

MATANUKU MAHUIKA, BARRISTER

6 May 2026

The Panel Convenor
Stella Passage Development
c/ Environmental Protection Authority
WELLINGTON

By email: substantive@fasttrack.govt.nz

STELLA PASSAGE DEVELOPMENT – FTAA-2512-1163

Introduction

1. This is a further letter/submission on behalf of the Nga Hapu o Ngati Ranginui Settlement Trust (**Settlement Trust**).
2. The Settlement Trust is grateful for the decision by the Panel to accept and place on the record the 1 May 2026 letter setting out the Settlement Trust's position on the possible grant of a fast track consent for the Stella Passage Development.
3. The Settlement Trust's position was communicated in the manner that it was because of uncertainty about whether an extension of time was possible in the light of section 54(4) of the FTAA. Even though the 30 April deadline for comment had passed, the Settlement Trust wanted to ensure that its position was before the Panel. It was therefore decided that the best approach was to write a letter to the Panel.
4. Having received Minute 4, and noted that other requests for extension have been made, the Settlement Trust now respectfully asks that the 1 May 2026 letter be accepted as comments by the Settlement Trust pursuant to sections 53–54 of the FTAA. Leave is respectfully sought for those comments to be received out of time.
5. There should be no prejudice to the Port of Tauranga if an extension of time is granted. The position of the Settlement Trust is not new to the Port of Tauranga. It has been the consistent position of the Settlement Trust that addressing the Stella Passage Development through the FTAA is inconsistent with the Ngā Hapū o Ngāti Ranginui settlement and section 7 of the FTAA. The Port of Tauranga is well aware of this position.

Naku noa, na



Matanuku Mahuika

Counsel for the Nga Hapu o Ngati Ranginui Settlement Trust

1 May 2026

The Panel Convenor
Stella Passage Development
c/ Environmental Protection Authority
WELLINGTON

By email: substantive@fasttrack.govt.nz

STELLA PASSAGE DEVELOPMENT – FTAA-2512-1163

Introduction

1. This letter is sent on behalf of the Nga Hapu o Ngati Ranginui Settlement Trust (**Settlement Trust**) in relation to the second substantive fast track application (**Application**) for the Stella Passage Development Project (**Project**).
2. The Settlement Trust is the post settlement governance entity for Nga Hapu o Ngati Ranginui. It is a “Treaty settlement entity” for the purposes of the Fast Track Approvals Act 2024.
3. In its Minute 2 dated 30 March 2026, the Expert Panel dealing with the Application required comments on the Application by 30 April 2026. The Settlement Trust did not submit comments. However, it has nevertheless decided to put its position in writing to the Expert Panel. This ensures that the Expert Panel is on notice as to the position of the Settlement Trust.

Settlement Trust Position on Application

4. The position of the Settlement Trust in relation to the Application has not changed from the position it has taken previously. That position is that proceeding with a fast track consent for the Project is inconsistent with the Nga Hapu o Ngati Ranginui settlement, the terms of which are set out in the Nga Hapu o Ngati Ranginui Deed of Settlement and the Tauranga Moana Iwi Collective Deed of Settlement. The Settlement Trust’s strong view is that the Project does not meet the requirements of section 7 of the Fast Track Approvals Act 2024.
5. Section 7 of the Act provides:

7 *Obligation relating to Treaty settlements and recognised customary rights*

- (1) *All persons performing and exercising functions, powers, and duties under this Act must act in a manner that is consistent with—*
- (a) *the obligations arising under existing Treaty settlements; and*
 - (b) *customary rights recognised under—*
 - (i) *the Marine and Coastal Area (Takutai Moana) Act 2011:*

(ii) *the Nga Rohe Moana o Nga Hapu o Ngati Porou Act.*

- (2) *To avoid doubt, subsection (1) does not apply to a court or a person exercising a judicial power or performing a judicial function or duty.*
- (3) *In this section, **existing Treaty settlements** means Treaty settlements that exist at the time the relevant function, power, or duty is performed or exercised (rather than only those that exist at the commencement of this Act).*

6. Section 7 therefore requires that any person “*exercising functions, powers, and duties*” under the Act must act in a manner that is consistent with the obligations arising under existing Treaty settlements (section 7(1)(a)) and customary rights recognised under the Marine and Coastal Area Act 2011 (**MACA**) (section 7(1)(b)(i)). Existing settlements are settlements that exist at the time a relevant function, power or duty is performed.
7. The Ngati Ranginui settlement is an existing settlement for the purposes of section 7. As noted above, the terms of Ngā Hapū o Ngāti Ranginui settlement are set out in the Ngā Hapū o Ngāti Ranginui Deed of Settlement and Tauranga Moana Iwi Collective Deed of Settlement. Relevant aspects of the Ngati Ranginui settlement for the purposes of the fast track application include:
 - (a) The acknowledgment by the Crown of the extensive historical and present-day interests of ngā hapū o Ngāti Ranginui in relation to Tauranga Moana;
 - (b) The establishment of the Tauranga Moana Framework, which:
 - (i) Has the purpose of facilitating an integrated, holistic and co-ordinated approach to the management of Tauranga Moana;
 - (ii) Provides for the establishment of a Tauranga Moana Governance Group, which includes appointees of the Tauranga Moana iwi, to provide leadership and strategic direction to restore, enhance and protect the health and wellbeing of Tauranga Moana and achieve sustainable management of Tauranga Moana for present and future generations;
 - (iii) Commits the Crown and Ngāti Ranginui to ensuring that Tauranga Moana is managed so as to restore, enhance and protect the health and wellbeing of Tauranga Moana and to achieving sustainable management of Tauranga Moana for present and future generations
 - (iv) Provides for the development and implementation of Nga Tai ki Mauao (Tauranga Moana framework document);
 - (v) Requires the meaningful participation of Ngāti Ranginui in all matters affecting Tauranga Moana; and
 - (vi) Provides for the establishment of a register of appropriately qualified people, appointed by the iwi of Tauranga Moana, who must be appointed as a Commissioner to hear resource consent applications relating to, amongst other things, matters set out in section 12 of the RMA, which include reclamations and the erection of structures in the coastal marine area.
8. There is also an acknowledgement by the Crown of the ngā hapū o Ngāti Ranginui application under MACA.

9. The view of the Settlement Trust that the proposed fast track consent is not consistent with obligations arising under the Ngā Hapū o Ngāti Ranginui settlement is reinforced by the Cultural Values Assessment report the Trust provided to the Port of Tauranga following the filing of the initial fast track application for the Project. A copy of that Cultural Values Assessment Report is **attached**.
10. Amongst other things, the Cultural Values Assessment records that:
 - (a) There is nothing in the fast track application for the Project that reflects a holistic and integrated management approach to Tauranga Moana.
 - (b) There is nothing in the fast track application for the Project to suggest that the Project will restore, enhance or protect the health and wellbeing of Tauranga Moana or achieve the sustainable management of Tauranga Moana for future generations. If anything, the materials relating to the Project suggest that it will have a negative effect on Tauranga Moana and its environment. It will also impact negatively upon the acknowledged interests of ngā hapū o Ngāti Ranginui in relation to Tauranga Moana; and
 - (c) The fast track process is, in and of itself, inconsistent with the Tauranga Moana Framework and therefore the Ngāti Ranginui settlement. For example, the settlement envisages that consents relating to matters set out in section 12 of the RMA, such as reclamations and the erection of structures, will be considered by Commissioners that have been appointed by the iwi of Tauranga Moana. There are no iwi appointed Commissioners involved in this process. Also, the provision for the appointment of Commissioners envisages a full resource consent process. Here, the Port of Tauranga is explicitly seeking to bypass the full resource consent process. In doing so it is subverting the terms and intent of the Tauranga Moana Framework and the Ngāti Ranginui settlement.
11. In addition, the Settlement Trust's MACA application area entirely encompasses the Project area. The Settlement Trust's view is that its MACA application will be prejudiced by consent being granted for the Project.
12. Finally, the Settlement Trust has seen the 23 February 2026 section 18 report provided to the Expert Panel by the Ministry for the Environment. The Tauranga Moana Framework is addressed in paragraphs 48 to 53 of that report. At paragraph 53 the report advises that:

"... it would be appropriate for the panel to consider how it might act consistently with the intent of the Tauranga Moana Framework redress, acknowledging that the settlement legislation which would bring these arrangements into force has not yet been enacted".
13. The Settlement Trust does not agree that the Expert Panel need only consider how it might act consistently with the "intent" of the Tauranga Moana Framework. The Tauranga Moana Framework contains significant and specific requirements that must be met in respect of the process to be followed in dealing with consents over Tauranga Moana; the role of the Tauranga Moana iwi in that process; and the approach that must be taken in the management of Tauranga Moana. The obligation to act consistently with these requirements goes beyond "intent". It requires consistency with these requirements of the Tauranga Moana Framework.
14. That said, even if the Expert Panel approaches the Tauranga Moana Framework in terms of its "intent", the Settlement Trust considers that a fast track consent could not be granted for the Project.

Conclusion

15. In light of the matters set out above, the Settlement Trust's says that the Project is unsuitable for the fast track process and proceeding with the application would be contrary to the requirements of section 7. The Project therefore cannot lawfully be dealt with through the fact track process. It should instead be dealt with through the normal resource consenting process.
16. The Settlement Trust does not believe that mitigations can overcome the fundamental unsuitability of the Project for a fast track consent.

Naku noa, na

A handwritten signature in black ink, consisting of a large, stylized 'M' followed by a series of loops and a horizontal stroke at the end.

Matanuku Mahuika

Counsel for the Nga Hapu o Ngati Ranginui Settlement Trust

NGĀ HAPŪ O NGATĪ RANGINUI SETTLEMENT TRUST
CULTURAL VALUES REPORT

PORT OF TAURANGA STELLA PASSAGE DEVELOPMENT
PROJECT

11 April 2025



Table of Contents

Executive Summary	2
Kupu whakataki - Introduction	3
Whāinga - Purpose	3
Te Tukanga – Methodology	4
Summary of the Project.....	5
Ngā Hapū o Ngāti Ranginui Settlement Trust	7
Ngāti Ranginui Rohe and Significant Sites	8
Ngā Mātāpono – Cultural Values	10
Ngāti Ranginui Cultural Effects Assessment Framework.....	11
Mana	12
Honoruru	12
Mātauranga Ranginui	13
Mauri	14
Rights of Ngā Hapū o Ngāti Ranginui under Treaty settlements and the MACA Act.....	15
Ngā Hapū o Ngāti Ranginui Claims Settlement	15
Tauranga Moana Iwi Collective Redress and Ngā Hapū o Ngāti Ranginui Claims Settlement Bill.....	18
The effect of the Ngāti Ranginui and Tauranga Moana Iwi Collective settlements	20
Ngāti Ranginui application for Customary Marine Title and Protective Customary Rights under the Marine and Coastal Area (Takutai Moana) Act 2011	21
Impacts.....	22
Kupu Akiaki, Kupu Whakakapi – Recommendations and Conclusions	23
APPENDIX A – Port of Tauranga	25
APPENDIX B - Sites of Significance to Ngāti Ranginui.....	26
APPENDIX C - Changes in Panepane - 2016, 2019, 2024.....	28
APPENDIX D - Ngāti Ranginui Cultural values	30
APPENDIX E – Ngāti Ranginui area of interest map.....	32
APPENDIX F – Tauranga Moana Framework Plan.....	33

Ko Mauao te Maunga

Ko Te Awanui te Moana

Ko Tākitimu te Waka

Ko Ngāti Ranginui te Iwi

Ko Tamatea Arikinui te Tangata

Ko Te Pirirākau, Ngāti Kahu, Ngāti Rangī, Ngāti Pango, Ngāti Hangarau, Ngāi Tamarāwaho, Ngāi Te Ahi, Ngāti Ruahine, Ngāti Taka, Ngāti Te Wai, ngā hapū morehu o Ngāti Ranginui i whakapiri nei i runga i te karanga o te kaupapa

Ko Tuāpiro, ko Tāwhitinui, ko Paparoa, ko Poutūterangi, ko Tūtereinga, ko Te Wairoa, ko Hangarau, ko Hūria, ko Waimapu, ko Hairini, ngā marae maha o Ngāti Ranginui i tēnēi wā

Executive Summary

1. Ngāti Ranginui has mana whenua, mana moana, and kaitiaki responsibilities over Te Awanui (Tauranga Harbour).
2. The Ngā Hapū o Ngāti Ranginui Settlement Trust (the Trust) is the post-settlement governance entity for Ngāti Ranginui. In 2012 and 2015 respectively the Trust entered into the Ngā Hapū o Ngāti Ranginui and Tauranga Moana Iwi Collective (TMIC) Deeds of Settlement with the Crown.
3. The Ngā Hapū o Ngāti Ranginui and TMIC Deeds acknowledge the significance of Tauranga Moana to ngā hapū o Ngāti Ranginui and contain important agreements relating to Tauranga Moana. These agreements require meaningful involvement of Ngāti Ranginui in all matters affecting the moana and a focus on restoring, enhancing, and protecting the health and wellbeing of Tauranga Moana. These settlements must be recognised and respected.
4. Port of Tauranga Ltd's (POTL) Stella Passage Development Project (the project) is inconsistent with the requirements of the Ngā Hapū o Ngāti Ranginui and TMIC Deeds of Settlement:
 - a. The project involves significant modifications to the marine environment and therefore significant impacts on the health and wellbeing of Te Awanui.
 - b. The Trust has not been meaningfully engaged in the process having only been contacted in the past 2-3 months and required to meet short deadlines imposed by POTL.
 - c. The project is inconsistent with the live application for recognition of Ngāti Ranginui customary marine title and protected customary rights under the Marine and Coastal Area (Takutai Moana) Act 2004 (the MACA Act).
5. The POTL project is not appropriate for the fast-track process and should instead proceed through the normal resource consenting process.

Kupu whakataki - Introduction

6. As the pepeha for Ngāti Ranginui records, Ngāti Ranginui has a deep and enduring connection to Te Awanui.
7. This Cultural Values Report¹ has been commissioned by the Trust for the POTL as part of the project.
8. POTL is preparing an application for the project under the Fast-track Approvals Act 2024 with the intention of lodging it by 17 April 2025.² The project is significant and involves substantial modifications to the coastal marine area. The Trust understands the project to have the following components³:
 - a. Deepening by dredging of approximately 10.55 hectares of Stella Passage and approximately 1.5 million cubic metres of dredged material to be removed;
 - b. Reclamation of approximately 3.58 ha of the coastal marine area either side of Stella Passage – 1.81 ha on the Sulphur Point side and 1.77 ha on the Mount Maunganui side;
 - c. Sulphur Point berth extension to add 385 m of berth to the south of existing wharves;
 - d. Mount Maunganui berth extension of 315 m, approximately 1.8 ha of land reclamation, and redevelopment of the area known as Butters Landing;
 - e. Development of new structures in the coastal marine areas; and
 - f. Construction of additional cranes atop proposed Sulphur Point wharf extensions.
9. While the project and POTL's interests relate to Stella Passage, Sulphur Point and Mount Maunganui wharves, it will almost inevitably impact upon the broader marine environment. Also, the hapū and iwi of Ngāti Ranginui take a much broader view of their interconnected cultural values and the significance of Te Awanui and the whenua and moana within their rohe. Therefore, the Trust considers more broadly the relevant values and the potential impacts of the project on the mana, tikanga, and legal interests of ngā hapū o Ngāti Ranginui.

Whāinga - Purpose

10. The purpose of this report from POTL's perspective is to provide *"a strategic view of the potential impacts (positive/negative) of the Fast-track projects on your cultural values and rights and interests."*⁴ POTL has stated that its proposed activities will be *"planned and executed with the utmost care of Treaty settlement obligations"* and with consideration of *"potential ways to ensure the integrity, intent and effect of your settlement is upheld."*⁵
11. While this report will summarise cultural values as articulated in reports and documents prepared for Ngāti Ranginui, the particular focus of the report is the impact of the project on the rights of Ngāti Ranginui under:

The cover image on this report was taken by Mererina Murray and is used with her permission.

¹ A Cultural Values Report is a document that identifies and describes the cultural values, interests, and associations of mana whenua with a specific place or resource, and may assess how a proposal might impact those values, including potential mitigation measures: <https://www.qualityplanning.org.nz/node/991>

² Email M Kuka re Port of Tauranga – Iwi and Hapū Engagement Update, 28 March 2025 4:08 pm.

³ POTL – Stella Development – Fast-Track Approvals Act 2024 Substantive Application Report 31 March 2025, pp 12-13.

⁴ Contract for Services – Ngā Hapū o Ngāti Ranginui Settlement Trust and Port of Tauranga Limited.

⁵ Contract for Services – Ngā Hapū o Ngāti Ranginui Settlement Trust and Port of Tauranga Limited.

- a. The Ngā Hapū o Ngāti Ranginui settlement;
- b. The Tauranga Moana Iwi Collective settlement; and
- c. The Ngāti Ranginui application for Customary Marine Title and Protective Customary Rights under the MACA Act.

Te Tukanga – Methodology

12. This report has been prepared by a working group of Carlton Bidois and Rob Urwin (trustees of the Trust), Matanuku Mahuika (legal counsel for the Trust) and Bernadette Roka Arapere (writer).⁶
13. The Trust signed a contract for this report on 28 March 2025. The contract set out POTL's expectations that the report address the following⁷:
 - Analysis and interpretation of the implications of Fast-track consent applications on the Ngā Hapū o Ngāti Ranginui Treaty Settlement and the Tauranga Moana Iwi Collective Treaty Settlement
 - A statement of Ngāti Ranginui cultural values, interests and associations within the project area, including potential mitigative measures that should be considered at Consenting stage
 - Reference to any wider Iwi Planning Documents, Treaty obligations, Waitangi Tribunal claims, Protected Customary rights and other matters that need to be considered at Consenting stage.
 - Tikanga to support engaging through the process of development, including involvement in accidental discovery processes and cultural inductions, cultural monitoring and development of cultural indicators.
14. The report has been drafted under POTL's very restricted timeframes. As a result it has been necessary to employ a methodology that has involved a rapid review of reports, evidence and Treaty settlement documents provided by the Trust to, or located by, the writer.
15. The extremely short timeframe has meant that there has been no opportunity for kōrero and wānanga with hapū or other entities of Ngāti Ranginui or for oral interviews with iwi knowledge holders. The Trust has also not had time to engage expert planning, scientific, and tikanga advice on the impacts of the project.
16. In terms of cultural values, and in order to mitigate the limitations created by the short timeframe imposed by POTL, the Trust requested and was provided with a draft of the Cultural Values Report for the project prepared for Ngāti Ranginui Iwi Society Incorporated.⁸ The final version of that report was provided to the Trust on 8 April 2025.⁹ The report is a comprehensive assessment of the cultural significance of Te Awanui (Tauranga Harbour) to

⁶ Ms Arapere (Ngāti Raukawa ki te Tonga, Ngāti Tūwharetoa and Ngāti Maniapoto) is a barrister but was engaged to assist the Trust to write this report.

⁷ Contract for Services – Ngā Hapū o Ngāti Ranginui Settlement Trust and Port of Tauranga Limited.

⁸ R Murray, "Ngāti Ranginui Iwi Cultural Values Report 2025 – Prepared for the Port of Tauranga Limited", draft version 5 as of 21 March 2025. A copy of this draft was provided to the Trust on 24 March 2025.

⁹ R Murray, S Eru, C Rahiri and M Tata, "Te Ika ā Ranginui e tū ake nei – Ngāti Ranginui Iwi Cultural Values Report 2025 prepared for the Port of Tauranga Limited". Final report provided to the Trust on 8 April 2025.

Ngāti Ranginui. The Trust has also been provided with evidence and the Cultural Effects Assessment Framework developed by the Ngāti Ranginui Fisheries Trust for the purposes of the Stage 1 Sulphur Point wharf extension before the Environment Court. Both sets of information are referenced in this report.

17. The Trust itself was not a party to the Environment Court proceedings involving the Stage 1 Sulphur Point wharf extension.¹⁰ The Trust has not been engaged in earlier processes involving POTL and does not have the background knowledge of the project that other rūpū may have had from related processes.
18. A draft of this report was reviewed by the Trustees before being released to other parties and to POTL. The Trust may update the report as further information and time become available. The report may be used to inform the POTL application. Written permission must be sought from the Trustees to use this report for any other purpose.

Summary of the Project

19. The modern port of Tauranga developed from 1953 onwards with the Mount Maunganui wharves and from 1969 onwards the Sulphur Point wharves.¹¹ Stella Passage is the name of the shipping channel that lies between the two wharves.¹²
20. The project objective is to extend berths on both sides of Te Awanui. The Port notes in its application that the Sulphur Point container berths are nearing capacity.¹³ The project is in two main stages¹⁴:

Table 1: General Project Staging

	STAGE 1	STAGE 2
SULPHUR POINT	Reclaim 0.88 ha of the CMA between the southerly extent of the existing wharf and the sand pile.	Reclaim 0.93 ha of the CMA south of the Stage 1 reclamation.
	Develop a 285 m long extension to the wharf in front of the reclamation.	Develop a 100 m long extension to the wharf in front of the Stage 2 reclamation.
	Install 2 cranes 110 m tall and 2 cranes up to 78 m tall – timing not limited to either stage.	

¹⁰ ENV-2021-AKL-153 *Port of Tauranga Limited v Bay of Plenty Regional Council & Ors*, Decision [2024] NZEnvC 337 (Second Interim Decision of the Environment Court), 16 December 2024.

¹¹ POTL – Stella Development – Fast-Track Approvals Act 2024 Substantive Application Report 31 March 2025, pp 4, 8.

¹² See map of the Port of Tauranga at **Appendix A**.

¹³ POTL – Stella Development – Fast-Track Approvals Act 2024 Substantive Application Report 31 March 2025, p 1.

¹⁴ POTL – Stella Development – Fast-Track Approvals Act 2024 Substantive Application Report 31 March 2025, pp 13-14.

	STAGE 1	STAGE 2
STELLA PASSAGE	Dredge 6.1 ha of Stella Passage to 16 m CD depth, requiring approximately 850,000 m³ of dredging. 5.9 ha of the 6.1 ha to be dredged is authorised by existing resource consent 62920, but only to a depth of 12.9 m CD. For the avoidance of doubt, POTL confirms that this application does seek to re-authorise that previously consented dredging.	Dredge approximately 4.45 ha of Stella Passage (outside the authorised footprint of POTL's existing 62920 resource consent) to 16 m CD depth. This will require approximately 650,000 m³ of dredging.
MOUNT MAUNGANUI	Nil.	Reclaim 1.77 ha of the coastal marine area south of the existing Mount Maunganui wharves. Develop a 315 m long extension to the Mount Maunganui wharves in front of the reclamation. Provide 200 m of gull habitat south of the wharf extension. Install 11 mooring/breasting dolphins beside the existing cement tanker berth and south of the proposed 315 m Mount Maunganui wharf extension. Move the existing ferry ramp northwards. Move existing jetties north towards the ferry ramp. Develop a bunker barge jetty and associated mooring/breasting dolphins between Butters Landing and the ferry ramp.. Develop penguin ramp and habitat at the south end of Butters Landing.

21. The figure below depicts the proposed wharf extensions, reclamations and dredging.¹⁵

¹⁵ POTL – Stella Development – Fast-Track Approvals Act 2024 Substantive Application Report 31 March 2025, p 15.

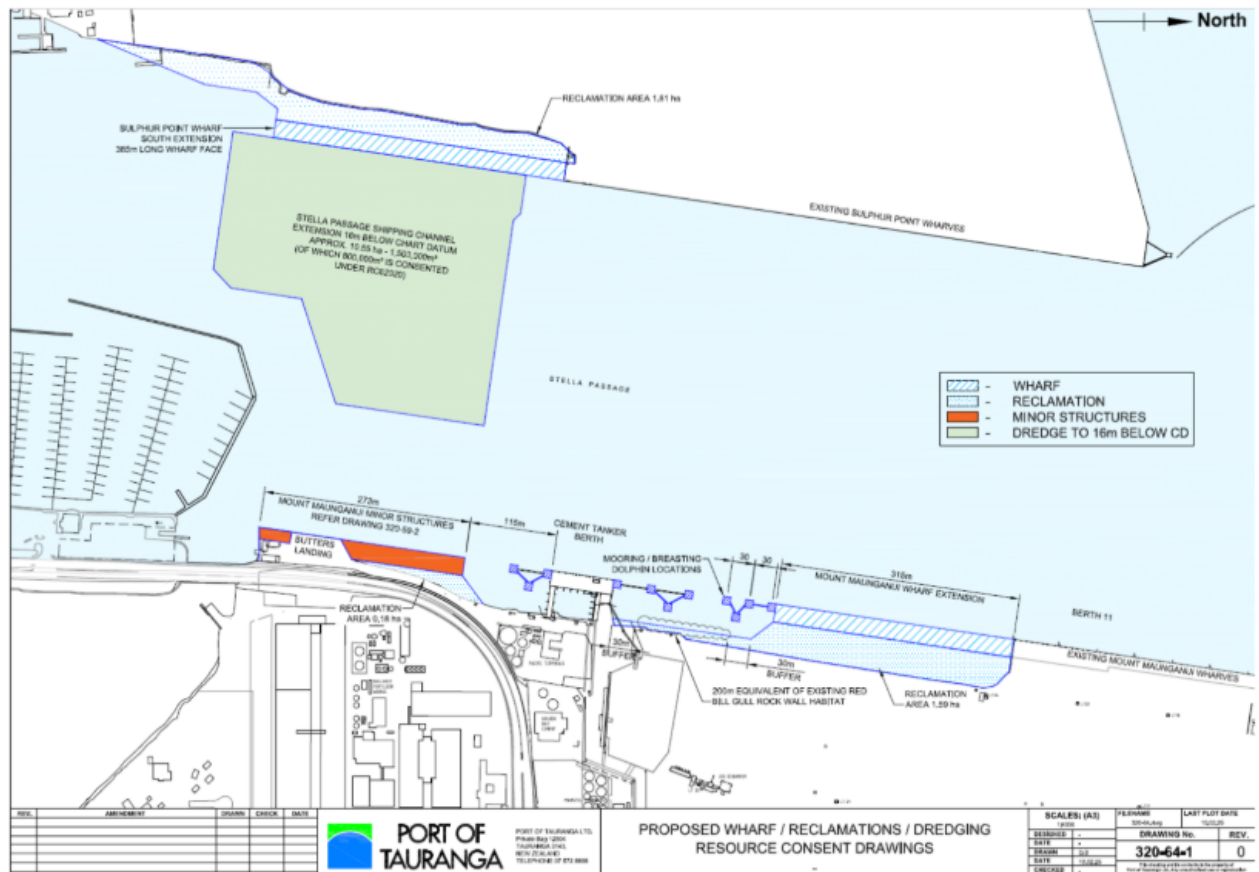


Figure 15: Project overview.

22. POTL says that the project is consistent with the purpose of the Fast-track Approvals Act and as an infrastructure asset of national significance the project will enhance the Port by substantially increasing its import and export throughput capacity.¹⁶

Ngā Hapū o Ngāti Ranginui Settlement Trust

23. The Trust was established by Deed of Trust on 19 June 2012 to act as the post-settlement governance entity to receive Treaty Settlement assets from the Crown for “Ngā Hapū o Ngāti Ranginui”.¹⁷

24. “Ngā Hapū o Ngāti Ranginui” is defined in the Deed of Trust as:

- a. The collective group, comprised of individuals who descend from one or more Ngāti Ranginui Ancestors;
- b. Every whanau, hapū or group to the extent that it is comprised of individuals referred to in paragraph (a) of this definition, including the following groups:
 - i. Ngāi Te Ahi;
 - ii. Ngāti Ruahine;
 - iii. Ngāi Tamarāwaho;

¹⁶ POTL – Stella Development – Fast-Track Approvals Act 2024 Substantive Application Report 31 March 2025, p 16.

¹⁷ The Deed of Trust was amended on 14 October 2017 and the Consolidated Deed of Trust for Ngā Hapū o Ngāti Ranginui Settlement Trust is dated 14 October 2017.

- iv. Ngāti Hangarau;
 - v. Wairoa Hapū (including Ngāti Kahu, Ngāti Rangī and Ngāti Pango);
 - vi. Pirirākau;
 - vii. Ngāti Taka;
 - viii. Ngāti Te Wai; and
- c. Every individual referred to in paragraph (a) of this definition.
25. The objects and purposes of the Trust set out in clause 2.4 of the Deed of Trust include:
- the promotion amongst Ngā hapū o Ngāti Ranginui of the educational, spiritual, economic, and cultural advancement or well-being of ngā hapū o Ngāti Ranginui (clause 2.4(a));
 - the maintenance and establishment of places of cultural significance to Ngā Hapū o Ngāti Ranginui (clause 2.4(b));
 - any other purpose that is considered by the Trust from time to time to be beneficial to Ngā Hapū o Ngāti Ranginui (clause 2.4(e)).
26. Providing this report on behalf of the iwi is squarely within the purposes and therefore the mandate of the Trust in terms of promotion of wellbeing, maintenance of places of cultural significance, and other purposes beneficial to Ngāti Ranginui.
27. The Trustees of the Trust are appointed by ngā hapū o Ngāti Ranginui. They are Te Pio Kawe (chairperson), Rob Urwin, Carlton Bidois, Esther (Alice) Scott, Stephanie Taiapa, Michael Riki Nelson, Sylvia Willison and Kimiora Rawiri.

Ngāti Ranginui Rohe and Significant Sites

28. Ngāti Ranginui is a coastal iwi that has strong associations with the moana including Te Awanui. Ngāti Ranginui continues to hold mana whenua and mana moana over the Ngāti Ranginui coastal marine area.¹⁸ This means that they also have kaitiakitanga responsibilities in relation to that area.
29. The Ngāti Ranginui rohe extends from Ngā Kuri a Whārei to north of Tauranga, inland to the summit of Mount Te Aroha, extending south-east along the Kaimai Range to Pūwhenua and extending south to the Mangorewa River. From the Mangorewa River the boundary extends north-east to Otanewainuku and coastal Wairakei. This rohe includes Mauao and the Athenree Crown Licensed Forest.¹⁹ Encompassed within the rohe of Ngāti Ranginui are the adjacent marine areas, which include Te Awanui (Tauranga Harbour).
30. The CVR prepared for Ngāti Ranginui Iwi Incorporated makes reference to many of the significant sites of Ngāti Ranginui.²⁰ That report includes a table describing each particular site of significance, the associated cultural value/s, as well as additional information related to each site. The Trust agrees with the information set out in that table and has annexed it to this report (marked as **Appendix B**).

¹⁸ Ngā Hapu o Ngāti Ranginui Originating Application for Recognition Orders pursuant to the Marine and Coastal Area (Takutai Moana) Act 2011, 3 April 2017 (MACA Application): <https://www.courtsofnz.govt.nz/the-courts/high-court/high-court-lists/marine-and-coastal-list-applications/civ-2017-485-000294-ngati-ranginui> at [1].

¹⁹ Murray and others final report, p 1.

²⁰ Murray and others final report, pp 1-4, 11-13.

31. Significant sites include²¹:

- a. **Mauao** – He tupuna maunga (ancestral mountain), Mauao is a powerful symbol for all iwi and hapū of Tauranga Moana, embodying whakapapa, histories, and the legacy of Ngāti Ranginui tūpuna. Kōrero tuku iho tell of patupaiarehe attempting to move Mauao to the sea, but he was caught (mau) by the dawn light (ao). Since then, he has stood at the harbour's edge, protecting the people. Ngāti Ranginui's connection to Mauao begins with Tamatea Arikinui of the Takitimu waka, who arrived around 1350 AD and landed at Te Toka a Tirikawa. There, he placed the mauri stone Uenukurangi and performed karakia to Tangaroa. He climbed Mauao, built a spiritual altar, placed the stones Hikutai and Rehutai from his topknot and recited karakia to ngā atua. Tamatea planted the Aukoromoerangi flax and named Pūwhenua, establishing the Takitimu link to the land.²² These acts opened the whenua for occupation. Ngāti Ranginui later settled throughout Maunganui, Kāwhainui, and Pāpāmoa, maintaining this presence through generations.
- b. **Te Toka a Tirikawa, Ngā Kurī a Tarawhata me Kuia Rock** – are 3 significant rock formations near Mauao revered by the iwi connected to Te Arawa, Tainui and Takitimu waka. The kōrero tuku iho refers to “Te Toka a Tirikawa” a rock battered by waves but never submerged for long and standing steadfast and enduring. Te Toka a Tirikawa is a metaphor for resilience in the face of challenge.
- c. **Te Awanui** – means “a vast area of water.” It is central to Ngāti Ranginui identity, wellbeing and survival. As kaitiaki, Ngāti Ranginui have long protected the health and resources of Te Awanui which sustain their cultural and spiritual presence in the taiao.

32. The report also includes historical information on tūpuna, Tamatea Arikinui, Ruawharo, Tupai and Te Rongo Putahi, and the journey of Takitimu waka to Aotearoa.

33. The experience of Ngāti Ranginui in its dealings with the Crown, in particular the raupatu (confiscation) of significant Ngāti Ranginui land and resources by the Crown, are also summarised in the CVR for Ngāti Ranginui Iwi Incorporated. These historical events are important because the many breaches of Te Tiriti o Waitangi by the Crown over time led to the historical claims of Ngāti Ranginui, as well as the Waitangi Tribunal process and the settlement negotiations entered into with the Crown to settle those claims.

34. The Waitangi Tribunal in its 2004 and 2010 reports noted the impact of the development of the Port on Tauranga Moana. Beginning with the Harbours Act 1878, the Crown passed a series of laws that presumed its claim to the foreshore was securely founded in common law.²³ Subsequent governments acted on the assumption the Crown simply ‘owned’ the foreshore.²⁴ With these Acts, possession and authority over Tauranga Moana purportedly passed from Tauranga Moana iwi without consultation and against the will of rangatira such as Hori Ngatai.²⁵ The decision to build a deep-water port at Mount Maunganui in 1950 marked the start of 30 years of public works on a grand scale including the building of motorways, reclamation in the inner harbour for sewerage and other works, and other large infrastructure

²¹ Murray and others final report, pp 1-4, 11-13. .

²² Statement of Association: Tauranga Moana Iwi Collective Deed Documents, p 2. chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://whakatau.govt.nz/assets/Treaty-Settlements/FIND_Treaty_Settlements/Tauranga-Moana/Tauranga-Moana-Collective-Deed-of-Settlement-Documents-21-Jan-2015.pdf

²³ Waitangi Tribunal, *Tauranga Moana 1886-2006 – Report on the Post-Raupatu Claims*, Wai 215, 2010, Volume 2, p 514.

²⁴ Waitangi Tribunal, Volume 2, p 514.

²⁵ Waitangi Tribunal, Volume 2, p 514.

projects.²⁶ The development of the Port was a huge construction process, transforming the landscape and having a significant effect on surrounding hapū and iwi. The Port and motorways were also constructed with material from a quarry at Mangatawa, in the process damaging a place of great significance to Māori.²⁷

35. The Trust has been concerned about changes in the harbour since POTL began major dredging impacting the channels in the harbour. For instance, Panepane which is located at the harbour end of Matakana Island, and is a place of cultural importance to Ngāti Ranginui, has changed significantly since dredging from 2016 (see photographs at **Appendix C**). The CVR for Ngāti Ranginui Iwi Incorporated also notes that the expansion project will disrupt ebb and flood tides, affect migration patterns, and reduce kaimoana stocks.²⁸ These are not minor impacts, particularly when considered alongside the impacts that POTL activities have already had on the marine environment.

Ngā Mātāpono – Cultural Values

36. The cultural values of Ngāti Ranginui are based in tikanga, mana motuhake, taonga, mauri, kaitiakitanga, and mātauranga. The values shape Ngāti Ranginui identity and their responsibilities as kaitiaki of Te Awanui and are manifested in identity, relationships with ancestral sites and natural resources, and in the handing down of sacred knowledge. Protecting cultural values is essential for sustaining the wellbeing of Ngāti Ranginui and future generations.²⁹
37. Ngāti Ranginui cultural values are described in the CVR prepared for Ngāti Ranginui Iwi Incorporated.³⁰ That report includes a table of cultural values and their associated hononga (connections). The values described are:
- a. Tikanga
 - b. Honorūrū³¹
 - c. Mana Motuhake
 - d. Taonga
 - e. Mauri
 - f. Mana Ranginui
 - g. Mātauranga Ranginui
 - h. Kaitiakitanga
 - i. Kaitiakitanga of taonga species and ecosystems
 - j. Kaimoana
 - k. Ngā manu
 - l. Waimarino

²⁶ Waitangi Tribunal, *Tauranga Moana 1886-2006 – Report on the Post-Raupatu Claims*, Wai 215, 2010, Volume 1, p 229.

²⁷ Waitangi Tribunal, Volume 1, p 249.

²⁸ Murray and others final report, pp 26 and 29.

²⁹ Murray and others final report, Part 1B, pp 7-10. .

³⁰ Murray and others final report, Part 1B, pp 7-10. .

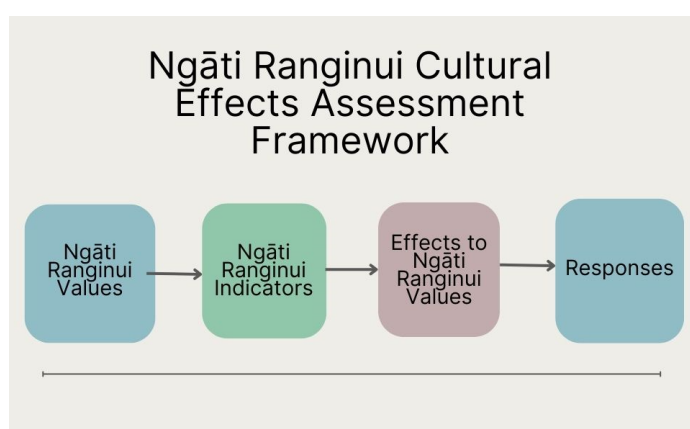
³¹ The writer has followed the reo Māori conventions of the different reports cited. Ms Murray used tohūtō on the word “honorūrū” whereas other evidence refers to “honoruru”.

m. Marine Biosecurity (Koiora tuku iho)

38. The Trust would include Mana Taiao in the list of relevant values. The Trust agrees with the cultural values set out in the draft CVR report prepared by Ngāti Ranginui Iwi Incorporated and has included them at **Appendix D**.

Ngāti Ranginui Cultural Effects Assessment Framework

39. As noted, the Trust has reviewed and also adopts the Cultural Effects Assessment Framework (the Framework) developed by the Ngāti Ranginui Fisheries Trust (NRFT) included in evidence before the Environment Court for the purposes of the Stage 1 Sulphur Point wharf extension.³² The Framework was developed by NRFT and senior taiao experts within Ngāti Ranginui – Charlie Rahiri, Tracy Ngatoko, Carlton Bidois and Caine Taiapa.



40. The four elements of the Framework are:

- Ngāti Ranginui Values*: the values articulate the relationship Ngāti Ranginui has to the taiao.
- Ngāti Ranginui Indicators*: indicators are elements that are present that show whether the Ngāti Ranginui values are being provided for, thereby providing for the relationship Ngāti Ranginui has to the taiao.
- Effects to Ngāti Ranginui*: effects of a proposed activity are assessed to determine their impact on Ngāti Ranginui Indicators, which in turn provides an assessment of the impact on Ngāti Ranginui Values and Ngāti Ranginui relationship to taiao.
- Responses*: are the measures NRFT considers will ensure identified effects are avoided, remedied, or mitigated.

41. The values are a component of the Framework. It is through the values that Ngāti Ranginui view the relationship to the taiao, and it is against these values that Ngāti Ranginui assess the impacts of proposed projects on that relationship. NRFT identified the following values that express a Ngāti Ranginui relationship to taiao:

³² Supplementary statement of evidence of Charles Joseph Rahiri, 20 December 2022.

- a. *Mana*: the authority Ngāti Ranginui hold, as delegated by ngā Atua and through their position as mana whenua, to make decisions and take action, within their rohe.
 - b. *Honoruru*: the connections Ngāti Ranginui has to our taiao, to past, present and future generations, and to Atua Māori.
 - c. *Mātauranga Ranginui*: is the knowledge and practices handed down through generations of Ngāti Ranginui which represent and solidify the connections represented by Honoruru.
 - d. *Mauri*: the life force that generates, regenerates and upholds creation – it is the bonding element that knits all diverse elements together and holds together the fabric of the universe.³³ Mauri is the interconnectedness of all diverse elements of the taiao and understands that impacts to one element effects all elements of the universe.
42. The values set out in evidence filed in the Environment Court are summarised in the following paragraphs.

Mana

43. Mr Charlie Rahiri provided evidence in the Environment Court for the Ngāti Ranginui Fisheries Trust. In particular, he addressed the cultural value of mana describing what it means for Ngāti Ranginui as follows³⁴:

Mana describes the authority held by Ngāti Ranginui, as tangata whenua of Tauranga Moana, to make decisions and take action within our rohe. Through whakapapa, Ngāti Ranginui receive the mana to act as kaitiaki in our rohe. Kaitiakitanga is a whānau / hapū based system with endorsement and validation from whānau and hapū. The Mana Ngāti Ranginui hold as tangata whenua provides us tino rangatiratanga which was guaranteed and affirmed by Te Tiriti o Waitangi, the founding document of Aotearoa. Te Tiriti o Waitangi guarantees Ngāti Ranginui tino rangatairatanga over our land, waterways and taonga.

Honoruru

44. Charlie Rahiri also provided evidence in the Environment Court about the concept of “honoruru”³⁵ which is a kupu used by Ngāti Ranginui to represent the path tupuna taken upon death to Mauao then to Karewa and finally to Te Rerenga Wairua. He observed that for Ngāti Ranginui, honoruru represents the connections the people have through whakapapa to past, present, and future generations, to the taiao and to Atua Māori.

45. Mr Rahiri noted key indicators of honoruru which include:

Our tipuna were strategic and knew where to position whare along the coastline so viewshafts along the coast and to Mauao were unobstructed. Unobstructed views guided our wairua along ara to Mauao so our tipuna could start their journey to Te Rerenga Wairua. Ngāti Ranginui uri could also view marae and urupā from Mauao, cementing the

³³ M Marsden, *The Woven Universe: Selected Writings of Rev. Māori Marsden*, 2003.

³⁴ Supplementary statement of evidence of Charles Joseph Rahiri at [40].

³⁵ Supplementary statement of evidence of Charles Joseph Rahiri at [30]-[31].

connection felt by uri through different viewpoints. The significance of viewshafts to Ngāti Ranginui can be seen by the fact that Te Wharekura o Tauranga Moana, Te Kura Kōriki a kaupapa Māori school that is pivotal in the revitalisation of our Reo, tikanga and Mātauranga refused a number of school sites as they could not see Mauao and they were not near wai. The ability to connect to these significant areas through sight is essential to ensuring our kura are provided the best conditions possible to enter into wānanga and other forms of cultural ritual.

Access to, and the ability to traverse our ara recognises and provides for Honoruru. We recall that our tipuna would walk from Hawaiiki (Memorial Park) to Te Manea (Matapihi Bridge) where whānau and hapū would come together to meet. This ability to walk and paddle our awa not only strengthens our connections to one another, but to taiao and Atua Māori also as we connect with the landscapes and taonga species along ara that were created by our Atua.

46. The Trust also considers that the significance of cultural view shafts and the impacts of Port structures and operations on these cultural view shafts have not been adequately assessed or mitigated in the POTL project. Any obstruction to cultural view shafts can have a profound impact on cultural values such as mauri and the carrying out of spiritual practices and incantations.

Mātauranga Ranginui

47. Ms Tracy Ngatoko's evidence in the Environment Court addressed the cultural value of mātauranga Ranginui.³⁶ Mātauranga Ranginui refers to the knowledge systems, world view and perspectives of Ngāti Ranginui. Mātauranga Ranginui is created and built upon through interaction with the world around us. Mātauranga Ranginui informs the Ngāti Ranginui relationship to the taiao, to Te Awanui and the taonga within. It is a handed down value, each generation building on the knowledge they have gained from their ancestors. Mātauranga Ranginui is a living practice with knowledge systems maintained through traditional practices such as pōwhiri, mahinga kai, and star gazing.

48. Ms Ngatoko described indicators of Mātauranga Ranginui such as³⁷:

Intergenerational undertaking of cultural practices in Te Awanui

Mātauranga Ranginui is a living value that requires consistent practice of Ngāti Ranginui knowledge – this ensures knowledge is passed through generations enabling the observations of our tipuna to inform the practices of our mokopuna. We are then able to build upon the knowledge handed down by adding our own observations to Mātauranga Ranginui.

Ngāti Ranginui is hapū-centric and as such, each hapū have mātauranga that is specific to the hapū and their relationship to taiao. For example, hapū and marae have their own taonga mahinga kai species on the table and their own knowledge systems associated with those taonga species. For Ngāi Tamarāwaho, this is titiko and pātiki, for Pirirākau, this is the tipa and kererū. Taonga species are represented within our whare on our rafters. Each

³⁶ Supplementary statement of evidence of Tracy Mauria Ngatoko, 20 December 2022.

³⁷ Supplementary statement of evidence of Tracy Mauria Ngatoko at [24]-[25].

hapū shares their mātauranga with one another so there is transfer of mātauranga across hapū.

49. She noted that Ngāti Ranginui mātauranga practices undertaken at Te Awanui include³⁸:

- Spiritual practices such as karakia, pure and waerea. Pure and waerea practices are dictated by the tide which we refer to as the pūmanawa or heartbeat of the people.
- Wānanga.
- Mahinga kai, the practice of cultivating and harvesting kaimoana and associated practices such as rāhui, karakia and observation of tohu.
- Kaitiakitanga – protecting and preserving the environment.
- Waka ama, waka taua, waka haurua.
- Traditional birthing practices.
- Tangihanga practices.

Mauri

50. Ms Ngatoko also addressed the cultural value of mauri describing what it means for Ngāti Ranginui. Ms Ngatoko described mauri as a complex spiritual-based concept that for Ngāti Ranginui is the life force of all living things and when mauri is thriving, our environment is thriving. When mauri is diminished, our environment suffers.

51. Ms Ngatoko described indicators of mauri for Ngāti Ranginui³⁹:

Wai is clear and pristine

Mauri recognises the interconnectedness of our Universe and dictates that we exist as part of a process and system, not as individuals. When wai is clear and pristine this indicates that the ecosystems that connect to wai are thriving which indicates Mauri is thriving as the underlying energy of these universal elements.

Clear wai means there is not suspended sediment within Te Awanui and this in turn supports the ability of fish to find habitat and prey and avoid predators. Clear wai also ensures light reaches aquatic plants, supporting their ability to produce food and oxygen for the species they support.

Pristine wai relates to the absence from water of chemicals and substances that impact water quality. The presence of chemicals could lead to taonga species' injury or death, a decrease in dissolved oxygen levels, and harm to human health through contact and consumption of mahinga kai species. An absence of chemicals supports the healing and spiritual practices we undertake in our wai.

Te Awanui is a highly valued taonga for Ngāti Ranginui. The Te Awanui catchment contains some 73 freshwater bodies and receives the waters of three significant Tauranga Moana awa... The mauri of Te Awanui connects to and supports the mauri of these surrounding taonga waterways, as such it is critical the wai within Te Awanui must be clear and pristine.

³⁸ Supplementary statement of evidence of Tracy Mauria Ngatoko at [26].

³⁹ Supplementary statement of evidence of Tracy Mauria Ngatoko at [9]-[14].

Taonga species are abundant, diverse, and flourishing

An abundance and diversity of flourishing taonga species indicates that the Universal elements taonga species rely on are thriving – this is an indicator of Mauri. Elements taonga species rely on are clear and pristine wai, suitable and diverse habitat, an absence of invasive species, and humans sustainably managing their activities to reduce impact on taonga species.

Conclusion on Cultural Values

52. To summarise, the cultural values of ngā hapū o Ngāti Ranginui are grounded in the physical and the spiritual worlds, in whakapapa, tikanga and the relationships between people, land and moana. The values shape how Ngāti Ranginui interact with their environment, uphold their kaitiakitanga responsibilities to protect taonga, and maintain the mauri of their whenua and moana. The mana, honoruru, mātauranga Ranginui and mauri of Ngāti Ranginui are manifested through practices, handed down traditional knowledge, health and wellbeing of Te Awanui and the wai, taonga species within. If the indicators of Ngāti Ranginui values are not present or unable to be properly exercised then the values of Ngāti Ranginui are negatively impacted. Such negative impacts lead to the ill-health of Te Awanui as well as that of the whānau, hapū and iwi of Ngāti Ranginui.

Rights of Ngā Hapū o Ngāti Ranginui under Treaty settlements and the MACA Act

53. As noted above, the Trust is the post-settlement governance entity for ngā hapū o Ngāti Ranginui. Therefore, the Trust is mandated to represent the interests of ngā hapū o Ngāti Ranginui in relation to the ngā hapū o Ngāti Ranginui Treaty settlements. In this role it has the mandate and responsibility to advocate for and protect the legal rights of ngā hapū o Ngāti Ranginui through:

- a. The Ngā Hapū o Ngāti Ranginui settlement;
- b. The Tauranga Moana Iwi Collective settlement;
- c. The Ngāti Ranginui application for Customary Marine Title and Protective Customary Rights under the MACA Act.

54. This section of the report describes those Treaty settlements and the claim under the MACA Act.

Ngā Hapū o Ngāti Ranginui Claims Settlement

55. On 21 June 2012 the Trust entered into a Deed of Settlement with the Crown to settle the historical Treaty of Waitangi claims of Ngā Hapū o Ngāti Ranginui.⁴⁰ The Deed contained an historical account, acknowledgements and an apology, and provision for commercial and cultural redress. A number of aspects of the Deed of Settlement are relevant to Te Awanui and to the POTL project.

⁴⁰ The Deed of Settlement has been the subject of amendment deeds dated 26 September 2014, 18 October 2015 and 20 June 2024. These amendments do not impact upon the terms of the settlement that are relevant here.

56. The area of interest for Ngā Hapū o Ngāti Ranginui, which is shown in a map contained in the Attachments Schedule to the Deed of Settlement, includes all of Te Awanui. A copy of this map is annexed to this report as **Appendix E**.

57. The Historical Account included the following acknowledgements:

- a. That the Crown proclaimed a confiscation district covering approximately 214,000 acres of land at Tauranga. The Tauranga District Lands Act 1867 retrospectively validated an Order in Council and declared the whole area reserved and taken under the New Zealand Settlements Act 1863.⁴¹ From within the confiscation district the Crown confiscated approximately 50,000 acres of land, the majority of which was held by ngā hapū o Ngāti Ranginui.
- b. Following many years of war, scorched earth policies, confiscation, and other land takings, the Crown returned only small amounts of coastal land to Ngāti Ranginui. The use of the returned lands was limited by their location and extent and proved increasingly insufficient to grow enough food.⁴² For example, in 1898 a Crown official described Ngāti Hangarau (a hapū of Ngāti Ranginui) as being a “sea-side people” with only enough land near the coast “to starve on.”⁴³
- c. The war and raupatu of the 1860s profoundly altered the relationship between Ngāti Ranginui and their traditional lands. In the latter years of the nineteenth century and for some years after 1900 many Tauranga Māori groups faced starvation.⁴⁴
- d. Ngāti Ranginui hapū lost significant areas of their remaining land and access to resources as a result of the Crown’s development of infrastructure in Tauranga. Ngāti Ranginui protests saved some sites but other wāhi tapu and resource gathering sites were destroyed.⁴⁵
- e. The Crown’s development of the port at Mount Maunganui and the growth of the Mount Maunganui urban area from the mid-1940s led to increased demand for land and higher local body rates.⁴⁶
- f. The Crown’s raupatu of Ngāti Ranginui land had resulted in the increased reliance by Ngāti Ranginui hapū on their traditional resources, especially those of the harbours, waterways, and sea at Tauranga Moana, for their support. However, subsequent Crown policies resulted in the loss of many of these resources.⁴⁷
- g. Physical changes to the harbour and waterways destroyed traditional resources. The development of port facilities led to the loss of significant shellfish resources. From the 1950s onwards Ngāti Ranginui whānau were increasingly unable to rely on the harbour to meet their food requirements.⁴⁸
- h. The Crown’s alienations of Ngāti Ranginui land also involved the loss to Ngāti Ranginui of many culturally significant sites and loss of connection. Some of these sites have been destroyed or modified. Ngāti Ranginui state that the visible change in the

⁴¹ Clause 2.34 of the Deed of Settlement: chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://whakatau.govt.nz/assets/Treaty-Settlements/FIND_Treaty_Settlements/Ngati-Ranginui/DOS_documents/Ngati-Ranginui-Deed-of-Settlement-21-June-2012.pdf

⁴² Clauses 2.71 of the Deed of Settlement.

⁴³ Clause 2.72 of the Deed of Settlement.

⁴⁴ Clause 2.82 of the Deed of Settlement.

⁴⁵ Clause 2.107 of the Deed of Settlement.

⁴⁶ Clause 2.108 of the Deed of Settlement.

⁴⁷ Clause 2.121 of the Deed of Settlement.

⁴⁸ Clause 2.122 of the Deed of Settlement.

ancestral landscape and the loss of key cultural landmarks have caused a physical, mental and spiritual malaise among their people.⁴⁹

58. The Crown acknowledged its breaches of the Te Tiriti o Waitangi and apologised to Ngāti Ranginui for past failures to honour its Te Tiriti o Waitangi obligations. For present purposes the following are especially relevant:

a. The Crown acknowledged:

the significance of the land, forests, harbours, and waterways of Tauranga Moana to the hapū of Ngāti Ranginui as a physical and spiritual resource over which Ngāti Ranginui hapū acted as kaitiaki; and

that the clearing of forests, development of the Port of Tauranga, the development of the Mangapapa hydro scheme and the collapse of the Ruahihi canal, and the disposing of sewerage and wastewater into the harbours and waterways of Tauranga Moana have resulted in environmental degradation of Tauranga Moana which remains a source of great distress to the hapū of Ngāti Ranginui.⁵⁰

b. The Crown deeply regretted “that over time its actions severed Ngāti Ranginui hapū from their traditional lands, deprived them of opportunities for development, caused significant harm to the social and economic development of Ngāti Ranginui, undermined the wellbeing of the iwi and its hapū, damaged their autonomy and ability to exercise customary rights and responsibilities, and marginalised them within their own rohe”.⁵¹

c. Further, the Crown stated that: “[t]hrough this apology, the Crown seeks atonement for past wrongs and a new relationship with Ngāti Ranginui based upon mutual trust, cooperation, and respect for Te Tiriti o Waitangi and its principles.”⁵²

59. The Deed of Settlement also included provisions relating to Ngāti Ranginui’s claims in respect of the Ngāti Ranginui Marine and Coastal Area.⁵³ Clause 4.6 of the Deed of Settlement provided:

The Crown acknowledges that:

4.6.1 Ngā Hapū o Ngāti Ranginui are of the view that they have exclusively used and occupied the marine and coastal area in their area of interest from 1840 to the present day without substantial interruption and that they continue to hold that area in accordance with tikanga;

4.6.2 Ngā Hapū o Ngāti Ranginui are also of the view that raupatu and the effects of raupatu, as referred to in the Historical Account, do not amount to substantial interruption; and

4.6.3 Ngā Hapū o Ngāti Ranginui consider they have grounds:

⁴⁹ Clause 2.124 of the Deed of Settlement.

⁵⁰ Clause 3.17.1 and 3.17.2 of the Deed of Settlement.

⁵¹ Clause 3.21 of the Deed of Settlement.

⁵² Clause 3.22 of the Deed of Settlement.

⁵³ Clauses 4.5-4.11 of the Deed of Settlement.

(a) to seek recognition of protected customary rights and customary marine title through an agreement made in accordance with section 95 of the Marine and Coastal Area (Takutai Moana) Act 2011; or

(b) to apply for a recognition order under section 100 of the Marine and Coastal Area (Takutai Moana) Act 2011.

60. The settlement is hapū centric and the Deed of Settlement provided for certain of the redress to be allocated for the benefit of each of the hapū.⁵⁴

61. It was initially intended that the Deed of Settlement would be given effect alongside the Tauranga Moana Iwi Collective Deed of Settlement through the Tauranga Moana Iwi Collective Redress and Ngā Hapū o Ngāti Ranginui Claims Settlement Bill. Amongst other things, the Tauranga Moana Iwi Collective Deed of Settlement makes provisions for the establishment of the Tauranga Moana Framework, which is discussed further below.

62. The progress of the legislation relating to the Tauranga Moana Iwi Collective Deed of Settlement has been delayed due to overlapping claims issues with the iwi of Hauraki. These overlapping claims issues do not affect the content of the Tauranga Moana Iwi Collective Deed of Settlement. They are concerned with whether the iwi of Hauraki may also have a right to participate in the Tauranga Moana Collective redress. The terms of the redress, including the Tauranga Moana Framework, are therefore settled subject only to the completion of the legislative stage of the process.

63. As a result of the delay, the Ngā Hapū o Ngāti Ranginui Claims Settlement Bill was separated out from the Tauranga Moana Iwi Collective Redress Bill on 3 April 2024.⁵⁵ The Ngā Hapū o Ngāti Ranginui Claims Settlement Bill is expected to be enacted in the next 1-2 months.

Tauranga Moana Iwi Collective Redress and Ngā Hapū o Ngāti Ranginui Claims Settlement Bill

64. On 21 January 2015 the Tauranga Moana Iwi Collective and the Crown signed the Tauranga Moana Iwi Collective Deed of Settlement.⁵⁶ The Tauranga Moana Iwi Collective is a collective of the three iwi with interests in Te Awanui: Ngā Hapū o Ngāti Ranginui, Ngāi Te Rangi, and Ngāti Pūkenga. The TMIC Deed of Settlement contains redress that applies collectively to the three Tauranga Moana Iwi. This redress is in addition to the redress contained in their separate deeds of settlement of historical claims with the Crown in 2012 and 2013.

65. The TMIC Deed of Settlement sets out the Tauranga Moana Framework as well as statements of Tauranga Moana iwi which establish the strength of their relationship with Tauranga Moana.⁵⁷ The area covered by the Tauranga Moana Framework is set out in the Attachments Schedule to the TMIC Deed of Settlement. A copy of this plan is annexed to this report as **Appendix F**.

⁵⁴ Clauses 4.13 of the Deed of Settlement.

⁵⁵ Māori Affairs Select Committee, Tauranga Moana Iwi Collective Redress Bill:

<file:///C:/Users/barap/Downloads/Tauranga%20Moana%20Iwi%20Collective%20Redress%20Bill.pdf>

⁵⁶ Explanatory Note, Tauranga Moana Iwi Collective Redress and Ngā Hapū o Ngāti Ranginui Claims Settlement Bill:

<https://www.legislation.govt.nz/bill/government/2015/0084/15.0/d56e2.html>

⁵⁷ Tauranga Moana Iwi Collective Deed: chrome-

extension://efaidnbmnnnibpcajpcglclefindmkaj/https://whakatauranga.govt.nz/assets/Treaty-

Settlements/FIND_Treaty_Settlements/Tauranga-Moana/Tauranga-Moana-Iwi-Collective-Deed-21-Jan-2015.pdf

66. The Tauranga Moana Framework records a number of matters that are relevant to any consideration of the POTL project:

- a. Tauranga tangata are defined by location and environment – Tauranga Moana (the sea) and Tauranga whenua (the land). Like a great fishing net with the top strake at the summit of the Kaimai mountain range across to Otawa and the bottom strake reaching out to the many islands and including marine environs, the area this net encompasses represents the totality of the physical identity. Every inch holds special significance and Tauranga Moana iwi are intertwined with the moana to such an extent they are known as Tauranga Moana.⁵⁸
- b. The whānau, hapū and iwi of TMIC are moana-centric people with an enduring thousand year association with Tauranga Moana that is fundamental to their identity, and wellbeing, culturally and materially. They are inextricably bound to the entire Tauranga Moana catchment area, coastline, marine life. This relationship is best captured in the following pepeha, “*ko tatou te moana ko te moana tatou*” – “*we are one with the moana.*”⁵⁹
- c. The health and wellbeing of the moana has a direct correlation to the iwi of Tauranga Moana. If the moana is unwell then its people are unwell. As kaitiaki, there is an obligation on Tauranga Moana iwi to protect, enhance and restore the moana to full health and wellbeing for all current and future generations.⁶⁰
- d. In 2010 the Waitangi Tribunal found that Tauranga Māori ought to have had the full protection of their Treaty rights to rangatiratanga and kaitiakitanga over Tauranga harbour recognised at all times, unless alienated by freely negotiated agreement or when strictly necessary in the national interest.⁶¹
- e. Over time the natural and physical environment of Tauranga Moana has suffered deterioration.⁶²
- f. For the Crown, arrangements in respect of Tauranga Moana should *inter alia* meet Treaty of Waitangi obligations, be informed by reports of the Waitangi Tribunal, provide an effective role for iwi and hapū in resource management; promote sustainable management of natural and physical resources; improve and protect the health of the moana and the connected health of whānau, hapū and iwi.⁶³

67. The TMIC Deed provided for the establishment of a statutory committee called the Tauranga Moana Governance Group to provide leadership and strategic direction to restore, enhance and protect the health and wellbeing of Tauranga Moana and achieve sustainable management of Tauranga Moana for present and future generations, through⁶⁴:

- a. Nga Tai ki Mauao (the Tauranga Moana framework document);

⁵⁸ Clause 1.1-1.2 of the Tauranga Moana Iwi Collective Deed.

⁵⁹ Clause 2.1 of the Tauranga Moana Iwi Collective Deed.

⁶⁰ Clause 2.2 of the Tauranga Moana Iwi Collective Deed.

⁶¹ Clause 2.5 of the Tauranga Moana Iwi Collective Deed.

⁶² Clause 2.6 of the Tauranga Moana Iwi Collective Deed.

⁶³ Clause 2.9 of the Tauranga Moana Iwi Collective Deed.

⁶⁴ Part 3, clause 3.3 Tauranga Moana Iwi Collective Deed Legislative Matters.

- b. facilitating an integrated, holistic and co-ordinated approach to the management of Tauranga Moana and the implementation of Nga Tai ki Mauao (the Tauranga Moana framework document); and
 - c. providing for participation by Tauranga Moana iwi and hapu in the management of Tauranga Moana, the implementation of Nga Tai ki Mauao (the Tauranga Moana framework document) and the functioning of the Tauranga Moana Governance Group.
68. In relation to the Nga Tai ki Mauao (Tauranga Moana framework document) the Tauranga Moana Governance Group is to have responsibility for the preparation, review, amendment and adoption of a Tauranga Moana framework document.⁶⁵
69. In fulfilling its responsibilities the Tauranga Moana Governance Group must establish a register of appropriately qualified people, appointed to the register by the iwi, and who must be appointed as a Commissioner to hear resource consent applications relating to, amongst other things, the matters set out in section 12 of the RMA.⁶⁶ The types of consent covered by section 12 include reclamations and the erection of structures in the coastal marine area.
70. More generally, the Tauranga Moana Framework provides for Tauranga Moana iwi to participate meaningfully in decision-making and the framing of policy related to Tauranga Moana; promote holistic and integrated management of Tauranga Moana; enable Tauranga Moana iwi and local authorities and agencies with responsibilities related to Tauranga Moana to establish and maintain positive, co-operative and enduring relationships.⁶⁷
71. The Tauranga Moana Iwi Collective Redress Bill also sets out cultural redress provided to the Tauranga Moana Iwi Collective including statutory acknowledgements; Mauao joint management; and Te Kūpenga Framework (which relates to conservation land).
72. The Bill was introduced on 3 November 2015. The Māori Affairs Select Committee examined the Bill in 2017 and recommended changes. The Committee recommended in 2024 that the Bill be passed.⁶⁸ The Bill as considered by the Māori Affairs Select Committee does not cover the Tauranga Moana Framework. This is acknowledged in clause 3(2) of the Bill. Also in that clause the Crown acknowledges that it will introduce legislation to give effect to the Tauranga Moana Framework “as soon as practicable.”

The effect of the Ngāti Ranginui and Tauranga Moana Iwi Collective settlements

73. Taken together the Ngā Hapū o Ngāti Ranginui Deed of Settlement and TMIC Deed of Settlement affirm the extensive historical and present-day interests of Ngāti Ranginui in relation to Tauranga Moana, which includes their significant taonga, Te Awanui. As noted, these settlements must be recognised and respected.
74. The rangatiratanga and kaitiakitanga of Ngāti Ranginui, as recognised by the Crown in the Deeds of Settlement, require Ngāti Ranginui involvement in matters affecting the moana,

⁶⁵ Clause 2.11 of the Tauranga Moana Iwi Collective Deed.

⁶⁶ Clause 3.4.2 Tauranga Moana Iwi Collective Deed Legislative Matters.

⁶⁷ Clause 2.24 of the Tauranga Moana Iwi Collective Deed.

⁶⁸ Māori Affairs Select Committee, Tauranga Moana Iwi Collective Redress Bill:
<file:///C:/Users/barap/Downloads/Tauranga%20Moana%20Iwi%20Collective%20Redress%20Bill.pdf>

whenua and taonga of Ngāti Ranginui. It is a requirement that this involvement be meaningful. There must also be a focus to restore, enhance, and protect the health and wellbeing of Tauranga Moana and achieve sustainable management of Tauranga Moana for present and future generations. Where consents relate to reclamations and the erection of structures in the coastal marine area there is an assumption that the consent will be dealt with through a process that will include a suitably qualified, iwi-appointed, Commissioner.

75. The interests of ngā hapū o Ngāti Ranginui, as discussed above and summarised in the preceding paragraphs, have not been addressed in the proposed fast track project. The limited time given to the Trust to provide views on the POTL project has undoubtedly contributed to this. However, there are also matters of substance concerning the impact of the POTL proposal, which need to be properly considered and, if required, tested. This will require a full and proper hearing of the POTL project resource consent applications and adequate time and resourcing to Ngāti Ranginui to be able to appropriately engage and participate.
76. As things stand, it is the view of the Trust that the POTL project is inconsistent with the requirements of the Ngā Hapū o Ngāti Ranginui and TMIC Deeds of Settlement. As noted above, POTL has stated that its proposed activities will be *“planned and executed with the utmost care of Treaty settlement obligations”* and with consideration of *“potential ways to ensure the integrity, intent and effect of your settlement is upheld.”* The Trust’s view is that it is not appropriate for the POTL project to go through the Fast-track process until all of the matters considered above are appropriately planned and executed such that the integrity, intent and effect of the settlements are upheld.

Ngāti Ranginui application for Customary Marine Title and Protective Customary Rights under the Marine and Coastal Area (Takutai Moana) Act 2011

77. On 3 April 2017 the Trust filed an application in the High Court for orders recognising the customary marine title and protected customary rights of Ngāti Ranginui pursuant to ss 98 and 100 of the Marine and Coastal Area (Takutai Moana) Act 2011 (MACA Act).⁶⁹ Filed with the application were affidavits of Te Pio Kawe (chairperson) and Kimiora Rawiri (trustee) of the Trust.⁷⁰ The Trust proposed in the application that it be the holder of the customary marine title and protected customary rights orders as a representative of the applicant group but intend to hold hui with hapū and whānau in order to discuss identify the appropriate holder of the order.⁷¹
78. The entirety of Te Awanui and therefore the project area is included in the Trust’s application under the MACA Act.⁷² Accordingly, the recognition of customary marine title and protected customary rights sought by Ngāti Ranginui is directly in conflict with the project proposed by POTL.

⁶⁹ Ngā Hapu o Ngāti Ranginui Originating Application for Recognition Orders pursuant to the Marine and Coastal Area (Takutai Moana) Act 2011, 3 April 2017 (MACA Application): <https://www.courtsofnz.govt.nz/the-courts/high-court/high-court-lists/marine-and-coastal-list-applications/civ-2017-485-000294-ngati-ranginui>

⁷⁰ MACA Application at [18].

⁷¹ MACA Application at [16].

⁷² MACA Application at [13]-[14] and Annexure “B”.

79. In the application the Trust submitted that the necessary requirements for customary marine title (s 58 of the Act) and protected customary rights (s 51) are satisfied by Ngāti Ranginui.⁷³ The Trust's position is that Ngāti Ranginui will be prejudiced by approval of the POTL project while their MACA application remains live but has not yet been determined by the High Court.

Impacts

80. This section assesses the potential impacts of the project on the rights and interests of ngā hapū o Ngāti Ranginui, including the terms of the Ngāti Ranginui and TMIC deeds of settlement.
81. It is an obligation of the Trust to approach this issue on behalf of Ngāti Ranginui in a way that seeks to prevent further damage, loss, and negative impacts on Te Awanui and other places of significance to the iwi.
82. The Ngāti Ranginui Values Framework referred to above provides an analysis tool for the impact of the project on Ngāti Ranginui values of mana, honoruru, mātauranga Ranginui, and mauri and their related indicators. It also provides an analysis tool for determining whether, and to what extent, the rights and interests of ngā hapū o Ngāti Ranginui are affected, including in relation to the Ngāti Ranginui and TMIC Deeds of Settlement.
83. Based on the Trust analysis, the project has the following impacts on the interests of Ngāti Ranginui and the Ngāti Ranginui and TMIC Deeds of Settlement:
- a. The Ngā Hapū o Ngāti Ranginui Deed of Settlement and TMIC Deed of Settlement affirm the extensive historical and present-day interests of Ngāti Ranginui in relation to Tauranga Moana, which includes their significant taonga, Te Awanui. The rangatiratanga and kaitiakitanga of Ngāti Ranginui, as recognised by the Crown in the deeds of settlement, require Ngāti Ranginui involvement in matters affecting the moana, whenua, and taonga of Ngāti Ranginui. The deeds of settlement also require that there be an integrated, holistic and co-ordinated approach to the management of Tauranga Moana. Such a process must necessarily include incorporating the values of Ngāti Ranginui into any decision. The TMIC Collective Deed of Settlement anticipates that an important method by which this will occur is through the Nga Tai ki Mauao (Tauranga Moana framework) document. Although this document has not yet been completed, the underlying principle behind the document is unaffected.
 - b. The process used by POTL has not met the requirement for Ngāti Ranginui involvement in the process of developing and assessing the project. POTL states that it has engaged with mana whenua since 2019 and is fully committed to engagement.⁷⁴ However, POTL has only engaged with the Trust very recently (the past 2-3 months) and has then dictated the terms of that engagement and imposed unworkable deadlines.⁷⁵ It cannot be said that POTL has meaningfully engaged with the Trust in relation to the project.
 - c. Although the POTL project is occurring within the 'existing footprint' of the port, the works proposed are extensive. They involve significant modifications to the marine

⁷³ MACA Application at [15].

⁷⁴ POTL – Stella Development – Fast-Track Approvals Act 2024 Substantive Application Report 31 March 2025, section 8.2.1.

⁷⁵ Contract for Services – Ngā Hapū o Ngāti Ranginui Settlement Trust and Port of Tauranga Limited.

environment. There are likely to be similarly significant impacts to the health and wellbeing of Te Awanui. At the very least this requires further assessment. Without further and better information the Trust cannot discharge its tikanga-based obligations for Ngāti Ranginui, to protect Te Awanui and uphold the place of Ngāti Ranginui as kaitiaki and mana whenua. This will require a full and proper hearing of the POTL project resource consent applications and adequate time and resourcing to the Trust and Ngāti Ranginui to be able to appropriately engage and participate.

- d. It is a requirement of the Tauranga Moana Framework that where consents and projects in Tauranga Moana relate to matters covered by s 12 of the RMA, which includes reclamations and the erection of structures in the coastal marine area, the consent will be dealt with through a process that will include a suitably qualified, iwi-appointed, Commissioner. This gives a clear indication as to the process that the Moana Framework anticipates (i.e. a proper hearing of the dispute with an iwi appointed decisionmaker involved in the decision-making process). That will not happened with this project is dealt with through the fast track process.
- e. It is a requirement that there be a focus to restore, enhance, and protect the health and wellbeing of Tauranga Moana and achieve sustainable management of Tauranga Moana for present and future generations. The Trust does not believe that restoration, health and wellbeing of Tauranga Moana has been a focus with this project.
- f. In summary, the terms of the Ngāti Ranginui and TMIC Deeds of Settlement must be recognised, respected and, ultimately, met. This has not occurred with the POTL project.

84. For completeness, the Trust further considers that granting approval for the POTL project may prejudice their live application for recognition of their customary marine title and protected customary rights under the MACA Act as that application has not yet been determined by the High Court.

Kupu Akiaki, Kupu Whakakapi – Recommendations and Conclusions

85. For the reasons set out in this report, the Trust considers that the POTL project is inconsistent with the Ngāti Ranginui and TMIC Deeds of Settlement as well as with the extant rights of Ngāti Ranginui in their Takutai Moana. Specifically,

- a. Tauranga Moana, including Te Awanui, is a place of cultural importance to Ngāti Ranginui.
- b. The significance of Tauranga Moana, including Te Awanui, was acknowledged in the Ngāti Ranginui and TMIC Deeds of Settlement, and reflected in the agreements reached between the Crown and Ngāti Ranginui. These agreements placed procedural and substantive requirements on the grant of any future consents over Tauranga Moana.
- c. The POTL project will have significant impacts on Te Awanui and its surrounding environs. These impacts will be in addition to the existing impacts of the Port and port operations.

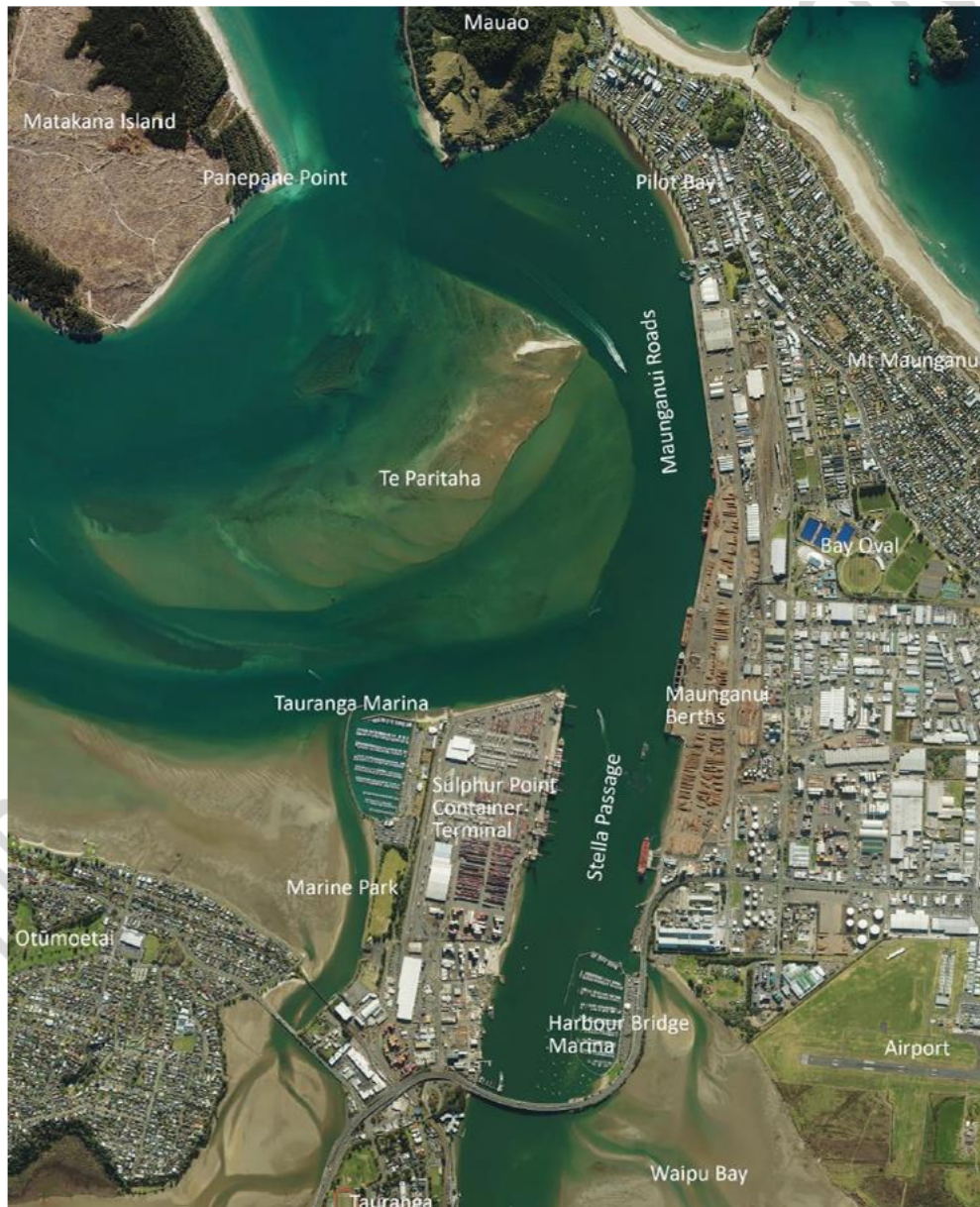
- d. The procedural and substantive requirements of the Ngāti Ranginui and TMIC Deeds of Settlement have not been met. The Trust was only approached by POTL about the project in the last 2-3 months. The opportunities for meaningful engagement have therefore been limited and further constrained by the timeframes imposed by POTL.
86. The POTL project is also inconsistent with the live application for recognition of Ngāti Ranginui customary marine title and protected customary rights under the MACA Act.
87. The Trust is of the strong view that the POTL project does not comply with the requirements of s 7 of the Fast-track Approvals Act 2024. It is therefore not a suitable project for the fast track consenting process and should not be approved for that process.⁷⁶
88. The Trust also notes the requirements in the fast track approvals process for consultation steps before lodging a referral application, in the referral application itself, and in the decision-making process for consideration of any Treaty settlements and MACA applications.⁷⁷
89. The Trust is aware that in the Environment Court and in Cultural Values Reports prepared for this project other Ngāti Ranginui entities have provided suggestions as to potential mitigation measures. The Trust does not oppose mitigation measures. However, there has been no scope for discussion of these measures in the compressed timeframe in which the Trust has been required to respond to POTL. Also, and more importantly, there is much more scope to explore these measures through the normal consenting process that meets the requirements of the Ngāti Ranginui settlements.

⁷⁶ ss 7 and 85(1)(b) of the Fast-track Approvals Act 2024.

⁷⁷ ss 11, 13, 16, 18, 29(1)(a), 13(4)(k) and (l), 81(2)(a) cl 5(1)(g) and cl 7 of Schedule 5.

APPENDIX A – Port of Tauranga

Source: Port of Tauranga Limited Stella Passage Development – Substantive Application Report 31 March 2025, p 41.



APPENDIX B - Sites of Significance to Ngāti Ranginui

Source: R Murray, S Eru, C Rahiri and M Tata, "Te Ika ā Ranginui e tū ake nei – Ngāti Ranginui Iwi Cultural Values Report 2025 prepared for the Port of Tauranga Limited". Final report provided to Trust on 8 April 2025.

TABLE 3. Sites of Significance to Ngāti Ranginui

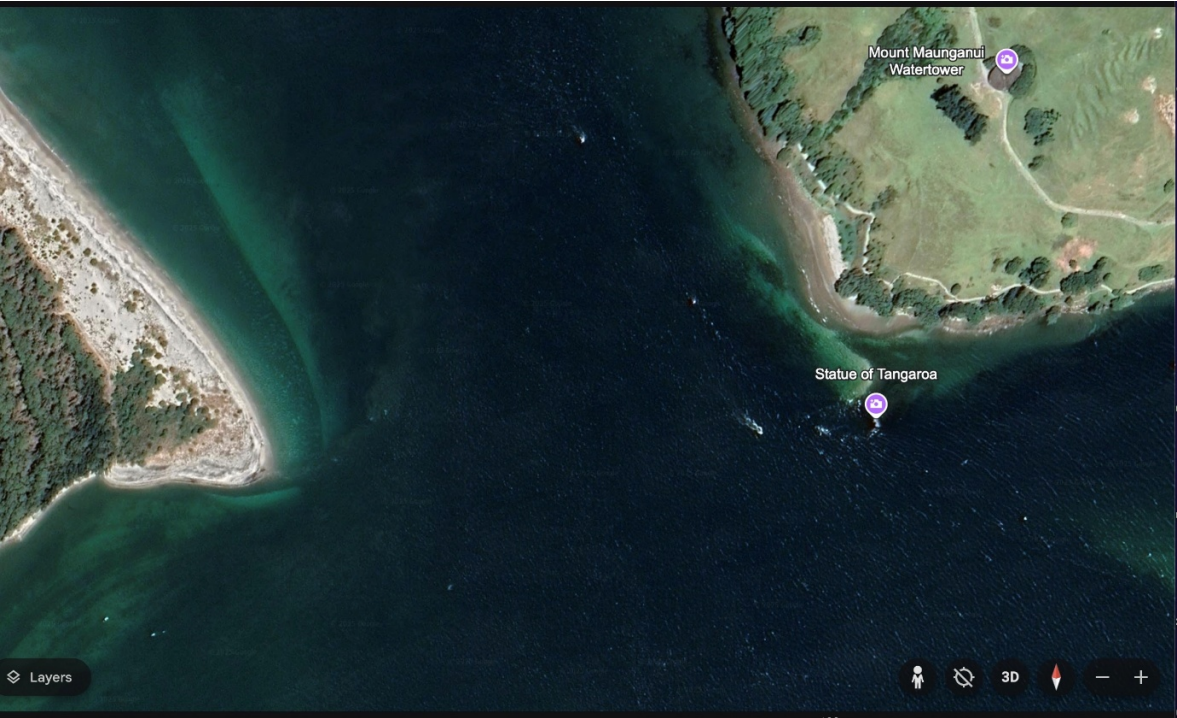
Site No.	Sites of Significance	Type of Site	Associated Cultural Values	Additional Notes
1	Mauao	Wāhi tapu, mahinga kai, customary access, wāhi rēhia		Planting Harakeke Aukoromoerangi Traditional viewshafts, customary access, cultural connections to Mauao
2	Te Awaiti	Wāhi tapu, mahinga kai, customary access, wāhi rēhia		Entry of Takitimu to the base of Mauao
3	Te Toka a Tirikawa (North Rock)	Wāhi tapu		Planting of Mauri
4	Te Kuia	Wāhi tapu		Pūrakau of Mauao
Site No.	Sites of Significance	Type of Site	Associated Cultural Values	Additional Notes
5	Tanea Shelf	Hononga, mahinga kai, customary access, wāhi rēhia		Base of Mauao
6	Karewa	Wāhi tapu		Tuatara, Ancestor Taurikura
7	Motuotau and Moturiki	Mahinga kai, Pā sites		Kuku and kina, Customary rights and interests
8	Te Awanui	Mahinga kai, customary access		Pataka kai of Ngāi Tamarāwaho, economic welfare
9	Te Paritaha o Te Awanui (Centre Bank)	Mahinga kai		Koanga (baby pipi) are here, economic welfare
10	Te Matau (The hook that no longer exists)	Mahinga kai		No longer present
11	Taumata Kahawai	Mahinga kai		
12	Waimapu River	Wai tapu, mahinga kai		Protected species such as tuna, maramataka
13	Sulphur Point	Customary access, taonga		Mahinga kai area no longer exists
14	Te Papa and Otamataha Pā	Wāhi tapu, Urupā, Pā site		

Site No.	Sites of Significance	Type of Site	Associated Cultural Values	Additional Notes
15	Waikareao Estuary	Wai tapu, rongoā sites, urupā, wāhi tapu, ahi kā		Protected species such as tuna and tuatara found, maramataka
16	Tataramoa	Mahinga kai, Taonga		The channel carved by Taurikura
17	Motuōpae	Wāhi tapu, Urupā, Pā site		Urupā
18	Kopurererua River	Wai tapu, mahinga kai		Protected species such as tuna, maramataka
19	Ōtumoetai Pā	Pā site, Mahinga kai		
20	Wairoa River	Wai tapu, mahinga kai, ahi kā		Pataka kai, maramataka, Te Pura, and the relationship to Tuna
21	Poteriwhi	Pā and wāhi tapu, overlooking the Wairoa River		Pene Taka engineered the fortification at this Pā
22	Kāwhainui (Mangatawa)	Wahi tapu		Burial site of Tamatea Arikinui
23	Rangataua, Maungatapu, Hairini, Waimapu Estuaries	Mahinga kai, Ahi kā		Ngāi Te Ahi/Ngāti He, Ngāti Ruahine

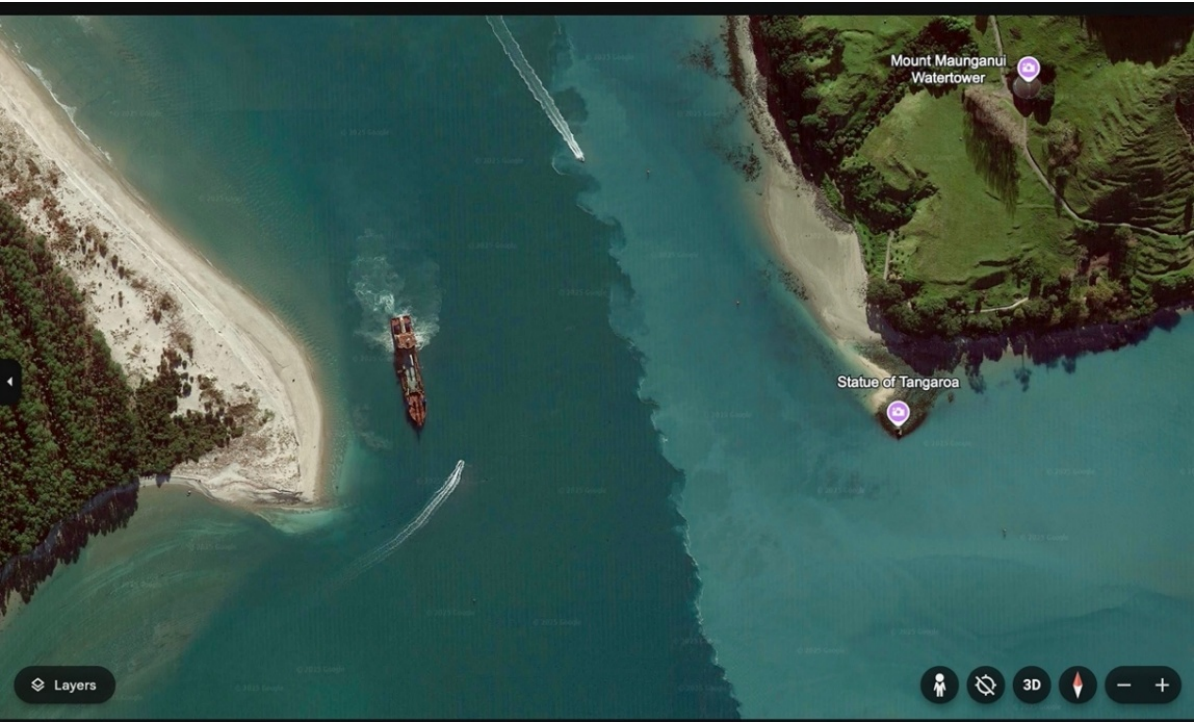
APPENDIX C - Changes in Panepane - 2016, 2019, 2024

Source: Carlton Bidois, Trustee

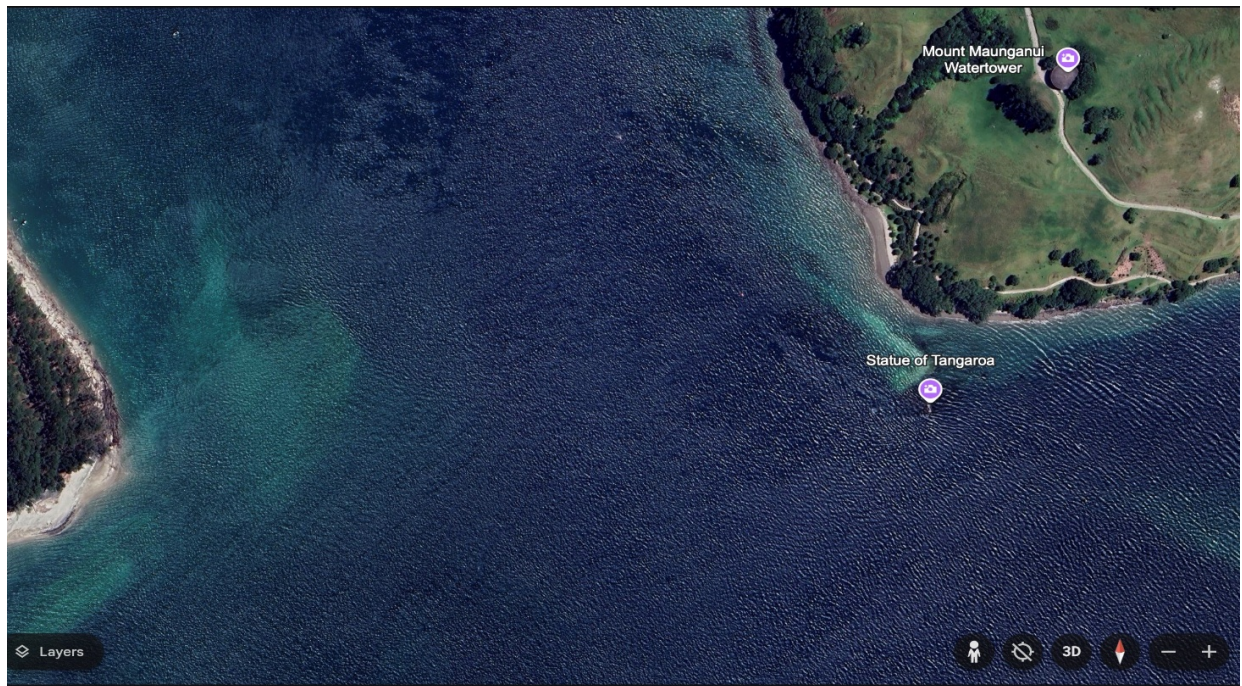
2016 – Year of first major dredging



2019



2024 – Ocean side beach of Panepane facing Mauao is now gone



APPENDIX D - Ngāti Ranginui Cultural values

Source: R Murray, S Eru, C Rahiri and M Tata, “Te Ika ā Ranginui e tū ake nei – Ngāti Ranginui Iwi Cultural Values Report 2025 prepared for the Port of Tauranga Limited”, pp 7-10. Final report provided to Trust on 8 April 2025.

Table 2. Ngāti Ranginui Cultural values

Cultural value	Hononga (Connections)	Additional Details
 Tikanga (noun): The correct way of doing things; protocol, customary system guiding interactions and resource management, deeply embedded socially.	Tikanga connects Ngāti Ranginui with mana, mauri, tapaina (site naming practices), and strategic placement of whare aligned with landmarks like Mauao and Pūwhenua. Tikanga reinforces sustainability and reciprocal obligations with Te Awanui and matalaitai reserves.	Tikanga influences the strategic placement of whare to align with significant landmarks, reinforcing cultural identity and environmental balance. It governs practices such as reciting tauparapara and naming significant sites, preserving cultural integrity and sustainability.
 Honorū (noun): Represents the path tipuna take upon death to Mauao, then to Karewa, and finally to Te Rerenga Wairua. Most marae and urupā face Mauao, allowing spirits to travel the channels. Tauparapara are recited to mark this final journey.	Honorū represents the path tipuna take upon (death to Mauao, then to Karewa and finally to Te Rerenga Wairua. Majority of marae and urupā are positioned to face Mauao so spirits can travel the channels to Mauao. Tauparapara are recited to represent the last journey our wairua make in Te Ao Tūroa.	
Cultural value	Hononga (Connections)	Additional Details
 Mana Motuhake (noun): Separate identity, autonomy, reflecting self-determination and independence.	Mana Motuhake affirms mana whenua, the significance of pepehā, and whakapapa ties. It's embodied in ancestral sites such as Ōtamataha Pā, Gate Pā, Te Ranga, reinforcing iwi autonomy and kaitiakitanga.	Mana Motuhake reflects the right of Ngāti Ranginui to exercise authority over land and resources, supported by Section 6(e) of the Resource Management Act (RMA), which affirms the relationship of Māori with their ancestral lands, water, sites, and taonga.
 Taonga (noun): Treasure or heirloom, encompassing significant landmarks, natural resources, ancestral knowledge, and sacred sites.	Taonga connects Ngāti Ranginui to sites like Mauao, Te Awanui, Waikareao Estuary, and Taurikura, emphasizing ecological and spiritual responsibilities through kaitiakitanga, mahinga kai practices, and preservation of cultural artifacts such as Te Matau and koneke (sledges).	Taonga are both tangible and intangible, including natural resources, ancestral knowledge, and spiritual connections. The protection of taonga reflects both practical and spiritual obligations to maintain the mauri and mana of the land and sea.
 Mauri (noun): Life force, vital essence, bonding element maintaining interconnectedness within the natural world.	Mauri links Ngāti Ranginui closely with Waikareao, Mauao, Te Awanui, and Te Toka a Tirikawa, underpinning practices like manaaki tangata (hospitality), wānanga (knowledge-sharing), and ensuring the ora (wellbeing) of the community and environment.	
 Mana Ranginui (noun): Authority, prestige, influence; rooted in whakapapa, affirmed by Te Tiriti o Waitangi, guiding decision-making and leadership.	Mātauranga Ranginui includes knowledge of ecosystem rhythms, demonstrated by understanding seasonal shifts in kaimoana availability and the use of traditional techniques for fishing and gathering food. Mātauranga is evident in the connections represented by Honorū.	Mana Ranginui encompasses traditional and executive leadership roles through entities such as Te Rūnanga o Ngāti Ranginui and Ngāti Ranginui Fisheries Trust, reinforcing rangatiratanga, sustainable resource management, and the advocacy of iwi interests.

Cultural value	Hononga (Connections)	Additional Details
 Mātauranga Ranginui (noun): Knowledge, wisdom, understanding passed through generations, deeply embedded in tikanga.	Mātauranga Ranginui includes knowledge of ecosystem rhythms, demonstrated by understanding seasonal shifts in kaimoana availability and the use of traditional techniques for fishing and gathering food. Mātauranga is evident in the connections represented by Honorū.	Mātauranga Ranginui is evident in practices guided by maramataka (Māori lunar calendar), sophisticated fishing techniques, and ecosystem management, illustrated by tunaheke (eel migrations), and customary food gathering aligned with natural cycles at Waikareao Estuary.
 Kaitiakitanga (noun): Guardianship, stewardship, trusteeship; responsibility to protect and care for the environment.	Kaitiakitanga reflects the responsibility for customary fisheries, marine resources, and habitats in Tauranga Moana. It involves active protection of taonga species.	Kaitiakitanga extends to ensuring sustainable use of resources, protecting taonga species, and advocating for environmentally sound practices in coastal and marine development.
 Kaitiakitanga of Taonga Species and Ecosystems (sub-section): Guardianship of native plants and animals holding deep cultural significance.	Protecting taonga species like kina, pāua, kūtai, pipi, and kōura, ensuring sustainable harvesting and ecosystem health.	The establishment of Mātaitai Reserves reinforces Ngāti Ranginui authority over marine resources and ensures sustainable practices to protect biodiversity.
 Kaimoana (noun): Seafood; relationship with traditional and contemporary gathering, preparation, and sustainability.	Involves sustainable harvesting of species like kina, pāua, kūtai, pipi, and kōura, connected to whakapapa and manaakitanga.	Kaimoana gathering has declined due to environmental degradation, requiring protection of traditional fishing grounds through kaitiakitanga and legal frameworks.

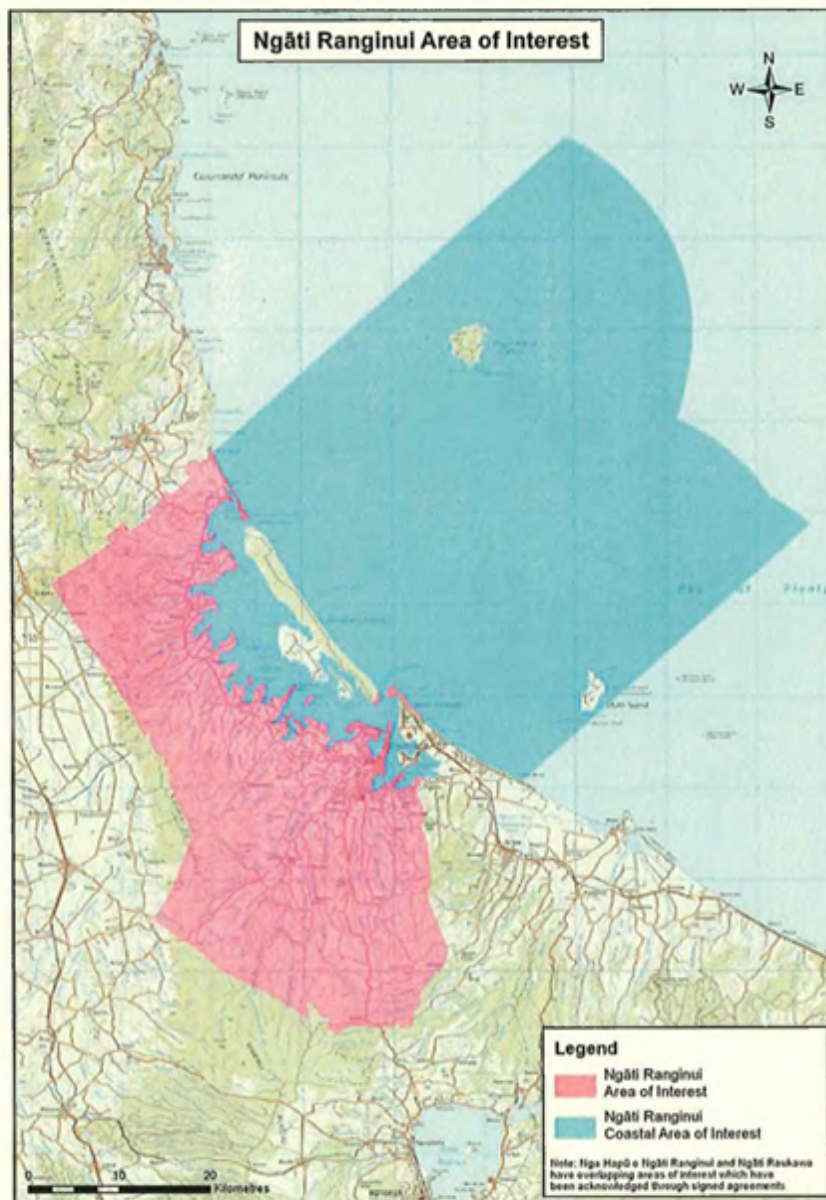
Cultural value	Hononga (Connections)	Additional Details
 Ngā Manu (noun): Birdlife; environmental indicators and spiritual significance.	Species like the karoro act as environmental indicators and protectors of the sea.	The presence of certain bird species reflects the health of ecosystems and reinforces spiritual and cultural ties to the environment.
 Waimarino (noun): Water quality literally, calm (marino) water(wai); responsibility for maintaining water quality and ecosystem health.	Reflects the relationship with freshwater and marine environments, ensuring sustainable practices to preserve water quality.	Pollution and degradation of freshwater and marine environments have impacted the ability to gather kaimoana and uphold kaitiakitanga, requiring restoration efforts.
 Marine Biosecurity (noun): Protecting marine ecosystems from invasive species and harmful activities.	Marine Biosecurity supports kaitiakitanga by protecting traditional fishing grounds and ensuring sustainable harvests of kaimoana. The establishment of Mātaitai Reserves reinforces iwi authority over marine resources.	Marine Biosecurity connects to maintaining the mauri and ecological integrity of waterways such as Waikareao Estuary, impacted by structures like the Sulphur Point reclamation and Chapel Street bridge, safeguarding kaimoana availability and traditional practices.

APPENDIX E – Ngāti Ranginui area of interest map

Source: Ngāti Ranginui Deed of Settlement: Attachments, p 2

ATTACHMENTS

1 AREA OF INTEREST



APPENDIX F – Tauranga Moana Framework Plan

Source: Tauranga Moana Collective Deed: Attachments, p 1

1 TAURANGA MOANA FRAMEWORK PLAN

