



PROACTIVE RELEASE COVERSHEET

Minister	Hon Chris Bishop	Portfolio	Minister Responsible for RMA Reform
Name of package	Proactively released briefings relating to Treaty settlements and Māori interests in the Planning Bill and Natural Environment Bill	Date to be published	29 October 2026

List of documents that have been proactively released

Date	Title	Author
23 June 2026	26-BRF-01676 Unsigned briefing: Approval of Amendment papers #2 (Treaty settlements and Māori interests) – Planning Bill and Natural Environment Bill	Ministry for the Environment
23 June 2026	26-BRF-01676 - AP#2 - ToW & Māori Interests	Ministry for the Environment
3 July 2026	26-BRF-1823 Natural Environment Bill and Planning Bill – Further advice on Treaty settlement equivalency and Mana Whakahono ā Rohe	Ministry for Cities, Environment, Regions and Transport
3 July 2026	26-BRF-1823 Natural Environment Bill and Planning Bill – Further advice on Treaty settlement equivalency and Mana Whakahono ā Rohe - Minister Bishop signed briefing	Ministry for Cities, Environment, Regions and Transport
3 July 2026	26-BRF-1823 Natural Environment Bill and Planning Bill – Further advice on Treaty settlement equivalency and Mana Whakahono ā Rohe - Court signed briefing	Ministry for Cities, Environment, Regions and Transport

Information redacted **YES**

Any information redacted in this document is redacted in accordance with the Official Information Act 1982. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Summary of reasons for redaction:

- 9(2)(a) - 9(2)(a) to protect the privacy of natural persons, including that of deceased natural persons
- 9(2)(g)(i) to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty
- 9(2)(h) to maintain legal professional privilege.



BRIEFING

Approval of Amendment papers #2 (Treaty settlements and Māori interests) – Planning Bill and Natural Environment Bill

Date:	23 June 2026	Priority:	Urgent
Security classification:		Tracking number:	26-BRF-01676

	Action sought	Response by
Hon Chris Bishop Minister Responsible for RMA Reform Simon Court MP Parliamentary Under-Secretary to the Minister Responsible for RMA Reform	Agree to the recommendations in Appendix 1	24 June 2026

Action for Minister's Office staff

Return the signed briefing to the Ministry for the Environment (advice@mfe.govt.nz and ema.pct@mfe.govt.nz).

Appendices and attachments

Appendix 1: Advice and recommendations on matters to inform amendment papers
Appendix 2: Legal issues [legally privileged]

Contact for telephone discussion (if required)

Name	Position	Telephone	1st contact
Clare Maihi	General Manager		
Josey Lang	Manager	9(2)(a)	✓

The following departments/agencies have been consulted

Minister's office to complete:

☐ Noted	☐ Approved	☐ Declined
☐ Overtaken by Events	☐ Needs change	☐ Seen
	☐ See Minister's Notes	☐ Withdrawn

Minister's Comments



BRIEFING

Approval of Amendment papers #2 (Treaty settlements and Māori interests) – Planning Bill and Natural Environment Bill

Date:	23 June 2026	Priority:	Urgent
Security classification:		Tracking number:	26-BRF-01676

Key points

1. When we met with you on 15 June 2026 to discuss potential topics to include in Government Amendment Papers to the Planning Bill (PB) and the Natural Environment Bill (NEB), you directed you wanted to meet with officials specifically to discuss several matters relating to Treaty settlements and Māori interests. This briefing provides advice on those matters ahead of a meeting with you from 8-9 pm on 24 June 2026.
2. This briefing is the second of three briefings seeking further decisions on policy matters to inform Amendment Papers. You received advice on 18 June 2026, which sought decisions on environmental goals and freshwater farm plans [26-BRF-1543 refers].
3. The decisions sought in this briefing are set out at **Appendix 1**:
 - Topic A: Māori interests goal
 - Topic B: Treaty settlements equivalency
 - Topic C: Treaty settlements – provisions in Bills for specific settlements and arrangements
 - Topic D: Exemptions from Regulatory Relief regime for some settlement obligations
 - Topic E: Mana Whakahono ā Rohe.
4. Cabinet delegated authority for you to make further detailed decisions on any matters required to give effect to Cabinet's intent for the PB and the NEB [CAB-25-MIN-0080.01 refers]. Policy decisions outside this delegation will require approval from Cabinet. Departing from Cabinet's decision to include a Te Ture Whaimana clause would require Cabinet approval. Significant changes to the Māori interest goal may also require Cabinet approval.
5. Due to the timeframes, we have been unable to engage with Treaty partners on many the proposals in this briefing, with the exception of the proposed provisions for specific settlements [26-BRF-722 and 26-BRF-959 refer]. There has also been no select committee scrutiny of the proposed changes. 9(2)(a)(i)
6. We note that the change proposed in relation to the Māori interests goal is intended to increase certainty for system users by being more specific about what the interests are that are engaged in the new system. This is also the case in relation to the amendments we are recommending are made to the Bills to uphold aspects of various Treaty settlements and arrangements (Topic C).



Next steps

7. You are meeting with officials on 24 June 2026 to discuss the decisions sought in this briefing.
8. You will receive one further briefing seeking additional decisions to inform Amendment papers on 25 June 2026 [26-BRF-01544 refers].
9. Drafting instructions for Amendment Papers are due with Parliamentary Counsel Office in mid-July 2026. This timeframe relies on the decisions sought in the three Amendment Paper briefings.

Appendices

Appendix 1: Advice and recommendations on matters to inform Amendment Papers.

Appendix 2: Legal risk advice

Recommended action

The Ministry for the Environment recommends you:

1. **Note** decisions to inform Government Amendment Papers for the Planning Bill and the Natural Environment Bill are sought in **Appendix 1**.

Noted



Clare Maihi
General Manager
Te Tiriti and Te Ao Māori
Ministry for the Environment

23 / 06 / 2026

Hon Chris Bishop
Minister Responsible for RMA Reform

___ / ___ / 2026

Simon Court
**Parliamentary Under-Secretary to the
Minister Responsible for RMA Reform**

___ / ___ / 2026

Appendix 1: Advice and recommendations on matters to inform Amendment Papers

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<p>A</p>	<p>Māori interests goal</p> <p>In April 2026, the Cabinet Business Committee (CBC) agreed to clarify that the reference to “Māori interests” in the Māori interests goal means ‘the relationships of Māori and their culture and traditions with their ancestral land, water, sites, and other taonga’ [CBC-26-MIN-0017 refers]. However, Cabinet subsequently agreed that further work is needed to define Māori interests within the new regime, and that officials will develop further advice for the Minister’s consideration [CAB-26-MIN-0124.01 refers].</p> <p>Our previous advice was the current goal wording could be clearer about what is meant by the term “Māori interests” [26-BRF-578 refers]. “Māori interests” is a broad term that captures a wide set of values and relationships that may be held by individuals and communities. Submitters in select committee have also questioned if this recognises tangata whenua interests in their traditional areas as distinct from broader non-site specific Māori interests. Despite this breadth the current goal wording – “to provide for Māori interests” – provides little clarity to Māori that their interests in culturally significant resources such as taonga water bodies will be addressed in the new system. The approach agreed by CBC is clearer than the current drafting and uses well-established statutory language that was used in the Town and Country Planning Act 1977 and in section 6(e) of the Resource Management Act 1991 (RMA). This construction captures the Māori interests that are relevant in resource management.</p> <p>The Māori interests goal does not create a general obligation like section 6(e) of the RMA to recognise and provide for Māori interests. Instead, the goal lists three ways Māori interests are to be addressed, with national instruments allowing for further particularisation through the funnel. The goal is intended to provide clarity about how Māori interests are provided for in the narrowed legislative regime (for instance, through Māori participation in the development of plans), not restrict the actual interests that can be addressed.</p> <p>On 12 June 2026, we received a paper setting out Under-Secretary Court’s concerns about the approach agreed by CBC and alternative options. He expressed concern the proposed reference to the “relationship of Māori and their culture and traditions” would invite a broad interpretive approach akin to section 6(e) in the RMA. We assume this is because the wording is very similar to section 6(e), although the legal requirement in relation to those interests is quite different and more defined. He proposes including an exhaustive rights-based definition of Māori interests which is confined to recognised legal rights and interests; identified Māori land; specifically identified sites of significance to Māori; and express statutory participation rights, including rights recognised in Treaty settlements or other enactments.</p> <p>The parameters of such a definition are yet to be worked through. However, we understand the intention is to restrict the types of rights and interests that are within the scope of the system to those that relate to certain listed categories such as identified land, identified sites, and express statutory participation rights, and to exclude certain other interests that relate to the cultural relationships of Māori with the environment. The latter being currently recognised as relevant interests in the planning system under s6(e) of the RMA.</p> <p>Further substantive policy choices would be required to develop a definition, including decisions about which rights and interests are to be in scope of the system and which are to be excluded. Such an approach differs from the current proposal whereby the system provides scope for a broad range of Māori interests to be considered while the funnel narrows the parameters for decision-making as you move down the system. 9(2)(h)</p> <p>9(2)(h)</p> <div>1. Agree, in relation to the Māori interests goal in both Bills, to:</div> <div>a. EITHER clarify the relevant Māori interests are ‘the relationships of Māori and their culture and traditions with their ancestral land, water, sites, and other taonga’; (recommended)</div> <div style="text-align: right;"><i>Agree / Disagree</i></div> <div>b. OR adopt different language to clarify the goal is to provide for ‘Māori interests in ancestral lands, water, sites and the environment’;</div> <div style="text-align: right;"><i>Agree / Disagree</i></div> <div>c. OR retain the current drafting “to provide for Māori interests”.</div> <div style="text-align: right;"><i>Agree / Disagree</i></div> <div>2. Agree to explore drafting options to further clarify that the matters listed in the goal are a comprehensive list of how Māori interests are to be provided for under the goal.</div> <div style="text-align: right;"><i>Agree / Disagree</i></div>

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	<p>Unlike rights that are legally enforceable, interests capture a broader set of considerations that may be relevant in different planning scenarios. The Māori interests goal sets out the ways that Māori interests are to be provided for, and the intention of the funnel system is to support a consistent and efficient approach through clear national instruments. However, a narrow definition of Māori interests at the top of the funnel would limit the responsible Minister's options for addressing interests that are currently recognised in planning.</p> <p>Restricting consideration of certain types of Māori interests will also raise equity concerns. All communities have interests that arise from their values and preferences. The recognition of Māori interests under both the RMA and the new planning system do not confer a veto on any particular group. However, confining Māori interests to a set of specific rights and limited "mappable interests" could mean Māori groups or individuals face constraints on the values they can seek to protect, that other groups or individuals do not. For instance, it is unclear if Māori groups would be able to make submissions on planning proposals that affect their interests, such as outstanding natural features and landscapes or indigenous biodiversity.</p> <p>Officials consider an exercise to define Māori interests should be undertaken in consultation with Treaty partners. 9(2)(h)</p> <p>[REDACTED]</p> <p>[REDACTED] Post-settlement governance entities may rely more on Treaty settlement arrangements for basic recognition of their general interests, as most settlements refer to the broad relationships of iwi and hapū with their lands and natural resources.</p> <p>9(2)(h)</p> <p>[REDACTED]</p> <p>We recommend adopting the approach agreed by CBC and clarifying that the relevant Māori interests are 'the relationships of Māori and their culture and traditions with their ancestral land, water, sites, and other taonga' (option 1(a)). This recognises the interests that are relevant to resource management and provides certainty to system users.</p> <p>You also have an option to use different language in doing this. The goal could provide for 'Māori interests in ancestral lands, water, sites and the environment. We consider this approach captures the relevant interests and aligns with the scope of each Bill, but is less focussed on key interests such as taonga (option 1(b)). Both options (a) and (b) would provide greater clarity than the current drafting on the scope of Māori interests intended to be relevant under the legislative goal. If you do not agree with either option, you also have an option to retain the current drafting for the Māori interests goal. This, like options a. and b. allows for national instruments to particularise how relevant Māori interests are provided for through the express measures listed in the goal (option 1(c)).</p> <p>If you would like to add further definition as to how the goal for Māori interests is to be understood in terms of being a comprehensive set of measures for providing for Māori interests in the funnel, then a more certain approach would be to instruct PCO to develop drafting options which make it clear the listed measures are the only ways Māori interests are to be provided for under the goal (option 2). We previously provided advice on this option in BRF-7234, and it is compatible with either of the options under option 1. 9(2)(h)</p> <p>[REDACTED]</p>
B	<p>Providing for Treaty settlement equivalency</p> <p>Treaty settlements place additional statutory obligations on decision makers under the RMA. This will continue to be the case in the new system in limited circumstances and in specific places. You have already decided on a general approach to upholding Treaty settlements and related arrangements:</p> <ul style="list-style-type: none"> • Clause 9 of both Bills provides that the Crown will work with any post-settlement governance entity and the Ngā Hapū o Ngāti Porou governance entity to seek agreement on how Treaty settlement or related arrangements will operate with the same or equivalent effect in the new system to the greatest extent possible. <p>3. Note that:</p> <p>a. the Ministry for the Environment consider that particularisation of clause 10 will best be achieved through national standards and regulations;</p>

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	<ul style="list-style-type: none"> Clause 10 of both Bills provides that until agreements are made under clause 9 with PSGEs, decision-makers must give equivalent effect to Treaty settlements to the greatest extent possible. Clause 10 applies separately, and in addition to, the 'funnel' as a standalone requirement for decision makers. Statutory acknowledgments are a standardised RM redress instrument in most Treaty settlements. Statutory acknowledgments have, therefore, been provided for in the Bills themselves and clause 10 does not apply to this redress. <p>We have undertaken to provide you more advice on how Clause 10 could be particularised by directing decision-makers on where to translate redress under the RMA into a new system. Currently, clause 10 does not provide any additional direction on how redress provided for in the RMA could be provided equivalent effect in the new system to the greatest extent possible. 9(2)(h)</p> <p>We consider that instead of particularising clause 10 itself, national standards (to direct such matters as plan content) and regulations (to provide for such matters as appointment processes of commissioners and hearing panels) when required by a Treaty settlement can be used to provide for how equivalency is to be achieved in practice. We will provide you further advice in the next week on whether such standards and regulations can be made under the Bills as drafted or whether provision needs to be made for this through amendments.</p> <p>b. the Ministry for the Environment will provide further advice by 30 June on whether amendments are needed to the Bills to make specific provision for national standards, and regulations to give equivalent effect to Treaty settlements</p>
C	<p>Provisions in Bills for specific Treaty settlements and related arrangements</p> <p>Officials have provided advice recommending amendments to the Bills to uphold aspects of the Waikato River arrangements, the Ngāti Rangi and Te Awa Tupua (Whanganui River) Treaty settlements and the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 (Ngā Hapū o Ngāti Porou Act) [26-BRF-00722 and 26-BRF-00959 refer]. The proposed provisions have been agreed in good faith between the relevant post-settlement governance entities and ngā hapū o Ngāti Porou and officials, as initial changes to uphold their arrangements. We proposed these changes be recommended to the Environment Committee. Decisions are still outstanding on these matters.</p> <p>The provisions are consistent with the government's policy intent to uphold redress/arrangements that interact with the RMA and for them to have equivalent effect in the new system. We have heard from groups that the failure to take these decisions is eroding confidence in the government's commitment to uphold Treaty settlements and the Ngā Hapū o Ngāti Porou Act. These provisions are consistent with what is already provided for in in relation to the RMA and would provide greater certainty for decision-makers and could assist with the more timely implementation of the new planning system.</p> <p>We recommend you agree to make these changes to the Bills through an Amendment Paper. An overview of the advice for each arrangement is outlined below with corresponding recommendations.</p> <p>Te Ture Whaimana Clause</p> <p>Waikato and Waipā River iwi have sought the inclusion of a clause that provides specific legislative recognition of Te Ture Whaimana in the Natural Environment Bill and Planning Bill (the Bills). Te Ture Whaimana is the Vision and Strategy for the Waikato and Waipā Rivers and is a significant part of the arrangements for the Waikato and Waipā Rivers provided through the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010, Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 and the Nga Wai o Maniapoto (Waipa River) Act 2012 (Waikato and Waipā River legislation).</p> <p>Cabinet has agreed to include a clause that provides for Te Ture Whaimana in the Bills and delegated authority to you to work with the Waikato and Waipā River iwi (the River iwi) to make decisions on the details of the clause [CBC-26-MIN-0017 refers]. Officials provided you with advice in April on the details of a Te Ture Whaimana clause for inclusion in the Bills through the select committee process [26-BRF-00959 refers]. The River-iwi have raised concerns that decisions were not made to seek this change via Environment Select Committee. We recommend the inclusion of a Te Ture Whaimana clause is made via an Amendment Paper. If you decide not to include a Te Ture Whaimana clause you will need to return to Cabinet and seek their agreement.</p> <p>4. Note that the following decisions relate to upholding particular aspects of Treaty settlements and the Ngā Hapū o Ngāti Porou arrangements. They do not uphold all elements of the settlement or arrangement.</p> <p>5. Agree that these provisions are to provide for aspects of Te Ture Whaimana in the new system, in an equivalent way (to the extent possible) to how it is provided for under the Waikato and Waipā River legislation.</p> <p style="text-align: right;"><i>Agree / Disagree</i></p> <p>6. Agree to an overarching requirement in both the Planning and Natural Environment Bills stating that:</p> <p>a. Te Ture Whaimana is intended by Parliament to be the primary direction-setting document for the Waikato and Waipā Rivers and activities within the catchments affecting those rivers;</p> <p>b. persons carrying out functions or exercising powers under the Natural Environment Act or Planning Act will have a duty to have particular regard to Te Ture Whaimana.</p> <p style="text-align: right;"><i>Agree / Disagree</i></p>

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	<p>Te Ture Whaimana has significant interactions with the resource management system that is provided through the Waikato and Waipā River legislation. The proposed Te Ture Whaimana clause for the new legislation reflects the existing requirements in the settlement legislation that interact with the RMA.</p> <p>The Waikato and Waipā River arrangements state that Te Ture Whaimana is intended by Parliament to be the primary direction setting document for the Waikato and Waipā Rivers. There are a number of specific statutory interactions between the Waikato and Waipā River arrangements and the RMA. For example, the Waikato and Waipā River legislation provides that Te Ture Whaimana;</p> <ul style="list-style-type: none"> • prevails over any inconsistent provision in a national policy statement, the New Zealand Coastal Policy Statement, national planning standard, environmental performance standard or an infrastructure design solution; • is in its entirety deemed to be part of the Waikato Regional Policy Statement; and • regional and district plans must be updated to give effect to Te Ture Whaimana. <p>The proposed Te Ture Whaimana clause will support relevant decision makers in the implementation of the new system and provide more certainty about how equivalent effect is to be given to the settlements as is required under clause 10 of the Bills with respect to Te Ture Whaimana.</p> <p>The majority of the Te Ture Whaimana provisions will apply to the Bills in a similar way to the RMA. However, the new system will not have regional policy statements. To ensure Te Ture Whaimana maintains an equivalent effect, we recommend that Te Ture Whaimana is deemed to be part of the regional combined plan (including the regional spatial plan, natural environment plan and land use plan).</p> <p>We also propose that the Te Ture Whaimana clause include a provision where a rule in a regional combined plan that gives effect to Te Ture Whaimana must prevail over a water conservation order. This provision was erroneously not included in the previous advice on the details of a Te Ture Whaimana but is provided for in the Waikato River Act so should be included in the Bills.</p> <p>We note that the proposed clause does not provide equivalency for every relevant provision in the Waikato and Waipā River legislation that relates to Te Ture Whaimana and the RMA (for example, it does not include the procedural requirements for councils to undertake a review of their planning documents to give effect to Te Ture Whaimana). Those exercising functions or powers under the new legislation will need to give equivalent effect to these provisions, to the greatest extent possible, under clause 10 of the Bills. This advice does not preclude further amendments to the Te Ture Whaimana clause that may be required to uphold these additional matters. We also note that other provisions relating to other mechanisms and obligations under the Waikato and Waipā River legislation (in relation to the RMA) will need to be given equivalent effect (under clause 10) until a formal agreement is made (under clause 9).</p> <p>7. Agree that the Te Ture Whaimana clause will apply to the Natural Environment Bill by providing that:</p> <ol style="list-style-type: none"> Te Ture Whaimana prevails over any inconsistent provision(s) in national instruments, regulations, regional spatial plans, natural environment plans, land use plans, water conservation orders or water services standards; Te Ture Whaimana in its entirety is deemed to be part of any natural environment plan made under this Act that affects the Waikato River or the Waipā River or activities within their catchments affecting the rivers- and the regional council must not amend or review Te Ture Whaimana in doing so; the remainder of the natural environment plan must give effect to Te Ture Whaimana – and Te Ture Whaimana prevails over the natural environment plan during any period of inconsistency; and provisions inserted in a natural environment plan for the purpose of giving effect to Te Ture Whaimana prevail over provisions directed by a national instrument, water services standard or water conservation order. <p style="text-align: right;"><i>Agree / Disagree</i></p> <p>8. Agree the Te Ture Whaimana clause will apply to the Planning Bill by providing that:</p> <ol style="list-style-type: none"> Te Ture Whaimana prevails over any inconsistent provision(s) in national instruments or regional spatial plans, land use plans, water conservation orders or water services standard; Te Ture Whaimana in its entirety is deemed to be part of regional spatial plans and land-use plans made under this Act that affects the Waikato River or the Waipā River or activities within their catchments affecting the Rivers- and the council or spatial planning committee must not review or amend Te Ture Whaimana in doing so;

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	<p>c. the remainder of the spatial plan or land-use plan must give effect to Te Ture Whaimana- and Te Ture Whaimana prevails over the regional spatial plan or land use plan during any period of inconsistency; and</p> <p>d. provisions inserted in a land use plan or regional spatial plan for the purpose of giving effect to Te Ture Whaimana prevail over provisions directed by a national instrument, water services standard, or water conservation order.</p> <p style="text-align: right;"><i>Agree / Disagree</i></p> <p>9. Agree to amend section 17 of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and section 18 of the Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 to reference the Natural Environment Act and Planning Act.</p> <p style="text-align: right;"><i>Agree / Disagree</i></p> <p>10. Note that these decisions are not comprehensive in that they do not cover all of the provisions in the Waikato and Waipā settlement legislation to do with Te Ture Whaimana as it relates to the RMA, and decision makers will also need to ensure they comply with those additional provisions.</p>
	<p>Te Awa Tupua (Whanganui River Settlement Claims) Act 2019</p> <p>Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 (Te Awa Tupua Act) gives legislative effect to the Whanganui River Deed of Settlement. The settlement contains unique natural resource redress that has strong legal weightings and interactions with the RMA. To honour the government's commitment to uphold settlements, these must be given equivalent effect under the NEB and PB. The Te Awa Tupua Act established a new legal framework for the Whanganui River (Te Pā Auroa nā Te Awa Tupua) centred on recognition of the River –Te Awa Tupua – as a living and integrated whole with its own legal personality and all the corresponding rights, duties and liabilities of a legal person.</p> <p>Ngā Tāngata Tiaki o Whanganui (Ngā Tāngata Tiaki) – the PSGE for the Whanganui River settlement – and MfE officials have agreed to taking a staged approach to ensure the amendments required to uphold the intent and effect of the Te Pā Auroa framework occur in a sequenced way aligned with the implementation of the new system.</p> <p>We have agreed with Ngā Tāngata Tiaki that the first step is to seek your agreement to maintain under the NEB and PB the various requirements that decision makers under the RMA must meet in relation to the river's legal status and intrinsic values, and for these provisions in the Te Awa Tupua Act that refer to the RMA, to be amended to refer to the NEB and PB. This would give Ngā Tāngata Tiaki assurance of the Crown's commitment to reach a comprehensive agreement on how to uphold the Whanganui River arrangements (as is required by clause 9 of both Bills).</p> <p>11. Agree that provisions in the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 that require decision makers when making decisions that relate to the Whanganui River under the RMA, to:</p> <p>a. be required to recognise and provide for the legal status of the Whanganui River and its intrinsic values, in relation to plan making;</p> <p>b. be required to have particular regard to its legal status and intrinsic values in relation to other functions under the RMA; and</p> <p>c. be enabled to or implement Te Heke Ngahuru (the strategy document), wholly or in part in accordance with the applicable statutory process.</p> <p style="text-align: right;"><i>Agree / Disagree</i></p>

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	<p>The Te Awa Tupua Act requires decision makers exercising functions under the RMA that relate to the Whanganui River or an activity in the Whanganui catchment to:</p> <ul style="list-style-type: none"> • recognise and provide for Te Awa Tupua status and the Tupua Te Kawa (intrinsic values) in relation to plan making; • have particular regard to Te Awa Tupua and Tupua te Kawa (in relation to all other functions under the RMA that do not relate to the planning processes referred to in a. above); and • have particular regard to the strategy document, Te Heke Ngahuru, prepared by the strategy group for the river that comprises representatives of iwi, local authorities, government departments, commercial and recreational user and environmental groups. <p>The Act also enables decision makers to adopt or implement the strategy document, wholly or in part, including as part of an RMA planning document, in accordance with the applicable statutory process. This provision should also be carried over into the new system.</p> <p>We recommend applying the same requirements to decision makers under the PB and NEB. This would involve amending the Te Awa Tupua Act via the NEB and PB. This would uphold those provisions in the new system and would only apply in a manner that is consistent with the purpose and scope of the Bills and would not preserve the scope or purpose of the RMA.</p>
	<p>Ngāti Rangī</p> <p>On 20 April 2026 we sought your agreement to use the NEB to make consequential amendments to the Ngāti Rangī Claims Settlement Act 2019 ensuring Ngāti Rangī's Treaty settlement arrangements in relation to the Te Waiū-o-Te-Ika (Whangaehu River) are given equivalent effect in the new resource management system [26-BRF-959 refers]. You have not yet made decisions on the matter.</p> <p>The recommended amendments would replace the requirement to give effect to the status of the River (Te Mana Tupua), the values for the River (Ngā Toka Tūpua) and the joint strategy document (Te Tāhoratanga) through RMA processes with a requirement they be given the same effect in the equivalent processes in the Planning Bill and Natural Environment Bill. These proposed amendments have been agreed with Ngāti Rangī.</p> <p>We consider these amendments would apply the settlement legislation in the new RM system in the same way they apply under the RMA and provide certainty to Ngāti Rangī and relevant local authorities.</p> <p>12. Agree to amend the PB and NEB to make consequential amendments to the Ngāti Rangī Claims Settlement Act 2019 so the same effect is given to Te-Waiū-o-Te-Ika status, vision and strategy document under the NEB and PB, as is the case under the Resource Management Act 1991.</p> <p style="text-align: right;"><i>Agree / Disagree</i></p>
	<p>Ngā Hapū o Ngāti Porou</p> <p>Ngā Hapū o Ngāti Porou have sought the inclusion of references to the arrangements under the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 (Ngā Hapū o Ngāti Porou Act) in the NEB and PB. Ngā Hapū o Ngāti Porou representatives support officials seeking agreement to amend the bills to provide a platform for further discussions.</p> <p>These changes involve referencing Ngā Hapū o Ngāti Porou arrangements in the same way that rights holders under the Takutai Moana Act are provided for in the NEB and PB. A change is also sought to ensure Ngā Hapū o Ngāti Porou are provided a draft or summary of proposed national instruments that directly affect ngā rohe moana, and are given an opportunity to consider the document and provide advice on it before public notification. This is consistent with the process for making national instruments under clause 46 PB and 70 NEB, and the provisions in their Environment Relationship Instrument – an agreement between the Minister for the Environment and Ngā Hapū o Ngāti Porou that provides the views of Ngā Hapū o Ngāti Porou are sought and considered on national policy statements that relate to the coastal marine area.</p> <p>The proposed changes are not a substitute for amendments that may be required to the Ngā Hapū o Ngāti Porou Act or the NEB and PB to provide the Ngā Hapū o Ngāti Porou Act equivalent effect in the new system. We will continue to work with Ngā Hapū o Ngāti Porou on changes to ensure the Ngā Hapū o Ngāti Porou arrangements have equivalent effect in the new system.</p> <p>13. Agree to amend the NEB and PB to include reference to Ngā Hapū o Ngāti Porou arrangements that currently interact with the RMA, alongside references to takutai moana rights.</p> <p style="text-align: right;"><i>Agree / Disagree</i></p> <p>14. Agree to require pre-notification engagement with Ngā Hapū o Ngāti Porou on national instruments that relate to the coastal marine area (consistent with the process for making national instruments and the requirement in the environment relationship instrument provided for in the deed of agreement between the Minister for the Environment and Ngā Hapū o Ngāti Porou.</p> <p style="text-align: right;"><i>Agree / Disagree</i></p>
D	<p>Exemption from Regulatory Relief Regime for some settlement obligations</p> <p>Waikato Tainui have asked that any provisions included in plans to give effect to the Waikato River arrangements be exempted from the regulatory relief provisions. Under the new system, councils will need to provide regulatory relief where planning rules in relation to a specified topic to give effect to Treaty settlement redress that has a significant impact on the reasonable use of land. Waikato Tainui, along with other PSGEs, are concerned that councils being liable for regulatory relief could result in them taking a narrower interpretation of what rules are required in plans to</p> <p>15. Agree to consider whether rules councils include in plans in relation to “specified topics” to give effect to Treaty settlement redress are exempt from regulatory relief under the Bills.</p>

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	<p>give effect to settlement redress. 9(2)(h)</p> <p>We seek your direction as to whether you are open to considering an exemption for the regulatory relief framework applying to rules that are included in plans to give effect to Treaty settlement redress. We think giving consideration to this issue is warranted and that we recommend we provide substantive advice seeking a decision as to whether the Bills are amended to include such an exemption. We note it would be inequitable to only make such an exemption for the Waikato River arrangements and that consideration should be given to exempting all rules in relation to specified topics that result from councils giving effect to certain types of settlement redress.</p> <p>We consider that the exception would capture more complex arrangements that require the council to provide a statutory weighting to a specified matter or document. This would likely apply to about 16 settlements (including the Waikato River arrangements) and the Ngā Hapū o Ngāti Porou Act.¹ We do not propose that this would cover standard redress such as statutory acknowledgements. Consideration would need to be given to the threshold of the exception to ensure it is set at an appropriate level, should you wish to receive further advice.</p> <p>We note that timeframes for provision of advice of this nature at this late stage poses risks to the timeline for delivery and increases the likelihood of errors in the bills. This is particularly given the novel and complex nature of the regulatory relief provisions in the bills.</p> <p style="text-align: right;"><i>Agree / Disagree</i></p>
E	<p>Mana Whakahono ā Rohe</p> <p>You have raised concerns about the scope of Mana Whakahono ā Rohe and the number of agreements initiated under the RMA since the introduction of the Bills. As introduced, the Bills will preserve Mana Whakahono ā Rohe agreed or initiated before Royal Assent. In the new planning system local authorities will be required to treat Mana Whakahono ā Rohe arrangements relating to functions under the RMA as though they relate to equivalent functions in the new system. The practical effect will be to reduce the scope of those arrangements where there is no equivalent function in the new system.</p> <p>Provisions in the RMA specify the process local authorities must follow once a Mana Whakahono ā Rohe has been initiated by an iwi authority. This includes the timeframe and process for negotiating the agreement and the content of the agreement. Once initiated by an iwi authority, a local authority must reach agreement with the iwi authority on the Mana Whakahono ā Rohe within 18 months (unless another timeframe is agreed). The statutory scope of Mana Whakahono ā Rohe is limited to functions under the RMA though sometimes Mana Whakahono ā Rohe form part of larger relationship documents which may touch on non-RMA matters. Our recommendations to the Select Committee, if adopted, will ensure any Mana Whakahono ā Rohe initiated before Royal Assent must be agreed within the usual 18-month timeframe (unless another timeframe is agreed), with a hard deadline of the specified transition date if they are to carry across into the new system.</p> <p>We note there was not a large uptake in Mana Whakahono ā Rohe in the nine years since provision for them were added to the RMA. Agreements were only completed with eight groups, involving five local authorities. There is no statutory requirement for councils or iwi authorities to advise MfE of initiated or completed Mana Whakahono ā Rohe but we understand approximately 50 agreements have been initiated since the Bills were introduced and four “short form” agreements have been reached. Given the low uptake of Mana Whakahono ā Rohe prior to the current reform, the large number of initiated agreements is in our view a response to the government’s decision not to provide for new Mana Whakahono ā Rohe in the new resource management system. You confirmed in April you do not wish to re-visit that decision [BRF-00578 refers].</p> <p>To address your concerns about the number of agreements, you could reverse your decision to transfer initiated agreements [BRF-6477 refers]. This will likely be controversial given the late stage of the legislative process, and the lack of consultation or select committee scrutiny. It could also create significant pressure on councils from iwi with initiated agreements wanting to negotiate and agree Mana Whakahono ā Rohe in the limited time available before Royal Assent. In most cases, we consider this would not be possible in the time available.</p> <p>If you decided not to transfer initiated agreements, you could mitigate the risks by including provisions in the Bills for councils to agree with iwi authorities how the latter will be involved in the defined statutory processes for iwi authority participation in the new planning system. These agreements would replace Mana Whakahono ā Rohe, but in a clearly scoped and structured way which is consistent with iwi participation</p> <p>16. Agree a regulation making power in the Bills to provide for iwi authorities and councils to enter process agreements setting out how those iwi authorities will participate in the statutory processes in the Bills which provide for iwi participation.</p> <p style="text-align: right;"><i>Agree / Disagree</i></p> <p>17. Agree Mana Whakahono ā Rohe initiated before Royal Assent will transfer into the new system (current approach).</p> <p style="text-align: right;"><i>Agree / Disagree</i></p> <p>EITHER</p> <p>18. Agree Mana Whakahono ā Rohe agreed before Royal Assent will transfer into the new system (current approach).</p> <p style="text-align: right;"><i>Agree / Disagree</i></p> <p>OR</p> <p>19. Agree existing Mana Whakahono ā Rohe agreed before the introduction of the bills will transfer into the new system.</p> <p style="text-align: right;"><i>Agree / Disagree</i></p> <p>20. Agree regulations can be used to prescribe how any initiated or existing Mana Whakahono ā Rohe</p>

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	<p>provisions in the new resource management system. These agreements could support efficient decision making by helping particularise processes for iwi involvement in resource management matters required by the Bills or National Instruments. Providing for such agreements in the new system that are available to all iwi authorities would also be more equitable.</p> <p>If you are comfortable with the above approach, we recommend regulations are used to set the scope, intent and limits of these agreements. Provisions for the agreements could be based on current RMA provisions for Mana Whakahono ā Rohe but with a more clearly defined scope. For example, the agreements could be expressly linked to participation in processes set out in specific Bill provisions that reference iwi involvement in the new system. Using regulations would allow time for detailed policy design and engagement with both local government and iwi authorities and consideration of other matters, for example, the role of elected councillors in reviewing or ratifying new agreements and how agreements can be initiated. The ability to enter these agreements could also be time limited (noting this might trigger an increased number of applications) or limited in any other way you consider appropriate.</p> <p>If you agree to retain the current approach and transfer existing Mana Whakahono ā Rohe agreed before Royal Assent you can rely on their scope being constrained by the requirement that arrangements relating to the RMA can only be given effect where there is an equivalent function in the new system. Alternatively, regulations could be used to specify how existing arrangements will be given effect in the new system.</p> <p>If you are concerned about new agreements being completed before Royal assent you could agree to transfer only those agreed before the introduction of the bills. Again, this approach raises relationship risks with groups who, relying on the introduced bills, have worked to complete agreements before Royal assent.</p>	<p>transferring into the new system in accordance with your above decisions, will transfer.</p> <p><i>Agree / Disagree</i></p>

Appendix 2- Legal issues (legally privileged)

9(2)(h)

9(2)(h)







BRIEFING

Approval of Amendment papers #2 (Treaty settlements and Māori interests) – Planning Bill and Natural Environment Bill

Date:	23 June 2026	Priority:	Urgent
Security classification:		Tracking number:	26-BRF-01676

	Action sought	Response by
Hon Chris Bishop Minister Responsible for RMA Reform Simon Court MP Parliamentary Under-Secretary to the Minister Responsible for RMA Reform	Agree to the recommendations in Appendix 1	24 June 2026

Action for Minister's Office staff

Return the signed briefing to the Ministry for the Environment (advice@mfe.govt.nz and ema.pct@mfe.govt.nz).

Appendices and attachments

Appendix 1: Advice and recommendations on matters to inform amendment papers
Appendix 2: Legal issues [legally privileged]

Contact for telephone discussion (if required)

Name	Position	Telephone	1st contact
Clare Maihi	General Manager		
Josey Lang	Manager	9(2)(a)	✓

The following departments/agencies have been consulted

Minister's office to complete:

☐ Noted

☐ Overtaken by Events

☐ Approved

☐ Needs change

☐ See Minister's Notes

☐ Declined

☐ Seen

☐ Withdrawn

Minister's Comments



BRIEFING

Approval of Amendment papers #2 (Treaty settlements and Māori interests) – Planning Bill and Natural Environment Bill

Date:	23 June 2026	Priority:	Urgent
Security classification:		Tracking number:	26-BRF-01676

Key points

1. When we met with you on 15 June 2026 to discuss potential topics to include in Government Amendment Papers to the Planning Bill (PB) and the Natural Environment Bill (NEB), you directed you wanted to meet with officials specifically to discuss several matters relating to Treaty settlements and Māori interests. This briefing provides advice on those matters ahead of a meeting with you from 8-9 pm on 24 June 2026.
2. This briefing is the second of three briefings seeking further decisions on policy matters to inform Amendment Papers. You received advice on 18 June 2026, which sought decisions on environmental goals and freshwater farm plans [26-BRF-1543 refers].
3. The decisions sought in this briefing are set out at **Appendix 1**:
 - Topic A: Māori interests goal
 - Topic B: Treaty settlements equivalency
 - Topic C: Treaty settlements – provisions in Bills for specific settlements and arrangements
 - Topic D: Exemptions from Regulatory Relief regime for some settlement obligations
 - Topic E: Mana Whakahono ā Rohe.
4. Cabinet delegated authority for you to make further detailed decisions on any matters required to give effect to Cabinet's intent for the PB and the NEB [CAB-25-MIN-0080.01 refers]. Policy decisions outside this delegation will require approval from Cabinet. Departing from Cabinet's decision to include a Te Ture Whaimana clause would require Cabinet approval. Significant changes to the Māori interest goal may also require Cabinet approval.
5. Due to the timeframes, we have been unable to engage with Treaty partners on many the proposals in this briefing, with the exception of the proposed provisions for specific settlements [26-BRF-722 and 26-BRF-959 refer]. There has also been no select committee scrutiny of the proposed changes.^{9(2)(g)(i)}
6. We note that the change proposed in relation to the Māori interests goal is intended to increase certainty for system users by being more specific about what the interests are that are engaged in the new system. This is also the case in relation to the amendments we are recommending are made to the Bills to uphold aspects of various Treaty settlements and arrangements (Topic C).



Next steps

7. You are meeting with officials on 24 June 2026 to discuss the decisions sought in this briefing.
8. You will receive one further briefing seeking additional decisions to inform Amendment papers on 25 June 2026 [26-BRF-01544 refers].
9. Drafting instructions for Amendment Papers are due with Parliamentary Counsel Office in mid-July 2026. This timeframe relies on the decisions sought in the three Amendment Paper briefings.

Appendices

Appendix 1: Advice and recommendations on matters to inform Amendment Papers.

Appendix 2: Legal risk advice

Recommended action

The Ministry for the Environment recommends you:

1. **Note** decisions to inform Government Amendment Papers for the Planning Bill and the Natural Environment Bill are sought in **Appendix 1**.

Noted



Clare Maihi
General Manager
Te Tiriti and Te Ao Māori
Ministry for the Environment

23 / 06 / 2026



Hon Chris Bishop
Minister Responsible for RMA Reform

24 / 6 / 2026



Simon Court
**Parliamentary Under-Secretary to the
Minister Responsible for RMA Reform**

26 / 06 / 2026

Ben

9(2)(g)(i)

Topic	
	<p>Unlike rights that are legally enforceable, interests capture a broader set of considerations that may be relevant in different planning scenarios. The Māori interests goal sets out the ways that Māori interests are to be provided for, and the intention of the funnel system is to support a consistent and efficient approach through clear national instruments. However, a narrow definition of Māori interests at the top of the funnel would limit the responsible Minister's options for addressing interests that are currently recognised in planning.</p> <p>Restricting consideration of certain types of Māori interests will also raise equity concerns. All communities have interests that arise from their values and preferences. The recognition of Māori interests under both the RMA and the new planning system do not confer a veto on any particular group. However, confining Māori interests to a set of specific rights and limited "mappable interests" could mean Māori groups or individuals face constraints on the values they can seek to protect, that other groups or individuals do not. For instance, it is unclear if Māori groups would be able to make submissions on planning proposals that affect their interests, such as outstanding natural features and landscapes or indigenous biodiversity.</p> <p>Officials consider an exercise to define Māori interests should be undertaken in consultation with Treaty partners^{9(2)(h)}</p> <p>Post-settlement governance entities may rely more on Treaty settlement arrangements for basic recognition of their general interests, as most settlements refer to the broad relationships of iwi and hapū with their lands and natural resources.</p> <p>^{9(2)(h)}</p> <p>We recommend adopting the approach agreed by CBC and clarifying that the relevant Māori interests are 'the relationships of Māori and their culture and traditions with their ancestral land, water, sites, and other taonga' (option 1(a)). This recognises the interests that are relevant to resource management and provides certainty to system users.</p> <p>You also have an option to use different language in doing this. The goal could provide for 'Māori interests in ancestral lands, water, sites and the environment. We consider this approach captures the relevant interests and aligns with the scope of each Bill, but is less focussed on key interests such as taonga (option 1(b)). Both options (a) and (b) would provide greater clarity than the current drafting on the scope of Māori interests intended to be relevant under the legislative goal. If you do not agree with either option, you also have an option to retain the current drafting for the Māori interests goal. This, like options a. and b. allows for national instruments to particularise how relevant Māori interests are provided for through the express measures listed in the goal (option 1(c)).</p> <p>If you would like to add further definition as to how the goal for Māori interests is to be understood in terms of being a comprehensive set of measures for providing for Māori interests in the funnel, then a more certain approach would be to instruct PCO to develop drafting options which make it clear the listed measures are the only ways Māori interests are to be provided for under the goal (option 2). We previously provided advice on this option in BRF-7234, and it is compatible with either of the options under option 1.^{9(2)(h)}</p>
B	<p>Providing for Treaty settlement equivalency</p> <p>Treaty settlements place additional statutory obligations on decision makers under the RMA. This will continue to be the case in the new system in limited circumstances and in specific places. You have already decided on a general approach to upholding Treaty settlements and related arrangements:</p> <ul style="list-style-type: none"> • Clause 9 of both Bills provides that the Crown will work with any post-settlement governance entity and the Ngā Hapū o Ngāti Porou governance entity to seek agreement on how Treaty settlement or related arrangements will operate with the same or equivalent effect in the new system to the greatest extent possible. <p>3. Note that:</p> <p>a. the Ministry for the Environment consider that particularisation of clause 10 will best be achieved through national standards and regulations;</p>

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	<ul style="list-style-type: none"> Clause 10 of both Bills provides that until agreements are made under clause 9 with PSGEs, decision-makers must give equivalent effect to Treaty settlements to the greatest extent possible. Clause 10 applies separately, and in addition to, the 'funnel' as a standalone requirement for decision makers. Statutory acknowledgments are a standardised RM redress instrument in most Treaty settlements. Statutory acknowledgments have, therefore, been provided for in the Bills themselves and clause 10 does not apply to this redress. <p>We have undertaken to provide you more advice on how Clause 10 could be particularised by directing decision-makers on where to translate redress under the RMA into a new system. Currently, clause 10 does not provide any additional direction on how redress provided for in the RMA could be provided equivalent effect in the new system to the greatest extent possible. ^{9(2)(h)}</p> <p>We consider that instead of particularising clause 10 itself, national standards (to direct such matters as plan content) and regulations (to provide for such matters as appointment processes of commissioners and hearing panels) when required by a Treaty settlement can be used to provide for how equivalency is to be achieved in practice. We will provide you further advice in the next week on whether such standards and regulations can be made under the Bills as drafted or whether provision needs to be made for this through amendments.</p>
C	<p>Provisions in Bills for specific Treaty settlements and related arrangements</p> <p>Officials have provided advice recommending amendments to the Bills to uphold aspects of the Waikato River arrangements, the Ngāti Rangi and Te Awa Tupua (Whanganui River) Treaty settlements and the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 (Ngā Hapū o Ngāti Porou Act) [26-BRF-00722 and 26-BRF-00959 refer]. The proposed provisions have been agreed in good faith between the relevant post-settlement governance entities and ngā hapū o Ngāti Porou and officials, as initial changes to uphold their arrangements. We proposed these changes be recommended to the Environment Committee. Decisions are still outstanding on these matters.</p> <p>The provisions are consistent with the government's policy intent to uphold redress/arrangements that interact with the RMA and for them to have equivalent effect in the new system. We have heard from groups that the failure to take these decisions is eroding confidence in the government's commitment to uphold Treaty settlements and the Ngā Hapū o Ngāti Porou Act. These provisions are consistent with what is already provided for in relation to the RMA and would provide greater certainty for decision-makers and could assist with the more timely implementation of the new planning system.</p> <p>We recommend you agree to make these changes to the Bills through an Amendment Paper. An overview of the advice for each arrangement is outlined below with corresponding recommendations.</p> <p>Te Ture Whaimana Clause</p> <p>Waikato and Waipā River iwi have sought the inclusion of a clause that provides specific legislative recognition of Te Ture Whaimana in the Natural Environment Bill and Planning Bill (the Bills). Te Ture Whaimana is the Vision and Strategy for the Waikato and Waipā Rivers and is a significant part of the arrangements for the Waikato and Waipā Rivers provided through the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010, Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 and the Nga Wai o Maniapoto (Waipa River) Act 2012 (Waikato and Waipā River legislation).</p> <p>Cabinet has agreed to include a clause that provides for Te Ture Whaimana in the Bills and delegated authority to you to work with the Waikato and Waipā River iwi (the River iwi) to make decisions on the details of the clause [CBC-26-MIN-0017 refers]. Officials provided you with advice in April on the details of a Te Ture Whaimana clause for inclusion in the Bills through the select committee process [26-BRF-00959 refers]. The River-iwi have raised concerns that decisions were not made to seek this change via Environment Select Committee. We recommend the inclusion of a Te Ture Whaimana clause is made via an Amendment Paper. If you decide not to include a Te Ture Whaimana clause you will need to return to Cabinet and seek their agreement.</p> <p>4. Note that the following decisions relate to upholding particular aspects of Treaty settlements and the Ngā Hapū o Ngāti Porou arrangements. They do not uphold all elements of the settlement or arrangement.</p> <p>5. Agree that these provisions are to provide for aspects of Te Ture Whaimana in the new system, in an equivalent way (to the extent possible) to how it is provided for under the Waikato and Waipā River legislation.</p> <p>6. Agree to an overarching requirement in both the Planning and Natural Environment Bills stating that:</p> <p>a. Te Ture Whaimana is intended by Parliament to be the primary direction-setting document for the Waikato and Waipā Rivers and activities within the catchments affecting those rivers;</p> <p>b. persons carrying out functions or exercising powers under the Natural Environment Act or Planning Act will have a duty to have particular regard to Te Ture Whaimana.</p>

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	<p>Te Ture Whaimana has significant interactions with the resource management system that is provided through the Waikato and Waipā River legislation. The proposed Te Ture Whaimana clause for the new legislation reflects the existing requirements in the settlement legislation that interact with the RMA.</p> <p>The Waikato and Waipā River arrangements state that Te Ture Whaimana is intended by Parliament to be the primary direction setting document for the Waikato and Waipā Rivers. There are a number of specific statutory interactions between the Waikato and Waipā River arrangements and the RMA. For example, the Waikato and Waipā River legislation provides that Te Ture Whaimana;</p> <ul style="list-style-type: none"> • prevails over any inconsistent provision in a national policy statement, the New Zealand Coastal Policy Statement, national planning standard, environmental performance standard or an infrastructure design solution; • is in its entirety deemed to be part of the Waikato Regional Policy Statement; and • regional and district plans must be updated to give effect to Te Ture Whaimana. <p>The proposed Te Ture Whaimana clause will support relevant decision makers in the implementation of the new system and provide more certainty about how equivalent effect is to be given to the settlements as is required under clause 10 of the Bills with respect to Te Ture Whaimana.</p> <p>The majority of the Te Ture Whaimana provisions will apply to the Bills in a similar way to the RMA. However, the new system will not have regional policy statements. To ensure Te Ture Whaimana maintains an equivalent effect, we recommend that Te Ture Whaimana is deemed to be part of the regional combined plan (including the regional spatial plan, natural environment plan and land use plan).</p> <p>We also propose that the Te Ture Whaimana clause include a provision where a rule in a regional combined plan that gives effect to Te Ture Whaimana must prevail over a water conservation order. This provision was erroneously not included in the previous advice on the details of a Te Ture Whaimana but is provided for in the Waikato River Act so should be included in the Bills.</p> <p>We note that the proposed clause does not provide equivalency for every relevant provision in the Waikato and Waipā River legislation that relates to Te Ture Whaimana and the RMA (for example, it does not include the procedural requirements for councils to undertake a review of their planning documents to give effect to Te Ture Whaimana). Those exercising functions or powers under the new legislation will need to give equivalent effect to these provisions, to the greatest extent possible, under clause 10 of the Bills. This advice does not preclude further amendments to the Te Ture Whaimana clause that may be required to uphold these additional matters. We also note that other provisions relating to other mechanisms and obligations under the Waikato and Waipā River legislation (in relation to the RMA) will need to be given equivalent effect (under clause 10) until a formal agreement is made (under clause 9).</p> <div data-bbox="2531 1171 2766 1224"> ☒ Agree ☐ Disagree </div> <p>7. Agree that the Te Ture Whaimana clause will apply to the Natural Environment Bill by providing that:</p> <ol style="list-style-type: none"> Te Ture Whaimana prevails over any inconsistent provision(s) in national instruments, regulations, regional spatial plans, natural environment plans, land use plans, water conservation orders or water services standards; Te Ture Whaimana in its entirety is deemed to be part of any natural environment plan made under this Act that affects the Waikato River or the Waipā River or activities within their catchments affecting the rivers- and the regional council must not amend or review Te Ture Whaimana in doing so; the remainder of the natural environment plan must give effect to Te Ture Whaimana – and Te Ture Whaimana prevails over the natural environment plan during any period of inconsistency; and provisions inserted in a natural environment plan for the purpose of giving effect to Te Ture Whaimana prevail over provisions directed by a national instrument, water services standard or water conservation order. <p>8. Agree the Te Ture Whaimana clause will apply to the Planning Bill by providing that:</p> <ol style="list-style-type: none"> Te Ture Whaimana prevails over any inconsistent provision(s) in national instruments or regional spatial plans, land use plans, water conservation orders or water services standard; Te Ture Whaimana in its entirety is deemed to be part of regional spatial plans and land-use plans made under this Act that affects the Waikato River or the Waipā River or activities within their catchments affecting the Rivers- and the council or spatial planning committee must not review or amend Te Ture Whaimana in doing so;

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	<p>c. the remainder of the spatial plan or land-use plan must give effect to Te Ture Whaimana- and Te Ture Whaimana prevails over the regional spatial plan or land use plan during any period of inconsistency; and</p> <p>d. provisions inserted in a land use plan or regional spatial plan for the purpose of giving effect to Te Ture Whaimana prevail over provisions directed by a national instrument, water services standard, or water conservation order.</p> <p style="text-align: right;">☒ Agree ☐ Disagree</p> <p>9. Agree to amend section 17 of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and section 18 of the Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 to reference the Natural Environment Act and Planning Act.</p> <p style="text-align: right;">☒ Agree ☐ Disagree</p> <p>10. Note that these decisions are not comprehensive in that they do not cover all of the provisions in the Waikato and Waipā settlement legislation to do with Te Ture Whaimana as it relates to the RMA, and decision makers will also need to ensure they comply with those additional provisions.</p>
	<p>Te Awa Tupua (Whanganui River Settlement Claims) Act 2019</p> <p>Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 (Te Awa Tupua Act) gives legislative effect to the Whanganui River Deed of Settlement. The settlement contains unique natural resource redress that has strong legal weightings and interactions with the RMA. To honour the government's commitment to uphold settlements, these must be given equivalent effect under the NEB and PB. The Te Awa Tupua Act established a new legal framework for the Whanganui River (Te Pā Auroa nā Te Awa Tupua) centred on recognition of the River –Te Awa Tupua – as a living and integrated whole with its own legal personality and all the corresponding rights, duties and liabilities of a legal person.</p> <p>Ngā Tāngata Tiaki o Whanganui (Ngā Tāngata Tiaki) – the PSGE for the Whanganui River settlement – and MfE officials have agreed to taking a staged approach to ensure the amendments required to uphold the intent and effect of the Te Pā Auroa framework occur in a sequenced way aligned with the implementation of the new system.</p> <p>We have agreed with Ngā Tāngata Tiaki that the first step is to seek your agreement to maintain under the NEB and PB the various requirements that decision makers under the RMA must meet in relation to the river's legal status and intrinsic values, and for these provisions in the Te Awa Tupua Act that refer to the RMA, to be amended to refer to the NEB and PB. This would give Ngā Tāngata Tiaki assurance of the Crown's commitment to reach a comprehensive agreement on how to uphold the Whanganui River arrangements (as is required by clause 9 of both Bills).</p>
	<p>11. Agree that provisions in the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 that require decision makers when making decisions that relate to the Whanganui River under the RMA, to:</p> <ul style="list-style-type: none"> a. be required to recognise and provide for the legal status of the Whanganui River and its intrinsic values, in relation to plan making; b. be required to have particular regard to its legal status and intrinsic values in relation to other functions under the RMA; and c. be enabled to or implement Te Heke Ngahuru (the strategy document), wholly or in part in accordance with the applicable statutory process. <p style="text-align: right;">☒ Agree ☐ Disagree</p>

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	<p>The Te Awa Tupua Act requires decision makers exercising functions under the RMA that relate to the Whanganui River or an activity in the Whanganui catchment to:</p> <ul style="list-style-type: none"> • recognise and provide for Te Awa Tupua status and the Tupua Te Kawa (intrinsic values) in relation to plan making; • have particular regard to Te Awa Tupua and Tupua te Kawa (in relation to all other functions under the RMA that do not relate to the planning processes referred to in a. above); and • have particular regard to the strategy document, Te Heke Ngahuru, prepared by the strategy group for the river that comprises representatives of iwi, local authorities, government departments, commercial and recreational user and environmental groups. <p>The Act also enables decision makers to adopt or implement the strategy document, wholly or in part, including as part of an RMA planning document, in accordance with the applicable statutory process. This provision should also be carried over into the new system.</p> <p>We recommend applying the same requirements to decision makers under the PB and NEB. This would involve amending the Te Awa Tupua Act via the NEB and PB. This would uphold those provisions in the new system and would only apply in a manner that is consistent with the purpose and scope of the Bills and would not preserve the scope or purpose of the RMA.</p>
<p>Ngāti Rangi</p> <p>On 20 April 2026 we sought your agreement to use the NEB to make consequential amendments to the Ngāti Rangi Claims Settlement Act 2019 ensuring Ngāti Rangi's Treaty settlement arrangements in relation to the Te Waiū-o-Te-Ika (Whangaehu River) are given equivalent effect in the new resource management system [26-BRF-959 refers]. You have not yet made decisions on the matter.</p> <p>The recommended amendments would replace the requirement to give effect to the status of the River (Te Mana Tupua), the values for the River (Ngā Toka Tūpua) and the joint strategy document (Te Tāhoratanga) through RMA processes with a requirement they be given the same effect in the equivalent processes in the Planning Bill and Natural Environment Bill. These proposed amendments have been agreed with Ngāti Rangi.</p> <p>We consider these amendments would apply the settlement legislation in the new RM system in the same way they apply under the RMA and provide certainty to Ngāti Rangi and relevant local authorities.</p>	<p>12. Agree to amend the PB and NEB to make consequential amendments to the Ngāti Rangi Claims Settlement Act 2019 so the same effect is given to Te-Waiū-o-Te-Ika status, vision and strategy document under the NEB and PB, as is the case under the Resource Management Act 1991.</p> <p>Agree / Disagree</p>
<p>Ngā Hapū o Ngāti Porou</p> <p>Ngā Hapū o Ngāti Porou have sought the inclusion of references to the arrangements under the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 (Ngā Hapū o Ngāti Porou Act) in the NEB and PB. Ngā Hapū o Ngāti Porou representatives support officials seeking agreement to amend the bills to provide a platform for further discussions.</p> <p>These changes involve referencing Ngā Hapū o Ngāti Porou arrangements in the same way that rights holders under the Takutai Moana Act are provided for in the NEB and PB. A change is also sought to ensure Ngā Hapū o Ngāti Porou are provided a draft or summary of proposed national instruments that directly affect ngā rohe moana, and are given an opportunity to consider the document and provide advice on it before public notification. This is consistent with the process for making national instruments under clause 46 PB and 70 NEB, and the provisions in their Environment Relationship Instrument – an agreement between the Minister for the Environment and Ngā Hapū o Ngāti Porou that provides the views of Ngā Hapū o Ngāti Porou are sought and considered on national policy statements that relate to the coastal marine area.</p> <p>The proposed changes are not a substitute for amendments that may be required to the Ngā Hapū o Ngāti Porou Act or the NEB and PB to provide the Ngā Hapū o Ngāti Porou Act equivalent effect in the new system. We will continue to work with Ngā Hapū o Ngāti Porou on changes to ensure the Ngā Hapū o Ngāti Porou arrangements have equivalent effect in the new system.</p>	<p>13. Agree to amend the NEB and PB to include reference to Ngā Hapū o Ngāti Porou arrangements that currently interact with the RMA, alongside references to takutai moana rights.</p> <p>Agree / Disagree</p> <p>14. Agree to require pre-notification engagement with Ngā Hapū o Ngāti Porou on national instruments that relate to the coastal marine area (consistent with the process for making national instruments and the requirement in the environment relationship instrument provided for in the deed of agreement between the Minister for the Environment and Ngā Hapū o Ngāti Porou.</p> <p>Agree / Disagree</p>
<p>D</p>	<p>Exemption from Regulatory Relief Regime for some settlement obligations</p> <p>Waikato Tainui have asked that any provisions included in plans to give effect to the Waikato River arrangements be exempted from the regulatory relief provisions. Under the new system, councils will need to provide regulatory relief where planning rules in relation to a specified topic to give effect to Treaty settlement redress that has a significant impact on the reasonable use of land. Waikato Tainui, along with other PSGEs, are concerned that councils being liable for regulatory relief could result in them taking a narrower interpretation of what rules are required in plans to</p>

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	<p>give effect to settlement redress. 9(2)(h)</p> <p>We seek your direction as to whether you are open to considering an exemption for the regulatory relief framework applying to rules that are included in plans to give effect to Treaty settlement redress. We think giving consideration to this issue is warranted and that we recommend we provide substantive advice seeking a decision as to whether the Bills are amended to include such an exemption. We note it would be inequitable to only make such an exemption for the Waikato River arrangements and that consideration should be given to exempting all rules in relation to specified topics that result from councils giving effect to certain types of settlement redress.</p> <p>We consider that the exception would capture more complex arrangements that require the council to provide a statutory weighting to a specified matter or document. This would likely apply to about 16 settlements (including the Waikato River arrangements) and the Ngā Hapū o Ngāti Porou Act.¹ We do not propose that this would cover standard redress such as statutory acknowledgements. Consideration would need to be given to the threshold of the exception to ensure it is set at an appropriate level, should you wish to receive further advice.</p> <p>We note that timeframes for provision of advice of this nature at this late stage poses risks to the timeline for delivery and increases the likelihood of errors in the bills. This is particularly given the novel and complex nature of the regulatory relief provisions in the bills.</p>
E	<p>Mana Whakahono ā Rohe</p> <p>You have raised concerns about the scope of Mana Whakahono ā Rohe and the number of agreements initiated under the RMA since the introduction of the Bills. As introduced, the Bills will preserve Mana Whakahono ā Rohe agreed or initiated before Royal Assent. In the new planning system local authorities will be required to treat Mana Whakahono ā Rohe arrangements relating to functions under the RMA as though they relate to equivalent functions in the new system. The practical effect will be to reduce the scope of those arrangements where there is no equivalent function in the new system.</p> <p>Provisions in the RMA specify the process local authorities must follow once a Mana Whakahono ā Rohe has been initiated by an iwi authority. This includes the timeframe and process for negotiating the agreement and the content of the agreement. Once initiated by an iwi authority, a local authority must reach agreement with the iwi authority on the Mana Whakahono ā Rohe within 18 months (unless another timeframe is agreed). The statutory scope of Mana Whakahono ā Rohe is limited to functions under the RMA though sometimes Mana Whakahono ā Rohe form part of larger relationship documents which may touch on non-RMA matters. Our recommendations to the Select Committee, if adopted, will ensure any Mana Whakahono ā Rohe initiated before Royal Assent must be agreed within the usual 18-month timeframe (unless another timeframe is agreed), with a hard deadline of the specified transition date if they are to carry across into the new system.</p> <p>We note there was not a large uptake in Mana Whakahono ā Rohe in the nine years since provision for them were added to the RMA. Agreements were only completed with eight groups, involving five local authorities. There is no statutory requirement for councils or iwi authorities to advise MfE of initiated or completed Mana Whakahono ā Rohe but we understand approximately 50 agreements have been initiated since the Bills were introduced and four "short form" agreements have been reached. Given the low uptake of Mana Whakahono ā Rohe prior to the current reform, the large number of initiated agreements is in our view a response to the government's decision not to provide for new Mana Whakahono ā Rohe in the new resource management system. You confirmed in April you do not wish to re-visit that decision [BRF-00578 refers].</p> <p>To address your concerns about the number of agreements, you could reverse your decision to transfer initiated agreements [BRF-6477 refers]. This will likely be controversial given the late stage of the legislative process, and the lack of consultation or select committee scrutiny. It could also create significant pressure on councils from iwi with initiated agreements wanting to negotiate and agree Mana Whakahono ā Rohe in the limited time available before Royal Assent. In most cases, we consider this would not be possible in the time available.</p> <p>If you decided not to transfer initiated agreements, you could mitigate the risks by including provisions in the Bills for councils to agree with iwi authorities how the latter will be involved in the defined statutory processes for iwi authority participation in the new planning system. These agreements would replace Mana Whakahono ā Rohe, but in a clearly scoped and structured way which is consistent with iwi participation</p> <p>15. Agree to consider whether rules councils include in plans in relation to "specified topics" to give effect to Treaty settlement redress are exempt from regulatory relief under the Bills.</p> <p>Agree / Disagree</p> <p>9(2)(g)(i)</p> <p>16. Agree a regulation making power in the Bills to provide for iwi authorities and councils to enter process agreements setting out how those iwi authorities will participate in the statutory processes in the Bills which provide for iwi participation.</p> <p>Agree / Disagree</p> <p>9(2)(g)(i)</p> <p>17. Agree Mana Whakahono ā Rohe initiated before Royal Assent will transfer into the new system (current approach).</p> <p>Agree / Disagree</p> <p>EITHER</p> <p>18. Agree Mana Whakahono ā Rohe agreed before Royal Assent will transfer into the new system (current approach).</p> <p>Agree / Disagree</p> <p>OR</p> <p>19. Agree existing Mana Whakahono ā Rohe agreed before the introduction of the bills will transfer into the new system.</p> <p>Agree / Disagree</p> <p>20. Agree regulations can be used to prescribe how any initiated or existing Mana Whakahono ā Rohe</p>

Any parties wishing to have a process agreement will need to be developed in line with the tight process/criteria we devise, irrespective of whether there is an existing MWaR. It makes little practical sense to try to set out a process for a "transfer" (and will be more difficult for drafting) and, more importantly, it sends the wrong message that there is an equivalence, when the decision here is to do away with these MWaR arrangements/provisions because they are problematic and undemocratic (in the sense elected councillors can't exercise their mandate on these).

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	<p>provisions in the new resource management system. These agreements could support efficient decision making by helping particularise processes for iwi involvement in resource management matters required by the Bills or National Instruments. Providing for such agreements in the new system that are available to all iwi authorities would also be more equitable.</p> <p>If you are comfortable with the above approach, we recommend regulations are used to set the scope, intent and limits of these agreements. Provisions for the agreements could be based on current RMA provisions for Mana Whakahono ā Rohe but with a more clearly defined scope. For example, the agreements could be expressly linked to participation in processes set out in specific Bill provisions that reference iwi involvement in the new system. Using regulations would allow time for detailed policy design and engagement with both local government and iwi authorities and consideration of other matters, for example, the role of elected councillors in reviewing or ratifying new agreements and how agreements can be initiated. The ability to enter these agreements could also be time limited (noting this might trigger an increased number of applications) or limited in any other way you consider appropriate.</p> <p>If you agree to retain the current approach and transfer existing Mana Whakahono ā Rohe agreed before Royal Assent you can rely on their scope being constrained by the requirement that arrangements relating to the RMA can only be given effect where there is an equivalent function in the new system. Alternatively, regulations could be used to specify how existing arrangements will be given effect in the new system.</p> <p>If you are concerned about new agreements being completed before Royal assent you could agree to transfer only those agreed before the introduction of the bills. Again, this approach raises relationship risks with groups who, relying on the introduced bills, have worked to complete agreements before Royal assent.</p> <p>transferring into the new system in accordance with your above decisions, will transfer.</p> <p>Agree / Disagree</p>

Appendix 2- Legal issues (legally privileged)

9(2)(h)

9(2)(h)



Natural Environment Bill and Planning Bill – Further advice on Treaty settlement equivalency and Mana Whakahono ā Rohe

Date:	3 July 2026	Priority:	Medium	Tracking number:	ENV-26-BRF-01823
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To	Action sought	Response by
Hon Chris Bishop Minister Responsible for RMA Reform Simon Court MP Parliamentary Under- Secretary to the Minister Responsible for RMA Reform	Seeks agreement to empowering provisions in relation to providing for Treaty settlement equivalency and to the details of a replacement instrument for Mana Whakahono ā Rohe for inclusion in the Planning and Natural Environment Bills by amendment paper.	10 July 2026

Contact for discussion (if required)

Name	Position	Telephone	1st contact
Clare Maihi	General Manager Te Tiriti and Te Ao Māori	9(2)(a)	☒
Sam Ritchie	Manager Upholding Treaty Settlements		☐

Action for Minister's Office staff

Return the signed briefing to the Ministry for the Environment (ema.pct@mfe.govt.nz and advice@mfe.govt.nz).



Purpose

1. This paper provides additional advice following your consideration of MfE 26-BRF-01676 and discussions with officials on 24 June 2026. It seeks your agreement to changes to the Planning and Natural Environment Bills (the Bills) through amendment papers in relation to:
 - a. empowering provisions to make national standards and regulations for Treaty settlement equivalency; and,
 - b. the details of a replacement instrument for Mana Whakahono ā Rohe.

Key points

2. The clause 10 requirement to give equivalency to Treaty settlements applies across the new planning system and is expressed in very broad terms. 9(2)(h) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] This paper recommends provision is made in the Bills for national standards and regulations to give direction to decision makers on how to apply clause 10 if needed, e.g. for complex Treaty settlements. 9(2)(h) [REDACTED]
[REDACTED]
[REDACTED]
3. You have agreed Mana Whakahono ā Rohe will be replaced by clearly scoped iwi participation agreements in the new system. We recommend the Bills set out the purpose of the new agreements is to record how iwi authorities will participate in the processes for iwi participation provided for in the Bills that are the responsibility of local authorities, and processes for engagement where the parties are required to interact to give effect to relevant Treaty settlement redress. We recommend regulations further prescribe the content, form and process for negotiating the new agreements, incorporating any of the key matters you agree in the below recommendations.



Recommendations

1. We recommend you:

- | | |
|--|----------|
| a. Agree to seek to include in the Bills by amendment paper provisions that allow the responsible Minister, if they consider it necessary to ensure the intent of clause 10 of the Bills is upheld or needed for system workability, to issue national standards or recommend regulations that provide direction to decision makers on how they must comply with obligations under clause 10. | Yes / No |
| b. Agree to the following details in relation to iwi participation agreements: | |
| i. that the Bills will provide for new 'iwi participation agreements' through which iwi authorities and local authorities will discuss, agree, and record: <ul style="list-style-type: none">▪ how iwi authorities will participate in processes for iwi participation provided for in the Bills that are the responsibility of local authorities;▪ processes for engagement where required to give effect to relevant Treaty settlement redress; and▪ any other matter provided those matters assist local authorities discharging their statutory obligations to iwi under the Bills, if prescribed in regulations (as recommended below); | Yes / No |
| ii. that local authorities will be required to enter into an iwi participation agreement if requested by an iwi authority; | Yes / No |
| iii. that iwi participation agreements will be between iwi authorities and local authorities but that hapū may join as parties to agreements; | Yes / No |



- | | | |
|------|---|----------|
| iv. | that there will be no deadline for initiating iwi participation agreements; | Yes / No |
| v. | that parties to existing Mana Whakahono ā Rohe will be able to convert compatible parts of their existing arrangements into iwi participation agreements without them having to formally initiate new agreements; | Yes / No |
| vi. | that initiated Mana Whakahono ā Rohe will be treated as initiated 'iwi participation agreements' to be negotiated and agreed in accordance with the process prescribed by regulations. | Yes / No |
| c. | Agree that the Bills will include a regulation making power for the responsible Minister to recommend regulations related to iwi participation agreements prescribing the following: | Yes / No |
| i. | the form of the agreement; | |
| ii. | further specificity on the content of the agreement (including matters that cannot be included in an agreement); | |
| iii. | the process for initiating and reaching agreement on the iwi participation agreement, including timeframes and any dispute resolution processes; and | |
| iv. | any other matter relating to iwi participation agreements. | |
| d. | Direct officials to prepare amendment papers to the Bills to give effect to the confirmed decisions at 4(b) and 4(c) above; | Yes / No |



- e. **Note** that replacing provisions for existing and initiated Mana Whakahono ā Rohe with new iwi participation agreements may fall outside of existing Cabinet delegations, and PCO will need further approvals before they can draft in that case.

Noted

Clare Maihi
**General Manager, Te Tiriti me Te Ao
Māori**

03 / 07 / 2026

Hon Chris Bishop
**Minister Responsible for RMA
Reform**

..... / /

Simon Court
**Parliamentary Under-Secretary to
the Minister Responsible for RMA
Reform**

..... / /

Comments



Natural Environment Bill and Planning Bill - Further advice on Treaty settlement equivalency and Mana Whakahono ā Rohe

Background

1. On 24 June 2026 you considered advice on possible content for amendment papers to the Planning and Natural Environment Bills (the Bills), including on particularisation of Clause 10 and Mana Whakahono ā Rohe in the new planning system [MfE 26-BRF-01676 refers].

Treaty settlement equivalency

2. In relation to the particularisation of clause 10 advice, you noted that:
 - 9(2)(g)(i)

 - Ministry for the Environment officials considered that direction on this matter is best provided for in regulation and national standards; and
 - further advice would be provided on whether amendments to the Bills are required to provide for the use of regulation and national standards for this purpose. This paper includes that advice.

Iwi participation agreements to replace Mana Whakahono ā Rohe

3. You agreed Mana Whakahono ā Rohe will be replaced in the new planning system by a new iwi participation agreement and discussed the following possible elements with officials:
 - provisions for a new iwi participation agreement instrument be included in the Bills;
 - this instrument will be a mechanism through which iwi authorities and local authorities will discuss, agree, and record ways in which:
 - iwi authorities will participate in local authority processes where this is provided for in the Bills;
 - local authorities will engage with iwi where required by relevant Treaty settlement redress;



- that local authorities will be required to enter into an iwi participation agreement if requested by iwi authorities; and,
 - a regulation making power be included in the Bills so regulations can prescribe the form, content, dispute resolution processes, and processes for negotiating the iwi participation agreements.
4. We seek confirmation of your decisions based on those discussions. You also had some follow-up questions, that are addressed in the advice below.

Advice

Treaty settlement equivalency

Giving equivalency to complex Treaty settlement redress will be difficult in new system

5. Clause 10 of both Bills provides that any persons exercising any functions, powers, and duties under the legislation must, to the greatest extent possible, give Treaty settlement redress that relates to the Resource Management Act 1991 (RMA) the same or equivalent effect as it had under the RMA. The clause 10 obligation does not apply to statutory acknowledgments, if agreement on how to uphold a Treaty settlement has been reached with a post-settlement governance entity (PSGE), or if how the redress is to be given effect in the new system is prescribed in the Bills themselves.
6. Clause 10 is broadly conceived, and the Bills contain no direction or guidance on how decision makers are to give equivalent effect. In situations involving complex resource management redress, such as those set out at Annex 1, requiring decision makers to give equivalent effect to Treaty settlement redress in the new system with no further direction presents a risk of challenge and could impede the implementation of the new system. This is because:
- Decision-makers may implement equivalency higher up the funnel than the equivalent level in the old planning system where they are uncertain what is required to give equivalent effect to redress. This may result in the scope being extended beyond what the original redress provided for.
 - Alternatively, in determining what is required to give equivalent effect, decision-makers may apply the settlement provisions lower down the funnel than intended.
 - Decision-makers may not provide equivalency at all where redress interacts with an instrument in the RMA that has no equivalent in the new planning system (e.g. regional policy statements).



- Treaty settlements are between the Crown and iwi. Most decision-makers who will have to provide for equivalent effect under clause 10 are part of local government, which is not the Crown.

Provision for making of national standards and regulations would address some of the risks arising from clause 10

7. Clause 10 is an overarching requirement that also applies to the Minister when issuing any form of secondary legislation, such as national standards or regulations. We consider that in some situations, specific national standards – especially those for spatial and regulatory planning – could be used to provide direction to decision-makers and mitigate some of the risks identified as a result of the broad formulation of clause 10. However, there is no provision in the Bills that explicitly enables the responsible Minister to issue national standards to direct decision-makers further down the funnel as to how to provide for Treaty settlement equivalency, if that was considered necessary. It is not clear whether the Minister would have this power.
8. National standards can direct plan content/provisions. Plans are the principal part of the system that RM redress interacts with. The statutory process for the development of plans also allows for engagement with affected PSGEs and a level of regional specificity.
9. In some circumstances, we consider specific plan provisions will be required for decision-makers to provide for equivalency for certain Treaty settlement arrangements. National standards could be used to direct where specific plan provisions may be required to provide equivalency. We note councils would not be required to produce justification reports where specific plan provisions for Treaty settlements are directed or enabled by a national standard, and they are not a specified rule where the regulatory relief framework applies.
10. Approximately 12 Treaty settlement redress arrangements and the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou arrangements also provides the ability for of PSGEs or joint entities to participate in the nomination or appointment of hearing commissioners or boards of inquiry. We consider that regulations that prescribe the processes for hearing commissioners are the best way to direct relevant decision makers on where and how to provide for equivalent effect to this kind of redress. We think unless relevant regulations do this, there is a risk that regional or district-level appointment processes that require Treaty settlement redress to be taken into account will not roll over into the new system as intended.
11. In light of the uncertainty as to whether the Bills allow for national standards or regulation to be used in these ways, we recommend including specific provisions for



standards or regulation making power to be used to provide direction on how clause 10 equivalency is to be provided.

12. We propose that where the Minister considers it necessary to ensure the intent of clause 10 is upheld, and to allow for system workability, the Minister may issue national standards or recommend the making of regulations that provide direction to decision makers on how they must comply with their clause 10 obligations. This approach would not remove the general requirement that other decision-makers provide Treaty settlement redress or arrangements with an equivalent effect to the greatest extent possible. It would also not affect the process under clause 9 that provides for the Crown and PSGEs to reach formal agreement how their Treaty settlement redress or other arrangements are upheld.
13. The Crown will work with affected PSGEs and iwi authorities through consultation processes already provided for under the Bills on what the requirements in national standards or regulations would be. National standards or regulations directing equivalency will not lessen the requirement of every person exercising and performing any function, power or duty under the Bills to give an equivalent effect to all relevant Treaty settlement redress. Instead, they would relate to specific redress in specific places where it is unclear in the new planning system how equivalent effect is to be given. The redress that officials consider may need this direction for decision makers is set out in Annex 1.

There are risks with proposed approach

14. PSGEs may consider the use of national standards or regulations to direct how Treaty settlement redress is to be given equivalency as narrowing the scope of their redress. This risk will likely become more acute the more prescriptive and directive the regulations or national standards are. We consider that it will be important to meaningfully engage with PSGEs and seek agreement on national instruments that affect specific settlement arrangements and provide direction on clause 10.

Iwi participation agreements to replace Mana Whakahono ā Rohe

The Bills can define the scope of the agreements with regulations providing the details

15. As proposed in discussions with you, we recommend the Bills confirm the purpose and general scope of the new agreements, with regulations to further prescribe the form, content and process for negotiating the agreements.
16. We recommend the Bills specify the purpose of iwi participation agreements is to record how iwi authorities will participate in the processes for iwi participation provided for in the Bills that are the responsibility of local authorities, and processes



for engagement where required to give effect to relevant Treaty settlement redress.

17. Based on the Bills as introduced, this definition would limit the scope of the agreements to procedural provisions for consultation on draft land use plans, natural environment plans and spatial plans, or provisions required by Treaty settlement redress. This scope may be narrower than you intended and narrower than is useful for iwi authorities and local authorities.
18. We therefore propose the Bills confirm a narrow general purpose but confirm regulations could allow the agreements to cover additional matters, that assist local authorities to meet their statutory obligations to iwi under the Bills. This would allow consultation with affected groups to inform officials' advice on the regulations. Final decisions on the form and content of the agreements would be made when the draft regulations are considered.

Only iwi authorities should be able to enter the new agreements

19. We recommend the new agreements should be available to all iwi authorities to ensure equity between iwi authorities with and without current arrangements under the RMA. This approach will support efficient local authority decision making by enabling them to agree with iwi authorities how iwi will participate in the new planning system.
20. Currently under the RMA a hapū may enter a Mana Whakahono ā Rohe if initiated by a local authority. Two existing arrangements with iwi authorities include hapū as parties. Depending on your decision about existing arrangements at recommendation 4(b)(v) described in paragraphs 29-30 below, these may not be continued under this proposal, nor would there be any provision for them in the new system. The discontinuation of these agreements will be poorly received by those groups and councils.
21. To mitigate this, we suggest that the new provision expressly allows for hapū to be a party to any agreement between iwi authorities and councils. That would allow for arrangements such as the 2020 agreement between West Coast Regional Council and Poutini Ngāi Tahu which includes local rūnanga/hapu and Te Rūnanga o Ngāi Tahu to be re-established under the provision, but in the new form required by iwi participation agreements.

These agreements should be mandatory when initiated

22. The Under-Secretary has expressed concern with requiring a local authority to enter an agreement once initiated by an iwi authority. The RMA requires a local authority to enter into a Mana Whakahono ā Rohe within 18 months of initiation by an iwi authority unless the parties agree other timeframes. The key reason for this



requirement in the RMA is to ensure iwi authorities are able to negotiate Mana Whakahono ā Rohe where they do not have strong existing relationships with the relevant local authority. It is these situations where agreed iwi participation arrangements and dispute resolution procedures are most beneficial. We consider such a provision remains appropriate in relation to the new agreements as the underlying reason for this requirement has not changed.

23. If you agree the new agreements will be compulsory once initiated, a timeframe for reaching agreement would be specified in regulations. Officials would engage with affected parties on what an appropriate timeframe might be. The Minister could then make a decision on that timeframe when recommending regulations prescribing the procedural matters for the agreements.

There should be no deadline for initiating the new agreements

24. In our previous advice, we noted you could impose a deadline for initiating new iwi participation agreements. We recommend there be no deadline as this would likely result in a rush to initiate agreements by iwi authorities seeking to preserve their position before the timeframe expires, and create unnecessary pressure on local authorities.

Approach to existing Mana Whakahono ā Rohe

25. Iwi authorities and local authorities party to existing Mana Whakahono ā Rohe will have expended considerable resource in negotiating those arrangements and, if those arrangements have been working well, are likely to want to enter into iwi participation agreements in the new system.
26. We consider there are efficiencies to be gained by making provision to convert compatible parts of existing Mana Whakahono ā Rohe into iwi participation agreements, consistent with the scope we are recommending, without the parties having to formally initiate new agreements.
27. Noting your decision not to transfer initiated Mana Whakahono ā Rohe into the new system, we seek clarity on whether groups who have initiated Mana Whakahono ā Rohe under the RMA should be treated as though they have initiated agreements in the new system. If so, these initiated agreements would need to be negotiated and agreed as iwi participation agreements in accordance with the process prescribed by regulations.
28. This approach would recognise the step the groups have taken to initiate agreements (including any associated resourcing/time costs), and may mitigate the risk of further damage to the Māori-Crown relationship (discussed further below). It would not



address resourcing concerns raised by councils with large numbers of initiated agreements. That concern would be better addressed by allowing groups to initiate agreements in the new system when they are ready.

There are risks to the Māori-Crown relationship

29. Making these changes to the Bills after select committee consideration and without consultation with affected parties will further strain the Māori-Crown relationship.

9(2)(g)(i)

30. As previously advised Mana Whakahono ā Rohe/iwi participation agreements could increase efficiency by creating certainty about how iwi will participate in the new planning system.
31. In the circumstances, the best mitigation is to provide the opportunity for new process agreements in the new planning system, though we anticipate groups will remain concerned with the proposed narrowing of the scope of those arrangements. To mitigate relationship damage, we intend to advise parties to existing and initiated Mana Whakahono ā Rohe, and all councils, of your decisions before any amendment papers reflecting your decisions are tabled in Parliament.

Delegations

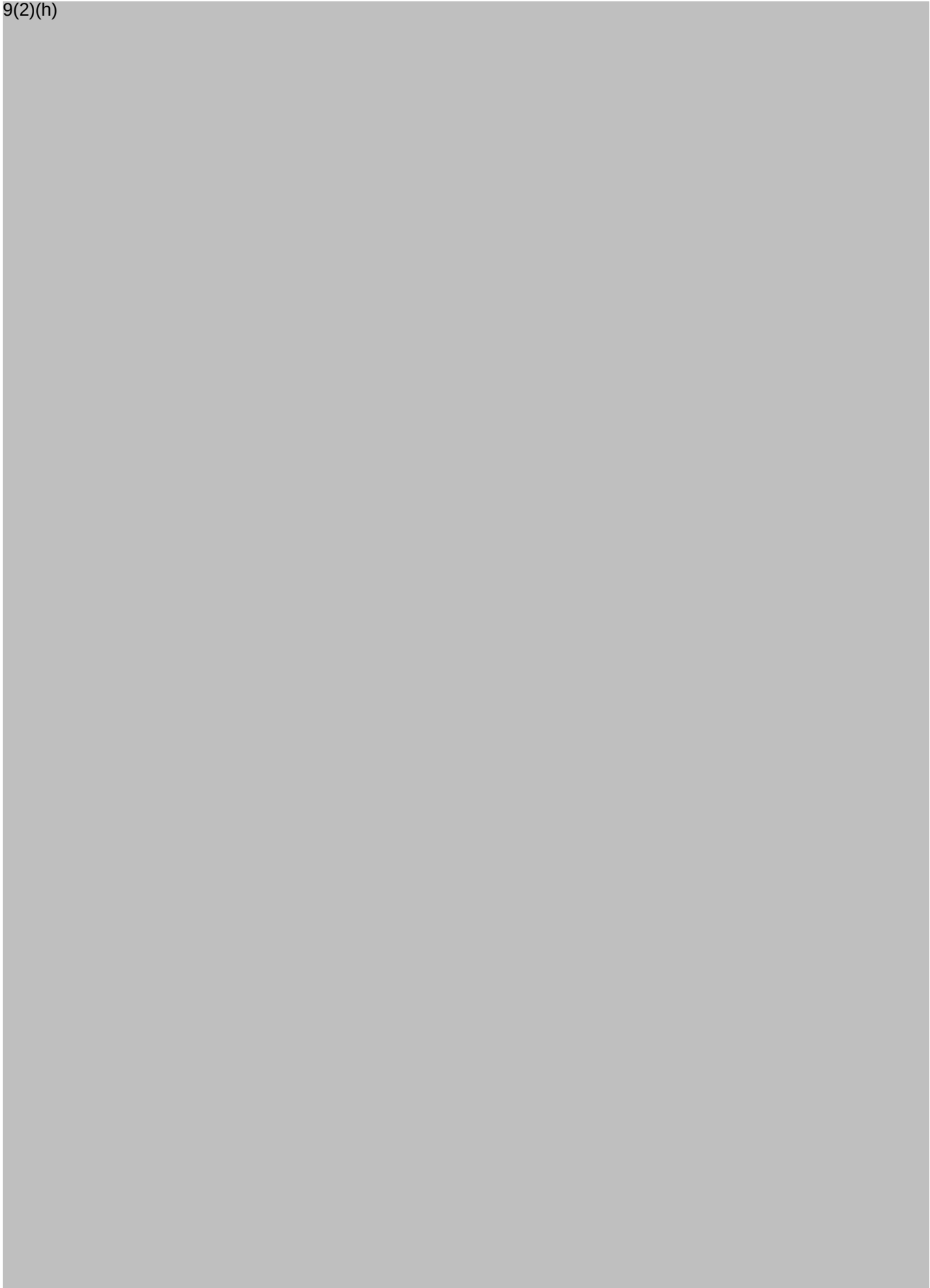
32. Cabinet delegated authority for you to make further detailed decisions on any matters required to give effect to Cabinet's intent for the Bills [CAB-25-MIN-080.01 & CAB-26-MIN-124.01 refer].
33. Replacing Mana Whakahono ā Rohe with new iwi participation agreements likely falls outside of this delegation. In that case, PCO will require further authorisation to draft the replacement instrument for Mana Whakahono ā Rohe. This could either be achieved through Cabinet agreement or by letter from the Attorney General.
34. We will confirm this with you shortly, and whether you need to address this change in your paper to the Cabinet Legislation Committee that sets out proposed Amendment Paper changes.

Legal Advice – Legally Privileged

9(2)(h)

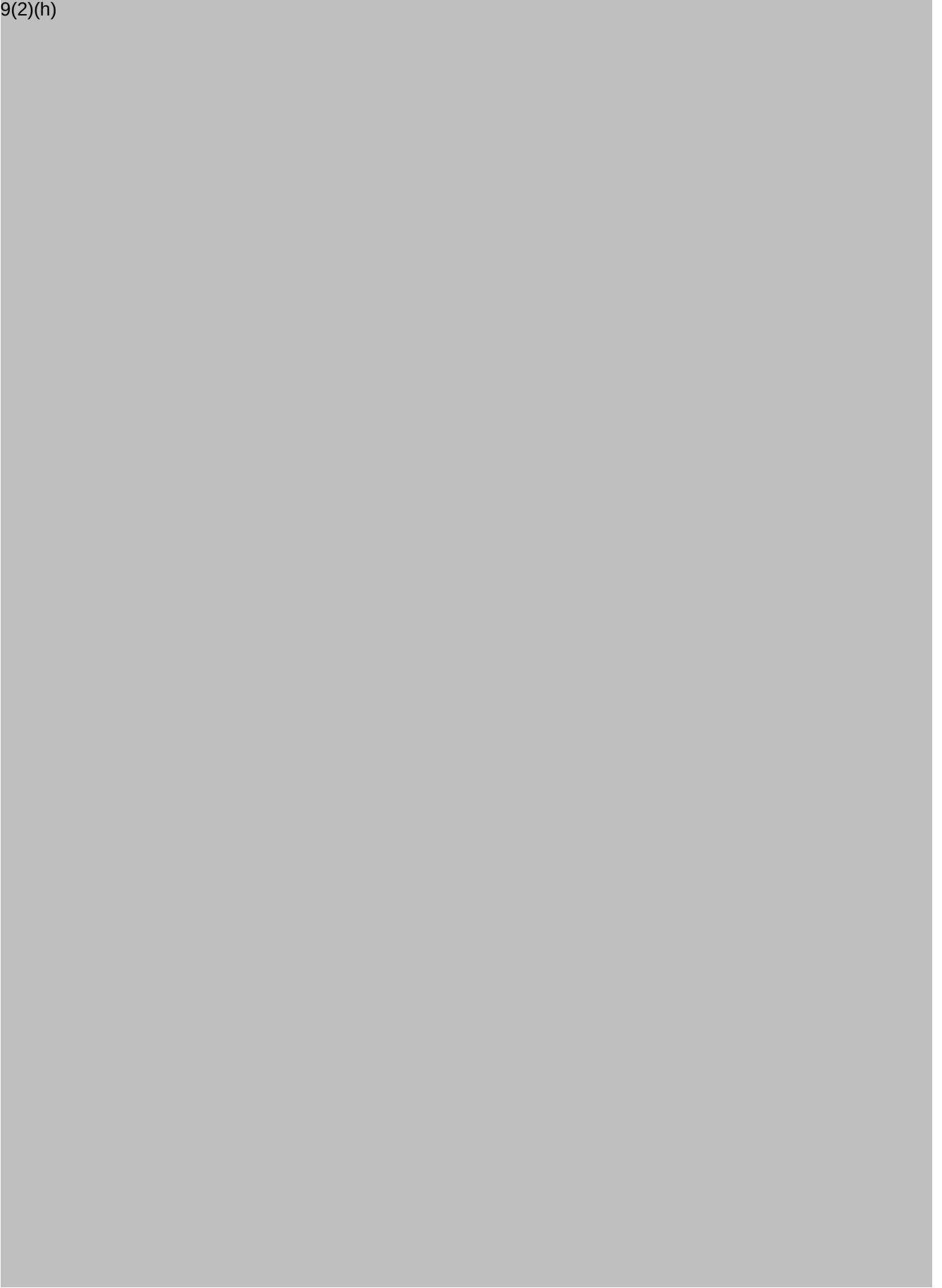


9(2)(h)





9(2)(h)





Next steps

48. We will begin work on the proposed amendment papers to give effect to your decisions. We will also consider how best to communicate your decisions on the replacement instrument for Mana Whakahono ā Rohe to affected groups.



Annex 1 – Redress where detailed direction to give equivalency could be needed

Joint Entities	Relevant Settlement Acts	Redress interaction point in RMA	Redress possible interaction point in PB/NEB (subject to ongoing discussions with PSGEs)
Te Oneroa-ā-Tohe Board	Te Aupouri Claims Settlement Act 2015 Ngāti Kuri Claims Settlement Act 2015 Te Rarawa Claims Settlement Act 2015 Ngāi Takoto Claims Settlement Act 2015	<ul style="list-style-type: none"> When a council prepares, reviews, varies or changes a regional policy statement (RPS), regional plan (RP) or district plan (DP) relating to all or a part of the Te Oneroa-a-Tohe management area, the council must recognise and provide for the vision, objectives and desired outcomes identified in the beach management plan. Until those RMA documents are amended to comply with that obligation, a council must 'have regard to' the beach management plan when making decisions on applications for resource consents that relate to the Te Oneroa-a-Tohe management area. Board develops criteria for the appointment of RMA hearing commissioners (for resource consent hearings that relate to the Te Oneroa-a-Tohe management area). Compile a list of accredited commissioners for appointment to those hearing panels. The Board then appoints the hearing commissioners to RMA hearing panels from that list (half are appointed by the iwi members of the Board; half are appointed by local authorities). 	9(2)(j)
Rangitaiki River Forum	Ngāti Manawa Claims Settlement Act 2012 Ngāti Whare Claims Settlement Act 2012	<ul style="list-style-type: none"> When Regional Council (RC) prepares or changes RPS, it must 'recognise and provide for' any vision, objectives and desired outcomes contained in planning document. Until the RPS' recognises and provides for' the Rangitaiki River Document, a council must 'have particular regard to' the Rangitaiki River Document when preparing or changing a RP or DP. 	
Te Maru o Kaituna	Tapuika Claims Settlement Act 2014	<ul style="list-style-type: none"> When a council is preparing or changing an RMA regional policy statement, regional plan or district plan, it must recognise and provide for the vision, objectives and desired outcomes of the Kaituna River Document. Until those RMA documents are amended to comply with that obligation, a Council 	



Joint Entities	Relevant Settlement Acts	Redress interaction point in RMA	Redress possible interaction point in PB/NEB (subject to ongoing discussions with PSGEs)
		<p>must have regard to the Kaituna River Document when making decisions on applications for resource consents within the Kaituna River catchment.</p> <ul style="list-style-type: none"> • Provide advice and recommendations to councils on the appointment of commissioners to hear and decide applications for resource consents that affect the river. 	9(2)(i)
Rotorua Lakes Strategy Group	Te Arawa Lakes Settlement Act 2006	<ul style="list-style-type: none"> • Promotes sustainable management of lakes, including advising on RMA matters. 	
Tarawera Awa Restoration Strategy Group	Ngāti Rangitihi Claims Settlement Act 2022	<ul style="list-style-type: none"> • When a council prepares, approves, varies or changes a RPS, RP, DP, local authorities must recognise and provide for the common vision, objectives, and desired outcomes contained in a strategy document. • Until those RMA documents are amended to comply with that obligation, a council must have particular regard to the strategy document when making consent decisions. 	
Te Komiti Muriwai o Te Whanga	Ahuriri Hapū Claims Settlement Act 2021	<ul style="list-style-type: none"> • When a council prepares or amends a RPS, RP, DP under the RMA, the council must have regard to the Te Muriwai o Te Whanga Plan. • When a council is considering a resource consent application for an activity within Te Muriwai o Te Whanga, the council must have regard to the Te Muriwai o Te Whanga Plan. 	
Te Kōpua Kanapanapa	Ngāti Tūwharetoa Claims Settlement Act 2018	<ul style="list-style-type: none"> • When a council prepares, reviews or varies an RMA planning document relating to the Taupo catchment, it must recognise and provide for the vision, objectives, desired outcomes and values identified planning document. • Until those RMA documents are amended to comply with that obligation, the EPA and councils must have particular regard to planning document when making decisions on 	



Joint Entities	Relevant Settlement Acts	Redress interaction point in RMA	Redress possible interaction point in PB/NEB (subject to ongoing discussions with PSGEs)
		<p>applications for resource consents or when reviewing resource consent conditions.</p> <ul style="list-style-type: none"> Joint entity can develop a register of commissioners for resource consent hearing processes under the RMA. If a council decides to appoint hearing commissioners to determine relevant resource consent applications, it must have particular regard to any register developed by joint entity. 	9(2)(j)
Wairarapa Moana Statutory Board	Te Rohe o Rongokako Joint Redress Act 2022	<ul style="list-style-type: none"> When a local authority is preparing or changing a RPS, RP, or DP it must recognise and provide for the content of a planning document as relevant to the RMA document. 	
Complex and Bespoke	Relevant Settlement Acts/Deeds		
Hawke's Bay Regional Planning Committee	Hawke's Bay Regional Planning Committee Act 2015	<ul style="list-style-type: none"> Committee prepares/considers the content of RMA regional planning documents and recommends to the Council for public notification the content of any such document. Where a recommendation of Committee is not accepted by the Council, the matter must be referred back to the Committee for further recommendations. Undertaking other functions provided for under the terms of reference including in relation to appointment of hearing commissioners and resolution of RMA appeal. 	9(2)(j)
Waikato River Authority	<p>Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010</p> <p>Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010</p> <p>Nga Wai o Maniapoto (Waipa River) Act 2012</p>	<ul style="list-style-type: none"> Vision and strategy to form part of RPS. DPs and RP must give effect to vision and strategy. Consent conditions or designation can be altered. PSGEs appoint hearing commissioners on some notified consents. PSGEs can appoint BOI members on some called in consents. RC must have regard to management plan in all planning documents they prepare. JMAs in relation to monitoring, consents and plan making under RMA. 	



Joint Entities	Relevant Settlement Acts	Redress interaction point in RMA	Redress possible interaction point in PB/NEB (subject to ongoing discussions with PSGEs)
			9(2)(j)
Te Kōpuka nā Te Awa Tupua	Te Awa Tupua (Whanganui River Claims Settlement) Act 2017	<ul style="list-style-type: none"> Decision-makers under the RMA must: <ul style="list-style-type: none"> recognise and provide for Te Awa Tupua status and Tupua te Kawa when preparing or changing a RPS, RP, DP have particular regard to Te Awa Tupua status and Tupua te Kawa for all other RMA processes. Requirement for Te Kōpuka to develop a register of hearing commissioners for resource consent hearing processes that relate to the Whanganui River and activities in its catchment. Decision-makers under the RMA must have particular regard to planning document. Each time planning document is changed, local authorities must consider RMA planning documents in light of planning document and may initiate review. PSGE are an 'iwi authority' and a 'public authority' for RMA. If local authority decides to appoint hearing commissioners to determine relevant resource consent applications, it must have particular regard to the Te Awa Tupua register and may make appointments from that register. 	
Ngā Wai Tōtā o Te Waiū	Ngāti Rangi Claims Settlement Act 2019	<ul style="list-style-type: none"> Decision-makers under the RMA must in relation to Te Waiū-o-Te-Ika (Whangaehu River): <ul style="list-style-type: none"> recognise and provide for status of river, vision and strategy and a planning document when preparing or changing a RPS, RP, DP and in relevant consent decisions 	



Joint Entities	Relevant Settlement Acts	Redress interaction point in RMA	Redress possible interaction point in PB/NEB (subject to ongoing discussions with PSGEs)
		<ul style="list-style-type: none"> ○ have particular regard to these matters for all other RMA processes. ● The right for joint entity to agree a register of commissioners for relevant resource consent hearing processes under the RMA. ● Councils (and Ministers appointing Boards of Inquiry) must 'have particular regard to' the register when appointing commissioners for relevant applications in relation to the Whangaehu River. ● Advise local authorities generally on matters related to the catchment. 	9(2)(j)
Te Whānau a Apanui	Te Whānau a Apanui Initialled Deed of Settlement	<ul style="list-style-type: none"> ● Local authority agreement will record how councils will consider and apply TWAA values when carrying out a function or exercising a power within, or applying to, the area of interest, including under the RMA. ● When preparing or changing RPS, must include measures that enable relevant policies and methods to apply in a manner that is consistent with, and provides support for, the tikanga and kaupapa of the planning document. ● Boards of Inquiry input. ● Environment Court standing. ● Freshwater plan effect on consents. 	
Whakatōhea	Whakatōhea Claims Settlement Act 2024	<ul style="list-style-type: none"> ● JMA must be made. ● Kaitiaki forum planning document is relevant consideration for RMA planning documents. 	
Takutai Moana	Relevant legislation		
Ngā Hapū o Ngāti Porou	Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019	<ul style="list-style-type: none"> ● Permission right. ● Statutory overlay. ● Planning Document ● Call ins/Boards of Inquiry arrangements. 	



Joint Entities	Relevant Settlement Acts	Redress interaction point in RMA	Redress possible interaction point in PB/NEB (subject to ongoing discussions with PSGEs)
			9(2)(j)
Advisory Committees	Relevant Settlement Acts		
Local Leadership Body	Ngai Tāmanuhiri Claims Settlement Act 2012	<ul style="list-style-type: none"> Can provide advice and information to Gisborne District Council relevant to RMA planning document preparation and review. 	9(2)(j)
Manawatū River Catchment Advisory Board	Rangitāne o Manawatu Claims Settlement Act 2016	<ul style="list-style-type: none"> Can provide advice and information to local authorities relevant to RMA planning document preparation and review. 	
Te Tau Ihu River and Freshwater Advisory Committee	Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairua Claims Settlement Act 2014 Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014 Ngāti Toa Rangatira Claims Settlement Act 2014	<ul style="list-style-type: none"> Can provide advice and information to local authorities relevant to RMA planning document preparation and review. 	



Natural Environment Bill and Planning Bill – Further advice on Treaty settlement equivalency and Mana Whakahono ā Rohe

Date:	3 July 2026	Priority:	Medium	Tracking number:	ENV-26-BRF-01823
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To	Action sought	Response by
Hon Chris Bishop Minister Responsible for RMA Reform Simon Court MP Parliamentary Under- Secretary to the Minister Responsible for RMA Reform	Seeks agreement to empowering provisions in relation to providing for Treaty settlement equivalency and to the details of a replacement instrument for Mana Whakahono ā Rohe for inclusion in the Planning and Natural Environment Bills by amendment paper.	10 July 2026

Contact for discussion (if required)

Name	Position	Telephone	1st contact
Clare Maihi	General Manager Te Tiriti and Te Ao Māori	9(2)(a)	☒
Sam Ritchie	Manager Upholding Treaty Settlements		☐

Action for Minister's Office staff

Return the signed briefing to the Ministry for the Environment (ema.pct@mfe.govt.nz and advice@mfe.govt.nz).



Purpose

1. This paper provides additional advice following your consideration of MfE 26-BRF-01676 and discussions with officials on 24 June 2026. It seeks your agreement to changes to the Planning and Natural Environment Bills (the Bills) through amendment papers in relation to:
 - a. empowering provisions to make national standards and regulations for Treaty settlement equivalency; and,
 - b. the details of a replacement instrument for Mana Whakahono ā Rohe.

Key points

2. The clause 10 requirement to give equivalency to Treaty settlements applies across the new planning system and is expressed in very broad terms.^{9(2)(h)}

[REDACTED]

This paper recommends provision is made in the Bills for national standards and regulations to give direction to decision makers on how to apply clause 10 if needed, e.g. for complex Treaty settlements.^{9(2)(h)}

[REDACTED]
3. You have agreed Mana Whakahono ā Rohe will be replaced by clearly scoped iwi participation agreements in the new system. We recommend the Bills set out the purpose of the new agreements is to record how iwi authorities will participate in the processes for iwi participation provided for in the Bills that are the responsibility of local authorities, and processes for engagement where the parties are required to interact to give effect to relevant Treaty settlement redress. We recommend regulations further prescribe the content, form and process for negotiating the new agreements, incorporating any of the key matters you agree in the below recommendations.



Recommendations

1. We recommend you:

- a. **Agree** to seek to include in the Bills by amendment paper provisions that allow the responsible Minister, if they consider it necessary to ensure the intent of clause 10 of the Bills is upheld or needed for system workability, to issue national standards or recommend regulations that provide direction to decision makers on how they must comply with obligations under clause 10.

Yes / No

- b. **Agree** to the following details in relation to iwi participation agreements:

- i. that the Bills will provide for new 'iwi participation agreements' through which iwi authorities and local authorities will discuss, agree, and record:

Yes / No

- how iwi authorities will participate in processes for iwi participation provided for in the Bills that are the responsibility of local authorities;
- processes for engagement where required to give effect to relevant Treaty settlement redress; and
- any other matter provided those matters assist local authorities discharging their statutory obligations to iwi under the Bills, if prescribed in regulations (as recommended below);

9(2)(g)(i)

- ii. that local authorities will be required to enter into an iwi participation agreement if requested by an iwi authority;

Yes / No

- iii. that iwi participation agreements will be between iwi authorities and local authorities but that hapū may join as parties to agreements;

Yes / No

9(2)(g)(i)



iv. that there will be no deadline for initiating iwi participation agreements;

Yes / No

v. that parties to existing Mana Whakahono ā Rohe will be able to convert compatible parts of their existing arrangements into iwi participation agreements without them having to formally initiate new agreements;

Yes / No

vi. that initiated Mana Whakahono ā Rohe will be treated as initiated 'iwi participation agreements' to be negotiated and agreed in accordance with the process prescribed by regulations.

Yes / No

c. **Agree** that the Bills will include a regulation making power for the responsible Minister to recommend regulations related to iwi participation agreements prescribing the following:

Yes / No

i. the form of the agreement;

ii. further specificity on the content of the agreement (including matters that cannot be included in an agreement);

iii. the process for initiating and reaching agreement on the iwi participation agreement, including timeframes and any dispute resolution processes; and

iv. any other matter relating to iwi participation agreements.

d. **Direct** officials to prepare amendment papers to the Bills to give effect to the confirmed decisions at 4(b) and 4(c) above;

Yes / No

9(2)(g)(i)



- e. **Note** that replacing provisions for existing and initiated Mana Whakahono ā Rohe with new iwi participation agreements may fall outside of existing Cabinet delegations, and PCO will need further approvals before they can draft in that case.

Noted

Clare Maihi
General Manager, Te Tiriti me Te Ao
Māori

03 / 07 / 2026

Hon Chris Bishop
Minister Responsible for RMA
Reform

12 / 7 / 26

Simon Court
Parliamentary Under-Secretary to
the Minister Responsible for RMA
Reform

..... / /

Comments



Natural Environment Bill and Planning Bill - Further advice on Treaty settlement equivalency and Mana Whakahono ā Rohe

Background

1. On 24 June 2026 you considered advice on possible content for amendment papers to the Planning and Natural Environment Bills (the Bills), including on particularisation of Clause 10 and Mana Whakahono ā Rohe in the new planning system [MfE 26-BRF-01676 refers].

Treaty settlement equivalency

2. In relation to the particularisation of clause 10 advice, you noted that:

- 9(2)(g)(i)

- Ministry for the Environment officials considered that direction on this matter is best provided for in regulation and national standards; and
- further advice would be provided on whether amendments to the Bills are required to provide for the use of regulation and national standards for this purpose. This paper includes that advice.

Iwi participation agreements to replace Mana Whakahono ā Rohe

3. You agreed Mana Whakahono ā Rohe will be replaced in the new planning system by a new iwi participation agreement and discussed the following possible elements with officials:
 - provisions for a new iwi participation agreement instrument be included in the Bills;
 - this instrument will be a mechanism through which iwi authorities and local authorities will discuss, agree, and record ways in which:
 - iwi authorities will participate in local authority processes where this is provided for in the Bills;
 - local authorities will engage with iwi where required by relevant Treaty settlement redress;



- that local authorities will be required to enter into an iwi participation agreement if requested by iwi authorities; and,
 - a regulation making power be included in the Bills so regulations can prescribe the form, content, dispute resolution processes, and processes for negotiating the iwi participation agreements.
4. We seek confirmation of your decisions based on those discussions. You also had some follow-up questions, that are addressed in the advice below.

Advice

Treaty settlement equivalency

Giving equivalency to complex Treaty settlement redress will be difficult in new system

5. Clause 10 of both Bills provides that any persons exercising any functions, powers, and duties under the legislation must, to the greatest extent possible, give Treaty settlement redress that relates to the Resource Management Act 1991 (RMA) the same or equivalent effect as it had under the RMA. The clause 10 obligation does not apply to statutory acknowledgments, if agreement on how to uphold a Treaty settlement has been reached with a post-settlement governance entity (PSGE), or if how the redress is to be given effect in the new system is prescribed in the Bills themselves.
6. Clause 10 is broadly conceived, and the Bills contain no direction or guidance on how decision makers are to give equivalent effect. In situations involving complex resource management redress, such as those set out at Annex 1, requiring decision makers to give equivalent effect to Treaty settlement redress in the new system with no further direction presents a risk of challenge and could impede the implementation of the new system. This is because:
- Decision-makers may implement equivalency higher up the funnel than the equivalent level in the old planning system where they are uncertain what is required to give equivalent effect to redress. This may result in the scope being extended beyond what the original redress provided for.
 - Alternatively, in determining what is required to give equivalent effect, decision-makers may apply the settlement provisions lower down the funnel than intended.
 - Decision-makers may not provide equivalency at all where redress interacts with an instrument in the RMA that has no equivalent in the new planning system (e.g. regional policy statements).



- Treaty settlements are between the Crown and iwi. Most decision-makers who will have to provide for equivalent effect under clause 10 are part of local government, which is not the Crown.

Provision for making of national standards and regulations would address some of the risks arising from clause 10

7. Clause 10 is an overarching requirement that also applies to the Minister when issuing any form of secondary legislation, such as national standards or regulations. We consider that in some situations, specific national standards – especially those for spatial and regulatory planning – could be used to provide direction to decision-makers and mitigate some of the risks identified as a result of the broad formulation of clause 10. However, there is no provision in the Bills that explicitly enables the responsible Minister to issue national standards to direct decision-makers further down the funnel as to how to provide for Treaty settlement equivalency, if that was considered necessary. It is not clear whether the Minister would have this power.
8. National standards can direct plan content/provisions. Plans are the principal part of the system that RM redress interacts with. The statutory process for the development of plans also allows for engagement with affected PSGEs and a level of regional specificity.
9. In some circumstances, we consider specific plan provisions will be required for decision-makers to provide for equivalency for certain Treaty settlement arrangements. National standards could be used to direct where specific plan provisions may be required to provide equivalency. We note councils would not be required to produce justification reports where specific plan provisions for Treaty settlements are directed or enabled by a national standard, and they are not a specified rule where the regulatory relief framework applies.
10. Approximately 12 Treaty settlement redress arrangements and the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou arrangements also provides the ability for of PSGEs or joint entities to participate in the nomination or appointment of hearing commissioners or boards of inquiry. We consider that regulations that prescribe the processes for hearing commissioners are the best way to direct relevant decision makers on where and how to provide for equivalent effect to this kind of redress. We think unless relevant regulations do this, there is a risk that regional or district-level appointment processes that require Treaty settlement redress to be taken into account will not roll over into the new system as intended.
11. In light of the uncertainty as to whether the Bills allow for national standards or regulation to be used in these ways, we recommend including specific provisions for



standards or regulation making power to be used to provide direction on how clause 10 equivalency is to be provided.

12. We propose that where the Minister considers it necessary to ensure the intent of clause 10 is upheld, and to allow for system workability, the Minister may issue national standards or recommend the making of regulations that provide direction to decision makers on how they must comply with their clause 10 obligations. This approach would not remove the general requirement that other decision-makers provide Treaty settlement redress or arrangements with an equivalent effect to the greatest extent possible. It would also not affect the process under clause 9 that provides for the Crown and PSGEs to reach formal agreement how their Treaty settlement redress or other arrangements are upheld.
13. The Crown will work with affected PSGEs and iwi authorities through consultation processes already provided for under the Bills on what the requirements in national standards or regulations would be. National standards or regulations directing equivalency will not lessen the requirement of every person exercising and performing any function, power or duty under the Bills to give an equivalent effect to all relevant Treaty settlement redress. Instead, they would relate to specific redress in specific places where it is unclear in the new planning system how equivalent effect is to be given. The redress that officials consider may need this direction for decision makers is set out in Annex 1.

There are risks with proposed approach

14. PSGEs may consider the use of national standards or regulations to direct how Treaty settlement redress is to be given equivalency as narrowing the scope of their redress. This risk will likely become more acute the more prescriptive and directive the regulations or national standards are. We consider that it will be important to meaningfully engage with PSGEs and seek agreement on national instruments that affect specific settlement arrangements and provide direction on clause 10.

Iwi participation agreements to replace Mana Whakahono ā Rohe

The Bills can define the scope of the agreements with regulations providing the details

15. As proposed in discussions with you, we recommend the Bills confirm the purpose and general scope of the new agreements, with regulations to further prescribe the form, content and process for negotiating the agreements.
16. We recommend the Bills specify the purpose of iwi participation agreements is to record how iwi authorities will participate in the processes for iwi participation provided for in the Bills that are the responsibility of local authorities, and processes



for engagement where required to give effect to relevant Treaty settlement redress.

17. Based on the Bills as introduced, this definition would limit the scope of the agreements to procedural provisions for consultation on draft land use plans, natural environment plans and spatial plans, or provisions required by Treaty settlement redress. This scope may be narrower than you intended and narrower than is useful for iwi authorities and local authorities.
18. We therefore propose the Bills confirm a narrow general purpose but confirm regulations could allow the agreements to cover additional matters, that assist local authorities to meet their statutory obligations to iwi under the Bills. This would allow consultation with affected groups to inform officials' advice on the regulations. Final decisions on the form and content of the agreements would be made when the draft regulations are considered.

Only iwi authorities should be able to enter the new agreements

19. We recommend the new agreements should be available to all iwi authorities to ensure equity between iwi authorities with and without current arrangements under the RMA. This approach will support efficient local authority decision making by enabling them to agree with iwi authorities how iwi will participate in the new planning system.
20. Currently under the RMA a hapū may enter a Mana Whakahono ā Rohe if initiated by a local authority. Two existing arrangements with iwi authorities include hapū as parties. Depending on your decision about existing arrangements at recommendation 4(b)(v) described in paragraphs 29-30 below, these may not be continued under this proposal, nor would there be any provision for them in the new system. The discontinuation of these agreements will be poorly received by those groups and councils.
21. To mitigate this, we suggest that the new provision expressly allows for hapū to be a party to any agreement between iwi authorities and councils. That would allow for arrangements such as the 2020 agreement between West Coast Regional Council and Poutini Ngāi Tahu which includes local rūnanga/hapu and Te Rūnanga o Ngāi Tahu to be re-established under the provision, but in the new form required by iwi participation agreements.

These agreements should be mandatory when initiated

22. The Under-Secretary has expressed concern with requiring a local authority to enter an agreement once initiated by an iwi authority. The RMA requires a local authority to enter into a Mana Whakahono ā Rohe within 18 months of initiation by an iwi authority unless the parties agree other timeframes. The key reason for this



requirement in the RMA is to ensure iwi authorities are able to negotiate Mana Whakahono ā Rohe where they do not have strong existing relationships with the relevant local authority. It is these situations where agreed iwi participation arrangements and dispute resolution procedures are most beneficial. We consider such a provision remains appropriate in relation to the new agreements as the underlying reason for this requirement has not changed.

23. If you agree the new agreements will be compulsory once initiated, a timeframe for reaching agreement would be specified in regulations. Officials would engage with affected parties on what an appropriate timeframe might be. The Minister could then make a decision on that timeframe when recommending regulations prescribing the procedural matters for the agreements.

There should be no deadline for initiating the new agreements

24. In our previous advice, we noted you could impose a deadline for initiating new iwi participation agreements. We recommend there be no deadline as this would likely result in a rush to initiate agreements by iwi authorities seeking to preserve their position before the timeframe expires, and create unnecessary pressure on local authorities.

Approach to existing Mana Whakahono ā Rohe

25. Iwi authorities and local authorities party to existing Mana Whakahono ā Rohe will have expended considerable resource in negotiating those arrangements and, if those arrangements have been working well, are likely to want to enter into iwi participation agreements in the new system.
26. We consider there are efficiencies to be gained by making provision to convert compatible parts of existing Mana Whakahono ā Rohe into iwi participation agreements, consistent with the scope we are recommending, without the parties having to formally initiate new agreements.
27. Noting your decision not to transfer initiated Mana Whakahono ā Rohe into the new system, we seek clarity on whether groups who have initiated Mana Whakahono ā Rohe under the RMA should be treated as though they have initiated agreements in the new system. If so, these initiated agreements would need to be negotiated and agreed as iwi participation agreements in accordance with the process prescribed by regulations.
28. This approach would recognise the step the groups have taken to initiate agreements (including any associated resourcing/time costs), and may mitigate the risk of further damage to the Māori-Crown relationship (discussed further below). It would not



address resourcing concerns raised by councils with large numbers of initiated agreements. That concern would be better addressed by allowing groups to initiate agreements in the new system when they are ready.

There are risks to the Māori-Crown relationship

29. Making these changes to the Bills after select committee consideration and without consultation with affected parties will further strain the Māori-Crown relationship.

9(2)(g)(i)

30. As previously advised Mana Whakahono ā Rohe/iwi participation agreements could increase efficiency by creating certainty about how iwi will participate in the new planning system.
31. In the circumstances, the best mitigation is to provide the opportunity for new process agreements in the new planning system, though we anticipate groups will remain concerned with the proposed narrowing of the scope of those arrangements. To mitigate relationship damage, we intend to advise parties to existing and initiated Mana Whakahono ā Rohe, and all councils, of your decisions before any amendment papers reflecting your decisions are tabled in Parliament.

Delegations

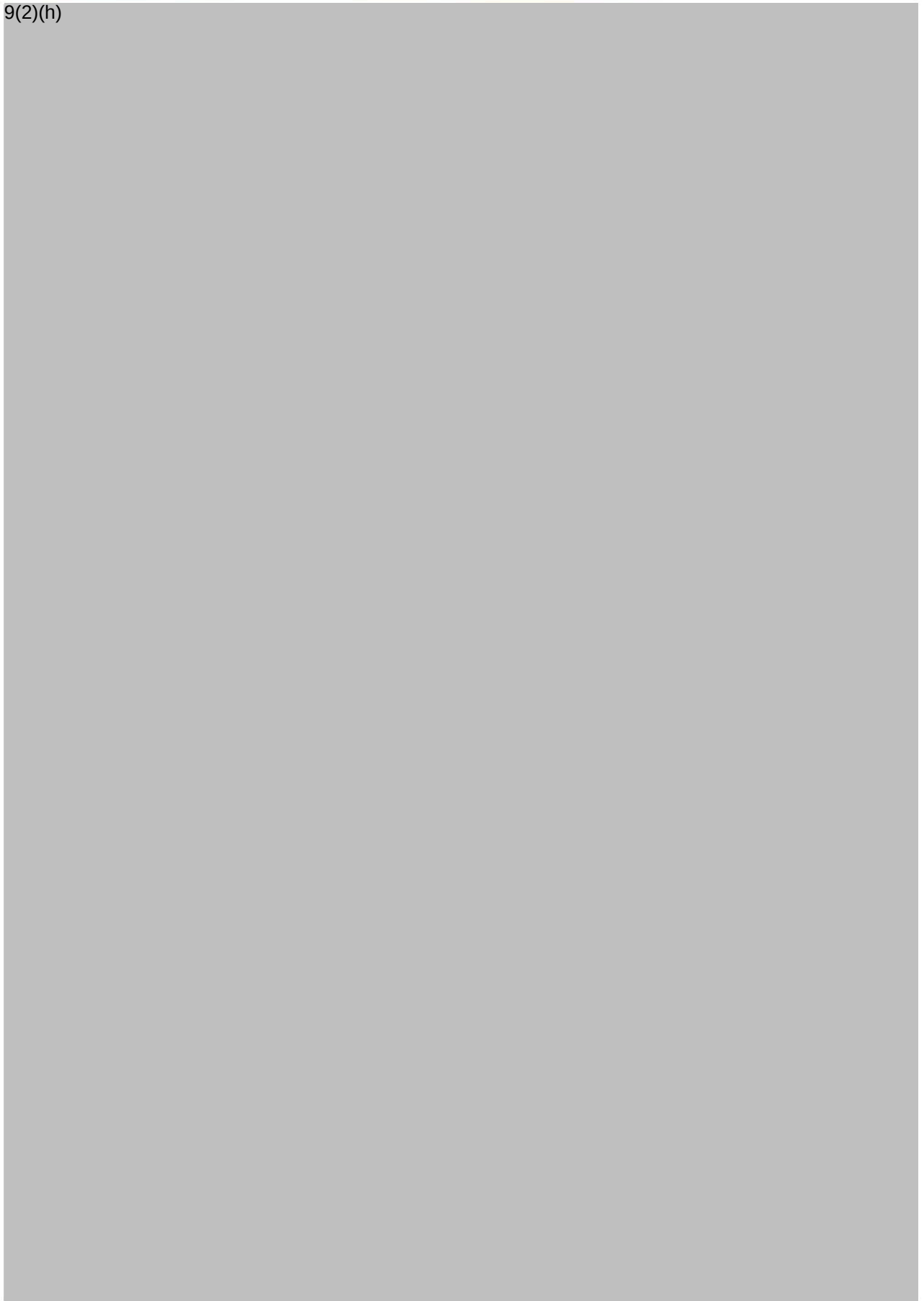
32. Cabinet delegated authority for you to make further detailed decisions on any matters required to give effect to Cabinet's intent for the Bills [CAB-25-MIN-080.01 & CAB-26-MIN-124.01 refer].
33. Replacing Mana Whakahono ā Rohe with new iwi participation agreements likely falls outside of this delegation. In that case, PCO will require further authorisation to draft the replacement instrument for Mana Whakahono ā Rohe. This could either be achieved through Cabinet agreement or by letter from the Attorney General.
34. We will confirm this with you shortly, and whether you need to address this change in your paper to the Cabinet Legislation Committee that sets out proposed Amendment Paper changes.

Legal Advice – Legally Privileged

9(2)(h)



9(2)(h)





9(2)(h)





Next steps

48. We will begin work on the proposed amendment papers to give effect to your decisions. We will also consider how best to communicate your decisions on the replacement instrument for Mana Whakahono ā Rohe to affected groups.



Annex 1 – Redress where detailed direction to give equivalency could be needed

Joint Entities	Relevant Settlement Acts	Redress interaction point in RMA	Redress possible interaction point in PB/NEB (subject to ongoing discussions with PSGEs)
Te Oneroa-ā-Tohe Board	Te Aupouri Claims Settlement Act 2015 Ngāti Kuri Claims Settlement Act 2015 Te Rarawa Claims Settlement Act 2015 Ngāi Takoto Claims Settlement Act 2015	<ul style="list-style-type: none"> When a council prepares, reviews, varies or changes a regional policy statement (RPS), regional plan (RP) or district plan (DP) relating to all or a part of the Te Oneroa-a-Tohe management area, the council must recognise and provide for the vision, objectives and desired outcomes identified in the beach management plan. Until those RMA documents are amended to comply with that obligation, a council must 'have regard to' the beach management plan when making decisions on applications for resource consents that relate to the Te Oneroa-a-Tohe management area. Board develops criteria for the appointment of RMA hearing commissioners (for resource consent hearings that relate to the Te Oneroa-a-Tohe management area). Compile a list of accredited commissioners for appointment to those hearing panels. The Board then appoints the hearing commissioners to RMA hearing panels from that list (half are appointed by the iwi members of the Board; half are appointed by local authorities). 	9(2)(j)
Rangitaiki River Forum	Ngāti Manawa Claims Settlement Act 2012 Ngāti Whare Claims Settlement Act 2012	<ul style="list-style-type: none"> When Regional Council (RC) prepares or changes RPS, it must 'recognise and provide for' any vision, objectives and desired outcomes contained in planning document. Until the RPS' recognises and provides for' the Rangitaiki River Document, a council must 'have particular regard to' the Rangitaiki River Document when preparing or changing a RP or DP. 	
Te Maru o Kaituna	Tapuika Claims Settlement Act 2014	<ul style="list-style-type: none"> When a council is preparing or changing an RMA regional policy statement, regional plan or district plan, it must recognise and provide for the vision, objectives and desired outcomes of the Kaituna River Document. Until those RMA documents are amended to comply with that obligation, a Council 	



Joint Entities	Relevant Settlement Acts	Redress interaction point in RMA	Redress possible interaction point in PB/NEB (subject to ongoing discussions with PSGEs)
		<p>must have regard to the Kaituna River Document when making decisions on applications for resource consents within the Kaituna River catchment.</p> <ul style="list-style-type: none"> • Provide advice and recommendations to councils on the appointment of commissioners to hear and decide applications for resource consents that affect the river. 	9(2)(j)
Rotorua Lakes Strategy Group	Te Arawa Lakes Settlement Act 2006	<ul style="list-style-type: none"> • Promotes sustainable management of lakes, including advising on RMA matters. 	
Tarawera Awa Restoration Strategy Group	Ngāti Rangitihi Claims Settlement Act 2022	<ul style="list-style-type: none"> • When a council prepares, approves, varies or changes a RPS, RP, DP, local authorities must recognise and provide for the common vision, objectives, and desired outcomes contained in a strategy document. • Until those RMA documents are amended to comply with that obligation, a council must have particular regard to the strategy document when making consent decisions. 	
Te Komiti Muriwai o Te Whanga	Ahuriri Hapū Claims Settlement Act 2021	<ul style="list-style-type: none"> • When a council prepares or amends a RPS, RP, DP under the RMA, the council must have regard to the Te Muriwai o Te Whanga Plan. • When a council is considering a resource consent application for an activity within Te Muriwai o Te Whanga, the council must have regard to the Te Muriwai o Te Whanga Plan. 	
Te Kōpua Kanapanapa	Ngāti Tūwharetoa Claims Settlement Act 2018	<ul style="list-style-type: none"> • When a council prepares, reviews or varies an RMA planning document relating to the Taupo catchment, it must recognise and provide for the vision, objectives, desired outcomes and values identified planning document. • Until those RMA documents are amended to comply with that obligation, the EPA and councils must have particular regard to planning document when making decisions on 	



Joint Entities	Relevant Settlement Acts	Redress Interaction point in RMA	Redress possible Interaction point in PB/NEB (subject to ongoing discussions with PSGEs)
		<p>applications for resource consents or when reviewing resource consent conditions.</p> <ul style="list-style-type: none"> Joint entity can develop a register of commissioners for resource consent hearing processes under the RMA. If a council decides to appoint hearing commissioners to determine relevant resource consent applications, it must have particular regard to any register developed by joint entity. 	9(2)(j)
Wairarapa Moana Statutory Board	Te Rohe o Rongokako Joint Redress Act 2022	<ul style="list-style-type: none"> When a local authority is preparing or changing a RPS, RP, or DP it must recognise and provide for the content of a planning document as relevant to the RMA document. 	
Complex and Bespoke	Relevant Settlement Acts/Deeds		
Hawke's Bay Regional Planning Committee	Hawke's Bay Regional Planning Committee Act 2015	<ul style="list-style-type: none"> Committee prepares/considers the content of RMA regional planning documents and recommends to the Council for public notification the content of any such document. Where a recommendation of Committee is not accepted by the Council, the matter must be referred back to the Committee for further recommendations. Undertaking other functions provided for under the terms of reference including in relation to appointment of hearing commissioners and resolution of RMA appeal. 	9(2)(j)
Waikato River Authority	<p>Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010</p> <p>Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010</p> <p>Nga Wai o Maniapoto (Waipa River) Act 2012</p>	<ul style="list-style-type: none"> Vision and strategy to form part of RPS. DPs and RP must give effect to vision and strategy. Consent conditions or designation can be altered. PSGEs appoint hearing commissioners on some notified consents. PSGEs can appoint BOI members on some called in consents. RC must have regard to management plan in all planning documents they prepare. JMAs in relation to monitoring, consents and plan making under RMA. 	



Joint Entities	Relevant Settlement Acts	Redress interaction point in RMA	Redress possible interaction point in PB/NEB (subject to ongoing discussions with PSGEs)
			9(2)(j)
Te Kōpuka nā Te Awa Tupua	Te Awa Tupua (Whanganui River Claims Settlement) Act 2017	<ul style="list-style-type: none">Decision-makers under the RMA must:<ul style="list-style-type: none">recognise and provide for Te Awa Tupua status and Tupua te Kawa when preparing or changing a RPS, RP, DPhave particular regard to Te Awa Tupua status and Tupua te Kawa for all other RMA processes.Requirement for Te Kōpuka to develop a register of hearing commissioners for resource consent hearing processes that relate to the Whanganui River and activities in its catchment.Decision-makers under the RMA must have particular regard to planning document.Each time planning document is changed, local authorities must consider RMA planning documents in light of planning document and may initiate review.PSGE are an 'iwi authority' and a 'public authority' for RMA.If local authority decides to appoint hearing commissioners to determine relevant resource consent applications, it must have particular regard to the Te Awa Tupua register and may make appointments from that register.	
Ngā Wai Tōtā o Te Waiū	Ngāti Rangi Claims Settlement Act 2019	<ul style="list-style-type: none">Decision-makers under the RMA must in relation to Te Waiū-o-Te-Ika (Whangaehu River):<ul style="list-style-type: none">recognise and provide for status of river, vision and strategy and a planning document when preparing or changing a RPS, RP, DP and in relevant consent decisions	



Joint Entities	Relevant Settlement Acts	Redress interaction point in RMA	Redress possible interaction point in PB/NEB (subject to ongoing discussions with PSGEs)
		<ul style="list-style-type: none"> ○ have particular regard to these matters for all other RMA processes. ● The right for joint entity to agree a register of commissioners for relevant resource consent hearing processes under the RMA. ● Councils (and Ministers appointing Boards of Inquiry) must 'have particular regard to' the register when appointing commissioners for relevant applications in relation to the Whangāehu River. ● Advise local authorities generally on matters related to the catchment. 	9(2)(j)
Te Whānau a Apanui	Te Whānau a Apanui Initialled Deed of Settlement	<ul style="list-style-type: none"> ● Local authority agreement will record how councils will consider and apply TWAA values when carrying out a function or exercising a power within, or applying to, the area of interest, including under the RMA. ● When preparing or changing RPS, must include measures that enable relevant policies and methods to apply in a manner that is consistent with, and provides support for, the tikanga and kaupapa of the planning document. ● Boards of Inquiry input. ● Environment Court standing. ● Freshwater plan effect on consents. 	
Whakatōhea	Whakatōhea Claims Settlement Act 2024	<ul style="list-style-type: none"> ● JMA must be made. ● Kaitiaki forum planning document is relevant consideration for RMA planning documents. 	
Takutai Moana	Relevant legislation		
Ngā Hapū o Ngāti Porou	Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019	<ul style="list-style-type: none"> ● Permission right. ● Statutory overlay. ● Planning Document ● Call ins/Boards of Inquiry arrangements. 	



Joint Entities	Relevant Settlement Acts	Redress Interaction point in RMA	Redress possible Interaction point in PB/NEB (subject to ongoing discussions with PSGEs)
			9(2)(j)
Advisory Committees	Relevant Settlement Acts		
Local Leadership Body	Ngai Tāmanuhiri Claims Settlement Act 2012	<ul style="list-style-type: none"> Can provide advice and information to Gisborne District Council relevant to RMA planning document preparation and review. 	9(2)(j)
Manawatū River Catchment Advisory Board	Rangitāne o Manawatu Claims Settlement Act 2016	<ul style="list-style-type: none"> Can provide advice and information to local authorities relevant to RMA planning document preparation and review. 	
Te Tau Ihu River and Freshwater Advisory Committee	Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairua Claims Settlement Act 2014 Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014 Ngati Toa Rangatira Claims Settlement Act 2014	<ul style="list-style-type: none"> Can provide advice and information to local authorities relevant to RMA planning document preparation and review. 	



Natural Environment Bill and Planning Bill – Further advice on Treaty settlement equivalency and Mana Whakahono ā Rohe

Date:	3 July 2026	Priority:	Medium	Tracking number:	ENV-26-BRF-01823
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To	Action sought	Response by
Hon Chris Bishop Minister Responsible for RMA Reform Simon Court MP Parliamentary Under- Secretary to the Minister Responsible for RMA Reform	Seeks agreement to empowering provisions in relation to providing for Treaty settlement equivalency and to the details of a replacement instrument for Mana Whakahono ā Rohe for inclusion in the Planning and Natural Environment Bills by amendment paper.	10 July 2026

Contact for discussion (if required)

Name	Position	Telephone	1st contact
Clare Maihi	General Manager Te Tiriti and Te Ao Māori	9(2)(a)	☒
Sam Ritchie	Manager Upholding Treaty Settlements		☐

Action for Minister's Office staff

Return the signed briefing to the Ministry for the Environment (ema.pct@mfe.govt.nz and advice@mfe.govt.nz).



Purpose

1. This paper provides additional advice following your consideration of MfE 26-BRF-01676 and discussions with officials on 24 June 2026. It seeks your agreement to changes to the Planning and Natural Environment Bills (the Bills) through amendment papers in relation to:
 - a. empowering provisions to make national standards and regulations for Treaty settlement equivalency; and,
 - b. the details of a replacement instrument for Mana Whakahono ā Rohe.

Key points

2. The clause 10 requirement to give equivalency to Treaty settlements applies across the new planning system and is expressed in very broad terms. 9(2)(h) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] This paper recommends provision is made in the Bills for national standards and regulations to give direction to decision makers on how to apply clause 10 if needed, e.g. for complex Treaty settlements. 9(2)(h) [REDACTED]
[REDACTED]
[REDACTED]
3. You have agreed Mana Whakahono ā Rohe will be replaced by clearly scoped iwi participation agreements in the new system. We recommend the Bills set out the purpose of the new agreements is to record how iwi authorities will participate in the processes for iwi participation provided for in the Bills that are the responsibility of local authorities, and processes for engagement where the parties are required to interact to give effect to relevant Treaty settlement redress. We recommend regulations further prescribe the content, form and process for negotiating the new agreements, incorporating any of the key matters you agree in the below recommendations.



Recommendations

1. We recommend you:

- a. **Agree** to seek to include in the Bills by amendment paper provisions that allow the responsible Minister, if they consider it necessary to ensure the intent of clause 10 of the Bills is upheld or needed for system workability, to issue national standards or recommend regulations that provide direction to decision makers on how they must comply with obligations under clause 10. Yes / No

- b. **Agree** to the following details in relation to iwi participation agreements:

- i. that the Bills will provide for new 'iwi participation agreements' through which iwi authorities and local authorities will discuss, agree, and record: Yes / No

- how iwi authorities will participate in processes for iwi participation provided for in the Bills that are the responsibility of local authorities;
- processes for engagement where required to give effect to relevant Treaty settlement redress; and
- ~~any other matter provided those matters assist local authorities discharging their statutory obligations to iwi under the Bills, if prescribed in regulations (as recommended below),~~

Subject to this provision
being removed

- ii. that local authorities will be required to enter into an iwi participation agreement if requested by an iwi authority; Yes / No

- iii. that iwi participation agreements will be between iwi authorities and local authorities but that hapū may join as parties to agreements; Yes / No



- iv. that there will be no deadline for initiating iwi participation agreements; Yes / No
- v. that parties to existing Mana Whakahono ā Rohe will be able to convert compatible parts of their existing arrangements into iwi participation agreements without them having to formally initiate new agreements; Yes / No
- vi. that initiated Mana Whakahono ā Rohe will be treated as initiated 'iwi participation agreements' to be negotiated and agreed in accordance with the process prescribed by regulations. Yes / No
- c. **Agree** that the Bills will include a regulation making power for the responsible Minister to recommend regulations related to iwi participation agreements prescribing the following: Yes / No
- i. the form of the agreement;
- ii. further specificity on the content of the agreement (including matters that cannot be included in an agreement);
- iii. the process for initiating and reaching agreement on the iwi participation agreement, including timeframes and any dispute resolution processes; and
- iv. any other matter relating to iwi participation agreements.
- d. **Direct** officials to prepare amendment papers to the Bills to give effect to the confirmed decisions at 4(b) and 4(c) above; Yes / No

Only to extent that the decisions are agreed as set out here.

Reference to 4(b) and 4(c) seems to be an error
Look to decisions as marked up



- e. **Note** that replacing provisions for existing and initiated Mana Whakahono ā Rohe with new iwi participation agreements may fall outside of existing Cabinet delegations, and PCO will need further approvals before they can draft in that case.

Noted

Clare Maihi
**General Manager, Te Tiriti me Te Ao
Māori**

03 / 07 / 2026

Hon Chris Bishop
**Minister Responsible for RMA
Reform**

..... / /

Simon Court
**Parliamentary Under-Secretary to
the Minister Responsible for RMA
Reform**

..07/07 2026
..... / /

Comments



Natural Environment Bill and Planning Bill - Further advice on Treaty settlement equivalency and Mana Whakahono ā Rohe

Background

1. On 24 June 2026 you considered advice on possible content for amendment papers to the Planning and Natural Environment Bills (the Bills), including on particularisation of Clause 10 and Mana Whakahono ā Rohe in the new planning system [MfE 26-BRF-01676 refers].

Treaty settlement equivalency

2. In relation to the particularisation of clause 10 advice, you noted that:

- 9(2)(g)(i)

- Ministry for the Environment officials considered that direction on this matter is best provided for in regulation and national standards; and
- further advice would be provided on whether amendments to the Bills are required to provide for the use of regulation and national standards for this purpose. This paper includes that advice.

Iwi participation agreements to replace Mana Whakahono ā Rohe

3. You agreed Mana Whakahono ā Rohe will be replaced in the new planning system by a new iwi participation agreement and discussed the following possible elements with officials:
 - provisions for a new iwi participation agreement instrument be included in the Bills;
 - this instrument will be a mechanism through which iwi authorities and local authorities will discuss, agree, and record ways in which:
 - iwi authorities will participate in local authority processes where this is provided for in the Bills;
 - local authorities will engage with iwi where required by relevant Treaty settlement redress;



- that local authorities will be required to enter into an iwi participation agreement if requested by iwi authorities; and,
 - a regulation making power be included in the Bills so regulations can prescribe the form, content, dispute resolution processes, and processes for negotiating the iwi participation agreements.
4. We seek confirmation of your decisions based on those discussions. You also had some follow-up questions, that are addressed in the advice below.

Advice

Treaty settlement equivalency

Giving equivalency to complex Treaty settlement redress will be difficult in new system

5. Clause 10 of both Bills provides that any persons exercising any functions, powers, and duties under the legislation must, to the greatest extent possible, give Treaty settlement redress that relates to the Resource Management Act 1991 (RMA) the same or equivalent effect as it had under the RMA. The clause 10 obligation does not apply to statutory acknowledgments, if agreement on how to uphold a Treaty settlement has been reached with a post-settlement governance entity (PSGE), or if how the redress is to be given effect in the new system is prescribed in the Bills themselves.
6. Clause 10 is broadly conceived, and the Bills contain no direction or guidance on how decision makers are to give equivalent effect. In situations involving complex resource management redress, such as those set out at Annex 1, requiring decision makers to give equivalent effect to Treaty settlement redress in the new system with no further direction presents a risk of challenge and could impede the implementation of the new system. This is because:
- Decision-makers may implement equivalency higher up the funnel than the equivalent level in the old planning system where they are uncertain what is required to give equivalent effect to redress. This may result in the scope being extended beyond what the original redress provided for.
 - Alternatively, in determining what is required to give equivalent effect, decision-makers may apply the settlement provisions lower down the funnel than intended.
 - Decision-makers may not provide equivalency at all where redress interacts with an instrument in the RMA that has no equivalent in the new planning system (e.g. regional policy statements).



- Treaty settlements are between the Crown and iwi. Most decision-makers who will have to provide for equivalent effect under clause 10 are part of local government, which is not the Crown.

Provision for making of national standards and regulations would address some of the risks arising from clause 10

7. Clause 10 is an overarching requirement that also applies to the Minister when issuing any form of secondary legislation, such as national standards or regulations. We consider that in some situations, specific national standards – especially those for spatial and regulatory planning – could be used to provide direction to decision-makers and mitigate some of the risks identified as a result of the broad formulation of clause 10. However, there is no provision in the Bills that explicitly enables the responsible Minister to issue national standards to direct decision-makers further down the funnel as to how to provide for Treaty settlement equivalency, if that was considered necessary. It is not clear whether the Minister would have this power.
8. National standards can direct plan content/provisions. Plans are the principal part of the system that RM redress interacts with. The statutory process for the development of plans also allows for engagement with affected PSGEs and a level of regional specificity.
9. In some circumstances, we consider specific plan provisions will be required for decision-makers to provide for equivalency for certain Treaty settlement arrangements. National standards could be used to direct where specific plan provisions may be required to provide equivalency. We note councils would not be required to produce justification reports where specific plan provisions for Treaty settlements are directed or enabled by a national standard, and they are not a specified rule where the regulatory relief framework applies.
10. Approximately 12 Treaty settlement redress arrangements and the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou arrangements also provides the ability for of PSGEs or joint entities to participate in the nomination or appointment of hearing commissioners or boards of inquiry. We consider that regulations that prescribe the processes for hearing commissioners are the best way to direct relevant decision makers on where and how to provide for equivalent effect to this kind of redress. We think unless relevant regulations do this, there is a risk that regional or district-level appointment processes that require Treaty settlement redress to be taken into account will not roll over into the new system as intended.
11. In light of the uncertainty as to whether the Bills allow for national standards or regulation to be used in these ways, we recommend including specific provisions for



standards or regulation making power to be used to provide direction on how clause 10 equivalency is to be provided.

12. We propose that where the Minister considers it necessary to ensure the intent of clause 10 is upheld, and to allow for system workability, the Minister may issue national standards or recommend the making of regulations that provide direction to decision makers on how they must comply with their clause 10 obligations. This approach would not remove the general requirement that other decision-makers provide Treaty settlement redress or arrangements with an equivalent effect to the greatest extent possible. It would also not affect the process under clause 9 that provides for the Crown and PSGEs to reach formal agreement how their Treaty settlement redress or other arrangements are upheld.
13. The Crown will work with affected PSGEs and iwi authorities through consultation processes already provided for under the Bills on what the requirements in national standards or regulations would be. National standards or regulations directing equivalency will not lessen the requirement of every person exercising and performing any function, power or duty under the Bills to give an equivalent effect to all relevant Treaty settlement redress. Instead, they would relate to specific redress in specific places where it is unclear in the new planning system how equivalent effect is to be given. The redress that officials consider may need this direction for decision makers is set out in Annex 1.

There are risks with proposed approach

14. PSGEs may consider the use of national standards or regulations to direct how Treaty settlement redress is to be given equivalency as narrowing the scope of their redress. This risk will likely become more acute the more prescriptive and directive the regulations or national standards are. We consider that it will be important to meaningfully engage with PSGEs and seek agreement on national instruments that affect specific settlement arrangements and provide direction on clause 10.

Iwi participation agreements to replace Mana Whakahono ā Rohe

The Bills can define the scope of the agreements with regulations providing the details

15. As proposed in discussions with you, we recommend the Bills confirm the purpose and general scope of the new agreements, with regulations to further prescribe the form, content and process for negotiating the agreements.
16. We recommend the Bills specify the purpose of iwi participation agreements is to record how iwi authorities will participate in the processes for iwi participation provided for in the Bills that are the responsibility of local authorities, and processes



for engagement where required to give effect to relevant Treaty settlement redress.

17. Based on the Bills as introduced, this definition would limit the scope of the agreements to procedural provisions for consultation on draft land use plans, natural environment plans and spatial plans, or provisions required by Treaty settlement redress. This scope may be narrower than you intended and narrower than is useful for iwi authorities and local authorities.
18. We therefore propose the Bills confirm a narrow general purpose but confirm regulations could allow the agreements to cover additional matters, that assist local authorities to meet their statutory obligations to iwi under the Bills. This would allow consultation with affected groups to inform officials' advice on the regulations. Final decisions on the form and content of the agreements would be made when the draft regulations are considered.

Only iwi authorities should be able to enter the new agreements

19. We recommend the new agreements should be available to all iwi authorities to ensure equity between iwi authorities with and without current arrangements under the RMA. This approach will support efficient local authority decision making by enabling them to agree with iwi authorities how iwi will participate in the new planning system.
20. Currently under the RMA a hapū may enter a Mana Whakahono ā Rohe if initiated by a local authority. Two existing arrangements with iwi authorities include hapū as parties. Depending on your decision about existing arrangements at recommendation 4(b)(v) described in paragraphs 29-30 below, these may not be continued under this proposal, nor would there be any provision for them in the new system. The discontinuation of these agreements will be poorly received by those groups and councils.
21. To mitigate this, we suggest that the new provision expressly allows for hapū to be a party to any agreement between iwi authorities and councils. That would allow for arrangements such as the 2020 agreement between West Coast Regional Council and Poutini Ngāi Tahu which includes local rūnanga/hapu and Te Rūnanga o Ngāi Tahu to be re-established under the provision, but in the new form required by iwi participation agreements.

These agreements should be mandatory when initiated

22. The Under-Secretary has expressed concern with requiring a local authority to enter an agreement once initiated by an iwi authority. The RMA requires a local authority to enter into a Mana Whakahono ā Rohe within 18 months of initiation by an iwi authority unless the parties agree other timeframes. The key reason for this



requirement in the RMA is to ensure iwi authorities are able to negotiate Mana Whakahono ā Rohe where they do not have strong existing relationships with the relevant local authority. It is these situations where agreed iwi participation arrangements and dispute resolution procedures are most beneficial. We consider such a provision remains appropriate in relation to the new agreements as the underlying reason for this requirement has not changed.

23. If you agree the new agreements will be compulsory once initiated, a timeframe for reaching agreement would be specified in regulations. Officials would engage with affected parties on what an appropriate timeframe might be. The Minister could then make a decision on that timeframe when recommending regulations prescribing the procedural matters for the agreements.

There should be no deadline for initiating the new agreements

24. In our previous advice, we noted you could impose a deadline for initiating new iwi participation agreements. We recommend there be no deadline as this would likely result in a rush to initiate agreements by iwi authorities seeking to preserve their position before the timeframe expires, and create unnecessary pressure on local authorities.

Approach to existing Mana Whakahono ā Rohe

25. Iwi authorities and local authorities party to existing Mana Whakahono ā Rohe will have expended considerable resource in negotiating those arrangements and, if those arrangements have been working well, are likely to want to enter into iwi participation agreements in the new system.
26. We consider there are efficiencies to be gained by making provision to convert compatible parts of existing Mana Whakahono ā Rohe into iwi participation agreements, consistent with the scope we are recommending, without the parties having to formally initiate new agreements.
27. Noting your decision not to transfer initiated Mana Whakahono ā Rohe into the new system, we seek clarity on whether groups who have initiated Mana Whakahono ā Rohe under the RMA should be treated as though they have initiated agreements in the new system. If so, these initiated agreements would need to be negotiated and agreed as iwi participation agreements in accordance with the process prescribed by regulations.
28. This approach would recognise the step the groups have taken to initiate agreements (including any associated resourcing/time costs), and may mitigate the risk of further damage to the Māori-Crown relationship (discussed further below). It would not



address resourcing concerns raised by councils with large numbers of initiated agreements. That concern would be better addressed by allowing groups to initiate agreements in the new system when they are ready.

There are risks to the Māori-Crown relationship

29. Making these changes to the Bills after select committee consideration and without consultation with affected parties will further strain the Māori-Crown relationship.

9(2)(g)(i)

30. As previously advised Mana Whakahono ā Rohe/iwi participation agreements could increase efficiency by creating certainty about how iwi will participate in the new planning system.
31. In the circumstances, the best mitigation is to provide the opportunity for new process agreements in the new planning system, though we anticipate groups will remain concerned with the proposed narrowing of the scope of those arrangements. To mitigate relationship damage, we intend to advise parties to existing and initiated Mana Whakahono ā Rohe, and all councils, of your decisions before any amendment papers reflecting your decisions are tabled in Parliament.

Delegations

32. Cabinet delegated authority for you to make further detailed decisions on any matters required to give effect to Cabinet's intent for the Bills [CAB-25-MIN-080.01 & CAB-26-MIN-124.01 refer].
33. Replacing Mana Whakahono ā Rohe with new iwi participation agreements likely falls outside of this delegation. In that case, PCO will require further authorisation to draft the replacement instrument for Mana Whakahono ā Rohe. This could either be achieved through Cabinet agreement or by letter from the Attorney General.
34. We will confirm this with you shortly, and whether you need to address this change in your paper to the Cabinet Legislation Committee that sets out proposed Amendment Paper changes.

Legal Advice – Legally Privileged

9(2)(h)



9(2)(h)





9(2)(h)





Next steps

48. We will begin work on the proposed amendment papers to give effect to your decisions. We will also consider how best to communicate your decisions on the replacement instrument for Mana Whakahono ā Rohe to affected groups.



Annex 1 – Redress where detailed direction to give equivalency could be needed

Joint Entities	Relevant Settlement Acts	Redress interaction point in RMA	Redress possible interaction point in PB/NEB (subject to ongoing discussions with PSGEs)
Te Oneroa-ā-Tohe Board	Te Aupouri Claims Settlement Act 2015 Ngāti Kuri Claims Settlement Act 2015 Te Rarawa Claims Settlement Act 2015 Ngāi Takoto Claims Settlement Act 2015	<ul style="list-style-type: none"> When a council prepares, reviews, varies or changes a regional policy statement (RPS), regional plan (RP) or district plan (DP) relating to all or a part of the Te Oneroa-a-Tohe management area, the council must recognise and provide for the vision, objectives and desired outcomes identified in the beach management plan. Until those RMA documents are amended to comply with that obligation, a council must 'have regard to' the beach management plan when making decisions on applications for resource consents that relate to the Te Oneroa-a-Tohe management area. Board develops criteria for the appointment of RMA hearing commissioners (for resource consent hearings that relate to the Te Oneroa-a-Tohe management area). Compile a list of accredited commissioners for appointment to those hearing panels. The Board then appoints the hearing commissioners to RMA hearing panels from that list (half are appointed by the iwi members of the Board; half are appointed by local authorities). 	9(2)(j)
Rangitaiki River Forum	Ngāti Manawa Claims Settlement Act 2012 Ngāti Whare Claims Settlement Act 2012	<ul style="list-style-type: none"> When Regional Council (RC) prepares or changes RPS, it must 'recognise and provide for' any vision, objectives and desired outcomes contained in planning document. Until the RPS' recognises and provides for' the Rangitaiki River Document, a council must 'have particular regard to' the Rangitaiki River Document when preparing or changing a RP or DP. 	
Te Maru o Kaituna	Tapuika Claims Settlement Act 2014	<ul style="list-style-type: none"> When a council is preparing or changing an RMA regional policy statement, regional plan or district plan, it must recognise and provide for the vision, objectives and desired outcomes of the Kaituna River Document. Until those RMA documents are amended to comply with that obligation, a Council 	



Joint Entities	Relevant Settlement Acts	Redress interaction point in RMA	Redress possible interaction point in PB/NEB (subject to ongoing discussions with PSGEs)
		<p>must have regard to the Kaituna River Document when making decisions on applications for resource consents within the Kaituna River catchment.</p> <ul style="list-style-type: none"> • Provide advice and recommendations to councils on the appointment of commissioners to hear and decide applications for resource consents that affect the river. 	9(2)(j)
Rotorua Lakes Strategy Group	Te Arawa Lakes Settlement Act 2006	<ul style="list-style-type: none"> • Promotes sustainable management of lakes, including advising on RMA matters. 	
Tarawera Awa Restoration Strategy Group	Ngāti Rangitihi Claims Settlement Act 2022	<ul style="list-style-type: none"> • When a council prepares, approves, varies or changes a RPS, RP, DP, local authorities must recognise and provide for the common vision, objectives, and desired outcomes contained in a strategy document. • Until those RMA documents are amended to comply with that obligation, a council must have particular regard to the strategy document when making consent decisions. 	
Te Komiti Muriwai o Te Whanga	Ahuriri Hapū Claims Settlement Act 2021	<ul style="list-style-type: none"> • When a council prepares or amends a RPS, RP, DP under the RMA, the council must have regard to the Te Muriwai o Te Whanga Plan. • When a council is considering a resource consent application for an activity within Te Muriwai o Te Whanga, the council must have regard to the Te Muriwai o Te Whanga Plan. 	
Te Kōpua Kanapanapa	Ngāti Tūwharetoa Claims Settlement Act 2018	<ul style="list-style-type: none"> • When a council prepares, reviews or varies an RMA planning document relating to the Taupo catchment, it must recognise and provide for the vision, objectives, desired outcomes and values identified planning document. • Until those RMA documents are amended to comply with that obligation, the EPA and councils must have particular regard to planning document when making decisions on 	



Joint Entities	Relevant Settlement Acts	Redress interaction point in RMA	Redress possible interaction point in PB/NEB (subject to ongoing discussions with PSGEs)
		<p>applications for resource consents or when reviewing resource consent conditions.</p> <ul style="list-style-type: none"> Joint entity can develop a register of commissioners for resource consent hearing processes under the RMA. If a council decides to appoint hearing commissioners to determine relevant resource consent applications, it must have particular regard to any register developed by joint entity. 	9(2)(j)
Wairarapa Moana Statutory Board	Te Rohe o Rongokako Joint Redress Act 2022	<ul style="list-style-type: none"> When a local authority is preparing or changing a RPS, RP, or DP it must recognise and provide for the content of a planning document as relevant to the RMA document. 	
Complex and Bespoke	Relevant Settlement Acts/Deeds		
Hawke's Bay Regional Planning Committee	Hawke's Bay Regional Planning Committee Act 2015	<ul style="list-style-type: none"> Committee prepares/considers the content of RMA regional planning documents and recommends to the Council for public notification the content of any such document. Where a recommendation of Committee is not accepted by the Council, the matter must be referred back to the Committee for further recommendations. Undertaking other functions provided for under the terms of reference including in relation to appointment of hearing commissioners and resolution of RMA appeal. 	9(2)(j)
Waikato River Authority	<p>Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010</p> <p>Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010</p> <p>Nga Wai o Maniapoto (Waipa River) Act 2012</p>	<ul style="list-style-type: none"> Vision and strategy to form part of RPS. DPs and RP must give effect to vision and strategy. Consent conditions or designation can be altered. PSGEs appoint hearing commissioners on some notified consents. PSGEs can appoint BOI members on some called in consents. RC must have regard to management plan in all planning documents they prepare. JMAs in relation to monitoring, consents and plan making under RMA. 	



Joint Entities	Relevant Settlement Acts	Redress interaction point in RMA	Redress possible interaction point in PB/NEB (subject to ongoing discussions with PSGEs)
			9(2)(j)
Te Kōpuka nā Te Awa Tupua	Te Awa Tupua (Whanganui River Claims Settlement) Act 2017	<ul style="list-style-type: none">Decision-makers under the RMA must:<ul style="list-style-type: none">recognise and provide for Te Awa Tupua status and Tupua te Kawa when preparing or changing a RPS, RP, DPhave particular regard to Te Awa Tupua status and Tupua te Kawa for all other RMA processes.Requirement for Te Kōpuka to develop a register of hearing commissioners for resource consent hearing processes that relate to the Whanganui River and activities in its catchment.Decision-makers under the RMA must have particular regard to planning document.Each time planning document is changed, local authorities must consider RMA planning documents in light of planning document and may initiate review.PSGE are an 'iwi authority' and a 'public authority' for RMA.If local authority decides to appoint hearing commissioners to determine relevant resource consent applications, it must have particular regard to the Te Awa Tupua register and may make appointments from that register.	
Ngā Wai Tōtā o Te Waiū	Ngāti Rangi Claims Settlement Act 2019	<ul style="list-style-type: none">Decision-makers under the RMA must in relation to Te Waiū-o-Te-Ika (Whangaehu River):<ul style="list-style-type: none">recognise and provide for status of river, vision and strategy and a planning document when preparing or changing a RPS, RP, DP and in relevant consent decisions	



Joint Entities	Relevant Settlement Acts	Redress interaction point in RMA	Redress possible interaction point in PB/NEB (subject to ongoing discussions with PSGEs)
		<ul style="list-style-type: none"> ○ have particular regard to these matters for all other RMA processes. • The right for joint entity to agree a register of commissioners for relevant resource consent hearing processes under the RMA. • Councils (and Ministers appointing Boards of Inquiry) must 'have particular regard to' the register when appointing commissioners for relevant applications in relation to the Whangaeahu River. • Advise local authorities generally on matters related to the catchment. 	9(2)(j)
Te Whānau a Apanui	Te Whānau a Apanui Initialled Deed of Settlement	<ul style="list-style-type: none"> • Local authority agreement will record how councils will consider and apply TWAA values when carrying out a function or exercising a power within, or applying to, the area of interest, including under the RMA. • When preparing or changing RPS, must include measures that enable relevant policies and methods to apply in a manner that is consistent with, and provides support for, the tikanga and kaupapa of the planning document. • Boards of Inquiry input. • Environment Court standing. • Freshwater plan effect on consents. 	
Whakatōhea	Whakatōhea Claims Settlement Act 2024	<ul style="list-style-type: none"> • JMA must be made. • Kaitiaki forum planning document is relevant consideration for RMA planning documents. 	
Takutai Moana	Relevant legislation		
Ngā Hapū o Ngāti Porou	Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019	<ul style="list-style-type: none"> • Permission right. • Statutory overlay. • Planning Document • Call ins/Boards of Inquiry arrangements. 	



Joint Entities	Relevant Settlement Acts	Redress interaction point in RMA	Redress possible interaction point in PB/NEB (subject to ongoing discussions with PSGEs)
			9(2)(j)
Advisory Committees	Relevant Settlement Acts		
Local Leadership Body	Ngai Tāmanuhiri Claims Settlement Act 2012	<ul style="list-style-type: none"> Can provide advice and information to Gisborne District Council relevant to RMA planning document preparation and review. 	9(2)(j)
Manawatū River Catchment Advisory Board	Rangitāne o Manawatu Claims Settlement Act 2016	<ul style="list-style-type: none"> Can provide advice and information to local authorities relevant to RMA planning document preparation and review. 	
Te Tau Ihu River and Freshwater Advisory Committee	Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairua Claims Settlement Act 2014 Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014 Ngati Toa Rangatira Claims Settlement Act 2014	<ul style="list-style-type: none"> Can provide advice and information to local authorities relevant to RMA planning document preparation and review. 	