



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

Project Name: FTAA-2602-1172 Devonport Mixed Use Development

To:	Date:
Hon Chris Bishop, Minister for Infrastructure	14/8/26

Number of attachments: 7	Attachments: 1. Provisions of section 18 of the Fast-track Approvals Act 2024 2. Project location maps 3. List of relevant Māori groups 4. Te Kawerau ā Maki coastal statutory acknowledgement 5. Ngāi Tai ki Tāmaki coastal statutory acknowledgement 6. Ngāti Tamaoho coastal marine area statutory acknowledgement 7. Te Ākitai Waiohia coastal statutory acknowledgement
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Ministry for Cities, Environment, Regions & Transport contacts:

Position	Name	Cell phone	1 st contact
Principal Author	Julian Jackson		
Manager, Fast-track Operations	Stephanie Frame	s 9(2)(a)	✓
General Manager, Investment Strategy & Operations	Ilana Miller	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-2602-1172 Devonport Mixed Use Development referral application.
2. The applicant, Devonport Property Management Limited, proposes a comprehensive mixed use urban town centre development in Devonport, Auckland. The applicant is seeking a range of resource consents that would otherwise be sought under the Resource Management Act 1991 (RMA), as well as archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014. No identified Māori land is involved.
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. The project area is also near the marine and coastal area. 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 Whātua Ōrākei Claims Settlement Act 2012, Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014, Te Kawerau ā Maki Claims Settlement Act 2015, Ngāi Tai ki Tāmaki Claims Settlement Act 2018, Ngāti Tamaoho Claims Settlement Act 2018, Ngāti Pāoa Claims Settlement Act 2025, Te Patukirikiri Iwi Trust deed of settlement signed on 7 October 2018, and Te Ākitai Waiohūa deed of settlement signed on 12 November 2021.
5. The Te Kawerau ā Maki, Ngāi Tai ki Tāmaki, Ngāti Tamaoho, and Te Ākitai Waiohūa settlements provide for coastal statutory acknowledgements that are close to the project area.
6. We consider the process of inviting comment (including providing information about the application) 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 Te Kawerau ā Maki, Ngāi Tai ki Tāmaki, Ngāti Tamaoho, and Te Ākitai Waiohūa, as relevant iwi authorities and/or Treaty settlement entities, to comment on the application.
7. Should you accept this referral application, these groups will also be invited for comment by the panel on a substantive application under section 53(2)(c) of the Act.
8. None of the groups invited to comment on the referral application under section 17(1)(d) of the Act provided a response.
9. 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, appearing to read 'S. Frame', with a stylized, cursive script.

Stephanie Frame
Manager – Fast-track Operations

Introduction

10. 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).
11. 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.
12. This report is structured accordingly. We have provided a list of the relevant provisions of section 18 at **Attachment 1**.

Proposed project

13. The applicant, Devonport Property Management Limited, proposes a comprehensive mixed use urban town centre development located in Devonport CBD, Auckland, within the block bounded by Victoria Road, Clarence Street, and Wynyard Street. The development comprises five buildings arranged across three sites, with building heights ranging from four to eight storeys, and includes up to two basement levels. This includes five buildings listed in the Auckland Unitary Plan as Category B heritage buildings and one as a Category A heritage building. The proposal provides for up to approximately 12,516m² of residential floor area, 2,382m² of commercial floor area, 2,095m² of visitor accommodation, and 2,319m² of adaptively reused heritage commercial space. It may include approximately 80-90 residential apartments and a hotel with approximately up to 50 rooms.
14. Associated works include: carparking and loading facilities potentially ranging between 80 and 200 carparks and loading spaces; earthworks and excavation potentially ranging between 2,000m² and 6,735 m² and 9,380 m³ and 25,000 m³; and all required associated infrastructure including water supply, stormwater (including any required flood mitigation measures), and wastewater services.
15. All of the properties in the project area and are owned by the applicant with the exception of the Barfoot and Thompson site at 37-39 Victoria Road (Lot 1 DP 61110 NA17D/327 359). The applicant advises that the owners of the latter property have provided written approval for their land to be included the application. No identified Māori is involved. The project area does not include the marine and coastal area, however, it is close to the Waitematā Harbour.
16. The applicant seeks resource consents under the Act that would otherwise be sought under the RMA, which may include earthworks, subdivision, demolition, modification, or restoration of buildings and structures of a scheduled historic heritage place (including Category A or B listed heritage buildings) and special character, diversion of groundwater, contaminated land, discharge of contaminants, traffic generation, and other matters. The applicant is also seeking an archaeological authority under Heritage New Zealand Pouhere Taonga Act 2014 to modify recorded and unrecorded archaeological sites.
17. We have provided a location map 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 Whātua o Ōrākei Trust Board, representing Ngāti Whātua o Ōrākei;
- b. Te Rūnanga o Ngāti Whātua, representing Ngāti Whātua;
- c. Ngāi Tai ki Tāmaki Trust, representing Ngāi Tai ki Tāmaki;
- d. Ngāti Tamaoho Settlement Trust, representing Ngāti Tamaoho;
- e. Ngāti Pāoa Iwi Trust, representing Ngāti Pāoa;
- f. Te Kawerau Settlement Trust, representing Te Kawerau ā Maki;
- g. Ngāti Maru Rūnanga Trust, representing Ngāti Maru (Hauraki);
- h. Ngaati Whanaunga Incorporated Society, representing Ngaati Whanaunga;
- i. Ngāti Tamaterā Settlement Trust, representing Ngāti Tamaterā;
- j. Ngāti Te Ata Claims Support Whānau Trust, representing Ngāti Te Ata;
- k. Te Ākitai Waiohua Waka Taua Inc, representing Te Ākitai Waiohua;
- l. Te Patukirikiri Iwi Trust, representing Te Patukirikiri; and
- m. Hako Tūpuna Trust, representing Hako.

Treaty settlement entities

21. Under section 4(1) of the Act, "Treaty settlement entity" means any of the following:

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

22. Under the Act, a PSGE:

- (a) *means a body corporate or the trustees of a trust established, for the purpose of receiving redress in the Treaty settlement of a claimant group,—*

- (i) by that group; or*
- (ii) by or under an enactment or order of a court; and*
- (b) includes—*
 - (i) an entity established to represent a collective or combination of claimant groups; and*
 - (ii) an entity controlled by an entity referred to in paragraph (a); and*
 - (iii) an entity controlled by a hapū to which redress has been transferred by an entity referred to in paragraph (a).*

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

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

- a. Ngāti Whātua o Ōrākei Trust Board, PSGE for the Ngāti Whātua Ōrākei Claims Settlement Act 2012;
- b. Tūpuna Taonga o Tāmaki Makaurau Trust / Whenua Haumi Roroa o Tāmaki Makaurau Limited Partnership, PSGEs for Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014;
- c. Te Kawerau Iwi Trust, PSGE for the Te Kawerau ā Maki Claims Settlement Act 2015;
- d. Ngāi Tai ki Tāmaki Trust, PSGE for the Ngāi Tai ki Tāmaki Claims Settlement Act 2018;
- e. Ngāti Tamaoho Settlement Trust, PSGE for the Ngāti Tamaoho Claims Settlement Act 2018; and
- f. Ngāti Pāoa Iwi Trust, PSGE for the Ngāti Pāoa Claims Settlement Act 2025.

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

- a. Te Ākitai Waiohū Settlement Trust, PSGE for deed of settlement signed on 12 November 2021.
- b. Te Rūnanga o Ngāti Whātua, PSGE for Ngāti Whātua remaining claims, agreement in principle signed 18 August 2017;
- c. Ngaati Whanaunga Ruunanga Trust, PSGE for the deed of settlement initialled 25 August 2017;
- d. Ngāti Maru Rūnanga Trust, PSGE for the deed of settlement initialled 8 September 2017;
- e. Ngāti Tamaterā Settlement Trust, PSGE for the deed of settlement initialled 8 September 2017;

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

- f. Taonga o Marutūāhu Trustee Limited/Marutūāhu Rōpū Limited Partnership, PSGEs for the Marutūāhu collective redress deed initialled 27 July 2018;²
- g. Te Patukirikiri Iwi Trust, PSGE for the deed of settlement signed 7 October 2018; and
- h. Hako Tūpuna Trust, PSGE for the deed recording on-account arrangements signed 30 June 2014;

Groups mandated to negotiate Treaty settlements

26. In addition to the PSGEs identified at paragraph 25, the following groups have recognised mandates to negotiate a Treaty settlement over an area which may include the project area, and are in the early stages of negotiating their Treaty settlements with the Crown:
- a. Ngāti Koheriki Claims Committee, representing Ngāti Koheriki; and
 - b. 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, mātaihai reserve, or area subject to a bylaw or regulations made under Part 9 of the Fisheries Act 1996.

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

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

² The Marutūāhu Collective (Marutūāhu Iwi) comprises Ngāti Maru, Ngāti Pāoa, Ngāti Tamaterā, Ngaati Whanaunga, and Te Patukirikiri.

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 Tamaki and Te Kawerau ā Maki began negotiating Mana Whakahono ā Rohe agreements with Auckland Council respectively in 2018 and 2026, however no agreement has yet been reached in either case.

Any other Māori groups with relevant interests

34. In addition to the groups above, we have also identified Hauraki Māori Trust Board as a Māori group which may have relevant interests. Hauraki Māori Trust Board represents twelve Hauraki iwi as an iwi authority for the purposes of the RMA, seven of whose areas of interest include the project area and are identified above, i.e. Ngāi Tai ki Tāmaki, Ngāti Pāoa, Te Patukirikiri, Hako, Ngaati Whanaunga, Ngāti Maru, and Ngāti Tamaterā.
35. Ngāti Pāoa has provided a letter of support for the proposed development. The applicant advises that engagement with Ngāti Pāoa commenced in January 2026 and is continuing throughout the project to understand and reflect relevant cultural values as part of the project's outcomes.

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:

Settlement legislation

- a. Ngāti Whātua Ōrākei Claims Settlement Act 2012;
- b. Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014;
- c. Te Kawerau ā Maki Claims Settlement Act 2015;
- d. Ngāi Tai ki Tāmaki Claims Settlement Act 2018;
- e. Ngāti Tamaoho Claims Settlement Act 2018; and
- f. Ngāti Pāoa Claims Settlement Act 2025.

Deed of settlement

- g. Te Patukirikiri deed of settlement signed on 7 October 2018; and
- h. Te Ākitai Waiohua deed of settlement signed on 12 November 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. Through the Treaty settlement process, the Crown seeks to build a new relationship with settled groups based on co-operation, mutual trust, and respect for te Tiriti o Waitangi/the Treaty of Waitangi and its principles. As part of its apologies to Ngāti Whātua Ōrākei, Te Kawerau ā Maki, Ngāi Tai ki Tāmaki, Ngāti Tamaoho, Ngāti Pāoa, Te Patukirikiri, and Te Ākitai Waiohū, the Crown made the following undertakings to these groups:

- a. Ngāti Whātua Ōrākei – The Crown looks forward to repairing its relationship with Ngāti Whātua Ōrākei based on mutual trust, co-operation and respect for the Treaty of Waitangi and its principles.
- b. Te Kawerau ā Maki – By the same means the Crown hopes to form a new relationship with the people of Te Kawerau ā Maki based on mutual trust, co-operation, and respect for the Treaty of Waitangi and its principles.
- c. Ngāi Tai ki Tāmaki – The Crown hopes this settlement will lead to a new relationship that fulfils the expectations of their tūpuna and mokopuna, a relationship marked by cooperation, partnership, and respect for Te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- d. Ngāti Tamaoho – The Crown hopes to restore its honour and relieve Ngāti Tamaoho's justified sense of grievance. The Crown looks forward to building a new relationship with Ngāti Tamaoho based on co-operation, mutual trust, and respect for te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- e. Ngāti Pāoa – The Crown hopes that through this settlement it can rebuild the relationship that it established with Ngāti Paoa in 1840, begin the process of healing and enter a new age of co-operation with their people.
- f. Te Ākitai Waiohū – The Crown hopes that this settlement marks the beginning of a new relationship with Te Ākitai Waiohū, one based on partnership, trust, and mutual respect for te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- g. Te Patukirikiri – The Crown hopes that this settlement marks the beginning of a new relationship with Te Patukirikiri, based on good faith and cooperation.

41. The redress mechanisms provided for in the Treaty settlements should be viewed in the context of the above intentions.

Statutory acknowledgements

42. 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 Te Kawerau ā Maki, Ngāi Tai ki Tāmaki, Ngāti Tamaoho, and Te Ākitai Waiohū settlements provide

for statutory acknowledgements over the marine and coastal area close to the project area.³

43. We note the project may involve earthworks and other construction activities, possibly on contaminated land, which have potential to result in soil and other contaminants entering the Waitematā Harbour, either from construction vehicles tracking soil and other materials onto adjoining roads, or by soil and other materials migrating directly from the worksite onto adjacent surfaces, which are drained by stormwater systems discharging to the Waitematā Harbour nearby.
44. The applicant proposes that a preliminary site investigation and a contaminated soil management plan (CSMP) be prepared for a substantive application in the future. The applicant indicates that potential management measures for future construction activities may include appropriate removal of asbestos from buildings, off-site disposal of excavated contaminated soil at an authorised facility, disposal of dewatering groundwater to trade waste, and environmental controls for earthworks in the CSMP.
45. We consider the process of inviting comment (including providing information about the application) 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 Te Kawerau ā Maki, Ngāi Tai ki Tāmaki, Ngāti Tamaoho, Te Ākitai Waiohū (and the Marutūāhu Collective), as relevant iwi authorities or Treaty settlement entities, to comment on the application. Should you accept this referral application, these groups will also be invited for comment by the panel on a substantive application under section 53(2)(c) of the Act.
46. For your reference, we have provided the relevant deed plans and statements of association / relationship description for the Te Kawerau ā Maki, Ngāi Tai ki Tāmaki, Ngāti Tamaoho, and Te Ākitai Waiohū statutory acknowledgements at **Attachments 4, 5, 6, and 7** respectively.
47. Ultimately, iwi and hapū are likely to have cultural associations with ancestral lands, water, sites, wāhi tapu, and other taonga beyond what is specifically identified in a Treaty settlement or other arrangements. Local tangata whenua and their representatives would be best placed to advise on such matters in the first instance.

Customary Marine Title/Protected Customary Rights

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

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

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

³ The Marutūāhu Collective redress deed (which has been initialled) may provide for a coastal statutory acknowledgement known as the Ngāi Tai Whakarewa Kauri Marutūāhu Iwi (Ngāti Maru, Ngāti Paoa, Ngāti Tamatera, Ngaati Whanaunga, and Te Patukirikiri) Coastal Statutory Acknowledgement. We are unable to confirm whether its statutory area includes the Waitematā Harbour around Devonport, as a map of the statutory area and a statement of association are not yet publicly available.

Mana Whakahono ā Rohe/Joint management agreement

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

Summary of comments received and advice

Comments from invited Māori groups

51. Pursuant to section 17(1)(d) of the Act, on 25 June 2026 you invited written comments from the Māori groups identified above in paragraphs 20 to 34, from a list we previously provided you. These groups were provided with access to the application material and had 15 working days from receipt of the copy of the application to respond.

52. You did not receive comments from any of these groups.

Consultation with departments

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

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

54. 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.

55. 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

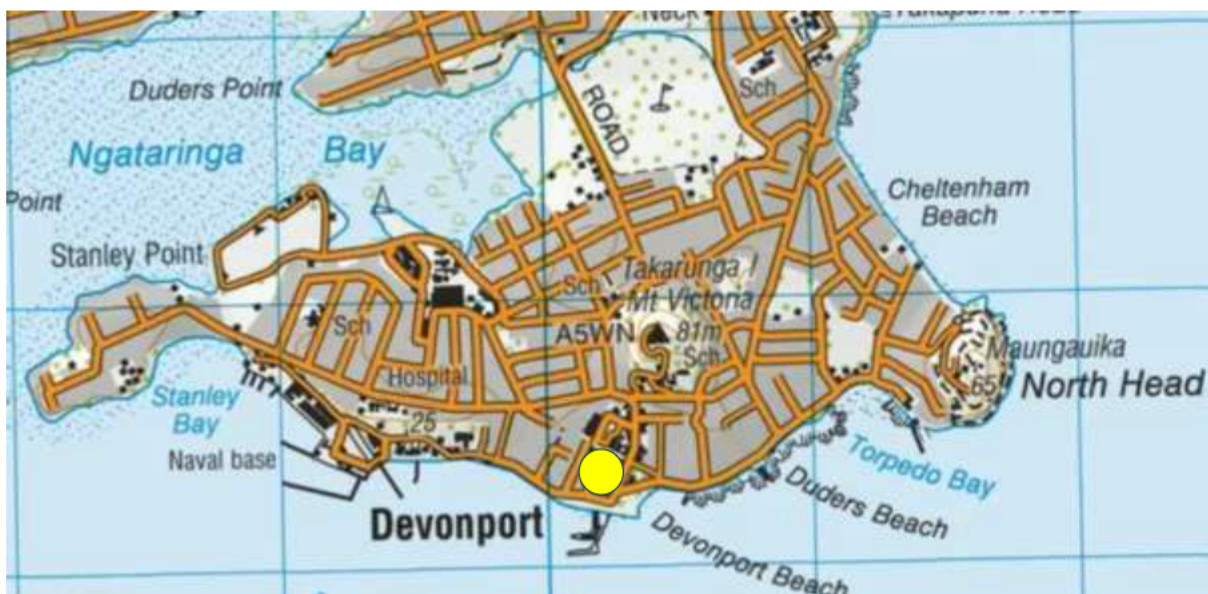
Section	Information required	Paragraph reference in this report
18(1)	The Minister must, for a referral application, consider a report that is prepared and provided by the responsible agency in accordance with this section.	10, 11
18(2)(a)	Any relevant iwi authorities and relevant Treaty settlement entities	20, 24, 25
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	38-47
18(2)(d)	Any recognised negotiation mandates for, or current negotiations for, Treaty settlements that relate to the project area.	26
18(2)(e)	Any court orders or agreements that recognise protected customary rights or customary marine title within the project area.	27, 48
18(2)(f)	Any applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011 that seek recognition of customary marine title or protected customary rights within the project area.	27, 48
18(2)(g)	Whether the project area would be within or adjacent to, or the project would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou (and, if so, the relevant provisions of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019).	28, 48
18(2)(h)	Whether the project area includes any taiāpure-local fisheries, mātaihai reserves, or areas that are subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996 (and, if so, who the tangata whenua are).	29,49
18(2)(i)	Whether the project involves an activity that could be the subject of a determination under 23 (and, if so, who the owners of the land are).	31
18(2)(j)	If the proposed approvals include an approval described in any of section 42C(4)(a) to (d) (resource consent, certificate of compliance, or designation), (i) iwi authorities and groups that represent hapū that are parties to any relevant Mana Whakahono ā Rohe or joint management agreements.	33, 50

	(ii) The relevant principles and provisions in those Mana Whakahono ā Rohe and joint management agreements.	
18(2)(k)	Any other Māori groups with relevant interests.	34
18(2)(l)	A summary of— (i) comments received by the Minister after inviting comments from Māori groups under section 17(1)(d) and (e); (ii) any further information received by the Minister from those groups	51, 52
18(2)(m)	The responsible agency's advice on whether, due to any of the matters identified in this section, it may be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts.	55
18(3)	In preparing the report required by this section, the responsible agency must consult relevant departments.	53
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

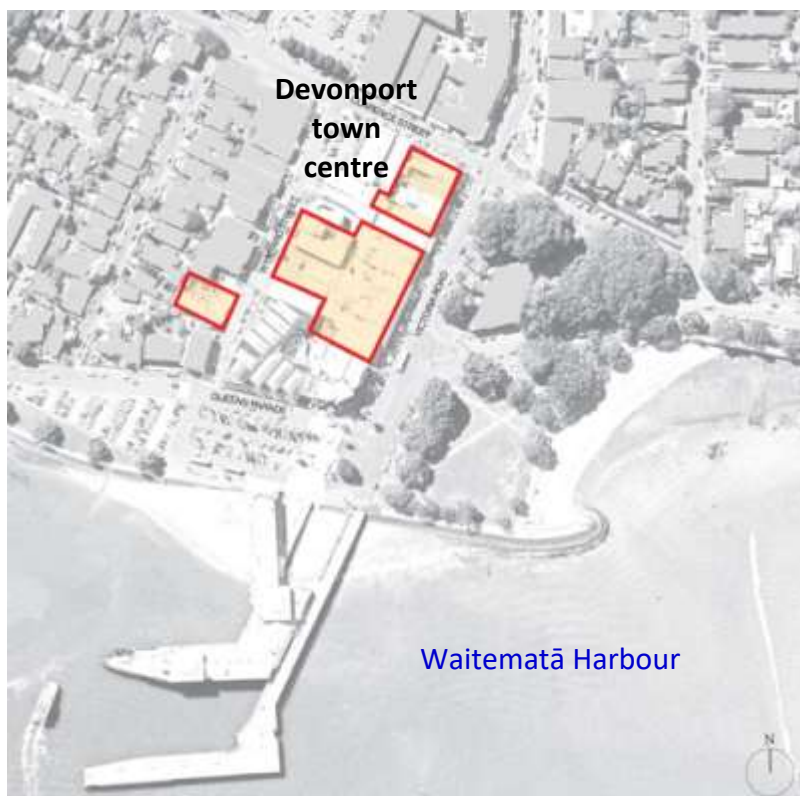
Attachment 2: Project location maps



Map 1. Location of proposed Devonport Mixed Use Development shown by yellow circle above.



Map 2. Local area – location of proposed Devonport Mixed Use Development shown by yellow circle above.



Map 3. Location of project area in Devonport town centre.



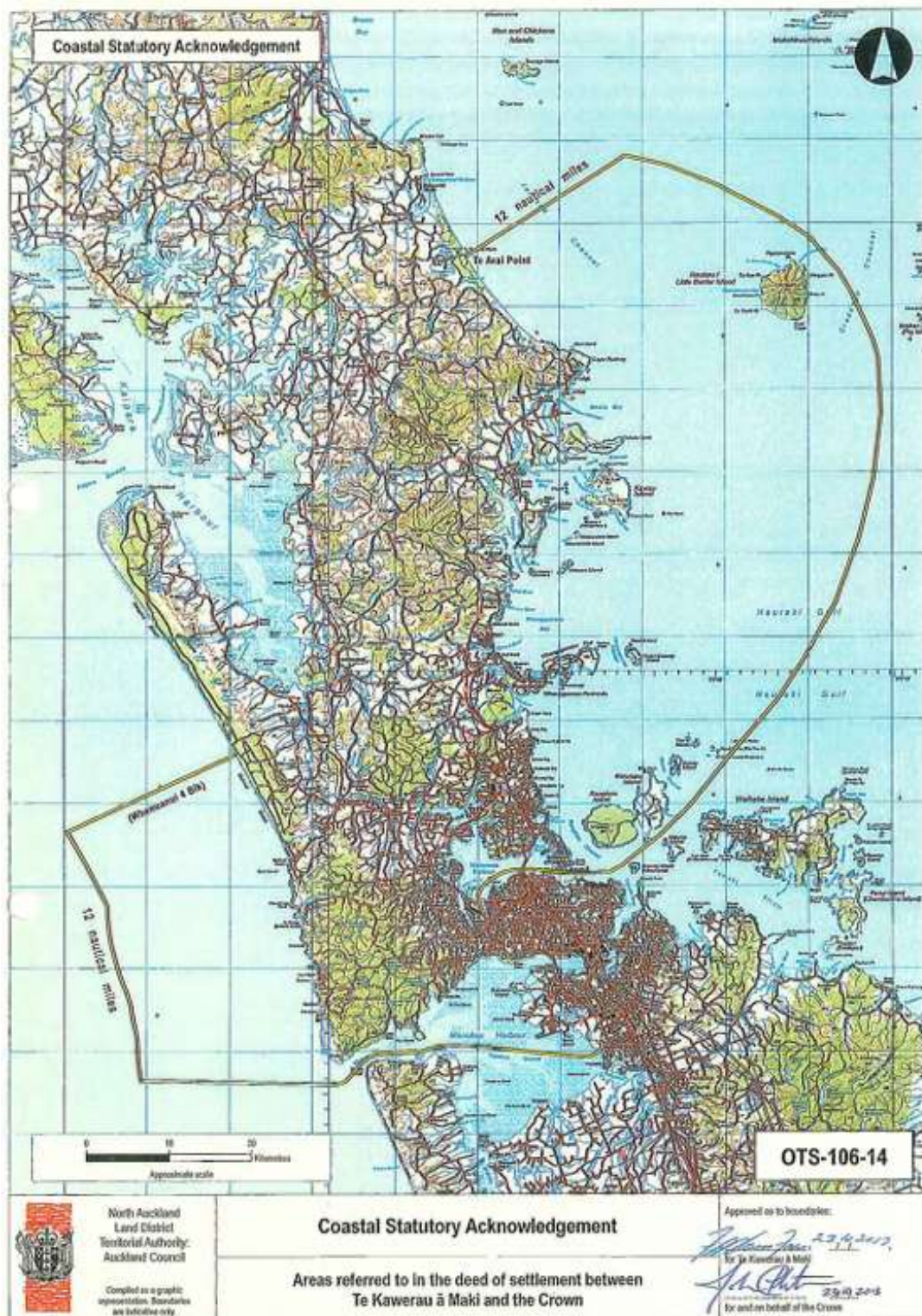
Map 4. Footprint of proposed Devonport Mixed Use Development.

Attachment 3: List of relevant Māori groups

Name of group	Type of group (section of Act)
Ngāti Whātua o Ōrākei Trust Board	iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a)) – Ngāti Whātua Ōrākei Claims Settlement Act 2012)
Te Kawerau Iwi Settlement Trust	iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a)) – Te Kawerau ā Maki Claims Settlement Act 2015
Ngāi Tai ki Tāmaki Trust	iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a)) – Ngāi Tai ki Tāmaki Claims Settlement Act 2018)
Ngāti Tamaoho Settlement Trust	iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a)) – Ngāti Tamaoho Claims Settlement Act 2018)
Ngāti Pāoa Iwi Trust	iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a)), mandated entity (s18(2)(d))
Tupuna Taonga o Tāmaki Makaurau Trust/ Whenua Haumi Roroa o Tāmaki Makaurau Limited Partnership	Treaty settlement entity (s18(2)(a))
Te Ākitai Waiohū Settlement Trust	Treaty settlement entity (s18(2)(a)), mandated entity (s18(2)(d))
Te Ākitai Waiohū Waka Taua Inc	iwi authority (s18(2)(a))
Te Patukirikiri Iwi Trust	iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a)), mandated entity (s18(2)(d))
Ngāti Maru Rūnanga Trust	iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a)), mandated entity (s18(2)(d))
Ngāti Tamaterā Settlement Trust	iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a)), mandated entity (s18(2)(d))
Ngaati Whanaunga Incorporated Society	iwi authority (s18(2)(a))
Ngaati Whanaunga Ruunanga Trust	Treaty settlement entity (s18(2)(a)), mandated entity (s18(2)(d))
Te Rūnanga o Ngāti Whātua	iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a)), mandated entity (s18(2)(d))
Taonga o Marutūāhu Trustee Limited/ Marutūāhu Rōpū Limited Partnership	Treaty settlement entity (s18(2)(a)), mandated entity (s18(2)(d))
Hako Tūpuna Trust	iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a)), mandated entity (s18(2)(d))
Ngāti Te Ata Claims Support Whānau Trust	iwi authority (s18(2)(a)), mandated entity (s18(2)(d))
Ngāti Koheriki Claims Committee	Mandated entity (s18(2)(d))
Hauraki Māori Trust Board	Other Māori groups with relevant interests (s18(2)(k))

Attachment 4: 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)

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).

Wai-te-matā-ō-Kahu

Te Kawerau ā Maki have an important shared ancestral and customary relationship with Wai-te-matā-ō-Kahu (the Waitematā Harbour). This relationship applies in particular to the western shores of the harbour from Wai o Pareira (Henderson Creek) to Te Auanga (Oakley Creek), and the eastern and northern shores of the harbour. The Waitematā Harbour takes its name from a mauri stone, "Te Mata," placed on the rock of that name (Boat Rock) by the Te Arawa ancestor Kahumatamomoe. As descendants of the crew of the Arawa canoe, Te Kawerau ā Maki in time became guardians of this mauri, and retain the karakia associated with it to this day.

Places of particular significance to Te Kawerau ā Maki on the western side of the harbour include: Wai o Pareira, Koppūpāka, Mānutewhau in the West Harbour-Massey area, Ōrukuwai and Ōrangihina on the Te Atatū Peninsula, Te Awa Whau (the Whau River) and Rangi Matariki, Motu Manawa, Te Kou and Te Auanga (Motumānawa / Pollen Island Marine Reserve). These kāinga were all associated with the seasonal harvest of the rich marine resources of the area. A place of considerable traditional importance to Te Kawerau ā Maki is Te Ara Whakapekapeka ā Ruarangi, "the diversion of Ruarangi" (Meola Reef). This reef was once a valued source of kūtai (mussels) before water quality issues began to arise in the harbour as a result of rapid urban growth in the catchment in the 1960s.

The historical focal point of Te Kawerau ā Maki associations with the lower Waitematā Harbour is Te Matarae ō Mana (Kauri Point). This fortified pā, named after the Te Kawerau ancestor Manaoterangi, and the adjacent kāinga of Rongohau (Kendall Bay), were occupied by Te Kawerau ā Maki, with others, until the early 1840s. Te Matarae ō Mana was strategically important as it controlled access to the upper harbour and overlooked a renowned tauranga mango (shark fishery). Other places of historical and cultural significance on this coastline include: Kaiwhānake, Te Wā iti ō Toroa, and Onetaunga. Through descent from both Tawhiakiterangi and his wife Marukiterangi, Te Kawerau ā Maki have ancestral and customary interests in the Oneoneroa (Shoal Bay) area, with the kāinga of Awataha having been occupied by members of the tribe, with others until around 1920. The many coastal places of significance in this area include Te Onewa (Northcote Point), a fortified pā, Te Kōpua ō Matakerepo (Onepoto Basin), Te Kōpua ō Matakamokamo (Tuff Crater), Wakatātere, Waititiko and Ngau te ringaringa (Ngataranga Bay).

The entire document can be found at this link (from page 4): [Te Kawerau ā Maki Deed of Settlement Schedule - Documents 22 Feb 2014](#)

Attachment 5: 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)

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.

Te Haukapua ki Takapuna

A celebrated landing site of important waka, Kupe is said to have landed here briefly en route to the far north from Hauraki and named it Te Haukapua. Toi Te Huatahi also visited here and a section of his people Te Tini o Toi led by his grandson Uika settled in the vicinity at Maungauika. Te Haukapua was also a landing site of the Tainui from whence Ngāti Tai/ Ngāi Tai ancestors disembarked after being welcomed by the Tangata Whenua. Most notably the sand bank at Te Haukapua was accorded several names all associated with the arrival of Tainui waka and the ancestor Taikehu, they are; Te Ranga o Taikehu , Te Kauanga o Taikehu, and Te Tahuna o Taikehu. All of these names relate to the incident when Tainui waka came fast on a sandbank and then Taikehu swam ashore to meet the local inhabitants, also ancestors of Ngāi Tai. In the traditions of Ngāi Tai there have been foreshore burials noted and other archaeological evidence consistent with Ngāi Tai practices some of which date back to the early 1100s, supporting the Ngāi Tai korero of ancient occupation.

The knoll (taka) from whence the Ngāi Tai ancestor Taikehu drank of the sacred wellspring (puna) for which Takapuna is named. The drinking from these freshwater springs by Taikehu and their becoming a wāhi tapu is a prominent feature of Ngāi Tai's earliest claims to whenua between Takapuna and the Tāmaki River. This name Takapuna also commemorated an earlier wellspring in Hawaiki , known to Taikehu and his people. Takapuna of North Head flowed from a small cave in the volcanic rock of Maungauika above Te Haukapua and continued to do so until circa 1900 when the Pākehā dug a drainage channel beneath Maungauika thus destroying the ancient spring. Following settlement with the people of Maungauika, Taikehu's Ngāti Tai/ Ngāi Tai people and the hapu of Ngāti Taihaua extended mana whenua throughout Takapuna and Waitemata. The mana of Ngāi Tai was further strengthened over Takapuna and surrounding districts under Taimaio and later Taihua. The 19th century Ngāi Tai rangatira Heteraka Takapuna also known as Heteraka Te Hehewa (grandson of Te Hehewa) was named Takapuna in recognition of Ngāi Tai's ancestral connections to Takapuna and the North Shore.

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.

The entire document can be found at this link (from page 1): [Ngāi Tai ki Tāmaki Deed of Settlement Documents Schedule 7 Nov 2015](#)

Attachment 5: Ngāti Tamaoho coastal marine area statutory acknowledgement

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



Ngāti Tamaoho description of their relationship with Waitematā from the background section of the deed of settlement

WAITEMATĀ

Te Wai O Te Matā, along with its tributaries and associated wetlands, is an immensely important area for Ngāti Tamaoho. It is an area of great practical and spiritual importance and connects us back to our tūpuna who first arrived in Aotearoa.

Our connection with Te Wai O Te Matā stretches back to the time of the earliest settlement in Aotearoa and continues up to the present day. It passes through the early explorers including Kupe and Toi, and on to the early peoples of this land, including Ngā Iwi, Ngā Iwi and Te Tini o Maruiwi. It continues on through our tūpuna of the Tainui, Mātaatua and Arawa waka, who journeyed through Te Wai O Te Matā in their great voyages from Hawaiki.

The harbor itself is a diverse area including many important natural ecosystems and encompassing many of our people's most important sites. The deeper waters were used for fishing by net and line, with the shallower waters being used by nets and weirs. The wetland fringes provided delicate habitats for many important fish and waterfowl species, as did the inter-tidal zones and tidal inlets. The harbour also encompassed many wāhi tapu and sites of great spiritual importance. It also provided building materials, rongoā and important species of edible plants.

Te Wai O Te Matā was plentiful in kahawai, snapper, mullet, shark, stingray and flounder with the shellfish banks providing mussels, pipi, pūpū, oysters and the many other species that existed at that time. Their use was guided by our tikanga and especially the spiritual importance of the tidal flows to our people. Over the course of centuries, our have developed a highly complex body of tikanga which governs our relationship with the harbour and the use of its resources.

The entire document can be found at this link (from page 5): [Ngāti Tamaoho Deed of Settlement](#)

Attachment 7: Te Ākitai Waiohia 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.

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 (Grouper), 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 Waiohū 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 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 Wairopa 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 Tīkapa 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 Matarae 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 Taikahu 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).

The entire document can be found at this link (from page 4): [Te Ākitai Waiohūa — Deed of Settlement — Documents](#)