



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

Project Name: FTAA-2603-1203 Simplicity Living – Te Pūtahi Ladies Mile

To:	Date:
Hon Chris Bishop, Minister for Infrastructure	27 May 2026

Number of attachments: 5	Attachments: <ol style="list-style-type: none">1. Provisions of section 18 of the Fast-track Approvals Act 20242. Project location map3. List of relevant Māori groups4. Statutory acknowledgement for Te Wairere (Lake Dunstan) from the Ngāi Tahu Claims Settlement Act 19985. Comments received from invited Māori groups
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Ministry for the Environment contacts:

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Key points

1. The Ministry for the Environment (on behalf of the Secretary for the Environment) has prepared this report on Treaty settlements and other obligations under section 18 of the Fast-track Approvals Act 2024 (the Act), in relation to the FTAA-2603-1203 Simplicity Living – Te Pūtahi Ladies Mile referral application.
2. The applicant, Simplicity Living Limited, proposes to develop an approximately 10-hectare site into an integrated residential development near Queenstown. The development includes approximately 1,100 residential units, four resident community buildings, parking garages, a development lot for commercial and retail activities, a local park, associated enabling works, and roading and three waters infrastructure. The applicant is seeking approvals that would otherwise be considered under the Resource Management Act 1991 (RMA), and may also require a concession under the Conservation Act 1987 and an authority under the Wildlife Act 1953.

3. 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. 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. While the Ngāi Tahu settlement provides for a statutory acknowledgement over Whakatipu-wai-māori (Lake Wakatipu) and Te Wairere (Lake Dunstan), the project area is downstream of Lake Wakatipu and some distance upstream of the statutory area for Lake Dunstan. We have identified a number of other settlement provisions – including deeds of recognition, taonga species, conservation protocol, and a nohoanga entitlement – which do not appear to be impacted by the application as it currently stands, but nonetheless underline the traditional connection of Ngāi Tahu with this area and its environment.
6. You received comments on the application from Kāti Huirapa Rūnaka ki Puketeraki and Te Rūnanga o Ngāi Tahu. Both groups have significant concerns about the capacity of the Shotover River/Kimiākau Wastewater Treatment Plant to absorb sewage from the proposed development, since there have already been discharges of treated wastewater into the Shotover River/Kimiākau, a practice which is abhorrent to tangata whenua. While Kāti Huirapa Rūnaka ki Puketeraki and Te Rūnanga o Ngāi Tahu do not have a position on whether the application should be referred, they ask that the applicant continue to engage, and in a meaningful way, as they develop their substantive application.
7. We do not consider there are any matters raised in this report which make it more appropriate for the proposed approvals to be authorised under another Act or Acts.

Signature



Stephanie Frame
Manager – Fast-track Operations

Introduction

8. Under section 18 of the Act, you must consider a report on Treaty settlements and other obligations for each referral application, prepared and provided by the responsible agency (Secretary for the Environment).
9. 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;
 - b. relevant principles and provisions in Treaty settlements and other arrangements;
 - c. a summary of comments and further information received from invited Māori groups; and
 - d. advice on whether it may be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts.
10. This report is structured accordingly. We have provided a list of the relevant provisions of section 18 at **Attachment 1**.

Proposed project

11. The applicant, Simplicity Living Limited, proposes to develop an approximately 10-hectare site into an integrated residential development at Ladies Mile, northeast of Frankton, Queenstown. The development includes approximately 1,100 residential units within a mix of three level walk-up apartments and five seven-level apartment buildings, four resident community buildings, parking garages, a development lot for commercial and retail activities, a local park, associated enabling works, and roading and three waters infrastructure.
12. The applicant is seeking approvals that would otherwise be considered under the RMA (including subdivision, land use, earthworks, and discharge of stormwater to land and water), and may require a concession under the Conservation Act 1987 and an authority under the Wildlife Act 1953. The applicant owns two of the three titles which comprise the project area at 12 Lower Shotover Road, and has entered into a sale and purchase agreement for the remaining land.
13. We have provided a location map at **Attachment 2**.

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

14. 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**.

Iwi authorities

15. Under section 4(2) of the Act, 'iwi authority' has the same meaning as in section 2(1) of the RMA:

the authority which represents an iwi and which is recognised by that iwi as having authority to do so.
16. We consider Te Rūnanga o Ngāi Tahu, representing Ngāi Tahu, is the relevant iwi authority for the project area.

Treaty settlement entities

17. 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:*
- (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).*

18. Under the Act, a PSGE:

- (a) means a body corporate or the trustees of a trust established, for the purpose of receiving redress in the Treaty settlement of a claimant group,—*
 - (i) by that group; or*
 - (ii) by or under an enactment or order of a court; and*
- (b) includes—*
 - (i) an entity established to represent a collective or combination of claimant groups; and*
 - (ii) an entity controlled by an entity referred to in paragraph (a); and*
 - (iii) an entity controlled by a hapū to which redress has been transferred by an entity referred to in paragraph (a).*

19. In keeping with the procedural principles outlined at section 10 of the Act, we only identify those PSGEs which are specified in the relevant Treaty settlement Act or Treaty settlement deed.¹

20. 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;

¹ Should a panel be made aware of a Treaty settlement entity established after the Treaty settlement Act is enacted (e.g. on the advice of a PSGE), then there would appear to be nothing to prevent the panel from inviting that entity to comment on the application under section 53(2)(c) of the Act.

- 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

21. 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

22. 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.
23. 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

24. The project area is not within a taiāpure-local fisheries area or mātaimai reserve. Under the Fisheries (South Island Customary Fishing) Regulations 1999, made under Part 9 of the Fisheries Act 1996, the project area is within the South Island fisheries waters. However, to date no notice has been issued under those regulations to establish a customary food gathering area/rohe moana that would include the project area.

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

25. 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.
26. 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

27. 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.

28. 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

29. 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.

30. For your information, the applicant advises they have initiated consultation with all of the groups identified above.

Relevant principles and provisions in Treaty settlements and other arrangements

Treaty settlements

31. 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.

32. 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

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

Crown acknowledgements and apologies

34. 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.

35. 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

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

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

36. 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').
37. 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
38. 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 Environmental Protection Authority, board of inquiry, Environment Court, Heritage New Zealand Pouhere Taonga), who may, in turn, take that statutory acknowledgement into account.
39. 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), approximately 5km away. As the project area is downstream from the statutory area the proposed activities are unlikely to affect it.
40. The project area is much closer to the Shotover River, approximately 1km to the west, which flows into the Kawarau River (downstream from Lake Wakatipu). The Shotover and Kawarau Rivers ultimately flow into Te Wairere (Lake Dunstan), which is also subject to a statutory acknowledgement under the Ngāi Tahu Claims Settlement Act 1998. However, the definition of the Te Wairere statutory area does not include the Kawarau or Shotover Rivers.
41. Further, 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, unless expressly provided for. 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.

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.

42. The applicant has advised that there are no rivers, watercourses, or wetlands that traverse the site, or within 100 metres of the site. However, the applicant is seeking approval for the discharge of contaminants or water into water, for possible earthworks discharges associated with subdivision and site development, and for stormwater discharge to the Shotover River associated with extreme events greater than a 1% annual exceedance probability (AEP) event.
43. Should you accept the application for a referral, and a substantive application is made, then the panel may want to consider whether there will be any impact on Te Wairere (Lake Dunstan) of the proposed activities,⁴ thereby bringing the statutory acknowledgement into play.
44. In any case, we consider the process of inviting comment from relevant Treaty settlement entities under section 17 of the Act (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.
45. For your reference, we have provided the statutory acknowledgement provisions for Te Wairere (Lake Dunstan) from the Ngāi Tahu Claims Settlement Act 1998 at **Attachment 4**.

Other redress

Deed of recognition

46. In addition to statutory acknowledgements, Te Rūnanga o Ngāi Tahu also have a deed of recognition with the Minister of Conservation and the Commissioner of Crown Lands over Whakatipu-wai-māori, and a deed of recognition with the Commissioner of Crown Lands over Te Wairere. 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.
47. 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.
48. We do not consider these provisions are relevant to this application, as the relevant Crown agencies 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 lakebeds.

Taonga species

49. 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.
50. The application includes allowing for an approval under the Wildlife Act 1953, should the proposed installation of a water pipe across a marginal strip next to the Shotover River,

⁴ Further downstream of Te Wairere, the settlement also provides for statutory acknowledgements over Kā Moana Haehae (Lake Roxburgh) and Mata-au (Clutha River).

administered by the Department of Conservation (DOC), interact with indigenous lizards, vegetation or birds. The applicant has yet to undertake an ecological assessment, so at this time they are unable to specify which species may be affected. While there are a number of bird species amongst the taonga species in the Ngāi Tahu Claims Settlement Act 1998, lizards are not included.

51. Although the settlement provisions regarding taonga species do not place any procedural obligations on the applicant or consent authority in relation to the approvals potentially being sought as part of this application, the redress illustrates the importance of these species to Ngāi Tahu. Accordingly, a panel considering a substantive application for this project may wish to understand any impact of the proposed activities on taonga species.

Conservation protocol

52. The Ngāi Tahu Claims Settlement Act 1998 provides for the Minister of Conservation to issue a protocol which sets out how DOC will exercise its functions, powers, and duties in relation to specified matters within the Ngāi Tahu claim area, and how DOC will interact with Te Rūnanga o Ngāi Tahu and provide for their input into DOC's decision-making process.
53. While the current version of the protocol which covers the project area provides for engagement with Te Rūnanga o Ngāi Tahu on certain matters,⁵ in general it does not address the types of conservation-related approvals sought by the applicant (i.e. a concession under the Conservation Act 1987 for a water pipe across a marginal strip and Wildlife Act 1953 approvals).

Nohoanga

54. The Ngāi Tahu Claims Settlement Act 1998 includes provisions for nohoanga/nohoaka entitlements, whereby members of Ngāi Tahu may camp temporarily on Crown land close to waterways for the purposes of gathering mahinga/mahika kai and other natural resources.
55. The nearest nohoanga site (as provided through the settlement) to the project area is at Tuckers Beach on the Shotover Riverbed, approximately three kilometres upstream from the project area. This land is likely to be administered by LINZ on behalf of the Commissioner for Crown Lands.
56. Under section 260(5)(b) of the Ngāi Tahu Claims Settlement Act 1998, the landholding agent⁶ for the nohoanga entitlement land, in carrying out land and water management practices relating to that land, must notify Te Rūnanga o Ngāi Tahu of any activity which may affect the holder. Based on the information provided by the applicant, it is unlikely the proposed activities will impact on the nohoanga site.
57. The provision of nohoanga entitlements through the settlement underscores the importance to Ngāi Tahu of maintaining customary practices and their deep connections to the area. It is likely that there are other, traditional nohoanga sites in the area which are not recognised through the settlement but nonetheless carry those cultural associations.

⁵ The protocol specifies the following matters: cultural materials; freshwater fisheries; culling of species of interest to Ngāi Tahu; historic resources; RMA involvement; and visitor and public information. The protocol provisions relating to the RMA are about working with DOC on advocacy regarding the environmental effects of activities controlled and managed under the RMA, and are unlikely to be directly relevant to this application. The latest version of the protocol is appended to the 2016 Conservation Management Strategy for Otago at pages 285-292: [Otago Conservation Management Strategy 2016 volume 1](#)

⁶ The Minister of the Crown responsible for the department which manages the existing or proposed entitlement land, or the Commissioner of Crown Lands, as the case may be.

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

58. 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

59. As noted above, the project area does not include a taiāpure-local fishery or mātaitai reserve, but it is within the South Island fisheries waters for the purposes of the Fisheries (South Island Customary Fishing) Regulations 1999, made under Part 9 of the Fisheries Act 1996. To date, no notice has been issued under those regulations to establish a customary food gathering area/rohe moana that would include the project area. If a notice is issued, it provides for tangata whenua to take fisheries resources and manage customary fishing within the rohe moana.

Mana Whakahono ā Rohe/Joint management agreement

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

Summary of comments received and advice

Comments from invited Māori groups

61. Pursuant to section 17(1)(d) of the Act, on 24 April 2026 you invited written comments from the Māori groups identified above in paragraphs 14-30, from a list we previously provided you. These groups were provided with access to the application material and had 15 working days from receipt of the copy of the application to respond.

62. You received comments on the application from Kāti Huirapa Rūnaka ki Puketeraki and Te Rūnanga o Ngāi Tahu, which can be summarised as follows:

Kāti Huirapa Rūnaka ki Puketeraki

63. Kāti Huirapa Rūnaka ki Puketeraki note that the Crown's commitment to recognise Ngāi Tahu as tangata whenua of, and as holding rangatiratanga within, the takiwā of Ngāi Tahu Whānui is fundamental to the Fast-track regime.

64. Amongst other matters to be worked through as part of a substantive application, Kāti Huirapa Rūnaka ki Puketeraki have significant concerns about the capacity of the Shotover River/Kimiākau Wastewater Treatment Plant to absorb sewage from the proposed development. They note that ongoing issues with the disposal field have already resulted in the discharge of treated wastewater into the Shotover River/Kimiākau, a practice which is abhorrent to Puketeraki. If the proposed development increases the loading at the treatment plant, then Kāti Huirapa Rūnaka ki Puketeraki are seeking mitigation of any effects.

65. Kāti Huirapa Rūnaka ki Puketeraki note that the applicant has undertaken some initial engagement on the referral application with Aukaha and Kā Rūnaka (the collective name for the seven papatipu rūnanga outlined at paragraph 20). While Kāti Huirapa Rūnaka ki

Puketeraki does not have a position on whether the application should be referred, they ask that the applicant continue to engage, and in a meaningful way, as they develop their substantive application. A process agreement signed by the applicant and Kā Rūnaka provides for further engagement and sharing of technical reports, which will ultimately enable Puketeraki and other papatipu rūnanga to reach an informed position on the project through a substantive application, should it be referred.

Te Rūnanga o Ngāi Tahu

66. Te Rūnanga o Ngāi Tahu has a neutral position on whether the application should be accepted for referral, and reiterated the concerns of Kāti Huirapa Rūnaka ki Puketeraki in relation to the capacity of the Shotover River/Kimiākau Wastewater Treatment Plant to absorb sewage from an additional 1100 residential units plus commercial and retail outlets. Te Rūnanga o Ngāi Tahu also supports continued engagement by the applicant with Kā Rūnaka should the application be referred.
67. We have provided copies of these comments at **Attachment 5**.

Consultation with departments

68. 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, and the Ministry for Primary Industries in relation to customary fisheries, and have incorporated their views into this report.

Advice on whether it may be more appropriate to deal with the proposed approvals under another Act/s

69. Under section 18(2)(m), this report must include our advice on whether, due to any of the matters identified in section 18, it may be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts.
70. We do not consider there are any matters raised in this report which make it more appropriate for the proposed approvals to be authorised under another Act or Acts.

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, consider a report that is prepared and provided by the responsible agency in accordance with this section.	8-10
18(2)(a)	Any relevant iwi authorities and relevant Treaty settlement entities	15-20
18(2)(b)	Any Treaty settlements that relate to land, species of plants or animals, or other resources within the project area	31-32
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	33-57
18(2)(d)	Any recognised negotiation mandates for, or current negotiations for, Treaty settlements that relate to the project area.	21
18(2)(e)	Any court orders or agreements that recognise protected customary rights or customary marine title within the project area.	22, 58
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.	22, 58
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).	23, 58
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).	24, 59
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).	25-26
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), <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. 	27-28, 60

	(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.	29-30
18(2)(l)	A summary of— (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	61-67
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.	69-70
18(3)	In preparing the report required by this section, the responsible agency must consult relevant departments.	68
18(4)	The responsible agency must provide the report to the Minister not later than 20 working days after the date for providing comments under section 17(6).	N/A
18(5)	However, if the Minister requests further information about a referral application under section 20, the time period specified in subsection (4) ceases to run for the period of time specified in the request.	N/A

Attachment 2: Project location map



Attachment 3: List of relevant Māori groups

Name of group	Type of group (section of Act)
Te Rūnanga o Ngāi Tahu	Iwi authority (s18(2)(a)); Treaty settlement entity – Ngāi Tahu Claims Settlement Act 1998 (s18(2)(a))
Te Rūnanga o Moeraki	Treaty settlement entity – Papatipu Rūnanga (s18(2)(a))
Kāti Huirapa Rūnaka ki Puketeraki	Treaty settlement entity – Papatipu Rūnanga (s18(2)(a))
Te Rūnanga o Ōtākou	Treaty settlement entity – Papatipu Rūnanga (s18(2)(a))
Hokonui Rūnanga	Treaty settlement entity – Papatipu Rūnanga (s18(2)(a))
Waihōpai Rūnaka	Treaty settlement entity – Papatipu Rūnanga (s18(2)(a))
Te Rūnanga o Awarua	Treaty settlement entity – Papatipu Rūnanga (s18(2)(a))
Te Rūnanga o Ōraka-Aparima	Treaty settlement entity – Papatipu Rūnanga (s18(2)(a))
Aukaha	Other Māori group with relevant interests (s18(2)(k))
Te Ao Mārama Incorporated	Other Māori group with relevant interests (s18(2)(k))

Attachment 4: Statutory acknowledgement for Te Wairere (Lake Dunstan) from the Ngāi Tahu Claims Settlement Act 1998

Version as at
1 July 2022

Ngāi Tahu Claims Settlement Act 1998

Schedule 61

Schedule 61

Statutory acknowledgement for Te Wairere (Lake Dunstan)

ss 205, 206

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 Kuri, 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).

Attachment 5: Comments received from invited Māori groups

Kāti Huirapa Rūnaka ki Puketeraki - Comments on FTAA-2603-1203 Simplicity

Portals-Fast Track Portal - ftaa-portal
Owner

Submitted
Portal Status

Living - Saved

Feedback · FTA - Feedback

General Documents Related

Feedback Details

Feedback ID	* FDB002016N1Q8
Title	* Kāti Huirapa Rūnaka ki Puketeraki - Comments on FTAA-2603-1203 Simplicity Living
Regarding	Kāti Huirapa Rūnaka ki Puketeraki - Invitation to comment –Te Pūtahi Ladies Mile
Comments	<p>In its rohe and area of shared interest Puketeraki holds and exercises rangatiratanga and has done so since before the Crown began exercising its powers in New Zealand from 1840. The rohe includes the site of the proposed project. The Crown and Parliament recognise and affirm Ngāi Tahu rangatiratanga in our Takiwā through:</p> <ol style="list-style-type: none"> Article II of Te Tiriti o Waitangi (Te Tiriti); the 1997 Deed of Settlement between Ngāi Tahu and the Crown; and the Ngāi Tahu Claims Settlement Act 1998 (NTCSA). <p>As recorded in the Crown Apology to Ngāi Tahu (see Appendix Two), the Ngāi Tahu Settlement marked a turning point, and the beginning of a “new age of co-operation”. The Crown apologised for its “past failures to acknowledge Ngāi Tahu rangatiratanga and mana over the South Island lands within its boundaries” and confirmed that “it recognises Ngāi Tahu as the tāngata whenua of, and as holding rangatiratanga within, the Takiwā of Ngāi Tahu Whānui”. Those commitments are fundamental to the fast-track regime.</p> <p>Among other matters to be worked through as part of any future substantive application, Puketeraki hold significant concerns about the capacity of the Shotover River/Kimiākau Wastewater Treatment Plant to absorb sewage from an additional 1100 residential units plus commercial and retail outlets. There are ongoing issues with the disposal field that have resulted in the discharge of treated wastewater to the Shotover River/Kimiākau. The discharge of human waste into water is considered is considered abhorrent by Puketeraki. If development increases the loading at the Treatment Plant, we would like the implications for such effects to be adequately mitigated.</p> <p>The applicant has had some initial engagement with Kā Rūnaka and Aukaha on the referral application. Whilst Puketeraki does not have a position on the Project being allowed to go through the fast-track approvals process, we seek that as the applicant develops the substantive application, they continue to engage and that this is meaningful.</p> <p>The applicant has signed a Process Agreement with Puketeraki and other Papatipu Rūnanga which will be underpinned by engagement with the Applicant and the sharing of technical reports that will ultimately enable Puketeraki alongside other Papatipu Rūnanga with a shared interest to reach an informed position on the project through the Substantial Application should it be referred.</p>

Feedback Contacts

Created By (Contact)	Shane Ellison
Source	Portal
Application	Simplicity Living - Te Pūtahi Ladies Mile
Created By	# Portals-Fast Track Portal - ftaa-portal
Created On	17/05/2026 2:49 PM

15 May 2026

Ben Bunting
Acting Manager – Fast Track Operations
Ministry for the Environment
WELLINGTON

Uploaded through the Fast track Portal

Tēnā koe Ben

Te Rūnanga o Ngāi Tahu comments on referral application under the Fast-track Approvals Act 2024: Simplicity Living – Te Pūtahi Ladies Mile – [FTAA-2603-1203]

1. Introduction

- 1.1 Te Rūnanga o Ngāi Tahu (**Te Rūnanga**) welcomes the opportunity to provide comments on the referral application made by Simplicity Living (the **Applicant**) for Te Pūtahi/Ladies Mile development (the **Project**) Queenstown.
- 1.2 At this stage, Te Rūnanga is neutral towards the Project being allowed to go through the fast-track approvals process. Te Rūnanga comments on the Project are set out below at Section 3. Te Rūnanga also supports the comments made by Kā Rūnaka (Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou, Hokonui Rūnanga, Waihōpai Rūnaka, Awarua Rūnanga, and Ōraka-Aparima Rūnaka).

2. Te Rūnanga o Ngāi Tahu

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

- a) Article II of Te Tiriti o Waitangi (**Te Tiriti**);
- b) the 1997 Deed of Settlement between Ngāi Tahu and the Crown; and
- c) the Ngāi Tahu Claims Settlement Act 1998.

2.4 As recorded in the Crown Apology to Ngāi Tahu (see **Appendix Two**), the Ngāi Tahu Settlement marked a turning point, and the beginning of a “new age of co-operation”. The Crown apologised for its “past failures to acknowledge Ngāi Tahu rangatiratanga and mana over the South Island lands within its boundaries” and confirmed that “it recognises Ngāi Tahu as the tāngata whenua of, and as holding rangatiratanga within, the Takiwā of Ngāi Tahu Whānui”. Those commitments are fundamental to the fast-track regime.

2.5 Te Rūnanga requests that the Minister accord these comments with the status and weight of the tribal collective of Ngāi Tahu Whānui comprising over 89,000 registered iwi members. Notwithstanding its statutory status as the representative voice of Ngāi Tahu whānui “for all purposes”, Te Rūnanga accepts and respects the right of Papatipu Rūnanga to make their own comments. Te Rūnanga understands that Ka Rūnaka and their Regional Environmental Entities have been separately invited to comment on the Project.

3. Comments

3.1 Te Rūnanga and Kā Rūnaka hold significant concerns about the capacity of the Shotover River/Kimiākau Wastewater Treatment Plant to absorb sewage from an additional 1100 residential units plus commercial and retail outlets. There are currently ongoing issues with the disposal field that have resulted in the discharge of treated wastewater to the Shotover River/Kimiākau. The discharge of human waste into water is considered abhorrent by Ngāi Tahu. If development increases the loading at the Treatment Plant, we would like the implications for discharge to the river occurring to be considered as part of the Substantive Application.

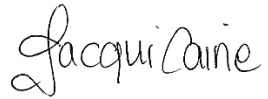
4. Decision Sought

4.1 Te Rūnanga thanks the Minister for the opportunity to comment on the referral application.

4.2 Te Rūnanga is aware that the Applicant has had some initial engagement with Kā Rūnaka and the Regional Environmental Entities, Aukaha, on the referral application. Whilst Te Rūnanga does not have a position on the Project being allowed to go through the fast-track approvals process, we seek that as the Applicant develops the substantive application, they continue to engage and that this is meaningful.

4.3 Te Rūnaka is aware that the Applicant has signed a Process Agreement with Kā Rūnaka which will be underpinned by engagement with the Applicant and the sharing of technical reports that will ultimately enable Kā Rūnaka to reach an informed position on the project through the Substantial Application should it be referred.

Nuku noa nā



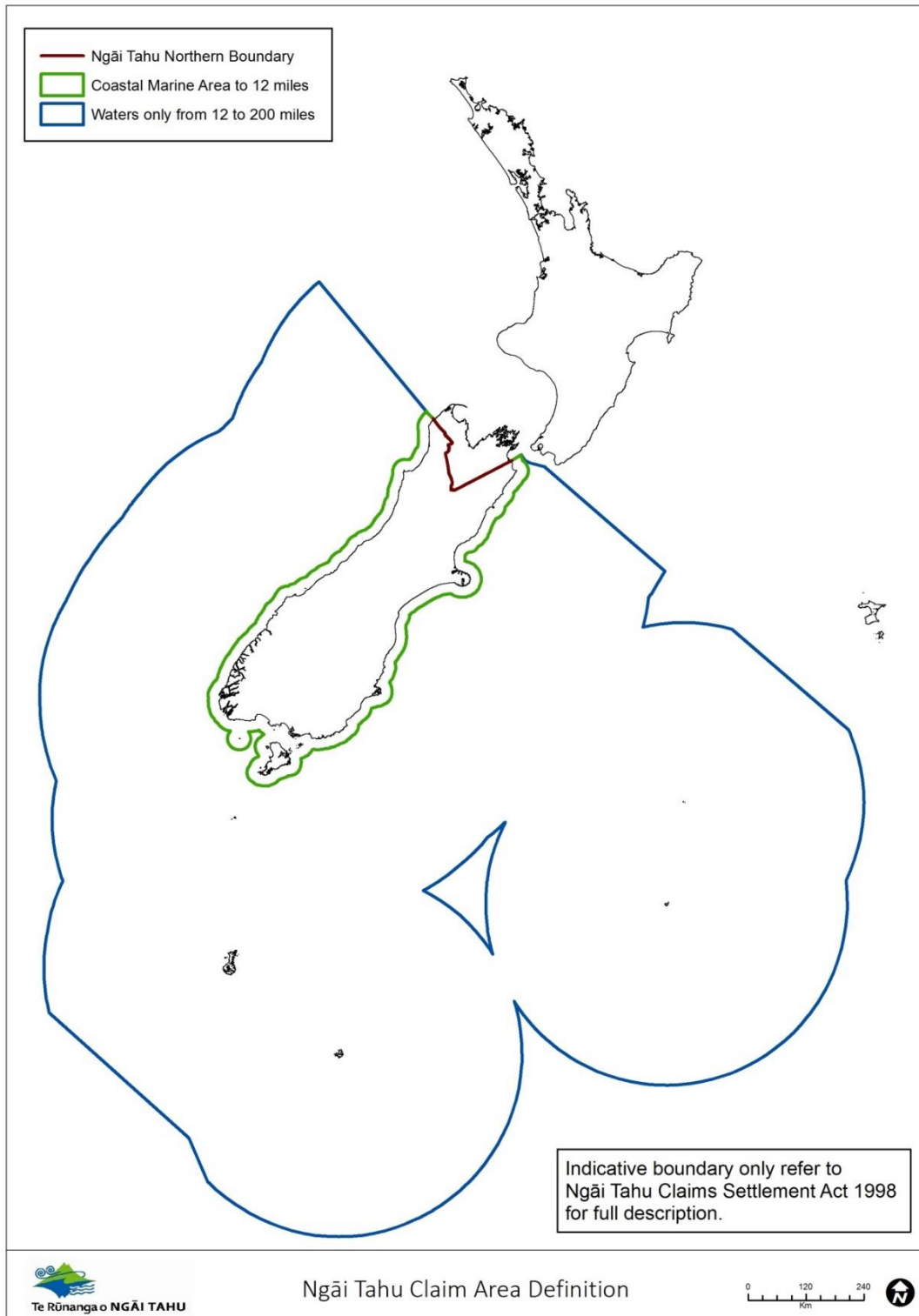
Jacqui Caine
Group Head, Strategy & Environment
Te Rūnanga o Ngāi Tahu

Address for Service;
Deidre Francis, Senior Environmental Advisor – Te Ao Tūroa
Email: § 9(2)(a)
Phone: § 9(2)(a)

Appendices:
Appendix One – Map of takiwā of Ngāi Tahu
Appendix Two – Crown Apology to Ngāi Tahu

Cc Brett Ellison, Aukaha & Te Ao Marama

APPENDIX ONE: NGĀI TAHU TAKIWĀ



APPENDIX TWO: TEXT OF CROWN APOLOGY

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

Part One – Apology by the Crown to Ngāi Tahu

Section 5: Text in Māori

The text of the apology in Māori is as follows:

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

6. E whakapuaki atu ana te Karauna ki te iwi whānui o Ngāi Tahu i te hōhonu o te āwhitu a te Karauna mō ngā mamaetanga, mō ngā whakawhiringa i pūtake mai nō roto i ngā takakino a te Karauna i takaongetia ai a Ngāi Tahu Whānui. Ewhakaae ana te Karauna tērā, aua mamaetanga me ngā whakawhiringa hoki i hua mai nō roto i ngā takakino a te Karauna, arā, kāore te Karauna i whai i ngā tohutohu a ngā pukapuka ā-herenga i tōna hokonga mai i ngā whenua o Ngāi Tahu, kāore hoki te Karauna i wehe ake kia rawaka he whenua mō te iwi, hei whakahaere mā rātou i ngā āhuetanga e whai oranga ai rātou, kāore hoki te Karauna i hanga i tētahi tikanga e maru motuhake ai te mana o Ngāi Tahu ki runga i ā rātou pounamu me ērā atu tāonga i hiahia te iwi ki te pupuri. Kore rawa te Karauna i aro ake ki ngā aurere a Ngāi Tahu.
7. E whakapāha ana te Karauna ki a Ngāi Tahu mō tōna hēanga, tērā, kāore ia i whai whakaaro mō te rangatiratanga o Ngāi Tahu, ki te mana rānei o Ngāi Tahu ki runga i ōna whenua ā-rohe o Te Wai Pounamu, nā rēira, i runga i ngā whakaritenga me ngā herenga a Te Tiriti o Waitangi, ka whakaae te Karauna ko Ngāi Tahu Whānui anō te tāngata whenua hei pupuri i te rangatiratanga o roto i ōna takiwā.
8. E ai mō ngā iwi katoa o Aotearoa e hiahia ana te Karauna ki te whakamārie i ngā hara kua whākina ake nei—otirā, ērā e taea i nāiane i - i te mea kua āta tau ngā kōrero tūturu ki roto i te pukapuka ā-herenga whakaritenga i hainatia i te 21 o ngā rā o Whitu hei tīmatanga whai oranga i roto i te ao hōu o te mahinga tahi a te Karauna rāua ko Ngāi Tahu.

Section 6: Text in English

The text of the apology in English is as follows:

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

“This was the command thy love laid upon these Governors ... that the law be made one, that the commandments be made one, that the nation be made one, that the white skin be made just equal with the dark skin, and to lay down the love of thy graciousness to the Māori that they dwell happily ... and remember the power of thy name.”
2. The Crown hereby acknowledges the work of the Ngāi Tahu ancestors and makes this apology to them and to their descendants.
3. The Crown acknowledges that it acted unconscionably and in repeated breach of the principles of the Treaty of Waitangi in its dealings with Ngāi Tahu in the purchases of Ngāi Tahu land. The Crown further acknowledges that in relation to the deeds of purchase it has failed in most material respects to honour its obligations to Ngāi Tahu as

its Treaty partner, while it also failed to set aside adequate lands for Ngāi Tahu's use, and to provide adequate economic and social resources for Ngāi Tahu.

4. The Crown acknowledges that, in breach of Article Two of the Treaty, it failed to preserve and protect Ngāi Tahu's use and ownership of such of their land and valued possessions as they wished to retain.
5. The Crown recognises that it has failed to act towards Ngāi Tahu reasonably and with the utmost good faith in a manner consistent with the honour of the Crown. That failure is referred to in the Ngāi Tahu saying 'Te Hapa o Niu Tirenī!' ('The unfulfilled promise of New Zealand'). The Crown further recognises that its failure always to act in good faith deprived Ngāi Tahu of the opportunity to develop and kept the tribe for several generations in a state of poverty, a state referred to in the proverb 'Te mate o te iwi' ('The malaise of the tribe').
6. The Crown recognises that Ngāi Tahu has been consistently loyal to the Crown, and that the tribe has honoured its obligations and responsibilities under the Treaty of Waitangi and duties as citizens of the nation, especially, but not exclusively, in their active service in all of the major conflicts up to the present time to which New Zealand has sent troops. The Crown pays tribute to Ngāi Tahu's loyalty and to the contribution made by the tribe to the nation.
7. The Crown expresses its profound regret and apologises unreservedly to all members of Ngāi Tahu Whānui for the suffering and hardship caused to Ngāi Tahu, and for the harmful effects which resulted to the welfare, economy and development of Ngāi Tahu as a tribe. The Crown acknowledges that such suffering, hardship and harmful effects resulted from its failures to honour its obligations to Ngāi Tahu under the deeds of purchase whereby it acquired Ngāi Tahu lands, to set aside adequate lands for the tribe's use, to allow reasonable access to traditional sources of food, to protect Ngāi Tahu's rights to pounamu and such other valued possessions as the tribe wished to retain, or to remedy effectually Ngāi Tahu's grievances.
8. The Crown apologises to Ngāi Tahu for its past failures to acknowledge Ngāi Tahu rangatiratanga and mana over the South Island lands within its boundaries, and, in fulfilment of its Treaty obligations, the Crown recognises Ngāi Tahu as the tāngata whenua of, and as holding rangatiratanga within, the Takiwā of Ngāi Tahu Whānui.
9. Accordingly, the Crown seeks on behalf of all New Zealanders to atone for these acknowledged injustices, so far as that is now possible, and, with the historical grievances finally settled as to matters set out in the Deed of Settlement signed on 21 November 1997, to begin the process of healing and to enter a new age of cooperation with Ngāi Tahu."