



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

Project Name: FTAA-2505-1057 Pound Road Industrial Development

To:	Date:
Panel Convener, Jane Borthwick	28 August 2025

Number of attachments: 3	Attachments: <ol style="list-style-type: none">Provisions of section 18 of the Fast-track Approvals Act 2024Project location mapsList of relevant Māori groups
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Ministry for the Environment contacts:

Position	Name	Cell phone	1 st contact
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Key points

- 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-2505-1057 Pound Road Industrial Development.
- The applicant, NTP Development Holdings Limited, a Ngāi Tahu owned company, proposes to develop a 60.4-hectare industrial subdivision at Hornby, Christchurch. The land comprising the project area is owned by public and private landowners including NTP Development Holdings Limited, Christchurch City Council, and Kāinga Ora. The applicant is seeking a subdivision consent, land use consents, discharge permit, and water permit under the Resource Management Act 1991 (RMA), and an authority under the Wildlife Act 1953.
- 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.
- The relevant Māori groups identified under section 18(2) to be invited to comment are: Te Rūnanga o Ngāi Tahu; Te Ngāi Tūāhuriri Rūnanga; Te Taumutu Rūnanga; Whitiara Centre Limited; and Mahaanui Kurataiao Limited.

5. The relevant Treaty settlement is the Ngāi Tahu Claims Settlement Act 1998. No other obligations have been identified under section 18(2) as relevant to the project area.
6. In its acknowledgements and apology to Ngāi Tahu, the Crown recognised its failures to fulfil its Treaty obligations and commits to a new age of co-operation with Ngāi Tahu. The Crown also recognised Ngāi Tahu as holding rangatiratanga and mana within the Takiwā of Ngāi Tahu Whānui. We have not identified any other principles and provisions of the Treaty settlement, or other obligations, which may be relevant to this application. Accordingly, we have not identified any documents the panel must give the same or equivalent effect to, or procedural requirements the panel must comply with, under section 82 and clause 5 of schedule 3 to the Act.

Signature

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Ilana Miller
General Manager – Delivery and 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. NTP Development Holdings Limited is a subsidiary of Ngāi Tahu Property Limited, a development and investment company owned by Ngāi Tahu. NTP Development Holdings Limited is proposing to develop a 60.4 hectare industrial subdivision that will deliver 74 freehold industrial lots at Hornby, Christchurch. The site is located adjacent to the existing Industrial General Zone of Waterloo Business Park at Hornby. The project aims to meet the growing demand for industrial land in Canterbury, Christchurch City, and in the Islington-Hornby South locality particularly for logistics, warehousing, and light manufacturing businesses.
11. The land in the project area is owned by NTP Development Holdings Limited and six other landowner groups, three of which support or do not oppose their land being included in the application. The latter includes Christchurch City Council and Kāinga Ora.
12. The applicant is seeking resource consents under the RMA for subdivision, future industrial activities, buildings and site improvements, discharge of stormwater, non-consumptive use of water, earthworks and vegetation clearance, and a wildlife authority under the Wildlife Act 1953 to catch, handle and release lizards.
13. We have provided location maps at **Attachment 2**.

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

14. 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.¹

Iwi authorities

15. We consider the relevant iwi authority for the project area is Te Rūnanga o Ngāi Tahu, representing Ngāi Tahu.

¹ 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. We have identified the following relevant Treaty settlement entities for this project area:

- a. Te Rūnanga o Ngāi Tahu, representing Ngāi Tahu, PSGE for the Ngāi Tahu Claims Settlement Act 1998;
- b. Te Ngāi Tūāhuriri Rūnanga, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998; and
- c. Te Taumutu Rūnanga, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998.

Groups mandated to negotiate Treaty settlements

18. 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

- 19. 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.
- 20. 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 customary management areas

- 21. The project area does not include a taiāpure-local fisheries area, mātaihai reserve, or area subject to a bylaw or regulations made under Part 9 of the Fisheries Act 1996.

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

- 22. 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.
23. 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

24. 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.
25. 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

26. We consider the following entities, owned by the relevant papatipu rūnanga, as other Māori groups that may have relevant interests in the application, as they may represent the papatipu rūnanga on environmental and other policy matters in the project area:
- a. Whitiora Centre Limited (owned by Te Ngāi Tūāhuriri Rūnanga); and
 - b. Mahaanui Kurataiao Limited (owned by Te Taumutu Rūnanga and five other papatipu rūnanga).

Relevant principles and provisions in Treaty settlements and other arrangements

Treaty settlements

27. 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.
28. 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

29. 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

30. Through a series of acknowledgements and an apology to Ngāi Tahu, the Crown acknowledged its historical actions that breached te Tiriti o Waitangi/the Treaty of Waitangi. 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 recognised Ngāi Tahu as the tangata whenua of, and as holding rangatiratanga within, the takiwā of Ngāi Tahu Whānui.
31. The Crown apology also stated that the Crown intended to atone for these acknowledged injustices, and to begin the process of healing and to enter a new age of co-operation with Ngāi Tahu. The redress provided in the Ngāi Tahu settlement should be viewed in the context of these intentions.
32. Under section 53(2)(c) of the Act, the panel must direct the EPA to invite written comments on a substantive application from any relevant Treaty settlement entities including, to avoid doubt, an entity that has an interest under a Treaty settlement (or an entity operating in a collective arrangement provided for under a Treaty settlement) within the area to which the application relates. Those invited to comment, including relevant Treaty settlement entities, will be provided access to the application information.
33. Te Rūnanga o Ngāi Tahu, Te Ngāi Tūāhuriri Rūnanga, Te Taumutu Rūnanga have been identified earlier in this report as relevant Treaty settlement entities to be invited for comment by the panel under section 53(2)(c) of the Act. The scope of section 53(3) of the Act also enables the panel to invite Whitiara Centre Limited and Mahaanui Kurataiao Limited to comment on the application, although they may respond on behalf of the papatipu rūnanga.

Taonga species

34. The Crown has also 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.
35. It is possible the project area may be frequented by birds, or contain plants, which are included amongst the taonga species, such as pūtakitaki/paradise shelduck and pākura/pūkeko/swamp hen. We note the applicant is seeking a wildlife authorisation for the relocation of any lizards found, however, there are no lizards named amongst the taonga species listed in the settlement.
36. Although the settlement provisions regarding taonga species do not place any procedural obligations on the applicant or panel in relation to the approvals being sought by the applicant, the redress illustrates the importance of these species to Ngāi Tahu.
37. Ultimately, iwi and hapū, including papatipu rūnanga groups, 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. Local tangata whenua and their representatives would be best placed to advise on such matters in the first instance.

Customary Marine Title/Protected Customary Rights

38. 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/mātaimai reserves/areas subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996

39. As noted above, the project area does not include a Taiāpure-local fishery, mātaimai reserve, or area subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996.

Mana Whakahono ā Rohe/Joint management agreement

40. 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

41. In preparing this report, we are required to consult relevant departments. We have previously sought advice from Te Puni Kōkiri and The Office of Treaty Settlements and Takutai Moana – Te Tari Whakatau regarding the relevant Māori groups for other applications in this same area, and have incorporated their views into this report.

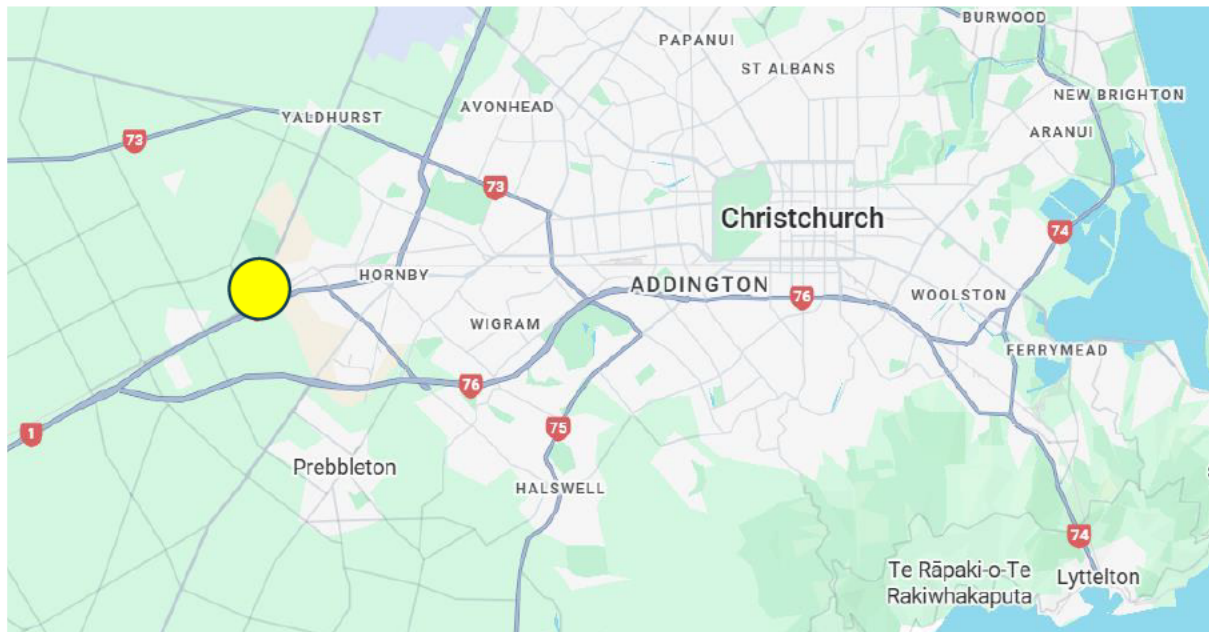
Attachment 1: Provisions of section 18 of the Fast-track Approvals Act 2024

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 – s 18 report is required by s 49.
18(2)(a)	Any relevant iwi authorities and relevant Treaty settlement entities	15-17
18(2)(b)	Any Treaty settlements that relate to land, species of plants or animals, or other resources within the project area	27-28
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	29-37
18(2)(d)	Any recognised negotiation mandates for, or current negotiations for, Treaty settlements that relate to the project area.	18
18(2)(e)	Any court orders or agreements that recognise protected customary rights or customary marine title within the project area.	19, 38
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.	19, 38
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).	20, 38
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).	21, 39
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).	22-23, 40
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),	24-25

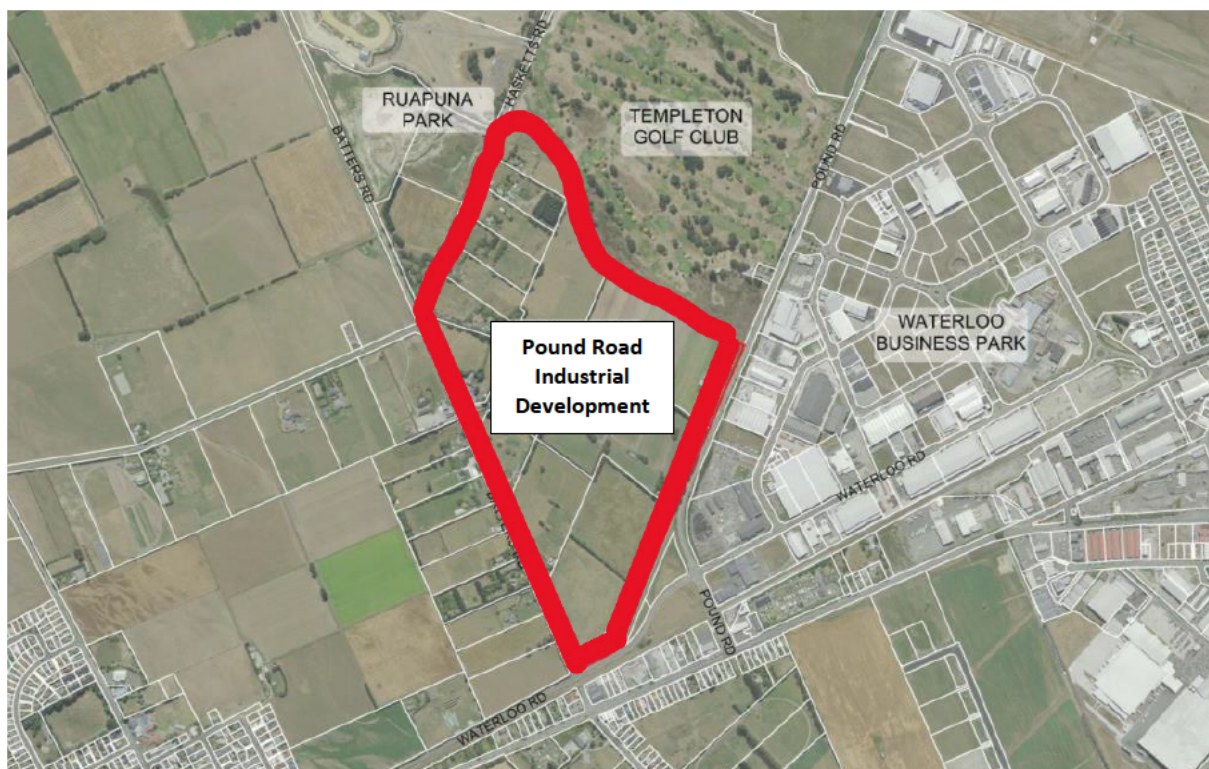
	<p>(i) iwi authorities and groups that represent hapū that are parties to any relevant Mana Whakahono ā Rohe or joint management agreements.</p> <p>(ii) The relevant principles and provisions in those Mana Whakahono ā Rohe and joint management agreements.</p>	
18(2)(k)	Any other Māori groups with relevant interests.	26
18(2)(l)	<p>A summary of—</p> <p>(i) comments received by the Minister after inviting comments from Māori groups under section 17(1)(d) and (e);</p> <p>(ii) any further information received by the Minister from those groups</p>	Not applicable to substantive applications
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.	Not applicable to substantive applications
18(3)	<p>In preparing the report required by this section, the responsible agency must—</p> <p>(a) consult relevant departments; and</p> <p>(b) provide a draft of the report to the Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti.</p>	<p>41 (Section 18(3)(a))</p> <p>Section 18(3)(b) not applicable to substantive applications</p>
18(4)	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 maps

Map 1. Location of proposed Pound Road Industrial Development indicated by yellow circle below



Map 2. Site footprint of Pound Road Industrial Development indicated by red marking below



Attachment 3: List of relevant Māori groups

Name of group	Type of group (section of Act)	Contact persons	Contact email
Te Rūnanga o Ngāi Tahu	iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a) – Ngāi Tahu Claims Settlement Act 1998)	Justin Tipa, Chair	[REDACTED]
Te Taumutu Rūnanga	iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a) – Ngāi Tahu Claims Settlement Act 1998)	David Perenara-O'Connell	[REDACTED]
Te Ngāi Tūāhuriri Rūnanga	iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a) – Ngāi Tahu Claims Settlement Act 1998)	Tania Wati	[REDACTED]
Whitiara Centre Limited	other Māori group with relevant interests (s18(2)(k))	Mike Davidson	[REDACTED]
Mahaanui Kurataiao Limited	other Māori group with relevant interests (s18(2)(k))	Manaia Cunningham	[REDACTED]