



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

Project Name: FTAA-2605-1237 Pouarua Water Storage Scheme

To:	Date:
Hon Chris Bishop, Minister for Infrastructure	25/08/2026

Number of attachments: 7	Attachments: - Provisions of section 18 of the Fast-track Approvals Act 2024 - Project location map - List of relevant Māori groups - Rongowhakaata statutory acknowledgement provisions – Waipaoa River and coastal marine area - Ngai Tāmanuhiri statutory acknowledgement provisions – Waipaoa River and coastal marine area - Deed plan for Te Maungārongo-o-Te-Kooti Rikirangi Recreation Reserve - Comments received from invited Māori groups
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Ministry for Cities, Environment, Regions & Transport contacts:

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General Manager, Investment Strategy & Operations	Ilana Miller	s 9(2)(a)	

Key points

- The Ministry for Cities, Environment, Regions & Transport (on behalf of the Secretary for the Environment) has prepared this report on Treaty settlements and other obligations under section 18 of the Fast-track Approvals Act 2024 (the Act), in relation to the FTAA-260-1237 Pouarua Water Storage Scheme referral application.
- The applicant, Wi Pere Trust, proposes to construct and operate a water storage scheme located at and adjacent to Tangihanga Station, approximately 30km northwest of Gisborne, to meet irrigation and other water demands. The scheme would involve the construction of a dam to form a new large-capacity reservoir on the Pouarua Stream. The reservoir would

store water collected from both naturally occurring runoff and by pumping water from the nearby Waipaoa River during high river flow periods. Stored water would then be released when demand is high, or during dry-year water restrictions, to a downstream water reticulation system throughout the Waipaoa Valley for a range of potential uses.

3. The applicant is seeking approvals under the Act which would otherwise be sought under the Resource Management Act 1991 (RMA), Wildlife Act 1953, Heritage New Zealand Pouhere Taonga Act 2014, and the Freshwater Fisheries Regulations 1983.
4. 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 the following groups as relevant to the project area: Rongowhakaata Iwi Trust; Te Aitanga ā Māhaki Trust; Rongowhakaata Settlement Trust; Tāmanuhiri Tūtū Poroporo Trust; Te Whānau a Kai; Te Rūnanganui o Ngā Ariki Kaiputahi Trust; Ngā Uri o Tamanui Trust; and Mangatū Blocks Incorporation.
5. The relevant Treaty settlements for the project area are the Rongowhakaata Claims Settlement Act 2012 and the Ngai Tāmanuhiri Settlement Act 2012.
6. These Treaty settlement Acts provide for statutory acknowledgements over the lower parts of the Waipaoa River and the coastal marine area at the river mouth. It is possible that the proposed activities may directly affect these statutory areas, thereby bringing the statutory acknowledgements into play.
7. Under the RMA and the relevant Treaty settlements, a consent authority must have regard to a statutory acknowledgement when deciding whether an iwi is an 'affected person' for the purposes of notification decisions and must provide a summary of any consent applications relevant to the statutory area to a statutory acknowledgement holder. We consider the process of inviting comment (including providing information about the application) from these groups under the Act is comparable to the requirements for statutory acknowledgements under the RMA and Treaty settlements.
8. We have identified a number of other settlement provisions – including the Local Leadership Body, cultural redress property, right of first refusal, and conservation protocols – which do not appear to be impacted by the application as it currently stands, but nonetheless underline the traditional connection of Rongowhakaata and Ngai Tāmanuhiri with this area and its environment.

9. You received comments on the application from Te Tumu Paeroa – Office of the Māori Trustee, as responsible trustee of Repongaere 4H3, a Māori freehold land block within the project area. The Māori Trustee agrees to the project applying for referral under the Act, but does not have sufficient information at this time to determine whether it would be in the best interests of the owners of Repongaere 4H3 for the project to proceed on their land.
10. We do not consider there are any matters raised in this report which make it more appropriate for the proposed approvals to be authorised under another Act or Acts.

Signature

A handwritten signature in blue ink, appearing to read 'S. Frame', is written over a light blue rectangular background.

Stephanie Frame
Manager – Fast-track Operations

Introduction

11. Under section 18 of the Act, you must consider a report on Treaty settlements and other obligations for each referral application, prepared and provided by the responsible agency (Secretary for the Environment).
12. 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.
13. This report is structured accordingly. We have provided a list of the relevant provisions of section 18 at **Attachment 1**.

Proposed project

14. The applicant, Wi Pere Trust, proposes to construct and operate a water storage scheme located at and adjacent to Tangihanga Station, approximately 30km northwest of Gisborne, to meet irrigation and other water demands. The scheme would involve the construction of a dam to form a new large-capacity reservoir on the Pouarua Stream. The reservoir would store water collected from both naturally occurring runoff from the local catchment, and from water sourced by pumping water currently available for allocation from the nearby Waipaoa River (approximately 3km east) during high river flow periods.
15. Stored water would then be released when demand is high or during dry-year water restrictions to a downstream water reticulation system for a range of potential uses. The indicative water distribution pipeline network extends over a much wider area throughout the Waipaoa Valley, following local road and state highway corridors.
16. As the proposed location of the Pouarua Dam, Tangihanga Station is owned and managed by the applicant, and is located at 811 Lavenham Road, near Patutahi. Wi Pere Trust land within Tangihanga Station is Māori freehold land, and the trustees have provided a letter in support of this application. Part of the project infrastructure and works will occur on other Māori freehold land, Rapongaere 4H3 Block, and this has been agreed to in writing by the owners of that land block.
17. The applicant is seeking approvals under the Act which would otherwise be sought under the RMA (including infrastructure, reclamation, damming, diversion and drainage of water, water take, excavation and construction in the bed of a stream, river or lake, and discharge to land or water), Wildlife Act 1953, Heritage New Zealand Pouhere Taonga Act 2014, and the Freshwater Fisheries Regulations 1983.
18. We have provided location maps at **Attachment 2**.

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

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

Iwi authorities

20. Under section 4(2) of the Act, 'iwi authority' has the same meaning as in section 2(1) of the RMA:

the authority which represents an iwi and which is recognised by that iwi as having authority to do so.

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

- a. Te Aitanga ā Māhaki Trust, representing Te Aitanga ā Māhaki;
- b. Rongowhakaata Iwi Trust, representing Rongowhakaata; and
- c. Tāmanuhiri Tūtū Poroporo Trust, representing Ngai Tāmanuhiri.

Treaty settlement entities

22. Under section 4(1) of the Act, "Treaty settlement entity" means any of the following:

(a) a post-settlement governance entity (PSGE):

(b) a board, trust, committee, authority, or other body, incorporated or unincorporated, that is recognised in or established under any Treaty settlement Act:

(c) an entity or a person that is authorised by a Treaty settlement Act to act for a natural resource feature with legal personhood:

(d) Te Ohu Kai Moana or a mandated iwi organisation (as those terms are defined in section 5(1) of the Maori Fisheries Act 2004):

(e) an iwi aquaculture organisation (as defined in section 4 of the Maori Commercial Aquaculture Claims Settlement Act 2004).

23. Under the Act, a PSGE:

(a) means a body corporate or the trustees of a trust established, for the purpose of receiving redress in the Treaty settlement of a claimant group,—

(i) by that group; or

(ii) by or under an enactment or order of a court; and

(b) includes—

(i) an entity established to represent a collective or combination of claimant groups; and

(ii) an entity controlled by an entity referred to in paragraph (a); and

(iii) an entity controlled by a hapū to which redress has been transferred by an entity referred to in paragraph (a).

24. In keeping with the procedural principles outlined at section 10 of the Act, we only identify those PSGEs which are specified in the relevant Treaty settlement Act or Treaty settlement deed.¹

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

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.

- a. Rongowhakaata Settlement Trust, PSGE for Rongowhakaata Claims Settlement Act 2012;
- b. Tāmanuhiri Tūtū Poroporo Trust, PSGE for Ngai Tāmanuhiri Claims Settlement Act 2012; and
- c. the Local Leadership Body, a statutory body established by the Ngai Tāmanuhiri Claims Settlement Act 2012.

Groups mandated to negotiate Treaty settlements

26. Currently, there are no groups who have recognised mandates to negotiate a Treaty settlement over an area which may include the project area. In 2008, Te Pou a Haokai (comprising Te Aitanga ā Māhaki, Te Whānau a Kai, Ngā Ariki Kaipūtahi, Te Whānau a Wi Pere, and Te Whānau a Rangiwhakataetaea) signed an agreement in principle with the Crown, alongside Ngai Tāmanuhiri and Ngāti Rongowhakaata. We understand that settlement negotiations with Te Pou a Haokai² did not progress, and that Te Aitanga ā Māhaki, Te Whānau a Kai, and Ngā Ariki Kaipūtahi intend to pursue their own negotiation mandates. We discuss these groups further below.

Takutai Moana groups and ngā hapū o Ngāti Porou

- 27. 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.
- 28. 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

- 29. 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.
- 30. For your information, we note that the coastal area at the mouth of the Waipaoa River, downstream of the project area, is subject to regulations made under Part 9 of the Fisheries Act 1996 relating to customary fishing. Under the Fisheries (Kaimoana Customary Fishing) Regulations 1998, the Fisheries (Kaimoana Customary Fishing) Notice (No. 3) 2011 (No. F584) established the customary food gathering area/rohe moana of Ngai Tāmanuhiri in this coastal area.

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

- 31. Section 23 of the Act provides that, in making a decision on a referral application under section 21, the Minister may determine that, for the purposes of the project, an activity described in section 5(1)(a) is not an ineligible activity if it:
 - a. is the construction of electricity lines or land transport infrastructure by (or to be operated by) a network utility operator that is a requiring authority; and

² Te Pou a Haokai subsequently changed its name to Te Whakarau, and then to 'Te Aitanga a Māhaki and Affiliates'.

- b. would occur on identified Māori land that is Māori freehold land or General land owned by Māori that was previously Māori freehold land.
- 32. This project does not involve an activity described in section 23(1) (i.e. including both (a) and (b)) of the Act.

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

- 33. If the project area is within the boundaries of either a Mana Whakahono ā Rohe or joint management agreement, and the application includes a proposed RMA approval described in section 42(4)(a) to (d) (resource consent, certificate of compliance, or designation), we are required to identify the relevant iwi authority/group that represent hapū that are parties to these arrangements.
- 34. We have not identified any Mana Whakahono ā Rohe or joint management agreements that are relevant to the project area, and accordingly there no parties to these arrangements to identify.

Any other Māori groups with relevant interests

- 35. The Office of Treaty Settlements and Takutai Moana – Te Tari Whakatau (Te Tari Whakatau) advise that in the future the following groups may seek a mandate to negotiate the settlement of their historical Treaty claims, including potentially seeking redress over an area which includes or is nearby the project area:
 - a. Te Aitanga-ā-Māhaki;
 - b. Te Whānau a Kai;
 - c. Ngā Ariki Kaipūtahi; and
 - d. Ngā Uri o Tamanui.
- 36. We have already identified Te Aitanga ā Māhaki Trust as a relevant iwi authority, and have included the remaining three groups as other relevant Māori groups with relevant interests under section 18(2)(k) of the Act. Based on advice from Te Tari Whakatau, we have also included Mangatū Blocks Incorporation in this category.

Relevant principles and provisions in Treaty settlements and other arrangements

Treaty settlements

- 37. 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.
- 38. The following Treaty settlements relate to land, species of plants or animals, or other resources within the project area:
 - a. Rongowhakaata Claims Settlement Act 2012; and
 - b. Ngai Tāmanuhiri Claims Settlement Act 2012.
- 39. The area of interest for the Rongowhakaata settlement includes the area of the proposed reservoir and that part of the proposed piped distribution network south of Lake

Repongaere (approximately). The area of interest for Ngai Tāmanuhiri includes that part of the proposed pipe distribution network south of Opou Road (approximately).

Relevant principles and provisions

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

Crown acknowledgements and apologies

41. The Crown offers acknowledgements and an apology to relevant groups as part of Treaty settlement redress to atone for historical wrongs that breached te Tiriti o Waitangi/the Treaty of Waitangi, to restore honour, and begin the process of healing.
42. As part of its apology to Rongowhakaata, the Crown sought to restore its tarnished honour with the settlement and hoped that it would mark the beginning of a new relationship with Rongowhakaata founded on the Treaty of Waitangi and its principles.
43. In its apology to Ngai Tāmanuhiri, the Crown sought to restore its honour and reputation as a Treaty partner and atone for its past failures to uphold the Treaty of Waitangi. The Crown hoped to build a new relationship with Ngai Tāmanuhiri based on respect for the Treaty of Waitangi and its principles.
44. The redress mechanisms provided for in Treaty settlements should be viewed in the context of these intentions.

Statutory acknowledgements

45. A statutory acknowledgement is an acknowledgement by the Crown of a 'statement of association' between the iwi and an identified area (the 'statutory area').
46. The Rongowhakaata and Ngai Tāmanuhiri settlements both provide for statutory acknowledgements over that part of the Waipaoa River (including Karaua Stream) within their respective areas of interest. For Rongowhakaata, the statutory acknowledgement over the Waipaoa River extends from near Judd Road to the river mouth, whereas the Ngai Tāmanuhiri statutory area runs from near Opou Road to the mouth. The Rongowhakaata and Ngai Tāmanuhiri settlements also provide for statutory acknowledgements over the coastal marine area at the mouth of the Waipaoa River.
47. Under the RMA and the relevant settlement Acts, a consent authority must, when considering a resource consent for a proposed activity that is within, adjacent to, or directly affecting a statutory area:
- a. provide a summary of the application to the holder of the statutory acknowledgement. The summary of the application must be the same as would be given to an affected person by limited notification under the RMA. The summary must be provided as soon as is reasonably practicable after the relevant consent authority receives the application, but before they decide whether to notify the application; and

- b. have regard to the statutory acknowledgement when deciding whether the holder (generally a PSGE) is an 'affected person' for the purposes of notification decisions under the RMA.³
- 48. The holder of a statutory acknowledgment may also cite this as evidence of their association with a statutory area in any submission before a relevant consent authority (or the Environment Court, Heritage New Zealand Pouhere Taonga, the Environmental Protection Authority, or a board of inquiry), which may, in turn, take that statutory acknowledgement into account.
- 49. The statutory areas for the Waipaoa River statutory acknowledgements do not incorporate Pouarua Stream, where the proposed dam and reservoir would be sited, and are several kilometres downstream from that area of the Waipaoa River where the intake is proposed. However, it is possible that these statutory areas may be affected by some of the proposed activities. For example, the applicant notes that:
 - a. the potential use of the river to convey water from the reservoir to different parts of the distribution system could have both positive (e.g. reduced sediment loads from taking water from the river during high flows) and negative (e.g. reduced dissolved oxygen and increased water temperature) effects on water quality;
 - b. construction of the dam and reservoir has the potential to mobilise and 'export' sediment and nutrients, and cause decomposition and breakdown of organic matter; and
 - c. changes in land use resulting from irrigation could alter water quality in the Waipaoa River.
- 50. It is also possible that any impacts of the proposed activities on the Waipaoa River may also affect the statutory areas covered by the Rongowhakaata and Ngai Tāmanuhiri coastal statutory acknowledgements.
- 51. We consider the process of inviting comment (including providing information about the application) on the application under the Act is comparable to the process under a Treaty settlement and the RMA of providing those who hold statutory acknowledgements with a summary of the application. You have already invited Rongowhakaata and Ngai Tāmanuhiri, as relevant iwi authorities and Treaty settlement entities, to comment on the application. Should you accept this referral application, these groups will also be invited for comment by the panel considering a substantive application under section 53(2)(c) of the Act.
- 52. For your reference, we have provided the statutory acknowledgement provisions for Rongowhakaata and Ngai Tāmanuhiri, including the relevant statements of association and deed plans, at **Attachments 4 and 5** (respectively).⁴

Cultural redress property

- 53. The Rongowhakaata Claims Settlement Act 2012 provided for the transfer of Crown-owned properties to the PSGE as cultural redress. This included the vesting of Matawhero site A in the Ngā Uri o Te Kooti Rikirangi trustees as a recreation reserve, to be renamed 'Te Maungārongo-o-Te-Kooti Rikirangi Recreation Reserve'.

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.

⁴ Since the statutory acknowledgements provisions are standard drafting across Treaty settlements, we have only provided the legislative provisions from the Rongowhakaata Claims Settlement Act 2012.

54. This reserve lies a short distance to the east of the Waipaoa River in its lower reaches, and appears to have been part of the river at some point. Most of the reserve currently comprises a significant wetland, undergoing restoration by the trustees, which appears to flow into the Waipaoa River. It is less clear whether the wetland also receives water from the river – if so, then it is possible it could be affected by any upstream impact of the application.
55. Should you accept the application for referral, and a substantive application is lodged, then the panel may wish to consider whether there will be any effects on Te Maungārongo-o-Te-Kooti Rikirangi Recreation Reserve. We have provided the deed plan for the reserve at **Attachment 6**.

Right of first refusal

56. The Rongowhakaata settlement includes a 'right of first refusal' over specified Crown land, which provides the PSGE with the opportunity to purchase those properties if they are ever disposed of by the Crown. One of those properties, held by Land Information New Zealand (LINZ), is part of the bed of the Waipaoa River, south of the river mouth. We cannot confirm whether this site is still held by LINZ. As with the coastal statutory acknowledgements discussed above, it is possible that any impacts of the proposed activities on the Waipaoa River may also affect this site.

Local Leadership Body

57. The project area is within the jurisdiction of the Local Leadership Body (LLB), a statutory body established by Part 2 Subpart 3 of the Ngai Tāmanuhiri Claims Settlement Act 2012. The LLB is a permanent joint committee of the Gisborne District Council, comprising six members appointed by council and two appointed by each of Ngai Tāmanuhiri, Rongowhakaata, and Te Aitanga a Māhaki.
58. The purpose of the LLB is to:
- a. to contribute to the sustainable management of the natural and physical resources in the LLB area for the use and enjoyment of present and future generations, while recognising and providing for the traditional relationship of Ngai Tāmanuhiri, Rongowhakaata, and Te Aitanga a Māhaki and Affiliates with their ancestral lands, water, sites, wāhi tapu, and other taonga;
 - b. to enable individuals and communities within the LLB area, as resources allow:
 - i. to provide for their social, economic, and cultural well-being; and
 - ii. to achieve improved outcomes in respect of the environment; and
 - c. to ensure that the Council is appropriately informed of its statutory obligations within the LLB area, including obligations in respect of Te Tiriti o Waitangi arising under the Local Government Act 2002, RMA, and any other relevant enactment.
59. In addition to the primary function of achieving this purpose, the other functions of the LLB are to:
- a. gather and disseminate information and hold meetings for the purpose of identifying existing and any new issues that affect the LLB area;
 - b. develop policies and strategies to:
 - i. address any significant issues relevant to the purpose of the LLB that are identified within the LLB area;

- ii. assist in achieving the purpose of the LLB;
 - c. monitor, evaluate, and review those policies and strategies;
 - d. promote the integrated and co-ordinated management of the natural and physical resources of the LLB area;
 - e. provide information to assist with the preparation of the regional policy statement, any regional plans, the district plan, annual plan, and any long-term plan of the Council, to the extent that those instruments are relevant to the LLB area;
 - f. provide advice to the Council on applications for resource consents, designations, heritage orders, and water conservation orders within the LLB area and in relation to the transfer or delegation of powers that are relevant to the LLB area;
 - g. monitor the extent to which the purpose of the LLB is being achieved; and
 - h. take any other agreed action that is relevant to achieving the purpose of the LLB.
60. While the LLB may provide advice on applications for resource consents within the LLB area, as set out at paragraph 59(f), there is no requirement for the consent authority to seek this advice. Accordingly, this is not a procedural requirement either you or the panel convener must comply with under section 16/clause 5 Schedule 3 of the Act.
61. Notwithstanding this, we have identified the LLB as a relevant Treaty settlement entity for this application and you have invited them to comment. Should you accept this application for referral, and a substantive application is lodged, then under section 53(2)(c) of the Act the panel must direct the EPA to invite written comments on the application from relevant Treaty settlement entities, including the LLB.

Conservation protocols

62. The Rongowhakaata and Ngai Tāmanuhiri settlements provide for a conservation protocol, setting out how the Department of Conservation and the relevant PSGE will interact on matters specified in the protocol. While both protocols include sections on 'species management' and 'freshwater fisheries', they do not include any specific obligations to consult with the PSGEs on the types of approvals being sought by the applicant under the Wildlife Act 1953 and Freshwater Fisheries Regulations 1983. In addition, the protocols only apply to those parts of the project area within the respective areas of interest of Rongowhakaata and Ngai Tāmanuhiri, which exclude that part of the project area where the proposed dam, reservoir, and intake would be developed.
63. 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

64. 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

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

66. However, under the Fisheries (Kaimoana Customary Fishing) Regulations 1998, the Fisheries (Kaimoana Customary Fishing) Notice (No. 3) 2011 (No. F584) established the customary food gathering area/rohe moana of Ngai Tāmanuhiri in the coastal area at the mouth of the Waipaoa River, downstream of the project area. The regulations and notice provide for Ngai Tāmanuhiri to take fisheries resources and manage customary fishing anywhere in the rohe moana.
67. Should this application be accepted for referral, a panel may wish to consider whether the substantive application would affect the exercise of customary fishing within the rohe moana of Ngai Tāmanuhiri. Tangata whenua are likely best placed to advise the panel on this matter.

Mana Whakahono ā Rohe/Joint management agreement

68. 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

69. Pursuant to section 17(1)(d) and (e) of the Act, on 23 June 2026 you invited written comments from the Māori groups identified above in paragraphs 19-36, and the owners of Māori land in the project area, from a list we previously provided you. These groups were provided with access to the application material and had 15 working days from receipt of the copy of the application to respond.
70. You received comments on the application from Te Tumu Paeroa – Office of the Māori Trustee, as responsible trustee of Repongaere 4H3, a Māori freehold land block within the project area. The Māori Trustee agrees to the project applying for referral under the Act but does not have sufficient information at this time to determine whether it would be in the best interests of the 141 beneficial owners of Repongaere 4H3 for the project to proceed on their land. The Māori Trustee looks forward to reviewing the detailed plans, reports, and proposed conditions that will accompany a substantive application.
71. We have provided a copy of these comments at **Attachment 7**.

Consultation with departments

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

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

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

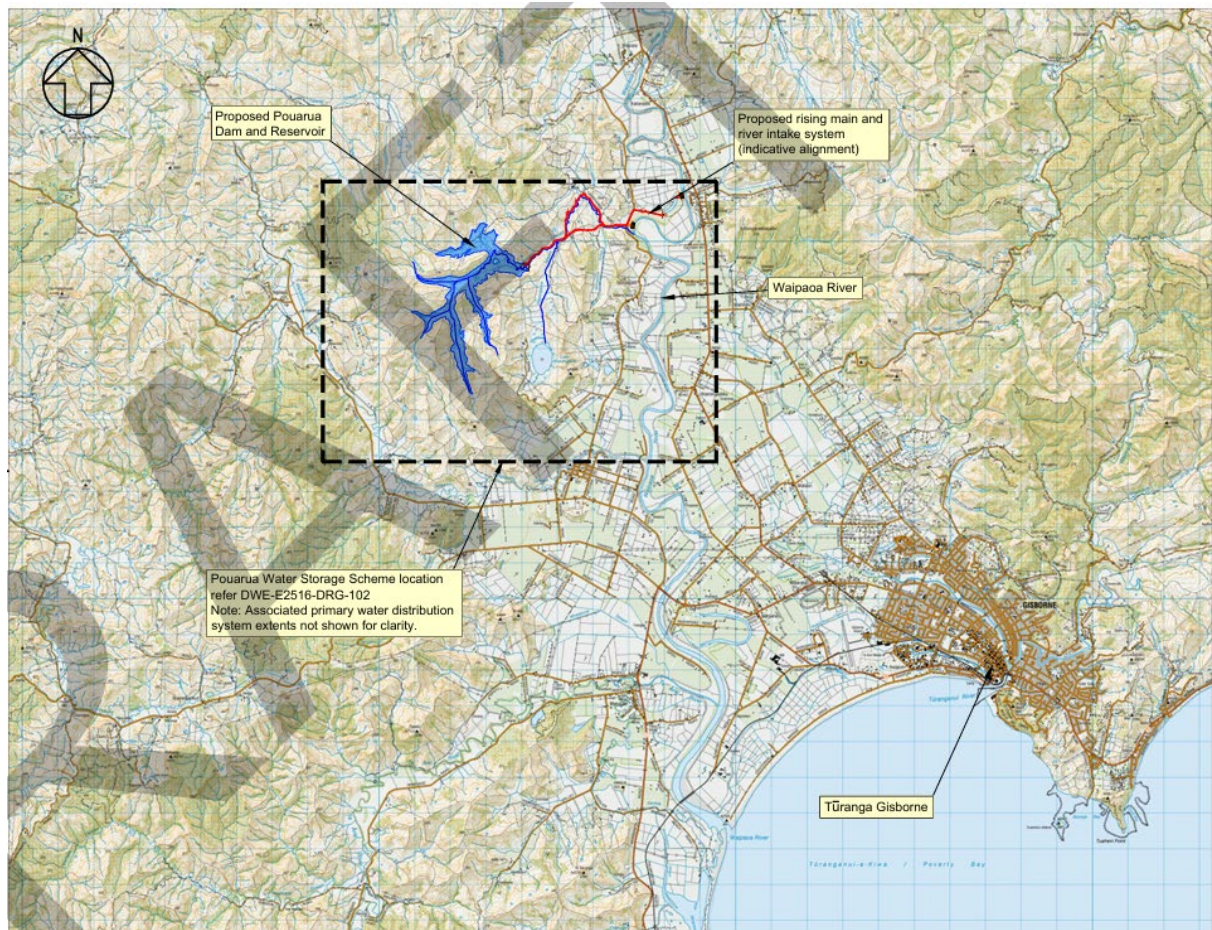
Attachment 1: Provisions of section 18 of the Fast-track Approvals Act 2024

Section	Information required	Paragraph reference in this report
18(1)	The Minister must, for a referral application, consider a report that is prepared and provided by the responsible agency in accordance with this section.	11-13
18(2)(a)	Any relevant iwi authorities and relevant Treaty settlement entities	20-25
18(2)(b)	Any Treaty settlements that relate to land, species of plants or animals, or other resources within the project area	37-39
18(2)(c)	The relevant principles and provisions in those Treaty settlements, including those that relate to the composition of a decision-making body for the purposes of the Resource Management Act 1991	40-63
18(2)(d)	Any recognised negotiation mandates for, or current negotiations for, Treaty settlements that relate to the project area.	26
18(2)(e)	Any court orders or agreements that recognise protected customary rights or customary marine title within the project area.	27, 64
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.	27, 64
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).	28, 64
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).	29-30, 65-67
18(2)(i)	Whether the project involves an activity that could be the subject of a determination under 23 (and, if so, who the owners of the land are).	31-32
18(2)(j)	If the proposed approvals include an approval described in any of section 42C(4)(a) to (d) (resource consent, certificate of compliance, or designation), (i) iwi authorities and groups that represent hapū that are parties to any relevant Mana Whakahono ā Rohe or joint management agreements.	33-34, 68

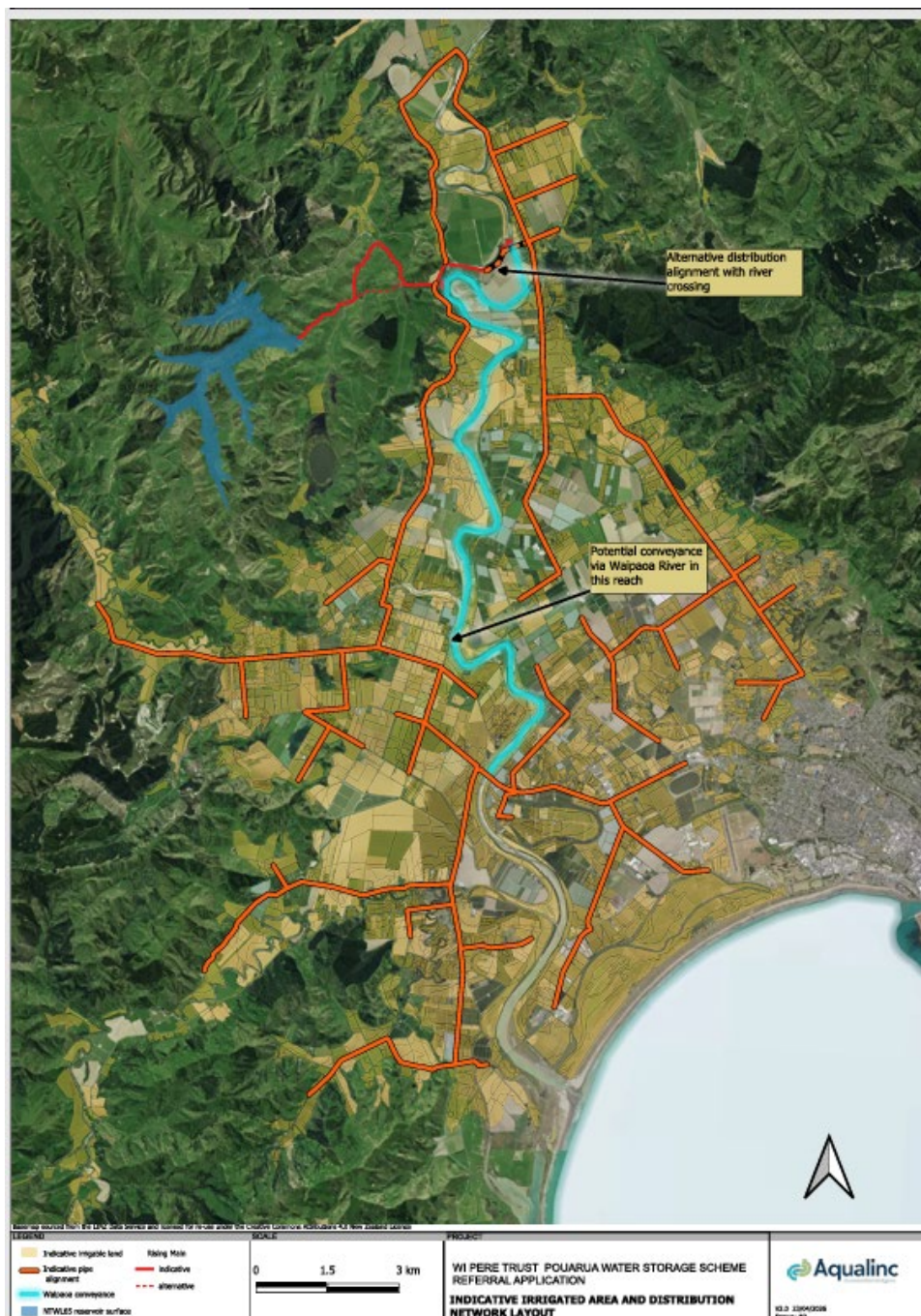
	(ii) The relevant principles and provisions in those Mana Whakahono ā Rohe and joint management agreements.	
18(2)(k)	Any other Māori groups with relevant interests.	35-36
18(2)(l)	A summary of— (i) comments received by the Minister after inviting comments from Māori groups under section 17(1)(d) and (e); (ii) any further information received by the Minister from those groups	69-71
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.	73-74
18(3)	In preparing the report required by this section, the responsible agency must consult relevant departments.	72
18(4)	The responsible agency must provide the report to the Minister not later than 20 working days after the date for providing comments under section 17(6).	N/A
18(5)	However, if the Minister requests further information about a referral application under section 20, the time period specified in subsection (4) ceases to run for the period of time specified in the request.	N/A

Attachment 2: Project location map

Map showing proposed dam, reservoir, and river intake



Map showing extent of proposed piped distribution



Attachment 3: List of relevant Māori groups

Name of group	Type of group (section of Act)
Rongowhakaata Iwi Trust	iwi authority (s18(2)(a))
Te Aitanga ā Māhaki Trust	iwi authority (s18(2)(a))
Rongowhakaata Settlement Trust	Treaty settlement entity (s18(2)(a))
Tāmanuhiri Tūtū Poroporo Trust	iwi authority (s18(2)(a), Treaty settlement entity (s18(2)(a))
Local Leadership Body	Treaty settlement entity (s18(2)(a))
Te Whānau a Kai	other Māori group with relevant interests (s18(2)(k))
Te Rūnanganui o Ngā Ariki Kaiputahi Trust	other Māori group with relevant interests (s18(2)(k))
Ngā Uri o Tamanui Trust	other Māori group with relevant interests (s18(2)(k))
Mangatū Blocks Incorporation	other Māori group with relevant interests (s18(2)(k))

In addition, under section 17(1)(e) the Minister must invite comments from the owners of Māori land in the project area:

- Wi Pere Trust (also the applicant); and
- Te Tumu Paeroa – Office of the Māori Trustee, as responsible trustee of Repongaere 4H3 Trust and legal owner of Repongaere 4H3 block (Māori freehold land within the project area).

Attachment 4: Rongowhakaata statutory acknowledgement provisions – Waipaoa River and coastal marine area

Statutory acknowledgement provisions (Rongowhakaata Claims Settlement Act 2012)

Statutory acknowledgement

31 Statutory acknowledgement by the Crown

- (1) The Crown acknowledges the statements of association.
- (2) In this section and sections 32 to 40, **statements of association** means the statements—
 - (a) that are made by Rongowhakaata of their particular cultural, spiritual, historical, and traditional association with each statutory area; and
 - (b) that are in the form set out in part 1 of the documents schedule at the settlement date.

32 Purposes of statutory acknowledgement

- (1) The only purposes of the statutory acknowledgement are to—

- (a) require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgement, as provided for in sections 33 to 35; and
 - (b) require relevant consent authorities to provide summaries of resource consent applications or, as the case requires, copies of notices of applications, to the trustees, in accordance with section 37; and
 - (c) enable the trustees and any member of Rongowhakaata to cite the statutory acknowledgement as evidence of the association of Rongowhakaata with the relevant statutory area, as provided for in section 38.
- (2) This section does not limit sections 40 to 42.

Section 32(1)(a): amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

33 Relevant consent authorities to have regard to statutory acknowledgement

- (1) On and from the effective date, a relevant consent authority must have regard to the statutory acknowledgement relating to a statutory area in deciding, under section 95E of the Resource Management Act 1991, whether the trustees are affected persons in respect of an application for a resource consent for an activity that is within or adjacent to, or that directly affects, a statutory area.
- (2) Subsection (1) does not limit the obligations of a relevant consent authority under the Resource Management Act 1991.

34 Environment Court to have regard to statutory acknowledgement

- (1) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to a statutory area in deciding, under section 274 of the Resource Management Act 1991, whether the trustees are persons with an interest in proceedings greater than that of the general public in respect of proceedings relating to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.
- (2) Subsection (1) does not limit the obligations of the Environment Court under the Resource Management Act 1991.

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

- (1) If, on or after the effective date, an application is made under section 44, 56, or 61 of the Heritage New Zealand Pouhere Taonga Act 2014 for an authority to undertake an activity that will or may modify or destroy an archaeological site within a statutory area,—
 - (a) Heritage New Zealand Pouhere Taonga, in exercising its powers under section 48, 56, or 62 of that Act in relation to the application, must have regard to the statutory acknowledgement relating to the statutory area; and

-
- (b) the Environment Court, in determining under section 59(1) or 64(1) of that Act any appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application, must have regard to the statutory acknowledgement relating to the statutory area, including in making a determination as to whether the trustees are persons directly affected by the decision.
 - (2) In this section, **archaeological site** has the meaning given in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

Section 35: replaced, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

36 Recording statutory acknowledgement on statutory plans

- (1) On and from the effective date, each relevant consent authority must attach information recording a statutory acknowledgement to all statutory plans that wholly or partly cover a statutory area.
- (2) The information attached to a statutory plan must include the relevant provisions of sections 32 to 35 in full, the descriptions of the statutory areas, and the statements of association.
- (3) The attachment of information to a statutory plan under this section is for the purpose of public information only, and the information is not—
 - (a) part of the statutory plan, unless adopted by the relevant consent authority; or
 - (b) subject to Schedule 1 of the Resource Management Act 1991, unless adopted as part of the statutory plan.

37 Provision of summaries of resource consent applications

- (1) Each relevant consent authority must, for a period of 20 years from the effective date, provide the following to the trustees for each resource consent application lodged with it for an activity within, adjacent to, or directly affecting a statutory area:
 - (a) a summary of the application, if the application is received by the consent authority; or
 - (b) a copy of the notice, if the application is served on the consent authority under section 145(10) of the Resource Management Act 1991.
- (2) A summary provided under subsection (1)(a) must—
 - (a) be the same as would be given to an affected person under section 95B of the Resource Management Act 1991, or as may be agreed between the trustees and the relevant consent authority; and
 - (b) be provided as soon as is reasonably practicable—
 - (i) after an application is received by the relevant consent authority; and

- (ii) before the relevant consent authority decides under section 95 of the Resource Management Act 1991 whether to notify the application.
- (3) A copy of the notice given under subsection (1)(b) must be provided not later than 10 business days after the day on which the consent authority receives the notice.
- (4) The trustees may, by notice in writing to a relevant consent authority,—
 - (a) waive their rights to be notified under this section; and
 - (b) state the scope of that waiver and the period it applies for.
- (5) This section does not affect the obligation of a relevant consent authority to decide,—
 - (a) under section 95 of the Resource Management Act 1991, whether to notify an application;
 - (b) under section 95E of that Act, whether the trustees are affected persons in relation to an activity.

38 Use of statutory acknowledgement

- (1) The trustees and any member of Rongowhakaata may, as evidence of the association of Rongowhakaata with a statutory area, cite the statutory acknowledgement that relates to that area in submissions concerning activities that are within or adjacent to, or that directly affect the statutory area that are made to or before—
 - (a) the relevant consent authorities; or
 - (b) the Environment Court; or
 - (c) Heritage New Zealand Pouhere Taonga; or
 - (d) the Environmental Protection Authority or a board of inquiry under Part 6AA of the Resource Management Act 1991.
- (2) The content of a statement of association is not, by virtue of the statutory acknowledgement, binding as fact on—
 - (a) the bodies and the court referred to in subsection (1); or
 - (b) parties to proceedings before a court or any of those bodies; or
 - (c) any other person who is entitled to participate in those proceedings.
- (3) Despite subsection (2), the statutory acknowledgement may be taken into account by the bodies and persons specified in that subsection.
- (4) To avoid doubt,—
 - (a) neither the trustees nor members of Rongowhakaata are precluded from stating that Rongowhakaata has an association with a statutory area that is not described in the statutory acknowledgement; and

- (b) the content and existence of the statutory acknowledgement do not limit any statement made.

Section 38(1)(c): amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

39 Application of statutory acknowledgement to river or stream

If any part of a statutory acknowledgement applies to a river or stream (including the tributaries of a river or stream), that part of the acknowledgement—

- (a) applies only to—
 - (i) the continuously or intermittently flowing body of fresh water, including a modified watercourse, that comprises the river or stream; and
 - (ii) the bed of the river or stream, which is the land that the waters of the river or stream cover at their fullest flow without flowing over the banks of the river or stream; but
- (b) does not apply to—
 - (i) a part of the bed of the river or stream that is not owned by the Crown; or
 - (ii) an artificial watercourse; or
 - (iii) a tributary flowing into the river or stream (unless the statutory acknowledgement provides otherwise).

General provisions relating to statutory acknowledgements

40 Exercise of powers and performance of duties and functions

- (1) Except as expressly provided in sections 32 to 39,—
 - (a) a statutory acknowledgement does not affect, and may not be taken into account by, a person exercising a power or performing a function or duty under an enactment or a bylaw; and
 - (b) no person, in considering a matter or making a decision or recommendation under an enactment or a bylaw, may give greater or lesser weight to the association of Rongowhakaata with a statutory area (as described in a statement of association) than that person would give under the relevant enactment or bylaw if no statutory acknowledgement existed for the statutory area.
- (2) Subsection (1)(b) does not affect the operation of subsection (1)(a).

41 Rights not affected

Except as expressly provided in sections 32 to 39, the statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

42 Limitation of rights

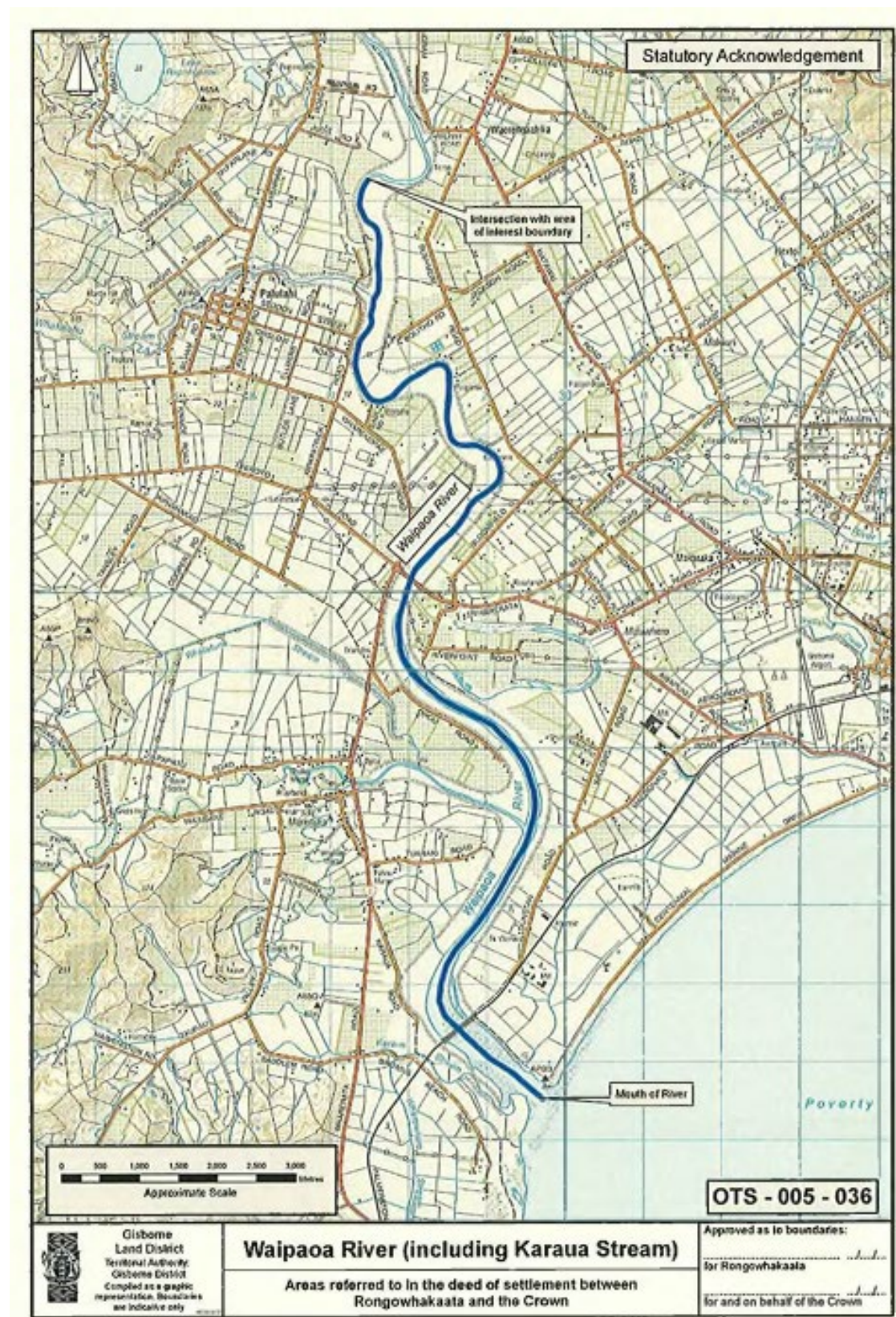
Except as expressly provided in sections 32 to 39, the statutory acknowledgment does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to, a statutory area.

Consequential amendment

43 Amendment to Resource Management Act 1991

- (1) This section amends the Resource Management Act 1991.
- (2) In Schedule 11, insert in its appropriate alphabetical order: “Rongowhakaata Claims Settlement Act 2012”.

Deed plan for Waipaoa River statutory area (attachments schedule to deed of settlement)



Deed plan for coastal marine area statutory area (attachments schedule to deed of settlement)



Excerpts from statements of association (documents schedule to deed of settlement)

C. Waipaoa River (including Karaua Stream) (as shown on deed plan OTS-005-036).

1. The traditions of Rongowhakaata confirm the cultural, historical and spiritual importance of the Waipaoa River and Karaua Stream. These traditions link between the world of the Atua and present generations, reinforce Rongowhakaata tribal identity, and are continually expressed in whakapapa, waiata, and korero and mahi toi.

Origins of the Rongowhakaata people

2. Around the early sixteenth century the chief Moeahu and his wife Koihu from Mahia, established and occupied Te Huia Pa, where the Whakaahu and Waikakariki streams meet and then flow into the Waipaoa River. It was at Te Huia Pa that Rongowhakaata fell in love with Turahiri. They begat only one child, Rongomairatahi, who became one of the significant ancestors of the Rongowhakaata tribe. They later moved to the mouth of the Waipaoa, and established the Pa Pewhairangi, where Rongowhakaata died and was buried. In the early nineteenth century a great flood broke through at Pewhairangi and swept away Rongowhakaata's burial ground, despite the efforts of Raharuhi Rukupo and others to divert the raging torrent.
3. There were a number of tipua and taniwha of special significance to Rongowhakaata that lived and traversed the Waipaoa River. Matakakaa is the taniwha of Rongowhakaata which was known to have inhabited the Poukokonga Lake and its two outlets into the Kopututea estuary and then connected to the Waipaoa River. Pipitaiari and Hinekorako are other taniwha with influence over the Waipaoa River.
4. The Waipaoa River from the Whakaahu tributary to the Awahou (mouth) has been occupied by the ancestors of Rongowhakaata for many generations. Numerous Rongowhakaata hapu had cultivations, kaenga and pa well established along its banks. These lands belonged to Ngati Maru and Ngati Kaipoho with several places of significance within the encompassing river bend at Matawhero, including Kairourou, Te Koru, Huiatoa, Wainui, Te Upoko o te Ika and the Pa O Tomo and Taonga.
5. Where the Waipaoa flowed into Manutuke the Tauranga (Taurangakoau) Pa and where Kotukumanawarua stood close to the Pa Te Hue a Te Po (Te Hue a te Kamo). The Mara (gardens) were established beside the Waipaoa by Mauhikitia, the mokopuna of Taharakau and famed cultivator of taro and kumara at Matapaea nearby the Kaupapa Pa. The Tuaraki Pa stood on the Toi o te Kainga lands on the banks of the Waipaoa close to where the contemporary Te Pahou Marae stands today.
6. The Waipaoa River provided Rongowhakaata hapu with an opportunity to engage in trading and the sharing of resources with other hapu and iwi before trading with Pakeha began when the first trading station in the early nineteenth century. In those days sailing vessels were able to navigate from the mouth of Waipaoa River to the Rongowhakaata wharf at Orakaiapu.
7. Totara and Puriri was felled and transported by Rongowhakaata down to the Waipaoa River. The iwi invested in several trading vessels to transport harvested flax and crops of wheat and corn, as well as meats and settlers' goods. The Waipaoa Rivers were an integral part of the trade highway of Rongowhakaata Hapu and Turanga Iwi.

...

H. Rongowhakaata coastal marine area (as shown on deed plan OTS-005-050).

1. The traditions of Rongowhakaata iwi confirm the cultural, historical and spiritual importance of the Moana Turanganui a Kiwa, which extends from Te Kuri a Paoa mai i Te Toka Ahuru. These traditions represent the links between the world of the Atua and present generations. The histories of Rongowhakaata reinforce this tribal identity and the connection to the moana of Turanganui a Kiwa, and are continually expressed in Whakapapa, Waiata, Korero and Mahi Toi.
2. The historic Whakapapa traditions of Rongowhakaata Iwi demonstrate the depth of relationship of Rongowhakaata to the Moana o Turanganui a Kiwa. Rongowhakaata Tipuna had considerable knowledge of places for gathering kai, places for healing, places for gathering rongoa, and other uses of the resources of their Moana. This knowledge was aligned with proper Rongowhakaata Tikanga and Kawa in the sustainable management of the resources.
3. The whakapapa of Rongowhakaata hapu is drawn from the ancestors who arrived aboard the waka Horouta, Takitimu and Te Ikaroa a Rauru; the same ancestors placed mauri, imbued mana which gave life and meaning to the traditional name of the river and the surrounding lands.
4. Over the generations interwoven whakapapa, marriages and alliances have enabled Rongowhakaata to gather kaimoana from the coastal reefs to the north and south of their established mana moana; from Turanganui river to Te Kowhai at Te Wherowhero. As Kaitieki Rongowhakaata Hapu; Ngati Kaipoho, Ngati Maru, Ngai Tawhiri and others fiercely protected the taonga of Tangaroa as the following histories recount.
5. At the foot of Te Kuri a Paoa, Te Ratu, son of Te Ikawhaingata of Ngati Kaipoho while fishing with his whanaunga Poumatara, requested his bounty of fish, to which Poumatara replied:

"He pewa I hiia ki te aho, he waka I hauamatia."

A fish on a line, is like an outrigger attached to a canoe

6. Te Ratu retaliated and took the life of Poumatara and appropriated his people's fishing rights over the sea along Oneroa Beach from Muriwai to the Turanganui River at that time.
7. Te Wherowhero Lagoon features in the earliest histories of traditional accounts and was a place and resource well known to the earliest tipuna. It is said that Hinehikirangi of the Horouta waka named the lagoon and the surrounding areas. Ngati Kaipoho benefited from the abundance of kaimoana, along the swampy edges of the lagoon. The Te Wherowhero Lagoon provided raupo, harakeke, kouka and kakaho from the swamps which were used as building materials for whare and for clothing. Paru, the precious mordant was carefully nurtured in selected and protected areas within Te Wherowhero to be used in the dying process of korowai, kakahu, piupiu and whariki.
8. Within the bounds of Te Wherowhero is Te Kowhai named by Hinehikirangi 'Te Kowhai ka nga ora – beauty of the blooming Te Kowhai. Te Kowhai has always been an important fishing kaenga of Rongowhakaata, and many ancestors have occupied the lands, which

were prized for their proximity to coastal fishing grounds. Rongomairatahi (the only son of Turahiri and Rongowhakaata), established a sophisticated series of markers to identify and protect his fishing grounds. Maunga, islands, the currents, coastal troughs and reefs were aligned at various points as references, and this knowledge helped sustain the numerous kaenga and pa and facilitate the guardianship of their precious resources. His grandson Kaipoho maintained his fishing base at Te Kowhai.

9. Pakirikiri takes its name from the sounds made by the moving shingle in the waterways and is located at the northern end of Te Wherowhero Lagoon. Rongowhakaata occupied a significant pa at Pakirikiri which was established by Raharuhi Rukupo because of its proximity to the sea. The gathering of kai moana was all performed according to the Maramataka Maori. Sustaining the many manuhiri who gathered at Pakirikiri was dependent on the abundance of the resources of the adjacent moana.
10. The place known as Te Oneroa comprises the sandy shores that stretch from Muriwai to Turanganui and named by Hinehakirangi. The Oneroa beach has sustained many generations of Rongowhakaata. A respected Rongowhakaata Kaumatua has described the kaimoana gathered from Te Oneroa, particularly the range of pipi, a much cherished delicacy:

"Kuarere was the white pipi, matatoki the brown pipi shaped like an axe head and kurekure, another white pipi which came to shore on certain easterly winds to the delight of whanau who knowingly read the signs and gathered the bounty with their families for other families."

11. Rongowhakaata the tipuna established Pewhairangi pa at the outlet of the Kopututea/Waipaoa Awa where its occupants had close proximity to gather resources from the sea. The ancestor Rongowhakaata was buried here.
12. The mouth of the Waipaoa River is where Ngati Maru, the great fisher hapu of Rongowhakaata, exercised their rights and obligations over the Waipaoa River and the adjacent moana, leading to this pepeha:

Ngati Maru, tini whetu ki te rangi, ko Ngati Maru ki te whenua,

He tini kahawai ki te moana, ko Ngati Maru ki uta

13. The presence of Ngati Maru on the sea of Rongowhakaata was unquestionable up to the 18th century. This changed over one incident, when Ngati Maru were fishing in their waka, Umu o Tapuhere and Umu o Maui. Trouble developed when they moved on to the fishing grounds of their neighbours, Ngati Kaipoho. An argument ensued between the chiefs Tarake (Ngati Maru) and Te Hukaipu (Ngati Kaipoho). This escalated into fighting that led to Ngati Maru being driven to flee Turanganui a Kiwa in waka. They took refuge for a time north of Turanga and eventually they were able to return, their influence had waned.
14. Kopututea Awa is the name for the tidal reach or salt water estuary of the Waipaoa River. Kopututea originally flowed into the Awapuni Lagoon and out to sea at Ohikarongo. Early in the 19th century a big flood broke through, and the Kopututea bypassed Awapuni Lagoon.

15. In the time of the ancestor Tarake of Ngati Maru, a new mouth was cut for the Kopututea River, and called Te Awahou. Te Awahou was central to the Ngati Hinewhanga, Ngati Pouwhakaika, and Ngai Timata, all hapu of Ngati Maru who established kainga, where they made waka and fished in the sea. The Ngati Maru canoe, Te Umu o Tapuhere, was made from a log taken out of the Kopututea River and drawn to land at Te Awahou for preparation and carving. In the time of Ruawairau in the early 16th century, a large house was built on Kopututea called Te Arai Te Uru at a place called Te Kiri o Tamatekuku. Ruawairau's descendants became Ngati Rua, with strong connections to the moana of Rongowhakaata.
16. Paokahu was formed on the coast from the build up of sediment deposited by the waters of the Kopututea and Waipaoa Rivers. The principal hapu of Paokahu were Ngati Ruawairau, Ngai Tawhiri, Ngai te Ika and Ngati Maru, all of whom strongly protected their fishing rights. Hinekitaahawai was a guarded netting place and the recognised boundary of the rangatira Rongoteuruora. The mouth of Paokahu was an ideal location for fishing, and the long pa 'Paokahu' was named in respect of principal ancestors. These were Te Ruaaranui in honour of his brother Te Kahurangi, Kahunoke a descendant of Ruapani, and lastly the legendary Kahungunu.
17. Awapuni Moana, the name Awapuni is derived from 'the continuing outlet being blocked up' with sand, at one time was a large coastal lagoon and is an important tribal site and resource base for all Rongowhakaata hapu. Awapuni Moana was subject to tidal flows, with fish having an open passage to and from the sea, while the lands provided a ready supply of flax and raupo for building materials and immediate access to the moana. Similarly, the surrounding environment was a perfect habitat for birds, rats and eel, and a bountiful supply of other kaimoana. Specially built pa tuna - eel weirs were made and strategically placed in the Awapuni, and were rigorously guarded and defended by the hapu of Rongowhakaata.
18. Rongowhakaata valued the Awapuni due to the large and valuable fishing resource the land gave access to. In addition to this, was a bountiful supply of driftwood for fires and stocks of totara logs, which had been buried in the land by natural processes provided an endless supply of building and carving materials. In later years this became a tradeable commodity for Rongowhakaata.
19. There are many wahi tapu of significance to Rongowhakaata in the area. Te Urimaitai is an ancient burial ground that many Rangatira gave specific instruction as being the place where they were to rest, including Te Apaapa o Te Rangi, Tuhura and the many descendants of Timata.
20. The Kaiti area was famous for its crayfish, caught from the reefs below the maunga Titirangi, or further north all along the coast. Nearby reefs and tidal flats harboured quantities of shellfish, and paua were plentiful off Onepoto (now Kaiti Beach). Rongowhakaata often walked along the beach side to gather kaimoana, to which was known affectionately by hapu as 'the Maori gate'. Such behaviour exhibited the understanding of, and respect for, the territorial and customary rights between hapu.

"There were regular exchanges between whanau living in Kaiti and Rongowhakaata. Elders would come from Kaiti to Te Kuri a Tuatai for Church, after karakia there would be a big hakari, be it koura, paua, kina and bubu's from Kaiti."
21. Wharekorero is a significant wahi tapu to Rongowhakaata, named after Uenuku Whakarongo's remains were placed in the kohurau - caves in the cliffs above the moana at

Wainui. Alongside the mauri and other sacred taonga of the Horouta and Takitimu waka is the absolute sacred resting place of Ariki, Tamatea Pokai Whenua, Ruapani, Kahungunu and Ranginui.

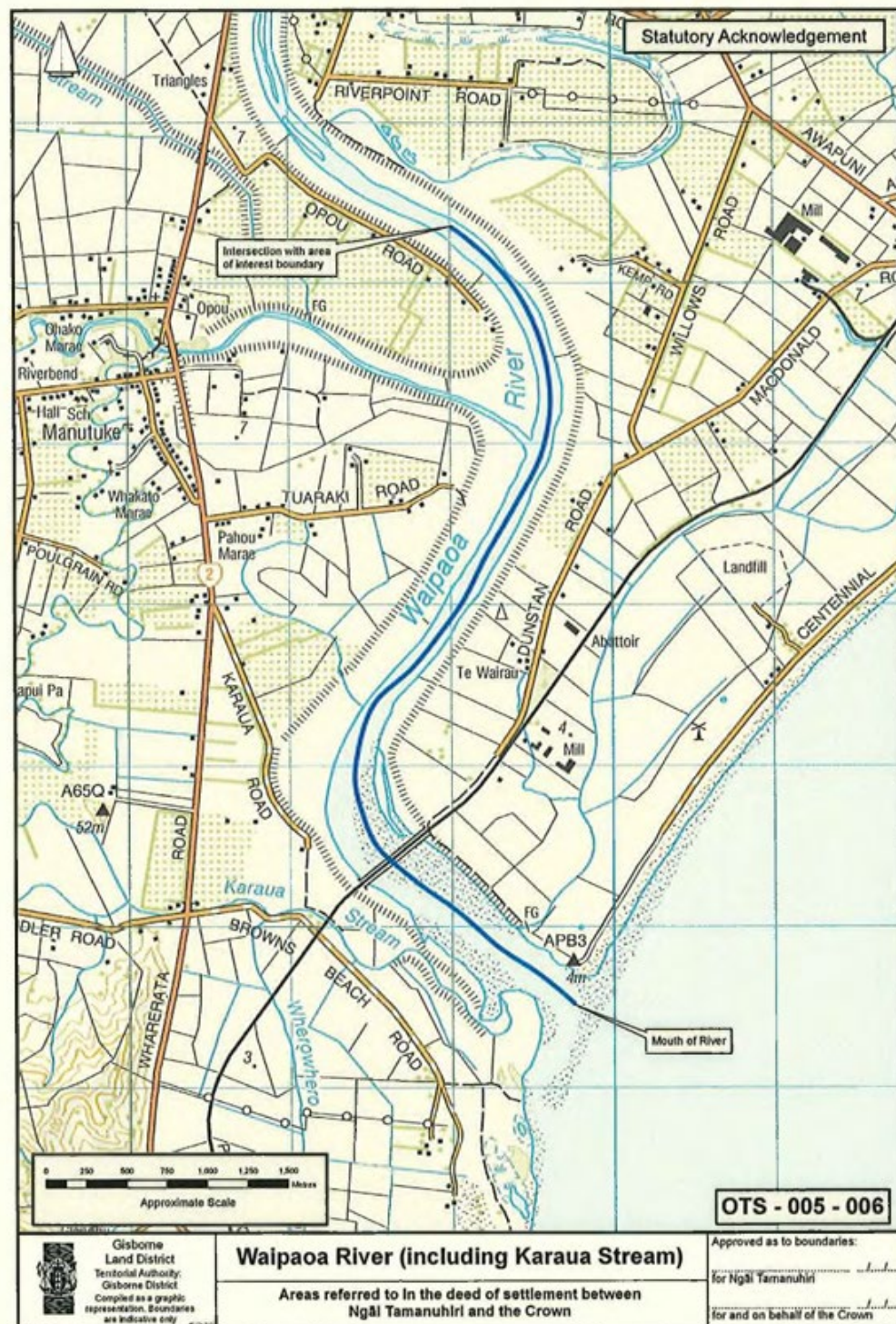
22. Te Toka Ahuru sustained many hapu of Rongowhakaata as the rich fishing reef only attainable by waka. Te Toka Ahuru ('the rock of the feather') is named from the legend of Ruakapanga whose feathers were plucked from the wings of the bird of Ruakapanga by Pourangahua.

Tikanga

23. Generations of trading and exchange between whanaunga tribes living on the sea coast and those living inland maintained the whakapapa and manaakitanga obligations amongst the people. Kaimoana was gathered, processed and prepared for transportation. This was often dried hapuka, shark, snapper and moki. Rongowhakaata Kaumatua recounted how in the early 20th century whanau and hapu lived from the sea, river and lagoons to sustain themselves and relatives, sharing their own waka when needed.
24. When tohora (whales) were beached on the shores of Rongowhakaata, the hapu saw this as a tohu or blessing. Resources from the tohora would sustain the hapu for long periods, and also provide a prized commodity for trade and exchange. The tohora was thus very seriously guarded by the relevant kaitiaki. Te Apaapa o te Rangi killed Te Mataki over the control of a whale driven ashore within the area of Ngati Maru.
25. Rongowhakaata tipuna had considerable knowledge of whakapapa, traditional trails, tauranga waka, and places for gathering kai, rongoa Maori and other taonga. This knowledge included ways of using the resources of the whenua me te moana o Turanganui a Kiwa and the overall relationship of the people with the area and their dependence on it. Of utmost importance, was the development and maintenance of tikanga for the proper and sustainable utilisation of resources.
26. All forms of life have Mauri and all are related. The mauri of the Moana, Turanganui a Kiwa, resides in the life force of its waters. Rongowhakaata consider that one of their essential roles is to protect the Mauri of the Moana. Whakapapa defines the genealogical relationship of Rongowhakaata to the Moana, and tapu describes the sacred nature of the relationship between Rongowhakaata and the Moana. All these values remain important to the people of Rongowhakaata today.

Attachment 5: Ngai Tāmanuhiri statutory acknowledgement provisions – Waipaoa River and coastal marine area

Deed plan for Waipaoa River statutory area (attachments schedule to deed of settlement)



Deed plan for coastal marine area statutory area (attachments schedule to deed of settlement)



Excerpts from statements of association (documents schedule to deed of settlement)

Waipaoa River (including Karaua Stream) (as shown on deed plan OTS-005-006)

1. Waipaoa River (including the Karaua Stream)

- a. The Waipaoa River is culturally and spiritually significant to Ngai Tāmanuhiri as it forms part of the history relating to the arrival of Paoa, the Captain of the Horouta Waka. Its creation is encapsulated in the Haka Taparahi, Haramai a Paoa, which was written and first performed by Ngai Tāmanuhiri in 1863 –

*“... Ki Kai Kama Kama,
Ka mia mai tona mimi,
Rere ana Motu,
Rere ana Waipaoa
Ko Kopututea, te putanga
Ki waho ki te moana*

*“... at Kai Kama Kama
Paoa answered the call of nature
hence the Motu River
and the Waipaoa River
Kopututea is the outlet of Waipaoa
to the Pacific ocean ...”*

- b. The Haka Taparahi identifies that in the time of Paoa, the Waipaoa River mouth was at Kopututea, which is the northern coastal boundary of Ngai Tāmanuhiri rohe. The River mouth has changed its position many times over the years; at one time the River outlet was near Te Kuri a Paoa. These changes in course have impacted on Ngai Tāmanuhiri in a number of ways. However, Ngai Tāmanuhiri maintain that the land block known as Kopututea has not moved. Therefore based on the time of the writing of the Haka Taparahi, the mouth of the Waipaoa outlet in the 1860's was at Kopututea, which still exists today.
- c. The Karaua stream is one of the many waterways that flow from the Waipaoa River. It is a northern inland boundary marker for Ngai Tāmanuhiri. Karaua served as a spiritual protector. It possessed innate qualities that would disempower or kill Tohunga who tried to cross it and enter Ngai Tāmanuhiri's rohe. It is said that Te Kooti knew of Karaua's protective qualities and never crossed it for fear of losing his spiritual capabilities.

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Ngai Tāmanuhiri Coastal Marine Area (as shown on deed plan OTS-005-005)

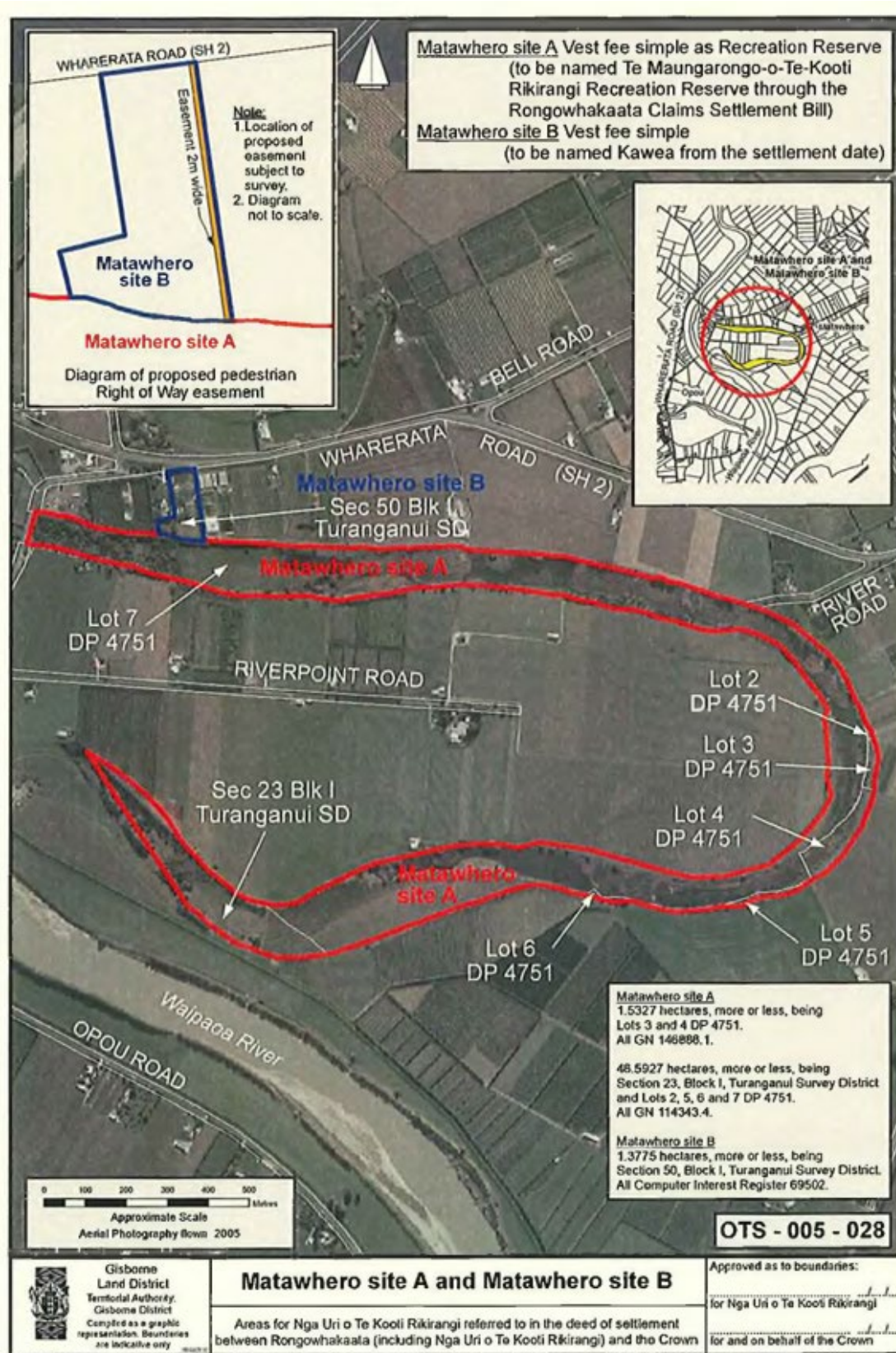
2. Ngai Tāmanuhiri Coastal Marine Area

- a. Ngai Tāmanuhiri is a coastal iwi that has a strong association to the Moana. Ngai Tāmanuhiri considers it has continued to exercise mana whenua, mana moana and Kaitiekitanga over the coastal marine area in its rohe. The iwi coastal boundaries begin at Kopututea and extend to Paritu. The Hauraki stream, adjacent to Paritu, cascades from the height of the cliff face into the moana. This stream is the southern boundary marker for Ngai Tāmanuhiri.
- b. There are numerous Pa sites and urupa dotted along the coastline which is evidence of Ngai Tāmanuhiri's ongoing relationship with the moana. In some places like Rangihaua and Umuhehe the middens, terraces or kumara pits are still visually apparent.
- c. Offshore kaimoana –
 - i. Ngai Tāmanuhiri has 21 taunga ika which carry names of Ngai Tāmanuhiri ancestors or are named after events significant to Ngai Tāmanuhiri. Today, the people of Ngai Tāmanuhiri still maintain their customary fishing practices by using the historic coastal land markers to identify taunga ika.
 - ii. The taunga ika are places where particular kaimoana, like koura, kina or fish are found.
- d. Inshore Kaimoana –
 - i. In past times, unique delicacies existed like the special paua with fluorescent pink qualities. Ngai Tāmanuhiri Tipuna used the shell of this paua to make kahawai lures, jewellery and to adorn carvings. Titi were also abundant as were flounder, a variety of bubu and pipi. Karengo remains available today and some still practice the traditional harvesting methods to ensure regeneration.
 - ii. Ngai Tāmanuhiri is carefully managing a restoration project that may assist in the return, or increase of, these delicacies. The iwi is an ongoing advocate for the preservation and protection of the coastal environmental.
- e. Kaitieki –

Ngai Tāmanuhiri has various Kaitieki that protect the moana. These include the Moremore (Bob tail shark), Mango (white pointer), Mangopare (hammerhead shark), Whiore (tail-less shark), Wheke (octopus) and Whai (Stingray). There are different areas along the coast which have different Kaitieki specific to them.
- f. Currents and tides –

Ngai Tāmanuhiri tangata hi ika are adept in the currents and tides that flow within their mana moana. Knowledge of these tides provides measures of safety and has assisted in rescue and recovery.
- g. Ngai Tāmanuhiri has a cultural duty to protect its interest in the long term sustainability of the Tūranga coastal marine area for future generations. Ngai Tāmanuhiri seeks to increase its capacity to enable:
 - i. Land access to traditional fishing spots and kaimoana areas.
 - ii. Protection, rejuvenation and ownership of kaimoana.
 - iii. Retention of traditional methods of harvesting and preserving kaimoana.
 - iv. Retention of traditional knowledge of tangata hi ika.
 - v. Establishment of nohonga.
 - vi. Minimise environmental issues and participate in the conservation of the coastal marine area.

Attachment 6: Deed plan for Te Maungārongo-o-Te-Kooti Rikirangi Recreation Reserve



Attachment 7: Comments received from invited Māori groups

Te Tumu Paeroa
Office of the Māori Trustee
PO Box 5038
Wellington 6140
New Zealand



07 July 2026

Fast Track Team
Environmental Protection Authority
contact@fasttrack.govt.nz

Tēnā koutou,

Feedback on Pouarua Water Storage Scheme Referral

The Māori Trustee thanks the panel for the invitation to comment on the above application by Wi Pere Trust (Wi Pere) for the Pouarua Water Storage Scheme under the Fast Track Approvals Act 2024 (FTAA).

The Māori Trustee comments in her capacity as the Responsible Trustee of Repongaere 4H3 a Māori freehold land block within the project area.

Background on the Māori Trustee

The Māori Trustee administers, as trustee or agent, around 78,000 hectares of Māori freehold land on behalf of approximately 100,000 individual Māori landowners. Te Tumu Paeroa is the organisation that supports the Māori Trustee to carry out her functions, roles and responsibilities. Additional information can be found on Te Tumu Paeroa's website, www.tetumupaeroa.co.nz.

Position

As Responsible Trustee of Repongaere 4H3 trust, the Māori Trustee agrees to the Pouarua Water Storage project applying for referral under the Fast Track Approvals Act 2024. However, at this stage, the Māori Trustee does not have sufficient information to determine whether it would be in the best interests of the 141 beneficial owners for the project to proceed on Repongaere 4H3. Accordingly, the Māori Trustee looks forward to reviewing the detailed plans, reports and proposed consent conditions with the substantive application in due course.

If you have any questions regarding this letter, please contact us on 0800 WHENUA (0800 943 682), or +64 4 474 4600, or email at resourcemanagement@tetumupaeroa.co.nz.

Nāku noa, nā



Dr Charlotte Severne
Māori Trustee

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