



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

Project Name: FTAA-2511-1126 Powerhouse

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| To: | Date: |
| Hon Chris Bishop, Minister for Infrastructure | 10 April 2026 |

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| Number of attachments: 6 | Attachments: <ol style="list-style-type: none">1. Provisions of section 18 of the Fast-track Approvals Act 20242. Project location map3. List of relevant Māori groups4. Statutory acknowledgement for Whakatipu-wai-māori (Lake Wakatipu) from Ngāi Tahu Claims Settlement Act 19985. Comments received from invited Māori groups6. Comments received from the Minister for Māori Development and Minister for Māori Crown Relations: Te Arawhiti |
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Ministry for the Environment contacts:

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

Key points

1. 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-2511-1126 Powerhouse referral application.
2. The applicant, Bowen Peak Limited, proposes the development of a cable car in Queenstown, connecting a base building at the One Mile Powerhouse Reserve, a residential development at Fernhill Heights, the saddle between Bowen Peak and Ben Lomond, and a proposed viewing platform on Bowen Peak. The proposed residential development comprises 1,333 residential units across a 52-hectare site. The cable car also enables access to existing and proposed mountain bike trails and a potential ski area, and the application includes the development of facilities at each cable car station. The applicant also proposes the establishment of two predator-free sanctuaries.

3. The applicant is seeking approvals under the Act that would otherwise be sought under the Resource Management Act 1991 (RMA), Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA), Reserves Act 1977, Wildlife Act 1953, and the Conservation Act 1987.
4. Section 18(2) of the Act requires that this 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 Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou, Hokonui Rūnanga, Waihōpai Rūnaka, Te Rūnanga o Awarua, Te Rūnanga o Ōraka-Aparima, Aukaha, and Te Ao Marama Incorporated as the relevant groups for the project area.
5. The Ngāi Tahu Claims Settlement Act 1998 is the relevant Treaty settlement for the project area. We have not identified any other obligations such as Mana Whakahono ā Rohe or joint management agreements.
6. The Ngāi Tahu settlement provides for a statutory acknowledgement over Whakatipu-wai-māori/Lake Wakatipu. While the project area is set back a short distance from the lake, the information provided by the applicant suggests that the proposed works may affect the catchments within the project area, which feed into the lake. Further clarity is also required regarding the draft licences to occupy which the applicant proposes to secure the use of Crown land for the establishment and operation of the cable car and associated infrastructure, to ensure they do not trigger the right of first refusal provided for by the Ngāi Tahu settlement. We have identified a number of other settlement provisions – including a deed of recognition, taonga species, and a conservation protocol – which do not appear to be directly impacted by the application as it currently stands, but nonetheless underline the traditional connection of Ngāi Tahu with this area and its environment.
7. You received comments on the application from Te Rūnanga o Ngāi Tahu, who do not support the application in its current form. Te Rūnanga o Ngāi Tahu request that you decline it on the basis that it has not met the requirements of the Act, including the consultation undertaken with Te Rūnanga and the relevant Papatipu Rūnanga, and the general information requirements in relation to the potential adverse impacts of the proposal on the Ngāi Tahu settlement (including the statutory acknowledgement over Whakatipu-wai-māori/Lake Wakatipu) and the environment.
8. The Minister for Māori Development and Minister for Māori Crown Relations: Te Arawhiti support the application for referral, subject to the panel for any substantive application considering whether the proposed activities will have any activities on Lake Wakatipu and Kimiākau/Shotover River, the impact on taonga species, and the wastewater network capacity and any downstream effects on waterways with statutory acknowledgements. The Minister also encourages the applicant to further engage with Te Rūnanga o Ngāi Tahu, to ensure that the application is consistent with the settlement legislation.
9. We do not consider there are any matters raised in this report which make it more appropriate for the proposed approvals to be authorised under another Act or Acts.

Signature



Stephanie Frame
Manager – Fast-track Operations

Introduction

10. Under section 18 of the Act, you must obtain and consider a report on Treaty settlements and other obligations for each referral application, prepared by the responsible agency (Secretary for the Environment).
11. The information which must be provided in this report includes:
 - a. relevant iwi authorities, Treaty settlement entities, applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011 (MACA), and other Māori groups with interests in the project area;
 - b. relevant principles and provisions in Treaty settlements and other arrangements;
 - c. a summary of comments and further information received from invited Māori groups; and
 - d. advice on whether it may be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts.
12. This report is structured accordingly. We have provided a list of the relevant provisions of section 18 at **Attachment 1**.

Proposed project

13. The applicant, Bowen Peak Limited, proposes the development of three contiguous cable car ropeways in Queenstown, connecting a base building at the One Mile Powerhouse Reserve, a residential development at Fernhill Heights, the saddle between Bowen Peak and Ben Lomond, and a proposed viewing platform on Bowen Peak. The proposed residential development comprises 1,333 residential units (within 175 chalets) across a 52-hectare site, with 50% of units designated for key worker accommodation and 5% allocated to the Queenstown Lakes Community Housing Trust. The cable car also enables access to existing and proposed mountain bike trails and a potential ski area, and the application includes the development of facilities at each cable car station. The applicant also proposes the establishment of two predator-free sanctuaries, across a total of 293 hectares.
14. The applicant is seeking approvals under the Act that would otherwise be sought under the RMA (including earthworks, water, subdivision), HNZPTA (archaeological authority), Reserves Act 1977 (approvals/leases), Wildlife Act 1953, and the Conservation Act 1987 (concessions). The applicant has a signed sale and purchase agreement with the vendor of the land required for the proposed residential development. With regard to the proposed cable car, the applicant has three draft licence to occupy agreements with Queenstown Lakes District Council (QLDC), the Department of Conservation (DOC), and Ben Lomond Station.
15. We have provided a location map at **Attachment 2**.

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

16. 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

17. 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.

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

Treaty settlement entities

19. 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).

20. 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).

21. 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

22. 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;
- b. Te Rūnanga o Moeraki, representing Moeraki, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998;
- c. Kāti Huirapa Rūnaka ki Puketeraki, representing Puketeraki, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998;

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.

- d. Te Rūnanga o Ōtākou, representing Ōtākou, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998;
- e. Hokonui Rūnanga, representing Hokonui, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998;
- f. Waihōpai Rūnaka, representing Waihōpai, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998;
- g. Te Rūnanga o Awarua, representing Awarua, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998; and
- h. Te Rūnanga o Ōraka-Aparima, representing Ōraka-Aparima, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998.

Groups mandated to negotiate Treaty settlements

23. 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

24. 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.
25. 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

26. The project area is not within a taiāpure-local fisheries area or mātaimai 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

27. Section 23 of the Act provides that, in making a decision on a referral application under section 21, the Minister may determine that, for the purposes of the project, an activity described in section 5(1)(a) is not an ineligible activity if it:
- a. is the construction of electricity lines or land transport infrastructure by (or to be operated by) a network utility operator that is a requiring authority; and
 - b. would occur on identified Māori land that is Māori freehold land or General land owned by Māori that was previously Māori freehold land.
28. This project does not involve an activity described in section 23(1) (i.e. including both (a) and (b)) of the Act.

Iwi authorities and groups representing hapū who are party to relevant Mana Whakahono ā Rohe or joint management agreements

29. If the project area is within the boundaries of either a Mana Whakahono ā Rohe or joint management agreement, and the application includes a proposed RMA approval described in section 42(4)(a) to (d) (resource consent, certificate of compliance, or designation), we are required to identify the relevant iwi authority/group that represent hapū that are parties to these arrangements.
30. 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

31. We have also identified the following entities, owned by the relevant papatipu rūnanga, as other Māori groups with relevant interests, as they may represent the papatipu rūnanga on environmental and other matters in the project area:
- a. Aukaha, representing Otago-based papatipu rūnaka² – Moeraki, Puketeraki, Ōtākou and Hokonui; and
 - b. Te Ao Mārama Incorporated, representing Murihiku papatipu rūnanga – Ōraka Aparima, Waihōpai, Awarua and Hokonui.

Relevant principles and provisions in Treaty settlements and other arrangements

Treaty settlements

32. 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.
33. 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

34. 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

35. 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.

² The variation in use of Rūnaka/Rūnanga is due to regional dialects.

36. 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.

Statutory acknowledgements

37. As one of the first comprehensive settlements of historical claims, the Ngāi Tahu settlement pre-dated some of the redress mechanisms which have subsequently been developed for use in later settlements to provide for participation by iwi and hapū in decision-making over natural resources. However, the Ngāi Tahu settlement was the first settlement to include statutory acknowledgements, which are an acknowledgement by the Crown of a 'statement of association' between the iwi and an identified area (the 'statutory area').
38. Under the RMA and relevant Treaty settlement Acts, a consent authority must, when considering a resource consent for a proposed activity that is within, adjacent to, or 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
39. 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 Environmental Protection Authority, board of inquiry, Environment Court, Heritage New Zealand Pouhere Taonga), who may, in turn, take that statutory acknowledgement into account.
40. We have checked the project area in relation to any statutory acknowledgements held by Te Rūnanga o Ngāi Tahu, and the nearest is over Whakatipu-wai-māori (Lake Wakatipu). While the project area is approximately 200 metres from Lake Wakatipu at its closest point, it is possible that the application may affect the lake. For example, One Mile Creek, Two Mile Creek, and other unnamed streams within the project area drain into the lake. Based on the information provided by the applicant, the existing waterways onsite are proposed as the locations for stormwater discharge. The applicant has noted that best-practice erosion and sediment controls will be in place to prevent contamination of streams and Lake Wakatipu. There is also a proposal for the residential development water supply to be at least partly drawn from the lake.
41. Under section 205 of the Ngāi Tahu Claims Settlement Act 1998, a statutory acknowledgement for a lake does not include any river or watercourse, artificial or otherwise, draining into or out of a lake. Nevertheless, it has become common practice in subsequent Treaty settlements for statutory acknowledgements over waterways to include tributaries. This approach is consistent with the concept in Te Ao Māori of ki uta ki tai (from

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.

the mountains to the sea), whereby water is viewed in a holistic way, and should be managed accordingly.

42. 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 on the lake of the proposed activities, thereby bringing the statutory acknowledgement into play.
43. In any case, we consider the process of inviting comment from relevant Treaty settlement entities under section 17 of the Act (including providing information about the application) is comparable to the process under Treaty settlements and the RMA of providing those who hold statutory acknowledgements with a summary of the application.
44. For your reference, we have provided the statutory acknowledgement provision for Whakatipu-wai-māori from the Ngāi Tahu Claims Settlement Act 1998 at **Attachment 4**.

Deed of recognition

45. In addition to the statutory acknowledgement, Te Rūnanga o Ngāi Tahu also have a deed of recognition with the Minister of Conservation and the Commissioner of Crown Lands over Whakatipu-wai-māori. A deed of recognition may be entered into between a PSGE and the Crown agency managing any statutory area for which a statutory acknowledgment has been agreed.
46. The deed of recognition requires the relevant Crown agency to consult with, and have regard to the views of, the relevant PSGE when undertaking specified activities relating to the statutory area. These activities primarily relate to the preparation of management plans or strategies but may also include considering applications for rights of use or occupation, for example.
47. We do not consider these provisions are relevant to this application, as the relevant Crown agencies are not undertaking any of the activities covered by the deeds of recognition, nor is the applicant seeking use rights or occupation in relation to the Crown-owned parts of the lakebed.

Right of first refusal

48. Part 9 of the Ngāi Tahu Claims Settlement Act 1998 provides for a 'right of first refusal' (RFR) for Te Rūnanga o Ngāi Tahu over relevant Crown land if it is disposed of, which includes if such land is leased for 50 years or longer.
49. We understand that the cable car proposal will require the construction and operation of funifor stations and pylons, the overhead transit of funifor cables and passage of funifor cars, and the felling of wilding pines and replacement planting on reserves held and administered by DOC and QLDC. The proposal also entails the construction and use of the cable car infrastructure on land held by Ben Lomond Station.
50. In addition to the public conservation land administered by DOC, it is possible that some or all of the affected reserve land held by QLDC may be subject to the Ngāi Tahu RFR, if it has a reversionary interest to the Crown. We note that Ben Lomond Station is also subject to the RFR as it is Crown leasehold land (unless it is disposed of by sale to the current lessee under section 50(i)(ii) of the Ngāi Tahu Claims Settlement Act 1998).
51. The applicant has provided draft licences to occupy, to be agreed with each of the three landholders identified above. The terms of these draft licences are for five years (for establishment of the ropeway infrastructure), with conditional options to renew for two further ten-year terms (to operate and maintain the cable car and facilities), and do not provide for exclusive possession of the licence area. While, on face value, these licences

to occupy do not appear to trigger the RFR, DOC have raised concerns regarding the appropriateness of this instrument for the proposed activities (including the need to preclude public access to some degree), and whether they clearly limit the extension of the term of the licence so as not to trigger the RFR provisions. These matters are discussed in more depth in the referral briefing.

52. Further, we note that if the proposed use of Ben Lomond Station land by the applicant is not within the scope of the existing lease with the Crown, then it may require the consent of the Commissioner of Crown Lands.
53. Should this application be accepted for referral, then a panel considering a substantive application will need to satisfy itself that the proposed instrument for enabling this project to be constructed and operated on this land is consistent with the Ngāi Tahu settlement.

Taonga species

54. The Crown has acknowledged the special association of Ngāi Tahu with certain taonga species of birds, plants and animals. The Ngāi Tahu Claims Settlement Act 1998 contains several other provisions relating to taonga species, including a requirement that the Minister of Conservation consult with, and have particular regard to the views of, Te Rūnanga o Ngāi Tahu when making policy decisions concerning the protection, management, or conservation of a taonga species.
55. The referral application does not detail the species which the proposed approval under the Wildlife Act 1953 is to apply. While the ecological assessment commissioned by the applicant notes that it is highly likely that indigenous lizard species will be found within parts of the project area, lizards are not included amongst the taonga species in the Ngāi Tahu Claims Settlement Act 1998. The ecological assessment also identified bird species known to inhabit the vicinity of the project area, which did include a number of taonga species (some of which are classified as threatened).⁴
56. Although the settlement provisions regarding taonga species do not place any procedural obligations on the applicant or consent authority in relation to the approvals being sought as part of this application, the redress illustrates the importance of these species to Ngāi Tahu. Accordingly, a panel considering a substantive application for this project may wish to understand any impact of the proposed activities on taonga species.

Conservation protocol

57. The Ngāi Tahu Claims Settlement Act 1998 provides for the Minister of Conservation to issue a protocol which sets out how DOC will exercise its functions, powers, and duties in relation to specified matters within the Ngāi Tahu claim area, and how DOC will interact with Te Rūnanga o Ngāi Tahu and provide for their input into DOC's decision-making process.
58. While the current version of the protocol which covers the project area provides for engagement with Te Rūnanga o Ngāi Tahu on certain matters,⁵ in general it does not

⁴ Kārearea/NZ falcon, Kākā/South Island kaka, Pūteketeke/Australasian crested grebe, Pīhoihoi/NZ pipit, Korimako/Bellbird, Riroriro/Grey warbler, Tūi/Tui, Pīwakawaka/South Island fantail, Miromiro/South Island tomtit, Kererū/NZ wood pigeon, Kea, Mohua/Yellowhead, Mātā/Fernbird.

⁵ The protocol specifies the following matters: cultural materials; freshwater fisheries; culling of species of interest to Ngāi Tahu; historic resources; RMA involvement; and visitor and public information. The protocol provisions relating to the RMA are about working with DOC on advocacy regarding the environmental effects of activities

address the types of conservation-related approvals sought by the applicant (i.e. concessions under the Conservation Act 1987, approvals/leases under the Reserves Act 1977, and Wildlife Act 1953 approvals).

Other redress

59. The Ngāi Tahu settlement also provides for commercial redress, in the form of seven 'deferred selection properties' in central Queenstown,⁶ located approximately two kilometres from the proposed cable car base station at One Mile Creek. While this redress is unlikely to be affected by the application, it underlines the connection of Ngāi Tahu with this area.
60. 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. 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

61. 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

62. 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

63. 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

64. Pursuant to section 17(1)(d) of the Act, on 29 January 2026 you invited written comments from the Māori groups identified above in paragraphs 16-31, 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.

controlled and managed under the RMA, and are unlikely to be directly relevant to this application. The latest version of the protocol is appended to the 2016 Conservation Management Strategy for Otago at pages 285-292: [Otago Conservation Management Strategy 2016 volume 1](#).

⁶ A deferred selection property enables a PSGE to decide whether to purchase certain Crown properties during a fixed period after settlement.

65. You received comments on the application from Te Rūnanga o Ngāi Tahu, who do not support the application in its current form. Te Rūnanga request that you decline it on the basis that it has not met the requirements of the Act, including:
- a. consultation with Te Rūnanga, and the seven Papatipu Rūnanga within whose takiwā this project is intended to occur, has only been very preliminary and does not meet the requirements under the Act. Te Rūnanga is unable to determine whether the project will be consistent with the Ngāi Tahu settlement based on the information provided to date;
 - b. the applicant does not acknowledge the connection between One Mile Creek and Whakatipu-wai-māori, over which Ngāi Tahu has a statutory acknowledgement, despite noting that resource consents may be required for works in proximity to One Mile Creek and earthworks for Fernhill Heights, including consents for discharge to water. Further, the applicant states that the existing wastewater network has available capacity, but the applicant has not undertaken an analysis of this additional loading on the Shotover Wastewater Treatment Plant. Te Rūnanga note that QLDC is already facing problems with this infrastructure, including direct discharge of wastewater into the Kimiākau/Shotover River. This ultimately flows into the Mata-au/Clutha River, over which Ngāi Tahu have a statutory acknowledgement;
 - c. the applicant has not provided further information regarding the Wildlife Act 1953 approvals being sought, particularly in relation to taonga species acknowledged in the Ngāi Tahu settlement. Te Rūnanga state that any proposals regarding taonga species need to ensure a partnership approach with Papatipu Rūnanga.
66. We have provided a copy of these comments at **Attachment 5**.

Consultation with departments and Ministers

67. 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).
68. 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.
69. The Minister for Māori Development and Minister for Māori Crown Relations: Te Arawhiti support the application for referral, subject to the panel for any substantive application considering:
- a. whether the proposed activities will have any activities on Lake Wakatipu and Kimiākau/Shotover River (thereby bringing statutory acknowledgements over Lake Wakatipu and/or Mata-au/Clutha River into play);
 - b. the impact of the proposed activities on taonga species; and
 - c. the wastewater network capacity and any downstream effects on waterways with statutory acknowledgements.
70. The Minister also encourages the applicant to further engage with Te Rūnanga o Ngāi Tahu in accordance with the consultation provisions under the Act. The outcome of this consultation should be that the application is consistent with, and adheres to, the statutory

obligations under the settlement legislation (including statutory acknowledgments and taonga species).

71. We have provided a copy of these comments at **Attachment 6**.

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

72. 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.

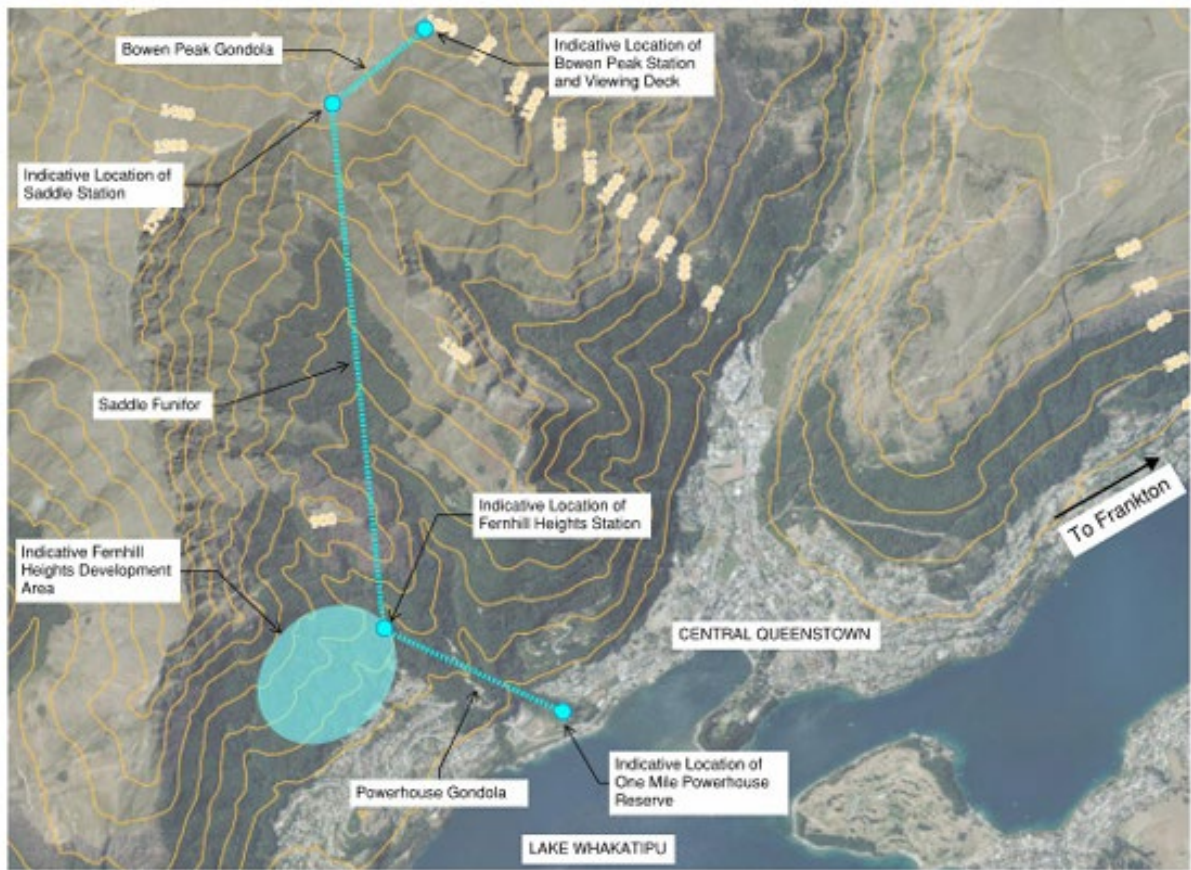
73. We do not consider there are any matters raised in this report which make it more appropriate for the proposed approvals to be authorised under another Act or Acts.

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

| Section | Information required | Paragraph reference in this report |
|----------|---|------------------------------------|
| 18(1) | The Minister must, for a referral application, obtain and consider a report that is prepared by the responsible agency in accordance with this section. | 10-12 |
| 18(2)(a) | Any relevant iwi authorities and relevant Treaty settlement entities | 17-22 |
| 18(2)(b) | Any Treaty settlements that relate to land, species of plants or animals, or other resources within the project area | 32-33 |
| 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 | 34-60 |
| 18(2)(d) | Any recognised negotiation mandates for, or current negotiations for, Treaty settlements that relate to the project area. | 23 |
| 18(2)(e) | Any court orders or agreements that recognise protected customary rights or customary marine title within the project area. | 24, 61 |
| 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. | 24, 61 |
| 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). | 25, 61 |
| 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). | 26, 62 |
| 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). | 27-28 |
| 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), <ul style="list-style-type: none"> (i) iwi authorities and groups that represent hapū that are parties to any relevant Mana Whakahono ā Rohe or joint management agreements. | 29-30, 63 |

| | | |
|-----------------|---|-------|
| | (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. | 31 |
| 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 | 64-66 |
| 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. | 72-73 |
| 18(3) | In preparing the report required by this section, the responsible agency must— (a) consult relevant departments; and (b) provide a draft of the report to the Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti. | 67-68 |
| 18(4) | Those Ministers must respond to the responsible agency within 10 working days after receiving the draft report | 69-71 |

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 Rūnanga o Moeraki | Treaty settlement entity – Papatipu Rūnanga (s18(2)(a)) |
| Kāti Huirapa Rūnaka ki Puketeraki | Treaty settlement entity – Papatipu Rūnanga (s18(2)(a)) |
| Te Rūnanga o Ōtākou | Treaty settlement entity – Papatipu Rūnanga (s18(2)(a)) |
| Hokonui Rūnanga | Treaty settlement entity – Papatipu Rūnanga (s18(2)(a)) |
| Waihōpai Rūnaka | Treaty settlement entity – Papatipu Rūnanga (s18(2)(a)) |
| Te Rūnanga o Awarua | Treaty settlement entity – Papatipu Rūnanga (s18(2)(a)) |
| Te Rūnanga o Ōraka-Aparima | Treaty settlement entity – Papatipu Rūnanga (s18(2)(a)) |
| Aukaha | Other Māori group with relevant interests (s18(2)(k)) |
| Te Ao Mārama Incorporated | Other Māori group with relevant interests (s18(2)(k)) |

Attachment 4: Statutory acknowledgement for Whakatipu-wai-māori (Lake Wakatipu) from Ngāi Tahu Claims Settlement Act 1998

Schedule 75

Statutory acknowledgement for Whakatipu-wai-māori (Lake Wakatipu)

ss 205, 206

Statutory area

The statutory area to which this statutory acknowledgement applies is the lake known as Whakatipu-wai-māori (Lake Wakatipu), the location of which is shown on Allocation Plan MD 39 (SO 24720).

Preamble

Under section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic, and traditional association to Whakatipu-wai-māori, as set out below.

Ngāi Tahu association with Whakatipu-wai-māori

The name Whakatipu-wai-māori originates from the earliest expedition of discovery made many generations ago by the tupuna Rakaihautu and his party from the Uruao waka. Rakaihautu is traditionally credited with creating the great waterways of the interior of the island with his famous kō (a tool similar to a spade), known as Tū Whakaroria and renamed Tuhiraki at the conclusion of the expedition.

There are many traditions relating to the lake. One of the most famous tells that the hollow which forms the bed of the lake was created when the people known as Te Rapuwai came upon the giant tipua (ogre) Matau as he lay there in a deep sleep. Matau had been responsible for the disappearance of many small hunting parties and had entrapped a beautiful maiden, Manatā. The father of Manatā offered her in marriage to the man who could bring her safely home. Matakauri, who was in love with Manatā, ventured forth, discovering that Matau slept when the northwest wind blew. Matakauri selected a day when the wind was blowing the right way and set forth. He found Manatā and, using his mere, he attempted to sever the bonds which held her, but try as he would he failed. Manatā began to sob bitterly, and as her tears fell on the cords, they melted away. Matakauri carried Manatā back to the village where they became man and wife. However, Matakauri knew that while Matau lived no maiden was safe, so he set forth when again the northwest wind blew, and set fire to the large growth of bracken that acted as a bed for the giant. Matau was smothered in flames, the fat from his body augmenting the fire, until the blaze was so fierce that it burned a hole more than 1,000 feet deep. The snow on the surrounding hills melted and filled the hole, which is known today as Lake Wakatipu.

For Ngāi Tahu, traditions such as this represent the links between the cosmological world of the gods and present generations, these histories reinforce tribal identity and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

Whakatipu-wai-māori once supported nohoanga and villages which were the seasonal destinations of Otago and Murihiku (Southland) whānau and hapū for many generations, exercising ahi kā and accessing mahinga kai and providing a route to access the treasured pounamu located beyond the head of the lake. Strategic marriages between hapū strengthened the kupenga (net) of whakapapa and thus rights to use the resources of the lake. It is because of these patterns of activity that the lake continues to be important to rūnanga located in Murihiku, Otago and beyond. These rūnanga carry the responsibilities of kaitiaki in relation to the area, and are represented by the tribal structure, Te Rūnanga o Ngāi Tahu.

The lake also supported permanent settlements, such as the kaika (village) Tahuna near present-day Queenstown, Te Kirikiri Pā, located where the Queenstown gardens are found today, a Ngāti Mamoe kaika near the Kawarau Falls called Ō Te Roto, and another called Takerehaka near Kingston. The Ngāti Mamoe chief Tu Wiri Roa had a daughter, Haki Te Kura, who is remembered for her feat of swimming across the lake from Tāhuna, a distance of some three kilometres.

The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the lake, the relationship of people with the lake and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

A key attraction of the lake was the access it provided to seasonal campsites and the pounamu located at the head of the lake at the Dart and Routeburn River catchments, from which countless generations gathered inaka and koko-takiwai pounamu and transported it back to coastal settlements for fashioning into tools, ornaments and weapons.

Waka and mōkihi were the key modes of transport for the pounamu trade, travelling the length and breadth of Whakatipu-wai-māori. Thus there were numerous tauranga waka (landing places) on the lake and the islands upon it (Matau and Wāwāhi-waka). The tūpuna had an intimate knowledge of navigation, river routes, safe harbours and landing places, and the locations of food and other resources on the lake. The lake was an integral part of a network of trails which were used in order to ensure the safest journey and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by whānau and hapū and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the roto (lake).

Whakatipu-wai-māori is an important source of freshwater, the lake itself being fed by hukawai (melt waters). These are waters with the highest level of purity and were accorded traditional classifications by Ngāi Tahu that recognised this value. Thus it is a puna (spring) which sustains many ecosystems important to Ngāi Tahu. The mauri of Whakatipu-wai-māori represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the lake.

Purposes of statutory acknowledgement

Pursuant to [section 215](#), and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to [section 207](#) (clause 12.2.3 of the deed of settlement); and
- (b) to require that consent authorities, Heritage New Zealand Pouhere Taonga, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to Whakatipu-wai-māori, as provided in [sections 208 to 210](#) (clause 12.2.4 of the deed of settlement); and
- (c) to empower the Minister responsible for management of Whakatipu-wai-māori or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in [section 212](#) (clause 12.2.6 of the deed of settlement); and
- (d) to enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to Whakatipu-wai-māori as provided in [section 211](#) (clause 12.2.5 of the deed of settlement).

Limitations on effect of statutory acknowledgement

Except as expressly provided in [sections 208 to 211](#), [213](#), and [215](#),—

- (a) this statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and
- (b) without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu's association to Whakatipu-wai-māori (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of Whakatipu-wai-māori.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, Whakatipu-wai-māori.

Schedule 75: amended, on 20 May 2014, by [section 107](#) of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

Attachment 5: Comments received from invited Māori groups



Te Rūnanga o NGĀI TAHU

Te Rūnanga o Ngāi Tahu
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Friday 27 February 2026

Stephanie Frame, Acting General Manager Delivery and Operations
Ministry for the Environment
WELLINGTON

Uploaded through the Fast-track Portal

Tēnā koe Stephanie,

Te Rūnanga o Ngāi Tahu comments on referral application under the Fast-track Approvals Act 2024 – Restoring the Reserve - Powerhouse to Peak Cable Car & Fernhill Heights Development Project [FTAA-2502-1025]

1. Introduction

- 1.1 Te Rūnanga o Ngāi Tahu (**Te Rūnanga**) welcomes the opportunity to provide comments on the referral application made by Bowen Peak Limited (the **Applicant**) for the Restoring the Reserve - Powerhouse to Peak Cable Car & Fernhill Heights Development Project, in Tāhuna (Queenstown) (the **Project**).
- 1.2 Te Rūnanga seeks that the referral application is **declined** by the Minister on the basis that it does not provide adequate information to determine the Project's potential impacts on Ngāi Tahu Treaty settlements as well as the environment, and due to the applicant's failure to meet the general application requirements and consultation requirements (prior to lodging the application) prescribed under the Fast-track approvals Act 2024¹ (**Fast-track approvals Act**). Our full comments on the Project are set out below (see **Section 3**). Te Rūnanga also supports the comments made on behalf of respective Papatipu Rūnanga.

¹ Section 11(1)(b) consultation requirements with iwi authorities and hapū for referral application and section 13(4)(k) (i) & (ii) referral application general requirements

2. Te Rūnanga o Ngāi Tahu

2.1 These comments are made on behalf of Te Rūnanga o Ngāi Tahu (**Te Rūnanga**) which is the statutorily recognised representative tribal body of Ngāi Tahu Whānui, as provided by section 15 of the Te Rūnanga o Ngāi Tahu Act 1996 (**TRONT Act**).

2.2 Te Rūnanga encompasses five hapū, Kati Kurī, Ngāti Irakehu, Kati Huirapa, Ngāi Te Ruahikihiki, Ngāi Tūāhuriri and 18 Papatipu Rūnanga, who uphold the mana whenua and mana moana of their respective rohe.

2.3 Papatipu Rūnanga who have shared interests in Tāhuna are:

- Te Rūnanga o Moeraki;
- Kati Huirapa Rūnaka ki Puketeraki;
- Te Rūnanga o Ōtākou;
- Waihōpai Rūnaka;
- Te Rūnaka o Awarua;
- Te Rūnanga o Ōraka-Aparima; and
- Hokonui Rūnanga.

2.4 Ngāi Tahu holds and exercises rangatiratanga within the Ngāi Tahu Takiwā (see **Appendix One**) and has done so since before the Crown began exercising its powers in New Zealand from 1840. The Takiwā covers most of Te Waipounamu and its surrounding islands, constituting over half of New Zealand's landmass, coastlines and waterways. The Crown and Parliament recognise and affirm Ngāi Tahu rangatiratanga in our Takiwā through:

- a) Article II of Te Tiriti o Waitangi (**Te Tiriti**);
- b) the 1997 Deed of Settlement between Ngāi Tahu and the Crown; and
- c) the Ngāi Tahu Claims Settlement Act 1998 (**NTCSA**).

2.5 As recorded in the Crown Apology to Ngāi Tahu (see **Appendix Two**), the Ngāi Tahu Settlement marked a turning point, and the beginning of a “new age of co-operation”. The Crown apologised for its “past failures to acknowledge Ngāi Tahu rangatiratanga and mana over the South Island lands within its boundaries” and confirmed that “it recognises Ngāi Tahu as the tāngata whenua of, and as holding rangatiratanga within, the Takiwā of Ngāi Tahu Whānui”. Those commitments are fundamental to the fast-track regime.

2.6 Te Rūnanga requests that the Minister accord these comments with the status and weight of the tribal collective of Ngāi Tahu Whānui comprising over 85,000 registered iwi members. Notwithstanding its statutory status as the representative voice of Ngāi Tahu whānui “for all purposes”, Te Rūnanga accepts and respects the right of Papatipu Rūnanga to make their own comments. Te Rūnanga understands that respective Papatipu Rūnanga (and

their Regional Environmental Entities) have been separately invited to comment on the Project.

3. Comments

3.1. Our comments on the referral application for the Project are set out below and are guided by the relevant principles and provisions of the Ngāi Tahu Treaty settlements.

Ngāi Tahu Settlement principles

3.2. Te Rūnanga considers the following Ngāi Tahu settlement principles are applicable for this referral application:

- Ngāi Tahu holds and exercises rangatiratanga within the Ngāi Tahu Takiwā².
- The Crown and agents of the Crown must act in good faith³.
- The Crown committed to a new age of co-operation with Ngāi Tahu.
- All areas and places within the Ngāi Tahu takiwā are important and form part of an intertwined network of values, places and resources that are relevant to Ngāi Tahu tribal history, contemporary values and the future of the tribe.
- Settlement is a platform from which Ngāi Tahu can rebuild⁴.
- Settlement provided a basis for the continuing evolution of Ngāi Tahu as a tribe and as a people⁵.

Consultation on the referral application

3.3. The applicant has acknowledged their mistakes in relation to their previous understanding of consultation requirements with Te Rūnanga and Papatipu Rūnanga. At page 9 of their new Appendix 1A they have stated that they take on board the three recommendations from Minister Potaka. With this in mind, they intend to carry out work to understand any and all Treaty redress obligations for the area, provide more information to enable their application to be assessed and engage and consult with relevant Māori groups in a meaningful way. Te Rūnanga can confirm that the application documents were provided by the applicant to give more time to consider them, and that was appreciated.

² Further details are set out paragraph 2.5 above.

³ The Crown's Apology recognises that previously the Crown failed to act in good faith, and left Ngāi Tahu in a state of poverty and deprived Ngāi Tahu the opportunity to develop.

⁴ For example through the mechanisms which enable the purchase of Crown lands (Right of First Refusal) and enabling Ngāi Tahu to exercise their kaitiaki responsibilities through the engagement template created by Statutory Acknowledgements.

⁵ The settlement is acknowledging that Ngāi Tahu will continue to develop, create an economic footprint for the benefit of Ngāi Tahu people, form a basis from which Ngāi Tahu can express its ancestral relationship with the Ngāi Tahu takiwā into the future.

A process agreement has been signed between Bowen Peak Limited and the seven Papatipu Rūnanga within whose takiwā this project is intended to occur. The agreement sets out the principles that apply to discussions between the parties but acknowledges that the document is not a relationship agreement between the parties.

Appendix 12 of the applicant's information contains a generic process for engagement with tangata whenua. There is no indication of what step the applicant believes has been achieved to date. From the perspective of Te Rūnanga, there have only been very preliminary levels of engagement to date and no meaningful consultation with either Papatipu Rūnaka or Te Rūnanga. Consequently, the applicant has not met the general information requirements for a referral application as prescribed under the Fast-track approvals Act⁶. As such, Te Rūnanga is unable to determine whether the Project will be consistent with Ngāi Tahu Treaty settlements and understands the Minister may decline the referral application for this reason⁷.

Statutory Acknowledgement

- 3.6. The project site (specifically the 'Powerhouse Precinct') is adjacent to the Whakatipu-WaiMāori (Lake Wakatipu) Statutory Acknowledgement. Ngāi Tahu association with Whakatipu-wai-māori is detailed in schedule 75 of the NTCSA (refer to **Appendix Three**) and includes important Ngāi Tahu histories and traditions relating to the lake. It is an important source of freshwater, with the lake itself being fed by hukawai (melt water). These waters hold the highest level of purity and were accorded traditional classifications by Ngāi Tahu that recognised this value. Thus, the lake sustains many ecosystems important to Ngāi Tahu.
- 3.7. Given the immense significance the lake holds for Ngāi Tahu, it is critical that any potential discharging activities generated by the Project are undertaken in a manner that does not degrade the purity of this source of freshwater. The applicant states that there is no direct involvement with the lake⁸ but makes no acknowledgement of the interconnection between One Mile Creek and the lake. The applicant acknowledges in Appendix 28 that resource consent may be required from the Otago Regional Council in relation to works within proximity to One Mile Creek and residential earthworks for Fernhill Heights. This includes consents for discharge to water. The One Mile Creek catchment flows into the lake. Te Rūnanga is therefore concerned about the potential of discharges within that catchment having an impact on the lake.

Te Rūnanga is acutely aware of the problems that Queenstown Lakes District Council is facing with its existing wastewater infrastructure, with wastewater discharges currently going directly into the Kimiākau/Shotover River⁹. The Kimiākau/Shotover River flows into the Kawerau river and ultimately into the Mata-au/Clutha River (which is a Statutory Acknowledgement – Schedule 40), According to Appendix 3 page 10 of the applicant's information, a detailed analysis of the existing network capacity has not been undertaken

⁶ Section 11(1)(b) consultation requirements with iwi authorities and hapū for referral application and section 13(4)(k) (i) & (ii) referral application general requirements.

⁷ Section 21 (5) (a)(i)

⁸ Appendix 20 page 13

⁹ through the use of emergency powers under the RMA

at this stage, but it also states that given other factors, existing capacity will be available. There is no analysis of the impact of this additional loading on the Shotover Wastewater Treatment Plant. Te Rūnanga is concerned about the ability of the Council's existing infrastructure to handle current and forecasted future needs, (in addition to this potential application,) given the impacts of the current system on Ngāi Tahu values, including nohoanga sites and Statutory Acknowledgements.

Taonga Species

2.9. The special association Ngāi Tahu have with taonga species within the Ngāi Tahu Takiwā has been acknowledged by the Crown in the NTCSA¹⁰, with a list of taonga species provided in Schedule 97 (refer to **Appendix Four**) which includes 49 bird species, 54 plant species and 6 marine mammals. Te Rūnanga understands that the project requires approval under the Wildlife Act 1953, and that there is an intent to facilitate breeding of avifauna including taonga species. The applicant did not consider that it needed to provide further information regarding the nature of the Wildlife Permits in the referral application. Any proposals regarding taonga species need to ensure a partnership approach with Papatipu Rūnanga and need to be guided by their expertise.

3. Decision Sought

4.1 Te Rūnanga thanks the Minister for the opportunity to comment on the referral application.

4.2 Te Rūnanga considers that the referral application does not provide adequate information to determine the project's potential impacts on Ngāi Tahu Treaty settlements, as well as potential adverse effects on the environment. Further, Te Rūnanga does not consider that the applicant has met the referral application requirements (specifically general information and consultation requirements) prescribed under the Fast-track approvals Act. As such, Te Rūnanga does **not support** the referral application in its current form and seeks that the application is **declined** by the Minister.

Nāku noa nā,



Maru Rout
Programme Leader- Mauri, Te Ao Tūroa
Te Rūnanga o Ngāi Tahu

¹⁰ Section 288 of the NTCSA. Ngāi Tahu association includes cultural, spiritual, historic, and traditional.

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Ph s 9(2)(a)

Cc: Aukaha and Te Ao Marama Inc

Appendices:
Appendix One – Map of takiwā of Ngāi Tahu
Appendix Two – Crown Apology to Ngāi Tahu
Appendix Three- Statutory Acknowledgement- Whakatipu-Wai-Māori
Appendix Four- Taonga Species Schedule

Attachment 6: Comments received from the Minister for Māori Development and Minister for Māori Crown Relations

Hon Tama Potaka Comment - Saved

Feedback · FTA - Feedback

Portals-Fast Track Portal - ftaa-portal
Owner

Submitted
Portal Status

General Documents Related

| | |
|-----------|--|
| Title | Hon Tama Potaka Comment |
| Regarding | Draft section 18 report for Minister comment |
| Comments | <ol style="list-style-type: none">I support the application progressing to the Expert Panel for Substantive consideration subject to:<ol style="list-style-type: none">The expert panel considering whether the proposed activities will have any impact on Lake Wakatipu and Kimiākau/Shotover River (thereby bringing statutory acknowledgments over Lake Wakatipu and/or Mata-au/Clutha River into play).The expert panel considering the impact of the proposed activities on taonga species.The expert panel considering the wastewater network capacity and any downstream effects on waterways with statutory acknowledgements.I also encourage the applicant to:<ol style="list-style-type: none">further engage with Te Rūnanga o Ngāi Tahu in accordance with the consultation provisions under the Act. The outcome of this consultation should be that the application is consistent with and adheres to the statutory obligations under the settlement legislation (including statutory acknowledgments and taonga species). |

Feedback Contacts

| | |
|----------------------|---|
| Created By (Contact) | Bria Kerei-Keepa |
| Source | Portal |
| Application | Powerhouse |
| Created By | # Portals-Fast Track Portal - ftaa-portal |
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