



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

**Project Name: FTAA-2511-1142 Milldale North**

<b>To:</b>	<b>Date:</b>
Hon Chris Bishop, Minister for Infrastructure	5 March 2026

Number of attachments: 9	Attachments: <ol style="list-style-type: none"><li>1. Provisions of section 18 of the Fast-track Approvals Act 2024</li><li>2. Project location map</li><li>3. List of relevant Māori groups</li><li>4. Ngāti Manuhiri coastal statutory acknowledgement</li><li>5. Te Kawerau ā Maki coastal statutory acknowledgement</li><li>6. Ngāi Tai ki Tāmaki coastal statutory acknowledgement</li><li>7. Te Ākitai Waiohua coastal statutory acknowledgement</li><li>8. Comments received from Māori groups</li><li>9. Comments received from the Minister for Māori Development and Minister for Māori Crown Relations</li></ol>
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### Ministry for the Environment contacts:

Position	Name	Cell phone	1 <sup>st</sup> contact
Principal Author	Julian Jackson		
Acting Manager, Fast-track Operations	Max Gander-Cooper	s 9(2)(a)	✓
General Manager, Investment Strategy & Operations	Ilana Miller	s 9(2)(a)	

### 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-2511-1142 Milldale North referral application.
2. The applicant, Fulton Hogan Land Development Limited, proposes a 231-hectare extension to their existing Milldale development at Silverdale which will include

approximately 1500 residential allotments, along with associated commercial and community uses, and ecological restoration. The project area is near, but does not include, the marine and coastal area. The applicant owns most of the land on which the project is proposed and has a contract in place to purchase the remainder. The applicant is seeking a range of resource consents under the Resource Management Act 1991 (RMA).

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. 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**.
4. The relevant Treaty settlements for the project area are the Ngāti Manuhiri Claims Settlement Act 2012, Ngāti Whātua Ōrākei Claims Settlement Act 2012, Ngāti Whātua o Kaipara Claims Settlement Act 2013, Te Kawerau ā Maki Claims Settlement Act 2015, Ngāi Tai ki Tāmaki Claims Settlement Act 2018, Ngāti Pāoa Claims Settlement Act 2025, and the deeds of settlement signed with Te Patukirikiri and Te Ākitai Waiohua respectively.
5. The Ngāti Manuhiri, Te Kawerau ā Maki, Ngāi Tai ki Tāmaki, and Te Ākitai Waiohua settlements provide for coastal statutory acknowledgements, including over the nearby Ōrewa River estuary. While the project area does not include this statutory area, the application proposes activities (e.g. earthworks, discharge of contaminants, and stormwater systems) that have potential to directly affect the Ōrewa Estuary via waterways onsite.
6. 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.
7. 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 Ngā Maunga Whakahii o Kaipara Development Trust. Ngā Maunga Whakahii o Kaipara Development Trust supports the ecological restoration and water-sensitive design for stream corridors. However, it is concerned about insufficient community infrastructure and facilities to support the development, particularly in relation to wastewater and water supply systems, population pressure on the local high school, and long-term support for ecological restoration and pest control.
8. You also received late comments from Te Kawerau Iwi Settlement Trust. Te Kawerau Iwi Settlement Trust expressed concern about permanent and transformative change to the whenua, waterways, and wider cultural landscape and associated impacts on cultural values and receiving environments. Te Kawerau Iwi settlement Trust seeks involvement in decision-making and co-design across all facets of the project and advocates use of low-impact, ecologically sensitive design principles.
9. The Minister for Māori Development and the Minister for Māori Crown Relations support the application for referral.

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

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Max Gander-Cooper  
**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, Fulton Hogan Land Development Limited, proposes to develop a 231-hectare northern extension of the applicant's existing Milldale (Wainui Precinct) master planned community on the western side of the Silverdale urban area, approximately 20km north of the centre of Albany. Known as the Milldale North Development, the new project proposes approximately 1,500 residential allotments including 69 terraced housing super lots located on the southern side of the Ōrewa Awa. These residential allotments would include a range of typologies and sizes, along with associated commercial allotments. The development would also include a large-scale ecological restoration area of approximately 129 hectares of farmland on the northern side of the Ōrewa Awa.
15. The applicant owns the land on which the project is proposed, except one land parcel for which the applicant has a contract in place to purchase from that landowner. No identified Māori land is involved in the proposal.
16. The applicant seeks resource consents under the Act that would otherwise be sought under the RMA for subdivision, earthworks, vegetation removal, managing contaminants in soil, discharge of contaminants onto land, diversion, take and use of surface water and groundwater, stormwater management, construction of infrastructure and ancillary works, riverbed reclamation, construction noise, traffic generation, commercial and community facilities, structures and activities in relation to overland flow paths, flood prone areas, wetland setbacks, land instability, and other matters. No approvals are being sought under other Acts.
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. Ngāti Manuhiri Settlement Trust, representing Ngāti Manuhiri;
- b. Te Rūnanga o Ngāti Whātua, representing Ngāti Whātua;
- c. Ngā Maunga Whakahii o Kaipara Development Trust, representing Ngāti Whātua o Kaipara;
- d. Ngāti Whātua Ōrākei Trust, representing Ngāti Whātua Ōrākei;
- e. Te Kawerau Iwi Settlement Trust, representing Te Kawerau ā Maki;
- f. Te Ākitai Waiohua Waka Taua Inc, representing Te Ākitai Waiohua;
- g. Ngāi Tai ki Tāmaki Trust, representing Ngāi Tai ki Tamaki;
- h. Ngāti Pāoa Iwi Trust, representing Ngāti Pāoa;
- i. Ngaati Whanaunga Incorporated Society, representing Ngaati Whanaunga;
- j. Ngāti Maru Rūnanga Trust, representing Ngāti Maru;
- k. Ngāti Tamaterā Treaty Settlement Trust, representing Ngāti Tamaterā;
- l. Hako Tūpuna Trust, representing Hako; and
- m. Te Patukirikiri Iwi Trust, representing Te Patukirikiri.

## **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.<sup>1</sup>

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

- a. Ngāti Manuhiri Settlement Trust, PSGE for Ngāti Manuhiri Claims Settlement Act 2012;
- b. Ngāti Whātua Ōrākei Trust, PSGE for Ngāti Whātua Ōrākei Claims Settlement Act 2012;
- c. Ngā Maunga Whakahii o Kaipara Development Trust; PSGE for Ngāti Whātua o Kaipara Claims Settlement Act 2013;
- d. Te Kawerau Iwi Settlement Trust, PSGE for Te Kawerau ā Maki Claims Settlement Act 2015;
- e. Ngāi Tai ki Tāmaki Trust, PSGE for Ngāi Tai ki Tāmaki Claims Settlement Act 2018;
- f. Ngāti Pāoa Iwi Trust, PSGE representing 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. Ngaati Whanaunga Ruunanga Trust, PSGE representing Ngaati Whanaunga (deed of settlement initialled August 2017);
- b. Te Rūnanga o Ngāti Whātua, representing Ngāti Whātua (agreement in principle for remaining claims signed August 2017);
- c. Ngāti Tamaterā Treaty Settlement Trust, PSGE representing Ngāti Tamaterā (deed of settlement initialled September 2017);
- d. Ngāti Maru Rūnanga Trust, PSGE representing Ngāti Maru (deed of settlement initialled September 2017);
- e. Taonga o Marutūāhu Trustee Limited/Marutūāhu Rōpū Limited Partnership, PSGEs representing Marutūāhu Collective (collective redress deed initialled July 2018);
- f. Te Patukirikiri Iwi Trust, PSGE for Te Patukirikiri (deed of settlement signed October 2018);
- g. Te Ākitai Waiohua Settlement Trust, PSGE for Te Ākitai Waiohua (deed of settlement signed November 2021); and
- h. Hako Tūpuna Trust, PSGE representing Hako (deed of on-account signed October 2014, agreement in principle signed July 2011).

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

### **Groups mandated to negotiate Treaty settlements**

26. In addition to the PSGEs identified at paragraph 24, 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**

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, mātaimai 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 no parties to these arrangements to identify. Ngāi Tai ki Tāmaki began negotiating a Mana Whakahono a 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 Tūpuna Taonga o Tāmaki Makaurau Trust/ Whenua Haumi Roroa o Tāmaki Makaurau Limited Partnership as another Māori group which may have relevant interests.
35. For your information, the applicant reports they have contacted 12 iwi groups regarding the Milldale North proposal, nine of which did not respond. Engagement with Te Kawerau ā Maki and Ngāti Manuhiri is ongoing.

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

### **Treaty settlements**

36. 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.
37. The following Treaty settlements relate to land, species of plants or animals, or other resources within the project area:

#### *Treaty settlement Acts*

- a. Ngāti Manuhiri Claims Settlement Act 2012;
- b. Ngāti Whātua Ōrākei Claims Settlement Act 2012;
- c. Ngāti Whātua o Kaipara Claims Settlement Act 2013;
- d. Te Kawerau ā Maki Claims Settlement Act 2015;
- e. Ngāi Tai ki Tāmaki Claims Settlement Act 2018; and
- f. Ngāti Pāoa Claims Settlement Act 2025.

#### *Treaty settlement deeds*

- g. Te Patukirikiri Deed of Settlement signed 7 October 2018; and
- h. Te Ākitai Waiohua Deed of Settlement signed 12 December 2021.

### **Relevant principles and provisions**

38. 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*

39. 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.
40. As part of its apologies to Ngāti Manuhiri, Ngāti Whātua Ōrākei, Ngāti Whātua o Kaipara, Te Kawerau ā Maki, Ngāi Tai ki Tāmaki, Ngāti Pāoa, Te Patukirikiri, and 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 acknowledgements*

41. A statutory acknowledgement is an acknowledgement by the Crown of a 'statement of association' between the iwi and an identified area (the 'statutory area'). Under the RMA and the relevant settlement Acts, a consent authority must, when considering a resource consent for a proposed activity that is within, adjacent to, or directly affecting a statutory area:
- a. provide a summary of the application to the holder of the statutory acknowledgement. The summary of the application must be the same as would be given to an affected person by limited notification under the RMA. The summary must be provided as soon as is reasonably practicable after the relevant consent authority receives the application, but before they decide whether to notify the application; and
  - b. have regard to the statutory acknowledgement when deciding whether the holder (generally a PSGE) is an 'affected person' for the purposes of notification decisions under the RMA.<sup>2</sup>
42. 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 Protection Authority, or a board of inquiry), which may, in turn, take that statutory acknowledgement into account.
43. The Ngāti Manuhiri, Te Kawerau ā Maki, Ngāi Tai ki Tāmaki, and Te Ākitai Waiohau settlements provide for a coastal statutory acknowledgement over the marine and coastal area, including the Ōrewa River estuary. While the project area does not include the statutory area, the development lies entirely within the catchment of the Ōrewa River which flows into the Ōrewa River estuary a relatively short distance (less than two kilometres away) downstream of the project area.
44. We note the applicant has indicated the project will involve land disturbance activities such as vegetation removal and earthworks, and the need to manage stormwater runoff, erosion and sediment issues, soil contaminants, roading-related pollutants, and on-site wastewater treatment and disposal. The applicant has also indicated the project triggers resource consent requirements in relation to flooding probability, flood prone areas, overland flow paths, land instability, and setbacks from wetlands. Potential transport of sediment and other contaminants in waterways from the project area may be a relevant issue for the coastal statutory acknowledgements.
45. Based on the information provided, the applicant proposes implementing erosion and sediment controls, and stormwater management systems, including clean water diversion bunds, dirty water diversion bunds and decanting earth bunds, to ensure sediment and contaminated water is appropriately managed. Earthen bunds, wetlands, and percolation areas will be used to retain and treat surface runoff and help prevent sediment and other contaminants from moving off-site into downstream waterways.
46. We consider the process of you inviting comment (including providing information about the application) from Ngāti Manuhiri, Te Kawerau ā Maki, Ngāi Tai ki Tāmaki, and Te Ākitai Waiohau under section 17 of the Act is comparable to the requirements for statutory acknowledgements under the RMA and Treaty settlements.

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

47. Should you accept this referral application, the panel considering any substantive application for this project may want to consider how the project might affect the coastal statutory acknowledgements.
48. For your reference, we have provided the coastal statutory acknowledgement provisions for Ngāti Manuhiri, Te Kawerau ā Maki, Ngāi Tai ki Tāmaki, and Te Ākitai Waiohū, including the relevant statements of association and deed plans, at **Attachments 4, 5, 6, and 7** (respectively).<sup>3</sup>
49. 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**

50. 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**

51. 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**

52. 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**

53. Pursuant to section 17(1)(d) of the Act, on 18 December 2025 you invited written comments from the Māori groups identified above in paragraphs 19-33, 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.
54. You received comments on the application from Ngā Maunga Whakahii o Kaipara Development Trust, which can be summarised as follows:
- a. Ngā Maunga Whakahii o Kaipara Development Trust (the Trust) acknowledges the feedback that Ngāti Manuhiri and Te Kawerau ā Maki have provided on the proposal. The Trust supports the ecological restoration and water-sensitive design for stream corridors and stormwater wetlands. The Trust is primarily concerned about insufficient community infrastructure and facilities to support the development, particularly in relation to:

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<sup>3</sup> Since the statutory acknowledgements provisions are standard drafting across Treaty settlement Acts, we have only provided the legislative provisions from the Ngāti Manuhiri Claims Settlement Act 2012.

- i. the applicant proposing an interim private wastewater infrastructure (and possibly groundwater bore) instead of connecting to Watercare’s sewerage and water networks;
  - ii. increased population pressure on the local high school, which is already beyond capacity with no new high school planned; and
  - iii. the need for long-term commitment to funding and maintenance of ecological restoration areas and pest control in the predator-proof fenced area.
55. You also received comments from Te Kawerau Iwi Settlement Trust after the statutory timeframe, which you may consider at your absolute discretion, as long as you have not already made a decision on the application under section 21 (section 17(7)(b) refers). These comments can be summarised as follows:
- a. Te Kawerau Iwi Settlement Trust advises it knows the project well, having provided a cultural impact assessment for earlier stages and continuing to be updated and engaged. Te Kawerau Iwi Settlement Trust makes the following points:
    - i. Te Kawerau Iwi Settlement Trust considers the 231-hectare urban expansion to be a permanent and transformative change to the whenua, waterways, and wider cultural landscape, occurring within a culturally significant area already subject to cumulative urban pressures on taiao and cultural values;
    - ii. Te Kawerau Iwi Settlement Trust raises concerns that associated earthworks may disturb wāhi tapu, wāhi tūpuna, and archaeological features, and that stormwater and interim infrastructure may adversely affect water quality, mauri, and create long-term reliance on temporary solutions;
    - iii. while ecological restoration is proposed, Te Kawerau Iwi Settlement Trust cautions against offsetting approaches that treat restoration as compensation rather than obligation and do not recognise uncertainty in ecological recovery;
    - iv. should the project be accepted for referral, Te Kawerau Iwi Settlement Trust’s non-negotiables include ongoing engagement with the applicant, Te Kawerau Iwi Settlement Trust being embedded in decision-making and co-design across all facets of the project including identification and protection of cultural values, use of low-impact design principles, and adoption of nature-based stormwater systems that restore mauri, and restoration designed in partnership and protected in perpetuity; and
    - v. Te Kawerau Iwi Settlement Trust notes that the Fast-track consenting process constrains meaningful engagement, limits tikanga-based assessment, and risks reducing mana whenua to a procedural input rather than a Treaty partner.

### **Consultation with departments and Ministers**

56. 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).

57. We have previously sought advice from Te Puni Kōkiri and the Office of Treaty Settlements and Takutai Moana – Te Tari Whakatau regarding the relevant Māori groups for other applications in this area, and have incorporated their views into this report.

58. The Minister for Māori Development and the Minister for Māori Crown Relations support the application for referral.

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

59. 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.

60. 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.

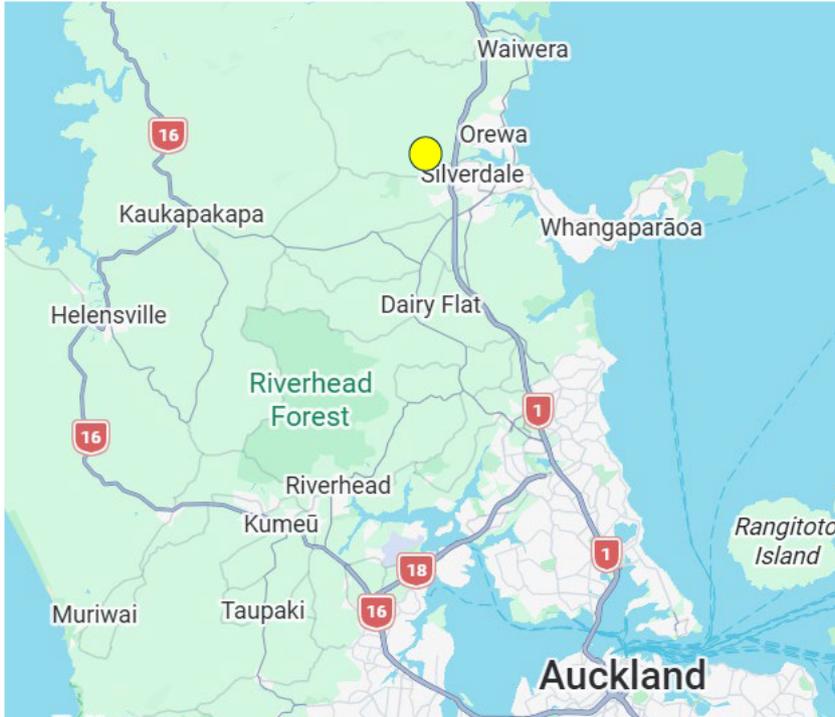
## Attachment 1: Provisions of section 18 of the Fast-track Approvals Act 2024

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, 24
18(2)(b)	Any Treaty settlements that relate to land, species of plants or animals, or other resources within the project area	37
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	38-49
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, 50
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, 50
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, 50
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, 51
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).	30
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"> <li>(i) iwi authorities and groups that represent hapū that are parties to any relevant Mana Whakahono ā Rohe or joint management agreements.</li> </ul>	32, 51

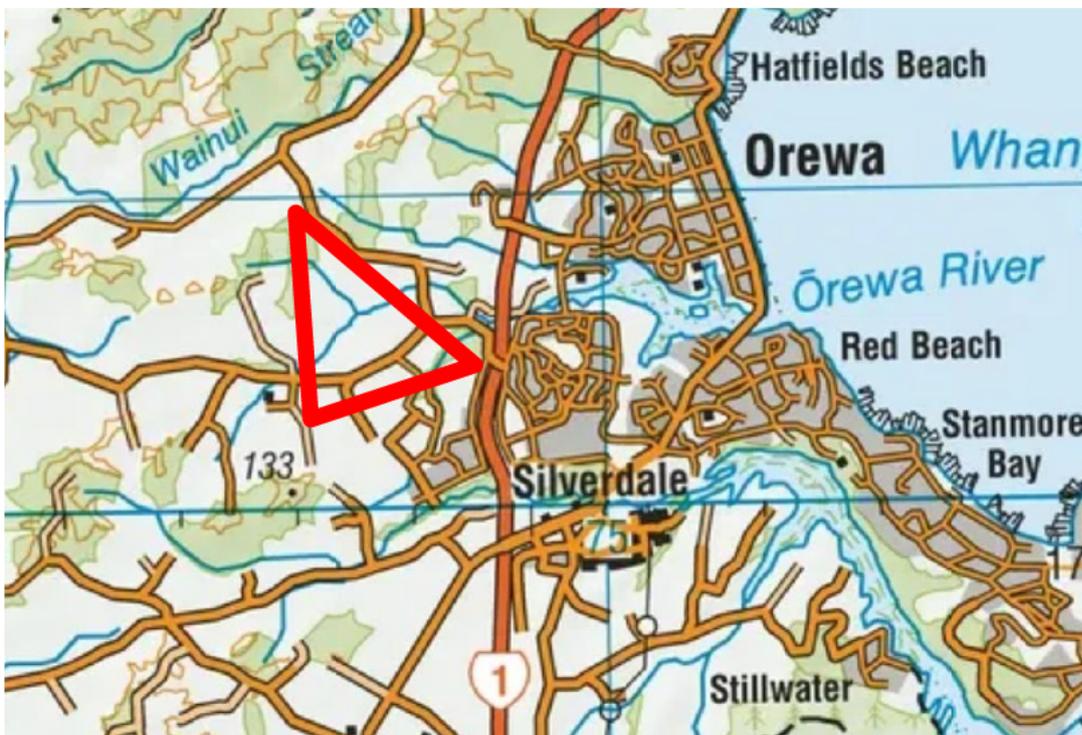
	(ii) The relevant principles and provisions in those Mana Whakahono ā Rohe and joint management agreements.	
<b>18(2)(k)</b>	Any other Māori groups with relevant interests.	34
<b>18(2)(l)</b>	A summary of— (i) comments received by the Minister after inviting comments from Māori groups under section 17(1)(d) and (e); (ii) any further information received by the Minister from those groups	54, 55
<b>18(2)(m)</b>	The responsible agency's advice on whether, due to any of the matters identified in this section, it may be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts.	60
<b>18(3)</b>	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.	56, 57
<b>18(4)</b>	Those Ministers must respond to the responsible agency within 10 working days after receiving the draft report	56

## Attachment 2: Project location maps

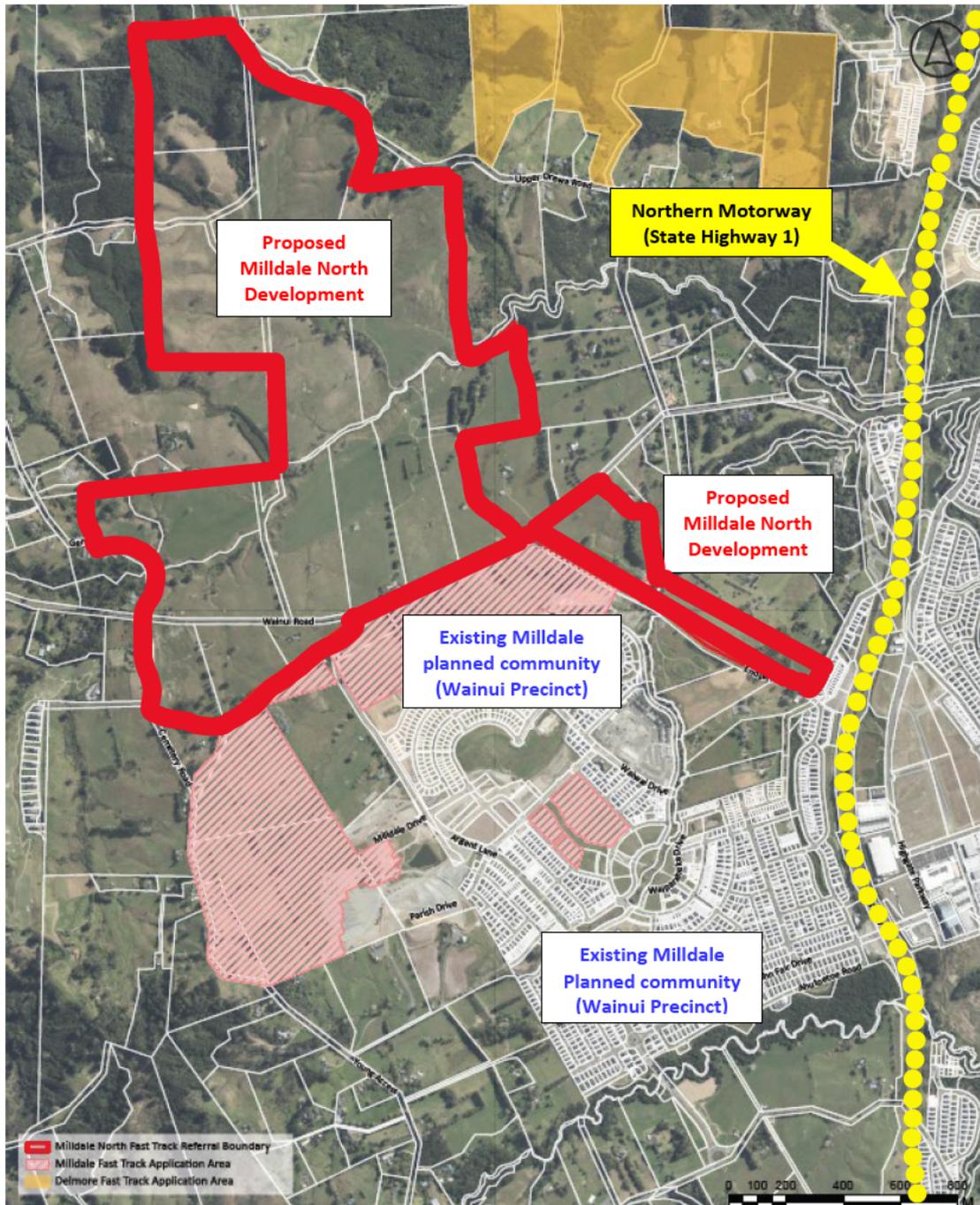
**Map 1 – Location of proposed Milldale North Development at Silverdale, Auckland, indicated by yellow circle below**



**Map 2. Local area – location of proposed Milldale North Development shown by red marking below.**



Map 3. Footprint of proposed Milldale North Development indicated by red marking below



### Attachment 3: List of relevant Māori groups

Name of group	FTAA section
Te Rūnanga o Ngāti Whātua	18(2)(a), 18(2)(d)
Ngā Maunga Whakahii o Kaipara Development Trust	18(2)(a)
Ngāti Whātua Ōrākei Trust	18(2)(a)
Hako Tūpuna Trust	18(2)(a), 18(2)(d)
Ngāti Maru Rūnanga Trust	18(2)(a), 18(2)(d)
Ngāti Manuhiri Settlement Trust	18(2)(a)
Ngāti Pāoa Iwi Trust	18(2)(a)
Te Patukirikiri Iwi Trust	18(2)(a), 18(2)(d)
Ngāi Tai ki Tāmaki Trust	18(2)(a)
Ngāti Tamaterā Treaty Settlement Trust	18(2)(a), 18(2)(d)
Te Kawerau Iwi Settlement Trust	18(2)(a)
Te Ākitai Waiohua Waka Taua Inc	18(2)(a)
Te Ākitai Waiohua Settlement Trust	18(2)(a), 18(2)(d)
Ngaati Whanaunga Incorporated Society	18(2)(a)
Ngaati Whanaunga Ruunanga Trust	18(2)(a), 18(2)(d)
Ngāti Te Ata Claims Support Whānau Trust	18(2)(a), 18(2)(d)
Taonga o Marutūāhu Trustee Limited / Marutūāhu Rōpū Limited Partnership	18(2)(a), 18(2)(d)
Tūpuna Taonga o Tāmaki Makaurau Trust / Whenua Haumi Roroa o Tāmaki Makaurau Limited Partnership	18(2)(k)

## Attachment 4: Ngāti Manuhiri coastal statutory acknowledgement

### 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 statutory area (attachments schedule to deed of settlement)



Coastal Statutory Acknowledgement Area

Areas reserved for the Crown in the deed of settlement between Ngāi Māngai and the Crown

Approved as proposed areas boundaries:  
 J.S. Holmeck 12/07/11  
 for Ngāi Māngai  
 K.S. [Signature] 12/07/11  
 for and on behalf of the Crown

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

### **COASTAL STATUTORY ACKNOWLEDGEMENT AREA**

#### **Statutory Area**

The area to which this Statutory Acknowledgement applies is the Ngāti Manuhiri Coastal Acknowledgement Area, as shown on deed plan OTS-125-06. This statutory acknowledgment should be considered alongside the Ngāti Manuhiri statutory acknowledgments for the adjoining coastal environment, rivers and the offshore islands.

#### **Statement of Association for the Ngāti Manuhiri Coastal Statutory Acknowledgement Area**

The coastal marine area and the coastal environment adjoining are central to the origins, mana and identity of Ngāti Manuhiri as an iwi, and as part of the ocean-focused tribal grouping Ngāti Wai ki te Moana.

Ngāti Manuhiri have an important ancestral relationship with the coastal marine area extending from Mangawhai (the Mangawhai Harbour) to Matakana (the Matakana Estuary). Broader and shared ancestral interests are also maintained within a coastal area covering the seaway known as Te Moana Nui ō Toi – the great sea of Toi (the central and northern Hauraki Gulf). In the north, Ngāti Manuhiri share ancestral relationships and interests from Paepae ō Tū (Bream Tail) on the eastern coastline, out to the islands of Tūturu (Sail Rock) and Pokohinu (the Motuhinau Islands group).

The Ngāti Manuhiri coastal statutory acknowledgement area encompasses the islands of Hauturu-o-Toi / Little Barrier Island, and Aotea (Great Barrier Island), where Ngāti Manuhiri have shared ancestral interests, including on Rangiahua (Flat Island), Motu Mahuki, Motu Taiko, and their marine environs. Ngāti Manuhiri accept that their relatives Ngāti Rehua act as primary kaitiaki of these interests at Aotea.

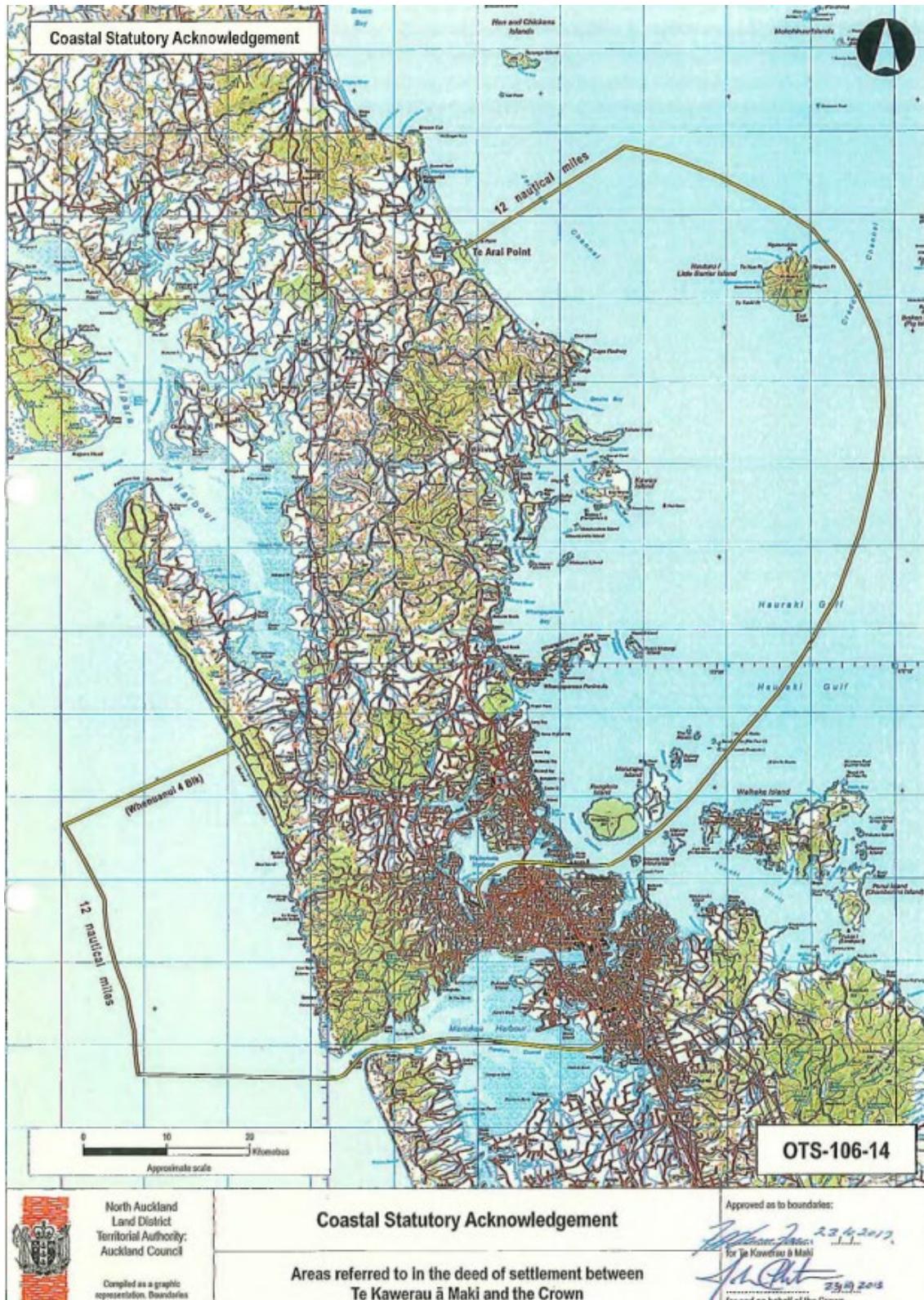
The southern boundary of the Ngāti Manuhiri coastal statutory acknowledgement area extends from the south western extremity of Aotea (Great Barrier Island) through the seas known traditionally as Taitūmata and Te Awanui ō Hei, to Takapou (Channel Island). It then runs westward through the seaway known as Moana Te Rapu, to the south of the Whāngaparōa Peninsula, to reach the eastern coastline of the Auckland region at Ōkura. There are places of spiritual, historical, cultural and economic importance to Ngāti Manuhiri along the entire coastline between Ōkura and Paepae ō Tū (Bream Tail). Seaways of particular significance to Ngāti Manuhiri include Waimiha (Ōmaha Bay) which was associated with the annual whale migrations described below, Moanauriuri (Kawau Bay), and Waihi (the North Channel of Kawau Bay). This latter area is a place of particular mana associated with the landmarks and ritually important areas of Karangatuoro, Matatūahu, Tangaroa and Tokatū.

#### **Te Moana Nui ō Toi Te Huatahi – The Great Sea of Toi Te Huatahi**

Ngāti Manuhiri trace descent from the famous early Māori ancestor and voyager Toi Te Huatahi, after whom Te Moana Nui ō Toi (the central and northern Hauraki Gulf) is named. This ocean area, and its mauri or spiritual essence, kaitiaki or spiritual guardians, biodiversity, seaways, islands, and traditions, lie at the heart of the identity of Ngāti Manuhiri. Te Moana Nui ō Toi, and its islands and coastal margins are also associated with the earliest ancestral origins of Ngāti Manuhiri, through descent from the ancestors Maui Pae, Manaia, and Tahuhuniorangi. This seaway was also associated with the arrival of the Tainui and Aotea waka in the region, and the renowned ancestors Rakataura and Turi from whom the eponymous ancestor Manuhiri descends.

## Attachment 5: Te Kawerau ā Maki coastal statutory acknowledgement

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



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

### DOCUMENTS

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#### 4: STATEMENTS OF ASSOCIATION

##### **TE KAWERAU Ā MAKI COASTAL STATUTORY ACKNOWLEDGEMENT AREA**

###### **Statutory Area**

The area to which this Statutory Acknowledgement applies is the Te Kawerau ā Maki Coastal Acknowledgement Area, as shown on the deed plan OTS-106-14. This statutory acknowledgement should be considered alongside the Te Kawerau ā Maki statutory acknowledgements for the adjoining coastal environment and rivers of significance.

###### **Statement of Association for the Te Kawerau ā Maki Coastal Statutory Acknowledgement Area**

The coastal marine area and the coastline adjoining it are of central importance to the identity of Te Kawerau ā Maki, particularly in relation to the area adjoining the heartland of the iwi in West Auckland. Te Kawerau ā Maki hold a long and enduring ancestral and customary relationship with the coastal marine area bordering the northern shores of the Manukau Harbour, the west coast of the Waitākere Ranges and the upper Waitematā Harbour. Broader and shared ancestral interests are also held with a more extensive coastal area of interest covering Te One Rangatira (Muriwai Beach), the lower Waitematā Harbour, the coastline adjoining the North Shore – Mahurangi districts, and parts of Te Moana nui ō Toi (the Hauraki Gulf).

## Mahurangi

The wider coastal environment lying between Ōrewa and the Mahurangi River is known traditionally as Mahurangi. It takes its name from the small island pā located off the mouth of Awa Waiwerawera (the Waiwera River). Te Kawerau ā Maki have a shared ancestral and customary interest in this locality, which was named by the ancestor Rakataura, and which was occupied by Maki and his descendants. The customary relationship held by Te Kawerau ā Maki with the adjoining land block of Maungatauhoro was recognised by Te Kawerau rangatira and the Native Land Court when title to the Mahurangi reserve was investigated in 1866. The enduring Te Kawerau ā Maki relationship with this area, and its hot springs, was reflected by the fact that the late nineteenth and early twentieth century tribal leader, Te Utika Te Aroha, named one of his daughters Waiwera. This name has continued to be passed down within the iwi to commemorate the ancestral and customary association with Mahurangi.

Through descent from Maki and all four of his sons, Te Kawerau ā Maki have shared ancestral interests in the coastline extending to the north of Mahurangi. Places with which Te Kawerau ā Maki hold a special ancestral association include: Te Korotangi (a fortified pā at the mouth of Waihē, the Mahurangi River), Ōpāheke ō Rotu (Ōpāheke Point), Pukeruhiruhi (a fortified pā at Tāwharanui), and Te Hāwera ā Maki / Goat Island. Te Kawerau ā Maki ancestral and customary relationships with the coastal area north of Matakana were recognised by related Te Kawerau

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## DOCUMENTS

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### 4: STATEMENTS OF ASSOCIATION

rangatira when they were placed on the title to the Mangatāwhiri Block (Tāwharanui–Ōmaha) with other Te Kawerau people in 1873.

Te Kawerau ā Maki also have a shared ancestral association with the main islands standing off this coastline, in particular Te Kawau-tūmārō-ō-Toi (Kawau Island) and Te Hauturu-ō-Toi / Little Barrier Island. This association is claimed through the conquest of Hauturu by Maki and his brother Mataahu, and the subsequent occupation of the island by their descendants until the early 1840s. It was at this time that the Te Kawerau ā Maki rangatira Te Ngerengere is documented to have visited his Ngāti Manuhiri relative Taurekura on Hauturu. Te Kawerau ā Maki continue to treasure their ancestral relationship with Hauturu and the wider coastal environment that surrounds it, while also recognising the enduring kaitiaki role that their Ngāti Manuhiri whanaunga play.

# Attachment 6: Ngāi Tai ki Tāmaki coastal statutory acknowledgement

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



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

### DOCUMENTS

#### 1: STATEMENTS OF ASSOCIATION

##### **Coastal Marine Area (as shown on deed plan OTS-403-128)**

Ngāi Tai Ki Tāmaki are a maritime people without boundaries and have been voyagers since ancient times. Ngāi Tai ki Tāmaki are acknowledged as being amongst the original inhabitants of Aotearoa. It is inevitable that some of the most significant sites of arrival, ritual, landmark and subsequent habitation, both seasonal and permanent, are now shared with others, others with whom we share close links through whakapapa and shared histories, others who through the passage of time and history hold ahi kaa in different places. Ngāi Tai hold fast to the knowledge of our associations to the places and the people as taonga tuku iho. From Te Arai out to Hauturu out to Aotea and throughout Hauraki and Tāmaki Makarau and all the islands within, Ngāi Tai have significant multiple, and many layered associations.

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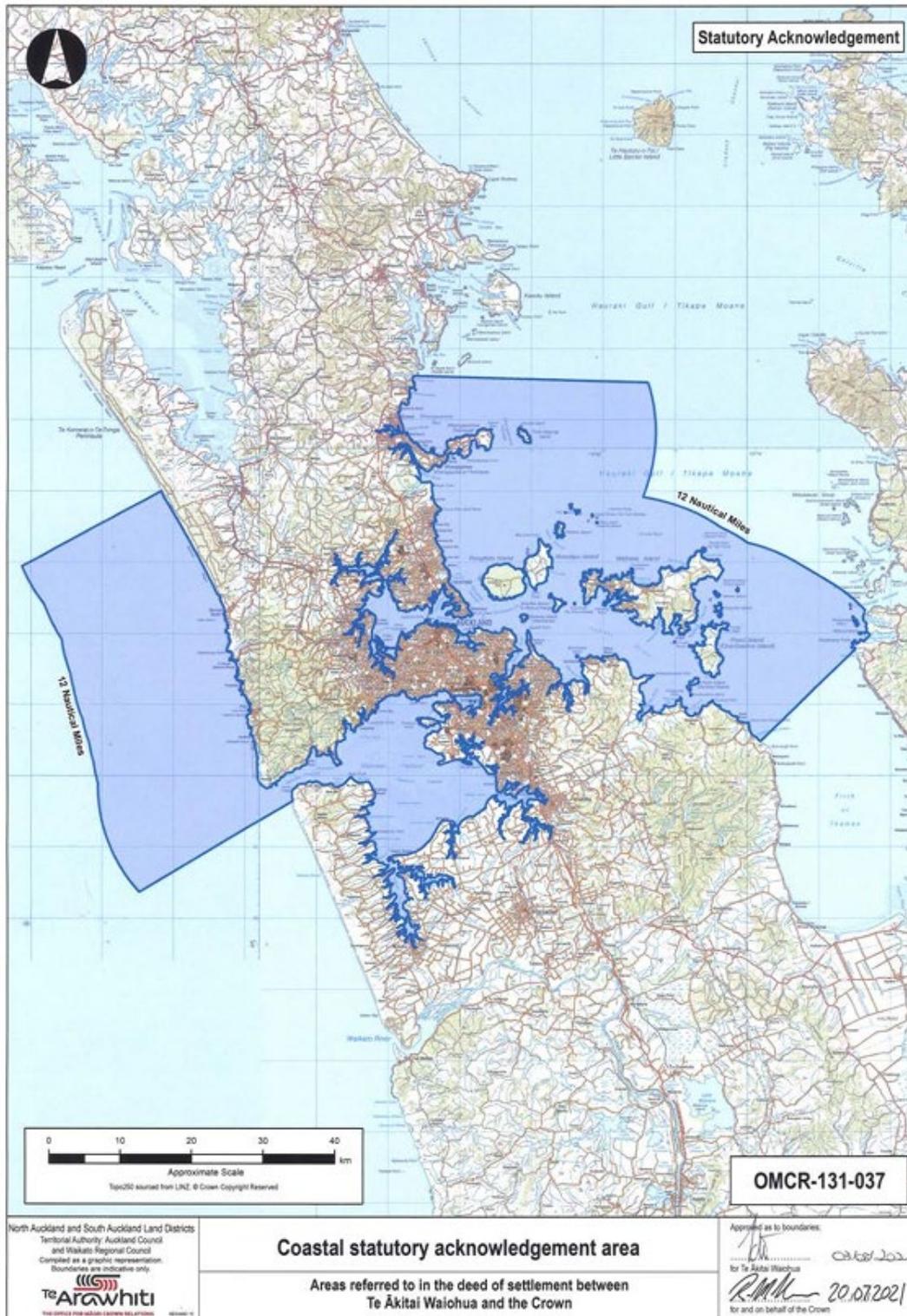
##### ***Tiritirimatangi ki Te Kawau Tu Maro o Toi ki Mahurangi***

Through Ngāti Taihaua ancestry shared with other close relations there emerged the later descent groups of Ngāti Kahu and Ngāti Poataniwha through whom Ngāi Tai ki Tāmaki established shared occupation of the North Shore and Upper Waitemata Harbour, going on to extend mutual interests along the Mahurangi coastline as far north as Orewa and Te Arai Point. Through Ngāti Taihaua, Ngāti Kahu and Ngāti Poataniwha ancestry, Ngāi Tai Ki Tāmaki and others hold shared interests in the adjacent islands of Rangitoto, Tiritirimatangi and Te Kawau Tu Maro o Toi.

It is a Ngāi Tai Tradition that through the relationships of Taihua with subsequent aggressors Ngāi Tai enjoyed ongoing occupation of those places. During hearings into land transactions that were ongoing post 1840 Ngāi Tai Rangatira continued to assert their whakapapa and claims to this entire area and to these motu.

## Attachment 7: Te Ākitai Waiohū coastal statutory acknowledgement

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

In comparison the Hauraki Gulf and Waitematā Harbour, with its deeper navigable channel, gentle current and limited tidal range, feature much calmer waters with Rangitoto island and the numerous other motu in Tikapa Moana providing some shelter from the South Pacific Ocean.

The name Waitematā or 'water of Te Matā is said to come from Kahumatamomoe of the Te Arawa waka when he laid his mauri stone Te Matā on Boat Rock in the harbour south west of Te Matare o Mana (Kauri Point).

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

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

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

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

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

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The Waitematā Harbour also features notable motu including Pahiki (Herald Island) and Motumanawa (Pollen Island). Motungaegae (Watchmans Island) off the coast of Herne Bay was said to be a former Waiohū pā site based on a motu that was much larger than the sandstone islet that exists today.

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

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

The importance of the coastal areas for food and transport also meant that many Te Ākitai Waiohū pā and kainga (settlements) were built along the coastline or on motu. These sites were used to defend and take advantage of the natural resources and transport routes provided by the Coastal Area. Key coastal kainga at Ihumātao, Pūkaki, Māngere, Karaka and Waimihia (Conifer Grove) were still occupied by Te Ākitai Waiohū through to the 19th Century.

Many pā or kainga were strategically built on headlands and naturally elevated sections of motu or the coast, to provide a strategic vantage point overlooking the surrounding area. Natural landmarks on the coast were also used by Te Ākitai Waiohū to signify events, associations, boundaries or navigation points. Coastal settlements usually featured natural escape routes to avoid extensive conflict as they did not have the defensive features of inland pā, such as those based on maunga, to defend resources or transport routes. Te Puonga in Hikurangi was used as a fishing boundary marker and navigation point for entering the Manukau Harbour. The Karangahape pā site is at Puonga Point in Karangahape (Cornwallis).

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

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

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Kaiwhare is a taniwha associated with the Manukau Harbour and the Hikurangi coast at Piha that takes the form of a colossal sting ray. Kaiwhare is said to have formed the Manukau Harbour with its various sand banks and channels by the thrashing of his tail. Ureia is a taniwha that takes the form of a whale and is associated with the Waitematā Harbour and Hauraki Gulf, south to the Firth of Thames. The taniwha Taramainuku guards the entrance to the Manukau Harbour. The taniwha Te Mokoroa watches the tuna (eels) and fish of Waitakere through to the western reaches of the Waitematā Harbour from his lair at Te Mokoroa. Paikea, a taniwha guarding the Hikurangi coastline, is said to stay at Anawhata and venture as far south as the Manukau heads. Te Moko Ika Hikuwaru is the reptilian guardian taniwha of Te Wai o Taiehu or Te Waimokoia (Tāmaki River) that resides at Te Kai o Hikuwaru or Te Wai Roto o Moko Ika (Panmure Basin).

These taniwha provide important tohu or signs that, although the Coastal Area sustains the people of Te Ākitai Waiohū by providing them with invaluable food and resources, the region can also be a dangerous place if it is not valued or afforded the appropriate respect.

Taniwha and the ancient ancestors of Te Ākitai Waiohū associated with the Coastal Area are still recognised today through pepeha, karakia, waiata and traditional stories. They are also cultural representations of tikanga, kawa and kaitiakitanga that continue to be expressed and applied by the people of Te Ākitai Waiohū today.

Te Ākitai Waiohū hold an ancient customary association with the coastal marine area, which has eternally sustained the existence of the people of Tāmaki Makaurau, as a means of transport, by obtaining food and other basic necessities of life. There is a corresponding cultural perspective that such a crucial relationship demands ongoing respect and recognition. Thus the historical and spiritual connection of Te Ākitai Waiohū with the coastal marine area is viewed as essential to the preservation of its very existence and an affirmation of its identity as a people.

## Attachment 8: Comments received from invited Māori groups

### Ngā Maunga Whakahii o Kaipara Development Trust

#### Milldale (North) - Fast Track Referral-application

##### Comments

The following observations are made, in respect of the application information provided by Fulton Hogan Land Development Limited. The material made available through the EPA's Fast Track portal in January 2026 has been briefly reviewed by Ngā Maunga Whakahii o Kaipara Development Trust - Environmental Business Unit: Te Tari Tai Ao.

##### **Supporting Infrastructure**

- Interim private wastewater infrastructure (and possibly groundwater bore).

We acknowledge that Ngāti Manuhiri and Te Kawerau a Maki provided feedback in respect of the proposal. In terms of our iwi Environmental Management Plan, the timing of this development as sought is understandable but not easily possible. There is clearly not sufficient municipal infrastructure available at a requisite time. We would have reservations about a temporary private scheme and instead encourage coinciding with when Watercare is likely to connect the development to the public network. The main concern about an interim option is the discharge to the Orewa Awa or Waterloo Creek.

##### **Community Facilities**

- “a proposed early childhood education facility.”

That is not sufficient for the scale of the proposed development i.e. 1500+ homes could mean 5000 more residents. There are plenty of early childhood centres (provided by the private-sector), whereas of more concern is the impact of this population increase on the local high school. It is already beyond capacity and there is no new college planned.

##### **Ecological Restoration**

- “riparian and wetland enhancement along the Orewa Awa and Waterloo Creek.”

This is commended, however the developer needs to fund the long-term establishment (maintenance) of ecological restoration areas. Climate change is making pest control more challenging than ever before. It is becoming harder to control invasive weeds and there are many riparian enhancement areas that have been overtaken by invasive weeds, so the desired native plantings now do not reach maturity and the areas do not support native wildlife. It is requested that the developer commit to comprehensive and long-term support beyond initial planting. We support the water sensitive design for stream corridors and stormwater wetlands, however reiterate that its (flood control) success depends on a permanent maintenance regime. The same applies to the 129ha ecological restoration area i.e. for it to be “native-dominant”, extensive and ongoing weed control is vital. The predator-proof fenced area will need intensive trapping and this would need to be a perpetual legal obligation of development approval.

## **Te Kawerau Iwi Settlement Trust**

### **Feedback re: FTAA-2511-1142 (Milldale North)**

**Applicant:** Fulton Hogan Land Development Limited

**Project:** Milldale North Development

Tēnā koutou,

On behalf of Te Kawerau ā Maki, we provide this response to the Fast Track application for the Milldale North development.

At the outset, we acknowledge the scale and significance of this proposal. A 231-hectare urban expansion, including approximately 1,500 residential lots and associated infrastructure, represents a permanent and transformative change to the whenua, waterways, and wider cultural landscape of this rohe.

I must preface our feedback by stating that the use of the Fast Track consenting process continues to raise concerns for iwi. This pathway fundamentally constrains the ability for meaningful engagement, limits the expression of tikanga-based assessment, and risks reducing mana whenua to a procedural input rather than a Treaty partner.

In saying that – we know this project well, as we provided a Cultural Impact Assessment previously for earlier stages of this project and continue to be updated and engaged throughout the process.

### **Cultural and Environmental Considerations**

This proposal sits within a highly modified but still culturally significant landscape. The cumulative effects of urban expansion in this part of Tāmaki Makaurau are already placing pressure on taiao systems and cultural values. Key areas of concern include:

#### **1. Papatūānuku (Whenua / Land)**

- Permanent loss and modification of whenua, including potential impacts on soils, landforms, and any remaining cultural landscapes
- Earthworks at this scale risk disturbing wāhi tapu, wāhi tūpuna, and archaeological features

#### **2. Parawhenuamea (Freshwater Systems)**

- The introduction of stormwater networks and potential interim infrastructure raises concerns about:
  - degradation of water quality
  - impacts on mauri of receiving environments
  - long-term reliance on temporary infrastructure solutions

### 3. Tāne (Terrestrial Ecosystems)

- While a 129-hectare ecological restoration area is proposed, we caution against offsetting frameworks that:
  - treat restoration as compensation rather than obligation
  - fail to recognise the time lag and uncertainty in ecological recovery
- It is important to note here that we continue to engage with the Applicant to work towards *greater than* like-for-like offsetting and mitigations and achieve good outcomes in this area from a cultural and ecological lens

### 4. Tangaroa (Downstream / Coastal Effects)

- Sedimentation, contaminants, and hydrological changes will have downstream impacts on coastal receiving environments
- These effects are cumulative and must be assessed beyond site boundaries

### 5. Ranginui (Integrated Systems)

- Urbanisation alters natural water cycles, increases impervious surfaces, and changes relationships between land, water, and atmosphere
- Increased lighting has potential to impact the night sky and ability to see stars

## Key Expectations from Te Kawerau ā Maki

Should this project proceed, the following are non-negotiable from an iwi perspective:

### 1. Genuine Partnership

- We should continue to be embedded in decision-making structures for the project
- Co-design approaches must be adopted across planning, design, and implementation (particularly where there are significant impacts)

### 2. Cultural Impact Assessment (CIA)

- A comprehensive CIA has already been done for earlier stages of the development, but addendums and additions to this should be completed and resourced by the applicant
- Findings must continue to meaningfully inform project design—not sit alongside it

### 3. Protection of Cultural Values

- Identification and protection of wāhi tapu and wāhi tūpuna prior to any earthworks
- Cultural monitoring protocols must be in place

### 4. Water-Centric Design

- Adoption of values and recommendations similar to those in the earlier CIA by Te Kawerau ā Maki

- Preference for nature-based stormwater systems that restore mauri (i.e. water passing through whenua/land is the cleanest way to treat water)

## **5. Ecological Integrity**

- Restoration areas must be:
  - designed in partnership with Te Kawerau ā Maki
  - legally protected in perpetuity
  - supported by long-term sustainability and management

## **6. Integrated Outcomes**

- Transport, housing, and infrastructure must align with:
  - low-impact urban design principles
  - reduced environmental footprint and impacts
  - intergenerational wellbeing

## **Conclusion**

This proposal represents a significant and irreversible transformation of the landscape. While development is not opposed in principle, it must occur in a way that upholds our iwi values, protects the mauri of the environment, and reflects true partnership.

We therefore seek:

- Continued engagement with the Applicant
- meaningful involvement in shaping outcomes
- and assurance that cultural and environmental values will not be subordinated to delivery timeframes

Without these, the risk is that this development becomes another example of growth occurring at the expense of te taiao and iwi, rather than alongside it.

## Attachment 9 Comments received from the Minister for Māori Development and Minister for Māori Crown Relations

**Hon Tama Potaka Comment** - Saved # Portals-Fast Track Portal - ftaa-portal Submitted Portal Status

Feedback · FTA - Feedback Owner

**General** Documents Related

**Feedback Details**

Feedback ID \* FDB001846M2J9

Title \* Hon Tama Potaka Comment

Regarding [FTAA-2511-1142 Milldale North - section 18 report](#)

Comments  
I support the application progressing to the Expert Panel for substantive consideration.

**Feedback Contacts**

Created By (Contact) [Bria Kerei-Keepa](#)

Source Portal

Application [Milldale North](#)

Created By [# Portals-Fast Track Portal - ftaa-portal](#)

Created On 5/03/2026 2:50 PM

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