

Before the Panel Convener

FTAA-2605-1186

Under Fast-track Approvals Act 2024

In the matter of an application by Ridgeburn Limited for a residential and mixed-use development situated between Arrowtown and Queenstown.

Memorandum of counsel on behalf of Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou, Hokonui Rūnanga, Waihōpai Rūnanga, Te Rūnanga o Awarua and Te Rūnanga o Ōtaka-Aparima regarding Minute 4 of the Panel Convener

Date: 29/06/2026

Applicant's solicitors:

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May it please the Panel Convener

- 1 This memorandum is filed on behalf of Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou, Hokonui Rūnanga, Waihōpai Rūnanga, Te Rūnanga o Awarua and Te Rūnanga o Ōraka-Aparima in advance of the convener's conference, scheduled for 10am Tuesday 30 June 2026.
- 2 This memorandum is provided in response to Minute 4 of the Panel Convener regarding the Convener's conference for the Ridgeburn residential and mixed used development (*Application*) by Ridgeburn Limited (*the Applicant*) under the Fast-track Approvals Act 2024 (*FTAA* or *Act*).
- 3 Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou, Hokonui Rūnanga, Waihōpai Rūnanga, Te Rūnanga o Awarua and Te Rūnanga o Ōraka-Aparima (collectively, *Kā Rūnaka*) represent mana whenua in the Tāhuna (Queenstown) area.
- 4 This memorandum addresses the issues listed in Schedules 1 and 2 of the Minute.

Parties at the conference

- 5 Kā Rūnaka are seven of the eighteen Papatipu Rūnanga of Ngāi Tahu who uphold the manawhenua and mana moana of their takiwā.
- 6 The takiwā of Te Rūnanga o Moeraki centres on Moeraki and extends from Waitaki to Waihemo and inland to the Main Divide.
- 7 The takiwā of Kāti Huirapa ki Puketeraki centres on Karitane and extends from Waihemo to Purehurehu and includes an interest in Ōtepoti and the greater harbour of Ōtākou. The takiwā extends inland to the Main Divide sharing an interest in the lakes and mountains to Whakatipu-Waitai with Runanga to the south.
- 8 The takiwā of Te Rūnanga o Ōtākou centres on Ōtākou and extends from Pūrehurehu to Te Matau and inland, sharing an interest in the lakes and mountains to the western coast with Rūnanga to the North and to the South.
- 9 The takiwā of Hokonui Runaka centres on the Hokonui region and includes a shared interest in the lakes and mountains between Whakatipu-Waitai and Tawhitarere with other Murihiku Rūnanga and those located from Waihemo southwards.

- 10 The takiwā of Waihōpai Rūnaka centres on Waihōpai and extends northwards to Te Matau sharing an interest in the lakes and mountains to the western coast with other Murihiku Rūnanga and those located from Waihemo southwards.
- 11 The takiwā of Te Rūnanga o Awarua centres on Awarua and extends to the coasts and estuaries adjoining Waihōpai sharing an interest in the lakes and mountains between Whakatipu-Waitai and Tawhititarere with other Murihiku Rūnanga and those located from Waihemo southwards.
- 12 The takiwā of Te Rūnanga o Ōraka Aparima centres on Ōraka and extends from Waimatuku to Tawhititarere sharing an interest in the lakes and mountains from Whakatipu-Waitai to Tawhititarere with other Murihiku Rūnanga and those located from Waihemo southwards.

Section 18 Report and cultural significance

- 13 The Section 18 Report for this application correctly identifies the relevant groups as Kā Rūnaka and Te Rūnanga o Ngāi Tahu. It also identifies Aukaha Limited and Te Ao Mārama Incorporated (*TAMI*) as other Māori groups with relevant interests being entities owned by Papatipu Rūnanga.
- 14 This memorandum is not provided on behalf of Te Rūnanga o Ngāi Tahu, who are noted in the Application as deferring their comments to Kā Rūnaka and TAMI. Counsel, Kā Rūnaka and TAMI are engaged with Te Rūnanga o Ngāi Tahu and it remains the expectation that Kā Rūnaka will take the active interest and role in this Application.
- 15 Kāti Huirapa Rūnaka ki Puketeraki and TAMI provided comments on the referral application:
 - (a) TAMI confirmed that the Applicant sought early and ongoing engagement with them, the project area is located in an area of deep connection for Ngāi Tahu, and TAMI will continue to work with the Applicant to understand the impact of the project on those cultural values and connections;
 - (b) Kāti Huirapa Rūnaka ki Puketeraki did not have sufficient information at the time to assess the project, but put in place arrangements for further engagement with the Applicant;

Both TAMI and Kāti Huirapa Rūnaka ki Puketeraki therefore expressed a neutral position on the application, until they had more information to assess the impacts of the project, and noted continuing engagement with the Applicant.

Mana whenua engagement with the applicant, AEE and CIA

- 16 Kā Rūnaka have continued to engage with the Applicant following the Application being lodged.
- 17 It is emphasised that engagement has been very positive and constructive.
- 18 In the process of this engagement a draft Partnership agreement has been prepared and amendments to the proposed conditions discussed. At this point in time, Kā Rūnaka consider that it is likely that the Partnership agreement will be finalised prior to the Panel being appointed.
- 19 The Application, AEE and accompanying Cultural Impact Assessment (CIA) should therefore be read in this context. This memorandum has similarly been prepared in the context of the constructive discussions that have occurred.
- 20 Section 7 of the Application records that the Applicant has continued engagement with TAMI on behalf of Kā Rūnaka, while keeping Te Rūnanga o Ngāi Tahu informed, with engagement facilitated by Ailsa Cain, an independent cultural and engagement advisor engaged by the Applicant.
- 21 Engagement included the provision of technical information, discussions regarding potential cultural effects, and ongoing consideration of potential mitigation and management measures relevant to Ngāi Tahu values. This engagement informed the preparation of the CIA; and continued following the Application being lodged to identify with TAMI appropriate pathways to address the cultural effects identified in the CIA.
- 22 Section 8.4 of the Application records that a range of potential management and mitigation measures have been identified and are reflected in the proposed consent conditions, including ecological restoration, water quality management, erosion and sediment controls, and the implementation of an Environmental Management Plan and Accidental Discovery Protocol.
- 23 Appendix 44 the Schedule of Consultation with Māori records that:
 - (a) Consultation began in 2025 prior to the lodgement of the referral application;
 - (b) A site visit with the Applicant took place in February 2026; and
 - (c) TAMI provided a CIA prior to the lodgement of the Application.
- 24 Appendix 44 notes that rock art is suspected to be in the area and an investigation is to be undertaken by Ngāi Tahu as provided for draft consent

conditions. It also records that the Kowarau River wāhi tūpuna is adjacent to the lower terrace of the project area.

- 25 The CIA prepared by TAMI is included as Appendix 46 to the Application.
- 26 Appendix 46 Cultural Impact Assessment by Te Ao Mārama Incorporated. It records the following key principals that must be recognised by the Application:
- (a) Ngāi Tahu holds and exercises rangatiratanga within the Ngāi Tahu Takiwā.
 - (b) The Crown and agents of the crown must act in good faith.
 - (c) All areas and places within the Ngāi Tahu takiwā are important and form part of an entwined network of values, places and resources which are relevant to Ngāi Tahu tribal history, contemporary values and the future of the tribe.
 - (d) Settlement provided a basis for continuing evolution from which Ngāi Tahu can express its ancestral relationship with the Ngāi Tahu takiwā into the future.
- 27 The CIA does record that time restrictions set out by the Applicant have severely impacted the ability for TAMI to undertake an appropriate engagement and assessment process informed by tikanga, placing significant limitations on the CIA. The CIA also notes uncertainty whether the mitigation measures proposed will effectively address Rūnanga concerns regarding the impacts on cultural values.
- 28 These matters have subsequently been worked through by the Applicant and Kā Rūnaka and informed the process and content of the proposed Partnership agreement (and proposed consent conditions).

Issues requiring determination and timeframes

- 29 Given the well-advanced nature of the Partnership agreement, Kā Rūnaka consider that it is unlikely that the Panel will be required to directly address the concerns raised in the CIA (other than considering the appropriateness of certain consent conditions that are likely to be proffered to address the concerns previously raised).
- 30 For completeness, it is noted that the concerns relate to:

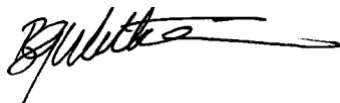
- (a) the construction of the proposed development having the potential to significantly affect mana whenua values, rights, and interests, associated with:
 - (i) cultural landscapes and associations;
 - (ii) the spiritual value of water, mauri, mahinga kai species, habitat and water quality, and
 - (b) the sense of alienation of mana whenua from the Whakatipu-wai māori landscape, due primarily to the intensive and continued development of the area.
- 31 The Partnership agreement aims to address these concerns, and a number of consent conditions are being developed/confirmed to ensure, for example, cultural considerations are factored into and considered in more detailed design of the subdivision, naming and wastewater treatment methodology/performance.
- 32 In the unlikely event that the Partnership agreement falls through, and the Panel is required to address the matters outlined above, Kā Rūnaka are comfortable that this can be dealt with within the timeframes proposed by other parties.

Relevance of tikanga and procedural considerations

- 33 Tikanga is relevant to this Application, particularly in relation to:
- (a) mauri, rangatiratanga, kaitiakitanga, manaakitanga and whanau ora;
 - (b) wāhi taoka;
 - (c) impacts on wai māori and taoka species;
 - (d) impacts on the wairua, cultural landscape and Ngāi Tahu associations.
- 34 Consideration of tikanga in relation to the Application is both procedural and substantive – and to date has informed both the process and content of the Partnership Agreement discussions. To that end, Kā Rūnaka consider that the relevant tikanga can and will largely be addressed outside the Panel process (with appropriate consent conditions to be proposed). To the extent the Panel may have questions regarding tikanga or any cultural aspect of the application, Kā Rūnaka representatives will be available to assist upon request.

35 Kā Rūnaka would be supportive of at least one member of the panel member have experience in Ngāi Tahu tikanga, given the significance of the area to Kā Rūnaka and the wider iwi. It is recognised that this is in the context of these issues likely being agreed/not in contention for any decision-making process.

Dated this 29th day of June 2026



Ben Williams / Rachel Robilliard
Counsel for Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou, Hokonui Rūnanga, Waihōpai Rūnanga, Te Rūnanga o Awarua and Te Rūnanga o Ōraka-Aparima