



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

Project Name: FTAA-2602-1169 Drury Managed Fill

To:	Date:
Hon Chris Bishop, Minister for Infrastructure	1 May 2026

Number of attachments: 7	Attachments: <ol style="list-style-type: none">1. Provisions of section 18 of the Fast-track Approvals Act 20242. Project location map3. List of relevant Māori groups4. Statutory acknowledgement for Otūwairoa Stream and its tributaries5. Statement of association for Otūwairoa Stream and its tributaries from Ngāti Tamaoho deed of settlement6. Comments received from invited Māori groups7. Comments received from the Minister for Māori Development and Minister for Māori Crown Relations: Te Arawhiti
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Ministry for the Environment contacts:

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Key points

1. The Ministry for the Environment (on behalf of the Secretary for the Environment) has prepared this report on Treaty settlements and other obligations under section 18 of the Fast-track Approvals Act 2024 (the Act), in relation to the FTAA-2602-1169 Drury Managed Fill referral application.
2. The applicant, Scarbro Environmental Limited, proposes to establish and operate a managed fill facility (total size of 790,000m³) at 362 Jones Road, Hunua, South Auckland, with a filling period of five to ten years. The project area is not located in or adjacent to the marine and coastal area and does not include any identified Māori land. The applicant has

a sale and purchase agreement with the relevant landowners that is conditional upon the necessary consents for the managed fill being obtained.

3. The applicant is seeking a range of resource consents under the Act that would otherwise be sought under the Resource Management Act 1991 (RMA). No other approvals are being sought.
4. Section 18(2) of the Act requires that this report provide a list of relevant Māori groups, including relevant iwi authorities and Treaty settlement entities. Auckland has a complex Treaty settlement landscape with many overlapping interests. There are groups in the post-settlement phase with others at different stages of the Treaty settlement process, including some groups seeking both individual and collective settlement redress. We have provided a summary of the relevant Māori groups identified under section 18(2) at **Attachment 3**.
5. Treaty settlements relevant to the project area include settlement Acts and a signed deed of settlement (where settlement legislation has yet to be passed). We have identified Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014, Ngāi Tai ki Tāmaki Claims Settlement Act 2018, Ngāti Tamaoho Claims Settlement Act 2018, Ngāti Pāoa Claims Settlement Act 2025; and Te Ākitai Waiohua deed of settlement (signed in 2021) as the relevant Treaty settlements for this application.
6. The Ngāti Tamaoho Claims Settlement Act 2018 provides for a statutory acknowledgement over the Otūwairoa Stream and its tributaries. The project area is located within the catchment of the Otūwairoa stream. Under the RMA and the settlement legislation, a consent authority must have regard to a statutory acknowledgement when deciding whether an iwi is an 'affected person' for the purposes of notification decisions and must provide a summary of any consent applications relevant to the statutory area to a statutory acknowledgement holder.
7. We consider the process of inviting comment (including providing information about the application) from Ngāti Tamaoho Settlement Trust is comparable to the process under the RMA and Treaty settlements where local authorities are required to have regard to statutory acknowledgements when considering who is an affected person for a consent application.
8. In response to the invitation for Māori groups to comment under section 17(1)(d) of the Act, you received comments on the application from Ngāti Tamaoho Settlement Trust. Ngāti Tamaoho Settlement Trust voiced expectations in relation to stock exclusion fencing and riparian planting, managing road runoff/culvert discharges, erosion and sediment controls, stormwater and sediment treatment, and Ngāti Tamaoho involvement in the project.
9. The Minister for Māori Development and the Minister for Māori Crown Relations support referral of the application and encourage the applicant to consider ongoing engagement with the relevant Māori rōpū identified in Attachment 3 of this report.
10. We do not consider there are any matters raised in this report which make it more appropriate for the proposed approvals to be authorised under another Act or Acts.

Signature



Ben Bunting
Acting Manager – Fast-track Operations

Introduction

11. Under section 18 of the Act, you must obtain and consider a report on Treaty settlements and other obligations for each referral application, prepared by the responsible agency (Secretary for the Environment).
12. The information which must be provided in this report includes:
 - a. relevant iwi authorities, Treaty settlement entities, applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011 (MACA), and other Māori groups with interests in the project area;
 - b. relevant principles and provisions in Treaty settlements and other arrangements;
 - c. a summary of comments and further information received from invited Māori groups; and
 - d. advice on whether it may be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts.
13. This report is structured accordingly. We have provided a list of the relevant provisions of section 18 at **Attachment 1**.

Proposed project

14. The applicant, Scarbro Environmental Limited, proposes to establish and operate a managed fill facility at 362 Jones Road, in the rural locality of Hunua, approximately seven kilometres east from the rural urban boundary of Papakura in South Auckland. The proposed managed fill activity will comprise two separate areas of nine hectares and two hectares on the northern and southern sides of the site respectively, with corresponding estimated fill volumes of 720,000m³ and 70,000m³, giving a total fill volume of 790,000m³. Filling of the northern area (720,000m³) will be undertaken over five separate stages. The southern area (70,000m³) will be filled in a single stage. Overall, filling within the project area will take place over a period of up to 5-10 years, with a consent duration of 10 years sought.
15. The applicant is seeking resource consents under the Act that would otherwise be sought under the RMA, which may include construction and operation of a managed fill facility, earthworks, land disturbance, vegetation removal within 10 metres of natural inland wetland, diversion and placement of fill over existing overland flow paths, drilling a new

groundwater bore, discharge contaminants from a managed fill facility, and other matters. No approvals are being sought under other Acts as part of the application.

16. The application information indicates that Scarbro Environmental Limited has a conditional sale and purchase agreement with the current owners of the land (L.R, T.B and W.J Patrick, and L.R Monk) on which the project is proposed. If the necessary consents for the development are obtained the agreement will go unconditional and be settled so that the applicant can commence the work to establish the managed fill site. No identified Māori land is involved.
17. We have provided location maps at **Attachment 2**.

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

18. We note that some entities identified below may be included in more than one category. We have included a composite list of all groups at **Attachment 3**.

Iwi authorities

19. 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.

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

- a. Ngāi Tai ki Tāmaki Trust, representing Ngāi Tai ki Tāmaki;
- b. Te Ākitai Waiohua Waka Taua Inc, representing Te Ākitai Waiohua;
- c. Ngāti Tamaoho Settlement Trust, representing Ngāti Tamaoho;
- d. Ngāti Pāoa Iwi Trust, representing Ngāti Pāoa;
- e. Ngāti Maru Rūnanga Trust, representing Ngāti Maru (Hauraki);
- f. Ngāti Tamaterā Treaty Settlement Trust, representing Ngāti Tamaterā;
- g. Ngaati Whanaunga Incorporated Society, representing Ngaati Whanaunga;
- h. Ngāti Te Ata Claims Support Whānau Trust, representing Ngāti Te Ata;
- i. Hako Tūpuna Trust, representing Ngāti Hako; and
- j. Te Whakakitenga o Waikato Incorporated, representing Waikato-Tainui.

Treaty settlement entities

21. 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).

22. 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).

23. In keeping with the procedural principles outlined at section 10 of the Act, we only identify those PSGEs which are specified in the relevant Treaty settlement Act or Treaty settlement deed.¹

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

a. Tūpuna Taonga o Tāmaki Makaurau Trust / Whenua Haumi Roroa o Tāmaki Makaurau Limited Partnership, PSGEs for Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014.

b. Ngāi Tai ki Tāmaki Trust, PSGE for the Ngāi Tai ki Tāmaki Claims Settlement Act 2018;

c. Ngāti Tamaoho Settlement Trust, PSGE for the Ngāti Tamaoho Claims Settlement Act 2018; and

d. Ngāti Pāoa Iwi Trust, PSGE for the Ngāti Pāoa Claims Settlement Act 2025.

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

a. Hako Tūpuna Trust, representing Ngāti Hako, deed recording on-account arrangements signed 30 October 2014, agreement in principle signed 22 July 2011;

b. Ngāti Maru Rūnanga Trust, representing Ngāti Maru (Hauraki), deed recording on-account arrangements 30 October 2014, deed of settlement initialled 8 September 2017;

c. Ngāti Tamaterā Treaty Settlement Trust, representing Ngāti Tamaterā, deed recording on-account arrangements signed 30 October 2014, deed of settlement initialled 20 September 2017;

d. Ngaati Whanaunga Ruunanga Trust, representing Ngaati Whanaunga, deed recording on-account arrangements signed 17 September 2020, deed of settlement initialled 25 August 2017;

¹ Should a panel be made aware of a Treaty settlement entity established after the Treaty settlement Act is enacted (e.g. on the advice of a PSGE), then there would appear to be nothing to prevent the panel from inviting that entity to comment on the application under section 53(2)(c) of the Act.

- e. Taonga o Marutūāhu Trustee Limited/Marutūāhu Rōpū Limited Partnership, representing the Marutūāhu Collective, deed of settlement initialled 27 July 2018;
- f. Te Ākitai Waiohua Settlement Trust, representing Te Ākitai Waiohua, deed of settlement signed 2 December 2021; and
- g. Te Whakakitenga o Waikato Incorporated, representing Waikato-Tainui (remaining claims).

Groups mandated to negotiate Treaty settlements

26. In addition to the PSGEs identified at paragraph 25, the following groups have recognised mandates to negotiate a Treaty settlement over an area which may include the project area and are in the early stages of negotiating their Treaty settlements with the Crown:
- a. Ngāti Te Ata Claims Support Whānau Trust, representing Ngāti Te Ata, Terms of Negotiation signed 29 June 2011; and
 - b. Ngāti Koheriki Claims Committee, representing Ngāti Koheriki, Crown Recognition of Mandate 26 June 2013;

Takutai Moana groups and ngā hapū o Ngāti Porou

27. The project area does not include the common marine and coastal area, and accordingly there are no relevant applicant groups under MACA, and no court orders or agreements that recognise protected customary rights or customary marine title within the project area.
28. The project area is not within ngā rohe moana o ngā hapū o Ngāti Porou (as set out in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019).

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

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

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

30. 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.
31. This project does not involve an activity described in section 23(1) (i.e. including both (a) and (b)) of the Act.

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

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

Any other Māori groups with relevant interests

34. In addition to the groups above, we have also identified Te Ahiwaru Trust and Hauraki Māori Trust Board as other Māori groups which may have relevant interests.

Relevant principles and provisions in Treaty settlements and other arrangements

Treaty settlements

35. 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.
36. The following Treaty settlements relate to land, species of plants or animals, or other resources within the project area:
- a. Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014;
 - b. Ngāi Tai ki Tāmaki Claims Settlement Act 2018;
 - c. Ngāti Tamaoho Claims Settlement Act 2018;
 - d. Ngāti Pāoa Claims Settlement Act 2025; and
 - e. Te Ākitai Waiohua deed of settlement signed 2 December 2021.

Relevant principles and provisions

37. 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

38. The Crown offers acknowledgements and an apology to relevant groups as part of Treaty settlement redress to atone for historical wrongs that breached te Tiriti o Waitangi/the Treaty of Waitangi, to restore honour, and begin the process of healing.

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

Statutory acknowledgement

40. Statutory acknowledgements are an acknowledgement by the Crown of a 'statement of association' between the iwi and an identified area (the 'statutory area'). The Ngāti Tamaoho Claims Settlement Act 2018 includes a statutory acknowledgement over the Otūwairoa Stream and its tributaries. The project area lies entirely within the Otūwairoa Stream catchment. We have included a map at **Attachment 4** showing the location of the project area in relation to the Otūwairoa Stream statutory area. We have also included a statement of association regarding Otūwairoa Stream from the Ngāti Tamaoho deed of settlement at **Attachment 5**.
41. The proposed managed fill facility is situated within the upper catchment of Otūwairoa Stream. All site runoff, groundwater and stormwater systems in the project area would drain to a tributary of the Waipokapū Stream (also known as Hay's Stream), which in turn discharges to the Otūwairoa Stream, and ultimately the Manukau Harbour.
42. The application information indicates that the project area includes flood prone areas, overland flow paths, streams and intermittent streams, and part of the site is a wetland and part is an extension of a Significant Ecological Feature. We note that the applicant is seeking resource consent for discharge of contaminants and interference with overland flow paths. We also note that the tributary draining the project area flows into the Hay's Creek Dam, which is a municipal water supply reservoir on Waipokapū Stream.
43. Should you accept the application for referral, a panel considering a substantive application will need to contemplate how the proposed activities might potentially affect the project area and downstream catchment in relation to the statutory acknowledgement.
44. 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.²
45. The holder of a statutory acknowledgment may also cite this as evidence of their association with a statutory area in any submission before a relevant consent authority (or the EPA, board of inquiry, Environment Court, Heritage New Zealand Pouhere Taonga), who may, in turn, take that statutory acknowledgement into account.

² In addition to consent authorities, the Environment Court and Heritage New Zealand Pouhere Taonga must also have regard to statutory acknowledgements in relation to some of their processes.

46. 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. You have already invited Ngāti Tamaoho Settlement Trust, as the relevant Treaty settlement entity, to comment on the application. Should you accept this referral application, this group will also be invited to comment by the panel on any substantive application for this project under section 53(2)(c) of the Act.
47. Ultimately, 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

48. As noted above, the project area is not within a customary marine title area, protected customary rights area, or within or adjacent to ngā rohe moana o ngā hapū o Ngāti Porou.

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

49. As noted above, the project area does not include a taiāpure-local fishery, mātaitai reserve, or area subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996.

Mana Whakahono ā Rohe/Joint management agreement

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

Summary of comments received and advice

Comments from invited Māori groups

51. Pursuant to section 17(1)(d) of the Act, on 6 March 2026 you invited written comments from the Māori groups identified above in paragraphs 20 to 34, from a list we previously provided you. These groups were provided with access to the application material and had 20 working days from receipt of the copy of the application to respond.
52. You received comments on the application from Ngāti Tamaoho Settlement Trust, which can be summarised as follows:
- a. Ngāti Tamaoho Settlement Trust expectations of the project are that:
 - i. all waterways and wetland areas within the site should be protected through comprehensive stock exclusion and riparian restoration measures including the option of three-wire 'hotwire' fencing.
 - ii. riparian margins should be planted with appropriate indigenous species to stabilise banks, intercept sediment, and improve water quality over time.
 - iii. discharges from road runoff and culverts should be managed conservatively with a high margin of safety to reduce potential for concentrated flows to mobilise sediment and erode receiving areas, especially during heavy rainfall events and during periods where upstream earthworks are active.

- iv. rock riprap, or an equivalent energy dissipation and filtration treatment, should be installed so that all road runoff passes over the treatment prior to entering any waterway or wetland.
- v. super silt fencing should be installed and maintained wherever necessary to prevent sediment-laden runoff from entering any waterways onsite.
- vi. commitments relating to stock exclusion fencing and riparian planting, energy dissipation and filtration at culvert discharges, and high-performance erosion and sediment controls should translate into enforceable, time-bound requirements that apply from the earliest practicable stages of works. These works should be adaptive to changing site conditions, properly maintained, and routinely audited to ensure they remain fit-for-purpose.
- vii. any flocculants used for site stormwater and sediment treatment should be organic, ensure treatment performance is reliable during variable flow conditions and rainfall events, and provide certainty regarding downstream effects.
- viii. Ngāti Tamaoho input into the project should be integrated early and be reflected in decision-making, design choices and on-the-ground delivery so that solutions are co-designed and embedded as minimum deliverables.
- ix. the applicant will have an ongoing commitment to monitoring, site maintenance, replacement planting (where needed), continual improvement, a process for addressing unforeseen effects, and an enduring partnership with Ngāti Tamaoho guided by kaitiakitanga and tikanga.

Consultation with departments and Ministers

53. In preparing this report, we are required to:

- a. consult relevant departments; and
- b. provide a draft of the report to the Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti (for response within 10 working days).

54. We sought advice from Te Puni Kōkiri and the Office of Treaty Settlements and Takutai Moana – Te Tari Whakatau regarding the relevant Māori groups, and have incorporated their views into this report.

55. The Minister for Māori Development and the Minister for Māori Crown Relations support referral of the application and encourage the applicant to consider ongoing engagement with the relevant Māori rōpū identified in Attachment 3 of this report.

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

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

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

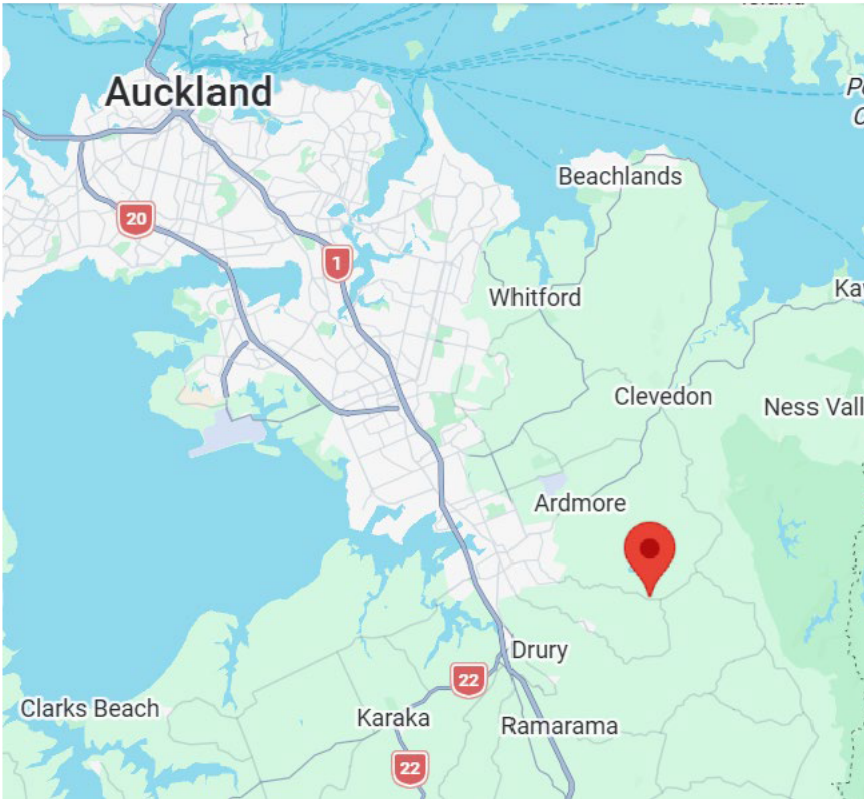
Attachment 1: Provisions of section 18 of the Fast-track Approvals Act 2024

Section	Information required	Paragraph reference in this report
18(1)	The Minister must, for a referral application, obtain and consider a report that is prepared by the responsible agency in accordance with this section.	11, 12
18(2)(a)	Any relevant iwi authorities and relevant Treaty settlement entities	20
18(2)(b)	Any Treaty settlements that relate to land, species of plants or animals, or other resources within the project area	36
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	37-47
18(2)(d)	Any recognised negotiation mandates for, or current negotiations for, Treaty settlements that relate to the project area.	26
18(2)(e)	Any court orders or agreements that recognise protected customary rights or customary marine title within the project area.	27, 48
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, 48
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).	28, 48
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).	29, 49
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).	31
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. 	33, 50

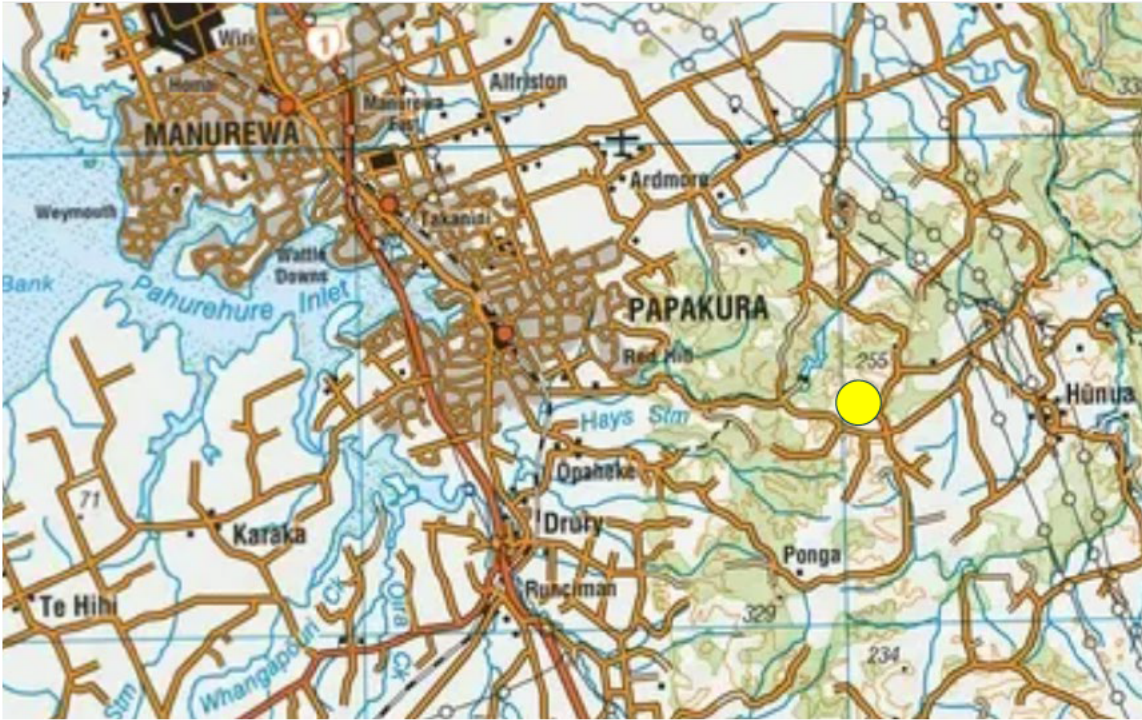
	(ii) The relevant principles and provisions in those Mana Whakahono ā Rohe and joint management agreements.	
18(2)(k)	Any other Māori groups with relevant interests.	34
18(2)(l)	A summary of— (i) comments received by the Minister after inviting comments from Māori groups under section 17(1)(d) and (e); (ii) any further information received by the Minister from those groups	52
18(2)(m)	The responsible agency's advice on whether, due to any of the matters identified in this section, it may be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts.	57
18(3)	In preparing the report required by this section, the responsible agency must— (a) consult relevant departments; and (b) provide a draft of the report to the Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti.	53, 54
18(4)	Those Ministers must respond to the responsible agency within 10 working days after receiving the draft report	53

Attachment 2: Project location maps

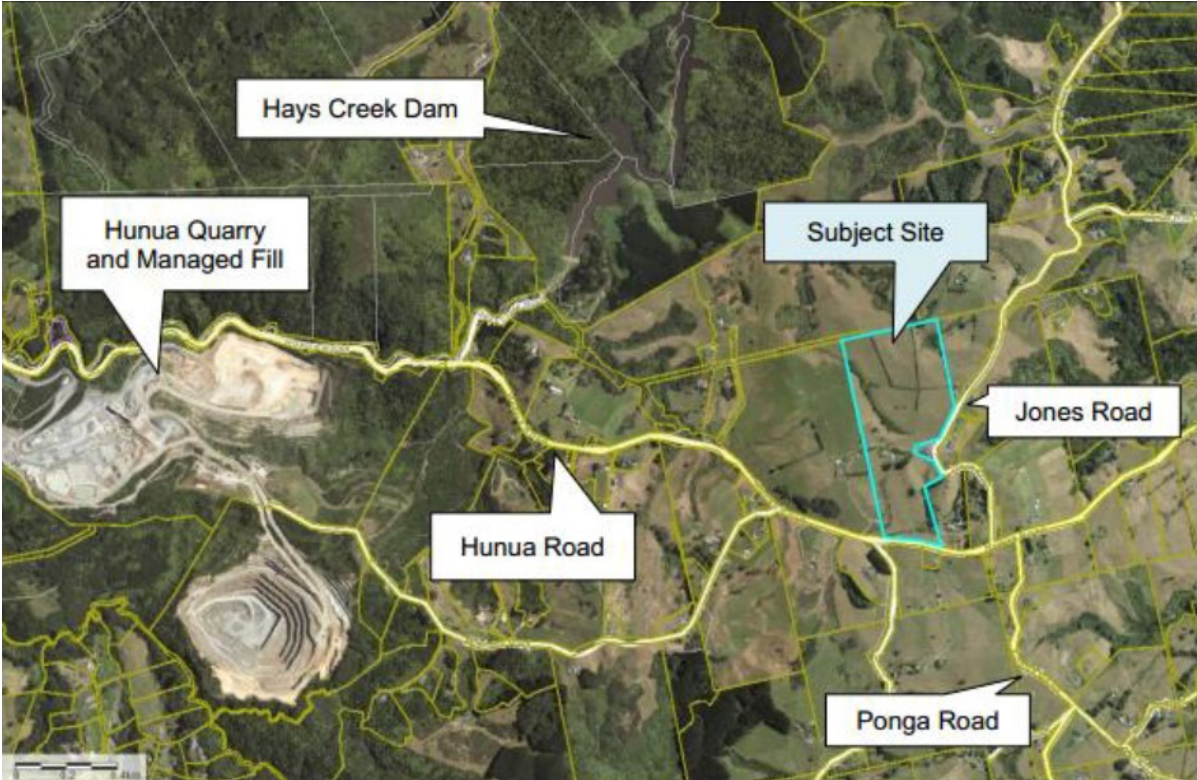
Map 1. Location of proposed Drury Managed Fill at Hunua, South Auckland.



Map 2. Local area – location of proposed Drury Managed Fill shown by yellow circle below



Map 3. Location of proposed Drury Managed Fill at 362 Jones Road, Hunua.



Map 4. Footprint of proposed Drury Managed Fill.

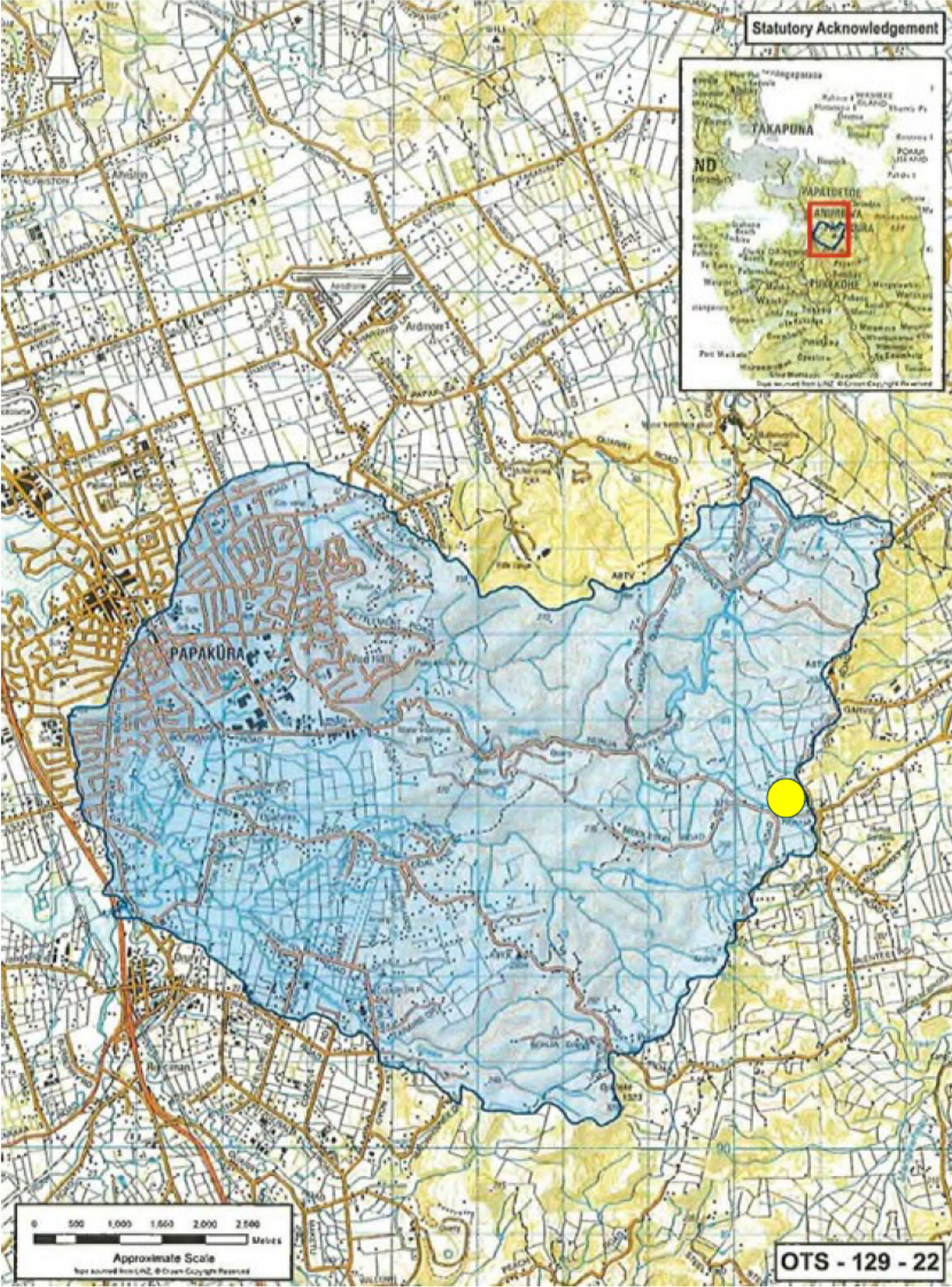


Attachment 3: List of relevant Māori groups

Name of group	Type of group (section of Act)
Ngāi Tai ki Tāmaki Trust	iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a) – Ngāi Tai ki Tāmaki Claims Settlement Act 2018)
Te Ākitai Waiohua Waka Taua Inc	iwi authority (s18(2)(a))
Ngāti Tamaoho Settlement Trust	iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a) – Ngāti Tamaoho Claims Settlement Act 2018)
Ngāti Pāoa Iwi Trust	iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a) – Ngāti Pāoa Claims Settlement Act 2025)
Ngāti Maru Rūnanga Trust	iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a)), mandated entity (s18(2)(d))
Ngāti Tamaterā Settlement Trust	iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a)), mandated entity (s18(2)(d))
Ngaati Whanaunga Incorporated Society	iwi authority (s18(2)(a))
Ngāti Te Ata Claims Support Whānau Trust	iwi authority (s18(2)(a)), mandated entity (s18(2)(d))
Te Ākitai Waiohua Settlement Trust	Treaty settlement entity (s18(2)(a)), mandated entity (s18(2)(d))
Hako Tūpuna Trust	Treaty settlement entity (s18(2)(a)), mandated entity (s18(2)(d))
Taonga o Marutūāhu Trustee Limited/ Marutūāhu Rōpū Limited Partnership	Treaty settlement entity (s18(2)(a)), mandated entity (s18(2)(d))
Ngaati Whanaunga Ruunanga Trust	Treaty settlement entity (s18(2)(a)), mandated entity (s18(2)(d))
Ngāti Koheriki Claims Committee	Mandated entity (s18(2)(d))
Tūpuna Taonga o Tāmaki Makaurau Trust/ Whenua Haumi Roroa o Tāmaki Makaurau Limited Partnership	Treaty settlement entity (s18(2)(a)), other Māori group with relevant interests (s18(2)(k))
Te Whakakitenga o Waikato Incorporated	Treaty settlement entity (s18(2)(a)), mandated entity (s18(2)(d)), other Māori groups with relevant interests (s18(2)(k))
Hauraki Māori Trust Board	other Māori group with relevant interests (s18(2)(k))
Te Ahiwaru Trust	other Māori group with relevant interests (s18(2)(k))

Attachment 4: Statutory acknowledgement for Otūwairoa Stream and its tributaries

Map 6. Location of proposed Drury Managed Fill (shown by yellow circle) within the statutory acknowledgement over the Otūwairoa Stream and its tributaries (blue shading).



Webpage link: [Ngāti Tamaoho Deed of Settlement Schedule - Attachments](#)

Attachment 5: Statement of association for Otūwairoa Stream and its tributaries from Ngāti Tamaoho deed of settlement

Otūwairoa Stream and its tributaries (includes Waipokapū Stream, Mangapū Stream and Waihoehoe Stream) (as shown on deed plan OTS-129-22)

Otuwairoa (Slippery Creek) is particularly important to Ngāti Tamaoho because of its traditional use and its location. The stream is a confluence of many other important awa of the area including the Waipokapū (Hays Stream) and the Mangapū (Symonds Stream) carrying the mauri of these streams before it drains into Te Manukanuka o Hoturoa (Manukau Harbour).

The outlet of the Outwairoa is also significant because of the Opaheke kainga site along its northern bank.

Waipokapū Awa (Hays Stream)

Waipokapū (Hays Stream) includes the waterways of Otūwairoa (Slippery Creek), Mangapū (Symonds Stream) and Waihoehoe (Waihoi Stream). Waipokapū is particularly important to Ngāti Tamaoho because the waterway flows west from the lower Hunua Ranges toward the Manukau Harbour, recalling the connection between these two important Ngati Tamaoho places.

The stream flows from a small catchment at the top of what is today known as Hay's Creek Road. From here it flows westward toward Papakura. It passes just below the ancient Ngāti Tamaoho pā of Pukekiwiriki and so is intimately tied to the tapu of this revered site. From there it flows south to join Otuwairoa (Slippery Creek) before meeting Te Manukanuka O Hoturoa (Manukau Harbour) by the site of the Opāheke kāinga.

Traditional evidence recalls that the rivers in this area were navigable for several miles inland. Stories tell of waka from the Manukau making their way up streams to very near the base of Pukekiwiriki.

Webpage link: [Ngāti Tamaoho Deed of Settlement Schedule - Documents](#)

Attachment 6: Comments received from invited Māori groups

Ngāti Tamaoho Settlement Trust



9 April 2026

Ministry for the Environment
Attention: Rebecca Burton

referral@fasttrack.govt.nz

Comments on the application for referral of the Drury Managed Fill project under the Fast-track Approvals Act 2024

Ko Te Mānukanuka o Hoturoa te moana
Ko Tainui te waka
Ko Mangatangi, Whātāpaka me Ngā Hau e Whā ngā marae

Introduction

1. These comments have been prepared by the Ngāti Tamaoho Settlement Trust. As the post-settlement governance entity for Ngāti Tamaoho, the Settlement Trust was established to advocate for the rights and interests of Ngāti Tamaoho. We welcome the opportunity to make comments on the application for referral of the Drury Managed Fill project (the Project). The application is by Scarbro Environmental Limited (the Applicant).

Background to Ngāti Tamaoho

2. Ngāti Tamaoho descend from the first peoples of Tāmaki Makaurau. And, since the arrival of our tūpuna – the earliest inhabitants of this land who formed groups, including Te Tini o Toi, Ngā Oho, Ngā Iwi, Ngā Ririki – we have exercised rangatiratanga across our takiwā. Our tūpuna also included members of the Tainui waka, including Taiehu, Poutūteka and Rakataura. We are the descendants of the union of these great peoples, brought together under the leadership of our eponymous tupuna, Tamaoho. And the whenua, including Te Mānukanuka o Hoturoa (Manukau Harbour), Āwhitu and Te Pūaha o Waikato, is our takiwā.

3. As we have previously acknowledged with the Applicant, Ngāti Tamaoho's relationship with the wider landscape is longstanding and enduring. In this context, Te Hūnua/Kohukohunui and the Hunua Awa, within which the Project site is located, are part of an interconnected cultural landscape central to Ngāti Tamaoho's heritage, identity and future, and containing a wide range of sites of significance. Each site is important in its own right, but their true significance can only be properly understood when the area is considered as a whole. The mauri that flows through these places also flows through Ngāti Tamaoho.

Comments

4. As mana whenua with longstanding cultural, historical, and spiritual connections to Drury and its surrounding area, we approach our engagement with the Project through a commitment to ensuring that development occurs in a manner that protects the mauri of te taiao and the relationship of our iwi with te taiao.
5. We anticipate that the Project, if placed on to the fast-track and subsequently approved, will interact with streams and wetlands. Our interests in the Project centre on three matters:
 - 5.1. Stock exclusion fencing and riparian planting;
 - 5.2. Road runoff/culvert discharge;
 - 5.3. Erosion, sediment and discharge controls;
 - 5.4. Flocculation.

Stock exclusion fencing and riparian planting

6. We expect that all waterways and wetland areas within the site are protected through comprehensive stock exclusion and riparian restoration measures. This includes fencing that is fit-for-purpose for the grazing regime on site and capable of reliably excluding stock from waterbodies and associated margins in all seasons. Where cattle grazing occurs, this should include the option of a three-wire hotwire arrangement (or equivalent specification) to ensure stock exclusion is effective and durable. In addition, we expect that riparian margins are planted with appropriate indigenous species that are eco-sourced and selected to reflect the local receiving environment, with planting designed not merely as amenity landscaping but as a functional mitigation measure to stabilise banks, intercept sediment, and improve water quality over time.
7. We note that the application documentation signals fencing and planting outcomes around streams and wetlands as part of the proposal's mitigation approach. However, we take interest in the way these measures are currently described risks leaving key

elements to later discretion, later design, or later staging decisions. In a managed fill context – particularly one progressed through a fast-track pathway – we consider it essential that mitigation commitments are not framed as aspirational intentions. Instead, they should be secured through clear, enforceable and time-bound conditions that establish minimum deliverables, define standards, and ensure early implementation where practicable. This is particularly important because the effectiveness of riparian mitigation is strongly influenced by timing: fencing and planting delivered early can prevent ongoing degradation and provide ongoing treatment benefits, whereas late delivery (for example only ‘at completion’) can undermine the purpose of the mitigation and transfer risk to the receiving environment during the period of highest disturbance.

Road runoff/culvert discharge

8. As we know, there is a road culvert off Jones Road that discharges into an adjacent paddock and then enters a waterway via a spring/puna. This pathway creates a direct route for road runoff – including sediment, fine particulates, hydrocarbons, and other contaminants typically associated with roadway environments – to reach sensitive receiving environments without adequate energy dissipation or treatment.
9. From a *kaitiakitanga* perspective, the presence of a spring/puna also elevates the cultural and ecological sensitivity of this discharge pathway, and therefore increases the expectation that discharges are managed conservatively and with a high margin of safety. Our concern is not simply the presence of the culvert itself, but the potential for concentrated flows to mobilise sediment and erode receiving areas, especially during heavy rainfall events and during periods where upstream earthworks are active.
10. Ngāti Tamaoho therefore expect that rock riprap, or an equivalent energy dissipation and filtration treatment, is installed so that all road runoff passes over the treatment prior to entering any waterway or wetland. This treatment must be designed to reduce flow velocity, prevent scouring, promote sediment deposition and filtration, and be robust under high-flow conditions.
11. Where an alternative to riprap is proposed, we expect equivalence to be demonstrated through design specifications, performance criteria, and a clear maintenance regime. The purpose is to ensure that the treatment is not merely nominal, but effective in practice across the full range of expected rainfall and operational scenarios.

Erosion, sediment and discharge controls

12. We expect that super silt fencing is installed and maintained wherever necessary to prevent sediment-laden runoff from entering any waterways onsite. The Trust recognises that the application proposes a suite of erosion and sediment control

measures; however, given the staged nature, duration, and operational complexity of a managed fill activity, we consider it essential that sediment controls are not treated as static, 'set and forget' measures. Instead, controls must be adaptive to changing site conditions, properly maintained, and routinely audited to ensure they remain fit-for-purpose. Managed fill operations can involve repeated disturbance, re-shaping, haul routes, and progressive staging, all of which can alter catchments and flow paths over time. Without strong adaptive management requirements, the likelihood of sediment escape increases, particularly during high rainfall periods and at stage transitions.

13. The benchmark for sediment control is not whether controls are nominally installed, but whether they consistently achieve the outcome of protecting waterways and wetlands from sediment impacts. This requires clear standards for installation, maintenance, and performance, and it requires an accountability framework that identifies when controls must be upgraded, repaired, or supplemented. It also requires transparent reporting, so that both regulators and mana whenua can have confidence that controls are functioning and that any failures are promptly identified and addressed. In fast-track contexts, where timeframes are compressed and reliance on conditions is heightened, the Trust considers that robust certification and independent verification are particularly important to ensure implementation matches intent.

Flocculation

14. If flocculation is proposed or becomes necessary as part of site stormwater and sediment treatment, Ngāti Tamaoho expects that any flocculant used is organic. Our expectation reflects both environmental precaution and cultural considerations regarding the receiving environment, particularly where discharges may interact with wetlands, waterways, and spring/puna systems. In addition to the type of flocculant, Ngāti Tamaoho considers it important that flocculation, if used, is implemented with clear controls, appropriate operator competence, and a contingency approach to ensure treatment performance is reliable during variable flow conditions and rainfall events.
15. Ngāti Tamaoho is concerned that, without clear condition boundaries, flocculant selection and use can become a late-stage operational decision. That approach risks introducing products that are not aligned with mana whenua expectations, or that carry uncertainty regarding downstream effects. Therefore, if flocculation is part of the proposed toolbox (whether routinely or as an "if required" option), the Trust expects that conditions clearly specify permissible products and require evidence-based approval before use. This ensures transparency, reduces ambiguity, and supports consistent compliance and enforcement.

Expectations for how Ngāti Tamaoho's views should inform the project

16. Our views should inform the Project in a manner that goes beyond consultation and is demonstrably reflected in decision-making, design choices, and on-the-ground delivery. This expectation is grounded in kaitiakitanga and in the requirement for genuine partnership, respect for cultural values, and recognition of Ngāti Tamaoho's relationship with the receiving environment. In practice, this means the Trust's input should be integrated early, transparently, and constructively so that solutions are co-designed and embedded as minimum deliverables, rather than treated as optional enhancements or deferred matters.
17. Our views on waterway and wetland protection, runoff treatment, and sediment management must directly shape the plans and conditions that govern the Project. In particular, we expect that commitments relating to stock exclusion fencing and riparian planting, energy dissipation and filtration at culvert discharges, and high-performance erosion and sediment controls are translated into enforceable, time-bound requirements that apply from the earliest practicable stages of works. These protections must be expressed through robust management plans and design standards, supported by clear performance targets, monitoring regimes, and transparent reporting. Our position is that 'minimum compliance' approaches are not adequate in sensitive receiving environments; instead, best-practice standards, adaptive management, and real-time responsiveness must be built into the Project's core delivery framework.
18. We also expect meaningful involvement in oversight arrangements, including cultural monitoring/site presence at key stages and an iwi-centred accidental discovery protocol that is operationally effective. This is a practical safeguard to ensure tikanga-consistent processes are followed, that risks are identified early, and that agreed standards are upheld during periods of highest potential impact (such as initial establishment, bulk earthworks staging, works near delineated waterbodies, and any stream crossing or culvert works). We expect contractor training and inductions to embed these requirements before works commence, and for monitoring and reporting to be sufficiently robust that issues are detected, escalated, and rectified without delay.
19. Finally, we consider that our relationship with the Project does not end at the conclusion of construction. Long-term stewardship is essential to maintain and enhance the health of waterways and wetlands, and to ensure that restoration measures achieve enduring outcomes rather than short-term installation. We, therefore, expect an ongoing commitment to monitoring, maintenance, replacement planting (where needed), and continual improvement, including a clear process for addressing unforeseen effects should they arise post-construction. This enduring

partnership should be guided by kaitiakitanga and a shared commitment to protecting and improving the mauri of the environment over time.

Conclusion

20. In the interest of creating the space for engaging further with the Applicant on that assessment, we have intended to set out the elements above that we anticipate will need to be considered as part of our ongoing engagement with the Project. These comments do not seek to constrain the scope of that engagement.

Attachment 7: Comments received from the Minister for Māori Development and Minister for Māori Crown Relations

Recommended Action

It is recommended that you provide the following recommendation to MfE:

1. I support the application progressing to the Expert Panel for substantive consideration.
2. I also encourage the applicant to consider ongoing engagement with relevant Māori rūpū identified in Attachment 3 of the Ministry for the Environment's section 18 report.

Yes / No

Comments:

 Hon Tama Potaka Te Minita Whanaketanga Māori me Te Minita mō Te Arawhiti
Date: 01/05/2026