



To: Expert Panel - Kitt Littlejohn, Greg Hill, and Rebecca Skidmore
Re: Section 53 Comments on Fast Track Application FTAA-2512-1158 Te Pūmanawa o Tāmaki
Comments From: Ngāti Whātua Ōrākei
Attn: Claire Rorke
Address for Service: [REDACTED]
Date: 5 May 2026

Ko Maungakiekie te maunga
Ko Waitematā Kupenga Rau te moana
Ko Māhuhu-ki-te-rangi te waka
Ko Rongomai te kaihautū
Ko Tuperiri to tupuna
Ko Apihai Te Kawau te tangata
Ko Ngāti Whātua te iwi
Ko Te Taoū, Nga Oho, Te Uringutu ngā hapū
Ko Ōrākei te marae
Ko Tumutumuwhenua te whare tupuna
Ko Te Puru o Tāmaki te whare kai
Ko Te Kahu Tōpuni o Tuperiri te whenua

Tēnā koutou e ngā Mema o te Poari,

Ngāti Whātua Ōrākei acknowledge the invitation to provide comments under section 53 of the Fast-track Approvals Act 2024 ("FTAA" or "the Act") in relation to FTA-2512-1158 – Te Pūmanawa o Tāmaki ("the Application").

This memorandum provides further comment to that set out in our letter dated 5 November 2025 (Appendix 2 of the Application), regarding the significance of the site and the Application to Ngāti Whātua Ōrākei. We reaffirm our support for Precinct Properties ("Precinct") as the Applicant in gaining approval for Te Pūmanawa o Tāmaki. We consider that the Project will enhance the cultural values of Tāmaki Makaurau and deliver tangible and enduring benefits to our iwi.

1. Ngāti Whātua Ōrākei

Ngāti Whātua Ōrākei represents the collective rangatiratanga and tribal authority of the descendants of Tuperiri who established Ngāti Whātua Ōrākei mana in Tāmaki during the middle of the 18th century, connecting to the inner Manukau and most strongly to Waitematā Kupenga Rau. Every member of Ngāti Whātua Ōrākei can trace their whakapapa to Tuperiri and are descended from three hapū: Te Taoū,



Ngāoho, and Te Uringutu, collectively referred to as Ngāti Whātua Ōrākei. Ngāti Whātua Ōrākei have approximately 7,500 registered whānau members throughout Aotearoa and around the world, with the vast majority resident in Tāmaki Makaurau.

Ngāti Whātua Ōrākei are tangata whenua and tangata moana for our area of association which we know as Te Kahu Tōpuni o Tuperiri (see **Figure 1** below). Our position enabling us to hold and extend our mana over this whenua and moana is assured through five traditional take or causes:

- **Take Tupuna:** enabled through enduring whakapapa connection relative to place;
- **Take Raupatu:** enabled through the processes of conquest and subsequent occupation of territory;
- **Take Ahi-kā:** the ongoing extension of our mana and tikanga within one's rohe through demonstrated behaviours and action;
- **Take Tuku Whenua:** the granting of whenua between authorities within a framework of mana, with the expectation of return when no longer required for the purposes agreed at the time of the grant; and
- **Take Tiriti:** The acknowledgment of mana by the Crown through the signing of Te Tiriti o Waitangi.

1.1. Te Kahu Tōpuni o Tuperiri

Te Kahu Tōpuni o Tuperiri is the name that Ngāti Whātua Ōrākei maintain for our contemporary rohe, literally the dog skin cloak of Tuperiri, with these particular garments traditionally being a true mark of a rangatira. A tribal saying expresses the importance of this landscape and the rohe of Ngāti Whātua Ōrākei to preserve and protect those who enter or reside within its warmth:

Ko Te Kāhu Pōkere ki te rangi

Ko Te Kāhu Tōpuni ki te whenua

The black hawk presides over the sky

The dog skin cloak is placed over the land



Figure 1. Map showing Te Kahu Tōpuni o Tuperiri.

Te Kahu Tōpuni o Tuperiri is the area within which the ahi-kā of Ngāti Whātua Ōrākei is maintained by ngā mata o te ao kikokiko nei, the living descendants of Tuperiri. It is within this area that Ngāti Whātua Ōrākei undertake our traditional and contemporary practices and protocols as tangata whenua and tangata moana, with a particular focus on tiaki o te taiao me te manaaki o ngā tāngata katoa. These practices are unique to this place, and as such when employed by us are entirely native and natural – to Tāmaki and to us.

1.2. Waitematā Kupenga Rau

With our rohe centred on the Tāmaki isthmus, we are tangata whenua and tangata moana of the two great harbours of Tāmaki: Waitematā Kupenga Rau and inner Manukau. It is however at Waitematā Kupenga Rau that our strongest affiliations and affections lay. Our people have lived at the edge of Waitematā Kupenga Rau since the mid-18th century and traditionally thrived off the bounty provided by our moana and whenua. Our unbroken occupation of this area continues today and provides focus for our tangata whenua and our tangata moana.

Importantly, the Application sits within what was formerly the seabed of Waitematā Kupenga Rau, over which Ngāti Whātua Ōrākei holds an unresolved grievance surrounding our loss of customary title. We maintain that no transaction was ever made under which our rights over the seabed were surrendered.

2. Partnership with the Applicant

As noted in our letter of support, Ngāti Whātua Ōrākei Whai Rawa Limited¹ has established a strong and enduring partnership with Precinct in relation to the Application. This partnership is strategically important to Ngāti Whātua Ōrākei, extending beyond the delivery of a single development and reflecting a shared long-term commitment to intergenerational cultural, social, and economic outcomes for our people. It also reinforces our enduring role as ahi-kā, presence, and visibility within central Tāmaki Makaurau.

The partnership is founded on shared objectives and a commitment to working collaboratively in a manner that recognises and respects our values and responsibilities as tangata whenua. Since lodgement, Precinct has continued to demonstrate this commitment through active and meaningful engagement with Ngāti Whātua Ōrākei, including ongoing involvement in post-lodgement discussions, review of correspondence, and meetings, including briefing the Panel. This continued partnership approach reinforces our confidence in Precinct's ability to deliver a development that appropriately reflects and upholds those values.

3. Ngāti Whātua Ōrākei Comments on the Application

3.1. Cultural Landscape

As set out above, the Application site is located within the former seabed of Waitematā Kupenga Rau, a landscape of deep cultural and historical significance to Ngāti Whātua Ōrākei. This area sustained generations of occupation with a network of fishing villages historically located along the foreshore, providing for our ongoing ahi kā. From the time of Tuperiri and his sons, customary resource management practices were exercised across the harbour and its margins, reflecting our enduring relationship as tangata whenua and tangata moana.

These relationships were significantly disrupted through the mid-to-late 1800s and into the 1900s, as a result of legislative mechanisms such as the Public Reserves Act 1854 and extensive reclamation works. Reclamation, including the Application site, resulted in the loss and degradation of papakāinga and traditional fishing areas, adversely affecting Ngāti Whātua Ōrākei who relied on these resources for sustenance and cultural practice.

The site also sits within the broader cultural landscape of te tuku whenua. In 1840, the land identified in **Figure 2** below formed part of a tuku whenua between Ngāti Whātua Ōrākei and Governor William Hobson, as representative of the Crown. This chiefly granting involved approximately 3,000 acres of land for the Crown to establish the settlement of Auckland and to form a partnership between Ngāti Whātua Ōrākei and the Crown. The tuku, while enabling the development of the city, did not extinguish the enduring relationship of Ngāti Whātua Ōrākei with the whenua and harbour. That relationship continues to be expressed through the exercise of ahi kā and kaitiakitanga, including active involvement in resource management processes, the application of cultural protocols, and ongoing efforts to protect and regenerate the mauri of te taiao within central Tāmaki.

¹ Our commercial investment company responsible for protecting and growing our commercial assets.

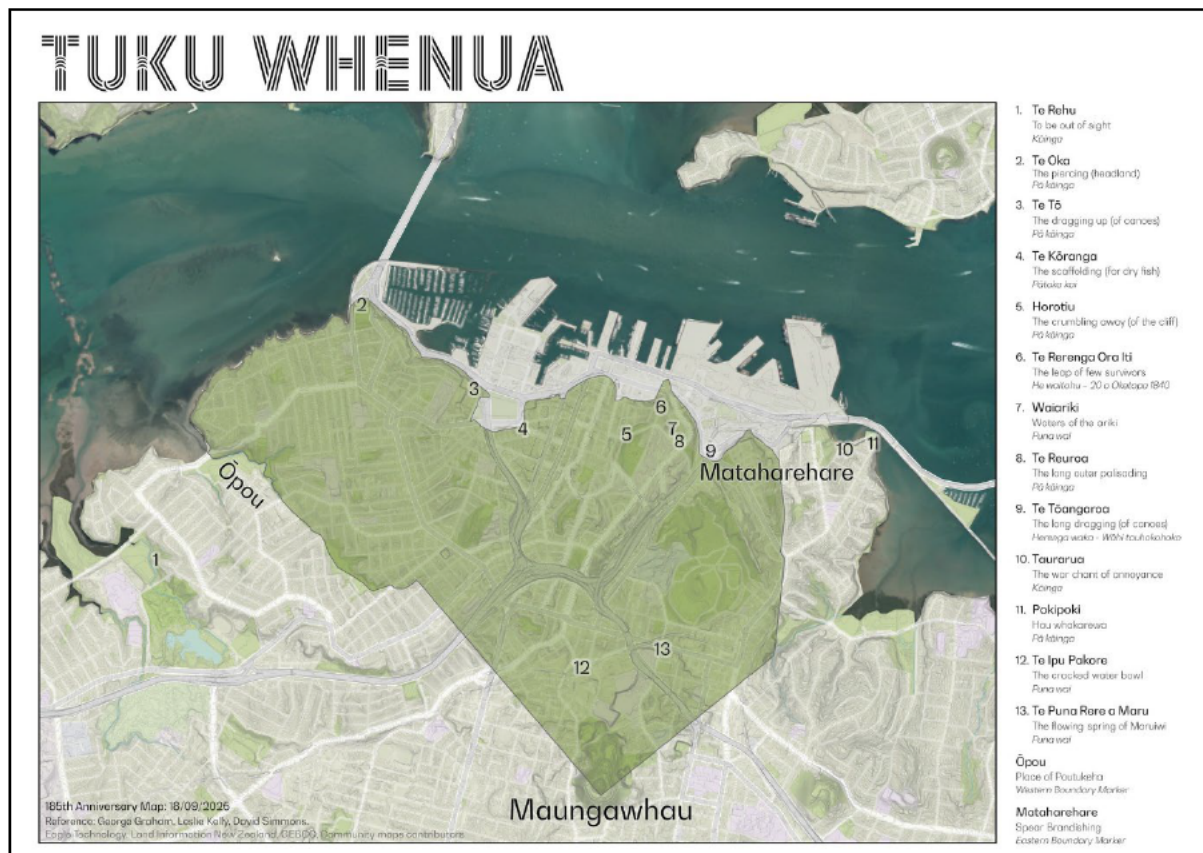


Figure 2: Map showing te tuku whenua.

In this context, the redevelopment of the site represents an opportunity to recognise and invigorate Ngāti Whātua Ōrākei presence within the CBD. Precinct has demonstrated a clear commitment to honouring both the cultural landscape and Ngāti Whātua Ōrākei as tangata whenua through the design and implementation of the Application. The proposal incorporates a strong Ngāti Whātua Ōrākei-led cultural narrative, including design elements informed by a contemporary interpretation of whakairo rākau. This design approach reflects the removal of past structures and the revealing of form and identity, both physically within the built environment and symbolically within the cultural expression of the site.

The inclusion of Māori design, led by Ngāti Whātua Ōrākei, is of particular significance. It provides for the expression of identity and the reaffirmation of our mana over the former Waitemata seabed, while contributing to a high-quality, culturally enriched space within the Auckland CBD. In doing so, the Project will enhance cultural representation and deliver meaningful benefits not only for Ngāti Whātua Ōrākei, but for Māori and Aucklanders more generally.

3.2. Benefits for Ngā Uri o Tuperiri

The Project will deliver a range of tangible and enduring benefits for members of Ngāti Whātua Ōrākei, spanning economic, employment, and cultural outcomes.

Ngāti Whātua Ōrākei Whai Rawa Limited has secured formal options to participate in the investment and delivery of the Application. This represents a significant and rare investment opportunity, marking Ngāti Whātua Ōrākei's first major commercial investment in the Auckland CBD (outside of our Te Tōangaroa precinct) in over 180 years. The economic returns arising from this investment are expected

to support long-term financial growth and create opportunities for future development and reinvestment for the benefit of ngā uri o Tuperiri.

The Project provides for direct employment and business opportunities for hapū members. Ngāti Whātua Ōrākei has worked with Precinct to ensure that the development will generate local and sustainable employment opportunities, as well as pathways for whānau business and contractor involvement. These outcomes will not only provide economic benefits but also foster a sense of participation and connection for whānau within their customary landscape as tangata whenua.

In addition, the Project creates opportunities for cultural expression and creative participation. Where commissioned Māori artworks are incorporated into the development, Precinct has committed to using reasonable endeavours to involve artists who whakapapa to Ngāti Whātua Ōrākei. This provides a platform for tribal members to contribute to and shape the cultural narrative of the site.

More broadly, the Project reflects a Te Tiriti-based partnership approach, ensuring that Ngāti Whātua Ōrākei identity and values as tangata whenua are embedded in the design and delivery of the development. This integration of cultural expression alongside economic and employment outcomes ensures that the benefits of the Application extend beyond financial returns, supporting the cultural wellbeing and visibility of Ngāti Whātua Ōrākei within central Tāmaki.

3.3. Recognition of Tangata Whenua

As a general overarching position, Ngāti Whātua Ōrākei considers that resource management processes should involve the “appropriate” iwi and hapū with recognised ahi-kā and mana whenua status within the relevant rohe. This reflects a principled approach to engagement and decision-making that recognises the importance of tikanga, whakapapa, and enduring customary relationships to place.

Ngāti Whātua Ōrākei exercise our tangata whenua and tangata moana status within the ‘heartland’ of our rohe (as shown in **Figure 3** below). The High Court has issued a declaration that Ngāti Whātua Ōrākei has ahi-kā and mana whenua within this area (see *Ngāti Whātua Ōrākei Trust v Attorney-General* (No.5) [2023] NZHC 74 at [8]):

“Ngāti Whātua Ōrākei currently have ahi-kā and mana whenua in relation to the area identified in Map 1 of the substantive judgment of 28 April 2022 in central Tāmaki Makaurau, with all the obligations at tikanga that go with that, according to the tikanga and historical tribal narrative and tradition of Ngāti Whātua Ōrākei.”

In this context, Ngāti Whātua Ōrākei assert that our engagement and input should appropriately carry significant weight in relation to applications within Te Kahu Tōpuni o Tuperiri. The five traditional *take* outlined in Section 1 of this letter provide an appropriate framework for assessing strength of association to Tāmaki, and for identifying the relevant and appropriate iwi and hapū for engagement purposes.

Ngāti Whātua Ōrākei also considers that clear and principled engagement processes are important to maintaining the integrity of resource management decision-making. In our experience, there have been instances where iwi and hapū have been grouped together without sufficient consideration of ahi-kā, mana whenua status, or the particular rohe affected. Equally, Ngāti Whātua Ōrākei recognises the importance of deferring to those iwi and hapū who appropriately hold ahi-kā status in areas outside our rohe. This is not an issue unique to Ngāti Whātua Ōrākei, but one that arises more broadly across Tāmaki Makaurau and Aotearoa.

Furthermore, Ngāti Whātua Ōrākei affirm that other iwi and hapū can also benefit from the Application. As set out in our letter of support submitted with the Application, Ngāti Whātua Ōrākei will lead an opportunity for other iwi and hapū around Aotearoa to invest in the Application, allowing the economic



benefits of the project to extend to other tribes. In what will be one of the first of its kind, and the investment opportunity will be conducted in accordance with tikanga. That is, that the hau kāinga or resident hapū will lead and organise the broader iwi investment component for significant mutual benefit.



Figure 3: Te Puru o Tāmaki: 'heartland' of Ngāti Whātua Ōrākei roh.

4. Conclusions

Ngāti Whātua Ōrākei appreciates the opportunity to provide these comments to the Expert Panel in relation to Fast-track Application FTA-2512-1158. As set out in this letter, our position is intrinsically linked to our enduring status as tangata whenua and tangata moana for Te Kahu Tōpuni o Tuperiri.

In summary, the comments we make as tangata whenua, the relevant iwi authority, under s53 are as follows:

- The Panel grant the Fast-track Approval, subject to the conditions proposed by Precinct to manage potential environmental effects;
- The Panel recognise the cultural significance of the site and surrounding landscape to Ngāti Whātua Ōrākei as tangata whenua in its decision-making, including the appropriate design considerations undertaken by Precinct to respect that significance, noting in particular that the



Application sits within the former Waitematā seabed, over which our relationship and mana remain enduring;

- Precinct continues to work in partnership with Ngāti Whātua Ōrākei in the delivery of the Application, in a manner that recognises and provides for our role and responsibilities as tangata whenua;
- The Project will deliver significant benefits for ngā uri o Tuperiri.
- That ahi-kā and tangata whenua status of Ngāti Whātua Ōrākei within the 'heartland' of our rohe is recognised and provided for in the decision making of this application; and
- That engagement, consultation, and approval processes involve only the appropriate iwi and hapū only "appropriate" and correct iwi and hapū are consulted and we consider the five *take* defined in Section 1 of this letter to be an appropriate framework to identify this.

Ngāti Whātua Ōrākei looks forward to continuing our partnership with Precinct, and further engagement with the Panel, as required.