

29 April 2026

Response: Barrytown Minerals Project – Southern Block

Mike Meehan  
[REDACTED]

Tēnā koe

## **RESPONSE TO Tāiko Critical Minerals Limited - Barrytown Minerals Project (Substantive Application under Fast Track Approvals Act 2024)**

Te Rūnanga o Ngāi Tahu (**Te Rūnanga**) provides this response regarding your proposal for the Barrytown Minerals Project – Southern Block under the Fast-Track Approvals Act 2024 (**the Act**).

Based on the email dated 6 March 2026 and attached document it is our understanding that you intend to undertake mining activities on part of the area identified in Schedule 2 of the Act.

The expectation of Te Rūnanga is that full consultation will occur with the relevant Papatipu Rūnanga (as outlined below) before the lodgement of any application. This includes access to detail information. This will also enable you to fill the requirements of section 29 of the FTAA. Without sufficient information Te Rūnanga nor Papatipu Rūnanga are unable to provide a response.

### **Ngāi Tahu:**

Te Rūnanga is the statutorily recognised representative tribal body of Ngāi Tahu whānui (as provided by section 15 of the Te Rūnanga o Ngāi Tahu Act 1996 (**TRONT Act**)) and was established as a body corporate on 24 April 1996 under section 6 of the TRONT Act. Te Rūnanga encompasses 18 Papatipu Rūnanga, who uphold the mana whenua and mana moana of their rohe. Te Rūnanga is responsible for managing, advocating, and protecting, the rights and interests inherent to Ngāi Tahu as mana whenua. Notwithstanding its statutory status as the representative voice of Ngāi Tahu whānui “for all purposes”, Te Rūnanga accepts and respects the right of individuals and Papatipu Rūnanga to provide their own responses.

Accordingly, while Te Rūnanga provides this overarching response, we emphasise that Papatipu Rūnanga are distinct treaty settlement entities in their own right, with their own mandates, responsibilities, cultural knowledge, and decision-making structures. Engagement with Te Rūnanga does not replace or diminish the requirement for you, as the applicant, to undertake robust, early, and meaningful consultation with the Papatipu Rūnanga whose takiwā and interests intersect with the project area and the wider environment. For the Barrytown area is this Ngāti Waewae, which you note you are already working with.

### **Te Rūnanga o Ngāi Tahu engagement**

Te Rūnanga acknowledges that Tāiko Critical Minerals Limited has begun consultation with Te Rūnanga. For clarification, the relevant Treaty Settlement Provisions that shape this

response have been summarised in **Appendix Two**. While further consultation is expected, the initial comments on the proposal are:

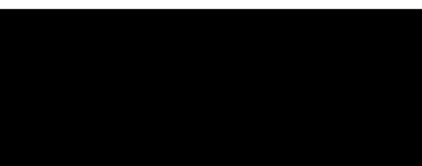
- Te Rūnanga supports the resourced, direct engagement with Ngāti Waewae and the project adopting conditions that are codesigned with rūnanga to protect Ngāi Tahu values.
- Te Rūnanga are interested in hearing more about how the project will protect Taonga Species in the Avian Management Plan and plans for relocate fish species and surveys of fish species and penguins. As well as the long-term wetland remediation.

This response is provided without prejudice to:

- Legal action Ngāi Tahu and its Papatipu Rūnanga are currently undertaking, or any other claims or allegations made, against the Crown. In particular, nothing in this response overrides or limits any pleadings in the Ngāi Tahu wai Māori case<sup>1</sup>.
- Any existing arrangements by Papatipu Rūnanga regarding how they may or may not be involved in the development of this application. It is the exception of Te Rūnanga that mana whenua input will continue to be sought to the extent and in a manner that Ngāti Waewae has indicated they wish to be involved.

Based on the information provided, and provided engagement continues to occur with Ngāti Waewae, it is unlikely that further engagement is required with Te Rūnanga. However, this may change if further information, including the concerns expressed above, indicate that Treaty settlement mechanisms are potentially impacted by the proposal or further engagement with Te Rūnanga is required.

Ngā mihi



Programme Leader – Mauri  
Te Rūnanga o Ngāi Tahu

**Address for Service:**



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**Attachments**

Appendix One - Ngāi Tahu takiwā

Appendix Two – Te Rūnanga o Ngāi Tahu settlement provisions considered under the Fast Track Act

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<sup>1</sup> *Tau & Ors v Attorney-General*, HC Christchurch CIV 2020-409-534.

### APPENDIX ONE: Ngāi Tahu Takiwā



**APPENDIX TWO: Te Rūnanga o Ngāi Tahu settlement provisions considered under the Fast Track Act**

The contemporary relationship between the Crown and Ngāi Tahu is defined by three core documents; Te Tiriti o Waitangi (**the Treaty**), the Ngāi Tahu Deed of Settlement 1997 (**Deed of Settlement**) and the Ngāi Tahu Claims Settlement Act 1998 (**NTCSA**). These documents form an important legal relationship between Ngāi Tahu and the Crown.

Of significance, the Deed of Settlement and NTCSA confirmed the rangatiratanga of Ngāi Tahu and its relationship with the natural environment and whenua within the takiwā. In particular applicants are advised that the following provisions inform principles that are to be embedded into the engagement and assessments provided for Fast Track applications. The extent and form of how those principles are embedded can only be undertaken with guidance and advice from the relevant Ngai Tahu entities for this takiwā.

<b>Provision</b>	<b>Description/ Consideration</b>
<b>The Crown’s apology</b>	The Crown apology in the NTCSA is a formal and unreserved acknowledgment of the grave injustices committed by the Crown, including breaches of the principles of Te Tiriti o Waitangi, and expresses profound regret for the harm caused to Ngāi Tahu cultural, social, and economic wellbeing over generations. Under Fast Track, this apology forms part of the Treaty settlement obligations that decision-makers must act consistently with, meaning any development must respect the Crown’s commitment to honouring Ngāi Tahu rights and avoid repeating past breaches.
<b>Rangatiratanga</b>	Rangatiratanga in the NTCSA refers to the Crown’s formal recognition of Ngāi Tahu as the tāngata whenua of their takiwā and as holding rangatiratanga—authority and self-determination—over their lands, resources, and people, as guaranteed in Article II of Te Tiriti o Waitangi. Under Fast Track, decision-makers must act consistently with this recognition and respect the Crown’s commitment to honouring Ngāi Tahu rights and avoid repeating past breaches. Applicants are advised to acknowledge tino rangatiratanga through early and meaningful engagement where there is active listening and time/resourcing to consider and advise.
<b>Taonga Species Schedule 97 Schedule 98</b>	Taonga Species under the NTSCA refers to a list of native birds, plants, and animals of special cultural, spiritual, and historical significance to Ngāi Tahu (however Rūnanga note additional species) and acknowledges the Ngāi Tahu relationship with these species as well as provides for their involvement in species recovery planning and conservation decisions.

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	<p>Under Fast Track, any project that may affect Taonga Species must be assessed in light of Treaty settlement obligations, and decision-makers must ensure that Ngāi Tahu rights and interests in relation to these species are respected and not undermined by development</p>
<b>Mahinga kai</b>	<p>Mahinga Kai in the NTSCA refers to Ngāi Tahu traditional and contemporary food gathering practices and the places and resources associated with them, including rivers, lakes, and coastal areas, which are central to their cultural identity and wellbeing. It is a complex relationship between place, people and practices.</p> <p>Under Fast Track, decision-makers must consider and act consistently with Treaty settlements, meaning any proposed development that could affect Mahinga Kai sites, access, use or resource abundance must be assessed to ensure it does not compromise this value.</p>
<b>Pounamu</b>	<p>Pounamu holds deep cultural, spiritual, and economic significance for Ngāi Tahu, and its ownership was formally returned to the iwi under the NTCSA to restore their rangatiratanga over this taonga and ensure its protection and sustainable use.</p> <p>Under Fast Track, any proposed development that may affect pounamu sources or related sites (such as historic transport routes) must be assessed in light of Treaty settlement obligations, requiring decision-makers to consult Ngāi Tahu and uphold their rights to manage and protect this resource.</p>

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In addition to the settlement provisions, the application must also identify the parcels of Māori land, marae, and identified wāhi tapu within the project area. It is recommended that the applicant engage with Ngāti Waewae to identify the appropriate way to meet this obligation of the Fast Track Act and review the following documents:

- [Partnership Protocol and Mana Whakahono ā Rohe](#)
- [Pounamu Resource Management Plan 2002](#)
- Māori Archaeological sites noted in Appendix Ten of the [Te Tai o Poutini Plan](#)
- [Marine Reserve \(Punakaiki\) Order 2014](#) (adjoins the identified area in the substantive application area).