



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

Project Name: FTAA-2504-1054 Ryans Road Industrial Development

To:	Date:
Panel Convener, Jane Borthwick	16/06/2025

Number of attachments: 3	Attachments: <ol style="list-style-type: none">Provisions of section 18 of the Fast-track Approvals Act 2024Project location mapList of relevant Māori groups
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Ministry for the Environment contacts:

Position	Name	Cell phone	1 st contact
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Key points

- As required by section 49 of the Fast-track Approvals Act 2024 (the Act), the Ministry for the Environment (on behalf of the Secretary for the Environment) has prepared this report on Treaty settlements and other obligations (section 18 of the Act) in relation to the substantive application FTAA-2504-1054 Ryans Road Industrial Development.
- The applicant, Carter Group Limited, proposes to develop a 55-hectare industrial subdivision in Yaldhurst, Christchurch. Approvals are sought under the Resource Management Act 1991 (RMA) and the Wildlife Act 1953. The applicant has a signed contract to purchase the property from the registered landowners, conditional on obtaining the necessary approvals for the project.
- 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. Most of those groups must be invited by the panel to comment on a substantive application under section 53(2) of the Act.
- The relevant Māori groups identified under s18(2) and to be invited to comment are Te Rūnanga o Ngāi Tahu; Te Ngāi Tūāhuriri Rūnanga; Te Taumutu Rūnanga; Whitiara Centre Limited; and Mahaanui Kurataiao Limited.

5. The relevant Treaty settlement is the Ngāi Tahu Claims Settlement Act 1998. No other obligations have been identified under section 18(2) as relevant to the project area.
6. In the Crown acknowledgements and apology, it recognises its failures to fulfil its Treaty obligations and commits to a new age of co-operation with Ngāi Tahu. We have not identified any other relevant principles and provisions of the Treaty settlement, or other obligations. Accordingly, we have not identified any documents the panel must give the same or equivalent effect to, or procedural requirements the panel must comply with, under section 82 and clause 5 of schedule 3 to the Act.

Signature

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Ilana Miller
General Manager – Delivery and Operations

Introduction

7. For a substantive application that relates to a listed project, under section 49 of the Act, the Environmental Protection Authority (EPA) must request a report from the responsible agency (Secretary for the Environment) that is prepared in accordance with section 18(2) and (3)(a) of the Act (but does not contain the matters in section 18(2)(l) and (m)).
8. 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; and
 - b. relevant principles and provisions in Treaty settlements and other arrangements.
9. This report is structured accordingly. We have provided a list of the relevant provisions of section 18 at **Attachment 1**.

Proposed project

10. The applicant, Carter Group Limited, proposes to develop a 55-hectare industrial subdivision in Yaldhurst, Christchurch. Approvals are sought under the RMA (land use consent, subdivision consent, water permit, discharge permit) and the Wildlife Act 1953 (wildlife authority). The applicant has a signed contract to purchase the property from the registered landowners, conditional on obtaining the necessary approvals for the project.
11. We have provided a location map at **Attachment 2**.

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

12. 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**, including contact details.

Iwi authorities

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

Treaty settlement entities

14. 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).
15. We have identified the following relevant Treaty settlement entities for this project area:

- a. Te Rūnanga o Ngāi Tahu, representing Ngāi Tahu, PSGE for the Ngāi Tahu Claims Settlement Act 1998;
- b. Te Ngāi Tūāhuriri Rūnanga, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998; and
- c. Te Taumutu Rūnanga, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998.

Groups mandated to negotiate Treaty settlements

16. There are no groups which have recognised mandates to negotiate a Treaty settlement over an area which may include the project area. All historical claims under te Tiriti o Waitangi / the Treaty of Waitangi have been settled in respect of the project area.

Takutai Moana groups and ngā hapū o Ngāti Porou

17. 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.
18. 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 customary management areas

19. The project area is not within a taiāpure-local fisheries area, mātaihai reserve, or area subject to a bylaw made under Part 9 of the Fisheries Act 1996.

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

20. 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.
21. 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

22. 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.

23. 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

24. We consider the following entities, owned by the relevant papatipu rūnanga, as other Māori groups that may have relevant interests in the application, as they may represent the papatipu rūnanga on environmental and other policy matters in the project area:
- a. Whitiara Centre Limited (owned by Te Ngāi Tūāhuriri Rūnanga); and
 - b. Mahaanui Kurataiao Limited (owned by Te Taumutu Rūnanga and five other papatipu rūnanga).

Relevant principles and provisions in Treaty settlements and other arrangements

Treaty settlements

25. 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.
26. The following Treaty settlements relate to land, species of plants or animals, or other resources within the project area:
- a. Ngāi Tahu Claims Settlement Act 1998.

Relevant principles and provisions

27. 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

28. Through a series of acknowledgements and an apology to Ngāi Tahu, the Crown acknowledged its historical actions that breached te Tiriti o Waitangi/the Treaty of Waitangi. The Crown apologised to Ngāi Tahu for its past failures to acknowledge Ngāi Tahu rangatiratanga and mana over the South Island lands within its boundaries, and, in fulfilment of its Treaty obligations, the Crown recognised Ngāi Tahu as the tangata whenua of, and as holding rangatiratanga within, the takiwā of Ngāi Tahu Whānui.
29. The Crown apology also stated that the Crown intended to atone for these acknowledged injustices, and to begin the process of healing and to enter a new age of co-operation with Ngāi Tahu. The redress provided in the Ngāi Tahu settlement should be viewed in the context of these intentions.

Taonga species

30. The special association Ngāi Tahu have with taonga species within the Ngāi Tahu takiwā was recognised by the Crown in the Ngāi Tahu settlement, with a list of taonga species including 49 bird species, 54 plant species and 6 marine mammals. The applicant is seeking a wildlife authorisation for the relocation of any lizards found, however, there are no lizards named in the taonga species list. The panel may want to consider the broader

kaitiaki obligations Ngāi Tahu have to protect and care for the environment, including flora and fauna.

31. Ultimately, 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

32. 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

33. As noted above, the project area is not within 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

34. As noted above, we have not identified any Mana Whakahono ā Rohe or joint management agreements that are relevant to the project area.

Consultation with departments

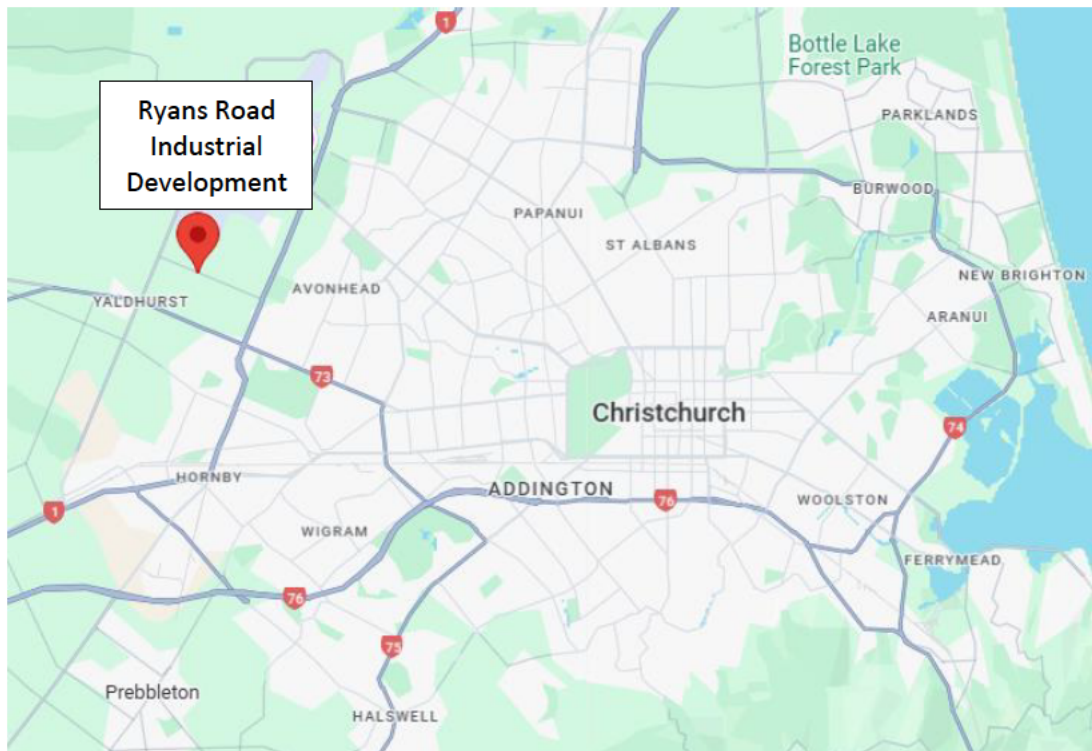
35. In preparing this report, we are required to consult relevant departments. We sought advice from Te Puni Kōkiri and Te Tari Whakatau regarding the relevant Māori groups, and have incorporated their responses into this report.

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

Section	Information required	Paragraph reference in this report
18(1)	The Minister must, for a referral application, obtain and consider a report that is prepared by the responsible agency in accordance with this section.	Not applicable to substantive applications – s 18 report is required by s 49.
18(2)(a)	Any relevant iwi authorities and relevant Treaty settlement entities	13-15
18(2)(b)	Any Treaty settlements that relate to land, species of plants or animals, or other resources within the project area	25-26
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	27-31
18(2)(d)	Any recognised negotiation mandates for, or current negotiations for, Treaty settlements that relate to the project area.	16
18(2)(e)	Any court orders or agreements that recognise protected customary rights or customary marine title within the project area.	17, 32
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.	17, 32
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).	18, 32
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).	19, 33
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).	20-21, 34
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),	22-23

	<p>(i) iwi authorities and groups that represent hapū that are parties to any relevant Mana Whakahono ā Rohe or joint management agreements.</p> <p>(ii) The relevant principles and provisions in those Mana Whakahono ā Rohe and joint management agreements.</p>	
18(2)(k)	Any other Māori groups with relevant interests.	24
18(2)(l)	<p>A summary of—</p> <p>(i) comments received by the Minister after inviting comments from Māori groups under section 17(1)(d) and (e);</p> <p>(ii) any further information received by the Minister from those groups</p>	Not applicable to substantive applications
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.	Not applicable to substantive applications
18(3)	<p>In preparing the report required by this section, the responsible agency must—</p> <p>(a) consult relevant departments; and</p> <p>(b) provide a draft of the report to the Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti.</p>	<p>35 (Section 18(3)(a))</p> <p>Section 18(3)(b) not applicable to substantive applications</p>
18(4)	Those Ministers must respond to the responsible agency within 10 working days after receiving the draft report	Not applicable to substantive applications

Attachment 2: Project location map



Location of Ryans Road Industrial Development at 104 Ryans Road, Christchurch



Site footprint of Ryans Road Industrial Development

Attachment 3: List of relevant Māori groups

Name of group	Type of group (section of Act)	Contact persons	Contact email
Te Rūnanga o Ngāi Tahu	iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a) – Ngāi Tahu Claims Settlement Act 1998)	Justin Tipa, Chair	[REDACTED]
Te Taumutu Rūnanga	iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a) – Ngāi Tahu Claims Settlement Act 1998)	David Perenara-O'Connell	[REDACTED]
Te Ngāi Tūāhuriri Rūnanga	iwi authority (s18(2)(a)), Treaty settlement entity (s18(2)(a) – Ngāi Tahu Claims Settlement Act 1998)	Tania Wati	[REDACTED]
Whitiora Centre Limited	other Māori group with relevant interests (s18(2)(k))	Mike Davidson	[REDACTED]
Mahaanui Kurataiao Limited	other Māori group with relevant interests (s18(2)(k))	Manaia Cunningham	[REDACTED]