

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

Project Name: FTAA-2506-1071 Homestead Bay

To:	Date:
Panel Convener, Jane Borthwick	31 July 2025

Number of attachments: 4	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 Statutory acknowledgement for Whakatipu-wai-māori (Lake Wakatipu) from Ngāi Tahu Claims Settlement Act 1998
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Ministry for the Environment contacts:

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General Manager, Delivery & Operations	Ilana Miller	██████████	

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 substantive application FTAA-2506-1071 Homestead Bay.
- The applicant, RCL Homestead Bay Limited, proposes the subdivision of an approximately 205-hectare site at Jacks Point, southeast of Queenstown, into 1,474 residential lots. The development will also include three commercial superlots, parks and reserves, recreational trails, and 19 hectares of native planting. The applicant is seeking a number of Resource Management Act 1991 (RMA) approvals (land use consent, subdivision consent, water permit, discharge consent, standard freshwater fisheries activity), and an approval under the Wildlife Act 1953.
- 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. Many of those groups must be invited by the panel to comment on a substantive application under section 53(2) of the Act. We have identified Te Rūnanga o Ngāi Tahu, Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou, Hokonui Rūnanga, Waihōpai Rūnaka, Te Rūnanga o Awarua, Te Rūnanga o Ōraka-Aparima, Aukaha, and Te Ao Marama Incorporated as the relevant groups for the project area.

4. The Ngāi Tahu Claims Settlement Act 1998 is the relevant Treaty settlement for the project area. We have not identified any other obligations such as Mana Whakahono ā Rohe or joint management agreements.
5. The statutory acknowledgement over nearby Whakatipu-wai-māori (Lake Wakatipu), provided for by the Ngāi Tahu Claims Settlement Act 1998, may be relevant to the panel's consideration of this application, if the proposed activities for which approvals are being sought will affect the lake. The statutory acknowledgement requires a consent authority to provide a summary of the application to the holder of the statutory acknowledgement (Te Rūnanga o Ngāi Tahu), and the consent authority must have regard to the statutory acknowledgement in making notification decisions under the RMA. The panel acts as the consent authority in this instance, and we consider this obligation may be met through the invitation to comment under section 53 of the Act.

Signature

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Ilana Miller
General Manager – Delivery and Operations

Introduction

6. 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)).
7. 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.
8. This report is structured accordingly. We have provided a list of the relevant provisions of section 18 at **Attachment 1**.

Proposed project

9. The applicant, RCL Homestead Bay Limited, proposes the subdivision of an approximately 205-hectare site at Jacks Point, southeast of Queenstown, into 1,474 residential lots (1,438 standard, 22 medium density, and 14 high density). The development will also include three commercial superlots, parks and reserves, recreational trails, and 19 hectares of native planting. The applicant is seeking a number of RMA approvals (land use consent, subdivision consent, water permit, discharge consent, standard freshwater fisheries activity), and an approval under the Wildlife Act 1953. The land in the project area is owned by two companies related to RCL Homestead Bay Limited.
10. We have provided a location map at **Attachment 2**.

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

11. 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

12. We consider Te Rūnanga o Ngāi Tahu, representing Ngāi Tahu, is the relevant iwi authority for the project area.

Treaty settlement entities

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

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.

(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).

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

- a. Te Rūnanga o Ngāi Tahu, PSGE for the Ngāi Tahu Claims Settlement Act 1998;
- b. Te Rūnanga o Moeraki, representing Moeraki, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998;
- c. Kāti Huirapa Rūnaka ki Puketeraki, representing Puketeraki, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998;
- d. Te Rūnanga o Ōtākou, representing Ōtākou, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998;
- e. Hokonui Rūnanga, representing Hokonui, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998;
- f. Waihōpai Rūnaka, representing Waihōpai, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998;
- g. Te Rūnanga o Awarua, representing Awarua, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998; and
- h. Te Rūnanga o Ōraka-Aparima, representing Ōraka-Aparima, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998.

Groups mandated to negotiate Treaty settlements

15. 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

16. 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.

17. 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

18. 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

19. 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.
20. 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

21. 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.
22. 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

23. We have also identified the following entities, owned by the relevant papatipu rūnanga, as other Māori groups with relevant interests, as they may represent the papatipu rūnanga on environmental and other matters in the project area:
- a. Aukaha, representing Otago-based papatipu rūnaka² – Moeraki, Puketeraki, Ōtākou and Hokonui; and
 - b. Te Ao Mārama Incorporated, representing Murihiku papatipu rūnanga – Ōraka Aparima, Waihōpai, Awarua and Hokonui.

Relevant principles and provisions in Treaty settlements and other arrangements

Treaty settlements

24. 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.
25. 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

26. 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.

² The variation in use of Rūnaka/Rūnanga is due to regional dialects.

Crown acknowledgements and apologies

27. As part of the Ngāi Tahu Treaty settlement, 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 states that it recognises Ngāi Tahu as the tāngata whenua of, and as holding rangatiratanga within, the takiwā of Ngāi Tahu whānui.
28. Respect for Ngāi Tahu views on resource management matters and enabling effective involvement of Ngāi Tahu as a Treaty partner in resource management decision-making within the takiwā are important ways in which the Crown can give ongoing effect to these acknowledgements and uphold its relationship with Ngāi Tahu.

Statutory acknowledgements

29. 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').
30. 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; 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
31. The holder of a statutory acknowledgment may also cite this 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.
32. We have checked the project area in relation to any statutory acknowledgements held by Te Rūnanga o Ngāi Tahu, and the nearest is over Whakatipu-wai-māori (Lake Wakatipu). The proximity of the project area to the lake is shown in the images at **Attachment 2**. The project area does not directly adjoin the lake, as there is a Crown-owned lakeside reserve in between.
33. There are three streams which flow west through the project area from the nearby The Remarkables Range, and at least one of these (the southern stream) flows directly into the lake. The proposed activities include diverting existing stormwater flows around the development, modifying existing channels to allow for increased flows, and providing

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.

outlets into existing channels for discharging stormwater emanating from within the project area.

34. Under section 205 of the Ngāi Tahu Claims Settlement Act 1998, a statutory acknowledgement for a lake does not include any river or watercourse, artificial or otherwise, draining into or out of a lake. Nevertheless, it has become common practice in subsequent Treaty settlements for statutory acknowledgements over waterways to include tributaries. This approach is consistent with 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, and should be managed accordingly. The panel may wish to consider whether the proposed activities will affect the lake, thereby bringing the statutory acknowledgement provisions outlined at paragraphs 30-31 into play.
35. Under section 53(2)(c) of the Act, the panel must direct the EPA to invite written comments on a substantive application from any relevant Treaty settlement entities including, to avoid doubt, an entity that has an interest under a Treaty settlement (or an entity operating in a collective arrangement provided for under a Treaty settlement) within the area to which the application relates. Those invited to comment, including relevant Treaty settlement entities, will be provided access to all the same application information which has been provided by the applicant to the EPA.
36. Te Rūnanga o Ngāi Tahu and the relevant papatipu rūnanga have been identified earlier in this report as the relevant Treaty settlement entities to be invited for comment by the panel under section 53(2)(c), alongside the other groups listed in section 53(2). We consider the process of inviting comment (including providing information about the application) is comparable to the process under Treaty settlements and the RMA of providing those who hold statutory acknowledgements with a summary of the application.
37. For your reference, we have provided the statutory acknowledgement provision for Whakatipu-wai-māori from the Ngāi Tahu Claims Settlement Act 1998 at **Attachment 4**.

Deed of recognition

38. In addition to the statutory acknowledgement, Te Rūnanga o Ngāi Tahu also have a deed of recognition with the Commissioner of Crown Lands (LINZ) over Whakatipu-wai-māori. A deed of recognition may be entered into between a PSGE and the Crown agency managing any statutory area for which a statutory acknowledgment has been agreed.
39. The deed of recognition requires the relevant Crown agency to consult with, and have regard to the views of, the relevant PSGE 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, for example.
40. We do not consider these provisions are relevant to this application, as LINZ are not undertaking any of the activities covered by the deeds of recognition, nor is the applicant seeking use rights or occupation in relation to the Crown-owned parts of the lakebed.

Other redress

41. The Crown has 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 to 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. While the application seeks an approval

under the Wildlife Act 1953 for the handling/relocation of lizards, these species are not included amongst the taonga species in the Ngāi Tahu Claims Settlement Act 1998.

42. We note there is other settlement redress near the project area, which is unlikely to be affected by the application but underlines the traditional connection of Ngāi Tahu with this area, including:

- a. a 'right of first refusal' over Crown land on the western slopes of The Remarkables, under lease to D S and J F Jardine and Others, approximately one kilometre east of the project area; and
- b. a nohoanga site at Wye Creek where it enters the lake, approximately five kilometres south of the project area, 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.

43. Finally, we note that Ngāi Tahu consider The Remarkables to be wāhi tupuna, which illustrates that iwi and hapū are likely to have cultural associations with ancestral lands, water, sites, wāhi tapu, and other taonga beyond what is specifically identified in a Treaty settlement or other arrangements. 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

44. 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/mātaitai reserves/areas subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996

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

Mana Whakahono ā Rohe/Joint management agreement

46. 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

47. 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 projects in this area, and have incorporated their views into this report.

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	12-14
18(2)(b)	Any Treaty settlements that relate to land, species of plants or animals, or other resources within the project area	24-25
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	26-43
18(2)(d)	Any recognised negotiation mandates for, or current negotiations for, Treaty settlements that relate to the project area.	15
18(2)(e)	Any court orders or agreements that recognise protected customary rights or customary marine title within the project area.	16, 44
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.	16, 44
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).	17, 44
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).	18, 45
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).	19-20
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),	21-22, 46

	<ul style="list-style-type: none"> (i) iwi authorities and groups that represent hapū that are parties to any relevant Mana Whakahono ā Rohe or joint management agreements. (ii) The relevant principles and provisions in those Mana Whakahono ā Rohe and joint management agreements. 	
18(2)(k)	Any other Māori groups with relevant interests.	23
18(2)(l)	<p>A summary of—</p> <ul style="list-style-type: none"> (i) comments received by the Minister after inviting comments from Māori groups under section 17(1)(d) and (e); (ii) any further information received by the Minister from those groups 	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> <ul style="list-style-type: none"> (a) consult relevant departments; and (b) provide a draft of the report to the Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti. 	<p>47 (s18(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



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))	[REDACTED] [REDACTED] [REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Te Rūnanga o Moeraki	Papatipu Rūnanga – Treaty settlement entity (s18(2)(a))	[REDACTED] [REDACTED] [REDACTED]	[REDACTED] [REDACTED] [REDACTED]
Kāti Huirapa Rūnaka ki Puketeraki	Papatipu Rūnanga – Treaty settlement entity (s18(2)(a))	[REDACTED]	[REDACTED] [REDACTED]
Te Rūnanga o Ōtākou	Papatipu Rūnanga – Treaty settlement entity (s18(2)(a))	[REDACTED]	[REDACTED] [REDACTED] [REDACTED]
Hokonui Rūnanga	Papatipu Rūnanga – Treaty settlement entity (s18(2)(a))	[REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Waihōpai Rūnaka	Papatipu Rūnanga – Treaty settlement entity (s18(2)(a))	[REDACTED] [REDACTED] [REDACTED]	[REDACTED] [REDACTED]
Te Rūnanga o Awarua	Papatipu Rūnanga – Treaty settlement entity (s18(2)(a))	[REDACTED] [REDACTED]	[REDACTED] [REDACTED] [REDACTED]
Te Rūnanga o Ōraka-Aparima	Papatipu Rūnanga – Treaty settlement entity (s18(2)(a))	[REDACTED]	[REDACTED] [REDACTED]
Aukaha	Entity owned by Papatipu Rūnanga (s18(2)(k))	[REDACTED] [REDACTED] [REDACTED] [REDACTED]	[REDACTED] [REDACTED] [REDACTED]
Te Ao Mārama Incorporated	Entity owned by Papatipu Rūnanga (s18(2)(k))	[REDACTED] [REDACTED]	[REDACTED] [REDACTED] [REDACTED]

Attachment 4: Statutory acknowledgement for Whakatipu-wai-māori (Lake Wakatipu) from Ngāi Tahu Claims Settlement Act 1998

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.

Schedule 75: amended, on 20 May 2014, by [section 107](#) of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).