

Fast-track Approvals Act 2024 – Treaty settlements and other obligations (Section 18) report

Project Name: FTAA-2509-1100 The Point Solar Farm

To:	Date:
Panel Convener, Jane Borthwick	5 November 2025

Number of attachments: 3	Attachments: <ol style="list-style-type: none"> Provisions of section 18 of the Fast-track Approvals Act 2024 Project location map List of relevant Māori groups Te Ao Mārama/Lake Benmore statutory acknowledgement provisions
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Ministry for the Environment contacts:

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Key points

- As required by section 49 of the Fast-track Approvals Act 2024 (the Act), the Ministry for the Environment (on behalf of the Secretary for the Environment) has prepared this report on Treaty settlements and other obligations (section 18 of the Act) in relation to the FTAA-2509-1100 The Point Solar Farm substantive application.
- The applicant, Far North Solar Farm Ltd, proposes to develop a 450 megawatts-peak photovoltaic solar farm located near Twizel in the Mackenzie Basin. Electricity will be supplied via connection to the Benmore-Islington transmission line which runs through the project site. The development will span approximately 670 hectares and feature single-axis tracking solar panels and supporting infrastructure, including inverters, substation, a control room, and access tracks, with minimal earthworks required. The applicant is seeking approvals under the Resource Management Act 1991 (RMA) and a concession under the Conservation Act 1987 (an easement for a stream crossing). The land is privately-owned by another party and the applicant is the lessee.
- Section 18(2) of the Act requires that the report provide a list of relevant Māori groups, including relevant iwi authorities and Treaty settlement entities. Most of those groups must be invited by the panel to comment on a substantive application under section 53(2) of the Act.

4. We have identified Te Rūnanga o Ngāi Tahu, Te Rūnanga o Arowhenua, Te Rūnanga o Waihao, and Te Rūnanga o Moeraki as relevant Treaty settlement entities, and Aoraki Environmental Consultancy Limited and Aukaha (owned by the relevant papatipu rūnanga) as other Māori groups with relevant interests in the application.
5. The Ngāi Tahu Claims Settlement Act 1998 is the relevant Treaty settlement for the project area. While that settlement provides for statutory acknowledgements and deeds of recognition over nearby Te Ao Mārama/Lake Benmore and other water bodies downstream of the project area (Lake Aviemore, Waitaki River), the information provided by the applicant suggests they will not be affected by the project. In any case, inviting Te Rūnanga o Ngāi Tahu to comment on the application under section 53 of the Act will meet the obligation under the statutory acknowledgement provisions to provide a summary of the application to the holder of the statutory acknowledgement.
6. Similarly, the settlement recognises the association of Ngāi Tahu with certain taonga species, including a significant number of bird species which may be found in the project area, but the settlement provisions regarding taonga species do not relate to the approvals being sought. The settlement also provides for nohoanga (temporary campsites for customary food gathering) on Crown land, but the closest is several kilometres from the project area and unlikely to be affected by the application. Taken together, however, all of the redress provided through the Ngāi Tahu settlement which applies to Te Manahuna (the Mackenzie Basin) underscores the deep connection of mana whenua to this area.

Signature



Ilana Miller
General Manager – Investment Strategy & Operations

Introduction

7. For a substantive application that relates to a listed project, under section 49 of the Act, the Environmental Protection Authority (EPA) must request a report from the responsible agency (Secretary for the Environment) that is prepared in accordance with section 18(2) and (3)(a) of the Act (but does not contain the matters in section 18(2)(l) and (m)).
8. The information which must be provided in this report includes:
 - a. relevant iwi authorities, Treaty settlement entities, applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011 (MACA), and other Māori groups with interests in the project area; and
 - b. relevant principles and provisions in Treaty settlements and other arrangements.
9. This report is structured accordingly. We have provided a list of the relevant provisions of section 18 at **Attachment 1**.

Proposed project

10. The applicant, Far North Solar Farm Ltd, proposes to develop a 450 megawatts-peak photovoltaic solar farm located near Twizel in the Mackenzie Basin. Electricity will be supplied via connection to the Benmore-Islington transmission line which runs through the project site. The development will span approximately 670 hectares (over a 968 hectare total site area) and feature single-axis tracking solar panels in portrait configuration, pivoting to follow the sun throughout the day. Supporting infrastructure will include inverters, substation, a control room, and access tracks, with minimal earthworks required.
11. The applicant is seeking approvals under the RMA (subdivision consent, discharge consent, land use consent) and a concession under the Conservation Act 1987 (associated with an easement for a stream crossing for telecommunications and computer media). The land is privately-owned by another party (Douglas Robert McIntyre and Waitaki Trustees (Golden Acres) Limited) and the applicant is the lessee.
12. We have provided a location map at **Attachment 2**.

Relevant iwi authorities, Treaty settlement entities, and other Māori groups

13. We note that some entities identified below may be included in more than one category. We have included a composite list of all groups at **Attachment 3**, including contact details.¹

Iwi authorities

14. We consider the following groups to be the relevant iwi authorities for the project area:
 - a. Te Rūnanga o Ngāi Tahu, representing Ngāi Tahu.

Treaty settlement entities

15. Under section 4(1) of the Act, “Treaty settlement entity” means any of the following:
 - (a) a post-settlement governance entity (PSGE):

¹ These are the contact details we could locate in the time available, and in some cases they will be the generic email address for the entity.

(b) a board, trust, committee, authority, or other body, incorporated or unincorporated, that is recognised in or established under any Treaty settlement Act;

(c) an entity or a person that is authorised by a Treaty settlement Act to act for a natural resource feature with legal personhood;

(d) Te Ohu Kai Moana or a mandated iwi organisation (as those terms are defined in section 5(1) of the Maori Fisheries Act 2004);

(e) an iwi aquaculture organisation (as defined in section 4 of the Maori Commercial Aquaculture Claims Settlement Act 2004).

16. We have identified the following relevant Treaty settlement entities for this project area:

- a. Te Rūnanga o Ngāi Tahu, representing Ngāi Tahu, PSGE for the Ngāi Tahu Claims Settlement Act 1998;
- b. Te Rūnanga o Arowhenua, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998;
- c. Te Rūnanga o Waihao, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998; and
- d. Te Rūnanga o Moeraki, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998.

Groups mandated to negotiate Treaty settlements

17. There are no groups which have recognised mandates to negotiate a Treaty settlement over an area which may include the project area. All historical claims under te Tiriti o Waitangi / the Treaty of Waitangi have been settled in respect of the project area.

Takutai Moana groups and ngā hapū o Ngāti Porou

18. The project area does not include the common marine and coastal area, and accordingly there are no relevant applicant groups under MACA, and no court orders or agreements that recognise protected customary rights or customary marine title within the project area.

19. The project area is not within ngā rohe moana o ngā hapū o Ngāti Porou (as set out in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019).

Iwi or hapū whose practices are recognised under the Fisheries Act 1996 through regulation or bylaws

20. The project area is not within a taiāpure-local fisheries area, mātaihai reserve, or area subject to a bylaw or regulations made under Part 9 of the Fisheries Act 1996.

Owners of identified Māori land where electricity infrastructure or land transport infrastructure is proposed

21. Section 23 of the Act provides that, in making a decision on a referral application under section 21, the Minister may determine that, for the purposes of the project, an activity described in section 5(1)(a) is not an ineligible activity if it:

- a. is the construction of electricity lines or land transport infrastructure by (or to be operated by) a network utility operator that is a requiring authority; and

- b. would occur on identified Māori land that is Māori freehold land or General land owned by Māori that was previously Māori freehold land.
- 22. This project does not involve an activity described in section 23(1) (i.e. including both (a) and (b)) of the Act.

Iwi authorities and groups representing hapū who are party to relevant Mana Whakahono ā Rohe or joint management agreements

- 23. If the project area is within the boundaries of either a Mana Whakahono ā Rohe or joint management agreement, and the application includes a proposed RMA approval described in section 42(4)(a) to (d) (resource consent, certificate of compliance, or designation), we are required to identify the relevant iwi authority/group that represent hapū that are parties to these arrangements.
- 24. We have not identified any Mana Whakahono ā Rohe or joint management agreements that are relevant to the project area, and accordingly there no parties to these arrangements to identify.

Any other Māori groups with relevant interests

- 25. We consider the following entities, owned by the relevant papatipu rūnanga, as other Māori groups that may have relevant interests in the application, as they may represent the papatipu rūnanga on environmental and other policy matters in the project area:
 - a. Aoraki Environmental Consultancy Limited (owned by Te Rūnanga o Arowhenua); and
 - b. Aukaha (owned by Te Rūnanga o Waihao, Te Rūnanga o Moeraki, and three other papatipu rūnanga).

Relevant principles and provisions in Treaty settlements and other arrangements

Treaty settlements

- 26. Under section 4(1) of the Act, a Treaty settlement includes both a Treaty settlement Act and a Treaty settlement deed which is signed by both the Crown and representatives of a group of Māori.
- 27. The following Treaty settlements relate to land, species of plants or animals, or other resources within the project area:
 - a. Ngāi Tahu Claims Settlement Act 1998.

Relevant principles and provisions

- 28. Section 7 of the Act requires all persons exercising powers and functions under the Act to act in a manner consistent with Treaty settlements. The relevant principles and provisions for each of these settlements are set out below.

Crown acknowledgements and apologies

- 29. Through a series of acknowledgements and an apology to Ngāi Tahu, the Crown acknowledged its historical actions that breached te Tiriti o Waitangi/the Treaty of Waitangi. The Crown apologised 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 recognised Ngāi Tahu as the tangata whenua of, and as holding rangatiratanga within, the takiwā of Ngāi Tahu Whānui.

30. The Crown apology also stated that the Crown intended to atone for these acknowledged injustices, and to begin the process of healing and to enter a new age of co-operation with Ngāi Tahu. The redress provided in the Ngāi Tahu settlement should be viewed in the context of these intentions.

Statutory acknowledgements

31. As one of the first comprehensive settlements of historical claims, the Ngāi Tahu settlement pre-dated some of the redress mechanisms which have subsequently been developed for use in later settlements to provide for participation by iwi and hapū in decision-making over natural resources. However, the Ngāi Tahu settlement was the first settlement to include statutory acknowledgements, which are an acknowledgement by the Crown of a 'statement of association' between the iwi and an identified area (the 'statutory area').
32. We have checked the project area in relation to any statutory acknowledgements held by Te Rūnanga o Ngāi Tahu, particularly over waterways. The project area is situated between the Twizel and Pukaki/Tekapo Rivers, which flow into Lake Benmore within a short distance of the site. Schedule 59 of the Ngāi Tahu Claims Settlement Act 1998 establishes a statutory acknowledgement in relation to Te Ao Mārama/Lake Benmore.
33. Under the RMA and relevant Treaty settlement Acts, a consent authority must, when considering a resource consent for a proposed activity that is within, adjacent to, or affecting a statutory area:
- a. provide a summary of the application to the holder of the statutory acknowledgement. The summary of the application must be the same as would be given to an affected person by limited notification under the RMA. The summary must be provided as soon as is reasonably practicable after the relevant consent authority receives the application, but before they decide whether to notify the application;² and
 - b. have regard to the statutory acknowledgement when deciding whether the holder (generally a PSGE) is an 'affected person' for the purposes of notification decisions under the RMA.³
34. The holder of a statutory acknowledgment may also cite the statutory acknowledgment as evidence of their association with a statutory area in any submission before a relevant consent authority (or the EPA, board of inquiry, Environment Court, Heritage New Zealand Pouhere Taonga), who may, in turn, take that statutory acknowledgement into account.
35. We consider the process of inviting comment from relevant Treaty settlement entities under section 53(2)(c) of the Act (including providing information about the application) is

² In the case of the Ngāi Tahu settlement this was provided for through the Ngāi Tahu Claims Settlement (Resource Management Consent Notification) Regulations 1999. Statutory acknowledgment drafting has evolved and more modern settlements include these provisions in the settlement legislation. The original 20-year time limit on this requirement in settlement legislation has been superseded by amendments to the RMA (section 42AA).

³ In addition to consent authorities, the Environment Court and Heritage New Zealand Pouhere Taonga must also have regard to statutory acknowledgements in relation to some of their processes.

comparable to the process under Treaty settlements and the RMA of providing those who hold statutory acknowledgements with a summary of the application.

36. However, the statutory acknowledgement over Te Ao Mārama/Lake Benmore may not be directly applicable to this project, as under section 205 of the Ngāi Tahu Claims Settlement Act 1998, the acknowledgements do not extend to any river or watercourse, artificial or otherwise, draining into or out of a lake (e.g. the Twizel and Pukaki/Tekapo Rivers). This also applies to Lake Aviemore/Mahi Tīkumu and the Waitaki River, which flow from Lake Benmore, and are also subject to statutory acknowledgements held by Ngāi Tahu.
37. A significant consideration is whether the project will directly affect Te Ao Mārama/Lake Benmore via the Twizel and Pukaki/Tekapo Rivers that flow past the project area. The applicant has stated that there will be no discharge of contaminants or stormwater to any adjacent waterbody, and riparian values will be maintained by providing setbacks. Should the panel be presented with information to the contrary, then the statutory acknowledgement provisions become relevant, and the panel may wish to bear in mind the concept in Te Ao Māori of ki uta ki tai (from the mountains to the sea), whereby water is viewed in a holistic way. Notably, the Pukaki River and the waterbodies which flow from it emanate from Aoraki, the Ngāi Tahu tupuna.
38. For your information, we have provided the relevant statutory acknowledgement provisions from the Ngāi Tahu Claims Settlement Act 1998 at **Attachment 4**.

Deed of recognition

39. In addition to the statutory acknowledgement, Te Rūnanga o Ngāi Tahu also have a deed of recognition with the Commissioner of Crown Lands, administered by Land Information New Zealand (LINZ), over Te Ao Mārama/Lake Benmore. Under section 212 of the Ngāi Tahu Claims Settlement Act 1998, a deed of recognition may be entered into between Te Rūnanga o Ngāi Tahu and the Minister of the Crown responsible for the management or administration of the land within a statutory area, or the Commissioner of Crown Lands, as the case may be.
40. The deed of recognition requires the relevant Crown agency to consult with, and have regard to the views of, Te Rūnanga o Ngāi Tahu when undertaking specified activities relating to the statutory area. These activities primarily relate to the preparation of management plans or strategies but may also include considering applications for rights of use or occupation of the lakebed, for example.
41. We do not consider these provisions are relevant to this application, as LINZ is not undertaking any of the activities covered by the deed of recognition, nor is the applicant seeking use rights or occupation in relation to the Crown-owned parts of the lakebed.

Taonga species

42. The Crown has also acknowledged the special association of Ngāi Tahu with certain taonga species of birds, plants and animals. The Ngāi Tahu Claims Settlement Act 1998 contains several other provisions relating to taonga species, including a requirement that the Minister of Conservation consult with, and have particular regard to, the views of, Te Rūnanga o Ngāi Tahu when making policy decisions concerning the protection, management, or conservation of a taonga species.
43. We note that an ecological assessment of the project commissioned by the applicant identifies bird species observed (or likely to be found) in the project area, of which eighteen are taonga species. Although the settlement provisions regarding taonga species do not place any procedural obligations on the applicant or consent authority in relation to the

approvals being sought, the redress illustrates the importance of these species to Ngāi Tahu. Accordingly, the panel may wish to take any impact of the application on taonga species into consideration.

Nohoanga/nohoaka

44. The Ngāi Tahu Claims Settlement Act 1998 includes provisions for nohoanga/nohoaka entitlements, whereby members of Ngāi Tahu may camp temporarily on Crown land close to waterways for the purposes of gathering mahinga/mahika kai and other natural resources.
45. The closest nohoanga site to the project area, as provided for in the settlement, is to the west of the Haldon Arm Campground, in an area which appears to be a former bed of the Tekapo River, near the head of Lake Benmore.⁴ This land is likely to be administered by LINZ on behalf of the Commissioner for Crown Lands. The approximate location of this site is depicted by the blue dot on the image below:



⁴ The description of this site at Schedule 95 of the Ngāi Tahu Claims Settlement Act 1998 is 1 hectare, approximately, being—(a) 7000 square metres, approximately, being Part Reserve 1358 (SO 10143). Part *Gazette* 1967, page 444: (b) 3000 square metres, approximately, being Part Reserve 1358 (SO 13546). Part *Gazette* 1992, page 1986. Subject to survey, as shown on Allocation Plan MN 473 (SO 19886).

46. Under section 260(5)(b) of the Ngāi Tahu Claims Settlement Act 1998, the landholding agent⁵ for the nohoanga entitlement land, in carrying out land and water management practices relating to that land, must notify Te Rūnanga o Ngāi Tahu of any activity which may affect the holder. We note that this nohoanga site is several kilometres away from the project area, on the other side of the Tekapo River. Based on the information provided by the applicant, it appears unlikely that the application would affect this nohoanga site.
47. However, the provision of nohoanga entitlements through the settlement underscores the importance to Ngāi Tahu of maintaining customary practices and their deep connections to the area. It is likely that there are other, traditional nohoanga sites in this area which are not recognised through the settlement but nonetheless illustrate their association with Te Manahuna (the Mackenzie Basin). Local tangata whenua and their representatives would be best placed to advise on such matters in the first instance.

Customary Marine Title/Protected Customary Rights

48. As noted above, the project area is not within a customary marine title area, protected customary rights area, or within or adjacent to ngā rohe moana o ngā hapū o Ngāti Porou.

Taiāpure-local fisheries/mātaimai reserves/areas subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996

49. As noted above, the project area is not within a taiāpure-local fishery, mātaimai reserve, or area subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996.

Mana Whakahono ā Rohe/Joint management agreement

50. As noted above, we have not identified any Mana Whakahono ā Rohe or joint management agreements that are relevant to the project area.

Consultation with departments

51. In preparing this report, we are required to consult relevant departments. We have previously sought advice from Te Puni Kōkiri and The Office of Treaty Settlements and Takutai Moana – Te Tari Whakatau regarding the relevant Māori groups for other applications in this same area, and have incorporated those views into this report.

⁵ The Minister of the Crown responsible for the department which manages the existing or proposed entitlement land, or the Commissioner of Crown Lands, as the case may be.

Attachment 1: Provisions of section 18 of the Fast-track Approvals Act 2024

Section	Information required	Paragraph reference in this report
18(1)	The Minister must, for a referral application, obtain and consider a report that is prepared by the responsible agency in accordance with this section.	Not applicable to substantive applications – s 18 report is required by s 49.
18(2)(a)	Any relevant iwi authorities and relevant Treaty settlement entities	14-16
18(2)(b)	Any Treaty settlements that relate to land, species of plants or animals, or other resources within the project area	26-27
18(2)(c)	The relevant principles and provisions in those Treaty settlements, including those that relate to the composition of a decision-making body for the purposes of the Resource Management Act 1991	28-47
18(2)(d)	Any recognised negotiation mandates for, or current negotiations for, Treaty settlements that relate to the project area.	17
18(2)(e)	Any court orders or agreements that recognise protected customary rights or customary marine title within the project area.	18, 48
18(2)(f)	Any applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011 that seek recognition of customary marine title or protected customary rights within the project area.	18, 48
18(2)(g)	Whether the project area would be within or adjacent to, or the project would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou (and, if so, the relevant provisions of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019).	19, 48
18(2)(h)	Whether the project area includes any taiāpure-local fisheries, mātaihai reserves, or areas that are subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996 (and, if so, who the tangata whenua are).	20, 49
18(2)(i)	Whether the project involves an activity that could be the subject of a determination under 23 (and, if so, who the owners of the land are).	21-22
18(2)(j)	If the proposed approvals include an approval described in any of section 42C(4)(a) to (d) (resource consent, certificate of compliance, or designation),	23-24, 50

	<p>(i) iwi authorities and groups that represent hapū that are parties to any relevant Mana Whakahono ā Rohe or joint management agreements.</p> <p>(ii) The relevant principles and provisions in those Mana Whakahono ā Rohe and joint management agreements.</p>	
18(2)(k)	Any other Māori groups with relevant interests.	25
18(2)(l)	<p>A summary of—</p> <p>(i) comments received by the Minister after inviting comments from Māori groups under section 17(1)(d) and (e);</p> <p>(ii) any further information received by the Minister from those groups</p>	Not applicable to substantive applications
18(2)(m)	The responsible agency's advice on whether, due to any of the matters identified in this section, it may be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts.	Not applicable to substantive applications
18(3)	<p>In preparing the report required by this section, the responsible agency must—</p> <p>(a) consult relevant departments; and</p> <p>(b) provide a draft of the report to the Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti.</p>	<p>51 (Section 18(3)(a))</p> <p>Section 18(3)(b) not applicable to substantive applications</p>
18(4)	Those Ministers must respond to the responsible agency within 10 working days after receiving the draft report	Not applicable to substantive applications

Attachment 2: Project location map



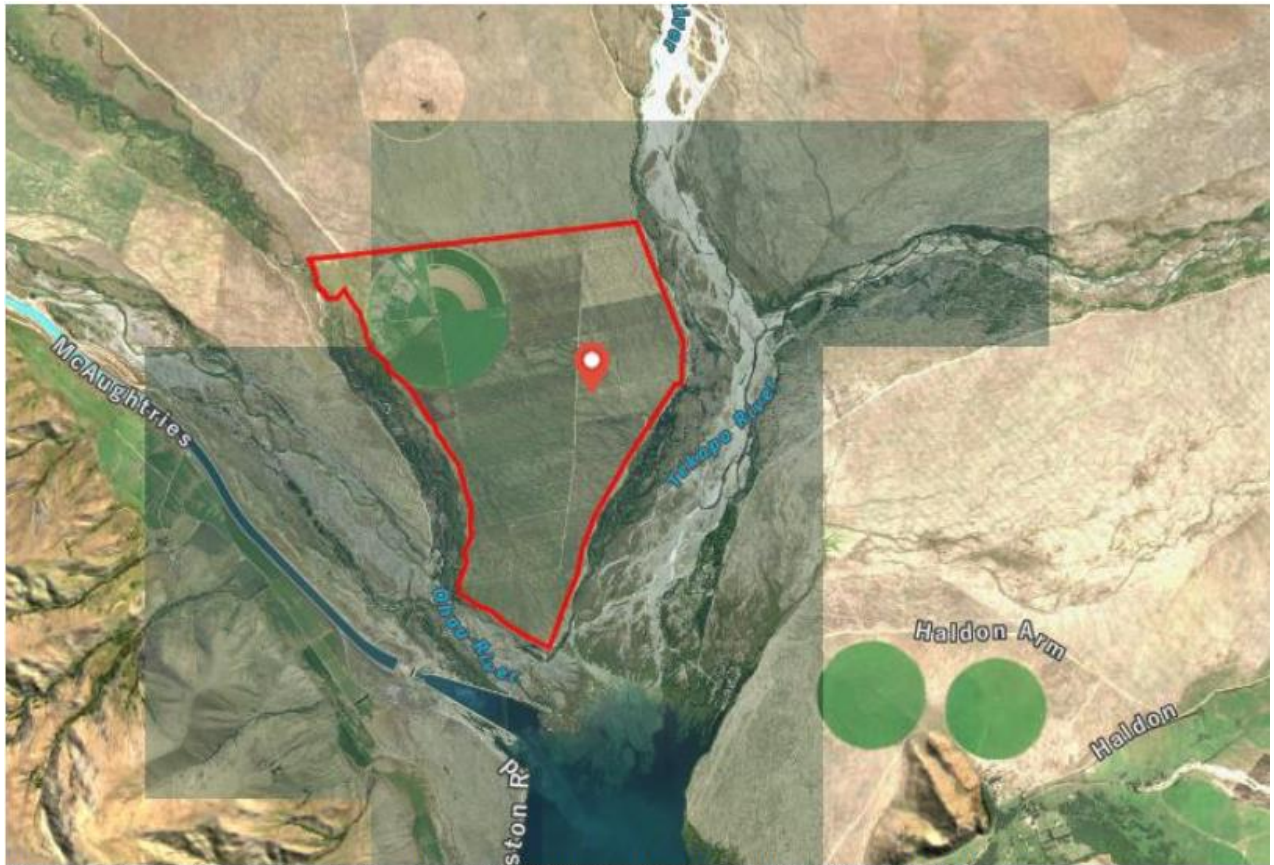


Figure 2. Site plan (property boundary shown in red). (Source: Mackenzie District Council, 2025).

Attachment 3: List of relevant Māori groups

Name of group	Type of group (section of Act)	Contact person	Contact email
Te Rūnanga o Ngāi Tahu	Iwi authority (s18(2)(a)); Treaty settlement entity – Ngāi Tahu Claims Settlement Act 1998 (s18(2)(a))	Amy Beran, Senior Environmental Advisor	[REDACTED]
Te Rūnanga o Arowhenua	Ngāi Tahu Papatipu Rūnanga – Iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a))	Ally Crane, General Manager	[REDACTED]
Te Rūnanga o Waihao	Ngāi Tahu Papatipu Rūnanga – Iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a))	Melissa Slatter	[REDACTED]
Te Rūnanga o Moeraki	Ngāi Tahu Papatipu Rūnanga – Iwi authority (s18(2)(a)); Treaty settlement entity (s18(2)(a))	Justin Tipa, Te Rūnanga o Ngāi Tahu representative	[REDACTED]
Aoraki Environmental Consultancy Limited	Entity owned by Papatipu Rūnanga (s18(2)(k))	Ross Wells, Board Chair	[REDACTED]
Aukaha	Entity owned by Papatipu Rūnanga (s18(2)(k))	Trevor McGlinchey, Acting Board Chair	[REDACTED]

Attachment 4: Te Ao Mārama/Lake Benmore statutory acknowledgement provisions

Schedule 59

Ngāi Tahu Claims Settlement Act 1998

Version as at
1 July 2022

Schedule 59

Statutory acknowledgement for Te Ao Mārama (Lake Benmore)

ss 205, 206

Statutory area

The statutory area to which this statutory acknowledgement applies is the lake known as Te Ao Mārama (Lake Benmore), the location of which is shown on Allocation Plan MD 130 (SO 19857 (Canterbury Land District) and SO 24748 (Otago Land District)).

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 Te Ao Mārama, as set out below.

Ngāi Tahu association with Te Ao Mārama

While the man-made Te Ao Mārama is obviously a comparatively recent creation on the landscape, it overlays the path of the Waitaki River, which is very significant to Ngāi Tahu as the pathway of the waters from Aoraki to the sea. Ngāi Tahu Whānui always recognise and pay respects to Waitaki as a significant element of their being, and identity, a creation of the atua (gods), further moulded by Tū Te Rakiwhānoa and his assistants, one of whom was Marokura who stocked the waterways.

In addition, the lake now covers areas which have been very important in Ngāi Tahu history. The Ahuriri arm of the lake was the site of Te Ao Mārama, the nohoanga that Te Maiharoa was evicted from by the constabulary in the late 1800s. It is in memory of this that the lake is now referred to by the same name. A number of other nohoanga existed in the area the lake now covers, and these were among the 170 which one record lists as existing in the Waitaki basin. One of these was at Sailors Cutting, and was known as Te Whakapiri a Te Kaiokai.

Many wāhi tapu and wāhi taonga were also drowned by Te Ao Mārama, including a number of rock art sites, while others still survive. Urupā associated with the nohoanga in the area also lie under the lake. These are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. These are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected by secret locations.

An important and productive fishery exists in the lake, with the Haldane and Ahuriri arms once rich in long-finned eels, although in more recent times the fishery has been depleted. Freshwater mussels (waikākahi) are also available in the Ahuriri shallows. Excellent stands of raupō grow on the edge of the lake, adjacent to the deep water. This hardy plant, which was traditionally used for kai and in the making of mōkihi (a type of waka, or canoe, used on inland waterways) is not affected by the heavy frosts of the area or cattle grazing. The Ahuriri arm was also an important waterfowl and weka habitat.

Strategic marriages between hapū strengthened the kupenga (net) of whakapapa and thus rights to use the resources of the area. These whakapapa rights and relationships still apply to the lake itself.

The area which the lake now covers was once a major route from coast to coast: to Hawea and Wanaka via the Lindis Pass, and to the West Coast via Ōkuru or Haast Pass. There was also a trail via the Lindis through into the Central Otago summer resorts, mahinga kai and pounamu resources. Trails linked to seasonal resource gathering lead into the Ōhau, Pūkaki and Takapo, Alexandrina and Whakarukumoana catchments. These were used in order to ensure the safest journey and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by whānau and hapū and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the land and waterways.

Wai-para-hoanga meaning literally “water of grinding stone dirt” is a descriptive name for the water that once flowed unhindered in the Waitaki, sourced from Pūkaki, Takapo and Ōhau, and ultimately from Aoraki itself.

Notwithstanding more recent man-made changes to the landscape and waterways, the mauri of Te Ao Mārama 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 Te Ao Mārama, 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 Te Ao Mārama 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 Te Ao Mārama as provided in section 211 (clause 12.2.5 of the deed of settlement).

Limitations on effect of statutory acknowledgement

Except as expressly provided in sections 208 to 211, 213, and 215,—

- (a) this statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and
- (b) without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu's association to Te Ao Mārama (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of Te Ao Mārama.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, Te Ao Mārama.

Schedule 59: amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).