

Maggie Vickers

From: Max Gander-Cooper
Sent: Tuesday, 25 March 2025 10:18 am
To: Maggie Vickers
Subject: FW: Auckland Surf Park Community - Stage 2 - Land Ownership & Treaty Settlement Information

FYI additional info for surf park.

From: Magdalena Regnault S 9(2)(a)
Sent: Tuesday, 25 March 2025 10:17 am
To: Max Gander-Cooper <Max.Gander-Cooper@mfe.govt.nz>
Cc: Nick Roberts S 9(2)(a)
Subject: Auckland Surf Park Community - Stage 2 - Land Ownership & Treaty Settlement Information

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Hi Max,

Thank you for your call yesterday afternoon.

As discussed, in respect of the applicant legal interest in the land we confirm that the applicant has sales and purchase agreements in place for all of the individual allotments that make up the subject site.

In respect of section 13(4)(l) of the FTAA, this section requires a list of any Treaty settlements that apply to the project area, and a summary of the relevant principles and provisions in those settlements.

It is acknowledged that the site drains to the Rangitopuni Stream tributaries and that this is a river catchment statutory acknowledgement for Te Kawerau ā Maki. Te Kawerau ā Maki have been consulted with throughout the projects history, including in Stage 1 where they provided a cultural advice memo which confirmed that they did not oppose the proposal. Te Kawerau ā Maki were contacted for comment on this application, however, no response was received. It is noted that enhancement and restoration works around the Rangitopuni Stream tributary are similar to what was proposed under Stage 1. The same recommendations from their Iwi Management Plan provided by Te Kawerau ā Maki in respect of the stream (water sensitive design, kaitiakitanga, erosion and sediment controls, habitat protection, avoidance of native vegetation removal) can be adopted into the Stage 2 proposal. These matters will be addressed at the substantive application stage. A copy of the cultural advice memorandum provided by Te Kawerau ā Maki for the Stage 1 proposal can be provided upon request.

Te Kawerau ā Maki and the Crown signed a Deed of Settlement on 22 February 2014. The Deed acknowledges that Te Kawerau ā Maki suffered injustices that impaired the economic, social and cultural development of Te Kawerau ā Maki and records the matters required to give effect to a settlement of all the historical claims of Te Kawerau ā Maki.

The Settlement seeks to provide redress to Ngāti Paoa in the form of land, money, the right of first refusal of Crown lands, an agreed historical account, overlay classifications, statutory acknowledgements, statements of association, name changes to certain sites of interest, relationship agreements with government agencies, and an apology from the Crown. Te Kawerau ā Maki will also receive cultural redress through Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Deed.

Only Crown assets are involved in the property redress offered to Ngāti Whātua o Kaipara. Apart from in respect of the tributary to the Rangitopuni Stream as addressed above, the site is unaffected by the redress offered.

There are no other Treaty Settlement Statutory Acknowledgement areas identified on Auckland Council's GeoMaps for the application site or any adjacent properties.

The Treaty Settlements in the below table apply to the site due to the respective iwi groups having an interest over the area the site is located. We do not consider that any provisions of the treaty settlements are relevant as only Crown assets are involved in the redress offered, and the statutory acknowledgments are over Crown owned land only.

Treaty Settlement	Relevance to the Project Area
Ngāti Manuhiri Claims Settlement Act 2012	The Ngāti Manuhiri Claims Settlement Act 2012 gave effect to certain provisions of the deed of settlement signed by Ngāti Manuhiri and the Crown on 21 May 2011. Deeds to amend the settlement deed were signed in February and June 2012. The deed of settlement acknowledged that Ngāti Manuhiri suffered injustices that impaired the economic, social and cultural development of Ngāti Manuhiri and recorded the matters required to give effect to a settlement of all the historical claims of Ngāti Manuhiri. The Land Settlement provided redress to Ngāti Manuhiri in the form of land, money, the right of first refusal of certain Crown lands, facilitation of ongoing relationships with government agencies, imposition of overlay classifications and statutory acknowledgements placed over land sites, place name changes and an apology from the Crown. The site is not impacted by the Act or Deed because only Crown assets are involved in the redress offered, and because none of the statutory acknowledgement areas identified applies.
Ngāi Tai ki Tāmaki Claims Settlement Act 2018	Ngāi Tai ki Tāmaki Claims Settlement Act 2018 gave effect to certain provisions of the deed of settlement signed on 7 November 2015. Amendment deeds were signed in June 2016, July 2017 and June 2018. The deed of settlement acknowledges that Ngāi Tai ki Tāmaki suffered injustices that impaired the economic, social and cultural development of Ngāi Tai ki Tāmaki and records the matters required to give effect to a settlement of all the historical claims of Ngāi Tai ki Tāmaki. The Land Settlement provides redress to Ngāi Tai ki Tāmaki in the form of land, money, the right of first refusal of Crown lands, an agreed historical account, imposition of overlay classifications and statutory acknowledgements/deeds of recognition placed over land sites recognising their interest, relationship agreements with government agencies, place name changes and an apology from the Crown. Only Crown assets are involved in the redress offered, and the statutory acknowledgments are over Crown owned land only; therefore, the site is unaffected by the Deed in this regard.
Ngāti Whātua o Kaipara Settlement Act 2013	The Ngāti Whātua o Kaipara Deed of Settlement Act 2013 gave effect to certain provisions of the deed of settlement signed on 9 September 2011. Amendment deeds were signed in August 2012 and July 2020. The Deed acknowledges that Ngāti Whātua o Kaipara suffered injustices that impaired the economic, social and cultural development of Ngāti

	Whātua o Kaipara and records the matters required to give effect to a settlement of all the historical claims of Ngāti Whātua o Kaipara. The Land Settlement provides redress to Ngāti Whātua o Kaipara in the form of land, money, the right of first refusal of Crown lands, statutory acknowledgements; letters of introduction to certain Ministers/crown agencies, organisations and the Auckland Council, assigning place names and place name changes, relationship agreements with government agencies, and an apology from the Crown. It is noted that the settlement does not provide for redress in relation to the Kaipara Harbour. Agreement has been reached to address this relationship in the future. Only Crown assets are involved in the property redress offered to Ngāti Whātua o Kaipara, and the statutory acknowledgements are over Crown owned land only; therefore, the site is unaffected by the redress offered.
Te Kawerau ā Maki Claims Settlement Act 2015	Addressed above. <i>Te Kawerau ā Maki and the Crown signed a Deed of Settlement on 22 February 2014.</i> <i>The Deed acknowledges that Te Kawerau ā Maki suffered injustices that impaired the economic, social and cultural development of Te Kawerau ā Maki and records the matters required to give effect to a settlement of all the historical claims of Te Kawerau ā Maki.</i> <i>The Settlement seeks to provide redress to Ngāti Paoa in the form of land, money, the right of first refusal of Crown lands, an agreed historical account, overlay classifications, statutory acknowledgements, statements of association, name changes to certain sites of interest, relationship agreements with government agencies, and an apology from the Crown. Te Kawerau ā Maki will also receive cultural redress through Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Deed.</i> <i>Only Crown assets are involved in the property redress offered to Ngāti Whātua o Kaipara. Apart from in respect of the tributary to the Rangitopuni Stream as addressed above, the site is unaffected by the redress offered.</i>
Ngāti Pāoa Deed of Settlement 2021;	The Ngāti Paoa Deed of Settlement 2021 was signed on 20 March 2021. The deed of settlement acknowledges that Ngāti Paoa suffered injustices that impaired the economic, social and cultural development of Ngāti Paoa and records the matters required to give effect to a settlement of all the historical claims of Ngāti Paoa. The Settlement seeks to provide redress to Ngāti Paoa in the form of land, money, the right of first refusal of Crown lands, an agreed historical account, overlay classifications, statutory acknowledgements, statements of association, name changes to certain sites of interest, relationship agreements with government agencies, and an apology from the Crown. It is noted that the settlement does not provide for redress in relation to the Hauraki Gulf. Agreement has been reached to address this relationship in the future. Only Crown assets are involved in the redress offered to Ngāti Paoa, and the overlay classifications, statutory acknowledgements, and statements

	of association are over Crown owned land only; therefore, the project site is unaffected by the redress offered
Te Ākitai Waiohua Deed of Settlement 2021	The Te Ākitai Waiohua Deed of Settlement was initialled on 23 December 2022 and was signed on 12 November 2021. The deed of settlement acknowledges that Te Ākitai Waiohua suffered injustices that impaired the economic, social and cultural development of Te Ākitai Waiohua and records the matters required to give effect to a settlement of all the historical claims of Te Ākitai Waiohua. The Land Settlement provides redress to Te Ākitai Waiohua in the form of land, money, the right of first refusal of Crown lands, leaseback agreements, statutory acknowledgements, letters of introduction to certain Ministers/crown agencies, organisations and the Auckland Council, an agreed historical account, agreements with MPI with respect to fisheries, statements of association, relationship agreements with government agencies, and an apology from the Crown. It is noted that the settlement does not provide for redress in relation to the Manukau or Waitemata Harbours. Agreement has been reached to address this relationship in the future. Only Crown assets are involved in the redress offered to Te Ākitai Waiohua, and the statutory acknowledgements/statements of association/leaseback agreements are over Crown owned land only; therefore, the project site is unaffected by the redress offered.
Marutūāhu Collective Redress deed was signed on 28 July 2018 however the legislation has yet to be enacted.	The Marutūāhu Iwi Collective Redress Deed (Deed) provides the Marutūāhu Iwi with collective cultural and commercial redress in Tāmaki Makaurau, Mahurangi and Hauraki Gulf / Tīkapa Moana. It vests 11 area of cultural significance in fee simple in the Marutūāhu Iwi. These do not include the site. It sets out restrictions on transfer and management of specified properties which do not include the site, and for the transfer of specified commercial properties.

All other iwi settlement Acts and Deeds have been reviewed and there are no other statutory acknowledgement areas, cultural redress properties or deeds of recognition that affect the application site.

Please let me know if you require anything further,

Ngā mihi | Kind regards,

MAGDALENA REGNAULT

Senior Planner

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