



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

Project Name: FTAA-2607-1273 Auckland Regional Landfill

To:	Date:
Hon Chris Bishop, Minister for Infrastructure	12/10/2026

Number of attachments: 8	Attachments: 1. Provisions of section 18 of the Fast-track Approvals Act 2024 2. Project location map 3. List of relevant Māori groups 4. Ngāti Manuhiri statutory acknowledgement provisions – Hōteu River 5. Excerpt from the Ngāti Manuhiri conservation protocol 6. Excerpt from the Ngāi Tai ki Tāmaki conservation relationship agreement 7. Excerpts from the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement 8. Comments received from invited Māori groups
--------------------------	---

Ministry for Cities, Environment, Regions & Transport contacts:

Position	Name	Cell phone	1 st contact
Principal Author	Stephen Church		
Acting Manager, Fast-track Operations	Max Gander-Cooper	s 9(2)(a)	✓
Acting General Manager, Investment Strategy & Operations	Stephanie Frame	s 9(2)(a)	

Key points

1. The Ministry for Cities, Environment, Regions & Transport (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-2607-1273 Auckland Regional Landfill referral application.
2. The applicant, WM New Zealand, proposes the construction, operation, closure, and aftercare of a new municipal solid waste landfill on an approximately 1,020-hectare site located at 1232 State Highway 1, Wayby Valley, approximately 70 km north of Auckland. The applicant is seeking approvals under the Act which would otherwise be sought under the Resource Management Act 1991 (RMA), Wildlife Act 1953, Heritage New Zealand

Pouhere Taonga Act 2014, and potentially the Freshwater Fisheries Regulations 1983 and Conservation Act 1987.

3. Section 18(2) of the Act requires that the report provide a list of relevant Māori groups, including relevant iwi authorities and Treaty settlement entities. Auckland has a complex Treaty settlement landscape with many overlapping interests. Some groups have settled while others are still in settlement negotiations with the Crown for both individual group and collective redress. Accordingly, there are a significant number of relevant Māori groups for this project area, which we have listed at **Attachment 3**.
4. The Treaty settlements and other arrangements relevant to the project area are the Ngāti Manuhiri Claims Settlement Act 2012, Te Kawerau ā Maki Claims Settlement Act 2015, Ngāi Tai ki Tāmaki Claims Settlement Act 2018, and Ngāti Pāoa Claims Settlement Act 2025.
5. The Ngāti Manuhiri Claims Settlement Act 2012 provides for a statutory acknowledgement over the Hōteao River, which incorporates the project area. Under the RMA and the relevant Treaty settlements, a consent authority must have regard to a statutory acknowledgement when deciding whether an iwi is an 'affected person' for the purposes of notification decisions and must provide a summary of any consent applications relevant to the statutory area to a statutory acknowledgement holder. We consider the process of inviting comment (including providing information about the application) from these groups under the Act is comparable to the requirements for statutory acknowledgements under the RMA and Treaty settlements.
6. The Ngāti Manuhiri and Ngāi Tai ki Tāmaki settlements provide for a conservation protocol or relationship agreement which include consultation requirements for statutory authorisations made by the Department of Conservation. Should you decide to accept this referral application, under section 16(2)(c) of the Act we propose you direct any panel considering a substantive application for the project that includes Wildlife Act 1953 approvals (and the potential Conservation Act 1987 approvals relating to fish salvage), to consider:
 - a. how to apply the consultation procedures in the Ngāti Manuhiri conservation protocol to inform its engagement with that iwi;
 - b. how to comply with the consultation process set out in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement when engaging with Ngāi Tai ki Tāmaki; and
 - c. whether to apply the consultation process set out in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement when engaging with other relevant iwi members of the Tāmaki Collective.
7. You received comments on the application from Te Uri o Hau Settlement Trust. Te Uri o Hau neither supports nor opposes the referral application. However, Te Uri o Hau considers that if the project is accepted into the Fast-track Approvals process, the protection of Te Mana o te Wai, mauri, groundwater, Te Awa o Hōteao and Kaipara Moana must remain central considerations throughout all future stages of the project. Te Uri o Hau places particular importance on maintaining the integrity and health of the Hōteao catchment and upholding the long-held expectation that there be "not one drop" of landfill leachate entering the Hōteao environment. Te Uri o Hau asks you to consider these matters in determining the referral application and, should the project proceed into the Fast-track process, that they remain key considerations throughout the assessment, decision-making and implementation of the project.

8. 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

A handwritten signature in black ink, consisting of a large, stylized 'M' followed by a cursive 'G' and a trailing line.

Max Gander-Cooper
Acting Manager – Fast-track Operations

Introduction

9. Under section 18 of the Act, you must consider a report on Treaty settlements and other obligations for each referral application, prepared and provided by the responsible agency (Secretary for the Environment).
10. 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.
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, WM New Zealand, proposes the construction, operation, closure, and aftercare of a new municipal solid waste landfill on an approximately 1,020-hectare site located at 1232 State Highway 1, Wayby Valley, approximately 70 km north of Auckland. The proposed works include construction of site access and operations, landfill development, leachate and landfill gas management systems, supporting infrastructure, and terrestrial, freshwater and wetland biodiversity measures.
13. The applicant is seeking approvals under the Act which would otherwise be sought under the RMA (including for earthworks; taking, using, damming, and diversion of water; stormwater discharge and diversion, and vegetation clearance), Wildlife Act 1953 (authorities relating to indigenous fauna), Heritage New Zealand Pouhere Taonga Act 2014 (archaeological authority), and potentially the Freshwater Fisheries Regulations 1983 (culvert or ford) and Conservation Act 1987 (fish salvage).
14. All land is owned by the applicant except for two parcels that are currently under contract and subject to Overseas Investment Office approval. The applicant advises that Ngāti Manuhiri are project partners, working with the applicant on the proposed management and mitigation measures. Once landfilling ceases, the land will be transferred to Ngāti Manuhiri.
15. We have provided location maps at **Attachment 2**.

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

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

Iwi authorities

17. Under section 4(2) of the Act, 'iwi authority' has the same meaning as in section 2(1) of the RMA:

the authority which represents an iwi and which is recognised by that iwi as having authority to do so.

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

- a. Te Rūnanga o Ngāti Whātua, representing Ngāti Whātua;
- b. Ngāti Manuhiri Settlement Trust, representing Ngāti Manuhiri;
- c. Te Kawerau Iwi Trust, representing Te Kawerau ā Maki;
- d. Ngāi Tai ki Tāmaki Trust, representing Ngāi Tai ki Tāmaki;
- e. Ngāti Pāoa Iwi Trust, representing Ngāti Pāoa;
- f. Ngāti Maru Rūnanga Trust, representing Ngāti Maru; and
- g. Ngāti Te Ata Claims Support Whānau Trust, representing Ngāti Te Ata.

Treaty settlement entities

19. Under section 4(1) of the Act, “Treaty settlement entity” means any of the following:

- (a) a post-settlement governance entity (PSGE):*
- (b) a board, trust, committee, authority, or other body, incorporated or unincorporated, that is recognised in or established under any Treaty settlement Act:*
- (c) an entity or a person that is authorised by a Treaty settlement Act to act for a natural resource feature with legal personhood:*
- (d) Te Ohu Kai Moana or a mandated iwi organisation (as those terms are defined in section 5(1) of the Maori Fisheries Act 2004):*
- (e) an iwi aquaculture organisation (as defined in section 4 of the Maori Commercial Aquaculture Claims Settlement Act 2004).*

20. Under the Act, a PSGE:

- (a) means a body corporate or the trustees of a trust established, for the purpose of receiving redress in the Treaty settlement of a claimant group,—*
 - (i) by that group; or*
 - (ii) by or under an enactment or order of a court; and*
- (b) includes—*
 - (i) an entity established to represent a collective or combination of claimant groups; and*
 - (ii) an entity controlled by an entity referred to in paragraph (a); and*
 - (iii) an entity controlled by a hapū to which redress has been transferred by an entity referred to in paragraph (a).*

21. In keeping with the procedural principles outlined at section 10 of the Act, we only identify those PSGEs which are specified in the relevant Treaty settlement Act or Treaty settlement deed.¹
22. We have identified the following relevant Treaty settlement entities for this project area:
- a. Ngāti Manuhiri Settlement Trust, PSGE for the Ngāti Manuhiri Claims Settlement Act 2012;
 - b. Te Kawerau Iwi Trust, PSGE for the Te Kawerau ā Maki Claims Settlement Act 2015;
 - c. Ngāi Tai ki Tāmaki Trust, PSGE for the Ngāi Tai ki Tāmaki Claims Settlement Act 2018; and
 - d. Ngāti Pāoa Iwi Trust, PSGE for the Ngāti Pāoa Claims Settlement Act 2025.
23. A PSGE may be established ahead of finalising a deed of settlement and/or enactment of Treaty settlement legislation. The following PSGEs in this category are also relevant:
- a. Te Rūnanga o Ngāti Whātua, representing Ngāti Whātua (agreement in principle for remaining claims signed August 2017);
 - b. Taonga o Marutūāhu Trustee Limited/Marutūāhu Rōpū Limited Partnership, PSGEs for Marutūāhu collective redress deed (initialled July 2018); and
 - c. Ngāti Maru Rūnanga Trust, PSGE for Ngāti Maru deed of settlement (initialled September 2017).

Groups mandated to negotiate Treaty settlements

24. In addition to the PSGEs identified at paragraph 23, the following groups have recognised mandates to negotiate a Treaty settlement over an area which may include the project area, and are in the early stages of negotiating their Treaty settlements with the Crown:
- a. Ngāti Te Ata Claims Support Whānau Trust, representing Ngāti Te Ata.

Takutai Moana groups and ngā hapū o Ngāti Porou

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

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

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

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.

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

28. Section 23 of the Act provides that, in making a decision on a referral application under section 21, the Minister may determine that, for the purposes of the project, an activity described in section 5(1)(a) is not an ineligible activity if it:
- a. is the construction of electricity lines or land transport infrastructure by (or to be operated by) a network utility operator that is a requiring authority; and
 - b. would occur on identified Māori land that is Māori freehold land or General land owned by Māori that was previously Māori freehold land.
29. This project does not involve an activity described in section 23(1) (i.e. including both (a) and (b)) of the Act.

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

30. If the project area is within the boundaries of either a Mana Whakahono ā Rohe or joint management agreement, and the application includes a proposed RMA approval described in section 42(4)(a) to (d) (resource consent, certificate of compliance, or designation), we are required to identify the relevant iwi authority/group that represent hapū that are parties to these arrangements.
31. We have not identified any Mana Whakahono ā Rohe or joint management agreements that are relevant to the project area, and accordingly there no parties to these arrangements to identify.

Any other Māori groups with relevant interests

32. We have identified the following groups who may have relevant interests in the application:
- a. Ngā Maunga Whakahii o Kaipara Development Trust;
 - b. Ngāti Tamaterā Settlement Trust;
 - c. Ngaati Whanaunga Ruunanga Trust;
 - d. Hako Tūpuna Trust;
 - e. Ngātiwai Trust;
 - f. Ngāti Whātua o Ōrākei Trust;
 - g. Te Uri o Hau Settlement Trust; and
 - h. Te Roroa Whatu Ora Trust.
33. In addition, we have included Te Kawerau Iwi Tiaki Trust, as the entity representing Te Kawerau Iwi Trust on environmental matters.

Relevant principles and provisions in Treaty settlements and other arrangements

Treaty settlements

34. Under section 4(1) of the Act, a Treaty settlement includes both a Treaty settlement Act and a Treaty settlement deed which is signed by both the Crown and representatives of a group of Māori.

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

Relevant principles and provisions

36. Section 7 of the Act requires all persons exercising powers and functions under the Act to act in a manner consistent with Treaty settlements. The relevant principles and provisions for each of these settlements are set out below.

Crown acknowledgements and apologies

37. The Crown offers acknowledgements and an apology to relevant groups as part of Treaty settlement redress to atone for historical wrongs that breached te Tiriti o Waitangi/the Treaty of Waitangi, to restore honour, and begin the process of healing.
38. As part of its apologies to Ngāti Manuhiri, Te Kawerau ā Maki, Ngāi Tai ki Tāmaki, and Ngāti Pāoa, the Crown stated that it looked forward to building a new relationship with these groups based on co-operation, mutual trust, and respect for te Tiriti o Waitangi/the Treaty of Waitangi and its principles. The redress mechanisms provided for in Treaty settlements should be viewed in the context of these intentions.

Statutory acknowledgement

39. A statutory acknowledgement is an acknowledgement by the Crown of a 'statement of association' between the iwi and an identified area (the 'statutory area'). The Ngāti Manuhiri Claims Settlement Act 2012 provides for a statutory acknowledgement over the Hōteao River, which has a statutory area that incorporates the project area.
40. Under the RMA and the relevant settlement Acts, a consent authority must, when considering a resource consent for a proposed activity that is within, adjacent to, or directly affecting a statutory area:
- a. provide a summary of the application to the holder of the statutory acknowledgement. The summary of the application must be the same as would be given to an affected person by limited notification under the RMA. The summary must be provided as soon as is reasonably practicable after the relevant consent authority receives the application, but before they decide whether to notify the application; and
 - b. have regard to the statutory acknowledgement when deciding whether the holder (generally a PSGE) is an 'affected person' for the purposes of notification decisions under the RMA.²
41. The holder of a statutory acknowledgment may also cite this as evidence of their association with a statutory area in any submission before a relevant consent authority (or the Environment Court, Heritage New Zealand Pouhere Taonga, the Environmental

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.

Protection Authority, or a board of inquiry), which may, in turn, take that statutory acknowledgement into account.

42. The Hōteio River statutory acknowledgement is relevant because the proposed landfill will have an impact on those parts of the catchment within the project area, including reclamation of streams required to develop the site. The freshwater ecology memo provided by the applicant assesses the freshwater ecological values within the project area as 'high' to 'very high'. The short term effects of the project relate to construction phase activities, which could include injury and/or mortality to freshwater fauna and water quality effects resulting from sedimentation and cut vegetation storage and disposal. Potential operational phase effects anticipated over the longer term include reduced fish passage, water quality effects and changes to flow regime, and loss of stream ecological function and habitat area of up to 12.2km.
43. The applicant proposes onsite controls to reduce potential sediment discharge, an adaptive monitoring and management framework, and fish salvage and relocation during the construction phase. In the long term, the applicant proposes offset measures, involving riparian planting of permanent and intermittent streams within the Hōteio catchment, to address the loss of stream ecological function to a 'no net loss' level. Stormwater will be separated from leachate and discharged into the surrounding catchment following detention and treatment.
44. We consider the process of inviting comment (including providing information about the application) under the Act is comparable to the process under a Treaty settlement and the RMA of providing those who hold statutory acknowledgements with a summary of the application. You have already invited Ngāti Manuhiri, as a relevant iwi authority and Treaty settlement entity, to comment on the application. Should you accept this referral application, they will also be invited for comment by the panel under section 53(2)(c) of the Act.
45. For your reference, we have provided the statutory acknowledgement provisions for Ngāti Manuhiri, including the relevant statements of association and deed plans, at **Attachment 4**.

Conservation relationship redress

46. The Wildlife Act 1953 (and potentially Conservation Act 1987) approvals which may be sought by the applicant in relation to indigenous fauna and the salvage of fish are within scope of conservation relationship redress provided through relevant Treaty settlements. Our advice is that these provisions are most relevant to the panel when considering a substantive application, as the decision-maker on the approvals.

Ngāti Manuhiri conservation protocol

47. The Ngāti Manuhiri deed of settlement provides for a conservation protocol with the Minister of Conservation and the Director General of Conservation which applies to the project area. Under the protocol, the Department of Conservation (DOC) and Ngāti Manuhiri have identified categories of statutory authorisations that may impact on the cultural, traditional and/or historic values of Ngāti Manuhiri. DOC advise that authorities under the Wildlife Act 1953 are in this category of authorisations.³

³ DOC also engages with Ngāti Manuhiri on concession applications under the Conservation Act 1987, but it is unclear whether consultation also occurs on freshwater fish salvage activities under section 26ZM of the Conservation Act 1987. Complex fisheries activities under the Freshwater Fisheries Regulations are outside the scope of the 'Conservation Legislation' statutory authorisations covered by the protocol.

48. For such statutory authorisations, the protocol states that DOC and Ngāti Manuhiri see the benefit of seeking agreement on an appropriate response to the application, in a timely manner, before the decision is made under the relevant legislation. We have provided the relevant excerpt from the Ngāti Manuhiri conservation protocol at **Attachment 5**.
49. At the referral stage, we consider that your invitation to Ngāti Manuhiri Settlement Trust to comment on this application under section 17 of the Act is comparable to the consultation requirements in clauses 5.2 and 5.4 of the conservation protocol.
50. Should you accept this application for referral, and a substantive application is lodged, the Ngāti Manuhiri Settlement Trust will be invited to comment on the application as a relevant iwi authority and Treaty settlement entity under section 53(2) of the Act. As the decision-maker on the relevant statutory authorisations, the panel will also need to consider the procedures set out in the protocol, including the intention to agree on an appropriate response to the application, to inform its consultation with Ngāti Manuhiri on the Wildlife Act 1953 authority.

Ngāi Tai ki Tāmaki conservation relationship agreement

51. The Ngāi Tai ki Tāmaki deed of settlement provides for a conservation relationship agreement with DOC. This relationship agreement requires DOC to consult with Ngāi Tai ki Tāmaki on applications for statutory authorisations in their area of interest, through a process consistent with consultation provisions in the conservation relationship agreement in the Ngā Mana Whenua o Tāmaki Makaurau collective redress deed.⁴ We have included the relevant excerpt from the Ngāi Tai ki Tāmaki conservation relationship agreement at **Attachment 6**.
52. The consultation process for statutory authorisations set out in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement requires iterative engagement with Ngā Mana Whenua o Tāmaki Makaurau, that includes DOC seeking their feedback, confirming how their feedback will be included in decision making processes, considering how their interests are reconciled with other considerations, and communicating the final decision to them. We have included the relevant excerpt from the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement at **Attachment 7**.⁵

Ngāti Pāoa conservation relationship agreement

53. The Ngāti Pāoa deed of settlement provides for a conservation relationship agreement between Ngāti Pāoa and DOC, but an agreement has yet to be entered into. However, Ngāti Pāoa are part of the Tāmaki Collective, therefore the relevant consultation process on statutory authorisations outlined in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement may apply.

⁴ The Tāmaki Collective comprises Ngāi Tai ki Tāmaki, Ngāti Maru, Ngāti Pāoa, Ngāti Tamaoho, Ngāti Tamaterā, Ngāti Te Ata, Ngāti Whanaunga, Ngāti Whātua o Kaipara, Ngāti Whātua Ōrākei, Te Ākitai Waiohū, Te Kawerau ā Maki, Te Patukirikiri, Te Rūnanga o Ngāti Whātua.

⁵ While 'statutory authorisations' is not defined in the Ngāi Tai ki Tāmaki conservation relationship agreement, the interpretation section states that the agreement is to be read in conjunction with the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement. Statutory authorisations are defined in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement as authorisations granted under the Conservation Act 1987 and the first schedule of that Act. Schedule 1 of the Conservation Act 1987 includes the Wildlife Act 1953, but does not include the Fisheries Act 1996 which is the primary legislation for the Freshwater Fisheries Regulations 1983.

Te Kawerau ā Maki

54. The Te Kawerau ā Maki settlement does not provide for any individual conservation relationship agreement or protocol with DOC, but Te Kawerau ā Maki is a party to the Ngā Mana Whenua o Tāmaki Makaurau collective redress.

Summary of advice

55. As noted above, we consider the conservation relationship agreement and protocol provisions are most relevant to the panel when considering a substantive application. Under Schedule 3 clause 5 of the Act, if any Treaty settlement Act includes procedural arrangements relating to the appointment of a decision-making body for hearings and other procedural matters, the panel convener or panel must comply with the arrangements in the legislation as if they were a relevant decision maker. Other procedural matters include:
- a. a requirement for iwi or hapū to participate in the appointment of hearing commissioners to determine resource consent applications or notice of requirement lodged under the RMA;
 - b. a requirement that notice be given to any person or specified class of person of any steps in a resource management process;
 - c. any consultation requirements with iwi or hapū; or
 - d. any other matter of procedure for determining a matter granted under a specified Act that corresponds to an approval under the Act.
56. By way of reference to the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement, the Ngāi Tai ki Tāmaki conservation relationship agreement requires a consultation process for Wildlife Act 1953 approvals (and the potential Conservation Act 1987 approvals relating to fish salvage) which would be partially met by inviting comments as per section 53(2) of the Act. To comply with all of the procedural requirements, and to thereby meet its obligations under Schedule 3 clause 5 of the Act, the panel will need to consider how it could accommodate the iterative, ‘back and forth’ nature of the consultation processes required by the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement. This might include the panel following the consultation process required by the relationship agreement or seeking agreement to a modified arrangement with Ngāi Tai ki Tāmaki.
57. Unlike the Ngāi Tai ki Tāmaki conservation relationship agreement, it is less clear whether the more interactive consultation process set out in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement should be applied to Ngāti Pāoa or Te Kawerau ā Maki. While both groups are also members of the Tāmaki Collective, the Ngāti Pāoa conservation relationship agreement has yet to be developed, and there is no provision for separate conservation relationship redress for Te Kawerau ā Maki. Bearing in mind section 7 of the Act, our view is that the panel may also want to consider whether it would be consistent with the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement to apply those same processes to consultation with all members of the Tāmaki Collective relevant to the project area.
58. Accordingly, should you decide to accept this referral application, under section 16(2)(c) of the Act we propose you direct any panel considering a substantive application for the project which includes Wildlife Act 1953 approvals (and the potential Conservation Act 1987 approval relating to fish salvage) to consider:
- a. how to apply the procedures in the Ngāti Manuhiri conservation protocol to inform its engagement with that iwi;

- b. how to comply with the consultation process in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement when engaging with Ngāi Tai ki Tāmaki; and
- c. whether to apply the consultation process set out in the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement to its engagement with other relevant Treaty settlement entities who are party to the Ngā Mana Whenua o Tāmaki Makaurau collective redress deed.

Other settlement-related matters

Proposed Kaipara Moana redress

59. As noted at paragraph 23, Te Rūnanga o Ngāti Whātua is negotiating the settlement of remaining Ngāti Whātua claims. This includes proposed shared natural resource redress arrangements with Ngāti Whātua o Kaipara and Te Uri o Hau over Kaipara Harbour, located 35km downstream of the project area.
60. While negotiations with Ngāti Whātua iwi over Kaipara Moana are still at an early stage, under the Kaipara Moana Framework Agreement, signed in 2014, the scope of the proposed Kaipara Moana body (a joint entity) includes “any agreed parts of the rivers flowing into Kaipara Moana”. The Framework Agreement also records that the Crown and Ngāti Whātua iwi agree to further discussions regarding the scope of statutory acknowledgements. In the agreement in principle signed with Te Rūnanga o Ngāti Whātua in 2017, the Crown acknowledged the Kaipara Moana Framework Agreement and agreed to provide redress over Kaipara Moana. Accordingly, we note that the Hōteu River catchment, which flows into Kaipara Harbour, may be included in any future settlement redress relating to Kaipara Moana.

Landbank property

61. There is a Treaty settlements landbank property located on State Highway 1 (Part Section 22, Block XVI, Otamatea Survey District), approximately 1 km west of the project area.⁶ The Office of Treaty Settlements and Takutai Moana – Te Tari Whakatau (Te Tari Whakatau) advise that this property is not currently part of a proposed redress package for any specific settlement, nor is it the subject of ongoing negotiations.
62. Finally, we also 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

63. 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

64. 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.

⁶ Landbank properties are properties which are no longer required by the Crown and are held in the interim by Land Information New Zealand for potential use as redress in Treaty settlements.

Mana Whakahono ā Rohe/Joint management agreement

65. 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

66. Pursuant to section 17(1)(d) of the Act, on 8 September 2026 you invited written comments from the Māori groups identified above in paragraphs 16-33, from a list we previously provided you. These groups were provided with access to the application material and had 15 working days from receipt of the copy of the application to respond.
67. You received comments on the application from Te Uri o Hau Settlement Trust, which are summarised below.
68. Te Uri o Hau neither supports nor opposes the referral application. However, Te Uri o Hau considers that if the Auckland Regional Landfill project is accepted into the Fast-track Approvals process, the following matters must remain central considerations throughout all future stages of the project:
- a. protection of Te Mana o te Wai, and how this will be provided for alongside technical management of effects;
 - b. mauri, encompassing the health, integrity, and life supporting capacity of freshwater systems, ecosystems and cultural landscapes;
 - c. groundwater protection, noting that it sustains wetlands, streams, ecological systems and the wider health of the catchment; and
 - d. Te Awa o Hōteao and Kaipara Moana, as these are culturally, spiritually, and environmentally significant;
69. Te Uri o Hau places particular importance on maintaining the integrity and health of the Hōteao catchment and upholding the long-held expectation that there be “not one drop” of landfill leachate entering the Hōteao environment. Te Uri o Hau therefore places significant importance on the ongoing effectiveness of leachate containment, management and monitoring systems throughout the life of the landfill and the post closure period.
70. Te Uri o Hau respectfully requests that these matters be considered by the Minister in determining the referral application and, should the project proceed into the Fast-track process, that they remain key considerations throughout the assessment, decision-making and implementation of the project.
71. We have provided a copy of these comments at **Attachment 8**.

Consultation with departments

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

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

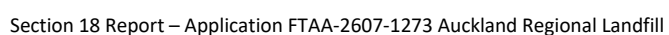
73. Under section 18(2)(m), this report must include our advice on whether, due to any of the matters identified in section 18, it may be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts.
74. We do not consider there are any matters 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, consider a report that is prepared and provided by the responsible agency in accordance with this section.	9-11
18(2)(a)	Any relevant iwi authorities and relevant Treaty settlement entities	17-23
18(2)(b)	Any Treaty settlements that relate to land, species of plants or animals, or other resources within the project area	34-35
18(2)(c)	The relevant principles and provisions in those Treaty settlements, including those that relate to the composition of a decision-making body for the purposes of the Resource Management Act 1991	36-62
18(2)(d)	Any recognised negotiation mandates for, or current negotiations for, Treaty settlements that relate to the project area.	24
18(2)(e)	Any court orders or agreements that recognise protected customary rights or customary marine title within the project area.	25, 63
18(2)(f)	Any applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011 that seek recognition of customary marine title or protected customary rights within the project area.	25, 63
18(2)(g)	Whether the project area would be within or adjacent to, or the project would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou (and, if so, the relevant provisions of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019).	26, 63
18(2)(h)	Whether the project area includes any taiāpure-local fisheries, mātaihai reserves, or areas that are subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996 (and, if so, who the tangata whenua are).	27, 64
18(2)(i)	Whether the project involves an activity that could be the subject of a determination under 23 (and, if so, who the owners of the land are).	28-29
18(2)(j)	If the proposed approvals include an approval described in any of section 42C(4)(a) to (d) (resource consent, certificate of compliance, or designation), (i) iwi authorities and groups that represent hapū that are parties to any relevant Mana Whakahono ā Rohe or joint management agreements.	30-31, 65

	(ii) The relevant principles and provisions in those Mana Whakahono ā Rohe and joint management agreements.	
18(2)(k)	Any other Māori groups with relevant interests.	32-33
18(2)(l)	A summary of— (i) comments received by the Minister after inviting comments from Māori groups under section 17(1)(d) and (e); (ii) any further information received by the Minister from those groups	66-71
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.	73-74
18(3)	In preparing the report required by this section, the responsible agency must consult relevant departments.	72
18(4)	The responsible agency must provide the report to the Minister not later than 20 working days after the date for providing comments under section 17(6).	N/A
18(5)	However, if the Minister requests further information about a referral application under section 20, the time period specified in subsection (4) ceases to run for the period of time specified in the request.	N/A

This topographic map of the Bay of Plenty region in New Zealand shows the Hōtō River and Whangarua River. Key towns include Wellsford, Warkworth, Matakana, and Whangarua. A blue circle highlights a specific area in the hills near Wellsford. The map also shows the Hōtō River, Whangarua River, and surrounding towns like Wellsford, Warkworth, and Matakana. A blue circle highlights a specific area in the hills near Wellsford.



Attachment 3: List of relevant Māori groups

Name of group	Type of group (section of Act)
Te Rūnanga o Ngāti Whātua	Iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a)); negotiating mandate (s18(2)(d))
Ngāti Manuhiri Settlement Trust	Iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a))
Te Kawerau Iwi Settlement Trust	Iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a))
Ngāi Tai ki Tāmaki Trust	Iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a))
Ngāti Pāoa Iwi Trust	Iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a))
Ngāti Maru Rūnanga Trust	Iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a)); negotiating mandate (s18(2)(d))
Ngāti Te Ata Claims Support Whānau Trust	Iwi authority (s18(2)(a)); negotiating mandate (s18(2)(d))
Taonga o Marutūāhu Trustee Limited/ Marutūāhu Rōpū Limited Partnership	Treaty settlement entity (s18(2)(a)); negotiating mandate (s18(2)(d))
Ngā Maunga Whakahii o Kaipara Development Trust	other Māori group with relevant interests (s18(2)(k))
Ngāti Tamaterā Settlement Trust	other Māori group with relevant interests (s18(2)(k))
Ngaati Whanaunga Ruunanga Trust	other Māori group with relevant interests (s18(2)(k))
Hako Tūpuna Trust	other Māori group with relevant interests (s18(2)(k))
Ngātiwai Trust	other Māori group with relevant interests (s18(2)(k))
Ngāti Whātua Ōrākei Trust	other Māori group with relevant interests (s18(2)(k))
Te Uri o Hau Settlement Trust	other Māori group with relevant interests (s18(2)(k))
Te Roroa Whatu Ora Trust	other Māori group with relevant interests (s18(2)(k))
Te Kawerau Iwi Tiaki Trust	other Māori group with relevant interests (s18(2)(k))

Attachment 4: Ngāti Manuhiri statutory acknowledgement provisions – Hōteao River

Statutory acknowledgement provisions (Ngāti Manuhiri Claims Settlement Act 2012)

Version as at
30 November 2022

Ngāti Manuhiri Claims Settlement Act 2012

Part 2 s 29

Subpart 2—Statutory acknowledgement and deed of recognition

Statutory acknowledgement

26 Interpretation

In this subpart,—

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

statements of association means the statements—

- (a) made by Ngāti Manuhiri of their particular cultural, spiritual, historical, and traditional association with the statutory areas; and
- (b) that are in the form set out in part 2 of the documents schedule

statutory acknowledgement means the acknowledgement made by the Crown in section 27 in respect of each statutory area, on the terms set out in this subpart

statutory area means an area described in Schedule 1, with the general location (but not the precise boundaries) indicated on the deed plan referred to in relation to the area.

27 Statutory acknowledgement by the Crown

The Crown acknowledges the statements of association.

28 Purposes of statutory acknowledgement

The only purposes of the statutory acknowledgement are—

- (a) to require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgement, as provided for in sections 29 to 31; and
- (b) to require relevant consent authorities to forward summaries of resource consent applications, or copies of notices of resource consent applications, to the trustees, as provided for in section 33; and
- (c) to enable the trustees and members of Ngāti Manuhiri to cite the statutory acknowledgement as evidence of the association of Ngāti Manuhiri with a statutory area, as provided for in section 34.

Section 28(a): amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

29 Relevant consent authorities to have regard to statutory acknowledgement

- (1) On and from the effective date, a relevant consent authority must have regard to the statutory acknowledgement relating to a statutory area in deciding, under section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to an activity within, adjacent to, or directly affect-

ing the statutory area and for which an application for a resource consent has been made.

- (2) Subsection (1) does not limit the obligations of a relevant consent authority under the Resource Management Act 1991.

30 Environment Court to have regard to statutory acknowledgement

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

31 Heritage New Zealand Pouhere Taonga and Environment Court to have regard to statutory acknowledgement

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

Section 31: replaced, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

32 Recording statutory acknowledgement on statutory plans

- (1) On and from the effective date, a relevant consent authority must attach information recording the statutory acknowledgement to all statutory plans that wholly or partly cover a statutory area.
- (2) The information attached to a statutory plan must include—
 - (a) the provisions of sections 26 to 31 and 33 to 36 in full; and

- (b) the descriptions of the statutory areas wholly or partly covered by the plan; and
 - (c) any statements of association for the statutory areas.
- (3) The attachment of information to a statutory plan under this section is for the purpose of public information only and, unless adopted by the relevant consent authority as part of the statutory plan, the information is not—
- (a) part of the statutory plan; or
 - (b) subject to the provisions of Schedule 1 of the Resource Management Act 1991.

33 Provision of summaries or notices of certain applications to trustees

- (1) Each relevant consent authority must, for a period of 20 years starting on the effective date, provide the following to the trustees for each resource consent application for an activity within, adjacent to, or directly affecting a statutory area:
- (a) if the application is received by the consent authority, a summary of the application; or
 - (b) if notice of the application is served on the consent authority under section 145(10) of the Resource Management Act 1991, a copy of the notice.
- (2) The information provided in a summary of an application must be the same as would be given to an affected person by limited notification under section 95B of the Resource Management Act 1991, or as may be agreed between the trustees and the relevant consent authority.
- (3) A summary of an application must be provided under subsection (1)(a)—
- (a) as soon as is reasonably practicable after the consent authority receives the application; but
 - (b) before the consent authority decides under section 95 of the Resource Management Act 1991 whether to notify the application.
- (4) A copy of a notice of an application must be provided under subsection (1)(b) no later than 10 working days after the day on which the consent authority receives the notice.
- (5) This section does not affect a relevant consent authority's obligation,—
- (a) under section 95 of the Resource Management Act 1991, to decide whether to notify an application, and to notify the application if it decides to do so; or
 - (b) under section 95E of that Act, to decide whether the trustees are affected persons in relation to an activity.

34 Use of statutory acknowledgement

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

Section 34(1): amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

Section 34(2)(d): replaced, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

35 Trustees may waive rights

- (1) The trustees may waive the right to be forwarded summaries, and copies of notices, of resource consent applications under section 33 in relation to a statutory area.
- (2) Rights must be waived by written notice to the relevant consent authority stating—
 - (a) the scope of the waiver; and
 - (b) the period for which it applies.
- (3) An obligation under this subpart does not apply to the extent that the corresponding right has been waived under this section.

36 Application to river or stream

- (1) If any part of the statutory acknowledgement applies to a harbour, that part of the acknowledgement also applies to the bed of the harbour and everything above the bed.
- (2) If any part of the statutory acknowledgement applies to a river or stream, that part of the acknowledgement—
 - (a) applies only to—
 - (i) the continuously or intermittently flowing body of fresh water, including a modified watercourse, that comprises the river or stream; and
 - (ii) the bed of the river or stream, meaning the land that the waters of the river or stream cover at its fullest flow without flowing over its banks; but
 - (b) does not apply to—
 - (i) a part of the bed of the river or stream that is not owned by the Crown; or
 - (ii) an artificial watercourse; or
 - (iii) a tributary flowing into the river or stream.

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



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

HŌTEO RIVER

Statutory Area

The area to which this Statutory Acknowledgement applies is the area known as Te Awa Hōteo or the Hōteo River, as shown on deed plan OTS-125-15.

Cultural, Spiritual, Historic and Traditional Association of Ngāti Manuhiri with the Hōteo River.

Kō Hōteo te awa

Kō Mangatū te pā

Kō Manuhiri te tangata

Kō Ngāti Manuhiri te iwi

Te Awa Hōteo (the Hōteo River) was an important traditional resource of Ngāti Manuhiri, and it remains a water body of major cultural, spiritual and historic significance to the iwi. The river has particular importance as the home of the eponymous ancestor Manuhiri who occupied pā at Tūtā, Umukuri and Mangatū where he lived until his death. The lower reaches of the river were also an important boundary marker between Ngāti Manuhiri and other groups. Until the late 1860s the lower river was the focal point of settlement for Uri ō Katea, a hapū of Ngāti Manuhiri who descended from Tūwhakaeketia, the second son of Manuhiri. Of special importance are Taihāmau and Iriwata, the sons of Tūwhakaeketia, who stand as stones in the river. They are located just above the Tarakihi rapids which marked the navigable upper reaches of the river.

From the time Ngāti Manuhiri settled the area in the late seventeenth century, kāinga and cultivations were maintained beside many parts of the river including at Hōteo, Te Awapū, Mangakura, Mangatū, Awa Matangao and Kawakawa. The Hōteo River provided a wide range of fish, eels, kākahi and water fowl. Kāinga on the lower part of the river were renowned for their karaka groves from which ripe kernels were harvested in autumn. As the river extended many kilometres inland to Tomarata and Whāngaripo it provided a traditionally important east-west transport route.

Attachment 5: Excerpt from the Ngāti Manuhiri conservation protocol

5 STATUTORY AUTHORISATIONS

- 5.1 The strategic objectives for the relationship will guide the parties to determine appropriate engagement on Statutory Authorisations within the Protocol Area.
- 5.2 As part of these strategic objectives, the Governance Entity and the Department will identify categories of statutory authorisations that may impact on the cultural, traditional and/or historic values of Ngāti Manuhiri. These categories will be reviewed as agreed. The Department will advise and encourage all prospective applicants within the Protocol Area to consult with the Governance Entity before filing their application. The Department will also consult the Governance Entity at an early stage on such categories of authorisations or renewal of authorisations within the Protocol Area.
- 5.3 The Department will consult with the Governance Entity and have regard to its views for Statutory Authorisations for Te Hauturu-o-Toi / Little Barrier Island.
- 5.4 For the types of statutory authorisations that Ngāti Manuhiri and the Department agree have potential significance the Department and the Governance Entity see the benefit of seeking agreement, in a timely manner, on an appropriate response to the application, before the decision is made under the relevant legislation.
- 5.5 As the Department works within time limits to process concession applications, it will notify the Governance Entity (as part of the meetings referred to in paragraph 4.2) of the time frames for providing advice.
- 5.6 It is expected that the strategic objectives for the relationship will guide the parties to determine potential opportunities for Ngāti Manuhiri to obtain statutory authorisations on public conservation land within the Protocol Area, including concessions for cultural tours.

The entire document can be found at this link (from page 31) [Ngāti Manuhiri Deed of Settlement Schedule - Documents 21 May 2011](#)

Attachment 6: Excerpt from the Ngāi Tai ki Tāmaki conservation relationship agreement

4: CONSERVATION RELATIONSHIP AGREEMENT

7. STATUTORY AUTHORISATIONS

7.1 The Department will carry out consultation with Ngāi Tai ki Tāmaki, through its Kaitiakitanga Roopu, concerning applications for statutory authorisations within their area of interest consistent with the process set out in clause 11 of the Ngā Mana Whenua o Tāmaki Makaurau Conservation Relationship Agreement.

7.2 Ngāi Tai ki Tāmaki has strong interests in exploring the following types of opportunities for concessions that involve public conservation land:

- 7.2.1 Hikoi o Te Motu/ Guided walking tours on Rangitoto, Motutapu, Motuihenga, Motukorea, Waiheke, public conservation land in the southern Hunua and Maungauika (while under the Department's administration);
- 7.2.2 Hikoi o Te Moana/Guided kayak or waka tours on the Gulf (including marine mammal and native coastal bird watching permits);
- 7.2.3 glamping or hosted camping on Hauraki motu;
- 7.2.4 hosting of sporting events; and
- 7.2.5 hosting of cultural events eg Matariki.

The entire document can be found at this link (from page 48): [Ngāi Tai ki Tāmaki Deed of Settlement Documents Schedule 7 Nov 2015](#)

Attachment 7: Excerpts from the Ngā Mana Whenua o Tāmaki Makaurau conservation relationship agreement

11 STATUTORY AUTHORISATIONS

- 11.1 The strategic partnership objectives will guide the parties to determine appropriate engagement on statutory authorisations within the Tāmaki Makaurau Region.
- 11.2 As part of these strategic objectives, Ngā Mana Whenua and the Department will identify, and keep under review, categories of statutory authorisations that may have high impact on the spiritual, ancestral, cultural, customary, and historic values of Ngā Mana Whenua.
- 11.3 As the Department works within time limits to process applications for some forms of statutory authorisations, it will notify Ngā Mana Whenua o Tāmaki Makaurau (as part of the meetings referred to in paragraph 11.2) of the time frames for providing advice.
- 11.4 The strategic partnership objectives will guide the parties to determine potential opportunities for Ngā Mana Whenua o Tāmaki Makaurau to obtain statutory authorisations on public conservation land within the Tāmaki Makaurau Region, including in relation to commercial opportunities.
- 11.5 The Department will actively advise and encourage all prospective applicants within the Tāmaki Makaurau Region to consult with Ngā Mana Whenua before filing their application. The Department will also consult Ngā Mana Whenua at an early stage on such categories of authorisations or renewal of authorisations within the Tāmaki Makaurau Region.
- 11.6 For the types of Statutory Authorisations within the Tāmaki Makaurau Region agreed to in clause 11.2, Ngā Mana Whenua and the Department will adopt the following process:
- a. the Department notifies Ngā Mana Whenua of the application, timeframe for a decision and the timeframe for Ngā Mana Whenua response;
 - b. Ngā Mana Whenua, within an agreed timeframe, notify the Department of their response including the nature of their interests in the proposal and their views in relation to the proposal;
 - c. the Department acknowledges Ngā Mana Whenua interests and views as conveyed (providing an opportunity to clarify or correct the Department's understanding of those interests and views), how those interests and views will be included in the decision-making process and any apparent issues or conflict that may arise;
 - d. the Department will, in making a decision, consider whether it is possible to reconcile any conflict between Ngā Mana Whenua interests and views and other considerations in the decision-making process;
 - e. the Department will record in writing as part of a decision document the nature of Ngā Mana Whenua interests and the views of Ngā Mana Whenua as conveyed; and
 - f. the Department will communicate its decision to Ngā Mana Whenua as soon as practicable after it is made.

23 CONSULTATION

23.1 Where consultation is undertaken with Ngā Mana Whenua, the Department will:

- a) Ensure that Ngā Mana Whenua or the relevant iwi/hapū are consulted as soon as reasonably practicable following the identification of the proposal or issues to be the subject of the consultation;
- b) Provide Ngā Mana Whenua or the relevant iwi/hapū with sufficient information and time to make informed comments and/or submissions in relation to any of the matters that are subject of the consultation;
- c) Approach the consultation with an open mind and genuinely consider any views and/or concerns that Ngā Mana Whenua or the relevant iwi/hapū may have in relation to any of the matters that are subject to the consultation; and
- d) Report back to Ngā Mana Whenua or the relevant iwi/hapū Governance Entity on any decision that is made.

23.2 Where Ngā Mana Whenua participates in consultation under this Relationship Agreement, Ngā Mana Whenua will provide to the Department information on the nature of the Ngā Mana Whenua interest and the views of Ngā Mana Whenua in relation to the proposal or issue upon which they are being consulted.

The entire document can be found at this link (from page 18): [Tāmaki Makaurau Collective Redress Deed Schedule - Documents 5 Dec 2012](#)

Attachment 8: Comments received from invited Māori groups