BEFORE THE FAST-TRACK APPROVALS PANEL CONVENER **FTAA-2608-1278**

Under **the Fast-track Approvals Act 2024 (FTAA)**

IN THE MATTER of an application by Waste Management NZ Limited (WMNZ) under section 42 of the FTAA for approvals for the expansion and extension of the Redvale Landfill and Energy Park (Project)

MEMORANDUM OF COUNSEL FOR THE NGĀTI MANUHIRI SETTLEMENT TRUST, NGĀTI RANGO CHARITABLE TRUST AND TE KAWERAU IWI SETTLEMENT TRUST

IN RESPONSE TO MINUTE 1 OF THE PANEL CONVENER

DATED: 3 NOVEMBER 2026

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May it please the Panel Convener

Introduction

1. This memorandum is filed for the trustees of the Ngāti Manuhiri Settlement Trust (Ngāti Manuhiri), the trustees of the Ngāti Rango Charitable Trust (Ngāti Rango) and the trustees of the Te Kawerau Iwi Settlement Trust (Te Kawerau ā Maki), together the mana whenua partners. It responds to Minute 1 of the Panel Convener dated 8 October 2026 (Minute), including Schedules 1 and 2.
2. Ngāti Manuhiri and Te Kawerau ā Maki are listed in Schedule 1 as invited participants. Ngāti Rango is not. Ngāti Rango asks to be added as a participant for the reasons at paragraphs 7 to 9.
3. Terrence Hohneck, chair of the Ngāti Manuhiri Settlement Trust, and Te Kurataiaho Kapea, chair of the Ngāti Rango Charitable Trust, will attend the conference on Tuesday 10 November 2026 at 10 am, with counsel. They will attend alongside, and in the same room as, their project partner WMNZ.

The mana whenua partners

4. Ngāti Manuhiri, Ngāti Rango and Te Kawerau ā Maki are mana whenua of the land on which the Redvale Landfill sits. The Cultural Values Assessment prepared by Whetū Consultancy Group for the application identifies them as the three mana whenua groups with a strong relationship with the Redvale Landfill site.
5. They gave a joint letter of support for the Project dated 4 August 2026. It is Appendix H to WMNZ's substantive application.
6. The mana whenua partners support the Project and are working with WMNZ on it. They are not applicants. WMNZ is the sole applicant.

Ngāti Rango should be a participant

7. Schedule 1 lists the Ngāti Manuhiri Settlement Trust and the Te Kawerau Iwi Settlement Trust, both Treaty settlement entities. It also lists Te Rūnanga o Ngāti Whātua and Ngā Maunga Whakahii o Kaipara. It does not list Ngāti Rango, which is represented by the Ngāti Rango Charitable Trust. That trust is not a Treaty settlement entity.
8. The application's own cultural evidence places Ngāti Rango among the three groups with the closest relationship to the site. Leaving it out of the conference, and potentially out of the invitations to comment, would leave the panel without the view of one of the mana whenua groups most directly connected to the Project. Ngāti Manuhiri and Te Kawerau ā Maki support Ngāti Rango's request.

9. Ngāti Rango asks that:
    a. it be added to Schedule 1 as a participant in the conference; and
    b. the Panel Convener record, for the panel's benefit, that Ngāti Rango should be invited to comment on the application under section 53(3) of the FTAA as a person the panel considers appropriate.

Extent of engagement

10. WMNZ has engaged with each of the mana whenua partners directly and consistently, before and after the referral application was lodged. That engagement produced the Cultural Values Assessment, the joint letter of support and a bilateral agreement between WMNZ and each group setting out how they will work together on the Redvale site. WMNZ's Board has approved those agreements in principle.
11. The mana whenua partners are satisfied with the extent and quality of WMNZ's engagement with them.

Experts and consultants

12. The mana whenua partners have not engaged technical experts on the Project. Tu Pono Legal acts for them.

Processes agreed with the applicant

13. Matters between WMNZ and the mana whenua partners are being dealt with directly between them, through the agreements referred to at paragraph 10. None of them anticipates any issue that needs the panel's processes to resolve.

Principal environmental effects at issue

14. There is no difference of opinion between WMNZ and the mana whenua partners on the effects of the Project.

Complexity

15. The mana whenua partners agree with WMNZ that the application is of moderate complexity. The Project extends the life of an existing landfill, largely within its existing footprint.

Proposed consent conditions

16. The proposed conditions do not include conditions directed at mana whenua. That is appropriate. The arrangements between WMNZ and mana whenua sit in the agreements between them, and mana whenua are working with WMNZ directly rather than relying on conditions enforced by others. The mana whenua partners do not seek mana whenua conditions.

17. If the panel considers imposing conditions relating to mana whenua, including under section 84 of the FTAA, the mana whenua partners ask to be heard on them first.

Processes to understand, resolve or narrow issues

18. The mana whenua partners support the processes WMNZ proposes. They ask that mana whenua be invited to any site visit, so they can open it in the appropriate way and speak to the panel about their relationship with the site. They do not consider a wānanga necessary on their account.

Panel membership

19. The mana whenua partners agree that a panel of three members is appropriate.

Timeframe

20. The mana whenua partners support the 60 working day timeframe WMNZ proposes and the timing considerations WMNZ identifies. The continued operation of the Redvale Landfill until the Auckland Regional Landfill opens matters to the mana whenua partners as well as to WMNZ.

Date: 3 November 2026



Jason Pou

Counsel for the trustees of the Ngāti Manuhiri Settlement Trust, the Ngāti Rango Charitable Trust and the Te Kawerau Iwi Settlement Trust