

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

Project Name: FTAA-2507-1084 Harlow Lifestyle Village

To:	Date:
Hon Chris Bishop, Minister for Infrastructure	23 October 2025

Number of attachments: 8	Attachments: - Provisions of section 18 of the Fast-track Approvals Act 2024 - Project location map - List of relevant Māori groups - Te Ture Whaimana o Te Awa Waikato - Waikato-Tainui environmental plan - Waikato Regional Council Joint Management Agreement - Waipā District Council Joint Management Agreement - Comments received from the Minister for Māori Development and/or Minister for Māori Crown Relations: Te Arawhiti
--------------------------	--

Ministry for the Environment contacts:

Position	Name	Cell phone	1 st contact
Principal Author	Stephen Church	s 9(2)(a)	
Manager, Fast-track Operations	Stephanie Frame	s 9(2)(a)	✓
General Manager, Delivery & Operations	Ilana Miller	s 9(2)(a)	

Key points

- The Ministry for the Environment (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-2507-1084 Harlow Lifestyle Village referral application.
- The applicant, Te Awamutu Developments Ltd, proposes to develop an approximately 25.8-hectare site into a retirement village at 2025 Ohaupo Road, Te Awamutu. The project provides for 407 dwellings/units, including single-storey houses, duplex units, apartments, and a 100-bed care facility. The applicant is seeking approvals under the Resource Management Act 1991 (RMA) only.
- In accordance with section 18(2) of the Act, we have identified Te Whakakitenga o Waikato, Waikato Raupatu River Trust, the Waikato River Authority (a statutory body established by a settlement), Ngā Iwi Tōpū o Waipā, Ngāti Hauā Iwi Trust, Te Nehenehenui Trust, Raukawa Settlement Trust, Ngāti Hikairo, Ngāti Apakura Runanga Trust, and O-Tāwhao Marae as relevant Māori groups in relation to the project area.
- The Waikato Raupatu Claims Settlement Act 1995 and Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 are relevant to the project area. We have not identified any other applicable arrangements.

5. We consider that a number of provisions of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 apply to the project area. In accordance with section 7 and section 16 of the Act, we recommend that in considering this application, you have particular regard to Te Ture Whaimana (Vision and Strategy) and have regard to the Waikato-Tainui Environmental Plan.
6. Pursuant to section 16 of the Act, we consider you have complied with some of the relevant procedural requirements in the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010, as they relate to providing notice to the Waikato River Authority and providing information about the application to the Waikato Raupatu River Trust (under the joint management agreement provisions). However, there is also a need to ensure that these, and other, procedural requirements are complied with throughout the process. Accordingly, should you decide to accept this referral application, we propose you direct any panel considering a substantive application for the project to comply with the applicable requirements identified at paragraphs 69-71 of this report (as provided for at section 16(2)(c) of the Act).
7. None of the groups invited to comment on the application under section 17(1)(d) of the Act provided a response.
8. The Minister for Māori Development/Minister for Māori Crown Relations: Te Arawhiti supports the application subject to consultation with relevant Māori groups to establish their views and respond to their feedback, and ongoing engagement between the applicant and relevant Māori groups to ensure any concerns, risks or issues are understood and addressed.
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, consisting of a large, stylized 'I' followed by a horizontal stroke that tapers to a point.

Ilana Miller
General Manager – Delivery & Operations

Introduction

10. Under section 18 of the Act, you must obtain and consider a report on Treaty settlements and other obligations for each referral application, prepared 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, Te Awamutu Developments Ltd, proposes to develop an approximately 25.8-hectare site into a retirement village at 2025 Ohaupo Road, Te Awamutu. The project provides for 407 dwellings/units, including single-storey houses, duplex units, apartments, and a 100-bed care facility. The applicant is seeking approvals under the RMA only (subdivision consent, land use consent, water permit, discharge permit, consent for culverts, land disturbance). The site is owned by the applicant and is currently used for low intensity pastoral agriculture.
14. We have provided a location map at **Attachment 2**.

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

15. 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

16. We consider the following groups to be the relevant iwi authorities for the project area:
 - a. Te Whakakitenga o Waikato, representing Waikato-Tainui.

Treaty settlement entities

17. 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).

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

- a. Te Whakakitenga o Waikato, representing Waikato-Tainui, as PSGE for the Waikato Raupatu Claims Settlement Act 1995 and the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010;
- b. Waikato Raupatu River Trust, as recognised in the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010, and party to co-management arrangements in that settlement; and
- c. Waikato River Authority, a statutory body established under the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010.

19. Te Whakakitenga o Waikato is the sole trustee of the Waikato Raupatu River Trust.

Groups mandated to negotiate Treaty settlements

20. The following groups have recognised mandates to negotiate a Treaty settlement over an area which may include the project area:

- a. Te Whakakitenga o Waikato, in relation to remaining Waikato-Tainui claims.

21. Te Whakakitenga o Waikato are in the early stages of negotiating the settlement of their remaining claims with the Crown.

Takutai Moana groups and ngā hapū o Ngāti Porou

22. 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.

23. 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

24. The project area does not include a taiāpure-local fisheries area or a mātaihai reserve.

25. However, the project area does include a farm drain which runs through the centre of the site, and flows into an unnamed tributary of Mangapiko Stream at the south-western end of the site. Mangapiko Stream flows into the lower Waipā River, which is itself a tributary of the Waikato River.

26. The fisheries in all water bodies in the Waikato River and lower Waipā River catchments are subject to the Waikato-Tainui (Waikato River Fisheries) Regulations 2011, made under the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and Fisheries Act 1996. These regulations provide for Waikato-Tainui (as represented by the Waikato Raupatu River Trust) to manage customary fishing in the Waikato-Tainui fisheries area through the issuing of customary fishing authorisations and by recommending to the Minister of Fisheries the making of bylaws restricting or prohibiting fishing.

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

27. 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.
28. 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

29. 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.
30. The project area is within the boundaries of two joint management agreements (JMAs), with the Waikato Regional Council and the Waipā District Council respectively, over matters relating to the Waikato River and activities within its catchment that may affect the Waikato River, as provided for by the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010. In particular, the JMA with Waikato Regional Council is relevant because:
- a. the project area drains into Mangapiko Stream, which is part of the lower Waipā/Waikato River catchment;¹ and
 - b. the approvals being sought include resource consents for activities which may affect Mangapiko Stream (such as the proposed discharge of stormwater).
31. The relevant party that represents iwi/hapū for the JMAs over the lower Waikato River is the Waikato Raupatu River Trust (one of the Treaty settlement entities referred to above).
32. We discuss the implications of the JMAs further below.

Any other Māori groups with relevant interests

33. We have identified the following groups as other groups which may have relevant interests in the project area:
- a. Ngā Iwi Tōpū o Waipā;
 - b. Ngāti Hauā Iwi Trust, representing Ngāti Hauā;
 - c. Te Nehenehenui Trust, representing Maniapoto;
 - d. Raukawa Settlement Trust, representing Raukawa;

¹ Settlement provisions over the upper Waipā River catchment, including a JMA with Maniapoto, are provided for through the Ngā Wai o Maniapoto (Waipa River) Act 2012. The upper Waipā catchment is upstream of the junction of the Waipā and Pūniu Rivers.

- e. Ngāti Hikairo;
 - f. Ngāti Apakura Runanga Trust; and
 - g. O-Tāwhao Marae.
34. For your information, the applicant advises they have consulted with Ngā Iwi Tōpū o Waipā, a group that represents all hapū in the Waipā District on matters such as resource consent applications.

Relevant principles and provisions in Treaty settlements and other arrangements

Treaty settlements

35. 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.
36. The following Treaty settlements relate to land, species of plants or animals, or other resources within the project area:
- a. Waikato Raupatu Claims Settlement Act 1995; and
 - b. Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010.

Relevant principles and provisions

37. 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

38. 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.
39. As part of the apology included in the Waikato Raupatu Claims Settlement Act 1995, the Crown sought to atone for the acknowledged injustices and begin the process of healing and to enter a new age of co-operation with the Kiingitanga and Waikato.
40. In the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010, the Crown acknowledged that its actions denied the hapū of Waikato-Tainui their rights and interests and mana whakahaere over the Waikato River. The Crown also acknowledged the deterioration of the health of the river as a source of distress for the people of Waikato-Tainui, and in its apology undertook to embark on a new relationship founded on mutual trust, co-operation, and respect for the Treaty of Waitangi and its principles.
41. The redress mechanisms provided for in Treaty settlements should be viewed in the context of these intentions.

Waikato River arrangements

42. The project area is located within the Waikato River catchment. Amongst other approvals, the application seeks resource consents for the proposed discharge of stormwater. As noted above, the project area includes a farm drain which runs through the centre of the

site and flows into an unnamed tributary of Mangapiko Stream at the south-western end of the site. Mangapiko Stream flows into the lower Waipā River, a tributary of the Waikato River. We understand the applicant intends to develop an onsite system to sustainably manage stormwater, while making use of existing wetlands and streams.

43. The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010² provides for a suite of interconnected arrangements for co-governance and co-management of the Waikato River, and activities within its catchment affecting the Waikato River. In the following subsections, we have set out those provisions of the Waikato River arrangements which most closely relate to your consideration of this application under the Act. In light of the complexity of these arrangements, we have also provided a summary of our advice at paragraphs 69-71.

Vision and Strategy – Te Ture Whaimana o Te Awa o Waikato

44. The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 provided for and recognised Te Ture Whaimana o Te Awa o Waikato (Te Ture Whaimana) as applying to the Waikato River and activities within its catchment affecting the Waikato River. The guiding principles of interpretation at section 5 of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 provide that it is the intention that Te Ture Whaimana is the primary direction-setting document for the Waikato and Waipā Rivers and activities within their catchments affecting the rivers. This is also reiterated in section 8 of the Fast-track Approvals Act 2024, including affirming the status of Te Ture Whaimana as:
- a. prevailing over any inconsistent provisions in a national policy statement, coastal policy statement, or national planning standard; and
 - b. deemed to be part of the Waikato regional policy statement, and any regional or district plan that affects the river or activities within the catchment must give effect to Te Ture Whaimana.
45. The vision contained in Te Ture Whaimana is “for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces, for generations to come”. Te Ture Whaimana responds to four fundamental issues, and includes more specific objectives to realise the vision, and strategies to achieve the objectives. We have included the latest version of Te Ture Whaimana as **Attachment 4**.
46. There are a number of provisions in the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 that relate to Te Ture Whaimana and its application in various RMA planning and consenting processes. Specifically, and of direct relevance to the application, section 17 of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 requires a person carrying out functions or exercising powers under certain statutes (including the Fast-track Approvals Act 2024) that relate to the Waikato River or activities in its catchment, to have particular regard to Te Ture Whaimana.
47. Section 16 of the Act also requires that, if a Treaty settlement provides for the consideration of any document, then you are required to give the same or equivalent effect to that

² The Ngāti Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 and the Ngā Wai o Maniapoto (Waipa River) Act 2012 apply the same or similar redress to other parts of the Waikato River, outside the project area.

document in your decision-making.³ On that basis, we consider you will need to have particular regard to Te Ture Whaimana.

48. Section 82 of the Act also imposes the same requirement on a panel considering a substantive application. Should you decide to accept this referral application, the panel will also need to have particular regard to Te Ture Whaimana through its decision-making.

Waikato River Authority

49. The Waikato-Tainui Raupatu Claims (Waikato River) Settlement 2010 Act provides for the establishment of the Waikato River Authority as a statutory body. The purpose of the Waikato River Authority is to (among other things) set the primary direction through Te Ture Whaimana to achieve the restoration and protection of the health and wellbeing of the Waikato River for future generations, and to promote an integrated, holistic and co-ordinated approach to the implementation of Te Ture Whaimana and the management of the Waikato River.⁴ The Waikato River Authority consists of ten members, five members appointed from different River Iwi and five Crown appointees. The Authority does not speak on behalf of, or in place of, iwi or hapū.
50. Of potential relevance to the consideration of this application, sections 26-27 of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement 2010 Act require the Waikato Regional Council to give notice to the Waikato River Authority of certain applications for resource consent, including applications involving a point source discharge to the Waikato River.
51. We have identified the Waikato River Authority as a Treaty settlement entity for the purposes of the Act, and you have invited them to comment on this application under section 17 of the Act. Our advice is that this is comparable to the notice provision outlined above. We therefore consider that, in this respect, the requirement under section 16 of the Act for you to comply with any applicable procedural requirements in a Treaty settlement has been met.
52. Should you decide to accept this referral application, for consistency with sections 26-27 of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010, we suggest that you direct the panel to ask the Environmental Protection Authority (EPA) to invite comments from the Waikato River Authority, as a relevant Treaty settlement entity, on the substantive application under section 53 of the Act.
53. A further implication for consideration of any substantive application for this project relates to the appointment of hearing panels. Under section 28 of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010, if the Regional Council holds a hearing on the application under the RMA, the committee to hear and make a decision on the application must consist of equal numbers (excluding the chair) of members appointed by the Council and accredited commissioners appointed by the Waikato River Authority from a register it maintains. The register comprises commissioners appointed by Waikato-Tainui or iwi who appoint members of the Waikato River Authority (section 25). The chair must be appointed by both the Authority and the Council.
54. Schedule 3 clause 5 of the Act requires the panel convener to comply with procedural matters in any Treaty settlement Act relating to the appointment of a decision-making body for hearings, or other procedural requirements, as if they were a relevant decision-maker, such as a local authority. In this case, our view is that the panel convener will be required

³ This includes any statutory planning document amended as a consequence. Section 8(2)(b) of the Act states that Te Ture Whaimana in its entirety is deemed to be part of the Waikato regional policy statement.

⁴ Section 22(2) of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement 2010 Act refers.

to consider how they will comply with the above requirement as to the proportion of hearing commissioners appointed by the Waikato River Authority from the register of accredited commissioners. The Act also provides for the panel convener to obtain the agreement of the relevant party under the Treaty settlement legislation (i.e. the Waikato River Authority) if they wish to adopt a modified arrangement.

Waikato-Tainui environmental plan – Tai Tumu, Tai Pari, Tai Ao

55. Sections 39-40 of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 provide for the Waikato Raupatu River Trust to prepare a Waikato-Tainui environmental plan, which may then be served on relevant local authorities, amongst others. In considering an application for a resource consent under the RMA, a consent authority must have regard to the Waikato-Tainui environmental plan, if it considers the plan to be a matter that is relevant and reasonably necessary to determine the application.
56. The latest version of the Waikato-Tainui Environmental Plan – Tai Tumu, Tai Pari, Tai Ao – outlines detailed policies on matters such as stormwater discharges. We have included a copy of the plan as **Attachment 5**. Section 16(2)(a) of the Act requires you to give the same or equivalent effect to this document in your decision-making, although it will be more relevant for the panel given their more direct role in determining whether or not to grant approval.
57. If a substantive application is lodged for this project, then under section 82 of the Act the panel will be required to comply with the same obligation as applies to a consent authority in terms of having regard to the environmental plan.
58. In particular, we note that:
- a. objective 26.3.1 of the Waikato-Tainui Environmental Plan is that “Infrastructure development, upgrade, and maintenance within the Waikato-Tainui rohe occurs in partnership with Waikato-Tainui”.
 - b. the associated Policy 26.3.1.1 is “To ensure that infrastructure development, upgrade and maintenance within the Waikato-Tainui rohe occurs in partnership with Waikato-Tainui”; and
 - c. an associated method in the plan states that resource consent processes should be developed by the applicant, regulator and/or local authority in partnership with Waikato-Tainui and taking into account kaitiakitanga and maatauranga Maaori.
59. This focus on partnership may be relevant for any future panel in having regard to the Waikato-Tainui environmental plan. The participation of Waikato-Tainui in the consideration of a substantive application will be an important way to provide for that partnership in the context of the Fast-track process.

Joint management agreements

60. As identified at paragraph 29, the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 provides for a JMA between the Waikato Raupatu River Trust and each of the Waikato Regional Council and Waipā District Council (as well as other relevant local authorities) to provide for the parties to the JMA to work together when carrying out certain duties and functions, and exercising certain powers, in the RMA relating to the Waikato River and activities within its catchment. These duties, functions and powers relate to monitoring and enforcement, preparation of planning documents, and applications for resource consents.⁵

⁵ Sections 41-43 of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement 2010 Act refer.

61. In relation to this project, the JMA provisions of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 require the local authority to provide the Trust with information on certain applications for resource consents as soon as practicable after the application is received.⁶ These information-sharing provisions are similar to those which apply to statutory acknowledgements.
62. There are a range of other provisions in the JMAs themselves that relate to the resource consent process. Our advice is that these provisions are most relevant to the panel when considering the substantive application, and that the panel will need to consider how to comply with these procedural requirements in accordance with schedule 3 clause 5 of the Act. We provide more detail on the JMAs below.

Waikato Regional Council JMA

63. At least one of the approvals being sought by the applicant, the discharge of stormwater, appears to fall within the scope of the Waikato Regional Council JMA, as set out at section 47(1)(a) of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010. We have provided the Waikato Regional Council JMA as **Attachment 6**.
64. Schedule Three to the JMA includes a protocol to be applied to resource consents for those activities within the scope of the JMA, such as:
- a. preferred timeframes for the Council to provide Waikato-Tainui with a summary of relevant resource consents received, and associated information requirements;
 - b. Waikato-Tainui may advise the Council on their overall position with regards to the application;
 - c. if there are outstanding matters, Waikato-Tainui and the Council will identify a timeframe to address them;
 - d. if a pre-application meeting is held with the applicant, Waikato-Tainui will be invited to attend;
 - e. where an application indicates a potential adverse effect on the health and wellbeing of the Waikato River in terms of the matters addressed in Te Ture Whaimana, but that matter is not assessed in the Assessment of Environmental Effects, the Council may take that matter into account when determining the completeness of the application under section 88 of the RMA;
 - f. Council may have particular regard to any advice from Waikato-Tainui regarding the adequacy of the information provided in the Assessment of Environmental Effects when considering the need for further information requests under section 92 of the RMA;
 - g. Council will provide Waikato-Tainui any further information it has requested and obtained from the applicant, or reports it has commissioned, as soon as reasonably practicable;
 - h. there is a detailed process for Council to discuss the application with Waikato-Tainui before making notification decisions (see clause 6.2 of Schedule Three); and
 - i. the JMA sets out a process to ensure that the Council recognises and provides for the importance of authorised customary activities and the use of whitebait stands and eel weirs when considering resource consent applications. In particular, the Council will

⁶ Section 47 of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement 2010 Act refers.

seek to avoid conflicts between resource consents and notified authorised customary activities.

Waipā District Council JMA

65. Under section 47(1)(b) of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010, the scope of the resource consent processes outlined in the Waipā District Council JMA is limited to applications “for the use of or activities on the surface of the water in the Waikato River”. Based on the information provided by the applicant, it does not appear as if the approvals being sought fall within these parameters.
66. However, for completeness we have provided a copy of the JMA as **Attachment 7**, should further information about the approvals being sought suggest that the Waipā District Council JMA is relevant to the application. Schedule A of the JMA sets out the processes and timeframes for consultation with Waikato-Tainui on relevant consent applications, including additional procedures for pre-application meetings, incomplete applications, and requests to an applicant for further information.

JMA requirements must be complied with

67. Under section 16 of the Act, you must comply with any applicable procedural requirements in JMAs. This includes the information-sharing provisions in JMAs provided for by section 47 of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010.
68. The nature of the fast-track process means that Waikato-Tainui has already been, and will continue to be, involved in the process (including being invited to comment by you and a panel). This fulfils, in part, the provisions in the JMAs regarding notification. However, there are certain aspects of the notification process that are not replicated in the fast-track process. For example, there is no right to appear and be heard at a hearing as is the case for notified consents under the standard RMA consent process.
69. At least one of the proposed approvals which form part of the application appears to be within the scope of the consents to which the Waikato Regional Council JMA applies. You have already invited the Waikato Raupatu River Trust to comment on the application and, in so doing, have provided them with access to information about the application. We consider this to be comparable to some of the procedural requirements for JMAs.⁷ As noted at paragraph 63, there are other procedural requirements in the JMA itself that must be given careful attention in each stage of the process.

Summary of advice

70. In accordance with section 7 and section 16 of the Act, we recommend that in considering this application, you have:
- a. particular regard to Te Ture Whaimana; and
 - b. regard to the Waikato-Tainui Environmental Plan;
- as relevant documents which you must give the same or equivalent effect as under the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010. We note that, at face value, a decision to accept this application for referral would not necessarily be inconsistent with these documents, but that this will need to be considered in more depth by a panel, as the potential decision-maker for the approvals being sought.
71. Pursuant to section 16 of the Act, we consider you have complied with some of the relevant procedural requirements in the Waikato-Tainui Raupatu Claims (Waikato River) Settlement

⁷ Such as the information sharing provisions at section 47 of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement 2010 Act.

Act 2010, as they relate to providing notice to the Waikato River Authority, and information about the application to the Waikato Raupatu River Trust (under the JMA provisions). However, there is also a need to ensure that these, and other, procedural requirements are complied with throughout the process (for example, the ability for Waikato-Tainui to comment on the adequacy of information under the JMA, and the provisions relating to the appointment of hearing commissioners).

72. Should you decide to accept this referral application, we propose you direct any panel considering a substantive application for the project to comply with the applicable requirements identified above (as provided for at section 16(2)(c) of the Act), namely to:
- a. have particular regard to Te Ture Whaimana;
 - b. give notice to the Waikato River Authority of the application (which may be fulfilled by an invitation to comment under section 53 of the Act);
 - c. consider the provisions for appointing hearing commissioners from the register maintained by the Waikato River Authority as they may be applied to appointing a panel under the fast-track process;
 - d. have regard to the Waikato-Tainui Environmental Plan, including how to provide for continued partnership with Waikato-Tainui (as a consistent theme running through the plan); and
 - e. consider the detailed information-sharing provisions of the JMAs, as they may be applied to the fast-track process.

Customary Marine Title/Protected Customary Rights

73. 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

74. As noted above, the project area does not include a taiāpure-local fishery or mātaitai reserve, but does include a drain which flows into Mangapiko Stream, which is subject to the Waikato-Tainui (Waikato River Fisheries) Regulations 2011. These regulations provide for the Waikato Raupatu River Trust to manage customary fishing in the Waikato-Tainui fisheries area. Under the regulations, the Waikato Raupatu River Trust has recommended, and the Minister for Oceans and Fisheries has approved, the Fisheries (Declaration of Waikato-Tainui Fisheries Area Bylaws) Notice 2014, which also applies to the management of relevant fisheries in those catchments.

Mana Whakahono ā Rohe/Joint management agreement

75. The project area is within the boundaries of two JMAs, and the application includes a proposed approval outlined in section 42(4)(a)-(d) of the Act. We have identified the relevant principles and provisions in the JMAs above, including where there are obligations to involve the iwi authority/group in decision-making.

Summary of comments received and advice

Comments from invited Māori groups

76. Pursuant to section 17(1)(d) of the Act, on 24 July 2025 you invited written comments from the Māori groups identified above in paragraphs 15-33, from a list we previously provided you. These groups were provided with access to the application material and had 20 working days from receipt of the copy of the application to respond.
77. None of the groups invited to comment on the application under section 17(1)(d) of the Act provided a response.

Consultation with departments and Ministers

78. In preparing this report, we are required to:
- a. consult relevant departments; and
 - b. provide a draft of the report to the Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti (for response within 10 working days).
79. 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.
80. The Minister for Māori Development/Minister for Māori Crown Relations: Te Arawhiti supports the application subject to:
- a. the views and position of relevant Māori groups and entities being clearly established through consultation with those groups;
 - b. any feedback from relevant Māori groups and entities being received and responded to; and
 - c. where necessary, ongoing engagement between the applicant and relevant Māori groups to ensure any concerns, risks or issues are understood and addressed.

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

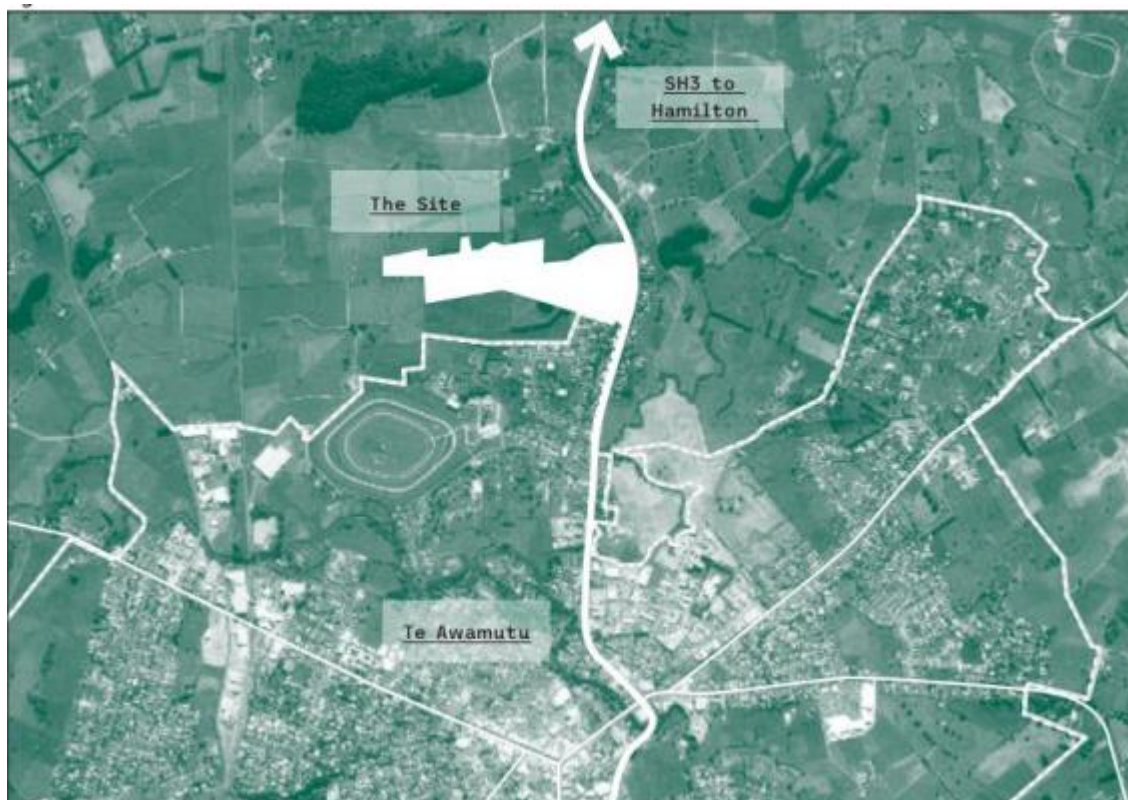
81. Under section 18(2)(m), this report must include our advice on whether, due to any of the matters identified in section 18, it may be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts.
82. We do not consider there are any matters 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, obtain and consider a report that is prepared by the responsible agency in accordance with this section.	10-12
18(2)(a)	Any relevant iwi authorities and relevant Treaty settlement entities	16-19
18(2)(b)	Any Treaty settlements that relate to land, species of plants or animals, or other resources within the project area	34-35
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	36-71
18(2)(d)	Any recognised negotiation mandates for, or current negotiations for, Treaty settlements that relate to the project area.	20-21
18(2)(e)	Any court orders or agreements that recognise protected customary rights or customary marine title within the project area.	22, 72
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.	22, 72
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).	23, 72
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).	24-25, 73
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).	26-27
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.	28-31, 74

	(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.	32-33
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	75-76
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.	80-81
18(3)	In preparing the report required by this section, the responsible agency must— (a) consult relevant departments; and (b) provide a draft of the report to the Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti.	77-78
18(4)	Those Ministers must respond to the responsible agency within 10 working days after receiving the draft report	79

Attachment 2: Project location map





Attachment 3: List of relevant Māori groups

Name of group	Type of group (section of Act)
Te Whakakitenga o Waikato	Iwi authority (s18(2)(a)); Treaty settlement entity – Waikato Raupatu Claims Settlement Act 1995 and the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 (s18(2)(a)); negotiating mandate (s18(2)(d))
Waikato Raupatu River Trust	Treaty settlement entity – Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 (s18(2)(a)); representing tangata whenua in relation to a customary fisheries area (s18(2)(h)); iwi authorities and groups that represent hapū that are parties to any relevant Mana Whakahono ā Rohe or joint management agreements (s18(2)(j))
Waikato River Authority	Treaty settlement entity – Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 (s18(2)(a))
Ngā Iwi Tōpū o Waipā	Any other Māori groups with relevant interests (s18(2)(k))
Ngāti Hauā Iwi Trust	Any other Māori groups with relevant interests (s18(2)(k))
Te Nehenehenui Trust	Any other Māori groups with relevant interests (s18(2)(k))
Raukawa Settlement Trust	Any other Māori groups with relevant interests (s18(2)(k))
Ngāti Hikairo	Any other Māori groups with relevant interests (s18(2)(k))
Ngāti Apakura Runanga Trust	Any other Māori groups with relevant interests (s18(2)(k))
O-Tāwhao Marae	Any other Māori groups with relevant interests (s18(2)(k))

Attachment 4: Te Ture Whaimana o Te Awa Waikato

Attachment 5: Waikato-Tainui environmental plan

Attachment 6: Waikato Regional Council Joint Management Agreement

Attachment 7: Waipā District Council Joint Management Agreement

Attachment 8: Comments received from the Minister for Māori Development and/or Minister for Māori Crown Relations

FTAA-2507-1084 Harlow Lifestyle Village - Comment from Minister for Māori Development - Saved

Feedback · FTA - Feedback ▾

General Documents Related ▾

Feedback Details

Feedback ID	* FDB001469P1Q9
Title	* FTAA-2507-1084 Harlow Lifestyle Village - Comment from Minister for Māori Development
Regarding	 Draft section 18 report for Minister comment
Comments	I support the application subject to: • the views and position of relevant Māori groups and entities, being clearly established through consultation with those groups; • any feedback from relevant Māori groups and entities being received and responded to • where necessary, ongoing engagement between the applicant and relevant Māori groups to ensure any concerns, risks or issues are understood and addressed.

Feedback Contacts

Created By (Contact)	 Kahutaiki Torepe-Ormsby
Source	Portal
Application	 Harlow Lifestyle Village
Created By	 # Portals-Fast Track Portal - ftaa-portal
Created On	18/09/2025 5:05 PM