



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

Project Name: FTAA-2510-1153 Central and Southern Block Mining Project

To:	Date:
Panel Convener, Jane Borthwick	11 March 2026

Number of attachments: 8	Attachments: <ol style="list-style-type: none">1. Provisions of section 18 of the Fast-track Approvals Act 20242. Project location maps3. List of relevant Māori groups4. Maniapoto statutory acknowledgements5. Maniapoto statement and Crown acknowledgement of Maniapoto interests in the Exclusive Economic Zone6. Excerpt from JMA between Te Nehenehenui and local authorities regarding provision of resource consent information7. Excerpts from Maniapoto conservation relationship agreement regarding statutory authorisations and consultation
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Ministry for the Environment contacts:

Position	Name	Cell phone	1 st contact
Principal Author	Julian Jackson		
Manager, Fast-track Operations	Stephanie Frame	██████████	✓
General Manager, Investment Strategy & Operations	Ilana Miller	██████████	

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-2510-1153 Central and Southern Block Mining Project.
2. The applicant, Taharoa Ironsands Limited, proposes to continue its ironsand mining operations within the Central and Southern Blocks of the Taharoa Mine on the west coast of the North Island, approximately 8 km south of Kawhia Harbour. The applicant is seeking resource consents for a range of activities under the Resource Management Act 1991 (RMA), in addition to approvals under the Wildlife Act 1953 and Heritage New Zealand Pouhere Taonga Act 2014.

3. Section 18(2) of the Act requires that the report provide a list of relevant Māori groups, including relevant iwi authorities and Treaty settlement entities. We have identified Te Nehenehenui, Te Whakakitenga o Waikato, Te Ohu Kaimoana, several Marine and Coastal Area (Takutai Moana) Act 2011 (MACA) applicant groups, customary fisheries groups under Part 9 of the Fisheries Act 1996 (including taiāpure, mātaītai reserves, and rohe moana), and a number of other Māori groups with relevant interests (including marae and Māori landowners), which we have listed at **Attachment 3**. Some of those groups must be invited by the panel to comment on a substantive application under section 53(2) of the Act.
4. We have identified the Maniapoto Claims Settlement Act 2022 as being relevant to the project area. The Maniapoto Claims Settlement Act 2022 includes a coastal statutory acknowledgement and Ngā Wai o Maniapoto statutory acknowledgement over waterways, which are both relevant to the project area. We consider the process of inviting Te Nehenehenui to comment on the application under section 53 of the Act (including providing information about the application) is comparable to the process under the RMA and Treaty settlements whereby a consent authority must provide a summary of the application to the holder of the statutory acknowledgement.
5. As part of the Maniapoto settlement arrangements, Te Nehenehenui has a joint management agreement (JMA) with Otorohanga District Council, Waikato District Council, Waikato Regional Council, Waipā District Council, and Waitomo District Council. This JMA obliges each of those local authorities to provide Te Nehenehenui with a summary of applications for resource consents received, as would be given to affected persons through limited notification under section 95B of the RMA. Again, we consider this obligation may be met through the invitation to comment on this application under section 53 of the Act.
6. The JMA also obliges local authorities to discuss with Te Nehenehenui whether a cultural impact assessment may be required for a resource consent process. Accordingly, the panel may wish to consider discussing cultural impact assessment requirements with Te Nehenehenui.
7. The Maniapoto settlement also includes a relationship agreement with the Minister of Conservation and the Director-General of Conservation that sets out procedures for working together on statutory authorisations, and principles to be followed by the Department of Conservation (DOC) when consulting Te Nehenehenui. With regard to the Wildlife Act 1953 approval sought by the applicant, the panel may wish to consider the procedures set out in this relationship agreement to inform its consultation with Te Nehenehenui.
8. In light of the recognition of customary fisheries in or near the project area under Part 9 of the Fisheries Act 1996, and the groups seeking recognition of their interests under MACA, the panel may also wish to consider whether the project would affect the exercise of customary fishing and food gathering.

Signature



Stephanie Frame
Manager – Fast-track Operations

Introduction

9. 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 sections 18(2) and 18(3)(a) of the Act (but does not contain the matters in section 18(2)(l) and (m)).
10. The information which must be provided in this report includes:
 - a. relevant iwi authorities, Treaty settlement entities, applicant groups under the MACA, and other Māori groups with interests in the project area; and
 - b. relevant principles and provisions in Treaty settlements and other arrangements.
11. This report is structured accordingly. We have provided a list of the relevant provisions of section 18 at **Attachment 1**.

Proposed project

12. The applicant, Taharoa Ironsands Limited, proposes to continue its ironsand mining operations within the Central and Southern Blocks of the Taharoa Mine and in the adjacent marine and coastal area, on the west coast of the North Island, approximately 8 km south of Kawhia Harbour at Taharoa. We understand the mine has been operating for more than 50 years. The project includes land preparation works, constructing a water supply reservoir, extracting ironsand material using dry and wet-mining techniques, processing extracted material, and transporting raw and processed material including ship loading facilities and associated activities.
13. The proposal involves a number of activities in the marine and coastal area. These include discharge of stormwater and contaminants into the marine and coastal area, depositing of material into the marine and coastal area including up to 75,000 m³ per day of ironsand slurry water during ship-loading operations, and the operation, maintenance and replacement of conveyance and ship-loading facilities and associated activities in the marine and coastal area.
14. The proposed mining operations would be undertaken on Taharoa C Block, which is owned by Taharoa C Block Incorporated, a Māori incorporation. Taharoa C Block Incorporated is also a joint owner of Taharoa Ironsands Limited. The applicant states that New Zealand Steel Mining Limited (now Taharoa Ironsands Limited) established a lease agreement with Taharoa C Block Incorporated in 1971 that granted exclusive rights to mine and extract ironsands from Taharoa C Block for a period of 70 years. The project area is surrounded by several blocks of Māori land.
15. The applicant is seeking resource consents under the Act which would otherwise be sought under the RMA for earthworks, soil disturbance, damming, diversion, taking and discharging of water, discharge of a contaminants onto or into land, water or air, discharge of stormwater, deposit of material and iron sand slurry water into the marine and coastal area, operation, maintenance and replacement of ship loading structures and facilities, and other matters. The applicant is also seeking a general approval to capture, temporarily hold and relocate, and potentially kill native lizard species under the Wildlife Act 1953, and a general archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014.
16. We have provided location maps at **Attachment 2**.

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

17. 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**.¹

Iwi authorities

18. 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.

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

- a. Te Nehenehenui Trust, representing Maniapoto; and
- b. Te Whakakitenga o Waikato, representing Waikato-Tainui.

Treaty settlement entities

20. 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).

21. 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).

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

22. In keeping with the procedural principles outlined at section 10 of the Act, we only identify those PSGEs which are specified in the relevant Treaty settlement Act or Treaty settlement deed.²
23. We have identified the following relevant Treaty settlement entities for this project area:
- a. Te Nehenehenui Trust, representing Maniapoto, as PSGE for the Maniapoto Claims Settlement Act 2022, mandated iwi organisation (MIO) under the Maori Fisheries Act 2004, and iwi aquaculture organisation (IAO) under the Maori Commercial Aquaculture Claims Settlement Act 2004; and
 - b. Te Whakakitenga o Waikato, representing Waikato-Tainui, as MIO under the Maori Fisheries Act 2004, and IAO under the Maori Commercial Aquaculture Claims Settlement Act 2004; and
 - c. Te Ohu Kai Moana.

Groups mandated to negotiate Treaty settlements

24. The following groups have recognised mandates to negotiate a Treaty settlement over an area which may include the project area:
- a. Te Whakakitenga o Waikato, in relation to remaining Waikato-Tainui claims.
25. Te Whakakitenga o Waikato are in the early stages of negotiating the settlement of their remaining claims with the Crown.

Takutai Moana groups and ngā hapū o Ngāti Porou

26. While most of the project area would be located on land, some elements of the proposal would be situated in the marine and coastal area. This includes continued use of the existing ship loading and mooring infrastructure comprising a seabed slurry pipeline, six sets of chains and anchors, and a mooring buoy.
27. 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.
28. The following applicant groups are seeking recognition of customary marine title or protected customary rights within the project area, under MACA:
- a. MAC-01-04-001 / CIV-2017-419-080 – Kawhia Tangata, Aotea Whenua, Whaingaroa Moana, CMT;
 - b. MAC-01-04-005 / CIV-2017-404-526 – Nga Tini Hapu o Maniapoto, PCR;
 - c. MAC-01-04-012 / CIV-2017-404-575 – Te Ruunanga o Ngaati Mahuta ki te Hauaauru, CMT and PCR;
 - d. MAC-01-04-014 / CIV-2017-419-084 – Ngaa marae o te takutai moana o Waikato-Tainui, CMT and PCR; and
 - e. MAC-01-04-006 / CIV-2017-485-207 Ngāti Apakura, CMT and PCR.
29. 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).

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

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

30. The ship loading and mooring infrastructure for the project is located within the area/rohe Moana of Ngāti Mahuta ki Taharoa, gazetted by Fisheries (Kaimoana Customary Fishing) Notice (No. 9) 2007 (No. F420). This notice was issued under Regulation 9 of the Fisheries (Kaimoana Customary Fishing) Regulations 1998, pursuant to Part 9 of the Fisheries Act 1996. The tangata whenua for this area/rohe moana are Ngāti Mahuta ki Taharoa.
31. The project area is also located close to the following area/rohe moana:
- a. Area/Rohe Moana of Te Ruawhango o Kāwhia - Fisheries (Kaimoana Customary Fishing) Notice (No. 12) 2010 (No. F542). The tangata whenua for this area/rohe moana are Ngāti Hikairo, Ngāti Mahuta and Ngāti Maniapoto; and
 - b. Area/Rohe Moana of Marokopa - Fisheries (Kaimoana Customary Fishing) Notice (No. 10) 2012 (Notice No. MPI 87). The tangata whenua for this area/rohe moana are Ngāti Kinohaku, Ngāti Te Kanawa, Ngāti Pēhi as represented by Marokopa Marae.
32. The project area is located close to the following taiāpure-local fishery area and mātaimai reserves which are established pursuant to regulations made under Part 9 of the Fisheries Act 1996:
- a. Kawhia Aotea Taiāpure - Fisheries (Kawhia Aotea Taiapure) Order 2000 (SR 2000/69). The relevant bodies representing iwi interests in this taiāpure are Te Whakakitenga o Waikato and Te Nehenehenui;
 - b. Marokopa Mātaimai Reserve - Fisheries Notice 2010 (No. F567). The tangata whenua for this mātaimai reserve are Ngāti Kinohaku, Ngāti Te Kanawa and Ngāti Peehi; and
 - c. Aotea Harbour and Adjacent Waters Mātaimai Reserve - Fisheries Notice 2008 (No. F433). The tangata whenua for this mātaimai reserve are Ngā Hapū o Aotea Moana;
33. The above area/rohe moana, taiāpure, and mātaimai reserves are depicted in Maps 4 and 5 at **Attachment 2**.

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

34. Section 23 of the Act provides that, in making a decision on a referral application under section 21, the Minister may determine that, for the purposes of the project, an activity described in section 5(1)(a) is not an ineligible activity if it:
- a. is the construction of electricity lines or land transport infrastructure by (or to be operated by) a network utility operator that is a requiring authority; and
 - b. would occur on identified Māori land that is Māori freehold land or General land owned by Māori that was previously Māori freehold land.
35. This project does not involve an activity described in section 23(1) (i.e. including both (a) and (b)) of the Act.
36. As previously mentioned, the proposed mining operations would be on Māori land owned by Taharoa C Block Incorporated leased to Taharoa Ironsand Limited under an existing lease agreement for mining purposes. As this application is not a linear infrastructure proposal, section 23 of the Act does not apply.

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

37. If the project area is within the boundaries of either a Mana Whakahono ā Rohe or JMA, 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.
38. The project area is within the boundaries of a JMA between Te Nehenehenui and Otorohanga District Council, Waikato District Council, Waikato Regional Council, Waipā District Council, and Waitomo District Council, and the approvals sought include resource consents. This JMA is relevant because it contains procedural requirements in relation to the resource consents being sought.
39. We discuss the implications of the JMA further below.

Any other Māori groups with relevant interests

40. In addition to the above groups, we have also identified the following Māori groups as having relevant interests in the project area:
 - a. Taharoa C Block Incorporation on whose land the mining is proposed;
 - b. Taharoa Lakes Trust;
 - c. Taharoa Forest Trust;
 - d. Taharoa A1B1B2 Trust;
 - e. Taharoa A2A1 Trust;
 - f. Arohaki Trust;
 - g. Taharoa A1C13 Trust;
 - h. Taharoa A8 Trust;
 - i. Taharoa A7J5B Trust;
 - j. Taharoa Tukua Ahu Whenua Trust;
 - k. Piwa Tohi Awhina Maori Reservation;
 - l. Taharoa A 1 C 2 Trust;
 - m. Āruka Marae;
 - n. Te Kooraha Marae;
 - o. Te Ruunanga o Ngāti Mahuta ki te Hauāuru Charitable Trust; and
 - p. the owners of Māori lands adjoining the project area –
 - i. Old Land Claim 400;
 - ii. Taharoa A1B1A;
 - iii. Taharoa A1C7A Block, 1891 Taharoa Road, Taharoa;
 - iv. Taharoa A7J10B Block, 1891A Taharoa Road, Taharoa;
 - v. Taharoa A7J11B2B;
 - vi. Taharoa A7J7B;
 - vii. Taharoa A7J7C;

- viii. Taharoa A7J2 Block and Part, 78 Christopher Place, Taharoa;
- ix. Taharoa A7J3B Block;
- x. Taharoa A7 J4 B Block;
- xi. Taharoa A7 J8 C Block, 1 Rotopuhoe Road, Taharoa;
- xii. Taharoa A7 J8 B Block, 2 Rotopuhoe Road, Taharoa;
- xiii. Taharoa A7A2A Block;
- xiv. Taharoa A7J13B2F2 Block;
- xv. Taharoa A7J13B2F1 Block;
- xvi. Taharoa A7J13B2E Block;
- xvii. Taharoa A7J13B2D Block;
- xviii. Taharoa A7J13B2C Block;
- xix. Taharoa A7J13A Block;
- xx. Taharoa A7J13B2B Block.

41. We recognise that it may be challenging to locate contact details for all of the above groups for the purposes of inviting them to comment, bearing in mind the procedural principles at section 10 of the Act, but we have provided this list for context and completeness.
42. Further to the above, the Ministry for Primary Industries (MPI) has suggested that Ngā Hapū o Te Uru o Tainui Customary Fisheries Forum be added as a group having relevant interests in the project area, as this forum provides input on fisheries management on the West Coast of the North Island from Mōkau to Manakau. MPI recommends that, due the possible wide scale of potential effects of the project, the panel discusses the application with Ngā Hapū o Te Uru o Tainui Customary Fisheries Forum.

Relevant principles and provisions in Treaty settlements and other arrangements

Treaty settlements

43. 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.
44. The following Treaty settlements relate to land, species of plants or animals, or other resources within the project area³:
- a. Maniapoto Claims Settlement Act 2022;

³ The Waikato Raupatu Claims Settlement Act 1995, Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010, and Nga Wai o Maniapoto (Waipa River) Act 2012 do not apply to the project area.

Relevant principles and provisions

45. 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

46. The Crown offered acknowledgements and an apology to Maniapoto as part of Treaty settlement redress to atone for historical wrongs. The Crown apologised for the devastating long-term prejudice its acts, omissions and violations of Te Ōhākī Tapu⁴ and te Tiriti have caused Maniapoto and profoundly regrets its horrific and needless acts of war and raupatu, which have caused Maniapoto inter-generational suffering.

47. As part of its apologies to Maniapoto, the Crown stated that it looked forward to forging a renewed and enduring partnership with Maniapoto in accordance with the spirit of Te Ōhākī Tapu and based on te Tiriti and its principles. The Crown committed to working with Maniapoto in good faith to revitalise and rebuild Maniapoto and its hapū. The redress mechanisms provided for in Treaty settlements should be viewed in the context of these intentions.

Statutory acknowledgements

48. The Maniapoto Claims Settlement Act 2022 includes two statutory acknowledgements that may be relevant to the project area, these being a coastal statutory acknowledgement, and the Ngā Wai o Maniapoto statutory acknowledgement.

49. The coastal statutory acknowledgement covers the marine and coastal area out to the 12 nautical mile (22.2 km) limit from Waipīngao Stream (near Tongapōrutu) in the south to roughly the entrance of Kawhia Harbour in the north. As noted at paragraph 13 above, the proposal involves a number of activities in the marine and coastal area including discharge of stormwater and contaminants into the marine and coastal area, depositing of material into the marine and coastal area, and the operation and maintenance ship loading infrastructure.

50. The Ngā Wai o Maniapoto statutory acknowledgement applies to catchments and waterways within the Maniapoto area of interest. One of the waterways identified as part of Ngā Wai o Maniapoto, Waiohipa Stream, flows through the southern margins of the project area. Te Awaiti Stream, also identified as part of Ngā Wai o Maniapoto, joins Waiohipa Stream slightly upstream of the project area.

51. While Mitiwai Stream and Wainui Stream⁵ are also located within the project area, and Lakes Taharoa, Numiti and Rotoroa adjoin the project area, these waterways are not included in Ngā Wai o Maniapoto. We note the applicant is seeking resource consent for activities that may potentially affect waterbodies, for example, earthworks, soil disturbance,

⁴ Te Ōhākī Tapu (The Sacred Pact) refers to a series of agreements and assurances made between 1883 and 1885 between the Crown and five tribes of the Rohe Pōtae (King Country), led by Ngāti Maniapoto.

⁵ The Wainui Stream, which the Taharoa Lakes discharge to, is the source of water used in the proposed mining operations. According to the applicant, much of the water taken from Wainui Stream will be recovered and recycled with stormwater in the mining process.

damming, diversion, taking and discharging of water, discharge of stormwater to surface water, and discharge of a contaminants onto or into land, water or air.

52. Statutory acknowledgements are an acknowledgement by the Crown of a 'statement of association' between the iwi and an identified area (the 'statutory area'). Under the RMA and relevant Treaty settlement Acts, a consent authority must, when considering a resource consent for a proposed activity that is within, adjacent to, or 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.⁶
53. The holder of a statutory acknowledgment may also cite the statutory acknowledgment as evidence of their association with a statutory area in any submission before a relevant consent authority (or the EPA), board of inquiry, Environment Court, Heritage New Zealand Pouhere Taonga), who may, in turn, take those statutory acknowledgements and deeds of recognition into account.
54. Under section 53(2)(c) of the Act, the panel must direct the EPA to invite written comments on a substantive application from any relevant Treaty settlement entities including, to avoid doubt, an entity that has an interest under a Treaty settlement (or an entity operating in a collective arrangement provided for under a Treaty settlement) within the area to which the application relates. Those invited to comment, including relevant Treaty settlement entities, will be provided access to the application information.
55. Te Nehenehenui has been identified earlier in this report as a relevant Treaty settlement entity. We consider the process of inviting comment (including providing information about the application) is comparable to the process under Treaty settlements and the RMA of providing those who hold statutory acknowledgements with a summary of the application. This does not prevent the panel from inviting other relevant Māori groups, such as the others identified in this report, to comment on the application. We have provided deed plans and statements of association regarding the relevant statutory acknowledgements at **Attachment 4**.

Statement of interest and Crown acknowledgement of Maniapoto interests in the Exclusive Economic Zone (EEZ)

56. Sections 125 and 126 of the Maniapoto Claims Settlement Act 2022 respectively set out a statement of interest and the Crown acknowledgement of Maniapoto interests in the EEZ. As shown in the relevant map from the deed of settlement, the area subject to the acknowledgement is a 10 km wide zone of open sea in the EEZ directly adjoining the entire western perimeter of the Coastal statutory acknowledgement area, and extends from the 12 nautical mile (22.2 km) limit out to 17.4 miles (32.2 km).

⁶ 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.

57. The statement of interest and Crown acknowledgement do not place any procedural requirements on the panel. This is because it only applies to the EEZ, and this application does not include an approval under that statute (as specified at section 126 of the Maniapoto Claims Settlement Act 2022). We are bringing these provisions to the panel's attention in case the proposed mining operations may have relevance for Maniapoto's interests in the EEZ. We have provided a copy of the statement of interest and Crown acknowledgement of Maniapoto interests in the EEZ at **Attachment 5**.

Joint Management Agreements

58. Subpart 2 of the Maniapoto Claims Settlement Act 2022 provides for JMAs to be entered into between Maniapoto and Waikato Regional Council, Waitomo District Council, and Ōtorohanga District Council.
59. In 2023, a combined JMA between Te Nehenehenui and Otorohanga District Council, Waikato District Council, Waikato Regional Council, Waipā District Council, and Waitomo District Council superseded the previous individual agreements that were provided for through the Maniapoto settlement. As such, the 2023 JMA constitutes the JMA provided for in the Maniapoto Claims Settlement Act 2022. The JMA was updated in December 2025.
60. Schedule 6 of the JMA contains procedural requirements for councils regarding the RMA resource consent process, which will apply to the panel in respect of this application. Clause 4 of Schedule 6 of the JMA stipulates that each council will provide Te Nehenehenui with a summary of applications for resource consents received by the council. Clause 5 of Schedule 6 states the information provided under clause 4 will be:
- a. the same as would be given to affected persons through limited notification under section 95B of the RMA or as the council and Te Nehenehenui agree otherwise; and
 - b. provided as soon as is reasonably practicable after the application is received and before a determination is made under sections 95A or 95B of the RMA.
61. Clause 6(b) of Schedule 6 of the JMA stipulates that a cultural impact or similar assessment may be required for a resource consent process depending on the nature of the application and site, and local authorities are obliged to discuss this requirement with Te Nehenehenui. Accordingly, the panel may wish to consider discussing cultural impact assessment requirements for this application with Te Nehenehenui.
62. Schedule 3 clause 5 of the Act requires the panel to comply with procedural matters in any Treaty settlement Act or other arrangement, as if they were a relevant decision-maker, such as a local authority. We consider the process of inviting Te Nehenehenui to comment on the application under the Act, and providing them with access to information about the application, is comparable to the Schedule 6 procedural requirements in the JMA as outlined in paragraphs 54 and 55 above.
63. We have provided the relevant excerpts of the JMA at **Attachment 6**.

Conservation relationship agreement

64. The Maniapoto deed of settlement provides for a relationship agreement between Te Nehenehenui and the Minister of Conservation and the Director-General of Conservation which applies to the project area. This relationship agreement enables Te Nehenehenui to identify the category of statutory authorisations that may impact the cultural, traditional and historic values of Maniapoto, and which Te Nehenehenui wish to be engaged on. Under

the terms of the relationship agreement, statutory authorisations may include approvals under the Wildlife Act 1953, such as that sought by the applicant.⁷

65. For those significant categories of statutory authorisations DOC will:

- a. advise and encourage all prospective applicants within the Relationship Area to consult with Te Nehenehenui before filing their application in order to address cultural issues arising as a result of the application;
- b. act reasonably to address any concerns or issues raised by Te Nehenehenui;
- c. consult with Te Nehenehenui at an early stage on such categories of statutory authorisations or renewal of statutory authorisations within the Relationship Area;
- d. encourage third parties to consult with Te Nehenehenui before using cultural information of Maniapoto; and
- e. review the categories with Te Nehenehenui on a continuing basis.

66. We cannot confirm whether Te Nehenehenui have identified the categories of statutory authorisations that are of significance, and whether this includes Wildlife Act 1953 approvals.

67. The conservation relationship agreement also sets out the following basic principles that will be followed by DOC when consulting Te Nehenehenui in each case:

- a. ensuring consultation takes place as soon as reasonably practicable;
- b. providing Te Nehenehenui with sufficient information to make informed submissions;
- c. ensuring that sufficient time is given for the participation of Te Nehenehenui in the decision-making process;
- d. ensuring that DOC will approach the consultation with Te Nehenehenui with an open mind, and will genuinely consider any views and/or concerns that Te Nehenehenui may have; and
- e. requiring DOC to report back to Te Nehenehenui on decisions made.

68. We think the Act allows scope for these processes and principles to be accommodated by the panel during the substantive process. The panel may wish to consider how the procedures set out in the relationship agreement above will inform their consultation with Te Nehenehenui in relation to the Wildlife Act 1953 approvals being sought. We have included the relevant excerpts from the relationship agreement at **Attachment 7**.

Maori Fisheries Act 2004

69. The Maori Fisheries Act 2004 provides a framework for the allocation and transfer of specified settlement assets to iwi, in the form of fisheries quota, and management of the remainder of those settlement assets. While Te Nehenehenui and Te Whakakitenga o Waikato hold fishing quota in the wider Quota Management Area, we consider the application is unlikely to affect these interests.

Maori Commercial Aquaculture Claims Settlement Act 2004

70. The Maori Commercial Aquaculture Claims Settlement Act 2004 provides for the settlement of Māori claims to commercial aquaculture through the allocation and

⁷ Paragraphs 9.2 to 9.6 of Te Nehenehenui conservation relationship agreement refers.

management of aquaculture settlement assets. While Te Nehenehenui and Te Whakakitenga o Waikato are iwi aquaculture organisations for the purposes of the Maori Commercial Aquaculture Claims Settlement Act 2004, the project area is not located within or close to an aquaculture settlement area established under section 12 of that legislation (or within an area reserved for aquaculture through an individual iwi settlement).

71. Ultimately, 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

72. 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.
73. However, as noted at paragraph 28, there are currently five applicant groups seeking recognition of PCR or CMT over areas which include the project area.
74. 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 a further opportunity to comment on the application and have their views taken into consideration by the panel when making a decision on the substantive application for this project.⁸
75. 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

76. As noted in paragraphs 30-32, the vessel loading and mooring facilities of the project lie within the Area/Rohe Moana of Ngāti Mahuta ki Taharoa, and close to the Kāwhia Aotea Taiāpure, the Marokopa Mātaitai Reserve, the Aotea Harbour and Adjacent Waters Mātaitai Reserve, the Rohe Moana of Te Ruawhango o Kāwhia, and the Rohe Moana of Marokopa.
77. Area/rohe moana are customary fishing areas that provide for tangata whenua to take fisheries resources and manage customary fishing anywhere in the area/rohe moana for which they are tangata whenua. Area/rohe moana are gazetted under the Fisheries (Kaimoana Customary Fishing) Regulations 1998 and Part 9 of the Fisheries Act 1996.
78. Taiāpure are local fishery areas in estuarine or coastal waters that have customarily been of special significance to iwi or hapū as a source of food, or for spiritual, or cultural, reasons. All types of fishing – commercial, recreational, and customary – are allowed in a taiāpure, unless both its management committee recommends changes to the fishing rules, and the Minister of Oceans and Fisheries approves them. Taiāpure fishing rules can relate to species fished, fishing seasons, sizes and amounts of fish, and fishing areas.
79. The purpose of the mātaitai reserves is to sustainably manage kai moana health and population within the specified area. Mātaitai reserves prohibit commercial fishing within

⁸ 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.

the reserves, and provide that the tangata kaitiaki/tiaki appointed for the reserves may authorise any individual to take fisheries resources, managed under the Fisheries Act 1996, for customary food-gathering purposes from within the reserve.

80. While the application itself does not include the proposed taking of fisheries resources, it is possible that the project may affect the ability of the tangata whenua to exercise customary fishing and food gathering practices under the authority of the respective kaitiaki/tiaki and tangata whenua responsible for the mātaihai reserve and two area/rohe moana. The panel considering a substantive application may wish to consider whether the project would affect the ability of tangata whenua to exercise customary fishing and food-gathering practices within the taiāpure, mātaihai reserve and area/rohe moana. Tangata whenua and tangata kaitiaki/tiaki associated with these areas are likely best placed to inform the panel of these effects.

Mana Whakahono ā Rohe/Joint management agreement

81. As noted above, the project area is within the boundaries of a JMA, and the application includes a proposed approval outlined in section 42(4)(a)-(d) of the Act. We have identified the relevant principles and provisions in the JMA above, including where there are obligations to involve the iwi authority/group in decision-making.

Consultation with departments

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

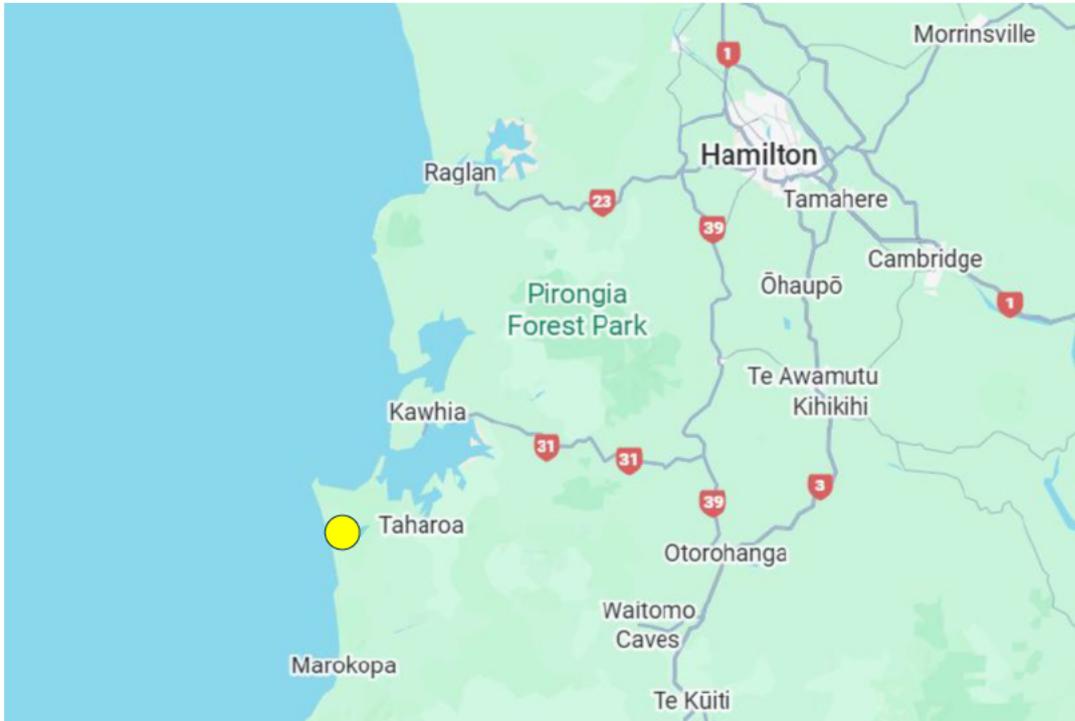
Attachment 1: Provisions of section 18 of the Fast-track Approvals Act 2024

Section	Information required	Paragraph reference in this report
18(2)(a)	Any relevant iwi authorities and relevant Treaty settlement entities	19, 23
18(2)(b)	Any Treaty settlements that relate to land, species of plants or animals, or other resources within the project area	44
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	45-71
18(2)(d)	Any recognised negotiation mandates for, or current negotiations for, Treaty settlements that relate to the project area.	24, 25
18(2)(e)	Any court orders or agreements that recognise protected customary rights or customary marine title within the project area.	26-28, 72-75
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.	27, 28, 72-75
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).	29, 72
18(2)(h)	Whether the project area includes any taiāpure-local fisheries, mātaihai reserves, or areas that are subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996 (and, if so, who the tangata whenua are).	30-32, 76-80
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).	35, 36
18(2)(j)	If the proposed approvals include an approval described in any of section 42C(4)(a) to (d) (resource consent, certificate of compliance, or designation), <ul style="list-style-type: none"> (i) iwi authorities and groups that represent hapū that are parties to any relevant Mana Whakahono ā Rohe or joint management agreements. (ii) The relevant principles and provisions in those Mana Whakahono ā Rohe and joint management agreements. 	38, 39, 58-62, 81
18(2)(k)	Any other Māori groups with relevant interests.	40-42

18(3)	<p>In preparing the report required by this section, the responsible agency must—</p> <p>(a) consult relevant departments; and</p> <p>(b) provide a draft of the report to the Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti.</p>	<p>56 (section 18(3)(a))</p> <p>82</p>
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Attachment 2: Project location maps

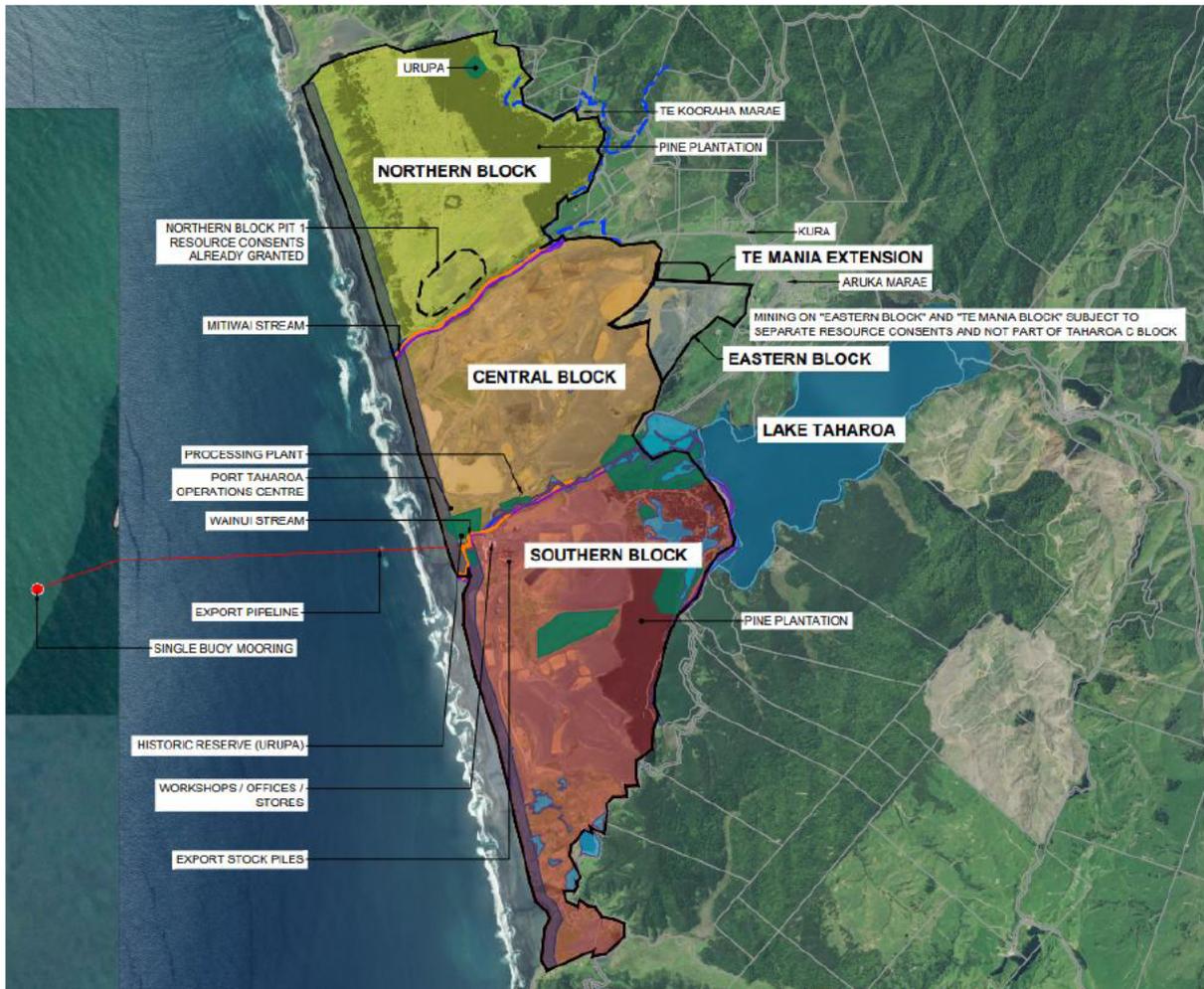
Map 1. Location of Central and Southern Block Mining Project shown by yellow circle



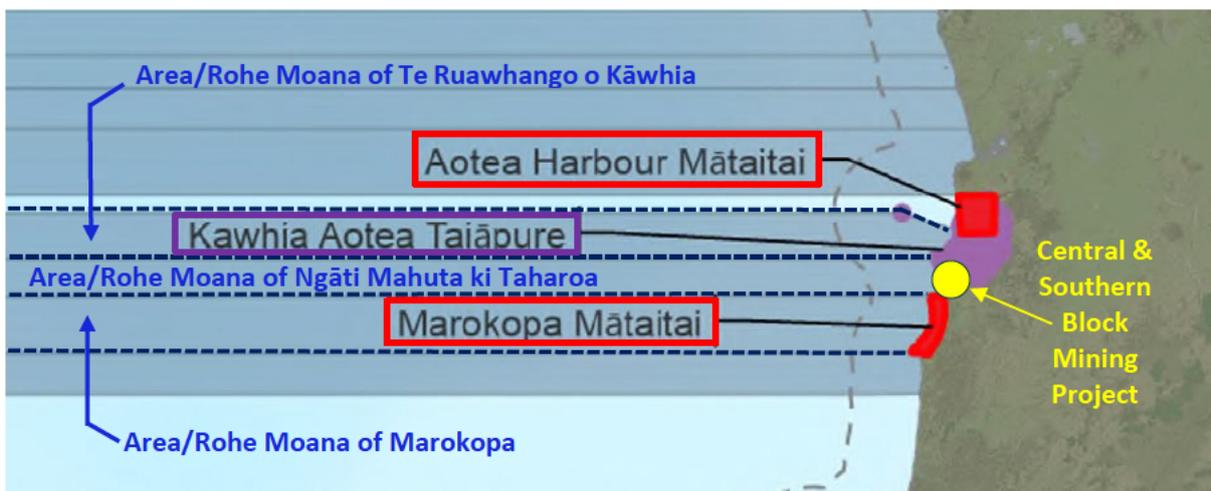
Map 2. Local area - location of Central and Southern Block Mining Project shown by red marking



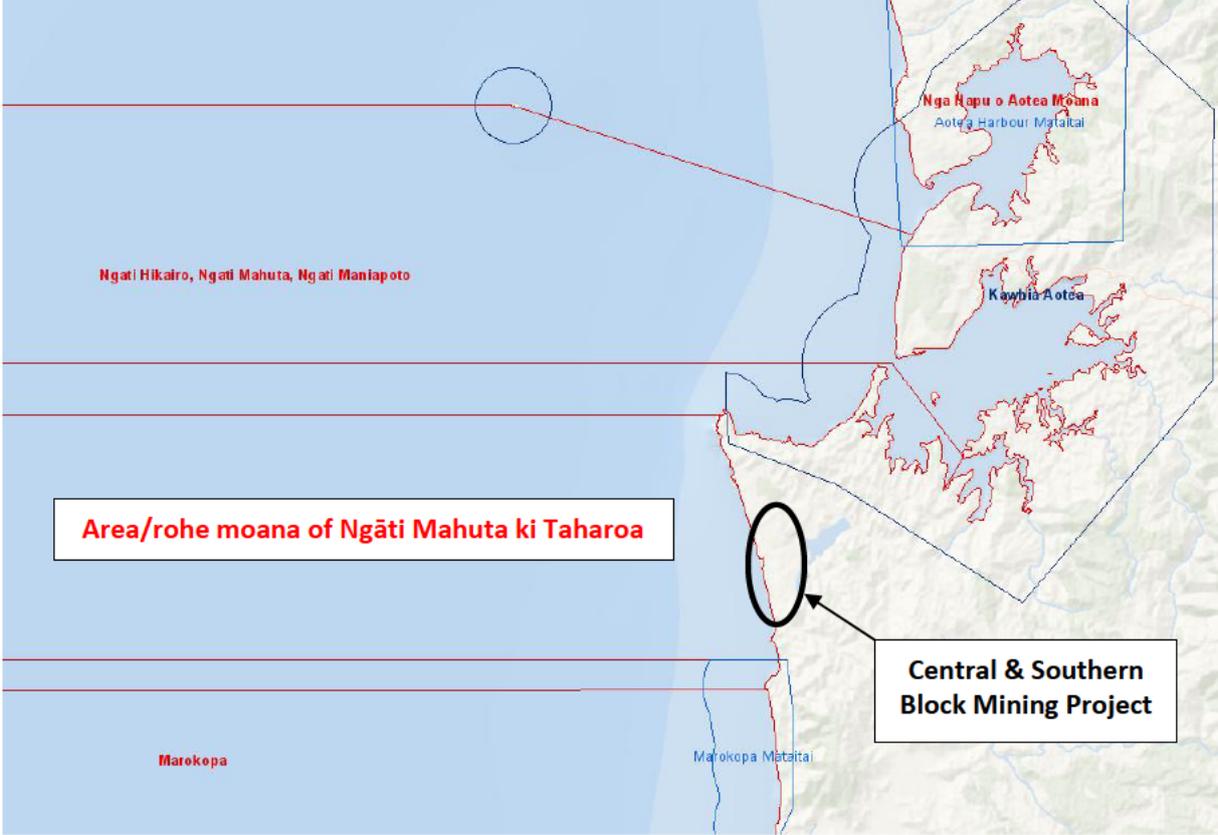
Map 3. Key elements of Central and Southern Block Mining Project



Map 4. General location of Central and Southern Block Mining Project in relation to taiāpure, mātaimai and area/rohe moana customary fishing and food gathering interests.



Map 5. Location of Central and Southern Block Mining Project in relation to boundaries of taiāpure, mātaītai and area/rohe moana customary fishing and food gathering interests.



Attachment 3: List of relevant Māori groups

Name of group	Type of group (section of Act)	Contact persons	Contact email
Te Nehenehenui Trust	Iwi authority (s18(2)(a)); Treaty settlement entity – Maniapoto Claims Settlement Act 2022 (s18(2)(a)), Treaty settlement entity – MIO/IAO (s18(2)(a))	Tramaine Murray	tramaine.murray@tnn.co.nz
Te Whakakitenga o Waikato Incorporated	Iwi authority (s18(2)(a), Treaty settlement entity – MIO/IAO (s18(2)(a), mandate entity (s18(2)(d))	Parekawhia McLean - Chair Jaedyn Falwasser Te Makarini Mapu	secretariat@tainui.co.nz [REDACTED] [REDACTED]
MAC-01-04-001 / CIV-2017-419-080 Kawhia Tangata, Aotea Whenua, Whaingaroa Moana CMT	MACA applicant group (s18(2)(f))	Glenn Tootill	[REDACTED]
MAC-01-04-005 / CIV-2017-404-526 Nga Tini Hapu o Maniapoto, PCR	MACA applicant group (s18(2)(f))	Te Rangikaiwhiria Kemara	maniapoto-maca@ranfurlychambers.co.nz
MAC-01-04-012 / CIV-2017-404-575 – Te Ruunanga o Ngaati Mahuta ki te Hauaauru, CMT and PCR	MACA applicant group (s18(2)(f))	Verna Maria Tuteao	[REDACTED]
MAC-01-04-014 / CIV-2017-419-084 Ngaa marae o te takutai moana o Waikato-Tainui, CMT PCR	MACA applicant group (s18(2)(f))	Te Whakakitenga o Waikato Incorporated	[REDACTED] [REDACTED]
MAC-01-04-006 / CIV-2017-485-207 Ngāti Apakura, CMT and PCR	MACA applicant group (s18(2)(f))	Bill Harris	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Te Ohu Kaimoana	Treaty settlement entity – MIO (s18(2)(a))	Kylie Grigg (Oceans Manager)	[REDACTED] kika@teohukaimoana.nz
Kawhia Aotea Taiāpure - Fisheries (Kawhia Aotea Taiapure) Order 2000 (SR 2000/69)	Local fishery group (s18(2)(h))	Te Nehenehenui	office@tnn.co.nz tramaine.murray@tnn.co.nz

		Te Whakakitenga o Waikato	secretariat@tainui.co.nz
Marokopa Mātaitai Reserve - Fisheries Notice 2010 (No. F567)	Local fishery group (s18(2)(h))	<i>Tangata whenua</i> Ngāti Kinohaku, Ngāti Te Kanawa and Ngāti Peehi <i>Tangata tiaki</i> Alan Willison Hemi Kete	
Aotea Harbour and Adjacent Waters Mātaitai Reserve - Fisheries Notice 2008 (No. F433)	Local fishery group (s18(2)(h))	<i>Tangata whenua</i> Ngā Hapū o Aotea Moana <i>Tangata tiaki</i> Eden Rangiawha Janeva Thomson Don Rangiawha Patricia Maihi Daniel Scott David Waitere, John Mahara Davis Apiti Lynnette Stafford Allan Rubay Chris Tuapiki	
Area/Rohe Moana of Te Ruawhango o Kāwhia - Fisheries (Kaimoana Customary Fishing) Notice (No. 12) 2010 (No. F542)	Local fishery group (s18(2)(h))	<i>Tangata whenua</i> Ngāti Hikairo, Ngāti Mahuta and Ngāti Maniapoto <i>Kaitiaki Tiaki</i> Digger Hopa, John Kaati, John Puke, Evelyn Rayner, Allan Rubay, Arthur Thom, Gerrit van Tol	teruunanga@hauaauru.co.nz tramine.murray@tnn.co.nz
Area/Rohe Moana of Ngāti Mahuta ki Taharoa - Fisheries (Kaimoana Customary Fishing) Notice (No. 9) 2007 (No. F420)	Local fishery group (s18(2)(h))	<i>Tangata whenua</i> Ngāti Mahuta ki Taharoa <i>Tangata Tiaki</i> Lloyd Hepi, Charles King, Tutunui King, Rodney Te Uira, Leo Tuapiki	teruunanga@hauaauru.co.nz
Area/Rohe Moana of Marokopa - Fisheries (Kaimoana Customary Fishing) Notice (No. 10) 2012 (Notice No. MPI 87)	Local fishery group (s18(2)(h))	<i>Tangata whenua</i> Ngāti Kinohaku, Ngāti Te Kanawa, Ngāti Pēhi as represented by Marokopa Marae <i>Kaitiaki Tiaki</i>	marokopa.marae@gmail.com

		Anthony Armstrong, Terrence Barlow, Betty Brown, Clive Grant, Pita Haareiti, Darren Kawhena, Michael Kete, Beverly Martin, Cedric Tah, Derek Tah, Robert Tah, Ronald Takerei, Clifford Willison and Patrick Willison-Reardon	
Taharoa C Block Incorporation	Group with relevant interests (s18(2)(k))	Hoturoa Barclay-Kerr (Chair) Rangiiria Keogh (General Manager)	info@taharoa.nz
Taharoa Lakes Trust	Group with relevant interests (s18(2)(k))		
Taharoa Forest Trust	Group with relevant interests (s18(2)(k))		
Taharoa A1B1B2 Trust	Group with relevant interests (s18(2)(k))		
Taharoa A2A1 Trust	Group with relevant interests (s18(2)(k))		
Arohaki Trust	Group with relevant interests (s18(2)(k))		
Taharoa A1C13 Trust	Group with relevant interests (s18(2)(k))		
Taharoa A8 Trust	Group with relevant interests (s18(2)(k))		
Taharoa A7J5B Trust	Group with relevant interests (s18(2)(k))		
Taharoa Tukua Ahu Whenua Trust	Group with relevant interests (s18(2)(k))		
Piwa Tohi Awhina Maori Reservation	Group with relevant interests (s18(2)(k))		
Taharoa A 1 C 2 Trust	Group with relevant interests (s18(2)(k))		
Āruka Marae	Group with relevant interests (s18(2)(k))	John Kawawa (Chair)	teruunanga@hauaauru.co.nz

Te Kooraha Marae	Group with relevant interests (s18(2)(k))	Taituwaha King (Chair)	teruunanga@hauaauru.co.nz
Te Ruunanga o Ngāti Mahuta ki te Hauāuru Charitable Trust	Group with relevant interests (s18(2)(k))		
Owners of Old Land Claim 400	Group with relevant interests (s18(2)(k))		
Owners of Taharoa A1B1A	Group with relevant interests (s18(2)(k))		
Owners of Taharoa A1C7A Block, 1891 Taharoa Road, Taharoa	Group with relevant interests (s18(2)(k))		
Owners of Taharoa A7J10B Block, 1891A Taharoa Road, Taharoa	Group with relevant interests (s18(2)(k))		
Owners of Taharoa A7J11B2B	Group with relevant interests (s18(2)(k))		
Owners of Taharoa A7J7B	Group with relevant interests (s18(2)(k))		
Owners of Taharoa A7J7C	Group with relevant interests (s18(2)(k))		
Owners of Taharoa A7J2 Block and Part, 78 Christopher Place, Taharoa	Group with relevant interests (s18(2)(k))		
Owners of Taharoa A7J3B Block	Group with relevant interests (s18(2)(k))		
Owners of Taharoa A7 J4 B Block	Group with relevant interests (s18(2)(k))		
Owners of Taharoa A7 J8 C Block, 1 Rotopuhoe Road, Taharoa,	Group with relevant interests (s18(2)(k))		
Owners of Taharoa A7 J8 B Block, 2 Rotopuhoe Road, Taharoa	Group with relevant interests (s18(2)(k))		
Owners of Taharoa A7A2A Block	Group with relevant interests (s18(2)(k))		
Owners of Taharoa A7J13B2F2 Block	Group with relevant interests (s18(2)(k))		
Owners of Taharoa A7J13B2F1 Block	Group with relevant interests (s18(2)(k))		

Owners of Taharoa A7J13B2E Block	Group with relevant interests (s18(2)(k))		
Owners of Taharoa A7J13B2D Block	Group with relevant interests (s18(2)(k))		
Owners of Taharoa A7J13B2C Block	Group with relevant interests (s18(2)(k))		
Owners of Taharoa A7J13A Block	Group with relevant interests (s18(2)(k))		
Owners of Taharoa A7J13B2B Block	Group with relevant interests (s18(2)(k))		
Ngā Hapū o Te Uru o Tainui Customary Fisheries Forum	Group with relevant interests (s18(2)(k))		

Attachment 4: Maniapoto statutory acknowledgements

Map 6. Coastal statutory acknowledgement deed plan



Coastal statutory acknowledgement – statement of association

DOCUMENTS

2. STATEMENTS OF ASSOCIATION

Statements of Association (Statutory Acknowledgement):

1. Coastal statutory acknowledgment area (as shown on deed plan OMCR-049-04)

Extends from Waipīngao Stream to the mouth of Kāwhia Harbour

The coastal area which runs from the Waipīngao Stream to Kāwhia Harbour is rich in Ngāti Maniapoto and Tainui waka history. Ngāti Maniapoto held extensive knowledge of the coast, its reefs, its fishing beds, its rocks, pā, kāinga, wāhi tapu and other places. This knowledge dates back to the Tainui waka which traversed these waters, leaving its anchor at Mōkau before ending its journey at Kāwhia where it is buried at Maketū.

Subsequent generations also travelled the coastline either by waka or by coastal tracks. There were tracks from Kāwhia to Marokopa via Te Maika, Te Tahāroa, and Te Ahuahu. There were also tracks from the interior that brought the people to the coast, often on seasonal fishing expeditions. Tihimānuka is a track between Taumarunui and Katikatiaka Pā situated near Parininihi. From Marokopa, another track crossed the forest ranges into the Waipā Valley and came out near Ōtorohanga.

There were many pā, kāinga and wāhi tapu scattered along the coastline. The rugged coast, dominated by cliffs, meant there were exceptional places for defensive pā and places of refuge. Te Kawau Pā was an island pā which Ngāti Maniapoto occupied after the fight at Tihimānuka around 1822. Te Puia and Rerewaka Pā were pā at Mōkau, occupied by Ngāti Maniapoto after the battle of Ngātaiparirua. Other pā around Mōkau included Te Hōrū, Te Mangaeo and Māniaroa. Rangitoto was one of several pā at Awakino. Pāokauwaho and Ōtumatua were pā at Nukuhākari Bay while further north was Puketoa, a pā on the southern side of the Marokopa River estuary occupied during the fishing season. Harihari was a kāinga of the illustrious Ngāti Maniapoto rangatira, Haupōkia Te Pakaru. At Kāwhia there were many pā, including Te Arawī which was besieged by Ngāti Maniapoto and another iwi before its chief and his people were able to migrate south. Other pā in the region included Taungatara, Takatahi and Te Ahuahu, the latter an ancient pā that protected the kūmara gardens and now the site of Te Waitere village.

There were fishing grounds all along this coastline. The boundary point of Wahanui 20 miles out to sea from the Waipīngao Stream, and deemed part of the Rohe Pōtae, was to protect the customary fishing grounds of Ngāti Maniapoto.

At the Mōkau River Heads, in days of old, the mauri of the fisheries in the form of the historic punga or mooring stone of the Tainui waka lay on the beach. At Te Naenae, tāmure, kahawai and other fish were placed as offerings to Tangaroa. The area was known for its mussel reefs, including that known as Kowhatututae. There was another popular one near the Mōhakatino River. These mussel reefs attracted people from inland as far as Taumarunui and Te Kūiti.

Further north, the Kāwhia Harbour and its various inlets were particular waters of abundance with some important fishing grounds. The banks of Tāoro, Tūhingarā, Toreparu, Ōtaroi, Hākaha, Te Wharau, Tāhunaroa, Te Maire, and other places, were all pipi shellfish grounds. Tarapikau is a sandbank where the pūpū shellfish was collected. There were appointed places where certain fish were taken. Koutu-kōwhai was a place where whai (stingray) abounded. Mangō (sharks) and tāmure (snapper) were fished and bought ashore at Te Umuroa, at Te Ōhau, at Whangamumu, and other sites around the Kāwhia Harbour.

Elsewhere along the coastline, there were many other significant fishing sites located around reefs. Piritoka reef is off Tīrua Point and was a favourite fishing place for those who occupied the pā and kāinga around Nukuhākari Bay and Moeātoa. Poutama was a famous mussel reef a little offshore and just to the south of the Mōhakatino River.

Waka were launched from designated sites such as Te Rua Taniwha in the Poutama region. Piopio and Ōinutai, north of the Awakino River mouth were other examples of launching sites.

Taniwha protected many of these reefs and other waters. The taniwha Rua Kura Moana Kiwa, Kupe Moana Kiwa and Te Rauparaha Moana Kiwa occupied the reefs around Marokopa. Some fifteen taniwha dwell in those waters at Te Māhoe near the Waiharakeke inlet of the Kāwhia Harbour. Collectively they are known as Ngāi-te-heke-o-te-Rangi. Rākei was a taniwha who lurked near Kaitangata Point beyond Kiritehere in a partially submerged cave. There were many other taniwha along this coastline.

Both Kāwhia and Mōkau were key sites of trade for Ngāti Maniapoto after the arrival of the European. Ngāti Maniapoto vessels operating from these waters included the Rere-wiki, Parininihi, Rē-wini and Aotearoa.

The coastal area of Ngāti Maniapoto remains a key geographical feature of the tribal identity and domain of the iwi.

Map 7. Ngā Wai o Maniapoto statutory acknowledgement deed plan



Ngā Wai o Maniapoto statutory acknowledgement – statement of association

13. Ngā Wai o Maniapoto (all named waterways as shown on deed plan OMCR-049-18)

Ngā Wai o Maniapoto are awa tūpuna and living taonga to Ngāti Maniapoto. The relationship between Ngāti Maniapoto and its many rivers and streams as well as its lakes, creeks, repo and puna are historic, cultural, physical, and spiritual. Generations of the tribe have long exercised their kaitiakitanga responsibilities and other tikanga concerning the waterways and their many components including the beds, banks, fisheries, plants, taniwha and the mauri or life force.

Ngā Wai o Maniapoto have been, and continue to be, central to the way of life, spiritual and physical well-being of Ngāti Maniapoto, and to their tribal identities and culture.

Ngā Wai o Maniapoto include the Waipā, the Mangapū, the Marokopa, the Mōkau, the Mangapeehi, the Ōngārue, the Waimiha, the Ōhura and the Taringamotu Rivers. These are heard among the pepeha or maxims of the many hapū of Ngāti Maniapoto.

There is a long history of the occupation of Ngāti Maniapoto along those waterways including riverside settlements, cultivations and nearby pā and wāhi tapu.

A number of these rivers were navigable waters that allowed Ngāti Maniapoto hapū and others to travel and trade afar.

These waterways were also a critical source of sustenance, a fishery for īnanga, tuna, freshwater crayfish as well as watercress, and other plant life. Ngāti Maniapoto developed various methods for catching, preserving, cooking and distributing these foodstuffs. These included significant pā tuna structures or eel weirs which were erected in the many streams to capture eels.

Ngā Wai o Maniapoto were also a source of rituals and healing where the tohi rituals were performed, where the umbilical rites were observed and where the purification rituals were undertaken.

There are a number of taniwha associated with Ngā Wai o Maniapoto, not least Waiwaiā and Tūheitia, they being spiritual guardians of all things that are the Waipā River. Another is Papaki Rae, one of six taniwha placed along the Ōngārue River. Tradition also talks about Te Rua o te Taniwha, the lair of the taniwha near the mouth of the Marokopa River. These guardians remain there to this day.

Attachment 5: Maniapoto statement and Crown acknowledgement of Maniapoto interests in the Exclusive Economic Zone

Maniapoto Settlement Claims Act 2022

Subpart 9—Maniapoto interest in part of exclusive economic zone

125 Maniapoto interest in certain part of exclusive economic zone

Maniapoto statement of interest

- (1) The Maniapoto interest in the part of the exclusive economic zone described in subsection (2) includes—
 - (a) the Maniapoto commercial fishing rights and interests; and
 - (b) the Maniapoto cultural relationship with the marine environment; and
 - (c) the recognition of, and provision for, mātauranga and Maniapoto values in the management of the marine environment; and
 - (d) the role of Maniapoto as rangatira and kaitiaki of the marine environment and their ability to exercise kaitiakitanga and rangatiratanga for the following purposes:
 - (i) to protect, care for, and develop the marine environment and enhance the mauri and wairua of marine resources and cultural heritage for future generations; and
 - (ii) to restore and protect marine ecosystems, taonga species, and their habitats and migration routes; and
 - (iii) to restore and protect water quality; and
 - (iv) to protect, restore, manage, and develop commercial and customary fisheries, traditional mahinga kai areas, and kaimoana stocks in a manner consistent with te tikanga o Maniapoto, kawa, and mātauranga; and
 - (v) to exercise customary uses and practices associated with fishing, collecting kaimoana, and utilising marine resources and tikanga-based customary fisheries management tools; and
 - (vi) to achieve the objectives for customary fisheries management that Maniapoto has set out from time to time in customary fisheries management plans.

- (2) The area of the exclusive economic zone referred to in this section and [section 126](#) is all that part of the exclusive economic zone enclosed by a line (as shown as Maniapoto Historical/Existing Interests in the Exclusive Economic Zone in part 2 of the attachments) that—
- (a) commences at a point at 174°19'36.6"E and 38°02'07.1"S on the boundary between the territorial sea and the exclusive economic zone; and
- (b) then proceeds—
- (i) in a generally southerly direction 46 nautical miles to a point at 174°11'47.0"E and 38°46'49.8"S; and
- (ii) then in a generally northerly direction 53 nautical miles along the boundary between the territorial sea and the exclusive economic zone to the point of commencement.
- (3) To avoid doubt, nothing in this section or [section 126](#) changes any interest Maniapoto may have in the remainder of the exclusive economic zone or continental shelf.
- (4) In this section and [section 126](#),—

exclusive economic zone has the meaning given in [section 2\(1\)](#) of the Territorial Sea, Contiguous Zone, and Exclusive Economic Zone Act 1977

existing interest has the meaning given in [section 4\(1\)](#) of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012

marine ecosystem means any system for the interaction of marine life with its natural and physical environment

marine environment—

- (a) means the natural and biological resources comprising any marine ecosystem; and
- (b) includes all marine life and the oceans and seas where marine life exists

taonga species includes—

- (a) īnanga (whitebait); and
- (b) piharau (lamprey); and
- (c) ika matua (southern bluefin tuna); and
- (d) pātiki (flounder); and
- (e) kūtai (mussels); and
- (f) tuna (eels); and
- (g) kōura (crayfish); and
- (h) ahoaho (Hector's dolphin)

territorial sea has the meaning given in [section 3](#) of the Territorial Sea, Contiguous Zone, and Exclusive Economic Zone Act 1977.

126 The Crown acknowledges Maniapoto statement of interest

The Crown acknowledges that—

- (a) the marine environment is highly valued and important to the culture, tradition, and history of the people of Maniapoto; and
- (b) the Maniapoto interest described in [section 125\(1\)](#) is an existing interest in that part of the exclusive economic zone described in [section 125\(2\)](#) and shown in the area coloured green on the deed plan OMCR-049-69 included in the attachments, but only for the purposes of the [Exclusive Economic Zone and Continental Shelf \(Environmental Effects\) Act 2012](#).

Excerpt from Maniapoto Deed of Settlement

DEED OF SETTLEMENT

1: BACKGROUND

- 1.47. Wahanui and others made a point of referencing their western boundary 20 miles out to sea in 1883, reflecting their understanding that they held mana moana over the area and its lucrative fisheries. Nevertheless, Ngāti Maniapoto assert their off-shore fishery interests should not be limited to the stated twenty miles out to sea and instead claim an existing un-extinguished, and uninterrupted development right in the exclusive economic zone adjacent to some 125 km of coastline. The Waitangi Tribunal has accepted that nothing in the Treaty limited Māori to their existing fishing grounds or prevented them from developing inshore or offshore fisheries and that when New Zealand territorial waters expanded, Māori had a development right to a reasonable share in the new resource.

- 1.48. Ngāti Maniapoto believes that their existing interests in the exclusive economic zone and extended continental shelf includes, but is not limited to:
- 1.48.1. their commercial fishing rights and interests;
 - 1.48.2. their cultural relationship with the marine environment;
 - 1.48.3. ensuring mātauranga and Ngāti Maniapoto values are recognised and provided for in the management of the marine environment;
 - 1.48.4. their role as rangatira and kaitiaki of the marine environment and the ability to exercise kaitiakitanga and rangatiratanga to:
 - (a) protect, look after and develop the marine environment, and enhance the mauri and wairua of marine resources and cultural heritage for future generations;
 - (b) restore and protect marine ecosystems, taonga species and their habitats and migration routes;
 - (c) restore and protect water quality;
 - (d) protect, restore, manage and develop commercial and customary fisheries, traditional mahinga kai areas and kaimoana stocks in a manner consistent with Ngāti Maniapoto tikanga, kawa and mātauranga;
 - (e) exercise customary uses and practices associated with fishing, collecting kaimoana and utilising marine resources and utilise tikanga based customary fisheries management tools; and
 - (f) achieve objectives and aspirations for customary fisheries management of Ngāti Maniapoto as set out from time-to-time in any customary fisheries management plan.

Map 8. Crown acknowledgement of Maniapoto interests in the EEZ deed plan



Attachment 6: Excerpt from JMA between Te Nehenehenui and local authorities regarding provision of resource consent information

SCHEDULE SIX

RMA RESOURCE CONSENT PROCESSES

1. This part applies to the resource consent process as referred to in:
 - (a) section 23 of the Ngā Wai o Maniapoto (Waipā River) Act 2012; and
 - (b) section 141 of the Maniapoto Claims Settlement Act 2022.
2. This schedule may be reviewed and amended by agreement in the manner set out in clauses 45 to 47 of the agreement.
3. In exercising functions referred to in this schedule, where relevant to the exercise of a council's functions, each council will specifically consider:
 - (a) the Treaty settlement legislation and deeds;
 - (b) Te Ture Whaimana;
 - (c) this agreement;
 - (d) the Maniapoto environmental management plan;
 - (e) the Te Nehenehenui engagement strategy; and
 - (f) other documents notified to the council by Te Nehenehenui from time-to-time.
4. Each council will provide Te Nehenehenui with a summary of applications for resource consents received by the council.
5. The information provided under clause 4 will be:
 - (a) the same as would be given to affected persons through limited notification under section 95B of the RMA or as the council and Te Nehenehenui otherwise agree; and
 - (b) provided as soon as reasonably practicable after the application is received and before a determination is made under sections 95A to 95C of the RMA.
6. Te Nehenehenui and the councils agree to the following criteria to assist applicants and councils in the resource consent processes:
 - (a) Te Nehenehenui and each council will continue to discuss and refine best practice for pre-application processes;
 - (b) a cultural impact or similar assessment may be required depending on the nature of the application and site, and that requirement will be discussed with Te Nehenehenui on a case-by-case basis;

Attachment 7: Excerpts from Maniapoto conservation relationship agreement regarding statutory authorisations and consultation

DOCUMENTS

6.4: RELATIONSHIP AGREEMENT WITH THE MINISTER OF CONSERVATION AND THE DIRECTOR-GENERAL OF CONSERVATION

9. STATUTORY AUTHORISATIONS (EXCLUDING CONCESSIONS)

- 9.1 The strategic objectives for the relationship will guide the parties to determine appropriate engagement on statutory authorisations within the Relationship Area.
- 9.2 At the first annual meeting of the Parties, Te Nehenehenui may provide the Department with an initial list which identifies the category of statutory authorisations that may impact the cultural, traditional and historic values of Maniapoto, and which Te Nehenehenui wish to be engaged on. As an example, Te Nehenehenui are interested in any authorisations that are granted for access, collection or use of cultural materials within the Relationship Area and will seek opportunities to engage with the Department and other parties to encourage the access, collection and use of cultural materials in a manner that is consistent with Maniapoto tikanga.
- 9.3 These categories will be reviewed by the parties on a continuing basis.
- 9.4 For these categories of statutory authorisations, the Department will:
- (a) advise and encourage all prospective applicants within the Relationship Area to consult with Te Nehenehenui before filing their application in order to address cultural issues arising as a result of the application; and
 - (b) act reasonably to address any concerns or issues raised by Te Nehenehenui; and
 - (c) consult with Te Nehenehenui at an early stage on such categories of statutory authorisations or renewal of statutory authorisations within the Relationship Area.
- 9.5 As the Department works within time limits to process statutory authorisation applications, at the earliest opportunity it will notify Te Nehenehenui (as part of the meetings referred to in paragraph 4.2) of the timeframes for providing advice on impacts on the cultural, spiritual and historic values of Maniapoto.
- 9.6 When issuing or renewing statutory authorisations that give authority for other parties to manage land administered by the Department, the Department will:
- (a) require the third parties to manage the land according to the standards of conservation best practice; and
 - (b) encourage third parties to consult with Te Nehenehenui before using cultural information of Maniapoto.

4. COMMUNICATION AND CONSULTATION

- 4.1 The Parties will maintain effective and efficient communication with each other on an ongoing basis by:
- (d) meeting on issues of shared interest that relate to the Relationship Area:
 - i. in accordance with the commitments in this Agreement; and
 - ii. as agreed by Te Nehenehenui and the Department; and
 - (e) advising each other of any matters of significance to Maniapoto that relate to the Relationship Area and this Agreement.
- 4.2 The basic principles that will be followed in consulting with Te Nehenehenui in each case are:
- (a) ensuring that Te Nehenehenui are consulted as soon as practicable;
 - (b) providing Te Nehenehenui with sufficient information to make informed submissions;
 - (c) ensuring that sufficient time is given for the participation of Te Nehenehenui in the decision-making process;
 - (d) ensuring that the Department will approach the consultation with Te Nehenehenui with an open mind, and will genuinely consider any views and/or concerns that Te Nehenehenui may have;
 - (e) reporting back to Te Nehenehenui, either in writing or in person, in regard to any decisions made; and
 - (f) identifying, consistent with the provisions of this Agreement (e.g. 9.1-9.3), matters on which consultation is not required.