Ministry for Cities, Environment, Regions & Transport

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

Project Name: FTAA-2607-1269 Whiterock Quarry and Managed Fill

To:	Date:
Hon Chris Bishop, Minister for Infrastructure	22.10.2026

Number of attachments: 4	Attachments: 1. Provisions of section 18 of the Fast-track Approvals Act 2024 2. Project location maps 3. List of relevant Māori groups 4. Comments received from invited Māori groups

Ministry for Cities, Environment, Regions & Transport contacts:

Position	Name	Cell phone	1st contact
Principal Author	Stephen Church		
Manager, Fast-track Operations	Stephanie Frame	s9(2)(a)	✓
General Manager, Investment Strategy & Operations	Ilana Miller	s9(2)(a)	

Key points

1. The Ministry for Cities, Environment, Regions & Transport (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-2607-1269 Whiterock Quarry and Managed Fill referral application.
2. The applicant, Whiterock Lime Limited, proposes the construction and operation of a Class 3 Managed Fill at Whiterock, North Canterbury, 50km from the centre of Christchurch. The project area is currently a lime quarry and processing operation which has been in operation since the 1940s. The applicant proposes utilising the existing quarry pit area on site to receive sorted inert construction and demolition materials, contaminated soils, and asbestos. The applicant is seeking approvals under the Act which would otherwise be sought under the Resource Management Act 1991 (RMA), including land use consents, water permits, and discharge permits.
3. Section 18(2) of the Act requires that the report provide a list of relevant Māori groups, including relevant iwi authorities and Treaty settlement entities. We have identified Te

Rūnanga o Ngāi Tahu, Te Ngāi Tūāhuriri Rūnanga, and Whitiora Centre Limited as the relevant groups.

4. 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.
5. 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 under the Act, which may be directly relevant to this application.
6. Whitiora Centre Limited, on behalf of Ngāi Tūāhuriri, provided comments on the application. Ngāi Tūāhuriri is opposed to the referral application on a number of grounds, including the risk of contamination of the Karetu River and downstream waterbodies which are significant cultural landscapes and mahinga kai, the widespread and long-lasting impact of potential contamination, and insufficient or selective analysis regarding the environmental effects of the project and whether a new landfill is required in the region.
7. 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



Stephanie Frame
Manager – Fast-track Operations

Introduction

8. 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).

9. 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.

10. This report is structured accordingly. We have provided a list of the relevant provisions of section 18 at **Attachment 1**.

Proposed project

11. The applicant, Whiterock Lime Limited, proposes the construction and operation of a Class 3 Managed Fill at Whiterock, North Canterbury, 50km from the centre of Christchurch. The project area is currently a lime quarry and processing operation which has been in operation since the 1940s. The applicant proposes utilising the existing quarry pit area on site to receive sorted inert construction and demolition materials, contaminated soils, and asbestos. Overburden quarrying and limestone extraction will continue to shape the managed fill floor and sides. The proposed managed fill site occupies a total area of approximately 5.3 hectares. Access to the site will be provided by a 23-metre vehicle bridge to be constructed across the Karetu River, to replace the current ford.

12. The applicant is seeking approvals under the Act which would otherwise be sought under the RMA, including land use consents (earthworks, vegetation clearance, removal of existing ford), water permits (take and diversion of groundwater), and discharge permits (sediment, groundwater, stormwater, solid and hazardous waste). A Wildlife Act 1953 authorisation has already been obtained for the capture, handling, and relocation of lizards. The land (at 150, 154 and 174 Quarry Road) is owned by the applicant.

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**.

Iwi authorities

15. 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*.

16. We consider the following groups to be the relevant iwi authorities for the project area:

a. Te Rūnanga o Ngāi Tahu, representing Ngāi Tahu.

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. 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).*

19. 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]

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

    a. Te Rūnanga o Ngāi Tahu, PSGE for the Ngāi Tahu Claims Settlement Act 1998; and

    b. Te Ngāi Tūāhuriri Rūnanga, representing Ngāi Tūāhuriri, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998.

Groups mandated to negotiate Treaty settlements

21. 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.

---

[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.

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

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

25. 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.

26. 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

27. 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.

28. 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

29. We have identified Whitiora Centre Limited, owned by Te Ngāi Tūāhuriri Rūnanga and representing it on environmental and other matters, as another Māori group with relevant interests in the project area.

Relevant principles and provisions in Treaty settlements and other arrangements

Treaty settlements

30. Under section 4(1) of the Act, a Treaty settlement includes both a Treaty settlement Act and a Treaty settlement deed which is signed by both the Crown and representatives of a group of Māori.

31. The following Treaty settlements relate to land, species of plants or animals, or other resources within the project area:

    a. Ngāi Tahu Claims Settlement Act 1998.

Relevant principles and provisions

32. Section 7 of the Act requires all persons exercising powers and functions under the Act to act in a manner consistent with Treaty settlements. The relevant principles and provisions for each of these settlements are set out below.

Crown acknowledgements and apologies

33. As part of the Ngāi Tahu Treaty settlement, the Crown apologised to Ngāi Tahu for its past failures to acknowledge Ngāi Tahu rangatiratanga and mana over the South Island lands within its boundaries, and, in fulfilment of its Treaty obligations, the Crown states that it recognises Ngāi Tahu as the tāngata whenua of, and as holding rangatiratanga within, the takiwā of Ngāi Tahu whānui.

34. Respect for Ngāi Tahu views on resource management matters and enabling effective involvement of Ngāi Tahu as a Treaty partner in resource management decision-making within the takiwā are important ways in which the Crown can give ongoing effect to these acknowledgements and uphold its relationship with Ngāi Tahu.

Other redress

35. As part of the commercial redress in the Ngāi Tahu settlement, Crown forest land was transferred to Ngāi Tahu, including Okuku West Forest on Quarry Road, approximately 1km away from the project area. However, it is unlikely that this redress will be affected by the activities which are the subject of this application, as Okuku West Forest and other former Crown forest land blocks are upstream of the project area.

36. The project area is adjacent to the Karetu River to the west (and an unnamed stream to the east), which flows into the Ōkūkū River and then joins the Ashley (Rakahuri) River. While the Ngāi Tahu settlement does not provide for statutory acknowledgements or other redress over these rivers, they are likely to be of high cultural significance to Ngāi Tahu and Ngāi Tūāhuriri, as mahinga kai and for other traditional practices. We note that the applicant has identified potential environmental impacts, including on groundwater quality, groundwater flows to a wetland, surface water quality, and aquatic ecological health, as well as proposed mitigations and monitoring.

37. In general, 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. 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/mātaitai 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 or mātaitai reserve, but it is within the South Island fisheries waters for the purposes of the Fisheries (South Island Customary Fishing) Regulations 1999, made under Part 9 of the Fisheries Act 1996. To date no notice has been issued under those regulations to establish a customary food gathering area/rohe moana that would include the project area. If a notice is issued, it provides for tangata whenua to take fisheries resources and manage customary fishing within the rohe moana.

Mana Whakahono ā Rohe/Joint management agreement

40. 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

41. Pursuant to section 17(1)(d) of the Act, on 20 August 2026 you invited written comments from the Māori groups identified above in paragraphs 14-29, 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.

42. You received comments on the application from Whitiora Centre Limited, on behalf of Ngāi Tūāhuriri, which can be summarised as follows:

    a. Ngāi Tūāhuriri is opposed to the referral application on the following grounds:

        i. the Karetu River is a significant cultural landscape and mahinga kai, reflected in its status as Ngā Wai in the partially operative Waimakariri district plan. The project fails to recognise the inherent cultural values associated with these waterways, noting that the loss of cultural values is permanent;

        ii. the project is inappropriately located at the head of a catchment, meaning the risks of discharge of contaminants affects all downstream waterbodies;

        iii. Ngāi Tūāhuriri takes issue with the methodology used for assessment of effects, including the lack of focus on the Karetu catchment and the cumulative effects of the project when combined with other uses;

        iv. if the project has adverse impacts on the catchment, they are likely to be irreversible or cost prohibitive to remedy, and long-lasting;

        v. the proposal for a higher class of landfill liner and leachate pond system than what is required suggests the risks may be higher than what the applicant has disclosed, or that the applicant proposes expanding the range of waste accepted into the landfill in the future;

vi. Ngāi Tūāhuriri have previously participated in a council-led process to determine a single site for waste management for the region (Kate Valley), which avoided mahinga kai, offered greater environmental protection, and has sufficient capacity for decades to come;

vii. the economic assessment provided by the applicant does not provide a comprehensive evaluation of waste management in Canterbury and is selective in its data. The application should have provided an overview of all existing waste disposal sites and provided an assessment of alternatives; and

viii. Ngāi Tūāhuriri have previously stated that environmental management of the current use of the site falls short of best practice, which reduces confidence that the landfill will be managed in compliance with consent conditions.

43. We have provided a copy of these comments at **Attachment 4**.

Consultation with departments

44. 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 in this area 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

45. 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.

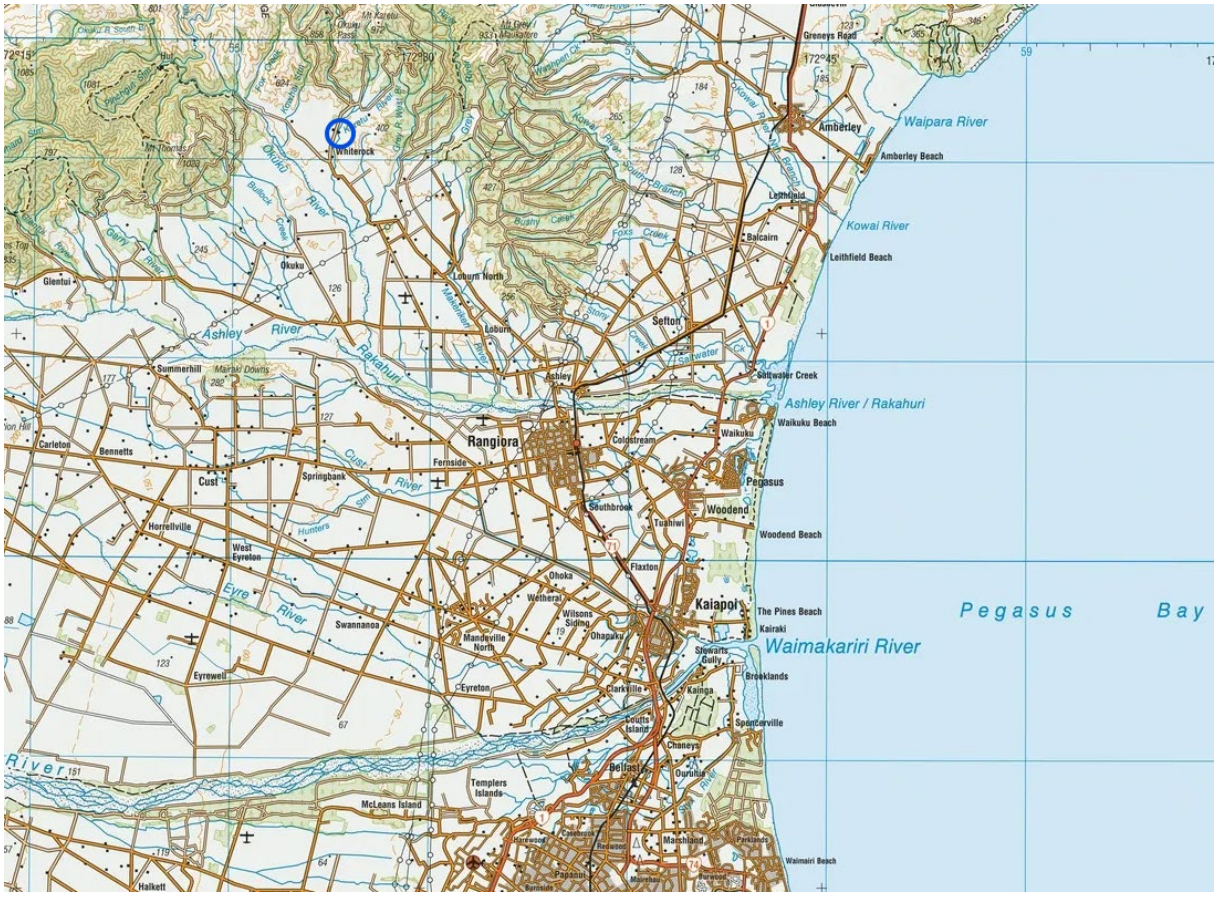
46. We do not consider there are any matters raised in this report which make it more appropriate for the proposed approvals to be authorised under another Act or Acts.

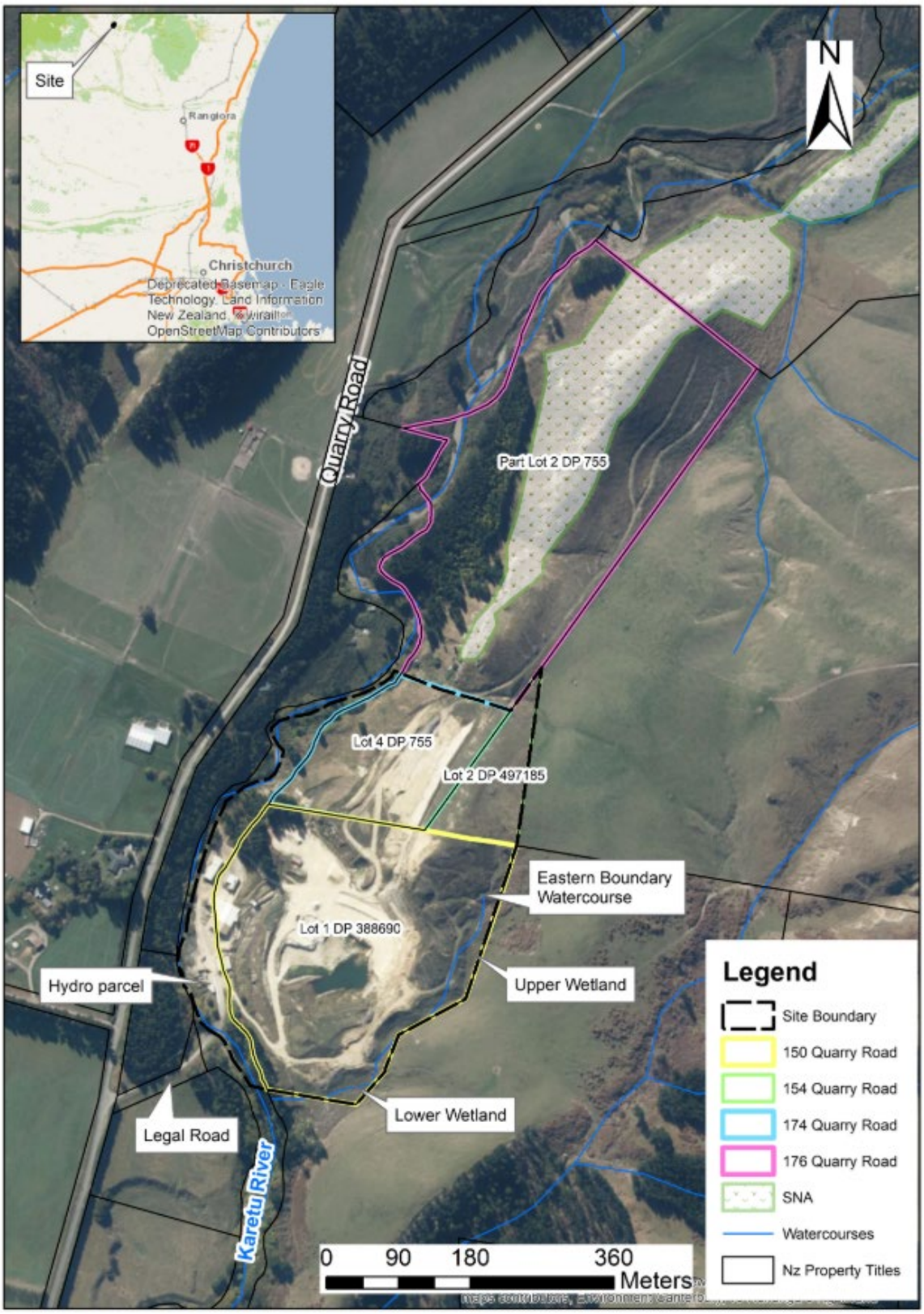
Attachment 1: Provisions of section 18 of the Fast-track Approvals Act 2024

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.	8-10
18(2)(a)	Any relevant iwi authorities and relevant Treaty settlement entities	15-20
18(2)(b)	Any Treaty settlements that relate to land, species of plants or animals, or other resources within the project area	30-31
18(2)(c)	The relevant principles and provisions in those Treaty settlements, including those that relate to the composition of a decision-making body for the purposes of the Resource Management Act 1991	32-37
18(2)(d)	Any recognised negotiation mandates for, or current negotiations for, Treaty settlements that relate to the project area.	21
18(2)(e)	Any court orders or agreements that recognise protected customary rights or customary marine title within the project area.	22, 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.	22, 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).	23, 38
18(2)(h)	Whether the project area includes any taiāpure-local fisheries, mātaitai 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, 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).	25-26
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.	27-28, 40

	(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.	29
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	41-43
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.	45-46
18(3)	In preparing the report required by this section, the responsible agency must consult relevant departments.	44
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 maps




Site
Rangiora
Christchurch
Deprecated Basemap - Eagle Technology, Land Information New Zealand, Wirail
OpenStreetMap Contributors
N
Quarry Road
Part Lot 2 DP 755
Lot 4 DP 755
Lot 2 DP 497185
Eastern Boundary Watercourse
Lot 1 DP 388690
Hydro parcel
Upper Wetland
Lower Wetland
Legal Road
Karetu River
0 90 180 360
Meters
Legend
Site Boundary
150 Quarry Road
154 Quarry Road
174 Quarry Road
176 Quarry Road
SNA
Watercourses
Nz Property Titles

Attachment 3: List of relevant Māori groups

Name of group	Type of group (section of Act)
Te Rūnanga o Ngāi Tahu	Iwi authority (s18(2)(a)); Treaty settlement entity – Ngāi Tahu Claims Settlement Act 1998 (s18(2)(a))
Te Ngāi Tūāhuriri Rūnanga	Ngāi Tahu Papatipu Rūnanga – Treaty settlement entity (s18(2)(a))
Whitiora Centre Limited	Entity owned by Papatipu Rūnanga – other Māori group with relevant interests (s18(2)(k))

Attachment 4: Comments received from invited Māori groups