

## Privacy Statement

When a person or group makes a submission or further submission on a District Plan or Plan Change this is public information.

Please note that by making a submission your personal details, including your name and addresses will be made publicly available under the Resource Management Act 1991. This is because, under the Act, any further submission supporting or opposing your submission must be forwarded to you as well as to QLDC.

There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have compelling reasons why your submission or your contact details should be kept confidential please contact the Senior District Plan Administrator on 03 441 0499 to discuss.



## Inclusionary Housing

### Submitter Details

**First name:** Rachael **Last name:** Pull

**On behalf of:**

**Preferred method of contact** Email

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I could not  
Gain an advantage in trade competition through this submission  
I am not  
directly affected by an effect of the subject matter of the submission that :  
a. adversely affects the environment, and  
b. does not relate to the trade competition or the effects of trade competitions.

Note to person making submission:

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991

**Would you like to speak at the hearing? \***

Yes

I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

Additional requirements for hearing:

## Consultation Document Submissions

Chapter 40: Inclusionary Housing > 40.2 Objectives and Policies > 40.2.1.3

- Support
- Oppose
- Neutral

### Decision Requested

Amend as follows (changes underlined):

Ensure that residential subdivision and development set out in Policy 40.2.1.1 and 40.2.1.2 provides a financial contribution for affordable housing. Avoid subdivision or development for residential activities that does not provide a contribution, or otherwise does not make appropriate provision to help meet the affordable housing needs of the District.

Note that this policy does not apply to development identified in policy 40.2.1.4.

### Reason for Decision Requested

It is unclear within the policy what would be an 'appropriate provision' that would allow a development to proceed without the financial contribution. The term 'avoid' would suggest that these applications for housing would be declined. A more direct link to policy 40.2.1.4 would improve the clarity.

Chapter 40: Inclusionary Housing > 40.2 Objectives and Policies

- Support
- Oppose
- Neutral

### Decision Requested

Retain as notified

### Reason for Decision Requested

Providing affordable housing in different locations to support social and economic wellbeing while considering the natural and physical resources is consistent with our objectives to support our people and the whenua.

Chapter 40: Inclusionary Housing > 40.6 Rules - Standards > 40.6.1.3 Exemptions

- Support
- Oppose
- Neutral

### Decision Requested

Amend as follows (changed underlined):

3. Exemptions: For the purposes of this standard, the following types of residential activities shall not be counted as contributing to the total number of residential units in a development, nor be counted towards fulfilling the requirement of 40.6.1:

...

**e.) Land identified as meeting the status of one of the following in s129 of the Te Ture Whenua Māori Act 1993:**

**i. Māori Customary land**

**ii. Māori freehold land**

**iii. Crown land reserved for Māori**

**Reason for Decision Requested**

Plan Change 24 in the operative QLDP was appealed to the High Court who issued a decision in 2010 regarding financial contributions for affordable housing. The Court's decision noted that the requirement to provide an affordable housing contribution only arises if the development is construed as having an impact on the issue of affordable housing. This is reflected in this policy as it excludes residential development that does not generate pressure on housing resources. Our submission and advice throughout this process is that the development of Māori land does not adversely impact affordable housing within the District and should be excluded from the need to provide a contribution.

Māori freehold land and Crown Land reserved for Māori (TTWM s129(1)(b) and (f)) have faced barriers to utilisation and development of Māori land are manifold and on-going, despite some of this land coming from the Treaty Settlement process to re-dress the impact of government barriers. While supporting the overall need to provide for affordable housing, we seek to avoid the introduction of a yet another impediment to developing Māori land via the imposition of any financial contribution.

An exemption for Māori land in the Queenstown- Lakes District would have minimal effect. Māori Land Online (<https://www.maorilandonline.govt.nz/gis/map/search.htm> ) identifies very little Māori land in the district, currently zoned rural.

The development of Māori land for residential purposes does not put pressure on the housing resources as it is similar to Kāinga Ora in that this is land for our people and not part of the general public's available space. It is legally defined as Māori land and not freehold and therefore the development of it does not take away from the general public's housing resources.

The 202 National Policy Statement on Urban Development (NPS) is relevant to this policy as Policy 1 of the NPS states:

*"Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:*

*(a) have or enable a variety of homes that:*

*(i) meet the needs, in terms of type, price, and location, of different households; and*

*(ii) enable Māori to express their cultural traditions and norms..."*

The development of Māori land for the use of mana whenua is consistent with Objective 1 of the NPS which aims for well-functioning urban environment that enables all people to communities to provide for their social, economic and cultural wellbeing.

The impacts of this variation on Māori have not been considered in the section 32 report or relevant background documents to this variation. Especially given that Māori are statistically more likely to have low to medium incomes.

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Chapter 40: Inclusionary Housing > 40.2 Objectives and Policies > 40.2.1.4

- Support
- Oppose
- Neutral

**Decision Requested**

Amendments requested (underlined):

Recognise that the following forms of residential development either provide affordable housing or do not generate pressure on housing resources and should not be subject to the affordable housing contribution:

a) social or affordable housing delivered by Kāinga Ora, a publicly owned urban regeneration company, the Council or a registered community housing provider;

b) managed care units in a Retirement Village (as defined by the Retirement Villages Act 2003) or Rest Home (under the Health and Services Disability Act 2001);

**c) Land identified as meeting the status of one of the following in s129 of the Te Ture Whenua Māori Act 1993:**

**i. Māori Customary land**

**ii. Māori freehold land**

**iii. Crown land reserved for Māori**

**d) land transferred to successors under Ngāi Tahu Claims Settlement Act 1998 Part 15**

and

**e) Residential Flats**

### **Reason for Decision Requested**

Plan Change 24 in the operative QLDP was appealed to the High Court who issued a decision in 2010 regarding financial contributions for affordable housing. The Court's decision noted that the requirement to provide an affordable housing contribution only arises if the development is construed as having an impact on the issue of affordable housing. This is reflected in this policy as it excludes residential development that does not generate pressure on housing resources. Our submission and advice throughout this process is that the development of Māori land does not adversely impact affordable housing within the District and should be excluded from the need to provide a contribution.

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The impacts of this variation on Māori have not been considered in the section 32 report or relevant background documents to this variation. Especially given that

Māori are statistically more likely to have low to medium incomes.

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Attached Documents

File
20221124 TRoNT Inclusionary Housing Submission



Te Rūnanga o NGĀI TAHU



## SUBMISSION ON VARIATION TO QUEENSTOWN LAKES PROPOSED DISTRICT PLAN Inclusionary Housing

**Date:** 24 November 2022

**To:** Queenstown Lakes District Council,  
Private Bag 50072,  
Queenstown 9348,  
Attention: Proposed District Plan Submission  
Submission lodged by email: [pdpsubmission@qldc.govt.nz](mailto:pdpsubmission@qldc.govt.nz)

**Name of person making submission:** Aukaha and Te Ao Marama Inc on behalf of the Papatipu Rūnanga and Te Rūnanga o Ngāi Tahu (collectively referred to as Ngāi Tahu here after).

**This is a submission in support of:** the variation to the Queenstown- Lakes proposed District Plan variation – Inclusionary Housing.

1. Ngāi Tahu **could not** gain an advantage in trade competition through this submission.
2. Ngāi Tahu **wishes** to be heard in support of its submission
3. If others make a similar submission, Ngāi Tahu **will** consider presenting a joint case with them at a hearing

### 1. Te Rūnanga o Ngāi Tahu and Papatipu Rūnanga

- 1.1 This submission is made on behalf of Te Rūnanga o Ngāi Tahu (**Te Rūnanga**) and Papatipu Rūnanga.
- 1.2 This submission is made on behalf of Te Rūnanga which is statutorily recognised as the representative tribal body of Ngāi Tahu Whānui and was established as a body corporate on 24 April 1996 under section 6 of the Te Rūnanga o Ngāi Tahu Act 1996 (**TRONT Act**). Te Rūnanga encompasses 18 Papatipu Rūnanga, who uphold the mana whenua and

Te Rūnanga o Ngāi Tahu  
15 Show Place, Addington, Christchurch 8024  
PO Box 13-046, Christchurch, New Zealand  
Phone + 64 3 366 4344, 0800 KAI TAHU  
Email: [info@ngaitahu.iwi.nz](mailto:info@ngaitahu.iwi.nz)  
Website: [www.ngaitahu.iwi.nz](http://www.ngaitahu.iwi.nz)

mana moana of their rohe. Te Rūnanga is responsible for managing, advocating, and protecting, the rights and interests inherent to Ngāi Tahu as mana whenua.

- 1.3 Te Rūnanga expects that Queenstown Lakes District Council accord this response with the status and weight of the tribal collective of Ngāi Tahu Whānui comprising over 74,000 registered iwi members within the Ngāi Tahu Takiwā, as defined in the Ngāi Tahu Claims Settlement Act 1998 (**NTCSA**). A map of the Ngai Tahu Takiwā is included at **Appendix One**. Ngāi Tahu and Ngāi Tahu Whānui means the collective of individuals who descend from the primary hapū of Waitaha, Ngāti Mamoe, and Ngāi Tahu, namely, Kāti Kurī, Kāti Irakehu, Kāti Huirapa, Ngāi Tūāhuriri, and Kai Te Ruahikihiki.
- 1.4 Notwithstanding its statutory status as the representative voice of Ngāi Tahu whānui “for all purposes”, Te Rūnanga accepts and respects the right of individuals and Papatipu Rūnanga to make their own responses.
- 1.5 Papatipu Rūnanga who have shared interests across the Queenstown- Lakes district and are collectively referred to in this response as ‘Papatipu Rūnanga’:

<b>Papatipu Rūnanga</b>	<b>Takiwā</b>
Te Rūnanga o Moeraki	The takiwā of Te Rūnanga o Moeraki centres on Moeraki and extends from Waitaki to Waihemo and inland to the Main Divide.
Kāti Huirapa Rūnaka ki Puketeraki	The takiwā of Kati Huirapa ki Puketeraki centres on Karitane and extends from Waihemo to Purehurehu and includes an interest in Ōtepoti and the greater harbour of Ōtākou. The takiwā extends inland to the Main Divide sharing an interest in the lakes and mountains to Whakatipu-Waitai with Rūnanga to the south.
Te Rūnanga o Ōtākou	The takiwā of Te Rūnanga o Ōtākou centres on Ōtākou and extends from Purehurehu to Te Matau and inland, sharing an interest in the lakes and mountains to the western coast with Rūnanga to the North and to the South.
Waihōpai Rūnaka	The takiwā of Waihōpai Rūnaka centres on Waihōpai and extends northwards to Te Matau sharing an interest in the lakes and mountains to the western coast with other Murihiku Rūnanga and those located from Waihemo southwards.
Te Rūnaka o Awarua	The takiwā of Te Rūnanga o Awarua centres on Awarua and extends to the coasts and estuaries adjoining Waihōpai sharing an interest in the lakes and mountains between Whakatipu-Waitai and Tawhititarere with other Murihiku Runanga and those located from Waihemo southwards.
Ōraka Aparima Rūnaka	The takiwā of Te Rūnanga o Ōraka Aparima centres on Ōraka 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.

Te Rūnanga o Hokonui The takiwā of Hokonui Rūnaka centres on the Hokonui region and includes a shared interest in the lakes and mountains between Whakatipu-Waitai and Tawhitareere with other Murihiku Rūnanga and those located from Waihemo southwards.

## 2. Te Tiriti o Waitangi

- 2.1 The contemporary relationship between the Crown and Ngāi Tahu is defined by three core documents: Te Tiriti o Waitangi (Te Tiriti), the Ngāi Tahu Deed of Settlement 1997 (Deed of Settlement) and the NTCSA. These documents form an important legal relationship between Ngāi Tahu and the Crown and further entrench the Treaty partnership.
- 2.2 As recorded in the Crown Apology to Ngāi Tahu (see **Appendix Two**), the Ngāi Tahu Settlement marked a turning point, and the beginning for 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”.

## 3 Ngāi Tahu interests in the variation to the proposed Queenstown- Lakes District Plan:

- 3.1 Ngāi Tahu notes the following particular interests in the inclusionary housing variation to the proposed Queenstown- Lakes District Plan:

### *Treaty Relationship*

- Ngāi Tahu have an expectation that the Crown will honour the Treaty and the principles upon which the Treaty is founded. All persons undertaking duties and responsibilities in accordance with the purpose this document shall recognise and respect the Crown's responsibility to give effect to principles of the Treaty.

### *Kaitiakitanga*

- In keeping with the kaitiaki responsibilities of Ngāi Tahu whānui, Ngāi Tahu has an interest in ensuring sustainable management of natural resources, including protection of taonga and mahinga kai for future generations
- Ngāi Tahu whānui are both users of natural resources, and stewards of those resources. At all times, Ngāi Tahu is guided by the tribal whakataukī: “mō tātou, ā, mō kā uri ā muri ake nei” (*for us and our descendants after us*).

### *Whanaungatanga*

- Te Rūnanga has a responsibility to promote the wellbeing of Ngāi Tahu whānui and ensure that the management of Ngāi Tahu assets and the wider management of natural resources supports the development of iwi members.

- 3.2 Statutory Acknowledgements are an instrument included in the Ngāi Tahu Claims Settlement Act 1998 (the **NTCSA**) legislation. Statutory Acknowledgements are areas



acknowledged by the Crown of particular significance to Ngāi Tahu that recognise the mana of tangata whenua in relation to specific areas. The acknowledgements relate to 'statutory areas', which include geographic features, lakes, wetlands, rivers, areas of land and coastal marine areas. Statutory Acknowledgments particularly relate to the cultural, spiritual, historical and traditional associations with the area.

- 3.3 The relevant Statutory Acknowledgements in respect of the plan variation are the Whakatipu-wai-māori (Lake Wakatipu) Statutory Acknowledgement Area<sup>1</sup>; Mata-au (Clutha River) Statutory Acknowledgement Area<sup>2</sup>; Lake Wānaka Statutory Acknowledgement Area<sup>3</sup>; Lake Hawea Statutory Acknowledgement Area<sup>4</sup>.
- 3.4 The NTCSA describes the Ngāi Tahu associations with each of the Statutory Acknowledgement areas (refer to **Appendix Three** for a full description for each Statutory Acknowledgement Area). These associations are material to decision making under the Resource Management Act 1991 (the **RMA**) and to this specific consent application.

#### 4. Iwi Management Plans

- 4.1 Kāi Tahu ki Otago Natural Resource Management Plan 2005.
- 4.2 Te Tangi a Tauira – The Cry of the People. Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008.
- 4.3 These Iwi Management Plans do not specifically mention affordable housing however, they do mention the displacement of local residents; effects on the ability of tangata whenua to live on ancestral land and the provision for papakāinga housing on Māori land. These issues are impacted by this variation.

#### 5. Relief Sought - General

- 5.1 Ngāi Tahu supports the intent of the variation to the proposed plan provision except where we ask for specific amendments or additions as set out in **Submission form**.
- 5.2 Providing for affordable housing is an aspiration that we support and have communicated via the Iwi Management Plan, spatial planning exercises and in the development of this variation.

#### 6. Reasons - General

- 6.1 The amendment sought to this variation by Ngāi Tahu are to better incorporate the broader interests and aspirations of Ngāi Tahu within the Queenstown-Lakes District. The submitters consider these changes are necessary to:

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<sup>1</sup> Schedule 75 of the Ngāi Tahu Settlement Act 1998

<sup>2</sup> Schedule 40 of the Ngāi Tahu Settlement Act 1998

<sup>3</sup> Schedule 36 of the Ngāi Tahu Settlement Act 1998

<sup>4</sup> Schedule 30 of the Ngāi Tahu Settlement Act 1998

- Better achieve the purpose of the variation to assist low to moderate income residential into affordable housing while taking into account the principles of the Treaty as required under s8 of the Act;
- Take into account the relevant iwi management plans as required under s74(2A) of the RMA; and
- Consequently, discharge the council's duties under s32 of the RMA.

6.2 The Section 32 report in section 3.5 on page 6 states that no advice from iwi has been received. This is incorrect. Aukaha and Te Ao Marama on behalf of Papatipu Rūnanga and Te Rūnanga o Ngāi Tahu each separately emailed the Council planner who requested advice on this variation on 9<sup>th</sup> August 2022 with our feedback. Which has not been incorporated or acknowledged as required by the RMA and has led to this submission.

6.2 These reasons apply to every decision requested in this submission, along with any additional specific reasons listed under each submission point.

Trudy Heath  
General Manager,  
Te Ao Tūroa,  
Te Rūnanga o Ngāi Tahu

Kate Timms Dean  
General Manager,  
Mana Taiao,  
Aukaha (1997) Ltd

Dean Whaanga  
Kaupapa Taiao Manager  
Te Ao Marama Incorporated

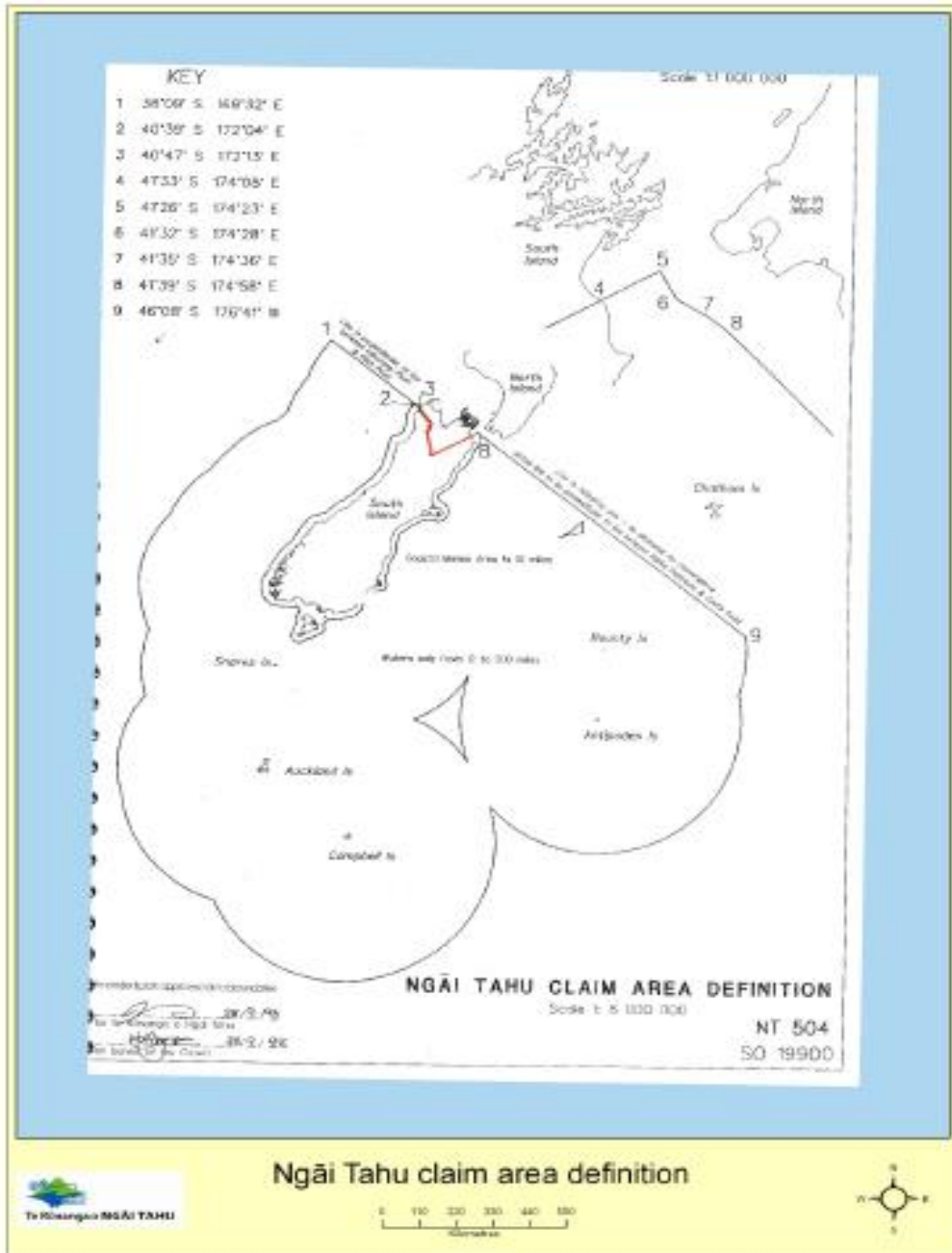
**Address for Service:**

Rachael Pull  
Senior Environmental Advisor  
Te Rūnanga o Ngāi Tahu  
Email: rachael.pull@ngaitahu.iwi.nz  
Phone: 021 725 873

Encl:

Appendix One: Map of Ngāi Tahu Takiwā  
Appendix Two: Copy of the Crown apology  
Appendix Three: Text of Statutory Acknowledgement Areas

APPENDIX ONE: Ngāi Tahu Takiwā



## APPENDIX TWO: Copy of the 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 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.”

The Crown hereby acknowledges the work of the Ngāi Tahu ancestors and makes this apology to them and to their descendants.
- 2 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.
- 3 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.
- 4 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 Tireni!’ (‘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’).
- 5 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.

6. 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.
7. 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 tangata whenua of, and as holding rangatiratanga within, the Takiwā of Ngāi Tahu Whānui.

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 co-operation with Ngāi Tahu.”

## APPENDIX THREE: Text of Statutory Acknowledgement Areas

### Schedule 30

#### Statutory acknowledgement for Lake Hawea

##### Statutory area

The statutory area to which this statutory acknowledgement applies is the lake known as Hawea, the location of which is shown on Allocation Plan MD 37 (SO 24718).

##### Preamble

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

##### Ngāi Tahu association with Lake Hawea

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

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.

The name Hawea may derive from Hawea, tupuna (ancestor) of the Waitaha hapū, Ngāti Hawea. Hawea was traditionally noted as a rich tuna (eel) fishery, with many thousands of the fish once being caught, preserved and transported back to the kāinga nohoanga (settlements) of coastal Otago.

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 Hawea, the relationship of people with the lake and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

The mauri of Hawea 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.

## Schedule 36

### Statutory acknowledgement for Lake Wanaka

#### Statutory area

The statutory area to which this statutory acknowledgement applies is the lake known as Wanaka, the location of which is shown on Allocation Plan MD 38 (SO 24719).

#### Preamble

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

#### Ngāi Tahu association with Lake Wanaka

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

The name “Wanaka” is considered by some to be a South Island variant of the word “wānanga” which refers to the ancient schools of learning. In these schools Ngāi Tahu tohunga (men of learning) would be taught whakapapa (genealogies) which stretched back to over a hundred generations and karakia (incantations) for innumerable situations. All of this learning they would be required to commit to memory.

Wanaka was traditionally noted as a rich tuna (eel) fishery, with many thousands of the fish once being caught, preserved and transported back to the kainga nohoanga (settlements) of coastal Otago. 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 Wanaka, 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.

In 1836 an eeling party was attacked by Te Puoho, a rangatira (chief) of the North Island Ngāti Tama iwi. Te Puoho had plans of conquering Te Wai Pounamu, beginning his campaign at the southern end of the island. He compared his strategy to boning an eel which is started at the tail end of the fish. Having travelled down Te Tai Poutini (the West Coast) to Jackson Bay, Te Puoho crossed Haast Pass into Wanaka and Lake Hawea where he found a Ngāi Tahu eeling party which he captured at Makarora. Two infant girls were captured and eaten. Te Puoho suspected this family was an outpost and so he gave instructions for two guards to follow a young teenager called Pukuharuru who was ordered to show them where the main camp was. However, Pukuharuru managed to escape after dark and alert his father, Te Raki. Te Raki killed the two guards, who were lost without their guide, and the Wanaka families managed to escape the region.

Te Puoho continued his campaign at Tuturau where there were other families fishing. However, some of the people managed to escape to Tiwai Point near Bluff where they lit a warning fire. This fire alerted the southern forces and, under the leadership of Tuhawaiki, Ngāi Tahu prepared to meet Te Puoho at Tuturau. After discussing the situation with the tohunga, Ngāi Tahu were assured of victory. While the priests chanted their karakia to the gods of war, the heart of the enemy chief appeared before Ngāi Tahu in the firelight, carried by the wings of a bird. With this omen that the gods of war were on the side of Ngāi Tahu, they attacked Te Puoho the next morning.

Te Puoho was shot by a young Ngāi Tahu called Topi and his army was taken captive. The head of Te Puoho was cut from his body and stuck on a pole facing his home in the north. Wanaka is therefore noted in history for its part in what was to be the last battle between North and South Island tribes. The mauri of Wanaka 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.



## Schedule 40

### Statutory acknowledgement for Mata-au (Clutha River)

#### 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 Kurī, 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.

## Schedule 75

### Statutory acknowledgement for Whakatipu-wai-māori (Lake Wakatipu)

#### 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.