



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

**Project Name: FTAA-2602-1173 Mt Iron Junction**

<b>To:</b>	<b>Date:</b>
Panel Convener, Jane Borthwick	31 March 2026

Number of attachments: 4	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. Statutory acknowledgement for Mata-au (Clutha River) from the Ngāi Tahu Claims Settlement Act 1998</li></ol>
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### Ministry for the Environment contacts:

Position	Name	Cell phone	1 <sup>st</sup> contact
Principal Author	Stephen Church		
Manager, Fast-track Operations	Stephanie Frame	██████████	✓
General Manager, Investment Strategy & Operations	Ilana Miller	██████████	

### Key points

1. As required by section 49 of the Fast-track Approvals Act 2024 (the Act), the Ministry for the Environment (on behalf of the Secretary for the Environment) has prepared this report on Treaty settlements and other obligations (section 18 of the Act) in relation to the substantive application FTAA-2602-1173 Mt Iron Junction.
2. The applicant, Mt Iron Junction Limited, proposes to develop an approximately 5.98-hectare site on the eastern outskirts of Wānaka into a medium and high-density residential neighbourhood. The development comprises 250 residential units, a childcare centre, a café and small-format grocery market, two publicly accessible reserves, internal roading and pedestrian and cycling connections. The applicant is seeking approvals that would otherwise be sought under the Resource Management Act 1991 (RMA) – no other approvals are sought.
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. Most of those groups must

be invited by the panel to comment on a substantive application under section 53(2) of the Act. We have identified Te Rūnanga o Ngāi Tahu, Te Rūnanga o Waihao, Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou, Hokonui Rūnanga, Waihōpai Rūnaka, Te Rūnanga o Awarua, Te Rūnanga o Ōraka-Aparima, Aukaha, and Te Ao Marama Incorporated as relevant groups for the project area.

4. The Ngāi Tahu Claims Settlement Act 1998 is the relevant Treaty settlement for the project area. The project area does not include the marine and coastal area, and we have not identified any other obligations such as Mana Whakahono ā Rohe or joint management agreements that are relevant to the project area.
5. While the Ngāi Tahu settlement provides for a statutory acknowledgment over nearby Mata-au (Clutha River), based on the information provided by the applicant it appears that it is unlikely to be directly affected by the project. Nevertheless, we note that under the RMA and Treaty settlements, a consent authority must have regard to a statutory acknowledgment 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 acknowledgment holder (Te Rūnanga o Ngāi Tahu). The panel acts as the consent authority in this instance, and we consider this obligation may be met through the invitation to comment under section 53 of the Act.
6. We have identified a number of other settlement provisions – including a deed of recognition, nohoanga entitlement, taonga species, commercial redress – which do not appear to be impacted by the application as it currently stands, but nonetheless underline the traditional connection of Ngāi Tahu with this area and its environment.

## Signature

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A handwritten signature in blue ink, appearing to read 'S. Frame', with a stylized flourish at the end.

Stephanie Frame  
**Manager – Fast-track Operations**

## Introduction

7. For a substantive application that relates to a listed project, under section 49 of the Act, the Environmental Protection Authority (EPA) must request a report from the responsible agency (Secretary for the Environment) that is prepared in accordance with section 18(2) and (3)(a) of the Act (but does not contain the matters in section 18(2)(l) and (m)).
8. 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; and
  - b. relevant principles and provisions in Treaty settlements and other arrangements.
9. This report is structured accordingly. We have provided a list of the relevant provisions of section 18 at **Attachment 1**.

## Proposed project

10. The applicant, Mt Iron Junction Limited, proposes to develop an approximately 5.98-hectare site on the eastern outskirts of Wānaka into a medium and high-density residential neighbourhood. The development comprises 250 residential units, a childcare centre, a café and small-format grocery market, two publicly accessible reserves, internal roading and pedestrian and cycling connections. Thirteen residential sites within the development are to be provided to the Queenstown Lakes Community Housing Trust.
11. The applicant is seeking approvals that would otherwise be sought under the RMA (including land use, subdivision, discharge). No other approvals are sought. The applicant owns all of the land within the project area, which is located at 237 Wānaka–Luggate Highway, 1 Junction Road, 10 and 21 Mountain Road, and 37 Albert Town–Lake Hāwea – Road, Wānaka.
12. We have provided a location map at **Attachment 2**.

## Relevant iwi authorities, Treaty settlement entities, and other Māori groups

13. 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**, including contact details.<sup>1</sup>

### Iwi authorities

14. 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.*
15. We consider the following groups to be the relevant iwi authorities for the project area:
  - a. Te Rūnanga o Ngāi Tahu, representing Ngāi Tahu.

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<sup>1</sup> These are the contact details we could locate in the time available, and in some cases they will be the generic email address for the entity.

## Treaty settlement entities

16. 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).*

17. 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).*

18. 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>2</sup>

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

- a. Te Rūnanga o Ngāi Tahu, PSGE for the Ngāi Tahu Claims Settlement Act 1998;
- b. Te Rūnanga o Waihao, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998;
- c. Te Rūnanga o Moeraki, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998;
- d. Kāti Huirapa Rūnaka ki Puketeraki, representing Puketeraki, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998;
- e. Te Rūnanga o Ōtākou, representing Ōtākou, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998;

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<sup>2</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.

- f. Hokonui Rūnanga, representing Hokonui, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998;
- g. Waihōpai Rūnaka, representing Waihōpai, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998;
- h. Te Rūnanga o Awarua, representing Awarua, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998; and
- i. Te Rūnanga o Ōraka-Aparima, representing Ōraka-Aparima, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998.

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

20. There are no groups which have recognised mandates to negotiate a Treaty settlement over an area which may include the project area. All historical claims under te Tiriti o Waitangi / the Treaty of Waitangi have been settled in respect of the project area.

### **Takutai Moana groups and ngā hapū o Ngāti Porou**

21. 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.
22. The project area is not within ngā rohe moana o ngā hapū o Ngāti Porou (as set out in the Ngāi Tahu Rohe Moana o Ngāi Tahu Act 2019).

### **Iwi or hapū whose practices are recognised under the Fisheries Act 1996 through regulation or bylaws**

23. The project area does not include a taiāpure-local fisheries area or mātaihai reserve. Under the Fisheries (South Island Customary Fishing) Regulations 1999, made under Part 9 of the Fisheries Act 1996, the project area is within the South Island fisheries waters. However, to date no notice has been issued under those regulations to establish a customary food gathering area/rohe moana that would include the project area.

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

24. Section 39 of the Act provides that before a substantive application is lodged for a listed project or a referred project, the Minister may determine under section 23 or 24 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.
25. 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**

26. 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.
27. 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.

## **Any other Māori groups with relevant interests**

28. We have also identified the following entities, owned by the relevant papatipu rūnanga, as other Māori groups with relevant interests, as they may represent the papatipu rūnanga on environmental and other matters in the project area:
- a. Aukaha, representing the Otago-based papatipu rūnaka<sup>3</sup> – Waihao, Moeraki, Puketeraki, Ōtākou and Hokonui; and
  - b. Te Ao Mārama Incorporated, representing Murihiku papatipu rūnanga – Ōraka Aparima, Waihōpai, Awarua and Hokonui.
29. Based on the information provided by the applicant, we understand that they have entered into a process agreement with Te Rūnanga o Ngāi Tahu on behalf of a collective of seven papatipu rūnanga known as Kā Rūnaka (comprising Te Rūnaka o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnaka o Ōtākou, Hokonui Rūnanga, Te Rūnanga o Ōraka-Aparima, Te Rūnaka o Awarua, and Waihōpai Rūnaka).

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

### **Treaty settlements**

30. 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.
31. The following Treaty settlements relate to land, species of plants or animals, or other resources within the project area:
- a. Ngāi Tahu Claims Settlement Act 1998.

### **Relevant principles and provisions**

32. 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.

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<sup>3</sup> The variation in use of rūnaka/rūnanga is due to regional dialects.

### *Crown acknowledgements and apologies*

33. 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.
34. As part of the Ngāi Tahu settlement, the Crown apologised to Ngāi Tahu for its past failures to acknowledge Ngāi Tahu rangatiratanga and mana over the South Island lands within its boundaries and, in fulfilment of its Treaty obligations, the Crown stated that it recognised Ngāi Tahu as the tāngata whenua of, and as holding rangatiratanga within, the takiwā of Ngāi Tahu whānui.
35. Respect for Ngāi Tahu views on resource management matters and enabling effective involvement of Ngāi Tahu as a Treaty partner in resource management decision-making within the takiwā are important ways in which the Crown can give ongoing effect to these acknowledgements and uphold its relationship with Ngāi Tahu.

### *Statutory acknowledgements*

36. As one of the first comprehensive settlements of historical claims, the Ngāi Tahu settlement pre-dated some of the redress mechanisms which have subsequently been developed for use in later settlements to provide for participation by iwi and hapū in decision-making over natural resources. However, the Ngāi Tahu settlement was the first settlement to include statutory acknowledgements, which are an acknowledgement by the Crown of a 'statement of association' between the iwi and an identified area (the 'statutory area').
37. Under the RMA and relevant Treaty settlement Acts, a consent authority must, when considering a resource consent for a proposed activity that is within, adjacent to, or 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>4</sup>
38. 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 EPA, board of inquiry, Environment Court, Heritage New Zealand Pouhere Taonga), who may, in turn, take that statutory acknowledgement into account.
39. We have checked the project area in relation to any statutory acknowledgements held by Te Rūnanga o Ngāi Tahu, and the nearest is over Mata-au (Clutha River), approximately 2.5 kilometres northeast of the project area (as shown in the first map at **Attachment 2**). The project area is closer to the Cardrona River, approximately 500 metres southeast,<sup>5</sup>

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<sup>4</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.

<sup>5</sup> According to the ecological report provided by the applicant, the nearest surface waterbody is an unnamed tributary of the Cardrona River, located approximately 430 metres southeast, whereas the Cardrona River itself is situated approximately 630 metres south of the project area at its closest point.

which is a tributary of Mata-au. However, the Cardrona River is not part of the statutory area for Mata-au. Further, under section 205 of the Ngāi Tahu Claims Settlement Act 1998, statutory acknowledgements for a river do not include any tributary flowing into a river, unless expressly provided for in the relevant schedule (Schedule 40 provides for the statutory acknowledgment over Mata-au, but does not refer to tributaries).

40. Nevertheless, it has become common practice in subsequent Treaty settlements for statutory acknowledgements over waterways to include tributaries. This approach is consistent with the concept in Te Ao Māori of ki uta ki tai (from the mountains to the sea), whereby water is viewed in a holistic way, and should be managed accordingly.
41. According to the information provided by the applicant, the project area does not contain any waterbodies and no direct discharge to surface water is proposed. Stormwater will be treated, attenuated, and discharged to ground through infiltration systems designed for significant rainfall events, including climate-adjusted scenarios. Wastewater will be reticulated to Council infrastructure, and construction sediment controls will be implemented to avoid off-site discharge.
42. While it appears unlikely that the application will affect Mata-au, we draw the panel's attention to the statutory acknowledgement in case it receives advice to the contrary. Under section 53(2)(b) and (c) of the Act, the panel must direct the EPA to invite written comments from Te Rūnanga o Ngāi Tahu, who will be provided access to the application information which has been provided to the EPA. We consider the process of inviting comment (including providing information about the application) is comparable to the process under the RMA and Treaty settlements, where local authorities are required to provide information about the application to the holder of a statutory acknowledgement, and to have regard to statutory acknowledgements when considering who is an affected person for the purposes of limited notification of a resource consent application.
43. We have provided the statutory acknowledgement provisions for Mata-au from the Ngāi Tahu Claims Settlement Act 1998 at **Attachment 4**.

#### *Other redress*

##### *Deed of recognition*

44. In addition to a statutory acknowledgement, Te Rūnanga o Ngāi Tahu also have a deed of recognition with the Commissioner of Crown Lands, administered by Land Information New Zealand (LINZ), over Mata-au. Under section 212 of the Ngāi Tahu Claims Settlement Act 1998, a deed of recognition may be entered into between Te Rūnanga o Ngāi Tahu and the Minister of the Crown responsible for the management or administration of the land within a statutory area, or the Commissioner of Crown Lands, as the case may be.
45. The deed of recognition requires the relevant Crown agency to consult with, and have regard to the views of, Te Rūnanga o Ngāi Tahu when undertaking specified activities relating to the statutory area. These activities primarily relate to the preparation of management plans or strategies but may also include considering applications for rights of use or occupation, for example.
46. We do not consider these provisions are relevant to this application, as LINZ are not undertaking any of the activities covered by the deeds of recognition, nor is the applicant seeking use rights or occupation in relation to the Crown-owned parts of the riverbed subject to the deed of recognition.

##### *Nohoanga/nohoaka*

47. The Ngāi Tahu Claims Settlement Act 1998 includes provisions for nohoanga/nohoaka entitlements, whereby members of Ngāi Tahu may camp temporarily on Crown land close

to waterways for the purposes of gathering mahinga/mahika kai and other natural resources.

48. The nearest nohoanga site provided through the settlement is at Hāwea River Albert Town Recreation Reserve, alongside the Hāwea River approximately 4km northeast of the project area. While it is unlikely that this site will be affected by the application, the provision of nohoanga entitlements through the settlement underscores the importance to Ngāi Tahu of maintaining customary practices and their deep connections to the area. It is likely that there are other, traditional nohoanga sites in this area which are not recognised through the settlement but nonetheless carry those cultural associations. Local tangata whenua and their representatives would be best placed to advise on such matters in the first instance.

#### *Taonga species*

49. The Crown has acknowledged the special association of Ngāi Tahu with certain taonga species of birds, plants and animals. The Ngāi Tahu Claims Settlement Act 1998 contains several other provisions relating to taonga species, including a requirement that the Minister of Conservation consult with, and have particular regard to the views of, Te Rūnanga o Ngāi Tahu when making policy decisions concerning the protection, management, or conservation of a taonga species.
50. We note that the application does not seek any approvals under the Wildlife Act 1953. Although the settlement provisions regarding taonga species do not place any procedural obligations on the applicant or consent authority in relation to the approvals being sought as part of this application, the redress illustrates the importance of these species to Ngāi Tahu. Accordingly, the panel may wish to take any impact of the application on taonga species into consideration.

#### *Commercial redress*

51. The Ngāi Tahu settlement also provides for commercial redress, in the form of nine 'deferred selection properties' in Wānaka,<sup>6</sup> located within four kilometres of the project area. While this redress is unlikely to be affected by the application, it underlines the connection of Ngāi Tahu with this area.
52. Finally, 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. Again, local tangata whenua and their representatives would be best placed to provide this advice.

### **Customary Marine Title/Protected Customary Rights**

53. 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**

54. As noted above, the project area does not include a taiāpure-local fishery or mātaitai reserve, but it is within the South Island fisheries waters for the purposes of the Fisheries (South Island Customary Fishing) Regulations 1999, made under Part 9 of the Fisheries Act 1996. To date no notice has been issued under those regulations to establish a

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<sup>6</sup> A deferred selection property enables a PSGE to decide whether to purchase certain Crown properties during a fixed period after settlement.

customary food gathering area/rohe moana that would include the project area. If a notice is issued, it provides for tangata whenua to take fisheries resources and manage customary fishing within the rohe moana.

### **Mana Whakahono ā Rohe/Joint management agreement**

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

### **Consultation with departments**

56. In preparing this report, we are required to consult relevant departments. We have previously sought advice from Te Puni Kōkiri regarding the relevant Māori groups in this area, and have incorporated their views into this report.

## 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.	Not applicable to substantive applications – section 18 report is required by section 49.
18(2)(a)	Any relevant iwi authorities and relevant Treaty settlement entities	14-19
18(2)(b)	Any Treaty settlements that relate to land, species of plants or animals, or other resources within the project area	30-31
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	32-52
18(2)(d)	Any recognised negotiation mandates for, or current negotiations for, Treaty settlements that relate to the project area.	20
18(2)(e)	Any court orders or agreements that recognise protected customary rights or customary marine title within the project area.	21, 53
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.	21, 53
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).	22, 53
18(2)(h)	Whether the project area includes any taiāpure-local fisheries, mātaītai 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).	23, 54
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).	24-25
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),	26-27, 55

	<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> <li>(ii) The relevant principles and provisions in those Mana Whakahono ā Rohe and joint management agreements.</li> </ul>	
<b>18(2)(k)</b>	Any other Māori groups with relevant interests.	28-29
<b>18(2)(l)</b>	<p>A summary of—</p> <ul style="list-style-type: none"> <li>(i) comments received by the Minister after inviting comments from Māori groups under section 17(1)(d) and (e);</li> <li>(ii) any further information received by the Minister from those groups</li> </ul>	Not applicable to substantive applications
<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.	Not applicable to substantive applications
<b>18(3)</b>	<p>In preparing the report required by this section, the responsible agency must—</p> <ul style="list-style-type: none"> <li>(a) consult relevant departments; and</li> <li>(b) provide a draft of the report to the Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti.</li> </ul>	<p>56 (section 18(3)(a))</p> <p>Section 18(3)(b) not applicable to substantive applications</p>
<b>18(4)</b>	Those Ministers must respond to the responsible agency within 10 working days after receiving the draft report	Not applicable to substantive applications

Attachment 2: Project location map





Figure 5: Master plan overview

### Attachment 3: List of relevant Māori groups

Name of group	Type of group (section of Act)	Contact person	Contact email
<b>Te Rūnanga o Ngāi Tahu</b>	Iwi authority (s18(2)(a)); Treaty settlement entity – Ngāi Tahu Claims Settlement Act 1998 (s18(2)(a))	Lisa MacKenzie	[REDACTED]
<b>Te Rūnanga o Waihao</b>	Ngāi Tahu Papatipu Rūnanga – Treaty settlement entity (s18(2)(a))	Melissa Slatter	[REDACTED]
<b>Te Rūnanga o Moeraki</b>	Papatipu Rūnanga – Treaty settlement entity (s18(2)(a))	Justin Tipa, Te Rūnanga o Ngāi Tahu representative	[REDACTED]
<b>Kāti Huirapa Rūnaka ki Puketeraki</b>	Papatipu Rūnanga – Treaty settlement entity (s18(2)(a))	Shane Ellison	[REDACTED]
<b>Te Rūnanga o Ōtākou</b>	Papatipu Rūnanga – Treaty settlement entity (s18(2)(a))	Andrew Rouvi	[REDACTED]
<b>Hokonui Rūnanga</b>	Papatipu Rūnanga – Treaty settlement entity (s18(2)(a))	Louise Dennison	[REDACTED]
<b>Waihōpai Rūnaka</b>	Papatipu Rūnanga – Treaty settlement entity (s18(2)(a))	Odele Stehlin, Te Rūnanga o Ngāi Tahu representative	[REDACTED]
<b>Te Rūnanga o Awarua</b>	Papatipu Rūnanga – Treaty settlement entity (s18(2)(a))	Barry Bragg, Chair Gail Thompson	[REDACTED]
<b>Te Rūnanga o Ōraka-Aparima</b>	Papatipu Rūnanga – Treaty settlement entity (s18(2)(a))	Kasmira Peterson	[REDACTED]
<b>Aukaha</b>	Entity owned by Papatipu Rūnanga (s18(2)(k))	Mereana Goodman, Consents Officer Pam Walker, Senior Planner	[REDACTED]
<b>Te Ao Mārama Incorporated</b>	Entity owned by Papatipu Rūnanga (s18(2)(k))	Meriani Pile Renee Bull	[REDACTED]

## Attachment 4: Statutory acknowledgement for Mata-au (Clutha River) from the Ngāi Tahu Claims Settlement Act 1998

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### Schedule 40

#### Statutory acknowledgement for Mata-au (Clutha River)

ss 205, 206

##### Statutory area

The statutory area to which this statutory acknowledgement applies is the river known as Mata-au (Clutha River), the location of which is shown on Allocation Plan MD 122 (SO 24727).

##### Preamble

Under section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic, and traditional association to the Mata-au, as set out below.

##### Ngāi Tahu association with the Mata-au

The Mata-au river takes its name from a Ngāi Tahu whakapapa that traces the genealogy of water. On that basis, the Mata-au is seen as a descendant of the creation traditions. For Ngāi Tahu, traditions such as this represent the links between the cosmological world of the gods and present generations, these histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

On another level, the Mata-au was part of a mahinga kai trail that led inland and was used by Ōtākou hapū including Ngāti Kuri, Ngāti Ruahikihiki, Ngāti Huirapa and Ngāti Tuahuriri. The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the river, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

The river was also very important in the transportation of pounamu from inland areas down to settlements on the coast, from where it was traded north and south. Thus there were numerous tauranga waka (landing places) along it. The tūpuna had an intimate knowledge of navigation, river routes, safe harbours and landing places, and the locations of food and other resources on the river. The river was an integral part of a network of trails which were used in order to ensure the safest journey and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by whānau and hapū and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the river.

The Mata-au is where Ngāi Tahu's leader, Te Hautapunui o Tū, established the boundary line between Ngāi Tahu and Ngāti Mamoe. Ngāti Mamoe were to hold mana (authority) over the lands south of the river and Ngāi Tahu were to hold mana northwards. Eventually, the unions between the families of Te Hautapunui o Tū and Ngāti Mamoe were to overcome these boundaries. For Ngāi Tahu, histories such as

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this represent the links and continuity between past and present generations, reinforce tribal identity, and document the events which shaped Ngāi Tahu as an iwi.

Strategic marriages between hapū further strengthened the kupenga (net) of whakapapa, and thus rights to travel on and use the resources of the river. It is because of these patterns of activity that the river continues to be important to rūnanga located in Otago and beyond. These rūnanga carry the responsibilities of kaitiaki in relation to the area, and are represented by the tribal structure, Te Rūnanga o Ngāi Tahu.

Urupā and battlegrounds are located all along this river. One battleground, known as Te Kauae Whakatoro (downstream of Tuapeka), recalls a confrontation between Ngāi Tahu and Ngāti Mamoe that led to the armistice established by Te Hautapunui o Tū. Urupā are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. These are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected by secret locations.

The mauri of Mata-au represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the river.

#### **Purposes of statutory acknowledgement**

Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and
- (b) to require that consent authorities, Heritage New Zealand Pouhere Taonga, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to the Mata-au, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and
- (c) to empower the Minister responsible for management of the Mata-au or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and
- (d) to enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to the Mata-au as provided in section 211 (clause 12.2.5 of the deed of settlement).

#### **Limitations on effect of statutory acknowledgement**

Except as expressly provided in sections 208 to 211, 213, and 215,—

- (a) this statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and

- (b) without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu's association to the Mata-au (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Mata-au.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, the Mata-au.

Schedule 40: amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).