

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

Project Name: FTAA-2604-1223 Milbrow Estate

To:	Date:
Hon Chris Bishop, Minister for Infrastructure	17 July 2026

Number of attachments: 5	Attachments: - Provisions of section 18 of the Fast-track Approvals Act 2024 - Project location map - List of relevant Māori groups - Lake Rotorua statutory acknowledgement provisions - Comments received from invited Māori groups
--------------------------	--

Ministry for the Environment contacts:

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

Key points

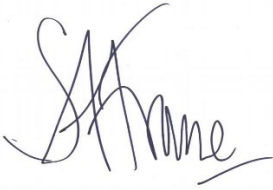
- The Ministry for the Environment (on behalf of the Secretary for the Environment) has prepared this report on Treaty settlements and other obligations under section 18 of the Fast-track Approvals Act 2024 (the Act), in relation to the FTAA-2604-1223 Milbrow Estate referral application.
- The applicant, Caland Holdings Ltd, proposes to develop an approximately 83-hectare site located at Hamurana, Rotorua, into approximately 92 rural residential lots with associated roading, earthworks and infrastructure. The applicant is seeking approvals that would otherwise be sought under the Resource Management Act 1991 (RMA). No other approvals are being sought.
- 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. We have identified Te Maru o Ngāti Rangiwewehi Iwi Authority, Ngāti Uenukukōpako Iwi Trust, Te Pūmautanga o Te

Arawa Trust, Raukawa Settlement Trust, Te Tāhuhu o Tawakeheimoa Trust, Te Arawa Lakes Trust, Rotorua Te Arawa Lakes Strategy Group, Te Komiti Nui o Ngāti Whakaue Trust, Tarimano (Awahou) Marae, and several Māori land blocks as relevant to the project area.

4. The following Treaty settlements are relevant to the project area: Te Arawa Lakes Settlement Act 2006; Ngāti Rangiwewehi Claims Settlement Act 2014; and Raukawa Claims Settlement Act 2014.
5. The Te Arawa Lakes settlement provides for a statutory acknowledgement over the Te Arawa lakes, including Lake Rotorua. While the project area does not include or adjoin Lake Rotorua, it is within the lake's catchment, which means the statutory acknowledgement may be relevant if the proposed activities impact directly on the statutory area.
6. Under the RMA and the relevant Treaty settlements, a consent authority must have regard to a statutory acknowledgement 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 acknowledgement holder. We consider the process of inviting comment (including providing information about the application) from these groups under the Act is comparable to the requirements for statutory acknowledgements under the RMA and Treaty settlements.
7. The Te Arawa Lakes settlement also provides for the establishment of the Rotorua Te Arawa Lakes Strategy Group, a joint council committee which includes members appointed by Te Arawa Lakes Trust. While the settlement provisions for the Strategy Group do not include any specific procedural obligations which you would need to comply with under section 16 of the Act, we consider that inviting the Strategy Group to comment on this application is consistent with the intent of the settlement.
8. You received comments on the application from Te Maru o Ngāti Rangiwewehi Iwi Authority, Te Arawa Lakes Trust, Ngāti Whakaue, and Raukawa Charitable Trust.
9. The protection of Pekehāua Puna, the Awahou Stream, and the wider aquifer system is a matter of fundamental importance for Ngāti Rangiwewehi. Te Maru o Ngāti Rangiwewehi Iwi Authority identified key matters of concern relating to the scale and intensity of the proposed development, the associated groundwater abstraction, and potential for cumulative effects on culturally significant freshwater systems. Ngāti Rangiwewehi considers that the application, in its current form, raises significant cultural, environmental, and planning concerns that have not been adequately resolved, and do not support the proposal as currently presented.
10. TALT noted that while the application does not involve a direct discharge to Lake Rotorua or works within the lakebed, the project area lies within its catchment. TALT's concerns include the capacity of the reticulated wastewater network, the need to monitor catchment-level effects on lake water quality, avoiding adverse effects on taonga waters, and mana whenua involvement in long-term restoration and monitoring. TALT updated its comments to endorse the matters raised by Te Maru o Ngāti Rangiwewehi, and to state that TALT's conditional support for the application is dependent on satisfying those concerns.
11. Ngāti Whakaue also confirmed its support for the key positions raised by Ngāti Rangiwewehi, including the need to actively safeguard whenua and wai from degradation, and concerns regarding the impact on wāhi tapu and wider cultural landscapes. Ngāti Whakaue recommended deferring any decision until meaning engagement has been completed.

12. Raukawa Charitable Trust has a neutral position on the application at this time, subject to the applicant continuing to engage with Ngāti Rangiwewehi and Ngāti Whakāue, as other iwi with shared interests in the project area. Raukawa Charitable Trust wishes to be kept updated as the proposal progresses.
13. 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, appearing to read 'S Frame', with a stylized flourish at the end.

Stephanie Frame
Manager – Fast-track Operations

Introduction

14. Under section 18 of the Act, you must consider a report on Treaty settlements and other obligations for each referral application, prepared and provided by the responsible agency (Secretary for the Environment).
15. 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.
16. This report is structured accordingly. We have provided a list of the relevant provisions of section 18 at **Attachment 1**.

Proposed project

17. The applicant, Caland Holdings Ltd, proposes to develop an approximately 83-hectare site located at Hamurana, Rotorua, into approximately 92 rural residential lots with associated roading, earthworks and infrastructure. The project also includes planting of significant areas of native vegetation throughout the gully systems within the project area. The applicant owns the land, at 66 and 70 McFetridge Drive and 89 Tauranga Direct Road. The applicant is seeking approvals that would otherwise be sought under the RMA (including subdivision, earthworks, stormwater discharge). No other approvals are being sought.
18. We have provided a location map at **Attachment 2**.

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

19. 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

20. 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.

21. We consider the following groups to be the relevant iwi authorities for the project area:
 - a. Te Maru o Ngāti Rangiwewehi Iwi Authority, representing Ngāti Rangiwewehi;
 - b. Ngāti Uenukukōpako Iwi Trust, representing Ngāti Uenukukōpako;
 - c. Te Pūmautanga o Te Arawa Trust, representing Affiliate Te Arawa Iwi and Hapū; and
 - d. Raukawa Settlement Trust, representing Raukawa.

Treaty settlement entities

22. 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).*

23. 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).*

24. 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.¹

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

- a. Te Tāhuhu o Tawakeheimoa Trust, PSGE for Ngāti Rangiwewehi Claims Settlement Act 2014;
- b. Te Arawa Lakes Trust, PSGE for Te Arawa Lakes Settlement Act 2006;
- c. Rotorua Te Arawa Lakes Strategy Group, entity established by the Te Arawa Lakes Settlement Act 2006; and
- d. Raukawa Settlement Trust, PSGE for Raukawa Claims Settlement Act 2014.

26. The Te Arawa Lakes Settlement Act 2006 provides redress over 14 lakes, including Lake Rotorua. While the project area is approximately two kilometres from Lake Rotorua, the catchments of the lakes are incorporated into aspects of the settlement.

¹ 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.

Groups mandated to negotiate Treaty settlements

27. Te Komiti Nui o Ngāti Whakaue Trust, representing Ngāti Whakaue, has a recognised mandate to negotiate a Treaty settlement over an area which is approximately 3-4 kilometres south of the project area. Ngāti Whakaue are in the early stages of negotiating their Treaty settlement with the Crown. The Office of Treaty Settlements and Takutai Moana – Te Tari Whakatau (Te Tari Whakatau) advise that while the project area is not within the core area for Ngāti Whakaue as it is currently understood, it is in an area where they may claim some degree of interests as negotiations progress.

Takutai Moana groups and ngā hapū o Ngāti Porou

28. 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.
29. 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

30. 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

31. 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.
32. 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

33. 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.
34. 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

35. We note that Tarimano (Awahou) Marae is a short distance downstream of the project area so we have included them as an 'other Māori group with relevant interests' under section 18(2)(k) of the Act.
36. We have also identified the following Māori land blocks adjacent to the project area:
- a. Mangorewa Kaharoa No 6E Sec 3 No 2E No 2A Sec 1B No 2;
 - b. Mangorewa Kaharoa No 6E Sec 3 No 2E No 2A Sec 2;
 - c. Mangorewa Kaharoa No 6E Sec 3 No 2H No 5A; and
 - d. Mangorewa Kaharoa No 6E Sec 3 No 2H No 7A.
37. Unfortunately, we have only been able to locate contact details for the administrators of the first land block listed above, but for completeness we have included all of the blocks in this report.

Relevant principles and provisions in Treaty settlements and other arrangements

Treaty settlements

38. 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.
39. The following Treaty settlements relate to land, species of plants or animals, or other resources within the project area:
- a. Te Arawa Lakes Settlement Act 2006;
 - b. Ngāti Rangiwewehi Claims Settlement Act 2014; and
 - c. Raukawa Claims Settlement Act 2014.

Relevant principles and provisions

40. 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

41. 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.
42. Some of the Crown acknowledgements are particularly relevant to the project area. In the Ngāti Rangiwewehi Claims Settlement Act 2014 the Crown acknowledged that Taniwha Springs/Pekehāua Puna Reserve, approximately one kilometre south of the project area, is a sacred taonga to Ngāti Rangiwewehi and is central to Ngāti Rangiwewehi traditions and identity as an iwi. The Crown also acknowledged that in 1966, land at Taniwha Springs was taken by a local authority for water supply purposes, and that this had a severe impact

on Ngāti Rangiwewehi, which they felt to be the greatest grievances they bear against the Crown.²

43. The Crown also acknowledged the strongly felt grievances of Ngāti Rangiwewehi arising from the methods by which the Crown purchased land in which they had interests, including the Mangorewa Kaharoa block which had historically included the project area.
44. As noted above, the project is two kilometres upstream of Lake Rotorua. As part of the Te Arawa Lakes Settlement Act 2006, the Crown recognised that Te Arawa value the Te Arawa lakes (including Lake Rotorua) and the lakes' resources as taonga, including their spiritual, cultural, economic, and traditional importance. Amongst other matters, the Crown acknowledged that:
 - a. the introduction of exotic fish species significantly depleted the indigenous species upon which Te Arawa depended for food, hospitality, trade, and koha;
 - b. Te Arawa has demonstrated a record of co-operation with the Crown in relation to the lakes, but the benefits that Te Arawa expected to flow from its relationship with the Crown were not always realised;
 - c. past Crown actions in relation to the Te Arawa lakes have had a negative impact on Te Arawa's tino rangatiratanga over the lakes and their usage of the resources of the lakes; and
 - d. the pollution and degradation of several of the lakes have caused a sense of grievance within Te Arawa.
45. The Crown acknowledgements in relation to the project area were also reflected in the respective Crown apologies. For example, in the Ngāti Rangiwewehi Claims Settlement Act 2014 the Crown stated that it regrets deeply the trauma and anguish the loss of the cherished taonga, Pekehāua Puna, caused for Ngāti Rangiwewehi. In the Te Arawa Lakes Settlement Act 2006, the Crown expressed its profound regret that past Crown actions in relation to the lakes have had a negative impact on Te Arawa's rangatiratanga over the lakes and their use of lake resources, and have caused significant grievance within Te Arawa.
46. More broadly, as part of its apologies to Te Arawa, Ngāti Rangiwewehi, and Raukawa, the Crown stated that it sought to atone for its actions and looked forward to building a new relationship with these groups based on co-operation, mutual trust, and respect for te Tiriti o Waitangi/the Treaty of Waitangi and its principles. The redress mechanisms provided for in Treaty settlements should be viewed in the context of these intentions.

Statutory acknowledgement

47. The Te Arawa Lakes Settlement Act 2006 vested title to 14 lakebeds, including Lake Rotorua, in Te Arawa. The title includes the ownership of the lakebeds (including plants attached to the lakebeds) and subsoil (referred to as the Te Arawa stratum), but specifically excludes the water column (the space occupied by the water) and the airspace, which remain in Crown ownership (referred to as the Crown stratum). The Te Arawa Lakes

² In 2008 the Environment Court declined to grant a 25-year water take applied for by the Council, and instead granted 10 years to enable alternatives to be put in place, recognising the severe cultural effects of the water take. In 2015 the Council transferred ownership of the springs back to Ngāti Rangiwewehi, and there has subsequently been partnership set up between Rotorua Lakes Council and Ngāti Rangiwewehi for community water supply from the springs.

Settlement Act 2006 also provided for a statutory acknowledgement over those parts of the 13 lakes remaining in Crown ownership (i.e. the water column and airspace).

48. A statutory acknowledgement is an acknowledgement by the Crown of a 'statement of association' between the iwi and an identified area (the 'statutory area'). Under the RMA and the relevant settlement Acts, a consent authority must, when considering a resource consent for a proposed activity that is within, adjacent to, or directly 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.³
49. 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 Environment Court, Heritage New Zealand Pouhere Taonga, the Environmental Protection Authority, or a board of inquiry), which may, in turn, take that statutory acknowledgement into account.
50. While the project area does not include or adjoin Lake Rotorua (the statutory area), it is part of catchments which flow directly towards the lake and the Awahou Stream to the southwest (which also flows into the lake). The applicant notes that the project area contains wetlands but does not contain any streams, only ephemeral watercourses.
51. The statutory acknowledgement may be relevant if the project directly affects the statutory area. For example, the applicant contends that the proposed change in land use from pastoral farming to rural residential will be beneficial in reducing nitrogen loss. While residential development introduces its own potential effects, such as stormwater management, the applicant proposes mitigating these effects through the use of on-site swales and retention areas.
52. Should you accept the application for a referral, and a substantive application is made, then the panel may want to consider whether there will be any impact of the proposed activities on Lake Rotorua, thereby bringing the statutory acknowledgement into play.
53. In any case, we consider the process of inviting comment (including providing information about the application) is comparable to the process under a Treaty settlement and the RMA of providing those who hold statutory acknowledgements with a summary of the application. You have already invited Te Arawa Lakes Trust to comment on the application. Should you accept this referral application, this group will also be invited to comment by the panel on a substantive application under section 53(2)(c) of the Act.
54. For your reference, we have provided the statutory acknowledgement provisions for Lake Rotorua at **Attachment 4**.

³ 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.

Rotorua Te Arawa Lakes Strategy Group

55. Part 3 Subpart 1 of the Te Arawa Lakes Settlement Act 2006 provides for the establishment of the Rotorua Lakes Strategy Group⁴ (the Strategy Group), a joint committee of the Rotorua Lakes Council and the Bay of Plenty Regional Council, comprising two members appointed by each of those councils, and two members appointed by the Te Arawa Lakes Trust. The purpose of the Strategy Group is to “contribute to the promotion of the sustainable management of the Rotorua lakes *and their catchments*, for the use and enjoyment of present and future generations, while recognising and providing for the traditional relationship of Te Arawa with their ancestral lakes” (emphasis added).
56. The relationship schedule to the Te Arawa Lakes deed of settlement included a Rotorua Lakes Strategy Group Agreement, which outlined the membership, quorum, functions, and standing orders of the Strategy Group.⁵ The functions include:
- a. provision of leadership to the organisations who are members of the Strategy Group and the community in relation to implementation of the Vision and Strategy for the lakes;⁶
 - b. identification of significant existing and emerging issues affecting the lakes;
 - c. preparation, approval, monitoring, evaluation, and review of agreements, policies, and strategies to achieve integrated outcomes for the lakes;
 - d. identification, monitoring, and evaluation of necessary actions by the organisations who are members of the of the Strategy Group and other relevant organisations;
 - e. receiving reports on activities being undertaken by the organisations who are members of the Strategy Group and other relevant organisations;
 - f. involvement during the preparation of statutory plans in relation to significant issues including, but not limited to, iwi and hapū management plans, district and regional plans, reserve management plans, and annual plans; and
 - g. involvement in applications for activities in relation to significant issues not addressed by existing policies of the co-management partners including, but not limited to, resource consents, designations, heritage orders, water conservation orders, restrictions on access to the lakes, and transfer/delegation of statutory authority.
57. While the final function outlined in the preceding paragraph may be relevant to the Milbrow Estate referral application, it is framed at a high-level. This provision does not establish mandatory procedural obligations and instead sets an expectation that the Strategy Group will be involved in applications where appropriate.
58. We have already identified the Strategy Group as a relevant Treaty settlement entity, and you have invited them to comment on this application. Should you accept this application for referral, under section 53(2) of the Act the panel will also invite the Strategy Group to comment on any substantive application submitted for this project. In the absence of more specific information in the settlement about the role of the Strategy Group in considering

⁴ Now known as the Rotorua Te Arawa Lakes Strategy Group.

⁵ This agreement was amended in April 2019: [Rotorua Te Arawa Lakes Strategy Group Agreement](#). The amendments included the appointment of an additional, non-voting member of the Strategy Group to act as Poū Tākiwāiora (independent chairperson).

⁶ The latest Vision and Strategy document can be found here: [Refreshed Vision and Strategy for the Lakes of the Rotorua district 2025-2050](#).

this application (such as procedural requirements which may otherwise need to be complied with under section 16/Schedule 3 clause 5 of the Act), we consider that the invitation to comment is consistent with the purpose of the Strategy Group and the broader intent of the settlement. In order to provide for the 'involvement' of the Strategy Group in the application, the invitation to comment is an appropriate first step.

59. Finally, we 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. More specifically, there are a number of sites in close proximity to the project area that are particularly significant, such as Taniwha Springs/Pekehāua Puna, Awahou Stream, the Mangorewa Kaharoa land blocks, and Tarimano Marae. 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

60. 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

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

Mana Whakahono ā Rohe/Joint management agreement

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

Summary of comments received and advice

Comments from invited Māori groups

63. Pursuant to section 17(1)(d) of the Act, on 2 June 2026 you invited written comments from the Māori groups identified above in paragraphs 19-37, from a list we previously provided you. These groups were provided with access to the application material and had 15 working days from receipt of the copy of the application to respond.
64. You received comments on the application from four groups, Te Maru o Ngāti Rangiwewehi Iwi Authority, Te Arawa Lakes Trust, Ngāti Whakaue, and Raukawa Charitable Trust, which can be summarised as follows:

Te Maru o Ngāti Rangiwewehi Iwi Authority

65. The protection of Pekehāua Puna, the Awahou Stream, and the wider aquifer system is a matter of fundamental importance for Ngāti Rangiwewehi. In detailed comments, Te Maru o Ngāti Rangiwewehi Iwi Authority identified key matters of concern relating to the scale and intensity of the proposed development, the associated groundwater abstraction, and potential for cumulative effects on culturally significant freshwater systems.
66. For Ngāti Rangiwewehi, this highlights the need for robust assessment of hydrogeological connectivity, sustainable water allocation, and alignment with planning frameworks that seek to manage growth and protect the environmental capacity of the catchment. Te Maru

o Ngāti Rangiwewehi Iwi Authority observed that while the proposal is framed as rural residential development, the scale represents a level of intensification that introduces significant demand on groundwater resources within a sensitive and interconnected aquifer system.

67. Te Maru o Ngāti Rangiwewehi Iwi Authority note that key matters raised within the Cultural Impact Assessment prepared by Ngāti Rangiwewehi regarding groundwater connectivity, protection of culturally significant freshwater systems, and avoidance of cumulative effects have not been sufficiently resolved. Ngāti Rangiwewehi seek representation on any Fast-track panel, or associated technical advisory processes, to ensure that decisions are informed by both technical knowledge and mātauranga Māori.
68. Ngāti Rangiwewehi considers that the proposal, in its current form, raises significant cultural, environmental, and planning concerns that have not been adequately resolved. Accordingly, they do not support the proposal as currently presented. Ngāti Rangiwewehi remains open to ongoing dialogue and reserves the right to refine its position as further information becomes available.

Te Arawa Lakes Trust (TALT)

69. TALT noted that while the application does not involve a direct discharge to Lake Rotorua or works within the lakebed, the project area lies within the catchment and has the potential to impact on groundwater, stormwater, sediment pathways, and downstream receiving environments (including Te Wai Mimi o Pekehāua/Awahou Stream). Accordingly, TALT assessed the application through a catchment-wide lens, drawing on three dimensions that form part of Te Tūāpapa o ngā Wai o Te Arawa, the values framework that guides protection, restoration and management of water across the rohe:
- a. Wai Ora – the health and wellbeing of water;
 - b. Wai Rua – the mauri and spiritual integrity of water; and
 - c. Wai Ata – the cultural landscape, whakapapa and enduring relationship between people and place.
70. TALT's concerns include: the capacity of the reticulated wastewater network, and the need to monitor catchment-level effects on lake water quality (Wai Ora); avoiding adverse effects on taonga waters (Wai Rua); and mana whenua involvement in long-term restoration and monitoring (Wai Ata).
71. TALT updated its comments to register their support for the matters raised by Te Maru o Ngāti Rangiwewehi, particularly those relating to ensuring the project does not adversely affect Pekehāua Puna and Awahou Stream, which align with the outcomes TALT seeks for the wider catchment. TALT's conditional support for the application is dependent on satisfying the concerns raised by Ngāti Rangiwewehi.

Ngāti Whakaue

72. Ngāti Whakaue confirmed its support for the key positions raised by Ngāti Rangiwewehi, including the need to actively safeguard whenua and wai from degradation, and significant concerns regarding the impact on wāhi tapu and wider cultural landscapes. Ngāti Whakaue also noted that the Fast-track process limited meaningful engagement with mana whenua and undermines robust decision-making. Ngāti Whakaue recommends deferring any decision until meaning engagement has been completed.

Raukawa Charitable Trust

73. Raukawa Charitable Trust noted that the project area is within the Raukawa area of association, which is a shared area of interest with Ngāti Rangiwewehi and Ngāti Whakaue. Subject to continued engagement with these other two iwi, Raukawa Charitable Trust has a neutral position on the application at this time. Raukawa Charitable Trust wishes to be kept updated as the proposal progresses.
74. We have provided both sets of comments at **Attachment 5**.

Consultation with departments

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

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

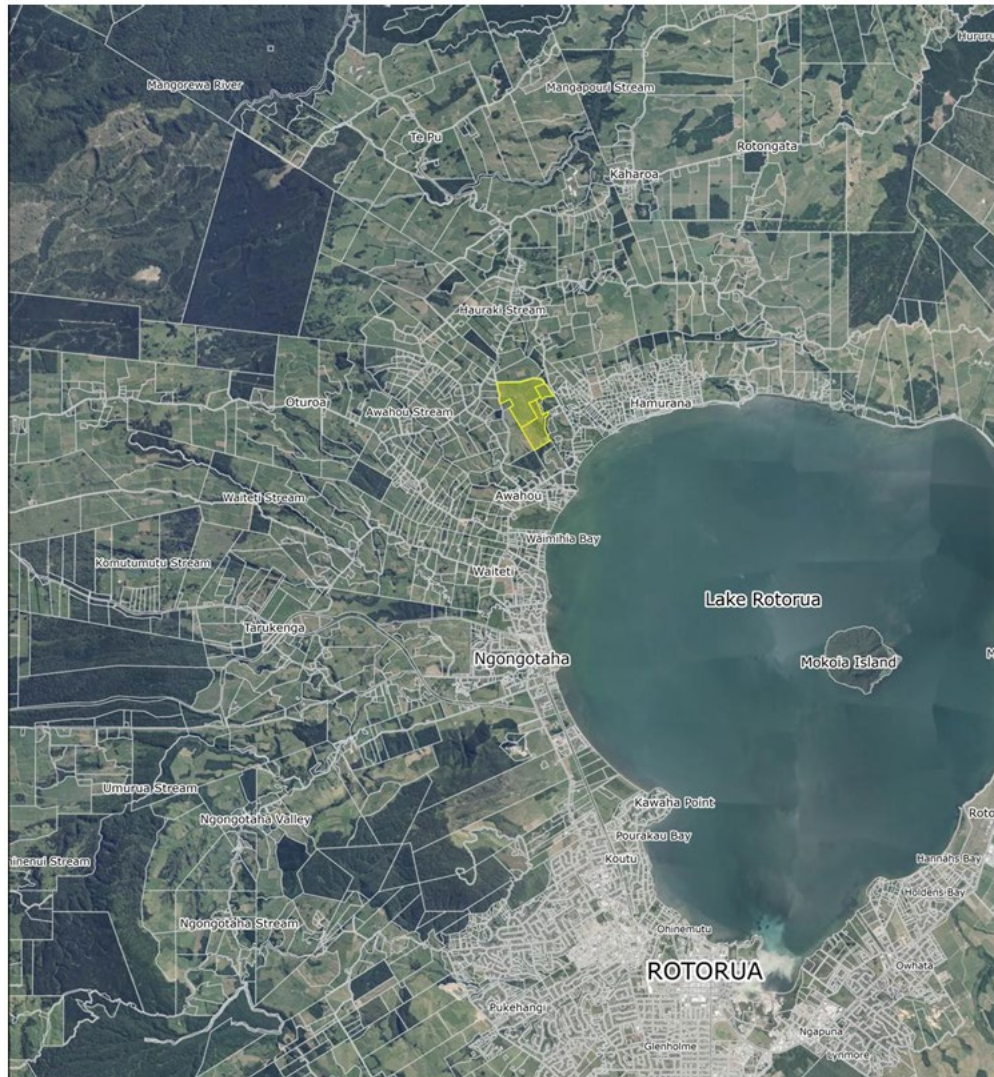
76. Under section 18(2)(m), this report must include our advice on whether, due to any of the matters identified in section 18, it may be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts.
77. We do not consider there are any matters 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, consider a report that is prepared and provided by the responsible agency in accordance with this section.	14-16
18(2)(a)	Any relevant iwi authorities and relevant Treaty settlement entities	20-26
18(2)(b)	Any Treaty settlements that relate to land, species of plants or animals, or other resources within the project area	38-39
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	40-59
18(2)(d)	Any recognised negotiation mandates for, or current negotiations for, Treaty settlements that relate to the project area.	27
18(2)(e)	Any court orders or agreements that recognise protected customary rights or customary marine title within the project area.	28, 60
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.	28, 60
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).	29, 60
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).	30, 61
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).	31-32
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.	33-34, 62

	(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.	35-37
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	63-74
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.	76-77
18(3)	In preparing the report required by this section, the responsible agency must consult relevant departments.	75
18(4)	The responsible agency must provide the report to the Minister not later than 20 working days after the date for providing comments under section 17(6).	N/A
18(5)	However, if the Minister requests further information about a referral application under section 20, the time period specified in subsection (4) ceases to run for the period of time specified in the request.	N/A

Attachment 2: Project location map





Attachment 3: List of relevant Māori groups

Name of group	Type of group (section of Act)
Te Maru o Ngāti Rangiwewehi Iwi Authority	iwi authority (s18(2)(a))
Ngāti Uenukukōpako Iwi Trust	iwi authority (s18(2)(a))
Te Pūmautanga o Te Arawa Trust	iwi authority (s18(2)(a))
Raukawa Settlement Trust	iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a))
Te Tāhuhu o Tawakeheimoa Trust	Treaty settlement entity – Ngāti Rangiwewehi Claims Settlement Act 2014 (s18(2)(a))
Te Arawa Lakes Trust	Treaty settlement entity (s18(2)(a)) – Te Arawa Lakes Settlement Act 2006
Rotorua Te Arawa Lakes Strategy Group	Treaty settlement entity (s18(2)(a)) – Te Arawa Lakes Settlement Act 2006
Te Komiti Nui o Ngāti Whakaue Trust	Mandated entity (s18(2)(d))
Tarimano (Awahou) Marae	other Māori group with relevant interests (s18(2)(k))
Mangorewa Kaharoa No 6E Sec 3 No 2E No 2A Sec 1B No 2	other Māori group with relevant interests (s18(2)(k))
Mangorewa Kaharoa No 6E Sec 3 No 2E No 2A Sec 2	other Māori group with relevant interests (s18(2)(k))
Mangorewa Kaharoa No 6E Sec 3 No 2H No 5A	other Māori group with relevant interests (s18(2)(k))
Mangorewa Kaharoa No 6E Sec 3 No 2H No 7A	other Māori group with relevant interests (s18(2)(k))

Attachment 4: Lake Rotorua statutory acknowledgement provisions

Subpart 3—Statutory acknowledgement

59 Interpretation

In this subpart,—

consent authority has the same meaning as in section 2(1) of the Resource Management Act 1991, except that it does not include the Minister of Conservation

effective date means the date that is 6 months after the settlement date

relevant consent authority means the consent authorities of each region or district that contains, or is adjacent to, the statutory area

statement of association means the statement by Te Arawa of the particular cultural, spiritual, historical, and traditional association of Te Arawa with the statutory area

statutory acknowledgement means the acknowledgement made by the Crown under section 60 in relation to the statutory area, on the terms set out in this subpart

statutory area means the Crown stratum above each Te Arawa lakebed, except the Lake Ōkaro lakebed

statutory plan—

- (a) means a **district plan, proposed plan, regional coastal plan, regional plan, or regional policy statement** as defined in section 2(1) of the Resource Management Act 1991; and
- (b) includes a proposed policy statement provided for by Schedule 1 of the Resource Management Act 1991.

Section 59 **statutory area**: amended, on 24 October 2019, by section 167 of the Statutes Amendment Act 2019 (2019 No 56).

60 Statutory acknowledgement by the Crown

- (1) The Crown acknowledges the statement of association of Te Arawa.
- (2) The text of the statement of association is set out in Part 3 of the Cultural Redress Schedule.

61 Purposes of statutory acknowledgement

- (1) The only purposes of the statutory acknowledgement are—
 - (a) to require the relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgement, as provided for in sections 62 to 64; and
 - (b) to require the relevant consent authorities to forward summaries of all applications for resource consents to the Trustees of the Te Arawa Lakes Trust, as provided for in section 66; and
 - (c) to enable the Trustees and members of Te Arawa to cite the statutory acknowledgement as evidence of the association of Te Arawa with the statutory area, as provided for in section 67.
- (2) This section does not limit the operation of sections 68 and 69.

Section 61(1)(a): amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

62 Relevant consent authorities must have regard to statutory acknowledgement

- (1) From the effective date, a relevant consent authority must have regard to the statutory acknowledgement in forming an opinion in accordance with sections 93 to 94C of the Resource Management Act 1991 as to whether the Trustees of the Te Arawa Lakes Trust are persons who may be adversely affected by the grant of a resource consent for activities within, adjacent to, or impacting directly on the statutory area.
- (2) Subsection (1) does not limit the obligations of a relevant consent authority under Part 2 of the Resource Management Act 1991.

63 Environment Court must have regard to statutory acknowledgement

- (1) From the effective date, the Environment Court must have regard to the statutory acknowledgement in determining under section 274 of the Resource Management Act 1991 whether the Trustees of the Te Arawa Lakes Trust are persons having an interest in the proceedings greater than the public generally in respect of an application for a resource consent for activities within, adjacent to, or impacting directly on the statutory area.
- (2) Subsection (1) does not limit the obligations of the Environment Court under Part 2 of the Resource Management Act 1991.

64 Heritage New Zealand Pouhere Taonga and Environment Court to have regard to statutory acknowledgement

- (1) If, on or after the effective date, an application is made under section 44, 56, or 61 of the Heritage New Zealand Pouhere Taonga Act 2014 for an authority to undertake an activity that will or may modify or destroy an archaeological site within a statutory area,—
 - (a) Heritage New Zealand Pouhere Taonga, in exercising its powers under section 48, 56, or 62 of that Act in relation to the application, must have regard to the statutory acknowledgement relating to the statutory area; and
 - (b) the Environment Court, in determining under section 59(1) or 64(1) of that Act any appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application, must have regard to the statutory acknowledgement relating to the statutory area, including in making a determination as to whether the Trustees of the Lake Te Arawa Lakes Trust are persons directly affected by the decision.
- (2) In this section, **archaeological site** has the meaning given in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

Section 64: replaced, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

65 Recording of statutory acknowledgement on statutory plans

- (1) From the effective date, each local authority with jurisdiction in a region or district that includes any part of the statutory area must attach information recording the statutory acknowledgement to all statutory plans that wholly or partly cover the statutory area.
- (2) The attachment of information under subsection (1) to a statutory plan—
 - (a) may be by reference to this subpart or by setting out the statutory acknowledgement in full; and
 - (b) is for the purpose of public information only, and the information is not—
 - (i) part of the statutory plan (unless adopted by the local authority); or
 - (ii) subject to the provisions of Schedule 1 of the Resource Management Act 1991.

66 Distribution of resource consent applications to Trustees

- (1) A relevant consent authority must, for a period of 20 years from the effective date, forward to the Trustees of the Te Arawa Lakes Trust a summary of resource consent applications received by that consent authority for activities within, adjacent to, or impacting directly on the statutory area.
- (2) The information provided under subsection (1) must be—

- (a) the same as would be given under section 93 of the Resource Management Act 1991 to persons who may be adversely affected, or as may be agreed between the Trustees of the Te Arawa Lakes Trust and the relevant consent authority; and
 - (b) forwarded as soon as is reasonably practicable after the application is received, and before a determination is made in accordance with sections 93 to 94C of the Resource Management Act 1991.
- (3) The Trustees of the Te Arawa Lakes Trust may, by notice in writing to a relevant consent authority,—
 - (a) waive their rights to be notified under this section; and
 - (b) state the scope of that waiver and the period for which it applies.
- (4) This section does not affect the obligation of a relevant consent authority—
 - (a) to notify an application in accordance with sections 93 to 94C of the Resource Management Act 1991;
 - (b) to form an opinion as to whether the Trustees of the Te Arawa Lakes Trust are persons who are or may be adversely affected under those sections.

67 Use of statutory acknowledgement

- (1) The Trustees of the Te Arawa Lakes Trust or a member of Te Arawa may, as evidence of the association of Te Arawa with the statutory area, cite the statutory acknowledgement in submissions to, and in proceedings before, a relevant consent authority, the Environment Court, or Heritage New Zealand Pouhere Taonga concerning activities within, adjacent to, or impacting directly on the statutory area.
- (2) The content of the statement of association is not, by reason of the statutory acknowledgement, binding as deemed fact on—
 - (a) relevant consent authorities;
 - (b) the Environment Court;
 - (c) Heritage New Zealand Pouhere Taonga;
 - (d) parties to proceedings before those bodies;
 - (e) any other person able to participate in those proceedings.
- (3) Despite subsection (2), the content of the statement of association may be taken into account by the bodies and persons specified in that subsection.
- (4) Neither the Trustees of the Te Arawa Lakes Trust nor members of Te Arawa are precluded from stating that Te Arawa has an association with the statutory area that is not described in the statutory acknowledgement.
- (5) The content and existence of the statutory acknowledgement do not limit a statement made under subsection (4).

Section 67(1): amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

Section 67(2)(c): replaced, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

General provisions relating to statutory acknowledgement

68 Exercise of powers, duties, and functions not affected

- (1) The statutory acknowledgement does not, except as expressly provided in this subpart,—
- (a) affect, and must not be taken into account by, a person exercising a power or performing a function or duty under an enactment or local authority bylaw:
 - (b) affect the lawful rights or interests of any person:
 - (c) grant, create, or provide evidence of an estate or interest in, or rights relating to, the statutory area.
- (2) No person, in considering a matter or making a decision or recommendation under an enactment or local authority bylaw, may give greater or lesser weight to the association of Te Arawa with the statutory area than that person would give if the statutory acknowledgement were not contained in this Act.
- (3) Subsection (2) does not affect the operation of subsection (1).

69 Statutory acknowledgement not exclusive

The statutory acknowledgement does not prevent the Crown from providing a statutory acknowledgement of the association of persons other than Te Arawa in relation to the statutory area.

Amendment to Resource Management Act 1991

70 Amendment to Resource Management Act 1991

Schedule 11 of the Resource Management Act 1991 is amended by inserting, in its appropriate alphabetical order, the item “Te Arawa Lakes Settlement Act 2006”.

Attachment 5: Comments received from invited Māori groups