

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

**Project Name: FTAA-2505-1062 Whiterock Quarry and Managed Fill**

To:	Date:
Hon Chris Bishop, Minister for Infrastructure	20 October 2025

Number of attachments: 5	<b>Attachments:</b> <ol style="list-style-type: none"> <li>Provisions of section 18 of the Fast-track Approvals Act 2024</li> <li>Project location map</li> <li>List of relevant Māori groups</li> <li>Comments received from invited Māori groups</li> <li>Comments received from the Minister for Māori Development and/or Minister for Māori Crown Relations: Te Arawhiti</li> </ol>
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### Ministry for the Environment contacts:

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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-2505-1062 Whiterock Quarry and Managed Fill referral application.
- 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, and the applicant proposes using utilising the existing quarry pit area on site to receive sorted inert construction and demolition materials, contaminated soils and asbestos. The land is owned by the applicant, and approvals are sought under the Resource Management Act 1991 (RMA) only.

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 Whitiara 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 relevant to this application.
6. Whitiara 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 adverse effects on the Karetu River, a lack of engagement by the applicant on the selection of the site, the risks of contaminant discharge and insufficient information about these risks, and that the application does not provide significant regional benefits. Whitiara Centre Limited also included a more detailed submission made by Ngāi Tūāhuriri in response to previous applications to local authorities in relation to this project.
7. The Minister for Māori Development/Minister for Māori Crown Relations: Te Arawhiti encourages the applicant to provide further information on the environmental effects to Whitiara Centre Limited (on behalf of Te Ngāi Tūāhuriri Rūnanga) as the application progresses, and to engage with Whitiara to ensure that the risks they have identified regarding cultural landscape, mahinga kai, contaminant discharge and the higher class of the landfill liner and leachate pond system are understood and addressed.
8. 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

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Ilana Miller  
**General Manager – Investment Strategy & Operations**

## Introduction

9. Under section 18 of the Act, you must obtain and consider a report on Treaty settlements and other obligations for each referral application, prepared by the responsible agency (Secretary for the Environment).
10. 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.
11. This report is structured accordingly. We have provided a list of the relevant provisions of section 18 at **Attachment 1**.

## Proposed project

12. 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, and the applicant proposes using utilising the existing quarry pit area on site to receive sorted inert construction and demolition materials, contaminated soils and asbestos. No degradable organics would be accepted at the Whiterock site. Overburden quarrying and limestone extraction will continue to shape the managed fill floor and sides.
13. The land (at 150, 154 and 174 Quarry Road) is owned by the applicant, and approvals are sought under the RMA (land use consent, water permit, discharge permit). An authorisation under the Wildlife Act 1953 has already been obtained for the project. Access to the site will be provided by a vehicle bridge to be constructed across the Karetu River, to replace the current ford.
14. We have provided a location map at **Attachment 2**.

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

15. We note that some entities identified below may be included in more than one category. We have included a composite list of all groups at **Attachment 3**.

### Iwi authorities

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

19. 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**

20. 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.

21. 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**

22. 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**

23. 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.

24. 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**

25. 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.
26. We have not identified any Mana Whakahono ā Rohe or joint management agreements that are relevant to the project area, and accordingly there are no parties to these arrangements to identify.

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

27. We have identified Whitiara 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.
28. For your information, the applicant advises they have consulted with Mahaanui Kurataiao Limited, which previously represented Ngāi Tūāhuriri and other papatipu rūnanga in Canterbury on resource management issues and other matters. Ngāi Tūāhuriri is now represented by Whitiara Centre Limited.

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

### **Treaty settlements**

29. 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.
30. 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**

31. 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*

32. 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.
33. 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*

34. Ngāi Tahu received commercial redress, in the form of Crown forest land, near the project area, including Okuku West Forest approximately 1km away on Quarry Road. However, it is unlikely that this redress will be affected by the activities which are the subject of this application (Okuku West Forest and other former Crown forest land blocks are upstream of the project area).
35. The project area is adjacent to the Karetu River, which flows into the Okūkū River and joins the Ashley River. While the Ngāi Tahu settlement did not provide for statutory acknowledgements or other redress over these rivers, they are likely to be of high significance to Ngāi Tahu and Ngāi Tūāhuriri as mahinga kai and other traditional use. 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**

36. 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**

37. 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**

38. 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**

39. Pursuant to section 17(1)(d) of the Act, on 3 September 2025 you invited written comments from the Māori groups identified above in paragraphs 15-28, from a list we previously provided you. These groups were provided with access to the application material and had 20 working days from receipt of the copy of the application to respond.
40. You received comments on the application from Whitiara 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 which would be adversely affected by the project;
    - ii. the applicant did not engage with Ngāi Tūāhuriri during the site selection process, contrary to best practice;
    - iii. the application poses risks of contaminant discharge, has an unacceptable impact on wetlands and rivers, and does not include appropriate information about these risks;

- iv. 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; and
  - v. Ngāi Tūāhuriri does not believe the application provides significant regional benefits, as there is sufficient capacity in the existing regional landfill.
41. Whitiora also included the more detailed October 2024 submission made by Ngāi Tūāhuriri in response to the previous applications to Environment Canterbury and Waimakariri District Council in relation to this project. The views of Ngāi Tūāhuriri in this submission are unchanged so Whitiora ask they be considered as part of their comments on the referral application under the Act. We have provided both documents at **Attachment 4**.

### **Consultation with departments and Ministers**

42. In preparing this report, we are required to:
- a. consult relevant departments; and
  - b. provide a draft of the report to the Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti (for response within 10 working days).
43. 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.
44. The Minister for Māori Development/Minister for Māori Crown Relations: Te Arawhiti encourages the applicant to:
- a. provide further information on the environmental effects of the proposed land development, as the application progresses, to Whitiora Centre Limited (on behalf of Te Ngāi Tūāhuriri Rūnanga); and
  - b. engage with Whitiora Centre Limited (on behalf of Te Ngāi Tūāhuriri Rūnanga) to ensure that risks regarding the matters of cultural landscape, mahinga kai, contaminant discharge and the higher class of the landfill liner and leachate pond system are understood and addressed.
45. We have provided these comments at **Attachment 5**.

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

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



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

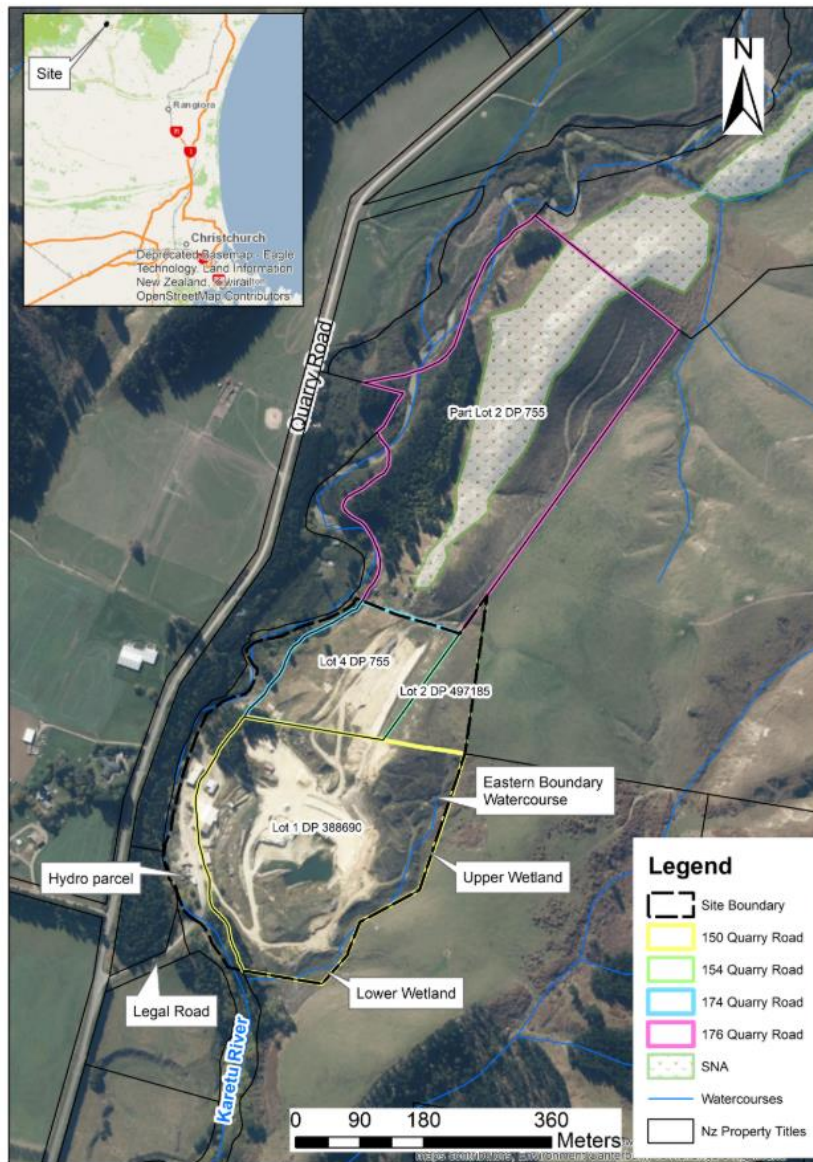
Section	Information required	Paragraph reference in this report
18(1)	The Minister must, for a referral application, obtain and consider a report that is prepared by the responsible agency in accordance with this section.	9-11
18(2)(a)	Any relevant iwi authorities and relevant Treaty settlement entities	16-18
18(2)(b)	Any Treaty settlements that relate to land, species of plants or animals, or other resources within the project area	29-30
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	31-35
18(2)(d)	Any recognised negotiation mandates for, or current negotiations for, Treaty settlements that relate to the project area.	19
18(2)(e)	Any court orders or agreements that recognise protected customary rights or customary marine title within the project area.	20, 36
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.	20, 36
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).	21, 36
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).	22, 37
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).	23-24
18(2)(j)	<p>If the proposed approvals include an approval described in any of section 42C(4)(a) to (d) (resource consent, certificate of compliance, or designation),</p> <p>(i) iwi authorities and groups that represent hapū that are parties to any relevant Mana Whakahono ā Rohe or joint management agreements.</p>	25-26, 38



	(ii) The relevant principles and provisions in those Mana Whakahono ā Rohe and joint management agreements.	
<b>18(2)(k)</b>	Any other Māori groups with relevant interests.	27-28
<b>18(2)(l)</b>	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	39-41
<b>18(2)(m)</b>	The responsible agency's advice on whether, due to any of the matters identified in this section, it may be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts.	46-47
<b>18(3)</b>	In preparing the report required by this section, the responsible agency must— (a) consult relevant departments; and (b) provide a draft of the report to the Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti.	42-43
<b>18(4)</b>	Those Ministers must respond to the responsible agency within 10 working days after receiving the draft report	44-45

## Attachment 2: Project location map





### 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 (s18(2)(k))

#### **Attachment 4: Comments received from invited Māori groups**





# Te Ngāi Tū Ahuriri Rūnanga Inc.

219 Tuahiwi Road RD1 Kaiapoi 7691

Phone: s 9(2)(a) Fax: 03 313 5542

Contact person Email: s 9(2)(a)

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## Ngāi Tūāhuriri response relating to:

**Protranz International Ltd application to Environment Canterbury and Waimakariri District Council for consent to establish and operate a quarry and landfill operation at 150, 154, 175 and 176 Quarry Road, Loburn**

**9 October 2024**

## Purpose of response

This response sets out the context of Ngāi Tūāhuriri rangatiratanga in its takiwā, and formally records the position of Ngāi Tūāhuriri Rūnanga in relation to the following:

- **Protranz International Ltd application to Environment Canterbury (CRC243699 – CRC243707) and Waimakariri District Council (RC245076) for consent to establish and operate a quarry and landfill operation**

## Ngāi Tūāhuriri Rūnanga

Ngāi Tūāhuriri is a principal hapū of Ngāi Tahu, acknowledged in Te Rūnanga o Ngāi Tahu Act 1996 and the Ngāi Tahu Claims Settlement Act 1998 (Settlement Act). The takiwā of the hapū is centred at Tuahiwi, and extends from Hurunui to Hakatere, sharing an interest with Arowhenua Rūnanga northwards to Rakaia, and inland to the Main Divide.<sup>1</sup> Within this area, Ngāi Tūāhuriri actively exercises rangatiratanga and kaitiakitanga over te taiao.

Te Ngāi Tūāhuriri Rūnanga is centred at the Tuahiwi Marae on Kaiapoi Māori Reserve 873. The rūnanga is one of the eighteen Papatipu Rūnanga who form the collective of Te Rūnanga o Ngāi Tahu, the statutorily recognised tribal representative body. *Te Kawenata* recognises that tino rangatiratanga resides in ngā Papatipu Rūnanga.<sup>2</sup>

This response should be read alongside and together with the following iwi management plans that apply in the Ngāi Tūāhuriri takiwā:

- Tau, Rawiri Te Maire. Goodall, A. Palmer, D. Tau, Rakiihia. (1990) *Te Whakatau Kaupapa Ngāi Tahu Resource Management Strategy for the Canterbury Region*.

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<sup>1</sup> Te Rūnanga o Ngāi Tahu (Declaration of Membership) Order 2001, Schedule.

<sup>2</sup> *Te Kawenata*, referenced in the Charter of Te Rūnanga o Ngāi Tahu (Effective July 2020), p. 2.

- Ngāi Tūāhuriri Rūnanga, Te Hapū o Ngāti Wheke, Te Rūnanga o Koukourārata, Ōnuku Rūnanga, Wairewa Rūnanga, Te Taumutu Rūnanga. (2013) *Mahaanui Iwi Management Plan*.
- Te Rūnanga o Ngāi Tahu (1999). *Freshwater Policy*.

## Ngāi Tūāhuriri Rangatiratanga

For Ngāi Tūāhuriri, rangatiratanga means chieftainship, authority and autonomy. Rangatiratanga is exercised by leaders (rangatira) of an iwi or hapū and is closely related to and derived from the concept of mana. In exercising rangatiratanga leaders must make decisions that consolidate and enhance the mana of the wider whānau, hapū and iwi.

Ngāi Tūāhuriri rangatiratanga:

- is inherent in Ngāi Tūāhuriri from time immemorial, uninterrupted and continuing since before 1840 to the present day and into the future;<sup>3</sup>
- incorporates the right of Ngāi Tūāhuriri to make, regulate, alter, and enforce decisions pertaining to how environmental resources are allocated, used, managed and traded, and by whom; and
- includes the right of Ngāi Tūāhuriri to freely live, govern, work and atawhai te taiao in a manner that dignifies their tīpuna, according to their tikanga and ritenga, and for the benefit of current and future generations.

Ngāi Tūāhuriri rangatiratanga does not derive from the Crown or Parliament and is exercised in conjunction to Crown exercise of kāwanatanga. The second article of Te Tiriti o Waitangi recognised and guaranteed tino rangatiratanga. Ngāi Tahu rangatiratanga has since been recognised by the Crown, Parliament and the Canterbury Regional Council, including in:

- the Ngāi Tahu Deed of Settlement 1997 and the Ngāi Tahu Claims Settlement Act 1998, containing the apology made by the Crown to Ngāi Tahu which states that ‘in fulfilment of its Treaty obligations, the Crown recognises Ngāi Tahu as the tāngata whenua of, and as holding rangatiratanga within, the Takiwā of Ngāi Tahu Whānui’;<sup>4</sup>
- the currently operable Canterbury Regional Policy Statement (CRPS), which acknowledges Ngāi Tahu tangata whenua status within its statutorily recognised takiwā (2.1.3) and its core environmental customs (2.2).<sup>5</sup> At 2.2.5 the CRPS recognises that “[r]angatiratanga is about having the mana or authority to exercise the relationship between Ngāi Tahu and their culture and traditions with the natural world” and that this authority “is similar to the functions of the Canterbury Regional Council”. Of particular relevance, the paragraph states one of the practical

<sup>3</sup> Submission of the Ngaitahu Maori Trust Board to the Runanga Iwi Bill, 14 April 1990.

<sup>4</sup> Deed of Settlement between Te Rūnanga o Ngāi Tahu and Her Majesty the Queen (21 November 1997), 2.1; Ngāi Tahu Claims Settlement Act 1998, ss 5(7) and 6(7). The takiwā of Ngāi Tahu is defined in s 5 of Te Runanga o Ngāi Tahu Act 1996.

<sup>5</sup> Canterbury Regional Council, Canterbury Regional Policy Statement 2013 (revised July 2021).



expressions of rangatiratanga is “the active involvement of tangata whenua in resource management decision-making processes”; and

- the statements recorded by the Canterbury Regional Council on its website in relation to the Canterbury Regional Council (Ngāi Tahu Representation) Act 2022, where the Council acknowledged that “the appointment of two Ngāi Tahu councillors with voting rights recognises the role Ngāi Tahu have as kaitiaki (guardians) and their right to rangatiratanga (self-determination) within Canterbury Waitaha”.<sup>6</sup>

Ngāi Tūāhuriri actively exercises rangatiratanga and kaitiakitanga over natural and physical resources through providing input into consent applications. The statements below are intended to provide a high-level Ngāi Tūāhuriri perspective on the consent application.

### **Karetu, Ōkūkū, Rakahuri Rivers**

The rohe of Ngāi Tūāhuriri, a primary hapū of Ngāi Tahu,<sup>7</sup> centres on Tuahiwi and extends from the Hurunui River to the Hakatere River and inland to the main divide.<sup>8</sup> Ngāi Tūāhuriri holds and exercises its rangatiratanga over the area where the proposed Whiterock Landfill would be located. This area is of significant cultural importance to Ngāi Tūāhuriri and is demonstrated in the following pepeha:<sup>9</sup>

*Ko Maungatere te maunga*

Our mountain, Maungatere (Mount Grey) stands above us;

*Ko Waimakariri, ko Rakahuri ngā awa*

Our rivers – the Waimakariri and Rakahuri (the Ashley) – flow below;

*Ko Tūāhuriri te tangata*

Tūāhuriri is our ancestor

This pepeha demonstrates the centrality of rivers such as the Rakahuri to Ngāi Tūāhuriri identity and therefore tikanga. Te Ngāi Tūāhuriri Rūnanga kaitiaki Hoana (Aunty Joan) Burgman states that:<sup>10</sup>

*The value of the Ashley/Rakahuri River to tāngata whenua who hold customary rights, is first and foremost the water itself, and secondly the river and food resources within and adjacent to the water. The river is a wāhi taonga.*

The Karetu, Ōkūkū and Rakahuri rivers historically represent significant mahinga kai for Ngāi Tūāhuriri and remain culturally important to our tikanga and exercise of rangatiratanga.<sup>11</sup> In

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<sup>6</sup> Canterbury Regional Council, *Partnering with Ngāi Tahu* (updated 15 May 2023) <https://www.ecan.govt.nz/reporting-back/partnering-with-ngai-tahu/>

<sup>7</sup> Te Rūnanga o Ngāi Tahu Act 1996, s 2.

<sup>8</sup> Te Rūnanga o Ngāi Tahu (Declaration of Membership) Order 2001, schedule 1.

<sup>9</sup> Matapopore, ‘Cultural Narrative for the Ngā Puna Wai Sports Hub’ (2016) at 2.

<sup>10</sup> Henare Rakihia Tau, *Ashley River/ Rakahuri River Catchment Tangata Whenua Values Report* (2003) (No. U03/54), at 9.

<sup>11</sup> Mahaanui Kurataio Ltd, *Wāhi Tapu me Wāhi Taonga in the Waimakariri & Rakahuri Catchments of the Takiwā of Te Ngāi Tūāhuriri Rūnanga* (2017); Mahaanui Iwi Management Plan (2013), at 203-209.

discussion of these waterways elsewhere, Ngāi Tūāhuriri Upoko Te Maire Tau comments that the tikanga of 'ki uta ki tai' – from the mountains to the sea – must be 'understood in a temporal sense' of how 'Ngāi Tahu managed our lives by the seasons'.<sup>12</sup> Throughout the entire Tūāhuriri rohe, Ngāi Tahu seasonally collected and procured mahinga kai. Fed from the Ōkūkū River which runs from Mount Karetu (via the Karetu River), the Rakahuri River 'has long been a source of mahinga kai for the Kaiapoi Ngāi Tahu'.<sup>13</sup> Notably, from its mouth with the collection of cockles, inanga, freshwater cray fish, flounders kokopu (native trout) and pipi, to its source, Ngāi Tūāhuriri regulate the river.<sup>14</sup> Indeed, Tau confirms that 'kāinga were ... all along the Ashley River as far inland as the high country. All tributaries, streams and creeks were used for food.'<sup>15</sup>

The proposed landfill is situated between both the Ōkūkū (the Karetu River itself a tributary of the Ōkūkū River) and Rakahuri rivers, both of these awa and their surrounding environment are of significant cultural value to Ngāi Tūāhuriri. This significance is demonstrated in Ngāi Tahu submissions to the 1879-1881 Royal Commission, headed by Thomas Henry Smith and Francis Edward Nairn. During this commission, Ngāi Tahu expressed how they continued to mahinga kai along the Rakahuri and Ōkūkū rivers. For instance, Wiremu Te Uki, amongst other Ngāi Tahu rangatira and kaumātua, confirmed that the Rakahuri was a kāinga mahinga kai, where kāru (cabbage tree root), aruhe, (bracken fernroot), tuna, matamoe (shortfin eel) and panako were gathered. Relative to Ōkūkū, Ngāi Tūāhuriri also identified this river and its wider surroundings as a kainga nohoanga and kāinga mahinga kai where kāru, aruhe, pānako, kotukutuku, tutu, tuna, kaka, and weka were gathered.<sup>16</sup> Ngāi Tūāhuriri has therefore continued to mahinga kai in, and adjacent to the Ōkūkū and Rakahuri rivers since time immemorial.

This ongoing connection with the Rakahuri River, and its tributaries, continues into the modern day, where the Ngāi Tahu Claims Settlement Act 1998 provides for two customary fishing entitlement areas, being the Taerutu Reserve (schedule 113(b)) and Te Aka Aka Reserve (schedule 113(c)). Importantly, these entitlements were originally provided to Ngāi Tahu in 1868 by the Native Land Court, and Ngāi Tahu has continued to mahinga kai in these areas since before their establishment.

## **Response: Ngāi Tūāhuriri oppose the granting of the consents sought by the applicant.**

Opposition is on the following grounds:

- The Karetu River is a significant cultural landscape which would be adversely affected. The proposal is inappropriate at the head of a catchment and would further diminish the mauri of the waterway.

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<sup>12</sup> 'Statement of Evidence of Rawiri Te Maire Tau on behalf of Ngāi Tūāhuriri Rūnanga', Plan Change 7 CLWR, at 50.

<sup>13</sup> Te Maire Tau, Anake Goodall, David Palmer, Rakihia Tau, *Te Whakatau Kaupapa: Ngāi Tahu Resource Management Strategy for the Canterbury Region* (1992[1990]) at 13.

<sup>14</sup> Tau et al., at 13.

<sup>15</sup> Rawiri Te Maire Tau, 'Ngāi Tahu Claim-Wai27: Mahinga Kai, Evidence from the Tūāhuriri Area', at 23; William Anderson Taylor, *Lore and History of the South Island Maori* (1952), at 32; James Herries Beattie, *Maori Place-names of Canterbury* (1945), at 57, 92, 108.

<sup>16</sup> For the 1879-1881 evidence of the Royal Smith Nairn Commission see e.g. Evidence (Schedule of evidence at beginning of bundles), CH9, MA67/3 (R12726410); Ibid, Ch10, MA67/4 (R12726411); Ibid, CH11, MA67/5 (R12726412); Ibid, CH12, MA67/6 (R12726413); Ibid, CH12, MA67/7 (R12726414). These specific mahinga kai and sites were recorded in the 1880 mahinga kai list by H.K. Taiaroa.

- The applicant failed to engage with Ngāi Tūāhuriri during the site selection process. This step is described as a “critical component” in relevant industry best-practice guidelines.
- The proposal:
  - poses unacceptable risk of contaminant discharge;
  - has an unacceptable cumulative impact on the lower wetland;
  - creates unacceptable construction phase impacts on the river and biota;
  - uses an unacceptable assessment of the magnitude of effects;
  - fails to provide relevant information; and
  - suffers from a lack of clarity about the degree of impact from the current unmitigated impacts on the receiving environment.

### **Significant cultural landscape:**

The Karetu River (which flows from Mount Karetu, to the Ōkūkū River and then to the Rakahuri River), as described above, is of cultural importance to Ngāi Tūāhuriri. Water in the Ngāi Tūāhuriri takiwā is bound to Ngāi Tūāhuriri through whakapapa, and a determinant of the welfare and mana of Ngāi Tūāhuriri. The concept of kaitiakitanga carries an obligation to protect the mauri of a resource.

Ngāi Tūāhuriri is concerned that the proposed location next to a culturally significant waterway further diminishes the mauri and mana of that water and its interconnected ecosystem. Further, the Karetu River would be adversely affected should the landfill liner and/or the leachate pond fail. The proposal does not consider the cultural landscape. It is highly industrial in both nature and effects, and is consequently inappropriate at the head of a catchment adjacent to areas of high natural character, landscape values and wetlands.

### **Failure to comply with industry best practice:**

In 2021, Protranz engaged Pattle Delamore Partners to complete a site assessment of potential landfill sites. The Whiterock Quarry site was purchased after a tender negotiation period from mid-2021 to early 2022.<sup>17</sup> The applicant approached Mahaanui Kurataiao Ltd as the agency for Ngāi Tūāhuriri in February 2023.<sup>18</sup>

The applicant failed to engage with Ngāi Tūāhuriri as mana whenua at the site selection phase. This breaches the WasteMINZ Technical Guidelines, which states that consultation with the community, including tangata whenua, is a “critical component of the landfill/ fill site selection process”<sup>19</sup> consistent with the 4th Schedule of the Resource Management Act.

The applicant’s approach can be contrasted with the approach followed for the Kate Valley Regional Landfill (Kate Valley) project. For Kate Valley, the Rūnanga were approached prior to site selection and a charter was developed and agreed which set the terms of engagement for the project.<sup>20</sup> Rūnanga engagement with Transwaste in the early 2000s for consenting of the Kate Valley proceeded on the clear basis that the Kate Valley site would

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<sup>17</sup> WSP, *Appendix T - Site Selection and Wider Benefits* (2024), all application documents accessed here: <https://www.ecan.govt.nz/do-it-online/resource-consents/notifications-and-submissions/applications-being-heard/protranz-international-ltd/>

<sup>18</sup> WSP, *Application and Assessment of Environmental Effects* (2024), section 7.3

<sup>19</sup> WasteMINZ, *Technical Guidelines for Disposal to Land – Revision 3.1*, page 33

<sup>20</sup> Charter between Te Rūnanga o Ngāi Tūāhuriri and Canterbury Waste Services Limited and Transwaste Canterbury Limited for the Development and Operation of the Canterbury Regional Landfill

remove the need for many small landfills, at that time, and for the future (including the currently proposed Whiterock landfill).

The current proposal therefore breaches the understanding held by Ngāi Tūāhuriri (and the wider community) that Kate Valley would reduce the need for future small landfills. Further, compliance by the current applicant with the WasteMINZ Technical Guidelines would have allowed the Rūnanga to exercise its rangatiratanga and kaitiaki responsibilities at a meaningful stage of the development of this proposal. Instead, Rūnanga input is sought following site selection at which stage the options for meaningful input are reduced to a level that could be described as pointless.

Given the duration and materiality of potential effects of the activity, and the sector guidelines, it is the reasonable expectation of Ngāi Tūāhuriri that input would have been sought at the earliest opportunity to maximise the meaningfulness and value of its feedback.

The applicant has been a poor applicant, and this does not provide us with any confidence that it will be a good consent holder.

## **Material technical concerns**

### **Unacceptable risk of contaminant discharge:**

Ngāi Tūāhuriri considers that the proposal creates both unacceptable impacts and risks relating to the discharge of contaminants on freshwater bodies and ecosystems. For example:

- The proposed leachate pond has no protection from flood events / heavy rainfall events and could overtop to the river. Ponds can and do fail. Sensors are proposed to be placed between liners to detect leaks, but there is no overtopping management plan, or pond failure plan.<sup>21</sup>
- The proposal is to have water quality sensors to divert groundwater to the leachate pond if leachate is detected in it. The relevant report states that if a leak resulted in contaminated plume formation in the groundwater, the drainage system may be capable of draining some of the plume to the leachate pond.<sup>22</sup> However, this will be highly dependent on where the leak occurred in relation to the drainage system, and the volume of the discharge.

WSP has proposed surface and groundwater quality monitoring to detect any exceedances in trigger levels, both during the operation and closure phases. In addition to this, sensors will be placed between the landfill and leachate pond liners to detect leakages. If exceedances are detected, it is proposed that further investigations, including additional sampling and testing, or a more robust mitigation could be warranted.<sup>23</sup>

This proposed management of effects appears to be reactive rather than proactive and does not provide confidence that exceedances will be effectively mitigated without further impacts on the environment. Without clear mitigation and management plans, including how landfill liner failures will be adequately addressed, Rūnanga are not fully informed on the long-term effects of the proposed operation.

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<sup>21</sup> WSP, *Appendix F – Groundwater and Surface Water Effects Assessment*, see page 49 (Water Quality Mitigation for Groundwater and Receiving Surface Water)

<sup>22</sup> Ibid, pages 3 and 49

<sup>23</sup> WSP, *Appendix F, Groundwater and Surface Water Effects Assessment (2024)*, p 47

*A complete list of the concerns about contaminant discharge is set out in **Appendix 1** to this response.*

### **Unacceptable impact on lower wetland:**

The lower wetland was assessed as having a “Low” ecological value in terms of its representativeness, rarity / distinctiveness, diversity and pattern, and ecological context.<sup>24</sup> However, wetlands are highly valued and significant ecosystems, but the extent of wetlands throughout the country is now <10% of their historical extent remaining throughout the country.<sup>25</sup> In addition to this, wetlands are taonga to Ngāi Tahu, providing rich sources of mahinga kai and treasured for their natural ecosystem functions that protect and improve mauri.<sup>26</sup> The continual impacts to, and loss of wetlands, and the cultural and environmental values associated with them is an issue of significance for Ngāi Tahu.

The wetland is already hydrologically impacted by the quarry pond and under the proposal the lower wetland will lose a further 19%<sup>27</sup> of its baseflow due to the lack of rainfall recharge (supplied by groundwater) caused by the installation of the proposed underdrainage system.

The proposed mitigation to capture groundwater seepage upstream<sup>28</sup> to compensate for the loss of baseflows is, for Ngāi Tūāhuriri, further intervention which demonstrates this proposed activity is inappropriate in this context.

### **Unacceptable construction phase impacts on the river and biota:**

Fish identified within the river system include species that are taonga to Ngāi Tahu. The predicted loss of fish as well as other freshwater fauna and further impacts on downstream habitats during the construction of the proposed bridge across the river, as well as the potential for long recolonisation times<sup>29</sup> is considered unacceptable.

### **Unacceptable assessment of the magnitude of effects:**

The assessment of the magnitude of potential effects during both construction and operation phases have been placed in context of the Ashley River catchment.<sup>30</sup> Assessing the magnitude of effects in this manner downweighs and dismisses the actual magnitude of impacts within the Karetu River. Such an assessment is considered inappropriate as it further diminishes the mauri and mana of this culturally significant waterway.

**Inadequate information:** There are gaps in the information provided by the applicant, including:

- The Assessment of Environmental Effects<sup>31</sup> (**AEE**) should include a full river ecological assessment. Instead, the AEE relies on eDNA which does not provide a full macroinvertebrate assessment, including sensitive taxa (qMCI scores). eDNA has its limits and should not be relied on as the sole means of undertaking an AEE.

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<sup>24</sup> WSP, *Appendix G - Ecological Impact Assessment*, pp 88-89

<sup>25</sup> Dymond et al. 2021: *New Zealand Journal of Ecology*

<sup>26</sup> Ngāi Tūāhuriri Rūnanga, Te Hapū o Ngāti Wheke, Te Rūnanga o Koukourarata, Ōnuku Rūnanga, Wairewa Rūnanga, Te Taumutu Rūnanga, Mahaanui Iwi Management Plan (2013)

<sup>27</sup> WSP, *Appendix G - Ecological Impact Assessment* (2024), p 89

<sup>28</sup> WSP, *Appendix F - Groundwater and Surface Water Effects Assessment* (2024), pp 47-48

<sup>29</sup> WSP, *Appendix G, Ecological Impact Assessment* (2024), p 59

<sup>30</sup> WSP, *Appendix G, Ecological Impact Assessment* (2024), p 60

<sup>31</sup> WSP, *Application and Assessment of Environmental Effects* (2024)

- The applicant should also undertake sampling during stormwater events to assess runoff impacts on water quality, rather than only during dry weather conditions.<sup>32</sup>
- One groundwater well (BH02) has elevated nitrate concentrations (9.6 mg/L)<sup>33</sup> that may be from quarrying or farming activities. The applicant did not provide an assessment of the volume of this contaminated groundwater, nor its impacts on the Karetu river, should this water be discharged via the underdrainage system to the river (it is noted that this contamination would still happen if the consent was not granted but over a longer timeframe due to the long recharge rates of groundwater to the river).
- Leachate breakthrough can occur; the risk assessment model in Appendix F (Groundwater and Surface Water Effects Assessment (2024)) has only provided for heavy metals and ammoniacal nitrogen. This is assuming low levels of contaminated construction waste. No assessment has been provided if waste received deviates from the assumed waste criteria, nor for any contaminants other than heavy metals and nutrients.
- The risk assessment model of Appendix F, failed to account for the accumulation of contaminants through the process of leachate recycling into the landfill, as proposed in Appendix J (Landfill Design Report 2024). Recycling of leachate would result in contaminant accumulation rather than export from the system, resulting in poorer leachate quality over time.

### **Unmitigated impacts on receiving environment:**

There is evidence in the AEE, and application more generally, of unmitigated impacts on the receiving environment currently. It should not be right that an applicant can benefit from its own poor practices in a new application. An applicant should not be able to argue that the proposed additional effects are minimal, while currently impacting the receiving environment in an unmitigated manner. Cumulative effects of the current and proposed operations should not be ignored.

This issue makes it difficult for the Rūnanga to consider the effects of the proposal independent of current operational practices. It also reduces confidence that the management plan regime proposed by the applicant will be implemented effectively. These existing operational issues include:

- Current site operations include informal stormwater ponds that flow overland to the Karetu river. These collect stormwater runoff from the site, that includes unsealed roads, missing downpipe systems and galvanised roofs, and unconfined piles of lime.<sup>34</sup> The application material suggests that limestone-rich stormwater runoff from current quarry operations could be the cause of elevated pH levels in the Karetu River, as well as fine sediment cover in the River.<sup>35</sup>
- Unconfined or treated stormwater runoff to Karetu River. There is an earth bund along the western boundary of the site, but the bund is not continuous and enables overland stormwater flow to exit the site from low points in the bund.<sup>36</sup>

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<sup>32</sup> WSP, *Appendix G - Ecological Impact Assessment* (2024)

<sup>33</sup> WSP, *Appendix F - Groundwater and Surface Water Effects Assessment* (2024), page 27

<sup>34</sup> WSP, *Appendix C - Stormwater Management Report* (2024), see section 2.4

<sup>35</sup> WSP, *Appendix G - Ecological Impact Assessment* (2024), see sections 4.7.1, 4.7.2

<sup>36</sup> WSP, *Appendix C - Stormwater Management Report* (2024), section 2.4

- The applicant's external advisor, WSP, has provided recommendations for site improvements, including improving storage and avoiding spills of lime material but no indication has been provided in the application material that this will be actioned.<sup>37</sup>
- The existing septic tank will be retained. Location of the discharge is unknown. The application materials states that it is probably a soakpit near the river but this has not been confirmed by WSP. WSP has not been commissioned to design an alternative wastewater system, and there is no evidence in the application material that the applicant intends to upgrade or replace the current system.<sup>38</sup>
- The proposed design for discharge into the Karetu River assumes that mitigation measures will be 100% effective and procedures will be fully implemented. There is a lack of clarity in the Stormwater Management Report about what works will be implemented, and what recommendations are discretionary and will be considered by the applicant. Current site operations create concerns that this lack of clarity will impact on the receiving environment.<sup>39</sup>

## Conclusion

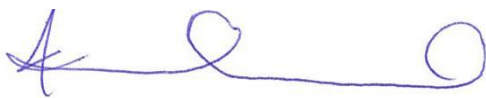
We understand that there is no current or foreseeable need within North Canterbury for additional landfill capacity that would justify the risks associated with the current application.

We accepted the Kate Valley Regional Landfill in the early 2000s as a pragmatic solution to ensure poorly sited landfills adjacent to waterways would not arise in the future within our takiwā. The proposed Whiterock Landfall location is ill-considered and the repurposing of a limestone quarry as a receptacle for hazardous waste is non-sensical.

We cannot overstate the importance of this area to Ngāi Tūāhuriri for mahinga kai. The potential for significant long-lasting harm to our cultural heritage and customary food gathering practices has not been avoided, remedied or mitigated within the consent application and, in this instance, could not be addressed in consent conditions were consent to be granted.

Ngā mihi,

Tania Wati



**Chair - Te Ngāi Tūāhuriri Rūnanga Incorporated**

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<sup>37</sup> As above, section 3.4.1

<sup>38</sup> As above, section 3.7

<sup>39</sup> WSP, *Appendix C - Stormwater Management Report* (2024), see site photos; also discharge assumption in Appendix F Groundwater and Surface Water Effects Assessment



## APPENDIX 1 – UNACCEPTABLE RISK OF CONTAMINANT DISCHARGE – FULL LIST OF CONCERNS

Impact / risk	Reference
<ul style="list-style-type: none"> <li>Stormwater will be collected in new ponds and drains and then diverted to the Karetu River. Settlement of solids proposed but in reality, settlement ponds fail to provide effective treatment.</li> </ul>	<ul style="list-style-type: none"> <li>Appendix C Stormwater Management Report, WSP 2024</li> </ul>
<ul style="list-style-type: none"> <li>Stormwater treatment may include coagulants (these have been an issue for Ngāi Tūāhuriri in the past) to remove suspended solids. These are not 100% effective and poor application in practice reduces efficiency.</li> </ul>	<ul style="list-style-type: none"> <li>Appendix C Stormwater Management Report, WSP 2024</li> </ul>
<ul style="list-style-type: none"> <li>Leachate pond to be installed above the river (bottom of the landfill). This will be used to store leachate collected from the leachate collection system until trucked offsite or recirculated back into the landfill. Diagrams in some reports indicate that the preferred option is to discharge to the river. Recirculating back into the landfill is only adding to the accumulation of leachate.</li> </ul>	<ul style="list-style-type: none"> <li>Appendix F Groundwater and Surface Water Effects Assessment, WSP 2024</li> </ul>
<ul style="list-style-type: none"> <li>Leachate pond has no protection from flood events / heavy rainfall events and could overtop out to the river. Ponds can and do fail. Sensors to be placed between liners to detect leaks but no overtopping management plan, or pond failure plan.</li> </ul>	<ul style="list-style-type: none"> <li>Appendix F Groundwater and Surface Water Effects Assessment, WSP 2024</li> </ul>
<ul style="list-style-type: none"> <li>Groundwater will be collected via drainage system to prevent it reaching the landfill liner. Plan to divert groundwater to the river. This will accelerate what is naturally happening with respect to contaminant losses through groundwater.</li> </ul>	<ul style="list-style-type: none"> <li>Appendix F Groundwater and Surface Water Effects Assessment, WSP 2024</li> </ul>
<ul style="list-style-type: none"> <li>Plan to have water quality sensors to divert groundwater to leachate pond if leachate detected in it. The report states that if a leak resulted in contaminated plume formation in the groundwater, the drainage system may be capable of draining some of the plume to the leachate pond. However, this will be highly dependent on where the leak occurred in relation to the drainage system, and the volume of the discharge. (key words of their report being may and some).</li> </ul>	<ul style="list-style-type: none"> <li>Appendix F Groundwater and Surface Water Effects Assessment, WSP 2024</li> </ul>
<ul style="list-style-type: none"> <li>Alternatively, if a contaminated plume is detected, vertical groundwater wells to be installed and the plume pumped out and treated prior to discharge to the river, with an estimate of pumping and treating to occur for approximately 5 years</li> </ul>	<ul style="list-style-type: none"> <li>Appendix F Groundwater and Surface Water Effects Assessment, WSP 2024</li> </ul>

<ul style="list-style-type: none"> <li>Leachate breakthrough can occur – risk assessment (model) in Appendix F has only provided for heavy metals and ammoniacal nitrogen. This is assuming low levels of contaminated construction waste. No assessment provided if waste quality exceeded.</li> </ul>	<ul style="list-style-type: none"> <li>Appendix F Groundwater and Surface Water Effects Assessment, WSP 2024</li> </ul>
<ul style="list-style-type: none"> <li>Discharge of construction phase stormwater / groundwater to the river (proposed using a settlement pond but these are inefficient, particularly given the fine sediment around the site).</li> </ul>	<ul style="list-style-type: none"> <li>Appendix C Stormwater Management Report, WSP 2024</li> </ul>
<ul style="list-style-type: none"> <li>Underdrainage system will be diverted to the leachate pond if sensors note a water quality exceedance trigger</li> </ul>	<ul style="list-style-type: none"> <li>Assessment of Effects on the Environment, WSP 2024 and Appendix F Groundwater and Surface Water Effects Assessment, WSP 2024</li> </ul>
<ul style="list-style-type: none"> <li>In Appendix J Landfill Design Report (WSP 2024), there is mention of a spillway in the leachate pond design. However, no further information is provided. Is it the applicant's intention that a spillway will discharge leachate under certain circumstances?</li> </ul>	<ul style="list-style-type: none"> <li>Appendix J Landfill Design Report (WSP 2024),</li> </ul>
<ul style="list-style-type: none"> <li>A number of aftercare requirements are listed in Appendix J Landfill Design Report (WSP 2024). It is unclear who will be responsible for this, duration of aftercare and funding to ensure adequate aftercare procedures are followed.</li> </ul>	<ul style="list-style-type: none"> <li>Appendix J Landfill Design Report (WSP 2024).</li> </ul>



**TO:** Max Gander-Cooper, Application Lead

**RE:** Whiterock Quarry and Managed Fill (FTAA-2505-1062)  
Written Response to Invitation to Comment

**DATE:** 1 October 2025

**PREPARED BY:** Whitiora Centre Limited

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## INTRODUCTION

Ngāi Tūāhuriri is a principal hapū of Ngāi Tahu, acknowledged in Te Rūnanga o Ngāi Tahu Act 1996 and the Ngāi Tahu Claims Settlement Act 1998 (Settlement Act). The takiwā of the hapū is centred at Tuahiwi, and extends from Hurunui to Hakatere, sharing an interest with Arowhenua Rūnanga northwards to Rakaia, and thence inland to the Main Divide. Within this area, Ngāi Tūāhuriri has maintained noho tūturu (ahi kā), meaning the tribe's 'fires' have been kept burning and that they actively exercise rangatiratanga.

Te Ngāi Tūāhuriri Rūnanga has mandated Whitiora Centre Limited to provide advice and act on its behalf in respect of environmental policy, planning, and strategy matters. This includes representation on proposals being processed under the Fast-track Approvals Act 2024.

## RESPONSE

Te Ngāi Tūāhuriri Rūnanga is **opposed** to the referral of the Whiterock Quarry and Managed Fill project under the Fast-track Approvals Act 2024 (the Act) to the fast-track approvals process.

Ngāi Tūāhuriri's opposition to the proposed activity is on the following grounds:

- The Karetu River is a significant cultural landscape which would be adversely affected. The proposal is inappropriate at the head of a catchment and would further degrade the waterway.
- The applicant failed to engage with Ngāi Tūāhuriri during the assessment process. This step is described as a "critical component" in relevant environmental practice guidelines.



- The proposal:
  - poses unacceptable risk of contaminant discharge occurring;
  - has an unacceptable cumulative and permanent impact on the lower wetland;
  - creates culturally unacceptable construction phase impacts on the river and biota;
  - uses an unacceptable methodology to assess environmental effects that diminishes the significance and magnitude of effects for the Karetu River;
  - fails to provide relevant information; and
  - suffers from a lack of clarity about the degree of impact from the current unmitigated impacts on the receiving environment.

In October 2024 Te Ngāi Tūāhuriri Rūnanga lodged a public submission in opposition to Protranz International Ltd application to Environment Canterbury (CRC243699 – CRC243707) and Waimakariri District Council (RC245076) for consent to establish and operate a quarry and landfill/managed fill operation. This response has been submitted alongside this letter. The views expressed in this submission remain unchanged and should be considered part of our response to the fast-track referral application made by Whiterock Lime Limited.

Further to the concerns outline in the October 2024 response, Ngāi Tūāhuriri would also like to raise concern in relation to the applicant's proposal to construct a Class 1 landfill liner and a leachate pond system for a Class 3 managed fill. The proposed system is above what is required to manage the risks associated with the proposed Class 3 managed fill. This raises concern in relation to the activity that the applicant may be planning on undertaking on site in the long run, given the expectation that conditions or limitations on the nature of the fill are expected to be imposed.

Ngāi Tūāhuriri does not believe that the proposed activity provides significant benefits to the region. Instead, it could undermine the regional benefits provided by the collection and management of waste at Kate Valley. Ngāi Tūāhuriri, the community, Waste Management and the council have worked together since 2005 to follow industry best practice and reduce the risks caused by poorly managed waste. As a result of this work was the selection of the Kate Valley site to be the regional waste management facility. It was chosen for, among other benefits, its capacity to accept waste for decades to come. Our understanding that there is sufficient capacity at Kate Valley to accept the waste that would otherwise be diverted to Whiterock.



## **SUMMARY**

Te Ngāi Tūāhuriri Rūnanga has opposed the applications previously made by Protranz International Ltd to Environment Canterbury and Waimakariri District Council. The views expressed in the submission for these applications remain unchanged and should be considered as a response to this application also.

Te Ngāi Tūāhuriri Rūnanga is opposed to the referral of the Whiterock Quarry and Managed Fill project under the Fast-track Approvals Act 2024 (the Act) to the fast-track approvals process.

## **Contact Details**

Whitiora Centre Limited

351 Lincoln Road, Addington, Christchurch 8024

Email: [consents@whitiora.org.nz](mailto:consents@whitiora.org.nz)

## Attachment 5: Comments received from the Minister for Māori Development and/or Minister for Māori Crown Relations

Feedback from Hon Tama Potaka - Saved

# Portals-Fast Track Portal - ftaa-portal

Submitted Portal Status

Feedback - FTA - Feedback

General Documents Related

Regarding

Draft section 18 report for Minister comment

Comments

I encourage the applicant to:

- provide further information on the environmental effects of the proposed land development being provided as the application progresses, to Whitiara Centre Limited (on behalf of Te Ngāi Tōāhuriri Rūnanga); and
- engage with Whitiara Centre Limited (on behalf of Te Ngāi Tōāhuriri Rūnanga) to ensure that risks addressed for the matters of cultural landscape, mahinga kai, contaminant discharge and the higher class of the landfill liner and leachate pond system are understood and addressed.

Feedback Contacts

Created By (Contact)

Bria Kerei-Keena

Source

Portal

Application

Whiterock Quarry and Managed Fill

Created By

# Portals-Fast Track Portal - ftaa-portal

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