

Before the Expert Panel
Lake Pūkaki Hydro Storage and Dam Resilience Works

FTAA-2510-1120

Under Fast-track Approvals Act 2024

In the matter of an application by Meridian Energy Limited to take additional water from Lake Pūkaki and install rock armouring on Pūkaki Dam

Section 53 Comment

Te Rūnanga o Moeraki, Te Rūnanga o Waihao, Te Rūnanga o Arowhenua

Date: 8/04/2026

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"Ko tā te Waitaki mahi he manaaki i te motu"

"The generosity of the Waitaki provides for the nation"

- 1 The Panel has invited Te Rūnanga o Arowhenua, Te Rūnanga o Waihao, and Te Rūnanga o Moeraki (collectively, *Kā Rūnaka*) to comment on the application by Meridian Energy Limited (*the Applicant* or *Meridian*) for the Lake Pūkaki Hydro Storage and Dam Resilience Works (*the Application*) under the Fast-track Approvals Act 2024 (*FTAA* or *Act*).
- 2 The Waitaki Catchment holds immense significance to Kā Rūnaka and wider Ngāi Tahu, acting as a unifying awa for all 70,000 iwi members. The Waitaki lies under the cloak of Ngāi Tahu rangatiratanga and is cared for and managed by Kā Rūnaka to the greatest extent possible, in a manner consistent with kaitiakitanga
- 3 The takiwā of Te Rūnanga o Arowhenua centres on Arowhenua and extends from Rakaia to Waitaki, sharing interests with Ngāi Tūāhuriri ki Kaiapoi between Hakatere and Rakaia, and thence inland to Aoraki and the Main Divide (Te Rūnanga o Ngāi Tahu (Declaration of Membership Act) Order 2001). Arowhenua marae is located near Te Umu Kaha (Temuka).
- 4 The takiwā of Te Rūnanga o Waihao centres on Wainono, sharing interests with Te Rūnanga o Arowhenua to Waitaki, and extends inland to Omarama and the Main Divide (Te Rūnanga o Ngāi Tahu (Declaration of Membership Act) Order 2001). Manawhenua within the Waihao rohe whakapapa to Waitaha, Kāti Māmoe and Kāi Tahu. To these people Waihao is their tūrakawaewae; their home.
- 5 The takiwā of Te Rūnanga o Moeraki centres on Moeraki and extends from Waitaki to Waihemo and inland to the Main Divide (Te Rūnanga o Ngāi Tahu (Declaration of Membership Act) Order 2001). The interests of Te Rūnanga o Moeraki are concentrated in the Moeraki Peninsula area and surrounds, including Te Rakahineatea Pā, Koekohe (Hampden Beach), and Te Kai Hinaki (the Boulders Beach) with its boulders. In addition, the interests of the Rūnaka extend both north and south of the Moeraki Peninsula, within their takiwā.
- 6 This memorandum is not provided on behalf of Te Rūnanga o Ngāi Tahu, whose response is included as an **Attachment** to this document. Counsel for Kā Rūnaka are communicating with Te Rūnanga o Ngāi Tahu and Kā Rūnaka will take the active role in the Application.

- 7 Kā Rūnaka are grateful for the opportunity to comment on the Application. This response outlines:
- (a) Kāi Tahu relationship with the Waitaki catchment;
 - (b) engagement with the Applicant;
 - (c) Kā Rūnaka position on the Application; and
 - (d) consent conditions and mitigations.
- 8 Kā Rūnaka have been extensively involved in recent consenting processes under the Resource Management Act 1991 (*RMA*) and the FTAA to re-consent the Applicant's Waitaki Hydro-Electric Power Scheme (*HEPS*),¹ and Genesis Energy Limited's Tekapo Power Scheme.² This comment draws on the material prepared by Kā Rūnaka for those re-consenting processes, including the Treaty Impact Assessment prepared on behalf of Kā Rūnaka.³

Kāi Tahu relationship with the Waitaki

- 9 Lake Pūkaki and the Waitaki catchment is steeped in cultural and spiritual significance. All Kāi Tahu whakapapa to their tūpuna, Aoraki, who is at the heart of the creation traditions of Te Waipounamu (the South Island):

Pūkaki is one of the lakes referred to in the tradition of “Ngā Puna Wai Karikari o Rakaihautu” which tells how the principal lakes of Te Wai Pounamu were dug by the rangatira (chief) Rakaihautu. Rakaihautu was the captain of the canoe, Uruao, which brought the tribe, Waitaha, to New Zealand. Rakaihautu beached his canoe at Whakatū (Nelson). From Whakatū, Rakaihautu divided the new arrivals in two, with his son taking one party to explore the coastline southwards and Rakaihautu taking another southwards by an inland route. On his inland journey southward, Rakaihautu used his famous kō (a tool similar to a spade) to dig the principal lakes of Te Wai Pounamu, including Pūkaki.

(Schedule 34 of the Ngāi Tahu Claims Settlement Act 1998).

¹ <https://www.ecan.govt.nz/do-it-online/resource-consents/notifications-and-submissions/meridian-energy-limited>

² <https://www.fasttrack.govt.nz/projects/tekapo-power-scheme-applications-for-replacement-resource-consents>

³ https://www.fasttrack.govt.nz/_data/assets/pdf_file/0014/4523/Appendix-A-Waitaki-Treaty-Impact-Assessment-Tekapo-PS-Reconsenting.pdf

- 10 Today, Pūkaki, and the Waitaki catchment, remains a place of significance. Lake Pūkaki is identified as a Site and Area of Significant to Māori in the Mackenzie District Plan with the identified values of Wai tapu Wai taoka Wāhi taoka Wāhi tupuna and Wāhi tapu, and the lake is a Statutory Acknowledgement Area due to its significant cultural, spiritual, historic, and traditional association for Ngāi Tahu.
- 11 The landscape is woven with memories and traditions, including mahika kai sites both past and present, taonga species, and sites of archaeological importance including rock art sites, pā and urupā. Iwi, hapū and whanau have an immense sense of belonging and connection to the whenua and a desire to enhance their connection to the Waitaki.
- 12 The Section 18 Report for the Application records that the project area is directly situated at Lake Pūkaki which is subject to a statutory acknowledgement established under Schedule 34 of the Ngāi Tahu Claims Settlement Act 1998. The Report also notes that, in addition to the statutory acknowledgement, Te Rūnanga o Ngāi Tahu have a deed of recognition with the Crown (represented by the Commissioner of Crown Lands) over Lake Pūkaki, with associated procedural requirements relevant to the Application. These are summarised in the Report.
- 13 The Section 18 Report further records the presence of the Lake Pūkaki Nohoanga Entitlement adjoining the lake shoreline near the eastern end of Pūkaki Dam. The Report notes that the nohoanga entitlement underscores the importance of Lake Pūkaki to Ngāi Tahu in terms of maintaining customary practices and their deep connections to the area. The Nohoanga Entitlement is further addressed in the comment from Te Rūnanga o Ngāi Tahu, included as an **attachment**.
- 14 The Report notes the presence of a number of taonga species found at Lake Pūkaki, and the indication by the Applicant that exposed shoreline resulting from lake drawdown could affect important bird habitats on the Tasman Delta that support breeding and overwintering of kakī/black stilts and tara pirohe/black fronted terns. It notes further that iwi and hapū are likely to have cultural associations with ancestral lands, water, sites, wāhi tapu, and other taonga beyond what is specifically identified in a Treaty settlement or other arrangements.
- 15 The Treaty Impact Assessment for the re-consenting processes records that Pūkaki was identified as a kāinga nohoanga where weka, pūtakitaki (paradise duck), aruhe (bracken fernroot), and tuna (eels) were gathered. Sites from which resources were gathered extended to the base of Aoraki. Tuna were gathered from the wetlands at the head of Pūkaki. Other wāhi

taoka within the wāhi tupuna include: Aoraki, mauka, Pūkaki River, motu, puna, taoka species, kāika.

- 16 The Pūkaki River, with a mean flow of approximately 130 cumecs prior to damming, was the parent stream providing source waters from Aoraki and his brothers to the downstream Waitaki River. It provided direct access between Lake Pūkaki and the Waitaki River. Several kāika mahika kai were located on the lakeshore and along the Pūkaki River, where tuna (eels) and a variety of birds, including weka, were gathered.
- 17 In supporting the re-consenting of the existing HEPS, Kā Rūnaka intend that the package of mitigations agreed with the Applicant and Genesis will enable the adoption of an intergenerational restoration of environmental and cultural values in with Waitaki.

Mana whenua engagement with the Applicant

- 18 In the context of the HEPS re-consenting, Kā Rūnaka have been engaging extensively with the Applicant in the Waitaki since circa-2018.
- 19 Specific to the Application, Appendix Q to the Application records that Meridian sent a letter to the Chairs of Kā Rūnaka on 24 February 2025, requesting initial feedback by 14 March. No feedback was provided at that time and no further contact was made by Meridian to Kā Rūnaka until 27 May, following the acceptance of the referral application.
- 20 Representatives for Kā Rūnaka met with Meridian via Teams on 18 September 2025. Kā Rūnaka requested that Meridian provide a summary of the steps taken in the electricity system during periods of security of supply pressure and propose an appropriate hydrological measure or trigger that would provide confidence that, in the event low lake levels were being used, it was a result of hydrology and not simply due to aggressive utilisation or management choice.
- 21 Meridian provided a response to these requests on 31 October, which advised that Meridian had not come up with a sensible hydrological statistic/trigger.
- 22 Kā Rūnaka were provided with a copy of the Application after it was lodged and did not have any direct input into the Application. Kā Rūnaka have not prepared or been asked to prepare a Cultural Impact Assessment or Treaty Impact Assessment for this Application.
- 23 Since the Panel was appointed, advisors for Kā Rūnaka have engaged with the Applicant to discuss consent conditions. Representatives of Kā Rūnaka

continue to engage regularly with Meridian in the context of mitigations agreed as part of the HEPS re-consenting.

Kā Rūnaka position

- 24 Kā Rūnaka has approached this Fast-track consenting process in a manner consistent with the obligations and responsibility to the Waitaki, and their relationship with it.
- 25 In supporting the Application, Kā Rūnaka are once again making a gesture of manaakitaka to enable the security of supply of electricity that benefits New Zealand.
- 26 This position reflects the understanding of Kā Rūnaka that:
- (a) the lake lowering element of the Application is largely administrative, the ability to utilise the lower lake level during times of electricity shortage is already enabled under existing consents but this is dependent on the actions of Transpower as the System Operator under Electricity Industry Act 2010;
 - (b) the Application is necessary for New Zealand's security of electricity supply over the proposed three-year term;
 - (c) the operation and effects of the Application will be temporary in nature;
 - (d) the ongoing meaningful and enduring relationship between the Applicant and Kā Rūnaka provides a platform for addressing any adverse effects, including matters of rakatirataka, kaitiakitaka, whānau ora, and the protection of wāhi tūpuna;
 - (e) Kā Rūnaka obligations to Pūkaki and the Waitaki will be most efficiently and effectively met through working *with* the Applicant.

Consent conditions

- 27 Representatives for Kā Rūnaka have worked with the Applicant to agree on changes to the consent conditions relating primarily to:
- (a) frequency of reporting to Kā Rūnaka;
 - (b) notifications regarding works affecting the Nohoanga Entitlement;
 - (c) reporting of mitigations relating to cultural values and mahinga kai;
and

(d) Accidental Discovery Protocol.

28 Kā Rūnaka have reviewed the latest version of conditions on the website and do not seek any further changes to the conditions. Kā Rūnaka will be able to confirm its final position on the proposed conditions at the s 70 comments on the draft conditions stage.

Dated this 8th day of April 2026



Ben Williams / Rachel Robilliard
Counsel for Te Rūnanga o Moeraki, Te Rūnanga o Waihao, Te Rūnanga o
Arowhenua

08 April 2026

Expert Panel
Tekapo Power Scheme
C/o Fast-track
WELLINGTON

Tēnā koutou,

**Te Rūnanga o Ngāi Tahu comments on Lake Pūkaki hydro Storage (FTAA-2510-1120)
under the Fast-track Approvals Act 2024 section 53**

1. Introduction

- 1.1 Te Rūnanga o Ngāi Tahu (**Te Rūnanga**) welcomes the opportunity to provide comments under section 53 of the Fast-track Approvals Act 2025 on the application made by Meridian Energy Limited (the **Applicant**) for the Lake Pūkaki Hydro Storage and Dam Resilience Works, in Te Manahuna (Mackenzie Basin) (the **Application**).
- 1.2 Te Rūnanga supports Te Rūnanga o Arowhenua, Te Rūnanga o Moeraki and Te Rūnanga o Waihao (Ngā Rūnaka) in relation to the Application, with their position of the Application to also be regarded as being the position of Te Rūnanga.
- 1.3 Further, Te Rūnanga supports the comments made by Te Rūnanga o Arowhenua, Te Rūnanga o Moeraki and Te Rūnanga o Waihao. These further comments are intended to provide additional context for the Expert Panel's awareness and consideration.

2. Te Rūnanga o Ngāi Tahu

- 2.1 Te Rūnanga is the statutorily recognised representative tribal body of Ngāi Tahu Whānui, as provided by section 15 of the Te Rūnanga o Ngāi Tahu Act 1996 (**TRONT Act**).
- 2.2 Te Rūnanga encompasses five hapū, Kati Kurī, Ngāti Irakehu, Kati Huirapa, Ngāi Te Ruahikihiki, Ngāi Tūāhuriri and 18 Papatipu Rūnanga, who uphold the mana whenua and mana moana of their respective rohe.
- 2.3 Ngāi Tahu holds and exercises rangatiratanga within the Ngāi Tahu Takiwā (see **Appendix One**) and has done so since before the Crown began exercising its powers in New Zealand from 1840. The Takiwā covers most of Te Waipounamu and its surrounding islands, constituting over half of New Zealand's landmass, coastlines and waterways. The Crown and Parliament recognise and affirm Ngāi Tahu rangatiratanga in our Takiwā through:

- a) Article II of Te Tiriti o Waitangi (**Te Tiriti**);
 - b) the 1997 Deed of Settlement between Ngāi Tahu and the Crown; and
 - c) the Ngāi Tahu Claims Settlement Act 1998 (**NTCSA**).
- 2.4 As recorded in the Crown Apology to Ngāi Tahu (see **Appendix Two**), the Ngāi Tahu Settlement marked a turning point, and the beginning of a “new age of co-operation”. The Crown apologised for its “past failures to acknowledge Ngāi Tahu rangatiratanga and mana over the South Island lands within its boundaries” and confirmed that “it recognises Ngāi Tahu as the tāngata whenua of, and as holding rangatiratanga within, the Takiwā of Ngāi Tahu Whānui”. Those commitments are fundamental to the fast-track regime.
- 2.5 Te Rūnanga requests that the Expert Panel accord these comments with the status and weight of the tribal collective of Ngāi Tahu Whānui comprising over 85,000 registered iwi members.

3 Comments

3.1 Our comments on the Application are set out below:

Ngāi Tahu Settlement Statutory Acknowledgement and Nohoanga

- 2.1. The Application is within the Lake Pūkaki Statutory Acknowledgement areas. Ngāi Tahu association with Lake Pūkaki is detailed in Schedule 34 of the NTCSA (refer to **Appendix Three**). These associations include important Ngāi Tahu histories and traditions that reinforce tribal identity and links, including to Aoraki. Pūkaki is referred to as “*the basin that captures the tears of Aoraki*”¹.
- 2.2. Further, Schedule 34 outlines that Lake Pūkaki is important for mahinga kai. Knowledge of the traditional trails, utilisation of resources associated with the area and the relationship of people with Pūkaki, continues to be held by whānau and hapū and remains important today.
- 2.3. The importance of the lakes and wider area for mahinga kai has also been recognised in other settlement provisions, such as through the allocation of land for the Lake Pūkaki, Nohoanga Entitlement, near the area of works - refer to **Appendix Three** for a description and map showing the location of the Entitlement.
- 2.4. It is important that the significance of the Lake and surrounding area to Ngāi Tahu is recognised and acknowledged by the Expert Panel, and reflected in the decision on the Application.
- 2.5. The proposed site of this application is within the wider area, including the lake, that those utilising the Nohoanga entitlement would use for mahinga kai. Nohoanga Entitlements, provided through Settlement, are to enable Ngāi Tahu Whānui to temporarily occur land (camp) close to water ways, to have access for fishing and gathering of natural resources, following in the traditions of Ngāi Tahu Tūpuna, in an area not limited to the land parcel where the entitlement is located.
- 2.6. Te Rūnanga manages the Nohoanga Entitlements including maintenance and authorisation of use.

¹ Schedule 34 of the NTCSA.

- 2.7. To enable Ngāi Tahu Whānui to use the Lake Pūkaki Entitlement, it is important that not only is access maintained but the effects of the activity do not have significant impact on those using the entitlement. For example, the Applicant has noted that dust may be an issue for the campground (at times) and has put measures in place. This concern also applies to Ngāi Tahu Whānui as the Nohoanga entitlement is located adjacent to the campground.
- 2.8. Te Rūnanga considers that the effects of the proposed activities on the Nohoanga Entitlement (including its use), Ngāi Tahu Whānui and site management can be mitigated.
- 2.9. Ngā Rūnaka has been working with the Applicant to resolve concerns, Te Rūnanga has fed concerns and additional mitigation measures relating to effects on the Nohoanga into these discussions. Te Rūnanga notes that the Applicant has adopted and amended the application to reflect these mitigation measures in version 2 of the proposed conditions for Resource Consents CRC262542 (Discharge to Air) and CRC262543 (disturb the bed).
- 2.10. In addition to measures to mitigate the effects of the proposal on the environment, Te Rūnanga considers that the adoption of these measures by the Applicant address concerns of Te Rūnanga about the use and management of the Nohoanga Entitlement during periods of the proposed activities.

3. Ngāi Tahu Settlement Taonga Species

- 3.1. The special association Ngāi Tahu have with taonga species within the Ngāi Tahu Takiwā has been acknowledged by the Crown in the NTCSA², with a list of taonga species provided in Schedule 97 and Schedule 98 (refer to **Appendix Four**).
- 3.2. The Application identifies a number of species that are listed in Schedule 97, for example:
 - Kaikī (Black Stilt)
 - Pied stilt (Poaka)
 - Grey Duck (Pārera)
 - Paradise shelduck (Pūtakitaki)
- 3.3. Those species listed in the NTCSA does not include all species Ngāi Tahu considers taonga. For example, Tuna is a taonga but is not listed in Schedule 97 or 98.
- 3.4. Many species are considered taonga for their mahinga kai value. As indicated in the settlement provisions above, a number of taonga species within the area were utilised for mahinga kai. As outlined above Lake Pūkaki was important for mahinga kai and was noted particularly for its waterfowl³.
- 3.5. It is important that the significance of taonga species to Ngāi Tahu is recognised and acknowledged by the Expert Panel, and reflected in the decision on the Application.

4. Decision Sought

- 4.1 Te Rūnanga thanks the Expert Panel for the opportunity to comment on the Application.

² Section 288 of the NTCSA. Ngāi Tahu association includes cultural, spiritual, historic, and traditional.

³ Schedule 34 of the NTCSA.

4.2 Te Rūnanga seek that appropriate consideration is given to the provided comments, including the comments provided on behalf of Te Rūnanga o Arowhenua, Te Rūnanga o Moeraki and Te Rūnanga o Waihao.

Nāku noa nā,



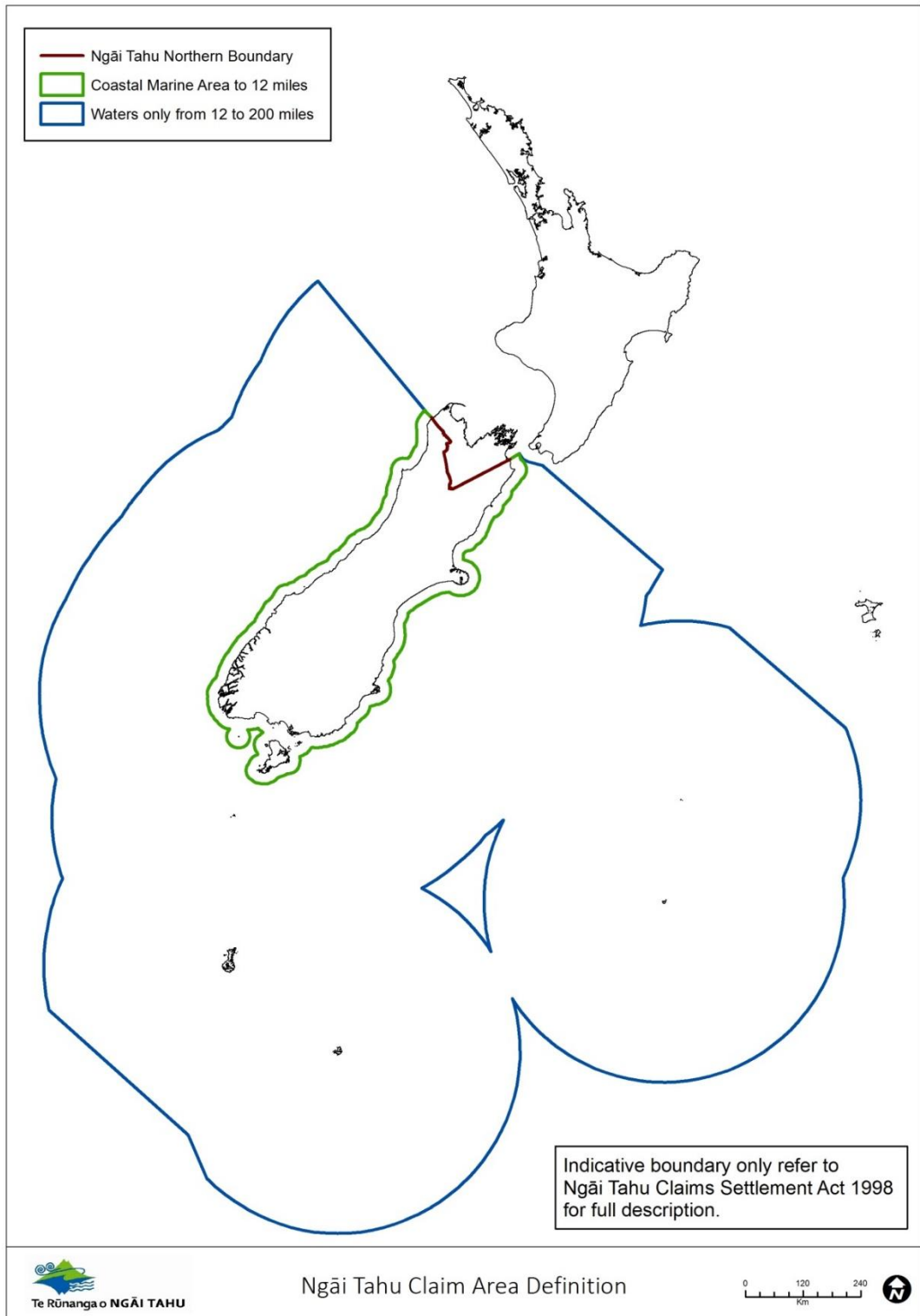
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Appendices:
Appendix One – Map of takiwā of Ngāi Tahu
Appendix Two – Crown Apology to Ngāi Tahu
Appendix Three- Statutory Acknowledgements and Nohoanga Entitlement- Lake Pūkaki
Appendix Four – Taonga Species

Appendix One: Ngāi Tahu Takiwā



Appendix Two: Crown apology to Ngāi Tahu

The following is text of the Crown apology contained in the Ngāi Tahu Claims Settlement Act 1998.

Part One – Apology by the Crown to Ngāi Tahu

Section 5: Text in Māori

The text of the apology in Māori is as follows:

1. Kei te mōhio te Karauna i te tino roa o ngā tūpuna o Ngāi Tahu e totohe ana kia utu mai rātou e te Karauna—tata atu ki 150 ngā tau i puta ai tēnei pēpeha a Ngāi Tahu arā: “He mahi kai tākata, he mahi kai hoaka”. Nā te whai mahara o ngā tūpuna o Ngāi Tahu ki ngā āhuatanga o ngā kawenga a te Karauna i kawea ai e Matiaha Tiramōrehu tana petihana ki a Kuini Wikitoria i te tau 1857. I tuhia e Tiramōrehu tana petihana arā: ‘Koia nei te whakahau a tōu aroha i whiua e koe ki runga i ēnei kāwana... tērā kia whakakotahitia te ture, kia whakakotahitia ngā whakahau, kia ōrite ngā āhuatanga mō te kiri mā kia rite ki tō te kiri waitutu, me te whakatakoto i te aroha o tōu ngākau pai ki runga i te iwi Māori kia noho ngākau pai tonu ai rātou me te mau mahara tonu ki te mana o tōu ingoa.’ Nā konei te Karauna i whakaae ai tērā, te taumaha o ngā mahi a ngā tūpuna o Ngāi Tahu, nā rēira i tū whakaiti atu ai i nāiane i mua i ā rātou mokopuna.
2. E whakaae ana te Karauna ki tōna tino hēanga, tērā i takakino tāruaruatia e ia ngā kaupapa o te Tiriti o Waitangi i roto i āna hokonga mai i ngā whenua o Ngāi Tahu. Tēnā, ka whakaae anō te Karauna tērā i roto i ngā āhuatanga i takoto ki roto i ngā pukapuka ā-herenga whakaaatu i aua hokonga mai, kāore te Karauna i whai whakaaro ki tāna hoa nā rāua rā i haina te Tiriti, kāore hoki ia i whai whakaaro ki te wehe ake i ētahi whenua hei whai oranga tinana, whai oranga ngākau rānei mō Ngāi Tahu.
3. E whakaae ana te Karauna tērā, i roto i tāna takakino i te wāhanga tuarua o te Tiriti, kāore ia i whai whakaaro ki te manaaki, ki te tiaki rānei i ngā mauanga whenua a Ngāi Tahu me ngā tino taonga i hiahia a Ngāi Tahu ki te pupuri.
4. E mōhio ana te Karauna tērā, kāore ia i whai whakaaro ki a Ngāi Tahu i runga i te ngākau pono o roto i ngā tikanga i pūtake mai i te mana o te Karauna. Nā tāua whakaaro kore a te Karauna i puaki mai ai tēnei pēpeha a Ngāi Tahu: “Te Hapa o Niu Tīreni”. E mōhio ana te Karauna i tāna hē ki te kaipono i ngā āhuatanga whai oranga mō Ngāi Tahu i noho pōhara noa ai te iwi ia whakatupuranga heke iho. Te whakataukī i pūtake mai i aua āhuatanga: “Te mate o te iwi”.
5. E whakaae ana te Karauna tērā, mai rāno te piri pono o Ngāi Tahu ki te Karauna me te kawa pono a te iwi i ā rātou kawenga i raro i te Tiriti o Waitangi, pērā anō tō rātou piri atu ki raro i te Hoko Whitu a Tū i ngā wā o ngā pakanga nunui o te ao. E tino mihi ana te Karauna ki a Ngāi Tahu mō tōna ngākau pono mō te koha hoki a te iwi o Ngāi Tahu ki te katoa o Aotearoa.
6. E whakapuaki atu ana te Karauna ki te iwi whānui o Ngāi Tahu i te hōhonu o te āwhitu a te Karauna mō ngā mamaetanga, mō ngā whakawhiringa i pūtake mai nō roto i ngā takakino a te Karauna i takaongetia ai a Ngāi Tahu Whānui. Ewhakaae ana te Karauna tērā, aua mamaetanga me ngā whakawhiringa hoki i hua mai nō roto i ngā takakino a te Karauna, arā, kāore te Karauna i whai i ngā tohutohu a ngā pukapuka ā-herenga i tōna hokonga mai i ngā whenua o Ngāi Tahu, kāore hoki te Karauna i wehe ake kia rawaka he whenua mō te iwi, hei whakahaere mā rātou i ngā āhuatanga e whai oranga ai rātou, kāore hoki te Karauna i hanga i tētahi tikanga e maru motuhake ai te mana o Ngāi Tahu

ki runga i ā rātou pounamu me ērā atu tāonga i hiahia te iwi ki te pupuri. Kore rawa te Karauna i aro ake ki ngā aurere a Ngāi Tahu.

7. E whakapāha ana te Karauna ki a Ngāi Tahu mō tōna hēanga, tērā, kāore ia i whai whakaaro mō te rangatiratanga o Ngāi Tahu, ki te mana rānei o Ngāi Tahu ki runga i

ōna whenua ā-rohe o Te Wai Pounamu, nā rēira, i runga i ngā whakaritenga me ngā herenga a Te Tiriti o Waitangi, ka whakaae te Karauna ko Ngāi Tahu Whānui anō te tāngata whenua hei pupuri i te rangatiratanga o roto i ōna takiwā.

8. E ai mō ngā iwi katoa o Aotearoa e hiahia ana te Karauna ki te whakamārie i ngā hara kua whākina ake nei—otirā, ērā e taea i nāianeī - i te mea kua āta tau ngā kōrero tūturu ki roto i te pukapuka ā-herenga whakaritenga i hainatia i te 21 o ngā rā o Whitu hei tīmatanga whai oranga i roto i te ao hōu o te mahinga tahi a te Karauna rāua ko Ngāi Tahu.

Section 6: Text in English

The text of the apology in English is as follows:

1. The Crown recognises the protracted labours of the Ngāi Tahu ancestors in pursuit of their claims for redress and compensation against the Crown for nearly 150 years, as alluded to in the Ngāi Tahu proverb 'He mahi kai takata, he mahi kai hoaka' ('It is work that consumes people, as greenstone consumes sandstone'). The Ngāi Tahu understanding of the Crown's responsibilities conveyed to Queen Victoria by Matiaha Tiramorehu in a petition in 1857, guided the Ngāi Tahu ancestors. Tiramorehu wrote:

“This was the command thy love laid upon these Governors ... that the law be made one, that the commandments be made one, that the nation be made one, that the white skin be made just equal with the dark skin, and to lay down the love of thy graciousness to the Māori that they dwell happily ... and remember the power of thy name.”

2. The Crown hereby acknowledges the work of the Ngāi Tahu ancestors and makes this apology to them and to their descendants.
3. The Crown acknowledges that it acted unconscionably and in repeated breach of the principles of the Treaty of Waitangi in its dealings with Ngāi Tahu in the purchases of Ngāi Tahu land. The Crown further acknowledges that in relation to the deeds of purchase it has failed in most material respects to honour its obligations to Ngāi Tahu as its Treaty partner, while it also failed to set aside adequate lands for Ngāi Tahu's use, and to provide adequate economic and social resources for Ngāi Tahu.
4. The Crown acknowledges that, in breach of Article Two of the Treaty, it failed to preserve and protect Ngāi Tahu's use and ownership of such of their land and valued possessions as they wished to retain.
5. The Crown recognises that it has failed to act towards Ngāi Tahu reasonably and with the utmost good faith in a manner consistent with the honour of the Crown. That failure is referred to in the Ngāi Tahu saying 'Te Hapa o Niu Tirenī!' ('The unfulfilled promise of New Zealand'). The Crown further recognises that its failure always to act in good faith deprived Ngāi Tahu of the opportunity to develop and kept the tribe for several generations in a state of poverty, a state referred to in the proverb 'Te mate o te iwi' ('The malaise of the tribe').

6. The Crown recognises that Ngāi Tahu has been consistently loyal to the Crown, and that the tribe has honoured its obligations and responsibilities under the Treaty of Waitangi and duties as citizens of the nation, especially, but not exclusively, in their active service in all of the major conflicts up to the present time to which New Zealand has sent troops. The Crown pays tribute to Ngāi Tahu's loyalty and to the contribution made by the tribe to the nation.
7. The Crown expresses its profound regret and apologises unreservedly to all members of Ngāi Tahu Whānui for the suffering and hardship caused to Ngāi Tahu, and for the harmful effects which resulted to the welfare, economy and development of Ngāi Tahu as a tribe. The Crown acknowledges that such suffering, hardship and harmful effects resulted from its failures to honour its obligations to Ngāi Tahu under the deeds of purchase whereby it acquired Ngāi Tahu lands, to set aside adequate lands for the tribe's use, to allow reasonable access to traditional sources of food, to protect Ngāi Tahu's rights to pounamu and such other valued possessions as the tribe wished to retain, or to remedy effectually Ngāi Tahu's grievances.
8. The Crown apologises to Ngāi Tahu for its past failures to acknowledge Ngāi Tahu rangatiratanga and mana over the South Island lands within its boundaries, and, in fulfilment of its Treaty obligations, the Crown recognises Ngāi Tahu as the tāngata whenua of, and as holding rangatiratanga within, the Takiwā of Ngāi Tahu Whānui.
9. Accordingly, the Crown seeks on behalf of all New Zealanders to atone for these acknowledged injustices, so far as that is now possible, and, with the historical grievances finally settled as to matters set out in the Deed of Settlement signed on 21 November 1997, to begin the process of healing and to enter a new age of cooperation with Ngāi Tahu."

Appendix Three: Statutory Acknowledgements and Nohoanga Entitlement- Lake Pūkaki

Schedule 34 Statutory acknowledgement for Lake Pūkaki Statutory area

The statutory area to which this statutory acknowledgement applies is the lake known as Pūkaki, the location of which is shown on Allocation Plan MD 35 (SO 19837).

Preamble

Under section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic, and traditional association to Lake Pūkaki, as set out below.

Ngāi Tahu association with Lake Pūkaki

Pūkaki is one of the lakes referred to in the tradition of “Ngā Puna Wai Karikari o Rakaihautu” which tells how the principal lakes of Te Wai Pounamu were dug by the rangatira (chief) Rakaihautu. Rakaihautu was the captain of the canoe, Uruao, which brought the tribe, Waitaha, to New Zealand. Rakaihautu beached his canoe at Whakatū (Nelson). From Whakatū, Rakaihautu divided the new arrivals in two, with his son taking one party to explore the coastline southwards and Rakaihautu taking another southwards by an inland route. On his inland journey southward, Rakaihautu used his famous kō (a tool similar to a spade) to dig the principal lakes of Te Wai Pounamu, including Pūkaki.

For Ngāi Tahu, traditions such as this represent the links between the cosmological world of the gods and present generations, these histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

Pūkaki is referred to in Ngāi Tahu tradition as the basin that captures the tears of Aoraki: a reference to the meltwaters that flow from Aoraki into the lake in the spring time.

As well as its association with Aoraki, Pūkaki is also a mahinga kai, noted particularly for its water fowl. The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the lake, the relationship of people with the lake and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

The mauri of Pūkaki represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the lake.

Purposes of statutory acknowledgement

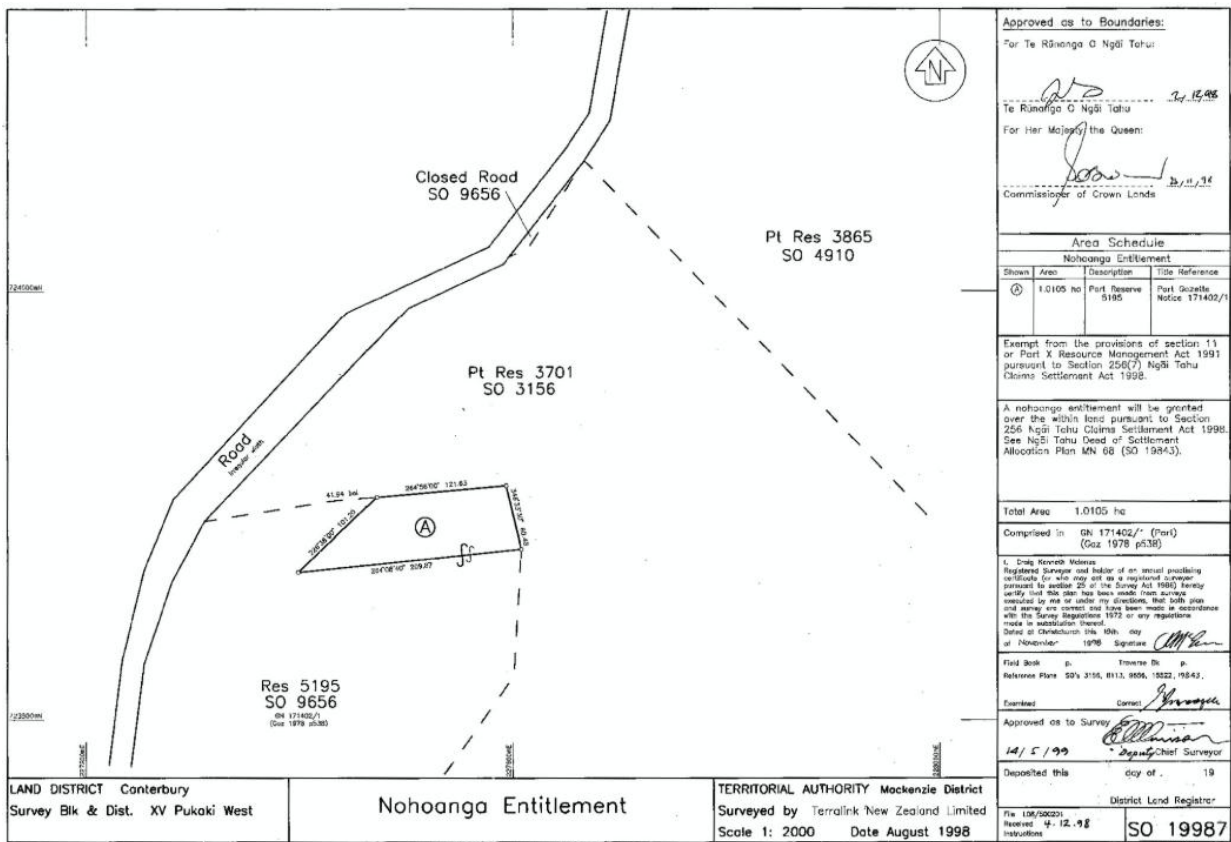
Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and
- (b) to require that consent authorities, Heritage New Zealand Pouhere Taonga, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to Lake Pūkaki, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and
- (c) to empower the Minister responsible for management of Lake Pūkaki or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and

- (d) to enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to Lake Pūkaki as provided in section 211 (clause 12.2.5 of the deed of settlement).

Schedule 95 Sites over which Nohoanga Entitlements to be granted

Site No	Waterway	Site	Legal Description/Allocation Plan	Special conditions
8	Lake Pūkaki	Lake Pūkaki	<p>Canterbury</p> <p>1 hectare, approximately, being Part Reserve 5195 (SO 9656). Part Gazette Notice 171402/1. Subject to survey, as shown on Allocation Plan MN 68 (SO 19843).</p>	Subject to operating easement.



Appendix Four: Taonga Species

Schedule 97 Taonga Species

Birds

Name in Māori	Name in English	Scientific name
Hoiho	Yellow-eyed penguin	<i>Megadyptes antipodes</i>
Kāhu	Australasian harrier	<i>Circus approximans</i>
Kākā	South Island kākā	<i>Nestor meridionalis meridionalis</i>
Kākāpō	Kākāpō	<i>Strigops habroptilus</i>
Kākāriki	New Zealand parakeet	<i>Cyanoramphus</i> spp
Kakaruai	South Island robin	<i>Petroica australis australis</i>
Kakī	Black stilt	<i>Himantopus novaezelandiae</i>
Kāmana	Crested grebe	<i>Podiceps cristatus</i>
Kārearea	New Zealand falcon	<i>Falco novaeseelandiae</i>
Karoro	Black-backed gull	<i>Larus dominicanus</i>
Kea	Kea	<i>Nestor notabilis</i>
Kōau	Black shag	<i>Phalacrocorax carbo</i>
	Pied shag	<i>Phalacrocorax varius varius</i>
	Little shag	<i>Phalacrocorax melanoleucos brevirostris</i>
Koekoeā	Long-tailed cuckoo	<i>Eudynamys taitensis</i>
Kōparapara or Korimako	Bellbird	<i>Anthornis melanura melanura</i>
Kororā	Blue penguin	<i>Eudyptula minor</i>
Kōtare	Kingfisher	<i>Halcyon sancta</i>
Kōtuku	White heron	<i>Egretta alba</i>
Kōwhiowhio	Blue duck	<i>Hymenolaimus malacorhynchos</i>
Kūaka	Bar-tailed godwit	<i>Limosa lapponica</i>
Kūkupa/Kererū	New Zealand wood pigeon	<i>Hemiphaga novaeseelandiae</i>
Kuruwhengu/Kuruwhengi	New Zealand shoveller	<i>Anas rhynchotis</i>
Mātā	Fernbird	<i>Bowdleria punctata punctata</i> and <i>Bowdleria punctata stewartiana</i> and <i>Bowdleria punctata wilsoni</i> and <i>Bowdleria punctata candata</i>
Matuku moana	Reef heron	<i>Egretta sacra</i>
Miromiro	South Island tomtit	<i>Petroica macrocephala macrocephala</i>
Miromiro	Snares Island tomtit	<i>Petroica macrocephala dannefaerdi</i>
Mohua	Yellowhead	<i>Mohoua ochrocephala</i>
Pākura/Pūkeko	Swamp hen/Pūkeko	<i>Porphyrio porphyrio</i>

Name in Māori	Name in English	Scientific name
Pārera	Grey duck	<i>Anas superciliosa</i>
Pateke	Brown teal	<i>Anas aucklandica</i>
Pīhoihoi	New Zealand pipit	<i>Anthus novaeseelandiae</i>
Pīpīwharau	Shining cuckoo	<i>Chrysococcyx lucidus</i>
Pīwakawaka	South Island fantail	<i>Rhipidura fuliginosa fuliginosa</i>
Poaka	Pied stilt	<i>Himantopus himantopus</i>
Pokotiwaha	Snares crested penguin	<i>Eudyptes robustus</i>
Pūtakitaki	Paradise shelduck	<i>Tadorna variegata</i>
Riroriro	Grey warbler	<i>Gerygone igata</i>
Roroa	Great spotted kiwi	<i>Apteryx haastii</i>
Rowi	Ōkārito brown kiwi	<i>Apteryx mantelli</i>
Ruru koukou	Morepork	<i>Ninox novaeseelandiae</i>
Takahē	Takahē	<i>Porphyrio mantelli</i>
Tara	Terns	<i>Sterna spp</i>
Tawaki	Fiordland crested penguin	<i>Eudyptes pachyrhynchus</i>
Tete	Grey teal	<i>Anas gracilis</i>
Tīeke	South Island saddleback	<i>Philesturnus carunculatus carunculatus</i>
Tītī	Sooty shearwater/Muttonbird/Hutton's shearwater Common diving petrel South Georgian diving petrel Westland petrel Fairy prion Broad-billed prion White-faced storm petrel Cook's petrel Mottled petrel	<i>Puffinus griseus</i> and <i>Puffinus huttoni</i> and <i>Pelecanoides urinatrix</i> and <i>Pelecanoides georgicus</i> and <i>Procellaria westlandica</i> and <i>Pachyptila turtur</i> and <i>Pachyptila vittata</i> and <i>Pelagodroma marina</i> and <i>Pterodroma cookii</i> and <i>Pterodroma inexpectata</i>
Tītīpounamu	South Island rifleman	<i>Acanthisitta chloris chloris</i>
Tokoeka	South Island brown kiwi	<i>Apteryx australis</i>
Toroa	Albatrosses and Mollymawks	<i>Diomedea spp</i>
Toutouwai	Stewart Island robin	<i>Petroica australis rakiura</i>
Tūī	Tūī	<i>Prosthemadera novaeseelandiae</i>
Tutukiwi	Snares Island snipe	<i>Coenocorypha aucklandica huegeli</i>
Weka	Western weka	<i>Gallirallus australis australis</i>
Weka	Stewart Island weka	<i>Gallirallus australis scotti</i>
Weka	Buff weka	<i>Gallirallus australis hectori</i>

Plants

Name in Māori	Name in English	Scientific name
Akatorotoro	White rata	<i>Metrosideros perforata</i>
Aruhe	Fernroot (bracken)	<i>Pteridium aquilinum var esculentum</i>
Harakeke	Flax	<i>Phormium tenax</i>
Horoeka	Lancewood	<i>Pseudopanax crassifolius</i>
Houhi	Mountain ribbonwood	<i>Hoheria lyalli and H. glabata</i>
Kahikatea	Kahikatea/White pine	<i>Dacrycarpus dacrydioides</i>
Kāmahi	Kāmahi	<i>Weinmannia racemosa</i>
Kānuka	Kānuka	<i>Kunzia ericoides</i>
Kāpuka	Broadleaf	<i>Griselinia littoralis</i>
Karaeopirita	Supplejack	<i>Ripogonum scandens</i>
Karaka	New Zealand laurel/Karaka	<i>Corynocarpus laevigata</i>
Karamū	Coprosma	<i>Coprosma robusta, coprosma lucida, coprosma foetidissima</i>
Kātote	Tree fern	<i>Cyathea smithii</i>
Kiekie	Kiekie	<i>Freycinetia baueriana subsp banksii</i>
Kōhia	NZ Passionfruit	<i>Passiflora tetrandra</i>
Korokio	Korokio Wire-netting bush	<i>Corokia cotoneaster</i>
Koromiko/Kōkōmuka	Koromiko	<i>Hebe salicifolia</i>
Kōtukutuku	Tree fuchsia	<i>Fuchsia excorticata</i>
Kōwahi Kōhai	Kōwhai	<i>Sophora microphylla</i>
Mamaku	Tree fern	<i>Cyathea medullaris</i>
Mānia	Sedge	<i>Carex flagellifera</i>
Mānuka Kahikātoa	Tea-tree	<i>Leptospermum scoparium</i>
Māpou	Red matipo	<i>Myrsine australis</i>
Mataī	Mataī/Black pine	<i>Prumnopitys taxifolia</i>
Miro	Miro/Brown pine	<i>Podocarpus ferrugineus</i>
Ngaio	Ngaio	<i>Myoporum laetum</i>
Nīkau	New Zealand palm	<i>Rhopalostylis sapida</i>
Pānako	(Species of fern)	<i>Asplenium obtusatum</i>
Pānako	(Species of fern)	<i>Botrychium australe and B. biforme</i>
Pātōtara	Dwarf mingimingi	<i>Leucopogon fraseri</i>
Pīngao	Pīngao	<i>Desmoschoenus spiralis</i>
Pōkākā	Pōkākā	<i>Elaeocarpus hookerianus</i>
Ponga/Poka	Tree fern	<i>Cyathea dealbata</i>
Rātā	Southern rātā	<i>Metrosideros umbellata</i>

Name in Māori	Name in English	Scientific name
Raupō	Bulrush	<i>Typha angustifolia</i>
Rautāwhiri/Kōhūhū	Black matipo/Māpou	<i>Pittosporum tenuifolium</i>
Rimu	Rimu/Red pine	<i>Dacrydium cypressinum</i>
Rimurapa	Bull kelp	<i>Durvillaea antarctica</i>
Taramea	Speargrass, spaniard	<i>Aciphylla spp</i>
Tarata	Lemonwood	<i>Pittosporum eugenioides</i>
Tawai	Beech	<i>Nothofagus spp</i>
Tētēaweka	Muttonbird scrub	<i>Olearia angustifolia</i>
Tī rākau/Tī Kōuka	Cabbage tree	<i>Cordyline australis</i>
Tīkumu	Mountain daisy	<i>Celmisia spectabilis and C. semicordata</i>
Tītoki	New Zealand ash	<i>Alectryon excelsus</i>
Toatoa	Mountain Toatoa, Celery pine	<i>Phyllocladus alpinus</i>
Toetoe	Toetoe	<i>Cortaderia richardii</i>
Tōtara	Tōtara	<i>Podocarpus totara</i>
Tutu	Tutu	<i>Coriaria spp</i>
Wharariki	Mountain flax	<i>Phormium cookianum</i>
Whīnau	Hīnau	<i>Elaeocarpus dentatus</i>
Wī	Silver tussock	<i>Poa cita</i>
Wīwī	Rushes	<i>Juncus all indigenous Juncus spp and J. maritimus</i>

Marine mammals

Name in Māori	Name in English	Scientific name
Ihupuku	Southern elephant seal	<i>Mirounga leonina</i>
Kekeno	New Zealand fur seals	<i>Arctocephalus forsteri</i>
Paikea	Humpback whales	<i>Megaptera novaeangliae</i>
Parāoa	Sperm whale	<i>Physeter macrocephalus</i>
Rāpoka/Whakahao	New Zealand sea lion/Hooker's sea lion	<i>Phocarctos hookeri</i>
Tohorā	Southern right whale	<i>Balaena australis</i>

Schedule 98 Customary Fisheries

Part A Taonga fish species		
Name in Māori	Name in English	Scientific name
Kāeo	Sea tulip	<i>Pyura pachydermatum</i>
Koeke	Common shrimp	<i>Palaemon affinis</i>
Kōkopu/Hawai	Giant bully	<i>Gobiomorphus gobioides</i>
Kōwaro	Canterbury mudfish	<i>Neochanna burrowsius</i>
Paraki/Ngaiore	Common smelt	<i>Retropinna retropinna</i>
Piripiripōhatu	Torrentfish	<i>Cheimarrichthys fosteri</i>
Taiwharu	Giant kōkopu	<i>Galaxias argenteus</i>
Part B Shellfish Species		
Name in Māori	Name in English	Scientific name
Pipi/Kākahi	Pipi	<i>Paphies australe</i>
Tuaki	Cockle	<i>Austrovenus stutchburgi</i>
Tuaki/Hākiari, Kuhakuha/Pūrimu	Surfclam	<i>Dosinia anus, Paphies donacina, Mactra discor, Mactra murchsoni, Spisula aequilateralis, Basina yatei, or Dosinia subrosa</i>
Tuatua	Tuatua	<i>Paphies subtriangulata, Paphies donacina</i>
Waikaka/Pūpū	Mudsnail	<i>Amphibola crenata, Turbo smaragdus, Zedilom spp</i>