



**TE AO
MĀRAMA INC.**

Ridgeburn Ltd Cultural Impact Assessment



“Toitū te marae o Tāne, Toitū te marae o Tangaroa, Toitū te Iwi”

“Protect and strengthen the realms of the land and sea and they will protect and strengthen the people”

The compilation of the report has been greatly assisted by whānau who have upheld kaitiaki responsibilities in the Murihiku Takiwā, within which the proposed project is located, over decades and contributed to the foundations of the report.

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Contents

Executive Summary	2
Purpose of Cultural Impact Assessment.....	6
Limitations.....	6
Site Visit.....	6
Mana Whenua.....	7
Relationship/Association to place.....	7
Impact of the development on Frameworks, values and practices.....	10
Analysis and Recommendations	10
Planning Framework	20
Conclusion	21
Appendix 1 –Site visit visuals	23
Appendix 2 –Te Tangi a Taurira	27
Appendix 3 – Rohe of Papatipu Rūnanga.....	33
Appendix 4 - Schedule 40 Statutory acknowledgement for Mata-au (Clutha River).....	34
Appendix 5 - Schedule 75 Statutory acknowledgement for Whakatipu-wai-māori (Lake Wakatipu).....	37
Appendix 6 – Schedule 61 Statutory acknowledgement for Te Wairere (Lake Dunstan) .	40

Executive Summary

Ngāi Tahu has an extensive territory that includes the Whakatipu-wai-māori area. Ngāi Tahu led a seasonal lifestyle, following resources throughout the region. Generally, the use of the areas was extensive rather than intensive; however, this area is thick with Iwi stories, traditions, and cultural practices.

Whakatipu-wai-māori (Lake Wakatipu) and its tributaries once supported nohoanga and villages which were the seasonal destinations of Otago and Murihiku (Southland) whānau and hapū for many generations, exercising ahi kā and accessing mahinga kai and providing a route to access the treasured pounamu located beyond the head of the lake.

The Te Rūnanga o Ngāi Tahu Act 1996 (the TRONT Act) and the Ngāi Tahu Claims Settlement Act 1998 (the Settlement Act) give recognition to the status of Papatipu Rūnanga as kaitiaki and mana whenua of the natural resources within their takiwā boundaries.

Te Ao Marama Inc considers the following key principles are required to be recognized by this application (but not limited to):

- Ngāi Tahu holds and exercises rangatiratanga within the Ngāi Tahu Takiwā.
- The Crown and agents of the crown must act in good faith.
- All areas and places within the Ngāi Tahu takiwā are important and form part of an entwined network of values, places and resources which are relevant to Ngāi Tahu tribal history, contemporary values and the future of the tribe.
- Settlement provided a basis for continuing evolution from which Ngāi Tahu can express its ancestral relationship with the Ngāi Tahu takiwā into the future.

This area forms part of a significant cultural landscape both historically and contemporarily for Ngāi Tahu Whānui. Intimacy with, and knowledge of the terrain and water, was built up over generations and passed from one generation to the next.

Ridgeburn Ltd (the applicant) is proposing a project described as a “master-planned residential and mixed-use development”. The proposal will be located on a 212ha site at 122 Morven Ferry Road, which is located within the Murihiku Takiwā.

The purpose of this report is to provide a Cultural Impact Assessment to identify relevant values and associations to this Takiwā for Mana Whenua and to assess the likely impacts of the proposal on those values and associations.

A site visit was undertaken by Te Ao Mārama Inc, the applicant and key whānau members on the 4th February 2026. A full set of technical reports were provided to Te Ao Mārama Inc. on the 6th February 2026 followed by a draft assessment of environmental effects on the 9th February 2026.

Time restrictions set out by the applicant, have severely impacted the ability for Te Ao Mārama Inc to undertake an appropriate engagement and assessment process, informed by tikanga and therefore places **significant limitations** on this Cultural Impact Assessment.

There is uncertainty whether the mitigation measures proposed will effectively address Rūnanga concerns regarding the impacts on cultural values. The recommendations of this report reflect the impact of that limitation.



The construction of the proposed development has the potential to **significantly** affect mana whenua values, rights, and interests, associated with; cultural landscapes and associations; the spiritual value of water, mauri, mahinga kai species, habitat and water quality.

Contemporarily, Mana Whenua have expressed a sense of alienation from the Whakatipu-wai māori landscape due primarily to the intensive and continued development of the area.

The physical use of the land is what enables mana whenua to express and live the Ngāi tahu values, rights and interests. If the ability to ‘use’ the land is severed or limited in some capacity due to the addition of significant development and landscape alterations then the expression of culture is severed.

Key Values mana whenua seek to protect:

- **Mauri**, and the life supporting capacity and cultural and ecological health of the proposed project site and surrounds.
- The ability for our future generations to engage with Morven hill, the Kawerau River and surrounding environment as their ancestors did eroding **whakawhanaungatanga**.
- To adopt a forward looking orientation and approach to resource management with future generations in mind **Haere Whakamua**.
- That water quality is to be protected to a standard that allows **mahinga kai** to be diverse, abundant, accessible and safe to eat.
- **Mahinga kai** species, habitat, and access to these for customary use during and after the activity is protected.
- **Wāhi tapu, wāhi ingoa** and archaeological sites on, or within the vicinity of, the proposed site and surrounding environment are protected.
- The ability for Mana Whenua to exercise **Rangatiratanga** over Ancestral land.
- The ability for Mana Whenua to exercise **Kaitiakitanga** within the management and monitoring processes of the Resource Consent.
- The interconnectedness of land, water, ecosystems and communities, **Ki Uta Ki Tai**, when making decisions following **tikanga**.

The proposal will have significant effects on Mana Whenua values, rights and interests including but not limited to:

- Long-term restriction of whānau to access the site and continued development within the surrounds has resulted in the severing of whakawhanaungatanga. Several generations of whanau have not been able to articulate, nor exercise, their culture values and practices as their tupuna would have experienced.
- Historical land ownership has severely limited the ability for mana whenua to exercise kaitiaki responsibilities relating to the protection and sustainable management of Te Taiao.
- The recontouring of extensive areas of the site as a result of the development may adversely affect water quality.
- The clearance and reconstruction of native mahinga kai habitat may result in the irreversible loss of Mahinga Kai species.
- The continued intensive development of the Kawarau corridor must be considered when looking through a Te Ao Māori lens. Te Taiao is interconnected (Ki Uta Ki Tai) therefore it must be considered that the proposal will further alienate Mana Whenua from the Kawarau area and further restrict access to expressing Cultural rights.
- The further intensification in the Queenstown Lakes area may further exacerbate the current significant infrastructure issues, which may further impact the Mauri of the area.

It is possible through proper planning and management some impacts may be reduced or eliminated. This will require further engagement with Mana Whenua, for which time has not been allotted prior to the lodging of a substantive application to the fast-track process. Consequently, there is uncertainty as to the magnitude of the effects that are to be avoided and therefore a level of uncertainty as to whether the following recommendations to address these effects are sufficient.

Recommendations

Te Ao Mārama on behalf of Mana Whenua have identified potential risks that are to be avoided to ensure the sustainability of the whenua and have identified the following ways in which the applicant may be able to reduce and mitigate these risks. Such measures can be expressed as proposed conditions of consent or other such arrangements between the applicant and Ngai Tahu.

- Prior to the commencement of, and during the lifetime of the resource consent, the applicant shall enable/ facilitate, Nga Rūnanga to create a pathway for the further mitigation of cultural impacts of the project on the project area and surrounds for the purpose of upholding the cultural health and integrity of the project.
- The applicant shall actively involve Nga Rūnanga in the development of, and where desired, the delivery of:
 - All management plans and associated actions for the project and related activities to include monitoring and reporting using Mātauranga Māori principles and practices.
 - All restoration and enhancement activities.
- The applicant shall include the Ngai Tahu ki Murihiku accidental discovery protocol as a condition of consent.
- The applicant shall enable/facilitate Nga Rūnanga onsite for the purposes of the further exploration of unrecorded māori rock art known to exist on the adjacent properties.

Te Ao Mārama wish to see a set of draft consent conditions that reflect the contents of this CIA and recommendations made.

The applicant should be encouraged to continue to work with Mana Whenua to work through the complexities of this application to ensure the best outcome possible.

The continuation of the relationship is encouraged throughout the duration of the processing of the proposed activity and to ensure the appropriate cultural sensitivity is achieved.

Purpose of Cultural Impact Assessment

- To assess the likely impact of the proposal on cultural values and associations.
- To provide recommendations to the applicant on behalf of the ngā Rūnanga ki Murihiku and on how those impacts may be mitigated. Where unable to be mitigated, identify matters for further negotiation.
- To support further discussions on the ability to mitigate or avoid significant impacts.
- This Cultural Impact Assessment is limited in its ability to fully consider all the effects on cultural values due to time constraints and the limited information provided. It is known there may be additional cultural affects which may arise later, and these may be addressed through the continued relationship between the applicant and Ngā Rūnanga ki Murihiku.

Limitations

We acknowledge the following limitations that impact this short form Cultural Impact Assessment.

- The applicant is under a time constraint that does not allow for an appropriate timeframe to provide a Cultural Impact Assessment that would contain a much more extensive assessment.
- This report is being compiled with the knowledge that a complete final resource consent application is not yet available. This assessment is only based on the information provided on or before 09 February 2026.
- It is known that a final full assessment of environmental effects cannot be provided before the completion of this assessment.
- It is known there are likely to be effects yet to be verified.

Site Visit

Te Ao Mārama kaimahi, whanau members and the applicant attended a site visit on 04 February 2026.

Proposal

Mana whenua understand the proposed project is to be a “master-planned residential and mixed-use development”. The proposal will be located on a 212ha site at 122 Morven Ferry Road. The Project will primarily be residential housing with approximately 1030 residential properties, 180 of which will be “affordable housing”. In addition to the housing the project will have a commercial precinct and 32ha of reserve area.

There is a 103ha native restoration programme proposed onsite including a 68ha restoration on Morven hill and 35ha of restoration within the Kawareau River corridor. Currently the project is within an area zoned as rural and there are portions of the site with Outstanding Natural Feature overlays, although those areas have been mostly avoided.

The project proposes to incorporate green areas, walking and cycling tracks and proposes mitigations to address the projected increases in traffic.

An independent wastewater treatment plant is proposed and seeks a land-based disposal area.

Mana Whenua

The peoples of Waitaha, Kati Mamoe and Ngāi Tahu are nowadays collectively referred to as Ngāi Tahu. Waitaha settled in the South Island approximately 800 years ago and were later followed by Kati Mamoe and Ngāi Tahu in the major domestic migrations between 1500s and 1700s.¹ Ngāi Tahu means the ‘people of Tahu’, linking to the eponymous ancestor Tahu Pōtiki, ‘Within the iwi there are five primary hapū being Kāti Kurī, Ngāti Irakehu, Kāti Huirapa, Ngāi Tūāhuriri and Ngāi Te Ruahikihiki.’¹

Ngāi Tahu now has an extensive territory that includes most of the South Island ‘except for the Blenheim and Nelson areas.’²

The territory includes offshore islands such as Rakiura, Rarotoka and Whenua Hou. Across its takiwā, Ngai Tahu constantly travelled ‘as they worked the resources of their area and traded their surplus with people from other areas. This created a complex and far-flung network of relationships which in turn were strengthened by marriage.’³

The Te Rūnanga o Ngāi Tahu Act 1996 establishes Te Rūnanga o Ngāi Tahu (Te Rūnanga), consisting of each of the Papatipu Runanga of Ngāi Tahu Whānui (section 9).

In the Murihiku and Otago there are seven Papatipu Rūnanga whose members hold Mana Whenua status within the region. In this instance Te Ao Mārama Inc. represents the interests of four Rūnanga on matters pertaining to the management of natural resources under the Resource Management Act 1991 and the Local Government Act 2002 and has prepared this Cultural Impact Assessment on behalf of all seven Papatipu Rūnanga.

Te Rūnanga o Ngāi Tahu (Declaration of Membership) Order 2001 describes the respective takiwā of Papatipu Rūnanga representing Ngāi Tahu ki Murihiku and Otago, as being particular to Te Rūnanga o Awarua, Hokonui Rūnanga, Te Rūnanga o Ōraka-Aparima and Waihōpai Rūnanga, Te Runanga o Moeraki, Te Runanga o Otakou and Kati Huirapa ki Puketeraki.

Relationship/Association to place

Historically māori people traversed the land to obtain resources adhering to a lifestyle that was extensive rather than intensive.

Whakatipu-wai-māori (Lake Wakatipu) and its tributaries once supported nohoanga and villages which were the seasonal destinations of Otago and Murihiku (Southland) whānau and hapū for many generations, exercising ahi kā and accessing mahinga kai and providing a route to access the treasured pounamu located beyond the head of the lake. Strategic marriages between hapū strengthened the kupenga (net) of whakapapa and thus rights to use the resources of the lake. It is because of these patterns of activity that the lake continues to be important to rūnanga located in Murihiku, Otago and beyond. These rūnanga carry the responsibilities of kaitiaki in relation to the area.

There are numerous archaeological finds in the Whakatipu area reinforcing the proof māori occupied the area including; “*māori potatoes*” growing wild at Roy’s bay, “*evidently the remains*

¹ Ngai Tahu (1996) Ngai Tahu – the iwi, <http://ngaitahu.iwi.nz/ngai-tahu/>

² Dacker, B. (1990) Te People of the Place: Mahika Kai, p. 6

³ Dacker (1990) p. 6

*of native gardens” at Lake McKellar and “apparently an old māori garden on Pigeon Island, Whakatipu”.*⁴

Whakatipu-wai-māori and its tributaries is an important source of freshwater; the lake itself being fed by hukawai (melt waters). These are waters with the highest level of purity and were accorded traditional classifications by Ngāi Tahu that recognised this value. Thus, it is a puna (spring) which sustains many ecosystems important to Ngāi Tahu.

The mauri of Whakatipu-wai-māori 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 lake⁵.

The ability of freshwater and soil resources to meet current and future demands is an important kaupapa for Ngāi Tahu ki Murihiku – “Te Whenua to wai ū mō ngā tamariki – Land is the nourishment for the next generation”⁶.

Ngāi Tahu’s cultural, spiritual, historic, and traditional association to Whakatipu-wai-māori (Lake Wakatipu) is recognised by the Crown and is a Statutory Acknowledgement (see Appendix B) under the Ngāi Tahu Claims Settlement Act, 1997.

This site and surrounding area is located between Haehaenui (Arrow River) and Kawarau River. These rivers served as important ara tawhito, providing nohoanga and mahinga kai locations along their length, nourishing and supporting the Ngai Tahu lifestyle. These practices are core to the Ngai Tahu identity⁷.

The junction of the Kawarau and Shotover rivers, and the surrounding areas, served as crucial junctions for travel between the coast and the inland, including routes to the West Coast for pounamu.

Contemporarily speaking Mana Whenua remain relatively disconnected from their ancestral land of the Whakatipu wai māori area with an aspiration to be reconnected.

Cultural Values and Frameworks

The following cultural values and frameworks are applicable to this application and have been used by whanau to consider the appropriateness at place of the proposed development.

Ki Uta Ki Tai

“Ki Uta Ki Tai” or “mountains to the sea” is a fundamental pillar of the strategy employed by Ngai Tahu within the environmental space, this philosophy emphasises the holistic nature of our environment, elements interact and affect one another.

⁴ The Welcome of Strangers, a history of southern māori, Atholl Anderson p291

⁵ Schedule 75 – NT Claims Settlement ACT 1998

⁶ Te Tangi a Tauira, pg 136

⁷ Wahi Tupuna Schedules 24 and 28 of Queenstown Lakes District Plan.

Mahinga kai

The Ngāi Tahu Claims Settlement Act 1998 defined mahinga kai as ‘the customary gathering of food and natural materials, and the places where those resources are gathered.’ Mahinga kai is more broadly explained in Te Tangi a Tauira (2008) as being about:

Places, ways of doing things, and resources that sustain the people. It includes the work that is done (and the fuel that is used) in the gathering of all-natural resources (plants, animals, water, sea life, pounamu) to sustain well-being. This includes the ability to clothe, feed and provide shelter.⁸

Mahinga kai is central to the Ngāi Tahu way of life and cultural wellbeing. It represents the ninth component of the ‘Nine Tall Trees’ that comprised the Ngāi Tahu Claim; an intrinsic part of the tribe’s identity, or the “DNA of Ngāi Tahu”.⁹ It is a vehicle for the intergenerational transfer of Mātauranga (knowledge).

Mauri

Protecting and restoring mauri is the responsibility of Kaitiaki Papatipu Rūnanga, as described in Te Tangi a Tauira as follows:

The central component of the Māori perspective on the environment is the recognition of mauri, the life principal in all objects, animate and inanimate. The presence of mauri in all things entrusts people to appreciate and respect that resource. In this way, overuse, depletion or desecration of natural resources is not an accepted practice. Tikanga regulates activities concerning the conservation and sustainable use of natural resources in order to protect the mauri.

Kaitiakitanga

Guardianship, stewardship, and protection of the environment and natural resources. Rooted in a worldview where humans are interconnected with nature, it is the active responsibility to nurture the *mauri* (life force) of the land, sea, and sky for future generations.

Tikanga

The word tikanga is a derivation of the word ‘tika’ meaning ‘right’ or ‘correct’, in essence it is about doing things the ‘right’ way. Tikanga covers a wide range of areas including values, culture, protocols, customs, ethics, etiquette, sustainability, and law. It supports mana atua (spiritual), mana whenua (connection to the land), mana tupuna (ancestry), and mana tangata (people).¹⁰

Haere whakamua

Adopt a forward-looking orientation with future generations in mind. *Mō tātou, ā, mō kā uri ā muri ake nei.*

⁸ Te Tangi a Tauira, 2008.

⁹ Kitson, J. 2017

¹⁰ Ibid

Rangatiratanga

Rangatiratanga is by definition; chieftainship, the powers and qualities of chiefly leadership, and exercise of tribal authority or self-determination. Tino rangatiratanga is defined as full Tribal Authority, of the Iwi in respect to their natural, physical and metaphysical resources. Tino rangatiratanga is a concept deeply rooted in te ao Māori and can be traced back to the very principles of Te Tiriti o Waitangi.

Manaakitanga

The support, caring and hospitality shown to guests – the ability to manaaki visitors by supplying kai sourced locally creates and maintains whānau and hapū ties and reinforces identity¹¹.

Whakawhanaungatanga

Is the value that incorporates relationships, the interrelationship with their ancestors, their whānau, hapū and iwi as well as the natural resources within their tribal boundaries. This genealogical relationship is one of the foundations upon which the Māori culture is based. Manaakitanga and whanaungatanga are inextricably linked.

Impact of the development on Frameworks, values and practices

Understanding the implications of the project on cultural values, historic and contemporary associations, requires a comprehensive analysis of the framework of knowledge that underpins these values, otherwise known as Mātauranga Māori.

For Ngāi Tahu, the potential effects of activities on cultural values, rights and interests are both tangible and intangible. Tangible cultural effects, in this instance for example, relate to the Wastewater treatment proposal, which can be verified by western science as affecting water quality and the species that reside within the water.

Intangible cultural effects reflect the spiritual connection between Mana Whenua and the Whakatipu wai māori area. These effects are not necessarily verified by western science yet form the rich basis of evidence for decision making relating to resource management by Mana Whenua. In the context of this proposal, the intensive development of the area further erases the landscape of our tīpuna, the traditional use of the area as a resource rich hunting ground and further alienates mana whenua from their ancestral land.

The frameworks, values and practices identified above are related to the project area and the surrounding area. Mana Whenua frameworks, values and practices do not exist only within a defined resource management area. They extend beyond and encompass the entire whenua.

Analysis and Recommendations

The table below provides an analysis of the proposal against the Ngāi Tahu values, frameworks and practices along with suggested recommendations or expectations of Ngāi Tahu whānui to address the likely impacts.

¹¹ E Cook whānau interview 2023

Ngāi Tahu value	Application of value	Effect of proposal on value and its application	Recommendations (reflected as a condition of consent or other appropriate agreement between applicant and Ngāi Tahu)
Whakawhanautanga	Ensure consideration of the social implication of the project to enable whanau connection and growth. Working Collaboratively and engage with mana whenua.	Housing affordability and availability continue to be an impact to the Māori community especially in the Wakatipu basin. It's essential that Iwi remain in this, their traditional landscape, and are not forced out of the region by costs. Whānau articulate that housing continues to be created but is unachievable to own. Long-term restriction of whānau access and continued development has resulted in the severing of whanaungatanga with several generations of whanau not being able to articulate, nor exercise, their culture values and practices as their tupuna would have experienced.	The applicant shall facilitate a pathway for Nga Rūnanga to further mitigate the severing of cultural connection from the project area and surrounds.

Ngāi Tahu value	Application of value	Effect of proposal on value and its application	Recommendations (reflected as a condition of consent or other appropriate agreement between applicant and Ngāi Tahu)
Manaakitanga	The project should acknowledge others needs including the natural environment and the hospitality to others visiting the region. To care for and consider the needs of iwi and intergenerational locals finding it difficult to remain in the area.	Caring for and maintaining our natural environment for the purposes of manaakitanga is compromised. Intensification and expansion of the region's urban zones and the cumulative effects of development is likely to impact the visitor experience as infrastructure loading increases. Urban sprawl adjacent to the Kawarau River impacts landscapes and appreciation of these. The project is part of exponential growth that leads to increased poor experiences with congestion and diminishing natural landscape. Cost of living displaces locals	The applicant shall facilitate a pathway for Nga Rūnanga to further mitigate the cultural impact of the project on the subject area and surrounds.

Ngāi Tahu value	Application of value	Effect of proposal on value and its application	Recommendations (reflected as a condition of consent or other appropriate agreement between applicant and Ngāi Tahu)
Rangatiratanga	Ensuring Treaty obligations are recognized to enable mana whenua leadership and whanau in decision making. Commitment to the Ngai Tahu Settlement Act is upheld.	Our Whakapapa ties to the region are not removed because development sits on significant landscapes. Whānau acknowledge this area was important to their ties to Tupuna with stories of occupation and archaeological finds directly across the Kawarau River from the site which confirms this. Nearby rock drawings confirm ties to this landscape. Place names confirm ties to this land. Statutory Acknowledgements on the Mata-Au river and feeders show its importance to mana whenua over a thousand years of use and occupation. This proposal has the potential to sever the centuries old connection by removing access to leadership and decision making of the whenua.	The applicant shall facilitate a pathway for Nga Rūnanga to further mitigate the cultural impact of the project on the subject area and surrounds.

Ngāi Tahu value	Application of value	Effect of proposal on value and its application	Recommendations (reflected as a condition of consent or other appropriate agreement between applicant and Ngāi Tahu)
Haere Whakamua	Adopt a forward-looking orientation with future generations in mind. <i>Mō tātou, ā, mō kā uri ā muri ake nei.</i>	The ability for our future generations to engage with Morven hill, the Kawerau River and surrounding environment similar to their ancestors did is further limited. Future generations are unable to live in this place due to increased cost of living and housing. Inappropriate technology and water treatments are potentially utilised impacting Te Taiao long term. Impact on any future generations from infrastructure decisions of today.	The applicant shall facilitate a pathway for Nga Rūnanga to further mitigate the cultural impact of the project on the subject area and surrounds.

Ngāi Tahu value	Application of value	Effect of proposal on value and its application	Recommendations (reflected as a condition of consent or other appropriate agreement between applicant and Ngāi Tahu)
Tikanga	Ensure decisions are made appropriately. Mātauranga Māori also accounts for social, economic, environmental and cultural outcomes.	Good decisions are made that protect the waterways downstream ki uta ki tai eg appropriate wastewater and stormwater solutions are delivered in the project that align with tikanga. Further intensification in the Queenstown Lakes area will further exacerbate the current significant infrastructure issues and be out of step with tikanga.	The applicant shall actively involve Nga Rūnanga in the development of, and where desired, the delivery of: • All management plans and associated actions for the project and related activities to include monitoring and reporting using Mātauranga Māori principles and practices. • All restoration and enhancement activities.
Kaitiakitanga	Ensure our inherited responsibility as mana whenua, as guardians, is enabled, to protect people, environment, knowledge, culture, language and environmental matters.	Historical land ownership has severely limited the ability for mana whenua to exercise kaitiaki responsibilities relating to the protection and sustainable management of Te Taiao. Areas of the development require appropriate balance between	The applicant shall facilitate a pathway for Nga Rūnanga to further mitigate cultural impact of the project on the project area and surrounds. The applicant shall actively involve Nga Rūnanga in the development of, and where desired, the delivery of:

Ngāi Tahu value	Application of value	Effect of proposal on value and its application	Recommendations (reflected as a condition of consent or other appropriate agreement between applicant and Ngāi Tahu)
		development and ecology and natural environment. The night skies hold important value, with light pollution having a degrading effect on those values and connections. In this instance the continued development and intensification of the whenua further limit the ability to exercise kaitiaki responsibilities.	• All management plans and associated actions for the project and related activities to include monitoring and reporting using Mātauranga Māori principles and practices. • All restoration and enhancement activities. • Lighting controls
Mauri	The life force or energies, vital force associated with the development changing from a rural setting to an urban setting.	Further intensification in the Queenstown Lakes area will further exacerbate the current significant infrastructure issues, which will further impact the Mauri of the area.	The applicant shall facilitate a pathway for Nga Rūnanga to further mitigate cultural impact of the project on the project area and surrounds. The applicant shall actively involve Nga Rūnanga in the development of, and where desired, the delivery of: • All management plans and associated actions for the project

Ngāi Tahu value	Application of value	Effect of proposal on value and its application	Recommendations (reflected as a condition of consent or other appropriate agreement between applicant and Ngāi Tahu)
			and related activities to include monitoring and reporting using Mātauranga Māori principles and practices. • All restoration and enhancement activities.
Mahinga Kai	The practice of collecting wild food has changed and has decreased over time due to land use change and land loss. Commitment to the Ngai Tahu Settlement Act is upheld.	The clearance and reconstruction of Native mahinga kai habitat may result in the irreversible loss of Mahinga Kai species. The recontouring of extensive areas of the site may adversely effect water quality and mahinga kai. Te Taiao is interconnected (Ki Uta Ki Tai) therefore it must be considered that the applicant's proposal will further alienate Mana Whenua from the Kawarau area and further restrict access to cultural rights including but not limited to mahinga kai.	The applicant shall facilitate a pathway for Nga Rūnanga to further mitigate cultural impact of the project on the project area and surrounds. The applicant shall actively involve Nga Rūnanga in the development of, and where desired, the delivery of: • All management plans and associated actions for the project and related activities to include monitoring and reporting using

Ngāi Tahu value	Application of value	Effect of proposal on value and its application	Recommendations (reflected as a condition of consent or other appropriate agreement between applicant and Ngāi Tahu)
			Mātauranga Māori principles and practices. • All restoration and enhancement activities.
Ki Uta ki Tai	The interconnectedness of land, water, ecosystems, and communities from the headwaters to the coast are interconnected. • Kawerau and Mataau and their margins are protected and managed sustainably	The continued intensive development of the Kawarau corridor must be considered when looking through a Te Ao Māori lens. The landscape amenity changes significantly with urban sprawl. The Kawarau River and the adjacent landscapes are changing dramatically. The recontouring of extensive areas of the site may adversely affect water quality.	The applicant shall facilitate a pathway for Nga Rūnanga to further mitigate cultural impact of the project on the project area and surrounds. The applicant shall actively involve Nga Rūnanga in the development of, and where desired, the delivery of: • All management plans and associated actions for the project and related activities to include monitoring and reporting using

Ngāi Tahu value	Application of value	Effect of proposal on value and its application	Recommendations (reflected as a condition of consent or other appropriate agreement between applicant and Ngāi Tahu)
			Mātauranga Māori principles and practices. • All restoration and enhancement activities.

Planning Framework

Te Tangi a Tauira

In 2008, Te Tangi a Tauira – the Cry of the People: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan was published. This plan consolidates Ngāi Tahu ki Murihiku values, knowledge, perspectives, outcomes and aspirations for natural resource and environmental management issues. It builds on earlier documents, including Te Whakatau Kaupapa ki Murihiku 1997 and Ngāi Tahu Freshwater Policy 1999.

The primary purpose of Te Tangi a Tauira is to assist Ngāi Tahu ki Murihiku in carrying out kaitiaki roles and responsibilities, and as such is relied upon by Te Ao Mārama to support Papatipu Rūnanga.

Te Tangi a Tauira Outcomes

The following are the outcomes in which Ngāi Tahu ki Murihiku want to achieve through the implementation and use of this Plan.

The desired outcomes are divided into three:

1. Kaitiakitanga, Tino Rangatiratanga and Treaty related outcomes;
2. environmental outcomes;
3. social, economic, health and well-being outcomes.

1. Kaitiakitanga, Tino Rangatiratanga and Treaty related outcomes

- That Ngāi Tahu ki Murihiku is involved at a level that allows for effective and proactive management of natural resources, wāhi tapu and wāhi taonga in a manner that upholds the kaupapa of this Plan.
- That there is mutual understanding of iwi and local authority values and responsibilities with respect to the environment, effective management of resources by councils, and effective performance of kaitiaki by Ngāi Tahu ki Murihiku.
- That the principle of Tino Rangatiratanga is enhanced and partnerships formed and extended.

2. Environmental Outcomes

- To ensure environmental outcomes accommodate for cultural and traditional spiritual values held by Ngāi Tahu ki Murihiku.
- To ensure the protection, restoration and enhancement of the productivity and life supporting capacity of mahinga kai, indigenous biodiversity, air, water, land, natural habitats and ecosystem, and all other natural resources valued by Ngāi Tahu ki Murihiku.

3. Social, economic, health and well-being outcomes

- That a sense of belonging and social responsibility with respect to the surrounding environments is encouraged. This includes supporting activities and events that engage communities with their local environments.
- To ensure that economic development and growth do not have implications for Ngāi Tahu ki Murihiku in exercising Kaitiakitanga or have adverse impacts on the environment and communities.

A policy assessment of Te Tangi a Tauira relevant to the proposal can be found in **Appendix 2**. The most relevant policies and issues to this proposal are found in *Table 1: Analysis and Recommendations, below*.

Conclusion

Ngāi Tahu has a long association with the Murihiku region. Ngāi Tahu led a seasonal lifestyle, following resources throughout the region. Generally, the use of the areas was extensive rather than intensive.

As Rangatira and Kaitiaki of the Murihiku region, it is the duty of the Ngāi Tahu people to uphold the traditions and values of our ancestors, ensuring the sustainability of the taiao for future generations.

Without mitigation, the applicants proposal will have **significant effects** on Mana Whenua values, rights and interests including but not limited to:

- Long-term restriction of whānau access and continued development has resulted in the severing of whanaungatanga with several generations of whanau not being able to articulate, nor exercise, their culture values and practices as their tupuna would have experienced.
- Historical land ownership has severely limited the ability for mana whenua to exercise kaitiaki responsibilities relating to the protection and sustainable management of Te Taiao
- The recontouring of extensive areas of the site may adversely affect water quality.
- The clearance and reconstruction of Native mahinga kai habitat may result in the irreversible loss of Mahinga Kai species.
- The continued intensive development of the Kawarau corridor must be considered when looking through a Te Ao Māori lens. Te Taiao is interconnected (Ki Uta Ki Tai) therefore it must be considered that the applicant's proposal will further alienate Mana Whenua from the Kawarau area and further restrict access to Cultural rights and interests including but not limited to mahinga kai.
- The further intensification in the Queenstown Lakes area may further exacerbate the current significant infrastructure issues, which may further impact the Mauri of the area.

When a proposal is considered “intensive” there must be mitigations made to ensure the overall cultural well-being of the Takiwā remains in balance.

Due to the scale of the proposed project, the sites of significance at risk of being affected are wide-spread and the cumulative effects (Ki Uta ki Tai) of the proposal must also be considered

The potential adverse effects are associated with **kaitiakitanga, Rangatiratanga, Whanaungatanga, mauri, ki uta ki tai, tikanga, Haere Whakamua, manaakitanga, and mahinga kai**. Ngāi Tahu values need to be respected when dealing with any activity that poses risks. These values and beliefs are central to Ngāi Tahu existence. Any impact upon one value will impact upon all and inevitably put the health and wellbeing of humans at risk.

Te Ao Mārama on behalf of Nga Rūnanga have identified the potential risks that are to be avoided to ensure the sustainability of the whenua and have identified ways in which the applicant is potentially able to reduce and mitigate these risks.

The applicant should be encouraged to continue to work with Mana Whenua to work through the complexities of this application to ensure the best outcome possible

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The continuation of the relationship is encouraged throughout the duration of the proposed activity and to ensure the appropriate cultural sensitivity is achieved.

Appendix 1 –Site visit visuals



Example of rock outcrops



Nearby Rock Art being lost to animals rubbing against them (photo courtesy of Ngāi Tahu)



Orau Cardrona Range



Area described by whānau as past habitation site.



Waste water disposal field



Site visit



Ngā Maunga Kawarau

Appendix 2 –Te Tangi a Tauria

“Toi tū te marae a Tāne,
Toi tū te marae a Tangaroa,
Toi tū te iwi”

“If the world of Tāne (deity of all living things) endures,
If the marae of Tangaroa (deity of the sea) endures,
The people endure”

3.5.4 Industry

Nga Take – Issues

- Potential for direct and indirect impacts of industrial operations on flora and fauna, air, water, soil, mahinga kai species and places
- Emissions/discharge of contaminants to air and impacts on the mauri of the air, and on human health
- Stormwater management on industrial sites, potential for effects on soils and water

Nga Kaupapa – Policy

- Encourage industry to set an example through demonstrating a commitment to best practice, new technology, environment, community and public health. The use of resources in industrial operations must be balanced with investments in the community and the environment
- Capital expenditure for better environmental results should not be an adverse consideration, but rather an investment in the industry’s future
- Address adverse effects on cultural values as a result of industrial activity via the following order of priority:
 - a. avoiding adverse effects;
 - b. on site mitigation;
 - c. offsite mitigation (e.g. Kākāpō recovery programmes);
 - d. compensation
- Promote the adoption of creative and innovative strategies for waste reduction, recycling, reducing emissions, and community involvement
- Require industry to develop and maintain, where required, working relationships with iwi, through mechanisms such as yearly site visits, progress reports, or monitoring results
- Monitoring programmes for industrial operations should include on-site and downstream monitoring (e.g. air quality on site, kaimoana downstream)
- Require that monitoring programs monitor for effects but also include clear provisions for effective responses to the detection of adverse effects.
- Where industry is likely to have adverse effects on cultural values that are more than minor consideration of alternatives and use of new technology is required where practical and available

- Advocate for consent durations of 25 years or less for industrial operations. Consent conditions should require operators to periodically review available technology, and provide a report indicating if better technology is available. Reports should highlight the use or otherwise of new or better technologies
- The water quality of any surface waterbody or groundwater resource must not be deteriorated to any extent
- Apply Ngāi Tahu ki Murihiku policies on wastewater disposal (Section 3.5.2) and solid waste management (Section 3.5.3) to discharge consent applications for industrial activities
- Require that industry develop environmental management plans, including contingency plans to cope with any faults, breakdowns, natural disasters, or extreme weather events, and avoid any serious environmental effects

3.5.8 Earthworks

Nga Take – Issues

- Protection of wāhi tapu and archaeological values from disturbance as a result of earthworks
- Impact on cultural landscape values, including indigenous vegetation, as a result of earthworks
- Cultural monitoring of earthworks activities
- Appropriate processes associated with the accidental discovery of cultural materials
- Compliance with Accidental Discovery Protocols

Nga Kaupapa – Policy

- Consent applicants who are undertaking earthworks may be required to enter into Accidental Discovery Protocol and monitoring agreements with Ngāi Tahu ki Murihiku, stating that any earthworks, fencing, landscaping or other such activity has the potential to uncover archaeological sites. Procedures and processes associated with such an occurrence should also be outlined
- Oppose any earthworks activity application whereby the adverse effects on cultural values are considered too significant
- Where practical, indigenous vegetation that is removed or damaged as a result of earthworks activity should be recovered and returned, or replaced
- Recommend the planting of indigenous species as an appropriate mitigation measure for any adverse impacts as a result of earthworks activity
- Any earthworks or roadworks near rivers must have appropriate measures in place to avoid contaminants (including dust, sediment run-off from stockpiles or any hazardous substance) from entering waterways that may cause contamination, discolouration, or siltation in such waterways

3.5.10 General Water Policy

Nga Take – Issues

- Participation of iwi in freshwater management

- Access to freshwater resources for cultural and customary use
- Maintenance of water quality and water quantity
- Protection of the mauri and wairua of rivers, lakes and wetlands
- Protection, maintenance and enhancement of mahinga kai
- Protection of wāhi tapu and wāhi taonga associated with rivers, lakes and wetlands
- Recognition of the special significance of particular water bodies to Ngāi Tahu ki Murihiku
- The aspirations of iwi to develop, use and protect water resources
- Enhancing waterways, in addition to ensuring no adverse effects
- Lack of knowledge as to the nature and extent of the sustainable water resource
- Relationship between what happens on land and what happens to the water

Nga Kaupapa – Policy

- The role of Ngāi Tahu ki Murihiku as kaitiaki of freshwater must be given effect to in freshwater policy, planning and management
- Protect and enhance the mauri, or life supporting capacity, of freshwater resources throughout Murihiku
- Manage our freshwater resources wisely, mō tātou, ā, mō ngā uri ā muri ake nei, for all of us and the generations that follow
- Promote the management of freshwater according to the principle of ki uta ki tai, and thus the flow of water from source to sea
- Protect and enhance the customary relationship of Ngāi Tahu ki Murihiku with freshwater resources

3.5.11 Rivers

Nga Take – Issues

- Ensuring that water is valued as a taonga for all of New Zealand
- Effects on the mauri of Murihiku Rivers due to land use and discharge activities, and water abstractions
- Poor water quality in some Murihiku Rivers: our children are not able to swim in some rivers
- Tangata whenua involvement in the management of freshwater resources in Murihiku
- Ngāi Tahu development rights pertaining to water resources
- Biosecurity risks

Nga Kaupapa – Policy

- Promote catchment management planning (ki uta ki tai), as a means to recognise and provide for the relationship between land and water
- Management of our rivers must take into account that each waterway has its own mauri, guarded by separate spiritual guardians, its own mana, and its own set of associated values and uses
- The cultural importance of particular rivers (e.g. Statutory Acknowledgements, rivers associated with whakapapa and identity) must be reflected in the weighting of Ngāi Tahu responses and submissions on consents associated with these rivers

- Ensure that all native fish species have uninhibited passage from the river to the sea at all times, through ensuring continuity of flow ki uta ki tai
- Promote, where appropriate, the use of Freshwater Mātaitai⁹, Water Conservation Orders (WCO), rāhui, and similar tools to protect the rivers of Murihiku, where those rivers are under threat from competing water uses, and/or when there are outstanding cultural, amenity or intrinsic values that require protection

3.5.14 Water Quantity – Abstractions

Ngā Take – Issues

- Unregulated water abstractions
- Impacts on the relationship between tangata whenua and waterways as a result of damming, diversions and abstractions
- Extent of existing knowledge about water resources, particularly aquifers
- Insufficient recognition of the relationship between water quantity and water quality in consent applications
- Water users using what they are allocated, rather than what they need
- Deterioration of water quality in rivers such as the Ōreti as a result of a reduction in water quantity
- Cumulative effects of water abstractions on surface and groundwater quantity and quality, and difficulty of addressing such effects within the Resource Management Act framework

Ngā Kaupapa – Policy

- Adopt the precautionary principle when making decisions on water abstraction resource consent applications, with respect to the nature and extent of knowledge and understanding of the resource
- Support and encourage catchment management plans, based on the principle of ki uta ki tai, to manage the cumulative impacts of water abstractions in a given area
- Require that scientifically sound, understandable, and culturally relevant information is provided with resource consent applications for water abstractions, to allow Ngāi Tahu ki Murihiku to fully and effectively assess cultural effects
- Consideration of consent applications for water abstractions should have particular regard to questions of:
 - a. how well do we understand the nature and extent of the water resource;
 - b. how well can we monitor the amount of water abstracted;
 - c. whether land capability (e.g. soil type, vulnerability of underlying groundwater resources) matches the land use enabled by irrigation;
 - d. what might happen in the future (e.g. rainfall and recharge of aquifers, climate change)
- Encourage water users to be proactive and use water wisely. To encourage best practice and efficient use of water, particularly in terms of:
 - sustainable irrigation design, delivery and management;
 - making best use of available water before water levels get too low;

- Applications for water abstractions may be required to justify the quantities of water requested. Information may need to be provided to Te Ao Mārama Inc
- Require catchment based cumulative effects assessments for activities involving the abstraction of water
- Avoid excessive drawdown of aquifer levels as a result of groundwater abstractions, and to ensure that abstractions do not compromise the recovery of groundwater levels between irrigation seasons
- Ensure that environmental flow allocation and water management regimes for rivers recognise and provide for the relationship between water quality and quantity
- Avoid compromising fisheries and biodiversity values associated with spring fed creeks and rivers for the purposes of water abstractions
- Require, where necessary, a consent condition providing for a review of the volumes able to be abstracted from the bores on the basis of the observed seasonable recovery of groundwater levels. Also include a provision for review of both the annual recovery between individual irrigation seasons and the cumulative effects on longer-term water level recovery
- Ngāi Tahu's right to development, as per the Treaty of Waitangi, must be recognised and provided for with respect to water allocation from freshwater resources

3.5.16 Mahinga kai

Ngā Take – Issues

- Habitat degradation and destruction
- Resource depletion
- The role of tangata whenua in managing key mahinga kai species
- Intergenerational knowledge transfer of mahinga kai practices
- Impacts of human activities on mahinga kai places and species

Ngā Kaupapa – Policy

- Work towards the restoration of key mahinga kai areas and species, and the tikanga associated with managing those places and species
- Consider the actual and potential effects of proposed activities on mahinga kai places, species and activities when assessing applications for resource consent
- Use the enhancement of mahinga kai places, species and activities to off set or mitigate the adverse effects of development and human activity on the land, water and biodiversity of Murihiku

3.5.17 Ngā Pononga a Tāne a Tangaroa – Biodiversity

Ngā Take – Issues

- Protection of iwi and hapū interests in native biodiversity
- Loss of species, particularly endemic
- Customary use of indigenous species
- Species recovery

- 
- Habitat protection
 - Protecting threatened and endangered species

Ngā Kaupapa – Policy

- Where practical, indigenous vegetation that is removed or damaged as a result of land use activity should be replaced
- Use as a consent condition, when applicable, the enhancement of indigenous biodiversity as a means to remove adverse impacts of proposed activities
- The cultural, spiritual, historic and traditional association of Ngāi Tahu ki Murihiku with taonga species must be recognised and provided for within all management and/ or recovery plans associated with those species. This includes taonga species as per the Ngāi Tahu Claims Settlement Act (Appendix 4), and all other species identified as taonga by Ngāi Tahu ki Murihiku
- Promote the management of whole ecosystems and landscapes, in addition to single species
- Make full use of the knowledge of tangata whenua with regards to indigenous biodiversity, and the value of such knowledge in understanding how to protect and enhance biodiversity

Appendix 3 – Rohe of Papatipu Rūnanga

Awarua Rūnaka – centres on Awarua and extends to the coasts and estuaries adjoining Waihopai sharing an interest in the lakes and mountains between Whakatipu-Waitai and Tawhititarere with other Murihiku Rūnanga and those located from Waihemo southwards.

Hokonui Rūnanga – centres on the Hokonui region and includes a shared interest in the lakes and mountains between Whakatipu-Waitai and Tawhititarere with other Murihiku Rūnanga and those located from Waihemo southwards.

Te Rūnanga o Oraka Aparima – centres on Oraka and extends from Waimatuku to Tawhititarere sharing an interest in the lakes and mountains from Whakatipu-Waitai to Tawhititarere with other Murihiku Rūnanga and those located from Waihemo southwards.

Waihōpai Rūnaka – centres on Waihopai and extends northwards to Te Mata-au sharing an interest in the lakes and mountains to the western coast with other Murihiku Rūnanga and those located from Waihemo southwards.¹²

¹² *Te Runanga o Ngai Tahu (Declaration of Membership) Order 2001 section 4*

Statutory area

The statutory area to which this statutory acknowledgement applies is the river known as Mata-au (Clutha River), the location of which is shown on Allocation Plan MD 122 (SO 24727).

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 the Mata-au, as set out below.

Ngāi Tahu association with the Mata-au

The Mata-au river takes its name from a Ngāi Tahu whakapapa that traces the genealogy of water. On that basis, the Mata-au is seen as a descendant of the creation traditions. 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.

On another level, the Mata-au was part of a mahinga kai trail that led inland and was used by Ōtākou hapū including Ngāti Kuri, Ngāti Ruahikihiki, Ngāti Huirapa and Ngāti Tuahuriri. 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 river, the relationship of people with the river 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 river was also very important in the transportation of pounamu from inland areas down to settlements on the coast, from where it was traded north and south. Thus there were numerous tauranga waka (landing places) along it. The tūpuna had an intimate knowledge of navigation, river routes, safe harbours and landing places, and the locations of food and other resources on the river. The river was an integral part of a network of trails which 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 river.

The Mata-au is where Ngāi Tahu's leader, Te Hautapunui o Tū, established the boundary line between Ngāi Tahu and Ngāti Mamoe. Ngāti Mamoe were to hold mana (authority) over the lands south of the river and Ngāi Tahu were to hold mana northwards. Eventually, the unions between the families of Te Hautapunui o Tū and Ngāti Mamoe were to overcome these boundaries. For Ngāi Tahu, histories such as this represent the links and continuity between past and present generations, reinforce tribal identity, and document the events which shaped Ngāi Tahu as an iwi. Strategic marriages between hapū further strengthened the kupenga (net) of whakapapa, and thus rights to travel on and use the resources of the river. It is because of these patterns of activity that the river continues to be important to rūnanga located in Otago and beyond. These rūnanga carry the responsibilities of kaitiaki in relation to the area, and are represented by the tribal structure, Te Rūnanga o Ngāi Tahu.

Urupā and battlegrounds are located all along this river. One battleground, known as Te Kauae Whakatoro (downstream of Tuapeka), recalls a confrontation between Ngāi Tahu and Ngāti Mamoe that led to the armistice established by Te Hautapunui o Tū. Urupā 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.

The mauri of Mata-au 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 river.

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 the Mata-au, 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 the Mata-au 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 the Mata-au 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 the Mata-au (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 the Mata-au.

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.

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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, the Mata-au.

Schedule 40: amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

Appendix 5 - Schedule 75 Statutory acknowledgement for Whakatipu-wai-māori (Lake Wakatipu)

ss 205, 206

Statutory area

The statutory area to which this statutory acknowledgement applies is the lake known as Whakatipu-wai-māori (Lake Wakatipu), the location of which is shown on Allocation Plan MD 39 (SO 24720).

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 Whakatipu-wai-māori, as set out below.

Ngāi Tahu association with Whakatipu-wai-māori

The name Whakatipu-wai-māori originates from the earliest expedition of discovery made many generations ago by the tupuna Rakaihautu and his party from the Uruao waka. Rakaihautu is traditionally credited with creating the great waterways of the interior of the island with his famous kō (a tool similar to a spade), known as Tū Whakaroria and renamed Tuhiraki at the conclusion of the expedition.

There are many traditions relating to the lake. One of the most famous tells that the hollow which forms the bed of the lake was created when the people known as Te Rapuwai came upon the giant tipua (ogre) Matau as he lay there in a deep sleep. Matau had been responsible for the disappearance of many small hunting parties and had entrapped a beautiful maiden, Manatā. The father of Manatā offered her in marriage to the man who could bring her safely home. Matakauri, who was in love with Manatā, ventured forth, discovering that Matau slept when the northwest wind blew. Matakauri selected a day when the wind was blowing the right way and set forth. He found Manatā and, using his mere, he attempted to sever the bonds which held her, but try as he would he failed. Manatā began to sob bitterly, and as her tears fell on the cords, they melted away. Matakauri carried Manatā back to the village where they became man and wife. However, Matakauri knew that while Matau lived no maiden was safe, so he set forth when again the northwest wind blew, and set fire to the large growth of bracken that acted as a bed for the giant. Matau was smothered in flames, the fat from his body augmenting the fire, until the blaze was so fierce that it burned a hole more than 1,000 feet deep. The snow on the surrounding hills melted and filled the hole, which is known today as Lake Wakatipu.

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 continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

Whakatipu-wai-māori once supported nohoanga and villages which were the seasonal destinations of Otago and Murihiku (Southland) whānau and hapū for many generations, exercising ahi kā and accessing mahinga kai and providing a route to access the treasured pounamu located beyond the head of the lake. Strategic marriages between hapū strengthened the kupenga (net) of whakapapa and thus rights to use the resources of the lake. It is because of these patterns of activity that the lake continues to be important to rūnanga located in Murihiku, Otago and beyond. These rūnanga carry the responsibilities of kaitiaki in relation to the area, and are represented by the tribal structure, Te Rūnanga o Ngāi Tahu.

The lake also supported permanent settlements, such as the kaika (village) Tahuna near present-day Queenstown, Te Kirikiri Pā, located where the Queenstown gardens are found today, a Ngāti Mamoe kaika near the Kawarau Falls called Ō Te Roto, and another called Takerehaka near

Kingston. The Ngāti Mamoe chief Tu Wiri Roa had a daughter, Haki Te Kura, who is remembered for her feat of swimming across the lake from Tāhuna, a distance of some three kilometres.

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.

A key attraction of the lake was the access it provided to seasonal campsites and the pounamu located at the head of the lake at the Dart and Routeburn River catchments, from which countless generations gathered inaka and koko-takiwai pounamu and transported it back to coastal settlements for fashioning into tools, ornaments and weapons.

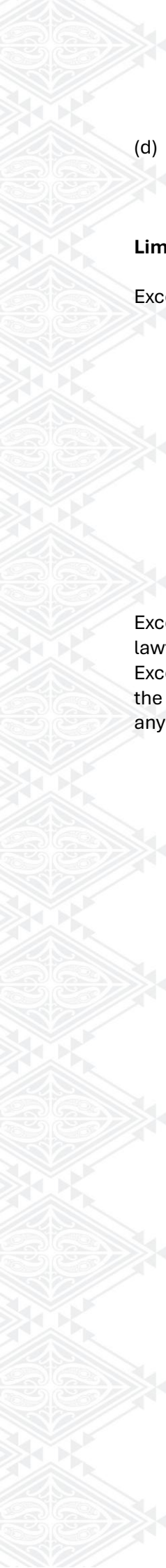
Waka and mōkihi were the key modes of transport for the pounamu trade, travelling the length and breadth of Whakatipu-wai-māori. Thus there were numerous tauranga waka (landing places) on the lake and the islands upon it (Matau and Wāwāhi-waka). The tūpuna had an intimate knowledge of navigation, river routes, safe harbours and landing places, and the locations of food and other resources on the lake. The lake was an integral part of a network of trails which 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 roto (lake).

Whakatipu-wai-māori is an important source of freshwater, the lake itself being fed by hukawai (melt waters). These are waters with the highest level of purity and were accorded traditional classifications by Ngāi Tahu that recognised this value. Thus it is a puna (spring) which sustains many ecosystems important to Ngāi Tahu. The mauri of Whakatipu-wai-māori 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 Whakatipu-wai-māori, 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 Whakatipu-wai-māori 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 Whakatipu-wai-māori 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 Whakatipu-wai-māori (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 Whakatipu-wai-māori.

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, Whakatipu-wai-māori.

Statutory area

The statutory area to which this statutory acknowledgement applies is the lake known as Te Wairere (Lake Dunstan), the location of which is shown on Allocation Plan MD 490 (SO 24729).

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 Wairere, as set out below.

Ngāi Tahu association with Te Wairere

The name “Te Wairere” refers to the speed with which the river once ran at this point.

The whole of the Mata-au (Clutha River), on which Te Wairere lies, was part of a mahinga kai trail that led inland and was used by Otago hapū including Kāti Kurī, Ngāti Ruahikihiki, Ngāti Huirapa and Ngāi Tuahuriri. The river was used as a highway into the interior, and provided many resources to sustain travellers on that journey. The river was a significant indigenous fishery, providing tuna (eels), kanakana (lamprey) and kōkopu in the area over which Te Wairere now lies. Manu (birds), including moa, were taken from areas adjoining the river, over which the lake now lies.

The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka (landing places), places for gathering kai and other taonga, ways in which to use the resources of the river, the relationship of people with the river 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 waterway was also very important in the transportation of pounamu from inland areas down to settlements on the coast, from where it was traded north and south. Because of its location at the confluence of Mata-au and Kawarau Rivers, Te Wairere was an important staging post on journeys inland and down-river. A tauranga waka and nohoanga sited at the junction of the two rivers acted as such a staging post. As a result of this history of use and occupation there are a number of wāhi taonga (including rock shelters and archaeological sites) in the area, some of which are now under the waters of the lake. Wāhi tapu are important as places holding the memories and traditions of Ngāi Tahu tūpuna.

The tūpuna had an intimate knowledge of navigation, river routes, safe harbours and landing places, and the locations of food and other resources on the river. The waterway was an integral part of a network of trails which 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 waterway.

The mauri of Te Wairere 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 Wairere, 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 Wairere 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 Wairere 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 Wairere (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 Wairere.

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 Wairere.

Schedule 61: amended, on 20 May 2014, by [section 107](#) of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).