

UNDER

the Fast Track Approvals Act 2024 (the
FTAA)

IN THE MATTER

of the Port of Tauranga Ltd for the Stella
Passage Development Project listed in
Schedule 2 of the FTAA

FTAA-2512-1163

**SUBMISSIONS ON BEHALF OF NGĀTI RANGINUI FISHERIES TRUST AND NGĀTI
RANGINUI IWI SOCIETY IN RESPOSNE TO
MINUTE 5 OF THE EXPERT PANEL**

DATED 8 JUNE 2026

LARA BURKHARDT
Barrister & Solicitor

PO Box 4432
Mount Maunganui South 3149

Telephone:

Email:

[REDACTED]
[REDACTED]
[REDACTED]

MAY IT PLEASE THE PANEL CONVENOR:**Introduction**

1. This memorandum is filed on behalf of the Ngāti Ranginui Fisheries Trust (**NRFT**) and Ngāti Ranginui Iwi Society (**NRIS**) in response to Minute 5 of the Expert Panel dated 22 May 2026.
2. Given the interrelationship between a number of the issues identified in Minute 5, NRFT and NRIS have organised their response by topic rather than by reference to the order of the questions posed.
3. This memorandum addresses:
 - (a) Cumulative Cultural Effects (paragraph 4(a) of Minute 5);
 - (b) Historical Context and Related Proceedings (paragraph 10);
 - (c) Positive Effects (paragraph 4(b) of Minute 5);
 - (d) SPDAG and Alternative Mechanisms (paragraph 8 of Minute 5);
 - (e) Further Process (paragraph 9 of Minute 5);
 - (f) Interpretation of the RCEP Matter of Discretion (paragraph 7 of Minute 5); and
 - (g) Treaty Settlement Issues (paragraph 3 of Minute 5).
4. As explained further below, NRFT and NRIS intend to undertake further engagement with relevant Ngāti Ranginui entities and specialist Treaty settlement advisers in relation to the issues arising under sections 7 and 85(1)(b) of the FTAA and respectfully seek leave to provide supplementary submissions on those matters.

Cumulative Cultural Effects

5. NRFT and NRIS generally agree that paragraph 128 captures many of the cumulative cultural effects identified by tangata whenua participants. However, the summary tends to present those matters as a collection of individual effects.

6. In the view of NRFT and NRIS, the central concern is broader. Cultural effects do not arise in isolation from individual projects but from the combined, successive and compounding impacts of multiple Port activities over time. The cumulative effects concern is therefore not limited to the specific adverse effects identified at paragraph 128, but extends to the broader trajectory of harbour modification and industrialisation and the resulting degradation of tangata whenua relationships with Te Awanui.
7. In particular, NRFT and NRIS consider that paragraph 128 does not fully capture the concern expressed by a number of tangata whenua participants that cumulative effects must be assessed against the backdrop of decades of harbour modification and degradation, nor the concern that a threshold may be reached where further incremental adverse effects become unacceptable to such an extent that they are out of proportion to the proposal's benefits and need to be further addressed in order to allow for the necessary balance to be struck.
8. The concern is not simply the existence of adverse effects, but the continuing addition of further effects to an already degraded receiving environment.
9. NRFT and NRIS also consider that cumulative effects extend beyond the physical footprint of individual projects. The effects identified by tangata whenua include intergenerational impacts on identity, mātauranga, tikanga, customary practices, and the exercise of kaitiakitanga, together with the progressive erosion of relationships with Te Awanui as a whole.
10. In NRFT's and NRIS's submission, it is the cumulative nature of the adverse cultural effects identified by tangata whenua that is critical. Those effects do not arise solely from Port activities, but from the combined impacts of multiple activities and decisions that have contributed to the progressive degradation of Te Awanui over time.
11. The question raised by this proposal is whether the additional effects associated with the proposal, when added to that existing cumulative burden, result in a level of adverse impact that is out of proportion to the benefits relied upon in support of the proposal unless further mitigation, restoration, offsetting, compensation or other responses are provided. The extent to which that can occur remains a central unresolved issue and is reflective of the information gap identified in the NRIS comments.

12. Subject to those observations, NRFT and NRIS consider that paragraph 128 captures many of the cumulative cultural effects raised by tangata whenua participants, albeit without fully reflecting the significance of their combined, successive and compounding nature.

Historical Context and Related Proceedings

13. The reference in paragraph 4.6 of NRFT's response was primarily to the High Court appeal filed by NRFT and NRIS in relation to the Environment Court's Second Interim Decision (*Port of Tauranga Limited v Bay of Plenty Regional Council* [2024] NZEnvC 337). However, NRFT notes that related appeals were also filed by other tangata whenua parties arising from the same Environment Court decision.
14. While the appeals advanced different grounds, they collectively raised questions concerning procedural fairness, tikanga-based process, the adequacy and scope of proposed conditions, kaitiaki participation, and the treatment of cumulative cultural effects. NRFT does not invite the Panel to determine those issues. Rather, the reference was intended to note that concerns regarding process and the adequacy of conditions have persisted throughout the history of the proposal and have remained sufficiently significant to be the subject of multiple appeals.

Positive Effects

15. NRFT and NRIS acknowledge that the Port plays a significant role in the regional and national economy and that its continued operation generates employment, trade and wider economic benefits. Those benefits are not disputed and tangata whenua, as members of the regional and national community, may share in them alongside other New Zealanders.
16. However, the positive effects identified in the application are largely general economic benefits distributed across the wider community. By contrast, the cultural effects identified by tangata whenua arise in relation to specific ancestral relationships with Te Awanui and are experienced disproportionately by those iwi and hapū whose mana whenua, kaitiakitanga and cultural values are directly affected.

17. The Environment Court similarly accepted the importance of the Port and the economic benefits it generates, including its significance to regional and national trade.
18. However, despite accepting those benefits, the Court did not grant the proposal as sought. Rather, it identified significant cumulative cultural impacts, found that it would be inappropriate to authorise further cumulative adverse cultural effects unless appropriate remediation, mitigation, restoration or compensation were first in place, and emphasised the need for meaningful, certain and enforceable responses to those impacts.
19. In NRFT and NRIS's view, the existence of positive economic effects does not reduce the need for those cultural effects to be properly identified, assessed and addressed. Nor does it diminish the importance of ensuring that any approval appropriately recognises and provides for the relationship of tangata whenua with Te Awanui and provides meaningful opportunities for the exercise of kaitiakitanga.

SPDAG and Alternative Mechanisms

20. NRFT and NRIS acknowledge the efforts made by POTL to further develop the proposed Stella Passage Dredging Advisory Group (**SPDAG**) framework in response to concerns raised by tangata whenua participants. The revised conditions and supporting planning evidence provide greater detail regarding the proposed role, functions and resourcing of SPDAG than was previously available.
21. NRFT and NRIS do not oppose, in principle, the establishment of a collective harbour-based forum intended to support ongoing engagement between POTL and tangata whenua. Indeed, both entities have previously supported exploration of similar concepts. In particular, the Relationship Agreement entered into between NRIS, NRFT and POTL contemplated the potential establishment of a broader Te Awanui governance or representative entity to facilitate engagement, strategic planning and decision-making in relation to Te Awanui matters. The Agreement recognised the potential value of a collaborative forum involving those with interests in Tauranga Moana, including in relation to resource consent processes and harbour management matter

22. However, the proposed entity contemplated by the Relationship Agreement was never established. In NRFT and NRIS's view, that history demonstrates both the potential value of collaborative governance arrangements and the practical challenges associated with their implementation. It also illustrates the need for caution before placing significant weight on future institutional arrangements that do not yet exist and whose effectiveness remains untested.
23. Against that background, NRFT and NRIS consider that SPDAG may provide a useful forum for ongoing engagement, cultural monitoring, identification of issues arising during implementation, administration of funding initiatives, and discussion of restoration priorities. Those are potentially positive features of the proposed framework.
24. While SPDAG may provide a forum through which cultural effects, potential mitigation measures, restoration initiatives and other responses can be identified and discussed, its principal function remains one of engagement, monitoring and advice.
25. The current conditions provide limited assurance that measures identified through SPDAG will necessarily be developed, adopted or implemented. Nor does the existence of SPDAG itself restore cultural relationships, improve harbour health, restore customary practices, or address the cumulative effects identified by tangata whenua participants.
26. NRFT and NRIS therefore consider that the principal question is not whether SPDAG has value, but what weight can properly be attributed to it when assessing the adequacy of POTL's overall response to cumulative cultural effects. In that regard, NRFT and NRIS submit that SPDAG should be viewed as one component of a broader response framework rather than as a substitute for substantive mitigation, restoration, cultural recognition, or other measures directed at addressing adverse effects.
27. NRFT and NRIS also note that many of the anticipated benefits attributed to SPDAG depend upon future relationships, future decision-making, and future agreement amongst participants. While those outcomes may eventuate, they cannot presently be assumed. This is particularly relevant given the Environment Court's earlier observations regarding the limitations of relying upon future intentions and processes when assessing whether adverse cultural effects have been adequately addressed.

28. For those reasons, NRFT and NRIS consider that SPDAG has potential value and may assist in supporting the exercise of kaitiakitanga over time. However, the existence of SPDAG should not be treated as determinative of whether the proposal's cumulative cultural effects have been appropriately addressed, nor should it materially diminish the weight otherwise attributable to those effects.
29. The Panel has specifically invited comment on concerns with the proposed SPDAG conditions and amendments that may address those concerns. NRFT and NRIS have not undertaken a comprehensive review of the latest draft conditions and reserve the right to provide further comments. However, the following initial observations are offered in response to the Panel's questions.
30. First, clarification is required regarding the establishment of SPDAG. Condition 3.6 appears to contemplate the possibility of SPDAG being established with very limited participation, potentially including a single participating entity. If that is the intended outcome, the conditions should state this expressly for the avoidance of doubt. Conversely, if a minimum level of participation is intended before SPDAG can be regarded as established, that threshold should be clearly specified. SPDAG should not be presumed to speak on behalf of iwi, hapū or settlement entities unless expressly authorised to do so. NRFT and NRIS consider that the conditions should also specify the process and timeframe for establishment, including how participation will be sought, how vacancies or non-participation will be managed, and when associated obligations will commence. This will provide greater certainty for all parties and avoid the risk of obligations being delayed indefinitely due to difficulties in constituting the group. Similar arrangements elsewhere have, at times, taken years to establish, creating uncertainty regarding when associated obligations commence and for whom.
31. Secondly, the conditions should make clear that SPDAG is not intended to be the sole mechanism for engagement between POTL and tangata whenua. While a collective forum may be useful for some purposes, direct engagement with individual iwi, hapū and representative entities should remain available where appropriate. Consideration should be given to expressly recognising this in the conditions. In addition, participation in SPDAG should not be interpreted as transferring, aggregating, limiting or replacing the rights, interests, mandates or relationships held by individual iwi, hapū or post-settlement governance entities. The conditions should expressly recognise that participation in SPDAG does not

replace, limit, diminish or supersede existing Treaty settlement relationships, statutory acknowledgements, relationship agreements, or other engagement arrangements between POTL and tangata whenua entities.

32. Thirdly, NRFT and NRIS are concerned that aspects of the SPDAG framework are framed too narrowly and may unnecessarily constrain the matters capable of being considered by SPDAG. In particular, the relevant conditions appear to focus on adverse changes to cultural values that have not previously been identified and that result from implementation of this consent. While NRFT and NRIS acknowledge that questions of causation and attribution are relevant considerations, the cumulative effects concerns raised in relation to this proposal arise in the context of a long history of degradation within Te Awanui, to which Port activities have been a significant contributor.
33. In those circumstances, NRFT and NRIS are concerned that the proposed wording may lead to unnecessary debate regarding whether an issue is sufficiently "new", whether it has already been identified elsewhere, or whether it can be attributed solely to implementation of this consent. In NRFT and NRIS's view, SPDAG should be able to consider, discuss and make recommendations regarding cultural effects, trends and changes identified through monitoring and engagement without first having to satisfy a series of threshold tests. Questions regarding causation, responsibility and the appropriateness of any recommended response can then be considered on their merits.
34. Fourthly, consideration should be given to requiring POTL to formally respond to recommendations made through SPDAG, including reasons where recommendations are not adopted. This would provide greater transparency and accountability and assist participants and the Bay of Plenty Regional Council to understand how concerns raised through SPDAG have been considered.
35. Fifthly, the conditions should include a clearer escalation pathway where recommendations made through SPDAG are not accepted by the consent holder. Consideration should be given to including a facilitation or dispute resolution process, potentially involving Bay of Plenty Regional Council, together with a clearer linkage between SPDAG recommendations, reporting obligations and the review condition.

36. Sixthly, SPDAG should have the ability to obtain independent expert, technical, legal or mātauranga Māori advice where reasonably required to enable informed participation. Subject to prior notice being provided, the reasonable costs of such advice should be met by the consent holder. Without such support there is a risk that SPDAG participants will be expected to engage with complex technical material without equivalent access to expertise.
37. Seventhly, further consideration should be given to the proposed Mātauranga Monitoring Plan provisions, which link to the SPDAG. While monitoring is potentially valuable, the current conditions appear primarily directed toward describing and reporting on cultural health indicators. Consideration should be given to expressly recognising a role for the monitoring programme in identifying, informing and recommending responses to cultural effects identified through the monitoring process. In particular, the purpose of the Mātauranga Monitoring Plan could be expanded beyond monitoring and reporting to include advice and recommendations regarding measures available to avoid, remedy, mitigate, offset or otherwise respond to cultural effects identified through monitoring.
38. Eighthly, NRFT and NRIS are also concerned that the proposed funding levels for mātauranga monitoring and associated initiatives appear inadequate when viewed against the role that monitoring is intended to perform within the proposed framework. POTL places considerable emphasis on establishing a baseline and monitoring changes over time. If that information is intended to provide a meaningful basis for assessing future changes in cultural health and informing future responses, then it is critical that the baseline itself is robust.
39. While NRFT and NRIS acknowledge the various funding contributions proposed by POTL, including the proposed \$100,000 contribution towards development of a Mātauranga Māori State of Environment framework, that level of funding appears modest relative to the scale and complexity of the task.
40. Similarly, the proposed annual contribution of \$25,000 appears unlikely to support meaningful ongoing monitoring, analysis and reporting over the duration of the consent.
41. In NRFT's and NRIS's view, substantially greater resourcing is likely to be required if mātauranga monitoring is to provide a credible foundation for understanding and responding to cumulative cultural effects over time.

42. Finally, NRFT and NRIS consider that any review mechanism should be more closely linked to issues identified through SPDAG and associated monitoring programmes. A review pathway triggered by recommendations, monitoring outcomes or identified cultural effects may be more effective than reliance solely upon a fixed review date. In that regard, NRFT and NRIS note that the current drafting appears to provide only a single annual opportunity to initiate a review (1 November). That is an unusually narrow review window. Review conditions more commonly allow reviews to be initiated within a defined period or following the occurrence of specified trigger events. Given the adaptive and evolving nature of cumulative cultural effects, and the possibility that issues may emerge at any time through monitoring or engagement processes, it is difficult to see why the exercise of the review power should be confined to a single day each year. A more responsive review mechanism would better support the purpose of the monitoring, reporting and engagement framework established by the conditions.
43. In terms of alternative mechanisms, NRFT and NRIS are not presently aware of any single alternative institutional arrangement that would, by itself, address the cumulative cultural effects identified. The issue appears to be less one of institutional structure than whether the overall package of conditions, mitigation, restoration, offsetting, compensation, monitoring and governance measures is sufficient to address those effects. In that respect, SPDAG may form part of the solution, but is unlikely to be sufficient on its own.

Further Process

44. NRFT and NRIS acknowledge the process proposed by POTL at paragraph 244 of its submissions. The proposed process would involve identification of key issues by the Panel, a facilitated session involving POTL and commenting parties, and a report back to the Panel regarding matters agreed and not agreed.
45. While aspects of that proposal may be constructive, NRFT and NRIS do not consider that a further facilitator-led process is likely, by itself, to materially advance resolution of the issues identified in Minute 5.
46. NRFT and NRIS note that a substantially similar facilitation process was previously undertaken during the Environment Court proceedings. That process included the appointment of an independent facilitator, separate and collective engagement with tangata whenua parties, and facilitated hui involving POTL and tangata whenua representatives. That process did not ultimately resolve the substantive matters now before the Panel.

47. In NRFT and NRIS's submission, the principal issues remaining are not matters of drafting detail or information exchange. Rather, they concern the significance of cumulative cultural effects, the adequacy of the proposed mitigation framework, the role of kaitiakitanga within that framework, and the extent to which proposed conditions appropriately respond to the adverse impacts identified.
48. Those matters ultimately require evaluative judgements by the Panel itself.
49. For that reason, NRFT and NRIS respectfully submit that, if the Panel considers further process would assist, greater value is likely to be obtained from a process that enables direct engagement between tangata whenua and the Panel, rather than a further round of third-party facilitation followed by a report back.
50. NRFT and NRIS continue to consider that an oral process would assist the Panel should it be minded not to decline the application. However, they do not suggest that such a process must necessarily take the form of a conventional adversarial hearing.
51. The issues raised by tangata whenua are grounded in tikanga, kaitiakitanga, cumulative cultural effects and long-standing relationships with Te Awanui. These matters are inherently relational and are not always readily conveyed through written material alone.
52. Accordingly, if the Panel considers additional process appropriate, NRFT and NRIS would support a tikanga-consistent oral process involving direct engagement with the Panel, including by way of a wānanga, hui, site visit, or other kanohi ki te kanohi process considered appropriate by the Panel.
53. Such a process would provide the Panel with an opportunity to hear directly from tangata whenua, ask questions, explore areas of uncertainty, and better understand the practical and cultural concerns underlying the written material before it.
54. NRFT and NRIS do not seek to prescribe the form of any such process. They simply submit that direct engagement between tangata whenua and the Panel is likely to be of greater assistance than a further facilitator-led process directed primarily toward identifying areas of agreement and disagreement between the parties.

Interpretation of the RCEP Matter of Discretion

55. The Panel has provided an opportunity for participants to offer their interpretation of the matter of discretion referring to "site specific historical or cultural values under ss 6(e) and 7(a) of the RMA" in the context of this application.
56. NRFT's and NRIS's interpretation is that the purpose of this wording is to direct attention to the historical and cultural values associated with the relevant site when considering the matters recognised by ss 6(e) and 7(a) RMA.
57. The wording does not define what is meant by the relevant "site". In the NRFT's and NRIS's submission, that question should be approached by reference to the historical and cultural values to which the matter of discretion refers. Nothing in the wording requires the site to be confined to the footprint of the proposed works. Rather, the relevant site should logically be informed by the location and extent of the historical and cultural values said to be affected. In the present case, that points to Te Awanui and the wider harbour environment rather than merely the footprint of the proposed works.
58. The purpose of the wording appears to be to ensure that consideration of the relationship of Māori with ancestral lands, waters, sites, wāhi tapu and other taonga, and the exercise of kaitiakitanga in respect of those matters, is grounded in identified places and values rather than considered at a wholly abstract level.
59. However, once those values are identified, the focus of the inquiry is not limited to the values themselves. Rather, the decision-maker must consider those values within the framework of ss 6(e) and 7(a), including the associated relationships and kaitiakitanga responsibilities.
60. Applied to the present application, the interpretation ultimately adopted is unlikely to materially affect the scope of the assessment. The existence of historical and cultural values associated with the affected area is well established on the evidence before the Panel. The Panel's task is therefore to consider those values, and the associated relationships and responsibilities, within the framework contemplated by ss 6(e) and 7(a).

61. NRFT and NRIS also consider it necessary to distinguish between the interpretation of the matter of discretion itself and the separate question of the role that matter of discretion plays in defining the scope of the Panel's assessment under the FTAA. While the Panel has invited submissions on the former issue, POTL's submissions raise the latter. In particular, POTL appears to contend that the Panel's consideration under the FTAA remains confined by the matters of control and discretion identified in the relevant planning instruments. The Trust does not accept that proposition.
62. NRFT and NRIS respectfully disagrees with POTL's submission that, apart from the purpose of the FTAA, there is "*nothing in the FTAA which would allow the Expert Panel to expand its consideration of matters beyond those over which Bay of Plenty Regional Council and Tauranga City Council have restricted the exercise of their control/discretion*" (paragraph 47).
63. That submission appears to import into the FTAA the jurisdictional limitations that apply to a consent authority exercising powers under ss 104A and 104C RMA. Those provisions explain how a consent authority is to exercise its functions when determining controlled and restricted discretionary activity applications under the RMA. However, the Panel is not exercising powers under ss 104A or 104C RMA. As POTL itself notes, the Panel's decision-making power arises under s 81 FTAA and must be exercised in accordance with the assessment framework prescribed by Schedule 5.
64. The significance of that distinction should not be understated. Parliament has deliberately removed these applications from the ordinary resource consent pathway and created a separate statutory approval process. While planning instruments remain relevant considerations under Schedule 5, the source and scope of the Panel's decision-making powers derive from the FTAA itself. It is therefore not self-evident that limitations which would ordinarily apply to a consent authority exercising a restricted discretionary or controlled activity jurisdiction continue to apply in the same way under the FTAA.
65. Further, NRFT and NRIS respectfully consider that POTL's approach risks creating an asymmetry within the statutory framework. The proposal receives the benefit of the FTAA regime, including the ability to obtain approvals through a process that is not constrained by the ordinary activity-status consequences that would

otherwise arise under the planning framework. However, POTL simultaneously submits that the Panel's assessment remains constrained by the limits that would ordinarily attach to those same activity statuses. In NRFT's and NRIS's submission, that proposition should be approached with caution. If Parliament has created a broader decision-making framework and directed the Panel to undertake the evaluative exercise prescribed by Schedule 5, it is difficult to see why the Panel's consideration should nevertheless remain confined by reference to the jurisdictional limits applicable to a different statutory decision-maker operating under a different statutory regime.

66. At a minimum, the Trust does not consider that the references to "site specific historical or cultural values under ss 6(e) and 7(a) of the RMA" can properly be treated as defining the outer limits of the Panel's consideration of Māori interests, cultural effects, or other matters that the FTAA requires the Panel to take into account. Those references assist in identifying the cultural context relevant to the proposal. They do not determine the full scope of the Panel's assessment under the FTAA.

Treaty Settlement Issues

67. NRFT and NRIS note the issues raised in relation to sections 7 and 85(1)(b) of the FTAA, including the submissions advanced by Ngāti Kuku and Whareroa Marae and the responses filed by POTL.
68. NRFT and NRIS understand the submissions of Ngāti Kuku and Whareroa Marae to be directed primarily toward whether approval of the proposal would be inconsistent with obligations arising under the Ngāi Te Rangi settlement and therefore engage the mandatory decline provision in section 85(1)(b) of the FTAA.
69. NRFT and NRIS consider that Treaty settlement issues are of significant relevance to the Panel's consideration of this application. However, those issues extend beyond the specific matters raised in relation to the Ngāi Te Rangi settlement and require careful consideration of a broader range of settlement instruments, statutory settlement frameworks, and the obligations arising from them.
70. NRFT and NRIS remain concerned that the identification and assessment of potentially relevant Treaty settlement obligations has not yet been completed. Those concerns are longstanding. During preparation of the NRFT Cultural Impact

Assessment, NRFT raised concerns regarding the treatment of the Māori Fisheries Act 2004, the Māori Commercial Aquaculture Claims Settlement Act 2004, and related fisheries settlement arrangements. At that time, POTL advised that it did not consider those settlement frameworks to be relevant to the Stella Passage proposal. NRFT also recorded concerns that POTL's Treaty settlement analysis was provided late in the process, was limited in scope, and did not allow sufficient opportunity for a comprehensive assessment of the implications of the proposal for relevant Treaty settlement frameworks.

71. In particular, NRFT and NRIS note that POTL's Treaty Settlement Summary identifies a range of settlement acknowledgements, apologies, relationship arrangements, cultural redress provisions, fisheries-related arrangements, and collective Tauranga Moana settlement mechanisms that are potentially relevant to the wider context of this proposal. However, the analysis frequently concludes that those matters do not affect the natural and physical resources relevant to the project area.
72. Without expressing a concluded view at this stage, NRFT and NRIS consider that section 7 requires a broader inquiry than whether settlement redress directly affects the physical project footprint. Potentially relevant considerations include the practical operation, integrity and intended effect of Treaty settlement arrangements, including relationship redress, fisheries interests, kaitiaki responsibilities, harbour-related acknowledgements, and collective Tauranga Moana settlement mechanisms.
73. NRFT and NRIS therefore consider that further work is required before any concluded position can properly be reached regarding the application of sections 7 and 85(1)(b) of the FTAA.
74. Given the significance of the issue, and the potentially mandatory consequences arising under section 85(1)(b), NRFT and NRIS intend to take up the opportunity identified in Minute 5 to provide further submissions on Treaty settlement matters.
75. In the interests of efficiency and avoiding duplication, NRFT and NRIS propose to engage with relevant Ngāti Ranginui entities and advisers, including specialist Treaty settlement advisers, with a view to providing a coordinated response addressing the application of sections 7 and 85(1)(b) of the FTAA to this proposal.

76. NRFT and NRIS respectfully seek leave to file supplementary submissions on this issue within 21 days of the date of this memorandum, or such other timeframe as the Panel considers appropriate.



Lara Burkhardt

Counsel for the Ngāti Ranginui Fisheries Trust and Ngāti Ranginui Iwi Society