



14 August 2026

Honourable Chris Bishop
Minister Responsible for RM Reform
Parliament Buildings
WELLINGTON

By email: C.Bishop@ministers.govt.nz

E te Minita, tēnā koe,

RESOURCE MANAGEMENT REFORMS AND PC1 – TE TURE WHAIMANA AND UPHOLDING THE WAIKATO AND WAIPĀ RIVER TREATY SETTLEMENTS

1. Thank you for the opportunity to meet with you earlier today. The purpose of this letter is to confirm the position of the Waikato and Waipā River Iwi (**River Iwi**) in relation to the issue of Waikato Regional Council's Plan Change 1 (**PC1**) which we understand is to be considered by Cabinet on Monday.
2. We set out our comprehensive views on this issue in our earlier letter to you dated 22 July 2026. Those views remain unchanged and we do not propose to repeat those matters in detail in this letter. In short, the River Iwi remain united in our opposition to any proposal which involves, in whole or in part, a deferral or pause of the effect and implementation of PC1.
3. We consider that any unilateral decision by Cabinet to defer the implementation of PC1 would not only constitute an unwarranted intervention in the effect and implementation of the decision of the Environment Court, but would be:
 - (a) inconsistent with the Crown's express commitment to uphold Treaty settlements in the new natural environment and planning system;
 - (b) inconsistent with the Crown's Plan Stop decision at the outset of the reform process, upon which all parties including the River Iwi have reasonably relied, which expressly confirmed that plan changes giving effect to Treaty settlement obligations (i.e. PC1) would continue; and

- (c) a direct breach of the Crown's commitments in, and the legal obligations arising from, our Treaty settlements relating to the Waikato and Waipā Rivers.
4. As you know, PC1 is interconnected, both intrinsically and expressly, with the agreements reached, and legal obligations arising from, the Waikato and Waipā River settlement legislation, and the related deeds between each of the River Iwi and the Crown. Those legal commitments require Te Ture Whaimana to be given effect through the Waikato Regional Plan and the development of PC1 is a fundamental part of the discharge of that commitment. In this regard, PC1 represents the cumulative result of a 14-year process involving expert evidence, submission and analysis from all relevant parties, and ultimately judicial determination, within the specific context of the Waikato and Waipā River catchments and the unique statutory directive of Te Ture Whaimana.
 5. In these circumstances, as a matter of both principle and justice, the River Iwi cannot accept any Crown action which directly or indirectly undermines the completion of the present proceedings before the Environment Court in relation to PC1 or the legal commitments under the Waikato and Waipā River settlement legislation (and the associated Deeds).
 6. While there have been discussions between your officials and our advisers and technicians in relation to PC1 since we last met in July, those discussions have, to date, provided no assurance or certainty that the options being considered for the deferral of PC1 (in whole or in part) will either:
 - (a) uphold the integrity and effect of the Waikato and Waipā River settlements; or
 - (b) ensure that the critical elements of PC1 are upheld and implemented through the new natural environment and planning system.
 7. The concerns that have been raised in terms of the consistency of PC1 with the underlying architecture of the new resource management and planning system and/or unnecessary duplication of processes or effort have, with respect, been overstated. As we noted in our meeting today, the fundamental elements and mechanisms of PC1 in terms of farm plans and consenting/permitting (including the classification of activities) are not inherently inconsistent with the new statutory scheme such that a deferral of those elements by six years to 2032 can be justified on any objective basis.
 8. To the extent that particular settings or presumptions in relation to farm plans and consenting/permitting may be within the scope of the national policy direction and national standards (noting that such national instruments are yet to be developed and that particular regard must be had to Te Ture Whaimana in their development), the River Iwi consider that such matters can be properly considered and addressed in the course of implementation of the new system and the development of a natural environment plan. In this respect, the River Iwi also importantly note that, in the

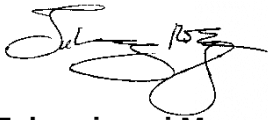
unique context of the Waikato and Waipā River catchments, any natural environment plan must give effect to Te Ture Whaimana and Te Ture Whaimana prevails in the event of any inconsistency between the requirements of a national instrument and Te Ture Whaimana.

9. One matter on which the River Iwi are in agreement with you in terms of the statements you made at our meeting today is that PC1 must form the starting point for any new natural environment plan for the Waikato and that there is no desire to repeat, revisit or relitigate the work that has been done in PC1 in terms of the expert assessments and determinations that have been made through the judicial process in relation to water quality and contaminant discharges and the ongoing improvements required in terms of farming activities to advance the health and wellbeing of the Waikato and Waipā Rivers.
10. However, rendering PC1 as a matter to which particular regard must be had in terms of the development of any new natural environment plan will not achieve that end, for the reasons we discussed today.
11. Instead, if PC1 is truly to be the starting point under the new system as you have stated, the River Iwi consider that statutory provision should be made:
 - (a) first, to require the provisions of PC1 to form part of any natural environment plan that affects the Waikato or Waipā Rivers or activities in their catchments affecting those Rivers; and
 - (b) secondly, and as a qualification to (a), to enable modifications to be made to PC1 within any such natural environment plan in order to improve compatibility with, and implementation of, the new natural environment and planning system provided that such modifications maintain the integrity and intent of PC1 and give effect to Te Ture Whaimana.
12. In this latter regard, such modifications are matters that could be addressed as part of the process of developing the natural environment plan, or alternatively they are matters that could be addressed through a bespoke process of ongoing engagement and agreement between the River Iwi and the Crown with a regulatory mechanism to enable agreements reached to be incorporated directly into any natural environment plan that affects the Waikato or Waipā Rivers or activities in their catchments affecting those Rivers.
13. In addition, the River Iwi also consider that there is an opportunity for the particular circumstances of the Waikato and Waipā River catchments to be considered and addressed in terms of the development and implementation of national instruments. This could reasonably include specific provisions within those national instruments relating to the Waikato and Waipā River catchments which acknowledge and address the unique circumstances arising in terms of both PC1 and the legislative directive in relation to Te Ture Whaimana.
14. These are matters that the River Iwi would be pleased to further explore with you

and your officials.

15. We look forward to hearing from you once you have reflected on the matters set out in this letter and discussed them with your Ministerial colleagues.

I roto i ngā mihi,



Tukoroirangi Morgan
Chair
Te Arataura, Waikato-Tainui



Kataraina Hodge
Chair
Raukawa Settlement Trust



Peter Douglas
Chair
Te Nehenehenui



Evelyn Forrest
Chair
Te Arawa River Iwi Trust



John Bishara
Chair
Tūwharetoa Māori Trust Board