03-001: Hauraki Maori Trust Board</b>	MACA applicant (s18(2)(f))	Paul Majurey
<b>MAC-01-01-091: Ngāti Whānaunga (PCR)</b>	MACA applicant (s18(2)(f))	Mike Baker
<b>MAC-01-01-133: Te Kaunihera o Te Tai Tokerau</b>	MACA applicant (s18(2)(f))	Rihari Dargaville
<b>MAC-01-01-140: Te Rūnanga o Ngāti Whātua</b>	MACA applicant (s18(2)(f))	Alan Riwaka
<b>Te Ahiwaru Waiohua</b>	other Māori group with relevant interests (s18(2)(k))	
<b>Te Whakakitenga o Waikato Incorporated</b>	other Māori group with relevant interests (s18(2)(k))	Jaedyn Falwasser



## Attachment 4: Te Wai o Pareira/Henderson Creek and tributaries statutory acknowledgement (Te Kawerau ā Maki)

### Statutory acknowledgement provisions (Te Kawerau ā Maki Claims Settlement Act 2015)

#### Subpart 2—Statutory acknowledgement and deed of recognition

##### 27 Interpretation

In this subpart,—

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

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

- (a) made by Te Kawerau ā Maki of their particular cultural, historical, spiritual, and traditional association with the statutory area; and
- (b) set out in part 4 of the documents schedule

**statutory acknowledgement** means the acknowledgement made by the Crown in section 28 in respect of the statutory areas, on the terms set out in this subpart

**statutory area** means an area described in Schedule 1, the general location of which is indicated on the deed plan for that area

**statutory plan**—

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

#### *Statutory acknowledgement*

##### 28 Statutory acknowledgement by the Crown

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

##### 29 Purposes of statutory acknowledgement

The only purposes of the statutory acknowledgement are—

- (a) to require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgement, in accordance with sections 30 to 32; and
- (b) to require relevant consent authorities to record the statutory acknowledgement on statutory plans that relate to the statutory areas and to provide summaries of resource consent applications or copies of notices of applications to the trustees, in accordance with sections 33 and 34; and
- (c) to enable the trustees and any member of Te Kawerau ā Maki to cite the statutory acknowledgement as evidence of the association of Te Kawerau ā Maki with a statutory area, in accordance with section 35.

### **30 Relevant consent authorities to have regard to statutory acknowledgement**

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

### **31 Environment Court to have regard to statutory acknowledgement**

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

### **32 Heritage New Zealand Pouhere Taonga and Environment Court to have regard to statutory acknowledgement**

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

### **33 Recording statutory acknowledgement on statutory plans**

- (1) On and from the effective date, each relevant consent authority must attach information recording the statutory acknowledgement to all statutory plans that wholly or partly cover a statutory area.
- (2) The information attached to a statutory plan must include—
  - (a) a copy of sections 28 to 32, 34, and 35; and
  - (b) descriptions of the statutory areas wholly or partly covered by the plan; and
  - (c) the statement of association for each statutory area.
- (3) The attachment of information to a statutory plan under this section is for the purpose of public information only and, unless adopted by the relevant consent authority as part of the statutory plan, the information is not—
  - (a) part of the statutory plan; or
  - (b) subject to the provisions of Schedule 1 of the Resource Management Act 1991.

### **34 Provision of summary or notice to trustees**

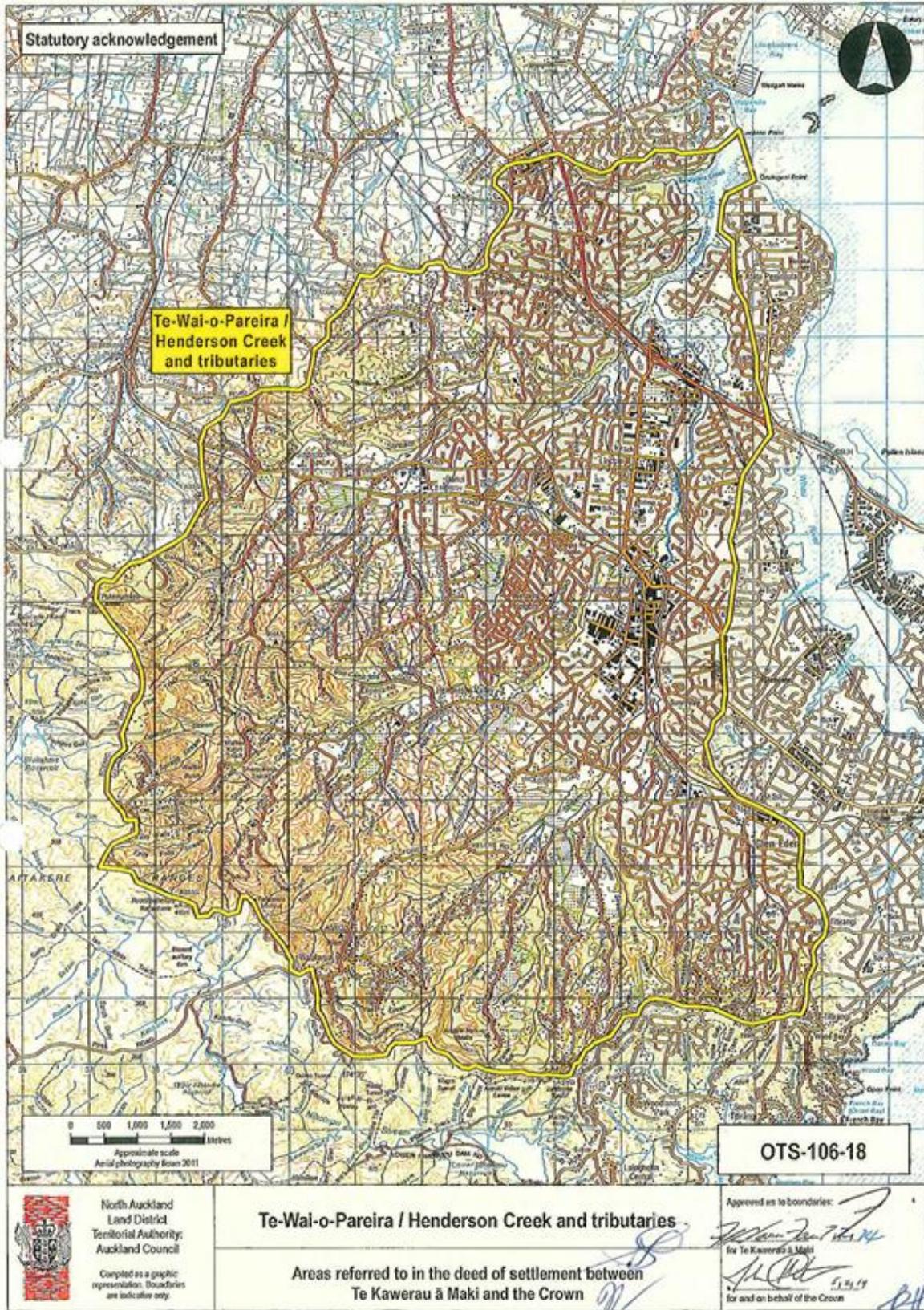
- (1) Each relevant consent authority must, for a period of 20 years on and from the effective date, provide the following to the trustees for each resource consent application for an activity within, adjacent to, or directly affecting a statutory area:
  - (a) if the application is received by the consent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

- (b) state the scope of that waiver and the period it applies for.
- (6) This section does not affect the obligation of a relevant consent authority to decide,—
  - (a) under section 95 of the Resource Management Act 1991, whether to notify an application;
  - (b) under section 95E of that Act, whether the trustees are affected persons in relation to an activity.

### **35 Use of statutory acknowledgement**

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

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



## Excerpt from statement of association (documents schedule to deed of settlement)

### TE WAI O PAREIRA/HENDERSON CREEK

#### Statutory Area

The area to which this Statutory Acknowledgement applies is the area known as Wai o Pareira / Henderson Creek and tributaries, as shown on SO Plan OTS-106-18.

#### Cultural, Spiritual, Historic and Traditional Association of Te Kawerau ā Maki with Wai o Pareira.

Wai o Pareira / Henderson Creek, its tributary streams and catchment, are of considerable spiritual, historical, traditional and cultural value to Te Kawerau ā Maki, who hold an ancestral relationship with the river dating back over centuries. The main tributaries of Wai o Pareira drain from Hikurangi, or the central Waitākere Ranges. The upper catchment extends for approximately fifteen kilometres from Pukematekeo in the north to Tītīrangi and Ōkaurirahi (Kaurilands) in the south east. It contains three sub catchments and tributaries, including: Wai Whauwhaupaku (Swanson Stream), Wai ō Panuku (Panuku Stream) and Wai Horotiu (Oratia Stream).

Wai Whauwhaupaku is a stream of considerable significance to Te Kawerau ā Maki. It and its tributary stream, Waimoko, flow from the eastern slopes of the sacred hill and tribal identifier Pukematekeo. In pre-European times the whole sub catchment was clothed in dense native forest and was renowned for its natural resources. Wai Whauwhaupaku was so named because of the whauwhaupaku or five finger shrub which grew in large numbers along its margins. The Waimoko tributary was named after the numerous native geckoes found in the area, and the Paremuka tributary after the fine quality muka, or weaving variety of flax, that grew in that stream valley. Over many generations the Wai Whauwhaupaku Stream valley was used as an inland walkway. Canoes would be left at the head of the Wai Huruhuru Manawa (Huruhuru Creek) tidal inlet and travellers would then walk inland to the pā above Swanson known as Pukearuhe, or further on via the northern Pukewhakatara ridge to the Waitākere River valley and Te Henga.

The southern-most sub catchment of Wai o Pareira is Waihorotiu (the Oratia Stream). The stream was named after horotiu (landslips) that often occurred at the head of its catchment. It, and the middle and lower part of the sub catchment, also take the name "Ora tia " from the Te Kawerau ā Maki pā and kāinga of that name located in the Holden's Road area of Oratia. In pre-European times the upper part of this sub catchment was distinguished by its mature kauri forest, as remembered in the locality name Ōkaurirahi – "the place of the huge kauri trees".

The central sub catchment is Wai ō Panuku (the Ōpanuku Stream). It rises on the sacred slopes of the hill known as Rua ō Te Whenua and the equally significant hill Parekura. Both places are inextricably linked in one of the oldest traditions of Te Kawerau ā Maki. Parekura and his wife Panuku were both of chiefly birth, and are said to have remained deeply in love throughout their lives. After his death Parekura became the hill of that name, which stands at the head of Henderson Valley. From Parekura forever flows the stream Wai-ō-Panuku which embodies the spiritual essence of Panuku. At the head of this catchment is a sacred area, formerly one of the main burial places of Te Kawerau ā Maki. In the mid catchment is an old settlement area known as Ōpareira, "the dwelling place of Pareira". The occupation of the lower part of the catchment is reflected in the name of a small tributary stream, Waitaro, "the stream of the taro cultivations".

Wai o Pareira and Wai Horotiu meet at Te Kōpua (Falls Park, Henderson). This place, at the head of the tidal reaches of Wai o Pareira, was of strategic importance to Te Kawerau ā Maki – it was located at the head of navigation of the tidal river and was the beginning point for a number of inland pathways. As a result Te Kōpua was defended by a small pā, now destroyed by urban development.

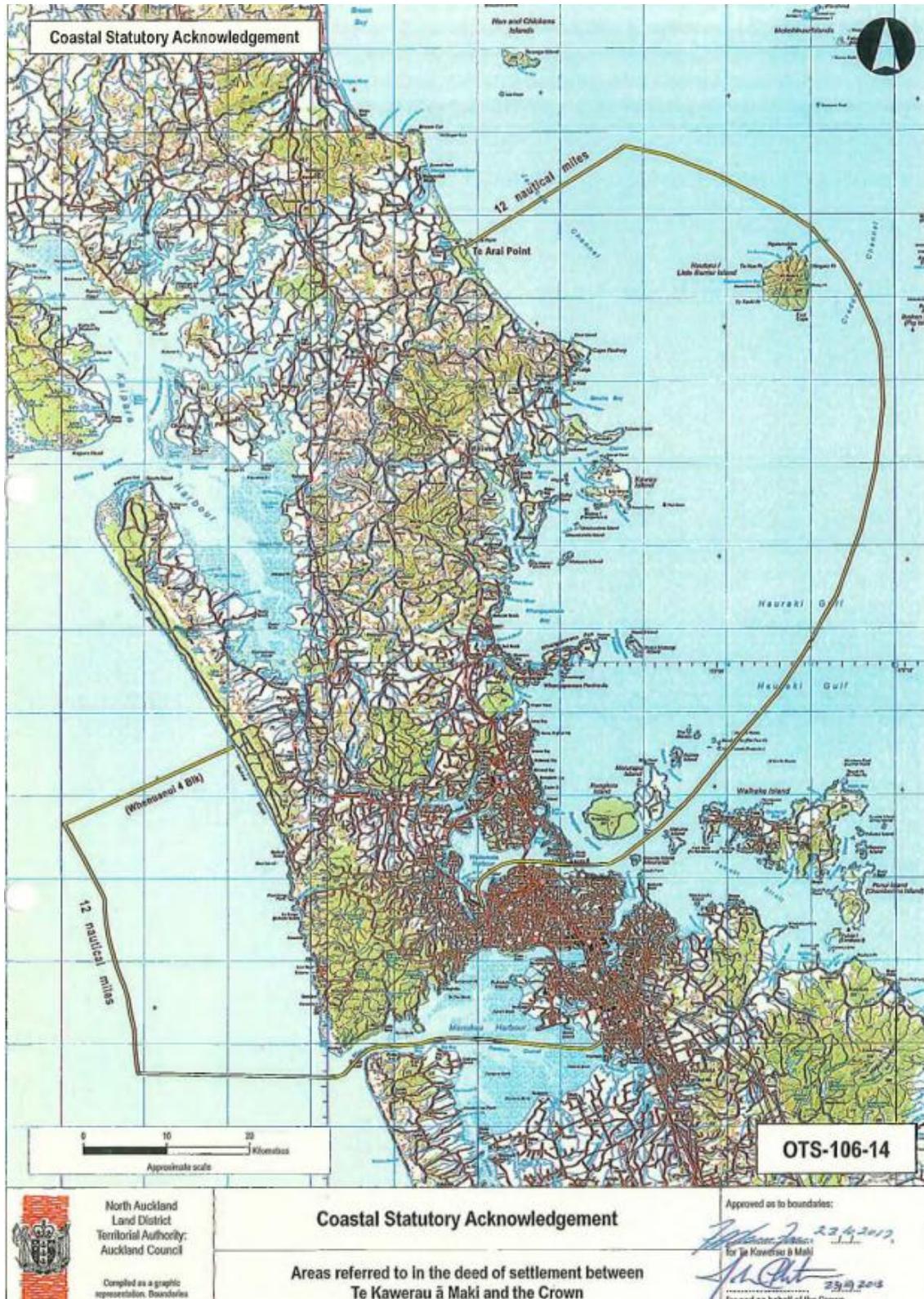
The whole tidal section of what is now commonly known as Henderson Creek is also known by the traditional name Wai-ō-Pareira, "the river of Pareira". (The name also applied to the bay that now contains the West Harbour Marina). This treasured name commemorates the ancestress Pareira, who was the niece of the renowned ancestor and voyager Toi Te Huatahi. When Toi and his people visited the Waitematā harbour centuries ago Pareira decided to make her home at the mouth of Wai-ō-Pareira.

Te Kawerau ā Maki formerly occupied kāinga around the river mouth at Ōrukuwai on the Te Atatū Peninsula, and at Kōpūpāka and Mānutewhau in the Massey and West Harbour area. Mānutewhau was so named because it was a favourite place within the river for netting fish; the name literally means "the floats (of the nets) made from whau wood". This area around the river mouth was also a favourite place from which to harvest tūangi (Cockles), pipi, and tio (oysters).

The stretch of water running inland to the junction with Wai Huruhuru Manawa (Huruhuru Creek) was known traditionally as Taimatā, after its broad, "glistening waters". The Wai Huruhuru Manawa inlet was frequently used to travel inland, and was named after the aerial roots of the manawa (mangroves) which are a distinctive feature of the river at low tide. Further upstream was an area that was treasured as the roosting place of the kōtuku, white heron, during its annual northern migration. Up river of the North Western motorway was an area known as Te Tāhuna after the sandbanks which were once there. This area was also a favoured netting area where fish were caught in shallow water on the outgoing tide. It was also a well known area in former times for catching tamure (snapper). In the vicinity of what is now Waitākere Stadium, shell middens indicate the presence of former kāinga. The river margins were once famed for their flowering kōwhai groves, the remnants of these which are still treasured. Between this point and Te Kōpua are several wāhi tapu, or sacred areas.

## Attachment 5: Coastal statutory acknowledgement (Te Kawerau ā Maki)

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



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

### DOCUMENTS

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#### 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).

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## Te Wairoa-ō-Kahu – “the long tidal channel of Kahu”

Te Kawerau ā Maki have a long and enduring relationship with the coastal environment of the upper Waitematā Harbour, known traditionally as Te Wairoa ō Kahu. This sheltered seaway provided an important route between the lower harbour and the overland portages to the Kaipara

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### DOCUMENTS

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#### 4: STATEMENTS OF ASSOCIATION

Harbour. These portages began at Pītoitoi and Taurangatira in what is now the settlement of Riverhead. Kāinga were located on both sides of Te Wairoa ō Kahu. On the west, by way of example, were Taurangatira, Maraeroa, Ngongetepara, Te Rarawaru, Onekiritea and Tahingamanu. On the eastern side of the channel were Ōrangikanohi, Panepane Kōkōwai, Pāremoremo, Te Ōkinga ā Toroa, and Ōpaketai. In mid channel was the important seasonal kāinga of Te Pahi ō Te Poataniwha on Motu Pākihi (Herald Island).

The upper harbour area was well known for its diversity of fish resources, shellfish, eels found in its muddy estuaries like Waikōtukutuku, and as a place from which to harvest sea birds. Tahingamanu, an extensive area of tidal flats near present day Hobsonville, was particularly valued by Te Kawerau ā Maki until well into the twentieth century as a place to catch the kūaka (godwit) which flocked there in large numbers during late summer. Another coastal bird that was caught on the shores of Te Wairoa ō Kahu was the kororā (little blue penguin). It was caught during the brief period in autumn when its low oil content made the bird palatable. A favourite spot for catching the penguin was Ana Kororā, near present day Greenhithe.

Places of particular spiritual and historical importance to Te Kawerau ā Maki in this coastal environment are the fortified pā, Panepane Kōkōwai and Tauhinu. Another landmark of significance is Te Ure tū ā Hape, a rock standing off the entrance to the Ōruāmō Creek. It is a treasured reminder of the ancestor Rakataura (Hape) and his association with Te Wairoa ō Kahu and the surrounding area. This area of the harbour is especially significant as one of the homes of Mōkai ō Kahu, the guardian taniwha associated with the mid and upper Waitematā Harbour. His lair at the mouth of the Ōruāmō Creek is known in the traditions of Te Kawerau ā Maki as Ō-rua-ā-Mōkai-ō-Kahu.

## **Wai-te-matā-ō-Kahu**

Te Kawerau ā Maki have an important shared ancestral and customary relationship with Wai-te-matā-ō-Kahu (the Waitematā Harbour). This relationship applies in particular to the western shores of the harbour from Wai o Pareira (Henderson Creek) to Te Auanga (Oakley Creek), and the eastern and northern shores of the harbour. The Waitematā Harbour takes its name from a mauri stone, "Te Mata," placed on the rock of that name (Boat Rock) by the Te Arawa ancestor Kahumatamomoe. As descendants of the crew of the Arawa canoe, Te Kawerau ā Maki in time became guardians of this mauri, and retain the karakia associated with it to this day.

Places of particular significance to Te Kawerau ā Maki on the western side of the harbour include: Wai o Pareira, Kopupāka, Mānutewhau in the West Harbour-Massey area, Ōrukuwai and Ōrangihina on the Te Atatū Peninsula, Te Awa Whau (the Whau River) and Rangi Matariki, Motu Manawa, Te Kou and Te Auanga (Motumānawa / Pollen Island Marine Reserve). These kāinga were all associated with the seasonal harvest of the rich marine resources of the area. A place of considerable traditional importance to Te Kawerau ā Maki is Te Ara Whakapekapeka ā Ruarangi, "the diversion of Ruarangi" (Meola Reef). This reef was once a valued source of kūtai (mussels) before water quality issues began to arise in the harbour as a result of rapid urban growth in the catchment in the 1960s.

The historical focal point of Te Kawerau ā Maki associations with the lower Waitematā Harbour is Te Matarae ō Mana (Kauri Point). This fortified pā, named after the Te Kawerau ancestor Manaoterangi, and the adjacent kāinga of Rongohau (Kendall Bay), were occupied by Te Kawerau ā Maki, with others, until the early 1840s. Te Matarae ō Mana was strategically important as it controlled access to the upper harbour and overlooked a renowned tauranga mango (shark fishery). Other places of historical and cultural significance on this coastline include: Kaiwhānake,

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## **DOCUMENTS**

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### **4: STATEMENTS OF ASSOCIATION**

Te Wā iti ō Toroa, and Onetaunga. Through descent from both Tawhiakiterangi and his wife Marukiterangi, Te Kawerau ā Maki have ancestral and customary interests in the Oneoneroa (Shoal Bay) area, with the kāinga of Awataha having been occupied by members of the tribe, with others until around 1920. The many coastal places of significance in this area include Te Onewa (Northcote Point), a fortified pā, Te Kōpua ō Matakerepo (Onepoto Basin), Te Kōpua ō Matakamokamo (Tuff Crater), Wakatatere, Waititiko and Ngau te ringaringa (Ngataranga Bay).

# Attachment 6: Coastal marine area statutory acknowledgement (Ngāi Tai ki Tāmaki)

## 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.

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##### ***Te Wai o Taikehu ki Waitematā***

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

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

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

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

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

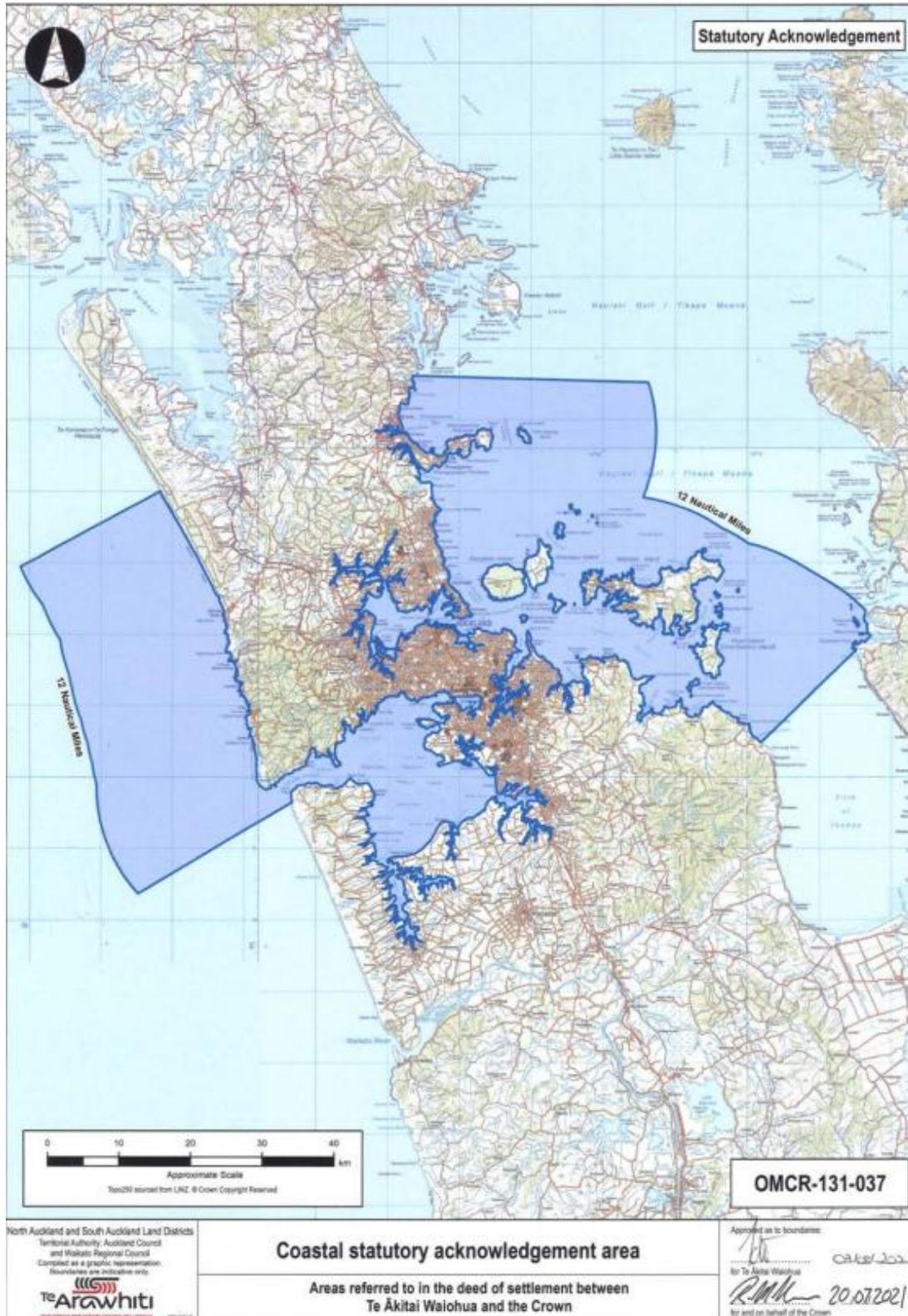
Te Whanganui (St Heliers Bay) was known because of its importance as a landing site for Waka arriving at the Tāmaki Heads from Te Waitemata or further north.,

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

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

## Attachment 7: Coastal statutory acknowledgement (Te Ākitai Waiohū)

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

In comparison the Hauraki Gulf and Waitematā Harbour, with its deeper navigable channel, gentle current and limited tidal range, feature much calmer waters with Rangitoto island and the numerous other motu in 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 Matarae o Mana (Kauri Point).

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

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

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

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

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

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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 Waiohua pā site based on a motu that was much larger than the sandstone islet that exists today.

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

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

The importance of the coastal areas for food and transport also meant that many Te Ākitai Waiohua 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 Waiohua 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 Waiohua to signify events, associations, boundaries or navigation points. Coastal settlements usually featured natural escape routes to avoid extensive conflict as they did not have the defensive features of inland pā, such as those based on maunga, to defend resources or transport routes. Te Puponga in Hikurangi was used as a fishing boundary marker and navigation point for entering the Manukau Harbour. The Karangahape pā site is at Puponga Point in Karangahape (Cornwallis).

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

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

# Attachment 8: Arch Hill Scenic Reserve statutory acknowledgement (Te Ākitai Waiohūa)

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



## Excerpt from statement of association (documents schedule to deed of settlement)

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### Arch Hill Scenic Reserve (as shown on deed plan OMCR-131-011)

Arch Hill Scenic Reserve is known for Waiōrea (Western Springs) further west, which is an area that includes the lake and creek that flow out to the Waitematā Harbour overlooking Te Tokaroa (Meola Reef). Waiōrea was known for its fishing and the availability of long finned eels (ōrea) in the waterways.

Arch Hill Scenic Reserve is also known for the water spring Te Ipu Pakore further east that used to be one of the main water wells supplying nearby Maungawhau (Mt Eden) pā (settlement). The name Ipu Pakore or 'Cracked Water Bowl' initially refers to Waiohua women who were ambushed after returning from the spring. However, it also refers to a later incident in Arch Hill involving a massacre of Waiohua people that took place when the pā and water spring were taken, following the death of Kiwi Tāmaki, paramount chief of Te Ākitai Waiohua. It is seen by Te Ākitai Waiohua as a tapu (sacred) place and urupā (burial ground) in commemoration of the deaths of many Waiohua.

The lava caves under the Mt Eden area also house Ngā Anawai or the watery caverns that are thought to spread throughout the wider region including Arch Hill. These caverns provided water and food in other areas and include a network of related sites such as the water springs Mahuru and Te Puna a Rangi, the cave Te Ana a Rangi and the lake Te Roto a Rangi. The use of the name Rangi comes from Rangihuamoā, the wife of the paramount chief of Waiohua, Huakaiwaka. Huakaiwaka is the grandfather and Rangihuamoā the grandmother of Kiwi Tāmaki, progenitor of Te Ākitai Waiohua.

The historical, cultural and spiritual association of Te Ākitai Waiohua with Arch Hill Scenic Reserve is essential to the preservation and affirmation of its tribal identity.

It is an area associated with Waiohua through to the end of Kiwi Tāmaki's leadership at a time when the community was at its height in strength, unity and stability. Waiohua engaged in traditional and symbolic cultural practices in Arch Hill in recognition of the sacred springs, lakes and water caverns in the area. However, it is also a tapu area that commemorates the passing of many Waiohua lives.

Thus the history of Arch Hill Scenic Reserve serves as a record of the stories and experiences that have shaped Te Ākitai Waiohua to this day and will continue to do so in the future.

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

### DOCUMENTS

#### 5: WHAKAAETANGA TIAKI TAONGA

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##### 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](#)