



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

Project Name: FTAA-2607-1261 Tauhei Solar Farm Extension

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

Number of attachments: 8	Attachments: 1. Provisions of section 18 of the Fast-track Approvals Act 2024 2. Project location maps 3. List of relevant Māori groups 4. Ngāti Hinerangi statutory acknowledgement provisions – Waihou River and tributaries 5. Excerpt from Ngāti Hauā conservation relationship agreement 6. Excerpts from Ngāti Hinerangi conservation relationship agreement 7. Excerpt from Pare Hauraki conservation decision-making framework 8. Comments received from invited Māori groups
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Ministry for Cities, Environment, Regions & Transport contacts:

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

Key points

1. The Ministry for Cities, Environment, Regions & Transport (on behalf of the Secretary for the Environment) has prepared this report on Treaty settlements and other obligations under section 18 of the Fast-track Approvals Act 2024 (the Act), in relation to the FTAA-2607-1261 Tauhei Solar Farm Extension referral application.
2. The applicant, Harmony Energy NZ Limited, proposes the construction, operation, maintenance, and decommissioning of an extension to the existing Tauhei Solar Farm, located at Te Aroha West, Waikato. The project is likely to comprise the installation of approximately 115,000 solar panels, DC string cable systems, Power Conversion Units, security fencing, an internal roading network, approximately two meteorological stations,

water tanks, and the restoration and planting of riparian areas. The applicant is seeking approvals under the Act which would otherwise be sought under the Resource Management Act 1991 (RMA) and the Wildlife Act 1953.

3. Section 18(2) of the Act requires that the report provide a list of relevant Māori groups, including relevant iwi authorities and Treaty settlement entities. We have identified Ngāti Hauā Iwi Trust, Te Puāwaitanga o Ngāti Hinerangi Trust, Ngāti Tumutumu Trust, Ngāti Tara Tokanui Trust, Hako Tūpuna Trust, Ngāti Maru Rūnanga Trust, Ngāti Tamaterā Treaty Settlement Trust, Te Whakakitenga o Waikato, Pare Hauraki Cultural Redress Trust/Pare Hauraki Whenua Limited Partnership/Pare Hauraki Ngahere Limited Partnership, and Ngaati Whanaunga Incorporated Society, as relevant groups for this application.
4. We have identified the following Treaty settlements as relevant to the application: Ngāti Hauā Claims Settlement Act 2014; Ngāti Hinerangi Claims Settlement Act 2021; Ngāti Rāhiri Tumutumu Claims Settlement Act 2026; Ngāti Tara Tokanui Claims Settlement Act 2026; and the Pare Hauraki Collective Redress Bill and Pare Hauraki collective redress deed.
5. The Ngāti Hinerangi Claims Settlement Act 2021 provided for a statutory acknowledgement over the Waihou River and its tributaries, which incorporates part of the project area. Under the RMA and 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 Ngāti Hinerangi, as a relevant iwi authority and Treaty settlement entity, under the Act is comparable to the requirements for statutory acknowledgements under the RMA and Treaty settlements.
6. The Pare Hauraki Collective Redress Bill and deed provide for natural resources redress over the Waihou, Piako and Coromandel catchments, including the establishment of governance entities and provisions relating to notification of resource consent applications and the appointment of hearings commissioners. The project area is within both the Waihou and Piako catchments, but these redress provisions are currently not operative because the Pare Hauraki Collective Redress Bill has not been enacted. However, it is possible that the Waihou, Piako and Coromandel catchment arrangements may be in place by the time a substantive application is lodged.
7. The Ngāti Hauā and Ngāti Hinerangi settlements provide for conservation relationship agreements which set out a consultation process for certain categories of statutory authorisations, which could include the Wildlife Act 1953 authority that may be sought by the applicant. You have invited Ngāti Hauā and Ngāti Hinerangi to comment on this application, and under the Act a panel would also be required to invite comments from these groups on any substantive application for this project. In doing so, the panel may wish to consider the consultation processes set out in the respective conservation relationship agreements to inform their engagement with Ngāti Hauā and Ngāti Hinerangi.
8. The Ngāti Tara Tokanui and Ngāti Rahiri Tumutumu conservation relationship agreements have yet to be finalised, and the Pare Hauraki conservation decision-making framework is subject to enactment of the Pare Hauraki Collective Redress Bill. Should you accept this application for referral, it is possible that these agreements may be in force by the time a substantive application is lodged. In that event, the panel will need to consider how to accommodate the more iterative nature of the consultation process set out in the Pare Hauraki decision-making framework in particular, in keeping with their obligations under the Act to comply with procedural arrangements in Treaty settlements.

9. You received comments on the referral application from Te Whakakitenga o Waikato, on behalf of Waikato-Tainui. Waikato-Tainui does not oppose the project progressing to the substantive phase, but note this does not represent support for the proposal or its effects. Te Whakakitenga o Waikato identify a number of matters which will require further consideration should the project proceed, including assessment alongside relevant sector advice and broader growth and infrastructure strategies, detailed assessment of the proposal against the relevant provisions of Tai Tumu, Tai Pari, Tai Ao (Waikato-Tainui Environmental Plan), and continued engagement with mana whenua.
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



Max Gander-Cooper
Acting 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, Harmony Energy NZ Limited, proposes the construction, operation, maintenance, and decommissioning of an extension to the existing Tauhei Solar Farm, located at Te Aroha West, Waikato. The Tauhei Solar Farm Extension will accommodate an installed capacity of approximately 50 megawatts (MW) AC, to be exported to the existing substation via underground cabling, and from there to the national grid via existing overhead and underground lines to Transpower's Waihou Substation.
15. The project is likely to comprise the installation of approximately 115,000 solar panels, DC string cable systems, approximately 22 Power Conversion Units, security fencing, an internal roading network, approximately two meteorological stations, water tanks, and the restoration and planting of riparian areas.
16. The applicant is seeking approvals under the Act which would otherwise be sought under the RMA (including earthworks, water permit for riverbed structures, temporary dewatering, damming and diversion, discharge of cleanfill) and potentially the Wildlife Act 1953 (for the capture, handling, and relocation of any native lizards or bats).
17. The land within the project area (126 Waiheke Road and 311 Mikkelsen Road) is privately owned, and the application has binding option agreements with the landowners for a 34-year easement for the solar farm.
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 Whakakitenga o Waikato, representing Waikato-Tainui;
- b. Ngāti Hauā Iwi Trust, representing Ngāti Hauā;
- c. Te Puāwaitanga o Ngāti Hinerangi Trust, representing Ngāti Hinerangi;
- d. Ngāti Tumutumu Trust, representing Ngāti Rāhiri Tumutumu;
- e. Ngāti Tara Tokanui Trust, representing Ngāti Tara Tokanui;
- f. Ngāti Maru Rūnanga Trust, representing Ngāti Maru;
- g. Ngāti Tamaterā Treaty Settlement Trust, representing Ngāti Tamaterā; and
- h. Hako Tūpuna Trust, representing Hako.

Treaty settlement entities

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

- (a) a post-settlement governance entity (PSGE):*
- (b) a board, trust, committee, authority, or other body, incorporated or unincorporated, that is recognised in or established under any Treaty settlement Act:*
- (c) an entity or a person that is authorised by a Treaty settlement Act to act for a natural resource feature with legal personhood:*
- (d) Te Ohu Kai Moana or a mandated iwi organisation (as those terms are defined in section 5(1) of the Maori Fisheries Act 2004):*
- (e) an iwi aquaculture organisation (as defined in section 4 of the Maori Commercial Aquaculture Claims Settlement Act 2004).*

23. Under the Act, a PSGE:

- (a) means a body corporate or the trustees of a trust established, for the purpose of receiving redress in the Treaty settlement of a claimant group,—*
 - (i) by that group; or*
 - (ii) by or under an enactment or order of a court; and*
- (b) includes—*
 - (i) an entity established to represent a collective or combination of claimant groups; and*
 - (ii) an entity controlled by an entity referred to in paragraph (a); and*
 - (iii) an entity controlled by a hapū to which redress has been transferred by an entity referred to in paragraph (a).*

24. In keeping with the procedural principles outlined at section 10 of the Act, we only identify those PSGEs which are specified in the relevant Treaty settlement Act or Treaty settlement deed.¹
25. We have identified the following relevant Treaty settlement entities for this project area:
- a. Ngāti Hauā Iwi Trust, PSGE for Ngāti Hauā Claims Settlement Act 2014;
 - b. Te Puāwaitanga o Ngāti Hinerangi Trust, PSGE for Ngāti Hinerangi Claims Settlement Act 2021;
 - c. Ngāti Tumutumu Trust, PSGE for Ngāti Rāhiri Tumutumu Claims Settlement Act 2026; and
 - d. Ngāti Tara Tokanui Trust, PSGE for Ngāti Tara Tokanui Claim Settlement Act 2026.
26. A PSGE may be established ahead of finalising a deed of settlement and/or enactment of Treaty settlement legislation. The following PSGEs in this category are also relevant:
- a. Pare Hauraki Cultural Redress Trust/ Pare Hauraki Whenua Limited Partnership/ Pare Hauraki Ngahere Limited Partnership, PSGEs for Pare Hauraki Collective Redress Bill (introduced December 2022) and collective redress deed (signed August 2018);
 - b. Ngāti Maru Rūnanga Trust, representing Ngāti Maru (deed of settlement initialled September 2017);
 - c. Ngāti Tamaterā Treaty Settlement Trust, representing Ngāti Tamaterā (deed of settlement initialled September 2017);
 - d. Te Whakakitenga o Waikato, representing Waikato-Tainui remaining claims (terms of negotiation signed December 2020); and
 - e. Hako Tūpuna Trust, representing Hako (agreement in principle equivalent signed July 2011).

Groups mandated to negotiate Treaty settlements

27. Apart from the PSGEs identified at paragraph 26, there are no other groups which have recognised mandates to negotiate a Treaty settlement over an area which may include the project area.

Takutai Moana groups and ngā hapū o Ngāti Porou

28. The project area does not include the common marine and coastal area, and accordingly there are no relevant applicant groups under MACA, and no court orders or agreements that recognise protected customary rights or customary marine title within the project area.
29. The project area is not within ngā rohe moana o ngā hapū o Ngāti Porou (as set out in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019).

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.

Iwi or hapū whose practices are recognised under the Fisheries Act 1996 through regulation or bylaws

30. The project area does not include a taiāpure-local fisheries area, mātaihai reserve, or area subject to a bylaw or regulations made under Part 9 of the Fisheries Act 1996.

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

31. Section 23 of the Act provides that, in making a decision on a referral application under section 21, the Minister may determine that, for the purposes of the project, an activity described in section 5(1)(a) is not an ineligible activity if it:

- a. is the construction of electricity lines or land transport infrastructure by (or to be operated by) a network utility operator that is a requiring authority; and
- b. would occur on identified Māori land that is Māori freehold land or General land owned by Māori that was previously Māori freehold land.

32. This project does not involve an activity described in section 23(1) (i.e. including both (a) and (b)) of the Act.

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

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

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

Any other Māori groups with relevant interests

35. We have identified Ngaati Whanaunga as another Māori group who may have relevant interests in the project area, as their area of interest for Treaty settlement purposes lies a short distance north of the project area.

Relevant principles and provisions in Treaty settlements and other arrangements

Treaty settlements

36. 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.

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

- a. Ngāti Hauā Claims Settlement Act 2014;
- b. Ngāti Hinerangi Claims Settlement Act 2021;

- c. Ngāti Rāhiri Tumutumu Claims Settlement Act 2026;
 - d. Ngāti Tara Tokanui Claim Settlement Act 2026; and
 - e. Pare Hauraki Collective Redress Bill (introduced December 2022, awaiting First Reading) and Pare Hauraki collective redress deed (signed August 2018).
38. Ngāti Rāhiri Tumutumu and Ngāti Tara Tokanui are also members of the Pare Hauraki collective.

Relevant principles and provisions

39. 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

40. 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.
41. The Crown has made some acknowledgements specific to the Waihou River catchment, which incorporates part of the project area. In the Ngāti Tara Tokanui deed of settlement, the Crown acknowledged that environmental changes and pollution since the 19th century have been a source of distress and grievance for Ngāti Tara Tokanui. In particular, the Crown acknowledged that:
- a. gold-mining activities since 1895 have polluted and degraded the Ohinemuri and Waihou Rivers, and this has caused significant harm to the health and well-being of Ngāti Tara Tokanui communities that relied upon the rivers for physical and spiritual sustenance; and
 - b. modifications to the course of the Waihou and Ohinemuri Rivers and their tributaries since the 1890s have drained resource-rich wetlands, destroyed Ngāti Tara Tokanui wāhi tapu, and caused significant harm to kaimoana sources relied on by Ngāti Tara Tokanui.
42. Similarly, in the Pare Hauraki collective redress deed, the Crown has acknowledged that mineral extraction in Hauraki has resulted in ongoing environmental degradation, changes and pollution to lands, waterways (including contamination from heavy metals), and food sources, including modifications to the course of the Waihou and Ohinemuri Rivers and their tributaries that drained resource-rich wetlands, destroyed wāhi tapu, and caused significant harm to Tīkapa Moana (Hauraki Gulf) and its kaimoana resources.
43. As part of its apologies to Ngāti Hāua, Ngāti Hinerangi, Ngāti Tara Tokanui, and Ngāti Rāhiri Tumutumu, the Crown stated that it looked forward to building a new relationship with these groups based on co-operation, mutual trust, and respect for te Tiriti o Waitangi/the Treaty of Waitangi and its principles. The redress mechanisms provided for in Treaty settlements should be viewed in the context of these intentions.

Statutory acknowledgement

44. A statutory acknowledgement is an acknowledgement by the Crown of a 'statement of association' between the iwi and an identified area (the 'statutory area'). The Ngāti Hinerangi Claims Settlement Act 2021 provides for a statutory acknowledgement over the

Waihou River and its tributaries. The project area includes the Mangawhengu Stream, which is a tributary of the Waihou River.

45. 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.²
46. 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.
47. The Waihou River statutory acknowledgement is relevant because the proposed activities may directly affect this waterway, including works within streams and drains and temporary dewatering, primarily for the installation of culverts. We note that the applicant is proposing to mitigate any effects by avoiding works near streams and wetlands where practicable, implementing erosion and sediment controls, and incorporating riparian planting.
48. We consider the process of inviting comment (including providing information about 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 Ngāti Hinerangi, as a relevant iwi authority and Treaty settlement entity, to comment on the application. Should you accept this referral application, they will also be invited for comment by the panel on a substantive application under section 53(2)(c) of the Act.
49. We have provided the statutory acknowledgement provisions for Ngāti Hinerangi, including the relevant deed plan and statement of association, at **Attachment 4**.

Waihou, Piako and Coromandel catchments redress

50. As noted above, part of the project area is within the Waihou River catchment. From what we can ascertain, some of the western parts of the project area are within the Piako River catchment.
51. The Pare Hauraki Collective Redress Bill and deed provide for redress over the Waihou, Piako and Coromandel catchments. This includes the establishment of the Waihou, Piako and Coromandel Catchment Authority, to provide co-governance, oversight and direction for the Coromandel, Waihou and Piako waterways, and the preparation of a Waihou, Piako and Coromandel Catchments Plan.

² 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.

52. The proposed Waihou, Piako and Coromandel Catchment Authority would include a subcommittee, Te Mātāpuna o ngā awa o Waihou Piako, with a specific focus on the upper Waihou and Piako catchments. Te Mātāpuna o ngā awa o Waihou Piako comprises one member appointed by each of Raukawa, Ngāti Hauā and Ngāti Hinerangi, one member appointed by Pare Hauraki, and one member appointed by each of the Waikato Regional Council, Matamata-Piako District Council, Hauraki District Council, and South Waikato District Council. Te Mātāpuna o ngā awa o Waihou Piako would provide one member to the Waihou, Piako and Coromandel Catchment Authority which oversees the entirety of all three catchments.
53. Amongst other responsibilities, the proposed Waihou, Piako and Coromandel Catchment Authority would maintain a register of hearing commissioners, in consultation with Te Mātāpuna o ngā awa o Waihou Piako, for resource consents relating to the waterways in the catchments. The Pare Hauraki Collective Redress Bill and deed provide that the relevant consent authority must have particular regard to the commissioner register when appointing hearing commissioners in relation to consent applications that affect the catchments.
54. The Pare Hauraki Collective Redress Bill and deed also require the relevant local authorities to provide the Waihou, Piako and Coromandel Catchment Authority, Ngāti Hauā, Ngāti Hinerangi, Raukawa, and the Pare Hauraki collective cultural entity, with information about resource consent applications for activities which would affect the catchments.
55. We note that these provisions relating to the Waihou and Piako catchments are not operative, and that the Waihou, Piako and Coromandel Catchment Authority and Te Mātāpuna o ngā awa o Waihou Piako have yet to be established, because the Pare Hauraki Collective Redress Bill has not been enacted. However, we draw this redress to your attention for context and completeness, and it is possible that the Waihou, Piako and Coromandel Catchment arrangements may be in place if and when a substantive application is lodged.

Conservation relationship redress

56. The Wildlife Act 1953 approvals which may sought by the applicant to catch, handle, and relocate any native lizards and bats that are discovered or accidentally injured/killed during construction are within the scope of conservation relationship redress provided for in the relevant Treaty settlements. Our advice is that these provisions are most relevant to the panel when considering a substantive application, as the decision-maker on the proposed approvals.

Ngāti Hauā conservation relationship agreement

57. The Ngāti Hauā deed of settlement provides for a relationship agreement with the Department of Conservation (DOC) which incorporates the project area. This relationship agreement enables Ngāti Hauā to identify categories of statutory authorisations that may have a significant impact on their spiritual, cultural or historic values. Under the terms of the relationship agreement, statutory authorisations may include approvals under the Wildlife Act 1953, such as that which may be sought by the applicant.³
58. For those significant categories of statutory authorisations to be identified by Ngāti Hauā, the relationship agreement provides that DOC and Ngāti Hauā will adopt a specified consultation process, which can be summarised as:

³ Paragraph 26.1 of the Ngāti Hauā conservation relationship agreement refers.

- a. DOC notifying Ngāti Hauā of the application and timeframe for a response/decision;
- b. Ngāti Hauā notifying DOC of their views on the proposal within an agreed timeframe;
- c. DOC acknowledging the views of Ngāti Hauā, providing an opportunity to clarify DOC's understanding of those views, and how they will be reflected in the decision-making process;
- d. DOC considering whether it is possible to reconcile the views of Ngāti Hauā with other considerations in the decision-making process; and
- e. DOC recording in its decision the nature of the views of Ngāti Hauā.

59. We have included the relevant excerpt from the relationship agreement at **Attachment 5**.
60. DOC advise that they are still working with Ngāti Hauā to identify the categories of statutory authorisations that are of significance. In the interim, DOC consults Ngāti Hauā on all Wildlife Act 1953 applications within their area of interest.
61. You have invited Ngāti Hauā to comment on this application, and under section 53(2)(c) of the Act a panel will also be required to invite Ngāti Hauā to comment on any substantive application for this project. Although the statutory authorisations of significance to Ngāti Hauā have not been formally identified, the panel may wish to consider the procedures at Attachment 5 to inform their engagement with Ngāti Hauā during the substantive application process.

Ngāti Hinerangi conservation relationship agreement

62. The Ngāti Hinerangi deed of settlement provides for a relationship agreement with DOC which applies to the project area. This relationship agreement enables Ngāti Hinerangi to identify categories of statutory authorisations that may have a significant impact on their spiritual, cultural or historic values. Under the terms of the relationship agreement, statutory authorisations may include approvals under the Wildlife Act 1953, such as that which may be sought by the applicant.
63. For those significant categories of statutory authorisations to be identified by Ngāti Hinerangi, the relationship agreement provides that DOC will:
- a. advise and encourage all prospective applicants within the area of interest to consult Ngāti Hinerangi before filing their application;
 - b. consult Ngāti Hinerangi at an early stage on such categories of authorisations or renewal of authorisations within the Ngāti Hinerangi area of interest; and
64. notify Ngāti Hinerangi at the earliest opportunity of the timeframes for providing advice on impacts on the cultural, spiritual and historic values of Ngāti Hinerangi.
65. The Ngāti Hinerangi conservation relationship agreement also provides for general principles to be followed by DOC when consulting Ngāti Hinerangi, including:
- a. ensuring consultation takes place as soon as reasonably practicable;
 - b. providing Ngāti Hinerangi with sufficient information to make informed submissions;
 - c. ensuring that sufficient time is given for the effective participation of Ngāti Hinerangi; and
 - d. requiring the DOC to report back to Ngāti Hinerangi on decisions made.
66. We are unable to confirm whether Ngāti Hinerangi have identified the categories of statutory authorisations that are of significance. However, you have invited Ngāti Hinerangi

to comment on this application, and under section 53(2)(c) of the Act a panel will also be required to invite Ngāti Hinerangi to comment on any substantive application for this project. We consider the requirements of the conservation relationship agreement are able to be accommodated within these processes under the Act.

67. We have included the relevant excerpts from the relationship agreement at **Attachment 6**.

Ngāti Tara Tokanui and Ngāti Rāhiri Tumutumu conservation relationship agreements

68. The Ngāti Tara Tokanui and Ngāti Rahiri Tumutumu deeds of settlement each provide for the respective iwi and the Minister of Conservation and Director-General of Conservation to use reasonable endeavours to enter into a conservation relationship agreement by settlement date.⁴ The conservation relationship agreement provisions in both deeds of settlement are high-level and do not specify what the relationship agreement will cover, nor is a draft agreement included.

69. While these conservation relationship agreements have yet to be finalised, it is possible they will be concluded by the time a substantive application is lodged (subject to your decision on the referral application).

Pare Hauraki conservation framework

70. The Pare Hauraki collective redress deed provides for a conservation framework relating to co-governance and co-management of natural resources and historical and cultural heritage. The deed states that when exercising functions under the relevant legislation (including the Wildlife Act 1953) in relation to each of the Pare Hauraki conservation framework elements, the relevant person or entity must:

- a. give effect to the principles of Te Tiriti o Waitangi / the Treaty of Waitangi as required by section 4 of the Conservation Act 1987; and
- b. acknowledge and provide for the Statement of Pare Hauraki World View and Programme for a Culture of Natural Resource Partnership, unless to do so would be contrary to the purposes of the Conservation Act 1987.

71. There are several elements of the Pare Hauraki conservation framework including a conservation management strategy, relationship agreement, and decision-making framework. Neither the conservation management strategy nor relationship agreement have been established. However, the decision-making framework is set out in the collective redress deed and is relevant to decisions sought by this application.

72. The decision-making framework requires an iterative engagement process with the Pare Hauraki collective on applications for approvals, that includes the Director-General of Conservation seeking their feedback, confirming how their feedback will be included in decision making processes, considering how their interests are reconciled with other considerations, and communicating the final decision to Pare Hauraki collective. We have provided the relevant excerpts from the decision-making framework at **Attachment 7**.

73. As is the case with the Waihou, Piako and Coromandel catchments redress outlined above, the Pare Hauraki conservation decision-making framework is subject to enactment of the Pare Hauraki Collective Redress Bill, which has yet to occur.⁵ Should you accept this application for referral, it is possible that the Pare Hauraki conservation decision-making

⁴ Settlement date is 60 working days after the date on which the Ngāti Tara Tokanui Claims Settlement Act 2026 and Ngāti Rahiri Tumutumu Claims Settlement Act 2026 came into force (which was 19 May 2026).

⁵ DOC have advised that although the Pare Hauraki decision-making framework is not yet in effect, their approach since 2013 has been to send all relevant applications for conservation approvals to the Pare Hauraki collective.

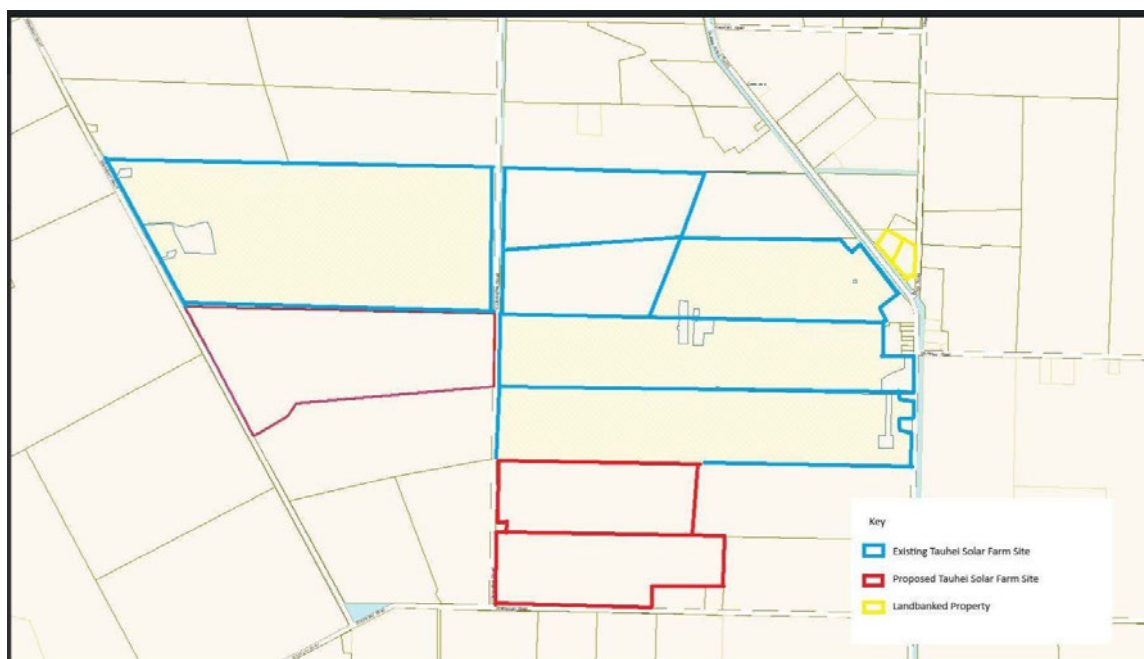
framework provisions may be in force by the time a substantive application is lodged. In that event, the panel will need to consider how to accommodate the more iterative nature of the consultation process set out in the decision-making framework, in keeping with their obligations under Schedule 3 clause 5 of the Act to comply with procedural arrangements in Treaty settlements.

74. While there is currently some uncertainty as to whether or how the conservation relationship redress outlined above – i.e. Ngāti Tara Tokanui, Ngāti Rahiri Tumutumu, Pare Hauraki, and to a lesser extent, Ngāti Hauā and Ngāti Hinerangi – should be applied to a substantive application, primarily due to that redress not being finalised, it would be appropriate for a panel to consider how it can act consistently with those agreements in relation to the approvals being sought by the applicant.⁶

Landbank property

75. There is a Treaty settlements landbank property across the road from the existing Tauhei Solar Farm, at 465-475 Stanley Road South. Landbank properties are properties which are no longer required by the Crown and are held in the interim by Land Information New Zealand for potential use as redress in Treaty settlements. The landbank property in question is included in the Pare Hauraki collective redress deed as an ‘early release’ commercial redress property, meaning it is intended to be transferred to the Pare Hauraki collective commercial PSGE prior to settlement. In this case, the collective redress deed provides for the Stanley Road South landbank property to be subsequently transferred to Ngāti Maru and Ngāti Rāhiri Tumutumu.

76. As depicted in the map below, while the landbank property (in yellow outline) is adjacent to the existing solar farm (blue), it is unlikely to be affected by the proposed extension that is the subject of this application (red).



⁶ For example, we note the overarching provision at section 7 of the Act requires all persons performing and exercising functions, powers, and duties to act in a manner that is consistent with the obligations arising under existing Treaty settlements (where ‘Treaty settlements’ includes a signed Treaty settlement deed, such as the Pare Hauraki collective redress deed).

77. 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

78. 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

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

Mana Whakahono ā Rohe/Joint management agreement

80. 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

81. Pursuant to section 17(1)(d) of the Act, on 11 August 2026 you invited written comments from the Māori groups identified above in paragraphs 19-35, 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.

82. You received comments on the application from Te Whakakitenga o Waikato, representing Waikato-Tainui, which can be summarised as follows:

- a. Waikato-Tainui does not oppose the project progressing to the substantive phase, noting that this does not represent support for the proposal or its effects, which will require further assessment and engagement should it proceed;
- b. Waikato-Tainui considers that the scale and strategic nature of the proposal may warrant its progression to the substantive phase, but that this should be considered alongside relevant sector advice and broader growth and infrastructure strategies;
- c. Waikato-Tainui notes the engagement undertaken by the applicant with mana whenua to date, including Ngāti Hinerangi, Ngāti Hauā, and Raukawa, and recommends this continues should the project progress to the substantive phase; and
- d. Waikato-Tainui acknowledges that the applicant has provided an assessment of the proposal against the relevant provisions of Tai Tumu, Tai Pari, Tai Ao (Waikato-Tainui Environmental Plan), and proposes a more detailed assessment should the project progress to the substantive phase, including how the relevant objectives and policies of the plan have informed the project.

83. We have provided a copy of these comments at **Attachment 8**.

Consultation with departments

84. In preparing this report, we are required to consult relevant departments. We sought advice from Te Puni Kōkiri and the Office of Treaty Settlements and Takutai Moana – 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

85. 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.

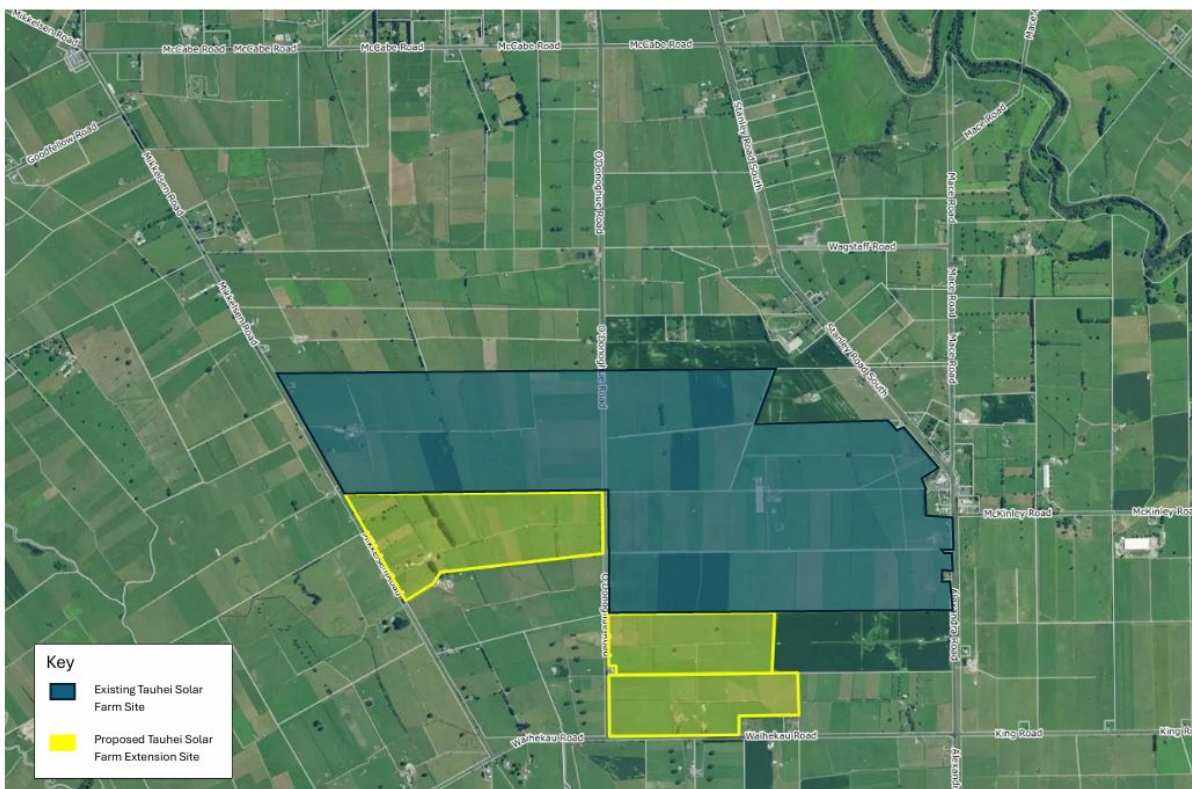
86. We do not consider there are any matters raised in this report which make it more appropriate for the proposed approvals to be authorised under another Act or Acts.

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	20-26
18(2)(b)	Any Treaty settlements that relate to land, species of plants or animals, or other resources within the project area	36-38
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	37-77
18(2)(d)	Any recognised negotiation mandates for, or current negotiations for, Treaty settlements that relate to the project area.	27
18(2)(e)	Any court orders or agreements that recognise protected customary rights or customary marine title within the project area.	28, 78
18(2)(f)	Any applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011 that seek recognition of customary marine title or protected customary rights within the project area.	28, 78
18(2)(g)	Whether the project area would be within or adjacent to, or the project would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou (and, if so, the relevant provisions of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019).	29, 78
18(2)(h)	Whether the project area includes any taiāpure-local fisheries, mātaihai reserves, or areas that are subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996 (and, if so, who the tangata whenua are).	30, 79
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, 80

	(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
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	81-83
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.	85-86
18(3)	In preparing the report required by this section, the responsible agency must consult relevant departments.	84
18(4)	The responsible agency must provide the report to the Minister not later than 20 working days after the date for providing comments under section 17(6).	N/A
18(5)	However, if the Minister requests further information about a referral application under section 20, the time period specified in subsection (4) ceases to run for the period of time specified in the request.	N/A

Attachment 2: Project location maps



Tauhei Solar Farm Extension – Proposed Site Location



Attachment 3: List of relevant Māori groups

Name of group	Type of group (section of Act)
Ngāti Hauā Iwi Trust	Iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a))
Te Puāwaitanga o Ngāti Hinerangi Trust	Iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a))
Ngāti Tumutumu Trust	Iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a))
Ngāti Tara Tokanui Trust	Iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a))
Hako Tūpuna Trust	Iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a)); negotiating mandate (s18(2)(d))
Ngāti Maru Rūnanga Trust	Iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a)); negotiating mandate (s18(2)(d))
Ngāti Tamaterā Treaty Settlement Trust	Iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a)); negotiating mandate (s18(2)(d))
Te Whakakitenga o Waikato	Iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a)); negotiating mandate (s18(2)(d))
Pare Hauraki Cultural Redress Trust/Pare Hauraki Whenua Limited Partnership/Pare Hauraki Ngahere Limited Partnership	Treaty settlement entity (s18(2)(a)); negotiating mandate (s18(2)(d))
Ngaati Whanaunga Incorporated Society	Any other Māori group with relevant interests (s18(2)(k))

Attachment 4: Ngāti Hinerangi statutory acknowledgement provisions – Waihou River and tributaries

Statutory acknowledgement provisions (Ngāti Hinerangi Claims Settlement Act 2021)

Subpart 2—Statutory acknowledgement, geothermal statutory acknowledgement, and deeds of recognition

27 Interpretation

In this subpart,—

geothermal energy has the meaning given in section 2(1) of the Resource Management Act 1991

geothermal resource—

- (a) means the geothermal energy and the geothermal water within each of the geothermal fields described in Part 3 of Schedule 1, the general location of which is indicated on the deed plan for each field; but
- (b) does not include any geothermal energy or geothermal water above the ground on land that is not owned by the Crown

geothermal statutory acknowledgement means the acknowledgement made by the Crown in section 36 in respect of the geothermal resource, on the terms set out in this subpart

geothermal water has the meaning given in section 2(1) of the Resource Management Act 1991

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

statement of association,—

- (a) for a statutory area, means the statement—
 - (i) made by Ngāti Hinerangi of their particular cultural, historical, spiritual, and traditional association with the statutory area; and
 - (ii) set out in part 2 of the documents schedule; and
- (b) for the geothermal resource, means the statement—
 - (i) made by Ngāti Hinerangi of their particular cultural, historical, spiritual, and traditional association with the geothermal resource; and
 - (ii) set out in part 2 of the documents schedule

statutory acknowledgement means the acknowledgement made by the Crown in section 28 in respect of the statutory areas, on the terms set out in this subpart

statutory area means an area described in Part 1 or Part 2 of Schedule 1, the general location of which is indicated on the deed plan for that area

statutory plan—

- (a) means a district plan, regional coastal plan, regional plan, regional policy statement, or proposed policy statement as defined in section 43AA of the Resource Management Act 1991; and

- (b) includes a proposed plan, as defined in section 43AAC of that Act.

Statutory acknowledgement

28 Statutory acknowledgement by the Crown

The Crown acknowledges the statements of association for the statutory areas.

29 Purposes of statutory acknowledgement

The only purposes of the statutory acknowledgement are—

- (a) to require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgement, in accordance with sections 30 to 32; and
- (b) to require relevant consent authorities to record the statutory acknowledgement on statutory plans that relate to the statutory areas and to provide summaries of resource consent applications or copies of notices of applications to the trustees, in accordance with sections 33 and 34; and
- (c) to enable the trustees and any member of Ngāti Hinerangi to cite the statutory acknowledgement as evidence of the association of Ngāti Hinerangi with a statutory area, in accordance with section 35.

30 Relevant consent authorities to have regard to statutory acknowledgement

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

31 Environment Court to have regard to statutory acknowledgement

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

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

- (1) This section applies to an application 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.
- (2) On and from the effective date, Heritage New Zealand Pouhere Taonga must have regard to the statutory acknowledgement relating to the statutory area in exercising its powers under section 48, 56, or 62 of the Heritage New Zealand Pouhere Taonga Act 2014 in relation to the application.
- (3) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to the statutory area—
 - (a) in determining whether the trustees are persons directly affected by the decision; and
 - (b) in determining, under section 59(1) or 64(1) of the Heritage New Zealand Pouhere Taonga Act 2014, an appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application.
- (4) In this section, **archaeological site** has the meaning given in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

33 Recording statutory acknowledgement on statutory plans

- (1) On and from the effective date, each relevant consent authority must attach information recording the statutory acknowledgement to all statutory plans that wholly or partly cover a statutory area.
- (2) The information attached to a statutory plan must include—
 - (a) a copy of sections 28 to 32, 34, and 35; and
 - (b) descriptions of the statutory areas wholly or partly covered by the plan; and
 - (c) the statement of association for each statutory area.
- (3) The attachment of information to a statutory plan under this section is for the purpose of public information only and, unless adopted by the relevant consent authority as part of the statutory plan, the information is not—
 - (a) part of the statutory plan; or
 - (b) subject to the provisions of Schedule 1 of the Resource Management Act 1991.

34 Provision of summary or notice to trustees

- (1) Each relevant consent authority must, for a period of 20 years on and from the effective date, provide the following to the trustees for each resource consent application for an activity within, adjacent to, or directly affecting a statutory area:

- (a) if the application is received by the consent authority, a summary of the application; or
 - (b) if notice of the application is served on the consent authority under section 145(10) of the Resource Management Act 1991, a copy of the notice.
- (2) A summary provided under subsection (1)(a) must be the same as would be given to an affected person by limited notification under section 95B of the Resource Management Act 1991 or as may be agreed between the trustees and the relevant consent authority.
- (3) The summary must be provided—
 - (a) as soon as is reasonably practicable after the relevant consent authority receives the application; but
 - (b) before the relevant consent authority decides under section 95 of the Resource Management Act 1991 whether to notify the application.
- (4) A copy of a notice must be provided under subsection (1)(b) not later than 10 working days after the day on which the consent authority receives the notice.
- (5) The trustees may, by written notice to a relevant consent authority,—
 - (a) waive the right to be provided with a summary or copy of a notice under this section; and
 - (b) state the scope of that waiver and the period it applies for.
- (6) 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.

35 Use of statutory acknowledgement

- (1) The trustees and any member of Ngāti Hinerangi may, as evidence of the association of Ngāti Hinerangi with a statutory area, cite the statutory acknowledgement that relates to that area in submissions concerning activities within, adjacent to, or directly affecting 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 referred to in subsection (1); or
 - (b) parties to proceedings before those bodies; or
 - (c) any other person who is entitled to participate in those proceedings.
- (3) However, the bodies and persons specified in subsection (2) may take the statutory acknowledgement into account.
- (4) To avoid doubt,—
- (a) neither the trustees nor members of Ngāti Hinerangi are precluded from stating that Ngāti Hinerangi 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.

...

General provisions relating to statutory acknowledgement, geothermal statutory acknowledgement, and deeds of recognition

44 Application of statutory acknowledgement to river or stream

If any part of the statutory acknowledgement applies to a river or stream, including a tributary, 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.

45 Exercise of powers and performance of functions and duties

- (1) The statutory acknowledgement, the geothermal statutory acknowledgement, and deeds of recognition do not affect, and must not be taken into account by, a person exercising a power or performing a function or duty under an enactment or a bylaw.

- (2) A person, in considering a matter or making a decision or recommendation under an enactment or a bylaw, must not give greater or lesser weight to the association of Ngāti Hinerangi with a statutory area than that person would give if there were no statutory acknowledgement, geothermal statutory acknowledgement, or deed of recognition for the statutory area.
- (3) Subsection (2) does not limit subsection (1).
- (4) This section is subject to—
 - (a) the other provisions of this subpart; and
 - (b) any obligation imposed on the Minister of Conservation or the Director-General by a deed of recognition.

46 Rights not affected

- (1) The statutory acknowledgement, the geothermal statutory acknowledgement, and deeds of recognition—
 - (a) do not affect the lawful rights or interests of a person who is not a party to the deed of settlement; and
 - (b) do not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to, a statutory area.
- (2) This section is subject to the other provisions of this subpart.

Consequential amendment to Resource Management Act 1991

47 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:
Ngāti Hinerangi Claims Settlement Act 2021

Section 18 Report – Application FTAA-2607-1261 Tauhei Solar Farm Extension



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

Waihou River and its tributaries within the area of interest (as shown on deed plan OTS-135-24)

The Waihou River is the ancestral river of Ngāti Hinerangi. The Waihou River and its tributaries within Te Rohe o Kōperu, the traditional tribal boundaries of Ngāti Hinerangi, are sacred to Ngāti Hinerangi who have occupied the lands in the Matamata region adjacent to the Waihou River for more than 500 years. The renowned Ngāti Hinerangi tohunga, Tāmure, who was the son of Hinerangimarino and Taunga-ki-te-Marangai, married Tūwaewae, the daughter of Kōperu. Tāmure was responsible for maintaining the sacred wairua and spiritual essence of the Waihou River, as well as being the tohunga and kaitiaki of the taniwha who dwelled within

28



DOCUMENTS

2: STATEMENTS OF ASSOCIATION

its sacred waters.

On the banks of the Waihou River was the settlement of Huakaramū which was the scene of an attack in earlier times by another tribe over a dispute between a man and a woman and their child. The dispute resulted in the killing of two Ngāti Hinerangi chiefs, Te Moanaikauia and Hou. However, no Ngāti Hinerangi pā or land was taken in the ensuing altercation. Ngāti Hinerangi reacted instantly and raised a war party to avenge the killing of their two chiefs. The war party attacked the pā of the other tribe killing a chief and 30 others. The other tribe never received payment for the deaths of these people.

The Waihou River is of great spiritual, cultural, ancestral, traditional, and historical importance to Ngāti Hinerangi. The evidence of this can be seen by the great number of Ngāti Hinerangi pā sites, papakāinga settlements, urupā, and wāhi tapu located nearby or on the banks of the river. The Waihou River is home to sacred waiariki (geothermal springs) and tīpua mokomoko (reptilian deities). The Waihou River has been a provider of life sustaining fresh water, food resources in the form of birdlife, tuna, freshwater crayfish, and other fish species, and it has provided a plentiful supply of harakeke for clothing and building materials.

The Waihou River has provided a communication system for travel and transport along its waterways to other regions of the Ngāti Hinerangi tribal rohe, helping to strengthen links between Ngāti Hinerangi and their whanaunga along the river. The Waihou River also provided Ngāti Hinerangi with important commercial opportunities to trade with other iwi and hapū who lived along the river. It was also a means of transport in times of war for Ngāti Hinerangi war parties travelling in waka taua in defence of their tribal rohe.

Ngāti Hinerangi have exercised rangatiratanga and kaitiakitanga over the Waihou River and its tributaries and waterways, from time immemorial and it plays a central role in the cultural and spiritual identity of Ngāti Hinerangi.

Attachment 5: Excerpt from Ngāti Hauā conservation relationship agreement

14 STATUTORY AUTHORISATIONS

14.1 The Department acknowledges authorisations granted to third parties in relation to Conservation Land within the Rohe may impact on the spiritual, cultural or historic values of Ngāti Hauā. The Department will advise and encourage prospective applicants within the Ngāti Hauā area of interest to consult with Ngāti Hauā before filing their application.

14.2 From time to time Ngāti Hauā and the Department will identify categories of Statutory Authorisations that may have a significant impact on the spiritual, cultural or historic values of Ngāti Hauā.

14.3 For the categories of any Statutory Authorisations that Ngāti Hauā and the Department agree may be significant to Ngāti Hauā, the Governance Entity and the Department will adopt the following processes:

14.3.1 the Department will notify Ngāti Hauā of the application, timeframe for a decision and the timeframe for a Ngāti Hauā response;

14.3.2 Ngāti Hauā, within an agreed timeframe, will notify the Department of their response including the nature of their interests in the proposal and their views in relation to the proposal;

14.3.3 the Department will acknowledge Ngāti Hauā interests and views as conveyed (providing an opportunity to clarify or correct the Department's understanding of those interests and views), how those interests and views will be included in the decision-making process and any apparent issues or conflict that may arise;

14.3.4 the Department will, in making a decision, consider whether it is possible to reconcile any conflict between Ngāti Hauā interests and views and other considerations in the decision-making process;

14.3.5 the Department will record in writing as part of a decision document the nature of Ngāti Hauā interests and the views of Ngāti Hauā as conveyed.

14.4 The Department will advise Ngāti Hauā of potential opportunities for Ngāti Hauā or its members to obtain statutory authorisations on Conservation Land within the Ngāti Hauā area of interest, including in relation to commercial opportunities.

The entire conservation relationship agreement can be found in the documents schedule to the Ngāti Hauā deed of settlement: [Ngāti Hauā Deed of Settlement - Documents Schedule 18 Jul 2013](#)

Attachment 6: Excerpts from Ngāti Hinerangi conservation relationship agreement

7. STATUTORY AUTHORISATIONS

- 7.1 The strategic objectives for the relationship will guide the parties to determine appropriate engagement on Statutory Authorisations within the Ngāti Hinerangi Area of Interest.
- 7.2 As part of these strategic objectives, the Governance Entity and the Department will identify categories of statutory authorisations that may impact on the cultural, traditional and / or historic values of Ngāti Hinerangi. These categories will be reviewed on a continuing basis. In the identified categories the Department will:
- (a) advise and encourage all prospective applicants within the Ngāti Hinerangi Area of Interest to consult the Governance Entity before filing their application;
 - (b) consult the Governance Entity at an early stage on such categories of authorisations or renewal of authorisations within the Ngāti Hinerangi Area of Interest.
- 7.3 As the Department works within time limits to process statutory authorisations applications, at the earliest opportunity it will notify the Governance Entity (as part of the meetings referred to in paragraph 4.2) of the timeframes for providing advice on impacts on the cultural, spiritual and historic values of Ngāti Hinerangi.

18. CONSULTATION

- 18.1 Where consultation is required under this agreement, the Department will:
- (a) ensure that the Governance Entity is consulted as soon as reasonably practicable following the identification of the proposal or issues to be the subject of the consultation;
 - (b) provide the Governance Entity with sufficient information and time to make informed comments and / or submissions in relation to any of the matters that are subject of the consultation;
 - (c) approach the consultation with an open mind and genuinely consider any views and / or concerns that the Governance Entity may have in relation to any of the matters that are subject to the consultation;
 - (d) report back to the Governance Entity on any decision that is made.

The entire conservation relationship agreement can be found in the documents schedule to the Ngāti Hinerangi deed of settlement: [Ngāti Hinerangi Deed of Settlement Schedule Documents Part 2](#)

Attachment 7: Excerpt from Pare Hauraki conservation decision-making framework

DECISION MAKING FRAMEWORK

- 9.59 To avoid doubt:
- 9.59.1 clauses 9.4 to 9.6.1 apply to this section of the Pare Hauraki conservation framework; and
 - 9.59.2 clause 9.6.2 applies to this section of the Pare Hauraki conservation framework to the extent it is not already covered in this section.
- 9.60 This section of the Pare Hauraki conservation framework applies to conservation decisions in the Conservation Framework Area.
- 9.61 To avoid doubt, the decision-making framework will apply to any concession applications under Part 3B of the Conservation Act 1987 that are initiated by the Iwi of Hauraki.
- 9.62 The Pare Hauraki collective cultural entity and the Director-General must, by the settlement date, discuss what will be reasonable timeframes for responses at various stages in the decision-making framework and in various scenarios.
- 9.63 The Pare Hauraki collective cultural entity and the Director-General must, by the settlement date, discuss and agree a schedule identifying:
- 9.63.1 any decisions that do not require the application of the decision-making framework; and
 - 9.63.2 any decisions for which the decision-making framework may be modified, and the nature of that modification, including any decisions that need to be made at a national level.
- 9.64 The Pare Hauraki collective cultural entity and the Director-General may agree to review the schedule agreed under clause 9.63.
- 9.65 The decision-making framework involves the following stages:
- 9.65.1 **Stage One:** the Director-General will notify the Pare Hauraki collective cultural entity of the decision to be made and the timeframe for a response;
 - 9.65.2 **Stage Two:** the Pare Hauraki collective cultural entity will, within the timeframe for response, notify the Director-General of:
 - (a) the nature and degree of the Pare Hauraki interest in the relevant decision; and
 - (b) the views of Pare Hauraki in relation to the relevant decision;
 - 9.65.3 **Stage Three:** the Director-General will respond to the Pare Hauraki collective cultural entity confirming:
 - (a) the Director-General's understanding of the matters conveyed under clause 9.65.2;
 - (b) how the matters conveyed under clause 9.65.2 will be included in the decision-making process; and
 - (c) whether any immediately apparent issues arise out of the matters conveyed under clause 9.65.2;

9.65.4 **Stage Four:** the relevant decision maker will make the decision in accordance with the relevant conservation legislation, and in doing so will:

- (a) consider the confirmation of the Director-General's understanding provided under clause 9.65.3, and any clarification or correction provided by the Pare Hauraki collective cultural entity in relation to that confirmation;
- (b) explore whether, in making the decision, it is possible to reconcile any conflict between the interests and views of the Pare Hauraki collective cultural entity and any other considerations in the decision-making process;
- (c) in making the decision, where a relevant interest is identified, give effect to the principles of Te Tiriti o Waitangi / the Treaty of Waitangi:
 - (i) in a meaningful and transparent manner; and
 - (ii) in a manner commensurate with the nature and degree of the Pare Hauraki interest; and
- (d) in complying with clause 9.65.4(c), where the Pare Hauraki interests in their taonga justify it, give a reasonable degree of preference to the Iwi interest;

9.65.5 **Stage Five:** the relevant decision maker will record in writing as part of a decision document:

- (a) the nature and degree of the Pare Hauraki interest in the relevant decision as conveyed to the Director-General under clause 9.65.2(a);
- (b) the views of the Pare Hauraki collective cultural entity in relation to the relevant decision as conveyed to the Director-General under clause 9.65.2(b); and
- (c) how, in making that decision, the relevant decision maker complied with clauses 9.65.3 to 9.65.5(b); and

9.65.6 **Stage Six:** the relevant decision maker will communicate the decision to the Pare Hauraki collective cultural entity including the matters set out in clause 9.65.5.

9.66 The Pare Hauraki collective cultural entity and the Director-General will:

- 9.66.1 maintain open communication as to the effectiveness of the process set out in Stage One to Stage Six above; and
- 9.66.2 no later than two years after the settlement date, or as otherwise agreed between the Pare Hauraki collective cultural entity and the Director-General, jointly commence a review of the effectiveness of the process set out in Stage One to Stage Six above.

The entire conservation framework can be found in the Pare Hauraki collective redress deed: [Pare Hauraki Collect Redress Deed](#)

Attachment 8: Comments received from invited Māori groups

1 September 2026

Environmental Protection Authority
Private Bag 63002
Wellington 6140
NEW ZEALAND

Teena koe

TAUHEI SOLAR FARM EXTENSION – REFERRAL APPLICATION

1. These comments are provided on behalf of Te Whakakitenga o Waikato Incorporated (Waikato-Tainui).
2. Te Whakakitenga o Waikato Incorporated is the governing body for the 33 hapuu and 68 marae of Waikato and manages the tribal assets for the benefit of over 97,000 registered tribal members. It is also:
 - a) the trustee of the Waikato Raupatu Lands Trust, the post-settlement governance entity for Waikato-Tainui for the purposes of the Waikato Raupatu Lands Deed of Settlement 1995 and the Waikato Raupatu Claims Settlement Act 1995;
 - b) the trustee of the Waikato Raupatu River Trust, the post-settlement governance entity for Waikato-Tainui for the purposes of the Waikato-Tainui River Deed of Settlement 2009 and the Waikato Raupatu Claims (Waikato River) Settlement Act 2010 (River Settlement);
 - c) the mandated iwi organisation for Waikato-Tainui for the purposes of the Maaori Fisheries Act 2002; and
 - d) the iwi aquaculture organisation for Waikato-Tainui for the purposes of the Maaori Commercial Aquaculture Claims Settlement Act 2004.
3. Waikato-Tainui welcomes the opportunity to comment on the Tauhei Solar Farm Extension Fast-Track application.

WAIKATO-TAINUI COMMENTS

4. Waikato-Tainui understands that the proposal is for a utility-scale solar farm and associated infrastructure, including solar panels, battery and electrical infrastructure, internal roads, earthworks, stream crossings, ancillary buildings and associated restoration and planting. The proposal would result in the conversion of land currently used for dairy farming to renewable electricity generation and sheep grazing.
5. Waikato-Tainui acknowledges the applicant's stated rationale for the proposed electricity generation and considers that the scale and strategic nature of the proposal, as presented in the application, may warrant its progression to the substantive phase. The need for additional electricity generation and the proposal's contribution to national and regional electricity supply should be considered alongside relevant sector advice and broader national, regional and local growth and infrastructure strategies.
6. The applicant has undertaken engagement with mana whenua, including Ngaati Hinerangi, Ngaati Haua and Ngaati Raukawa, since 2023. Waikato-Tainui has considered the engagement undertaken to date, together with the relevant Treaty settlement and statutory context, in forming its position on the referral application. Should the project progress to the substantive phase, further engagement with mana whenua should continue as the proposal is developed and the potential effects and measures proposed to address them are assessed in greater detail.
7. Waikato-Tainui acknowledges that the applicant has provided an assessment of the proposal against the relevant provisions of Tai Tumu, Tai Pari, Tai Ao – Waikato-Tainui Environmental Plan. At this stage, that assessment is appropriately considered provisional. Should the project progress to the substantive phase, the application should provide for a more detailed assessment against the relevant objectives and policies of the Plan and demonstrate how these have informed the further design and development of the Project.

OVERALL POSITION

8. In principle, Waikato-Tainui does not support the use of an approvals process where condensed timeframes limit the opportunity for full and meaningful participation by iwi. Notwithstanding this, Waikato-Tainui is satisfied that the referral application, together with the information provided directly to Waikato-Tainui through engagement to date, provides a sufficient high-level understanding of the proposal, its potential effects and its interface with Waikato-Tainui interests to inform the referral decision. On that basis, Waikato-Tainui does not oppose the project progressing to the substantive phase. This position does not represent support for the proposal or its effects, which will require further expert assessment and engagement should the project proceed.
9. Waikato-Tainui looks forward to continued engagement as the proposal progresses through the Fast-Track Approvals process.

Naaku i roto i ngaa mihi, naa

T Mapu

Te Maakariini Mapu
ENVIRONMENTAL PLANNER
WAIKATO-TAINUI