

BEFORE THE HEARINGS PANEL

UNDER The Resource Management Act 1991
IN THE MATTER Regional Coastal Plan, Plan Change 5

STATEMENT OF EVIDENCE OF DEAN WHAANGA
ON BEHALF OF WAIHOPAI RŪNAKA, TE RŪNANGA O ŌRAKA APARIMA,
HOKONUI RŪNAKA AND TE RŪNANGA O AWARUA (COLLECTIVELY NGĀI TAHU
KI MURIHIKU)

9 June 2023

MIHI/INTRODUCTION

Ko Motu Pohue te maunga
Ko Te Ara a Kewa te moana
Ko Tarere ki Whenua Uta te whenua
Ko Takitimu te waka Ko Ngāi Tahu, Kati Mamoe, Waitaha, Ngati Kahungunu ngā Iwi
Ko te Rau Aroha te marae
Ko Tahu Potiki te tangata Ko Tahu Potiki te whare
Ko Dean Whaanga ahau
Tihei Mauri Ora

1. I am the Kaupapa Taiao Manager of Te Ao Marama (TAMI)¹ where I have worked for 15 years and Kaiwhakahaere for Te Rūnanga o Awarua. TAMI represents Ngā Rūnanga ki Murihiku¹ for Resource Management and Iwi Environmental issues. I have worked for Ngāi Tahu for over 30 years. This work includes time studying and teaching Māori culture and Te Reo, as well as undertaking governance roles and providing technical support for Te Pae Koraka (the Ngāi Tahu Archives Advisory Committee). I am knowledgeable in Ngāi Tahu history, culture, and values, and how these relate to the environment.

SCOPE OF EVIDENCE

2. I have been asked to provide cultural evidence on behalf of Waihōpai Rūnaka, Te Rūnanga Ōraka Aparima, Hokonui Rūnaka and Te Rūnanga o Awarua (collectively Ngāi Tahu ki Murihiku) in respect of Plan Change 5 to the Regional Coastal Plan for Southland (RCPS).
3. My evidence explains the relationship of Ngāi Tahu ki Murihiku with the lands and waters of Te Mimi o Tū Te Rakiwhānoa (Fiordland Coastal Marine Area).
4. My preference is to speak using the collective terms “we” and “our” as it is customary for me to do because I am carrying my tūpuna, my whānau and my hapū with me.

¹ TAMI was formed and governed by the four Murihiku Papatipu Runanga – Te Runanga o Oraka-Aparima, Waihōpai Runaka, Te Runanga o Awarua and Hokonui Runaka

5. My evidence will explain the following things:
- (a) Ngāi Tahu Whānui
 - (b) Te Rūnanga o Ngāi Tahu
 - (c) Ngāi Tahu Ki Murihiku
 - (d) Te Ao Marama Incorporated
 - (e) Whakapapa and our relationship with Te Mimi o Tū Te Rakiwhānoa
 - (f) Kaitiakitanga
 - (g) Rangatiratanga, rights and interests
 - (h) Mātauranga and tikanga
 - (i) Mauri
6. In preparing this evidence, in addition to my own knowledge, I have consulted with rangatira, our leaders within our marae and representatives of papatipu rūnanga who undertake our coastal kaupapa. I have referred to tribal documents and texts as noted in my evidence, including management plans and statements that have been made on behalf of Ngāi Tahu ki Murihiku, including Te Tangi a Tauira – The cry of the People- the iwi management plan endorsed by all four rūnanga, and Te Rūnanga o Ngāi Tahu in January 2008.

WHAKAARO

NGĀI TAHU WHANUNI

7. Ngāi Tahu Whānui is the collective of individuals who descend from the iwi of Waitaha, Ngāti Mamoe and the five primary hapū (sub-tribes) of Ngāi Tahu; namely Kāti Kurī, Ngāti Irakehu, Kāti Huirapa, Ngāi Tūāhuriri and Ngāi Te Ruahikihiki. When we refer to ourselves as Ngāi Tahu we include our Waitaha and Ngāti Mamoe whakapapa.

TE RŪNANGA O NGĀI TAHU

8. Te Rūnanga o Ngāi Tahu is the governing tribal council established by the Te Rūnanga o Ngāi Tahu Act 1996. The Act states *Te Rūnanga o Ngāi Tahu shall be recognised for all purposes as the representative of Ngāi Tahu Whānui.*

9. Te Rūnanga o Ngāi Tahu is responsible for the overall governance of the assets of Ngāi Tahu, and for delivering benefits to Papatipu Rūnanga and Ngāi Tahu Whānui. Te Rūnanga o Ngāi Tahu deal with global tribal policy and issues, while Papatipu Rūnanga manage issues requiring local consultation.
10. The Ngāi Tahu Takiwā is defined in section 5 of the Act. In general terms it covers most of Te Waipounamu excluding a relatively small area in the Nelson/Marlborough region. Southland is within the takiwai of Ngāi Tahu.
11. Te Rūnanga o Ngāi Tahu is comprised of 18 papatipu rūnanga. These rūnanga are centred on marae which are located predominantly in traditional coastal settlements, though their takiwā extends inland to the Southern Alps.
12. The Crown in 1998 recognised Ngāi Tahu as “the tāngata whenua of, as holding rangatiratanga within, the takiwā of Ngāi Tahu Whānui.” It has therefore been clearly affirmed in statute that Te Rūnanga o Ngāi Tahu is the sole representative of Ngāi Tahu Whānui.
13. In practice, Te Rūnanga o Ngāi Tahu encourages consultation with the papatipu rūnaka and defers to the views of ngā rūnanga when determining its own position.

NGĀI TAHU KI MURIHIKU

14. Papatipu Rūnanga are regional collective bodies established by Ngāi Tahu Whānui in the nineteenth century to assist the progress of Te Kerēme (the Ngāi Tahu Treaty Settlement Claim). There are 18 Ngāi Tahu Papatipu Rūnanga, and today they act as the governing councils of the traditional Ngāi Tahu hapū and whānau communities. Through this tribal council structure, Te Rūnanga o Ngāi Tahu is accountable to the tribal members.
15. The takiwā of these respective rūnanga, as outlined in Te Rūnanga o Ngāi Tahu (Declaration of Membership) Order 2001, is described below:
 - (a) 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.

- (b) 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 Tawhitarere with other Murihiku Rūnanga and those located from Waihemo southwards.
- (c) The takiwā of Te Rūnanga o Ōraka Aparima centres on Ōraka and extends from Waimatuku to Tawhitarere sharing an interest in the lakes and mountains from Whakatipu-Waitai to Tawhitarere with other Murihiku Rūnanga and those located from Waihemo southwards.
- (d) The takiwā of Hokonui Runaka centres on the Hokonui region and includes a shared interest in the lakes and mountains between Whakatipu-Waitai and Tawhitarere with other Murihiku Runanga and those located from Waihemo southwards.

16. These four rūnanga represent Ngāi Tahu whānui who, along with other rūnanga hold mana whenua and mana moana, (customary authority) over the areas described above in paragraph [15].

TE AO MARAMA INCORPORATED

17. Te Ao Marama Incorporated (TAMI) was established in 1996 and works on behalf of Ngāi Tahu ki Murihiku with councils in Murihiku on matters relating to the Resource Management Act 1991 (RMA) and Local Government Act 2002 (LGA). TAMI's priorities and activities occur within the context of the mandate provided by Papatipu Rūnanga. TAMI use the natural resource framework that was developed by and for Ngāi Tahu Whānui, Ki uta ki tai.

18. TAMI is part funded by annual set contributions from regional and local councils. The target funding helps councils meet their legislative requirements and facilitate tangata whenua input into plans, policies, etc. TAMI also has a fixed-term contract with CRIs and receives entity funding from Te Rūnanga o Ngāi Tahu.

19. As an expression of partnership, TAMI provided input into the drafting of this Plan Change, which has been enabled by this arrangement described above in paragraph [18].

WHAKAPAPA AND OUR RELATIONSHIP WITH TE MIMI O TŪ TE RAKIWHĀNOA

- 20.** Whakapapa records our origins and our genealogy. Whakapapa connects us to Te Mimi o Tū Te Rakiwhānoa. Although connecting us, the use of boundaries of ‘Fiordland Coastal Marine Area’ are a modern construct and do not define us. Our tūpuna were not bound by lines on maps, but by whakapapa relationships, connections to the natural world and to each other.
- 21.** Whilst many know of the love between Ranginui and Papatūānuku, it is our understanding that in fact it was Tangaroa who was the first love and husband of Papatūānuku.
- 22.** Tū Te Rakiwhānoa (the mokopuna of Ranginui) was sent by his grandfather to enable human occupation of the lands Te Waka o Aoraki – (the lands of Te Waipounamu formed when the waka navigated by Ranginui’s sons ran aground on a hidden reef and turned to stone and earth). The fiords at the southern end of the Alps were hacked out of the raised side of the wrecked waka by Tū Te Rakiwhānoa in an effort to make it habitable for humans. The deep gorges and long waterways that make up the fiords were intended to provide safe havens on the rugged coastline, and stocked with fish, forest and birds to sustain travellers.
- 23.** Many stretches of the coastline in Te Mimi o Tū Te Rakiwhānoa have their own traditions, and resultingly were named in a way that reflects the whakapapa, tradition, history environment and use of the area, which is evident in the Statutory Acknowledgement (Appendix 1).² Some of these Wāhi Ingoa are also reflected now through the New Zealand Geographic Board and reflected in the dual place names.
- 24.** Because of the order of gazetting of dual place names, there are differences in which language is presented first. For the dual place names gazetted within Te Mimi o Tū Te Rakiwhānoa, dual place names that were gazetted first in 1998 (Milford Sound/ Piopiotahi and Doubtful Sound / Patea) have the English come first, followed by Te Reo Māori. The remaining dual place names gazetted in 2019 were gazetted with Te Reo Māori is first and English second. Any opportunity to have Te Reo Māori and Wāhi Ingoa profiled is welcomed, and therefore if consistency is sought, we would support Te Reo Māori to be presented first.

² Ngāi Tahu Claims Settlement Act, Schedule 102, Statutory acknowledgement for Te Mimi o Tū Te Rakiwhānoa (Fiordland Coastal Marine Area)

- 25.** Our people were attracted to Te Mimi o Tū Te Rakiwhānoa for many reasons, primarily the koko-takiwai (softer pounamu) and kākāpō which were of high importance. The area also offered many other mahinga kai to sustain parties on their arduous expeditions, including a range of manu (birds), fish and kaimoana resources.
- 26.** Our tūpuna followed traditional trails (both seaward and inland) up and down Te Mimi o Tū Te Rakiwhānoa, had Tauranga waka (landing places), nohonga, places for gathering and exercising mahinga kai and other taonga of the much-frequented coastline. Along these trails lie many kōiwi tangata, wāhi tapu and urupā.
- 27.** As outlined in the Statutory Acknowledgement, Schedule 102 of the Ngāi Tahu Claims Settlement Act 1998, there are two principal trails linking the Fiordland coast with the rest of Te Wai Pounamu (the South Island). The sea route around the fiords links Piopiotahi to Murihiku, and was the main route by which the koko-takiwai gathered from that end of the fiords was transported. This route linked to the inland route for transporting koko-takiwai by backpack lay over what is now known as the Milford track, over Ōmanui (McKinnon Pass), down the Waitawai (Clinton River) to the head of Te Ana-au (Lake Te Anau). From there, the pounamu would be transported by mokihi to the head of the Waiau River, and from there down the Waiau to Te Ara a Kiwa (Foveaux Strait). In addition, a trail from Martins Bay, up the Hollyford Valley and over into the Routeburn Valley to the pounamu source at the head of Lake Whakatipu-wai-māori, was commonly used by Tai Poutini iwi, who regularly travelled south via this route to obtain koko-takiwai. . All these trails are full of culturally significant sites and the whole area is a culturally significant landscape and seascape.

KAITIAKITANGA

- 28.** Ngāi Tahu today, and at the signing of Te Tiriti o Waitangi / the Treaty of Waitangi in 1840, hold manawhenua and manamoana within the takiwā of Ngāi Tahu Whānui, to include all of Murihiku, Rakiura and into the adjacent ocean.
- 29.** With this, comes the responsibility of Kaitiakitanga and Ahi Kā. Kaitiakitanga can be described as the exercise of guardianship/stewardship by the tangata whenua of an area and resources in accordance with tikanga Māori. Ahi Kā reflects occupation and rights to the land/ Māori tenure.

- 30.** Kaitiakitanga is not a responsibility taken lightly by ngā rūnanga. This is not a passive relationship but an active responsibility that requires our people to act in ways beneficial to Te Mimi o Tū Te Rakiwhānoa including through our involvement in this plan change.
- 31.** Our whānau have talked about the increasing impact from commercial tourism, including visitor numbers, number of vessels and associated crafts, some of whom have landed within the Fiordland National Park to explore or fossick (either deliberately or accidentally). There are concerns in respect of the discharge from vessels, the increasing size of vessels and their ability to traverse longer distances due to increasing technology.
- 32.** Our whānau have also raised the concern about the cumulative effect of these activities, and the potential risks (both environmentally and culturally) associated with intensification in this area.
- 33.** In exercising Kaitiakitanga, Te Ao Marama Inc co-wrote (with Fiordland Marine Guardians)³ to Environment Southland raising concern about the limited ability of the Regional Coastal Plan to deal with cumulative effects of Surface Water Activities, and the high number of applications in the Fiordland Coastal Marine Area and the consequential risks.
- 34.** Te Ao Marama Inc have been working in partnership with Environment Southland on the development of a plan change to address these matters raised and note this is an interim step to merely “hold the line”, before the Regional Coastal Plan Review is undertaken.
- 35.** We recognise the intention of the plan change is to provide a quick solution and will continue to strive for and work towards a full review of the Regional Coastal Plan, taking into account integrated pressures and risks that present for Te Mimi o Tū Te Rakiwhānoa (both current and future).
- 36.** We see that the Regional Coastal plan review is a better place to address broader concerns raised by submitters, particularly where issues they have raised may be inconsistent with Ngāi Tahu values and associations. The review of the Regional Coastal Plan should present matters in a more integrated fashion, consistent with a ki uta ki tai approach. This approach is like the approach Ngāi Tahu Ki Murihiku took to the Otago Regional Council Plan Change

³ The Fiordland Marine Guardians (the Guardians) are responsible for providing advice to Ministers, government departments and Environment Southland on the management of the Fiordland Marine Area which has world heritage status. The group is officially recognised under the Fiordland (Te Moana o Atawhenua) Marine Management Act 2005 and the interests and responsibilities of Te Rūnanga o Ngāi Tahu are recognised through the appointment of their own representative to the Guardians.

7 around water permits, which has allowed us to focus on the development of the regional plan and issue shorter term permits rather than have a situation of ‘planning by consent’ where the regional coastal plan has already been found to be deficient.

37. Ngā Runanga will continue to seek a robust consent, compliance and enforcement framework as part the plan change, as well as RMA processes in general in Fiordland. We may seek shorter resource consent terms to ensure any change required is able to be facilitated and not drawn out, which is consistent with our philosophy of *mō tātou, ā, mō kā uri ā muri ake nei* (for us and our children after us).
38. We think of resource management in a holistic way and use the kupu ‘ki uta ki tai’ to articulate this. Ki uta ki tai recognises that all things are connected. Nothing should be managed in isolation. While supportive of this plan change, there is a recognition of the more integrated and holistic approach that will continue to strengthen our aspirations and values in the Coastal and Marine Environment.
39. Expressions of Kaitiakitanga and are reflected in the visions and policies whānau have laid down in Te Tangi a Tauira, including Ngāi Tahu development rights being recognised and given effect to in future development of Fiordland lands, waters and other resources.

RANGATIRATANGA, RIGHTS AND INTERESTS

40. Ngāi Tahu ki Murihiku rights, interests and values have been adversely affected by loss of land, access to kāika and the coast over many generations, as acknowledged by the Waitangi Tribunal and South Island Customary Fisheries Regulations.
41. The importance of mana whenua, mana moana, and the ability to exercise mahinga kai and fish in ‘our own backyard’ was the basis of our Ngāi Tahu fisheries settlement.
42. It is important to remember that sales of land that occurred between Ngāi Tahu and the Crown did not cover the coastal or marine parts of our takiwā, as referenced in Te Tangi a

Tauira. The moana was still our customary fishery area to control and sustain our families as we had always done.

- 43.** Mahinga kai and fisheries were, and continue to be, very important to us yet we still find ourselves having to compromise on our preferred management practices to placate some corners of the wider community. The Waitangi Tribunal decision recognised and confirmed that Ngāi Tahu have rangatiratanga over our fisheries.
- 44.** Additionally, we have a Treaty development right, and accordingly are interested and highly engaged in activities that may impact on our ability to exercise this right to its fullest.
- 45.** Te Tangi a Tauira makes a number of references to rights of Ngāi Tahu ki Murihiku and these relate to Te Mimi o Tū Te Rakiwhānoa including: mana whenua (rights of ownership and control of usage on the land, forests, rivers etc); mana moana (tikanga (rights under customary lore); take raupatu, take tuku and take tūpuna (various land rights and their origins); wakawaka (resource rights under customary lore); development rights, including as they pertain to water resources; customary rights associated with pounamu; customary rights as usufruct rights (access and use) guaranteed under Article 2 of Te Tiriti o Waitangi/The Treaty of Waitangi; customary and commercial fishing rights; access rights to significant lands and resources; rights to participate in decision-making processes; and rights and privileges under Article 3 of Te Tiriti o Waitangi/The Treaty of Waitangi.
- 46.** Te Tangi a Tauira is a key tool in assisting Ngāi Tahu ki Murihiku to achieve more meaningful rangatiratanga and kaitiakitanga in natural resource management.
- 47.** Tino rangatiratanga is a core outcome sought through use of the plan⁴, including involvement of Ngāi Tahu ki Murihiku at a level that enables management of natural resources in accordance with the kaupapa of the plan and working with local authorities to increase capacity for involvement. Mana, manawhenua and manamoana, as described in Te Tangi a Tauira, refer to the locus of tribal authority to act, exercising rangatiratanga and kaitiakitanga.

⁴ Te Tangi a Tauira, Section 1.12

48. Ngā Rūnanga are seeking a long term, ki uta ki tai approach to resource management in Murihiku based on genuine Treaty partnership, recognising and providing for the rights, interests and values of mana whenua, mana moana.

MĀTAURANGA AND TIKANGA

49. Mātauranga and tikanga have and continue to guide us and our interactions with Te Mimi o Tū Te Rakiwhānoa, the Coastal and Marine area and the environment at large. Interacting with the environment serves the functions of passing on traditional knowledge from one generation to the next.
50. Mātauranga Māori is based on values reflected within the need to protect resources and their mauri. Mātauranga is developed and transmitted through the use of natural resources, such as the practices of food management, harvesting and preparation. If the ability to access the area to travel and fish is removed, knowledge of safe Tauranga, techniques of gathering along with the associated ecological and cultural knowledge will likely disappear.
51. Tikanga describes the way we have of doing things and combines the spiritual, scientific and practical knowledge. It is regarded as absolute, derived from divine knowledge.
52. We have tikanga relating to kaimoana, including the offering of the first fish and only taking what you need; there are tools and protections which may be applied such as Taiāpure and Rahui where we deem them appropriate. Tikanga and Mātauranga are inseparable and guide the way we undertake our responsibilities as Kaitiaki.
53. We encourage collaborative research and monitoring projects between tangata whenua and scientists to address issues using both Mātauranga Māori, (traditional knowledge), and mainstream science.

MAURI

54. A gift that Io Matua Te Kore gave to the Atua was the gift of Mauri. It is the preservation of this Mauri that is the essence of resource management and conservation.

- 55.** The mauri of Te Mimi o Tū Te Rakiwhānoa 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 area⁵.
- 56.** As one of our kaumata said to me, he wouldn't want to go there, if he couldn't experience and use the area as it should be (i.e a relatively intact part of the takiwā). Intensification of Surface Water Activities would alter this.
- 57.** Ki uta ki tai, the land, surface water, groundwater, and coastal marine environments need to be considered within an integrated management framework. With this in mind, we expect to see environmental management approaches which prioritise the mauri of the entirety, not just individual sections, sectors or resources.

CONCLUSION

- 58.** It is a responsibility as kaitiaki that places are used and enjoyed in a sustainable and reflective manner. Te Mimi o Tū Te Rakiwhānoa is a place that should be used and enjoyed in a manner that protects its mana and its mauri, and for Ngāi Tahu our rights and interests obtained from 800 years of use.
- 59.** Places such as Te Mimi o Tū Te Rakiwhānoa require much consideration in terms of increased human interaction, when we see much of Papatūānuku and Tangaroa throughout our world overwhelmed by visitors seeking to find that special experience. This includes the experience of mana, ihi, wana and mārie (prestige, excitement, exhilaration, calmness). What visitors and users are seeking could indeed be to its detriment if not managed appropriately.
- 60.** We have a saying that “the Treaty is always speaking”, meaning that the process of settling Te Kēreme – the Ngāi Tahu Claim was not an end, but the beginning of implementing the Treaty in ways that enable us to move forward together. For Ngāi Tahu ki Murihiku, that signifies the importance of working with the Environment Southland to improve the regional planning framework for the Coast and to ensure that decision-making does not entrench the status quo or the decisions of the past that harmed our moana, wai and whenua.

⁵ Ngāi Tahu Claims Settlement Act, 1996 Schedule 102

61. We have long held a principle that the decisions of this generation should not bind the next generation, even more so when the mauri of our moana (wai and our whenua) are degraded and the kaupapa of ki uta ki tai and the duty of kaitiakitanga demands that it must be restored. Therefore we, support the essence of the plan change until the Coastal Plan is reviewed.

“Tangaroa pūkunohi nui”

Tangaroa (the atua of the sea) can observe all we are doing.

Dean Whaanga

8 June 2023

APPENDIX 1: Schedule 102 Statutory acknowledgement for Te Mimi o Tū Te Rakiwhānoa (Fiordland Coastal Marine Area)

[ss 205, 312, 313](#)

i) Statutory area

The statutory area to which this statutory acknowledgement applies is Te Mimi o Tū Te Rakiwhānoa (Fiordland Coastal Marine Area), the Coastal Marine Area of the Te Anau constituency of the Southland region, as shown on SO Plan 11503, Southland Land District, as shown on Allocation Plan NT 505 (SO 19901).

ii) Preamble

Under [section 313](#), the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic, and traditional association to Te Mimi o Tū Te Rakiwhānoa as set out below.

iii) Ngāi Tahu association with Te Mimi o Tū Te Rakiwhānoa

The fiords of this region represent, in tradition, the raised up sides of Te Waka o Aoraki. The waka (canoe) foundered on a submerged reef and its occupants, Aoraki and his brothers, Rāraki, Rakiroa and others, were turned to stone. They stand now as the highest peaks of Kā Tiritiri o te Moana (the Southern Alps). The fiords at the southern end of the Alps were hacked out of the raised side of the wrecked waka by Tū Te Rakiwhānoa, in an effort to make it habitable by humans. The deep gouges and long waterways that make up the fiords were intended to provide safe havens on the rugged coastline, and stocked with fish, forest and birds to sustain travellers.

For Ngāi Tahu, traditions such as these 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.

Particular stretches of the coastline also have their own traditions. The visit of Tamaahua to Piopiotahi (Milford Sound) in search of Poutini, who had absconded with his wife Waitaiki, is linked to the creation of Pounamu further north on Te Tai Poutini (the West Coast). The koko-takiwai which is found in Piopiotahi has its basis in a visit to Piopiotahi by the waka Tairea. A woman, Koko-takiwai, and her children, known as Matakirikiri, were left behind by the Tairea and were turned into varieties of pounamu.

Place names along the coast record Ngāi Tahu history and point to the landscape features which were significant to people for a range of reasons. For example, in his voyage around the Sounds in the waka Takitimu, Tamatea gave the chiselled terrain the name "Te Rua-o-te-moko", likening the deep gouges adorning the impressive cliff faces of the fiords to the tattoos on a chief's face. Martins Bay (Whakatipu-waitai or Kōtuku) to the north of the fiords was the site of an old settlement, located to control the pounamu resources to be found here. An area of Doubtful Sound is known as Kahui-te-kākāpō, while Dagg Sound had a canoe harbour known as Te Rā. Breaksea Island (within Breaksea Sound—Te Puaitaha) is known as Te Au Moana, referring to the ocean current that sweeps around the inlet. Cape Providence is known as Ōrariki, a cliff near here is called Taka-o-te-karehu-Tamatea, referring to an episode when some tattooing ink belonging to Tamatea washed over board. Chalky Sound is known as Taiari and a rock in the Sound is known as Te Kakahu-o-Tamatea, a place where Tamatea had his clothes spread out to dry after being drenched by the salt spray. Preservation Inlet has the name Rakituma.

The area was visited mainly by Ngāti Mamoe and Ngāi Tahu, who had various routes and nohoanga for the purpose of gathering koko-takiwai and manu (birds), particularly the kākāpō. The area played a significant role in the history of conflict between Ngāi Tahu and Ngāti Mamoe, with a number of Ngāti Mamoe taking refuge in the isolation of the fiords in order to escape the unforgiving attitudes of some sections of Ngāi Tahu. The noted rangatira Tarewai from Otago Heads met his end here at the hands of Ngāti Mamoe, having pursued them from the Otago Peninsula to Rakituma. Tarewai and his warriors were successfully ambushed by those they were pursuing, with the result that no one ever returned to Otago from this battle. Te Whare Pā in Rakitimu was the scene of one of the last major battles between Ngāti Mamoe and Ngāi Tahu.

Another dark piece of history occurred at Te Tauraka o te Hupokeka (Anita Bay). Hupokeka and his whānau (family) regularly visited Piopiotahi, travelling from Murihiku to gather koko-takiwai, and staying at a nohoanga in Anita Bay. It was here, in the 1820s, that he and his whānau were slaughtered by sealers in retribution for an incident of which they were quite innocent.

Because of its attractiveness as a place to establish permanent settlements, including pā (fortified settlements), the coastal area was visited and occupied first by Ngāti Mamoe and later by Ngāi Tahu. Through conflict and alliance these two iwi have merged in the whakapapa (genealogy) of Ngāi Tahu. Battles sites, urupā and landscape features bearing the names of tūpuna (ancestors) record this history. Prominent headlands, in particular, were favoured for their defensive qualities and became the headquarters for a succession of rangatira and their followers. Notable pā and nohoanga occurred in many areas on the Fiordland coast including: Milford (Lake Marchant) and Caswell Sounds; Kahui-te-kākāpō (Doubtful Sound), known as the gathering place of the kākāpō, in reference to the gathering of kākāpō meat and feathers which was one of the key reasons that Ngāi Tahu Whānui regularly travelled to the fiords; Dagg Sound gets the sun all day, and consequently is well known as a nohoanga site, it also has a good canoe harbour known as Te Rā; Rakituma is the site of several pā or nohoanga, including one at Matauira and another at Te Whare Pā.

It was the koko-takiwai and kākāpō which primarily attracted Ngāi Tahu to Fiordland. The koko-takiwai is favoured as a softer type of pounamu, more easily shaped into a finer quality of end product. It was therefore particularly sought-after for the making of ornaments, such as hei-tiki. The area also offered many other mahinga kai to sustain parties on their arduous expeditions, including a range of manu (birds), fish and kaimoana resources.

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 area, the relationship of people with the coastline 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.

There are two principal trails linking the Fiordland coast with the rest of Te Wai Pounamu (the South Island). A sea route around the fiords links Piopiotahi to Murihiku, and was the main route by which the koko-takiwai gathered from that end of the fiords was transported. The inland route for transporting koko-takiwai by backpack lay over what is now known as the Milford track, over Ōmanui (McKinnon Pass), down the Waitawai (Clinton River) to the head of Te Ana-au (Lake Te Anau). From there, the pounamu would be transported by mokihi to the head of the Waiau River, and from there down the Waiau to Te Ara a Kiwa (Foveaux Strait). In addition, a trail from Martins Bay, up the Hollyford Valley and over into the Routeburn Valley to the pounamu source at the head of Lake Whakatipu-wai-māori, was commonly used by Tai Poutini iwi, who regularly travelled south via this route to obtain koko-takiwai.

Hence tauranga waka (landing places) occur up and down the coast and wherever a tauranga waka is located there is also likely to have been a nohoanga, fishing ground, kaimoana resource, with the sea trail linked to a land trail or mahinga kai resource. The tūpuna had a huge knowledge of the coastal environment and weather patterns, passed from generation to generation. This knowledge 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 coast.

The fiords are the repository of many kōiwi tāngata, secreted away in keeping places throughout the region. There are also many other wāhi tapu in the area, including examples of rock art in Chalky Sound. Urupā are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. Urupā and wāhi tapu are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected in secret locations.

The mauri of Te Mimi o Tū Te Rakiwhānoa 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 area.

iv) Purposes of statutory acknowledgement

Pursuant to [section 215](#), and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

v) (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

vi) (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 Mimi o Tū Te Rakiwhānoa, as provided in [sections 208 to 210](#) (clause 12.2.4 of the deed of settlement); and

vii) (c)

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 Mimi o Tū Te Rakiwhānoa as provided in [section 208](#) (clause 12.2.5 of the deed of settlement).

viii) Limitations on effect of statutory acknowledgement

Except as expressly provided in [sections 208 to 211](#), [213](#), and [215](#),—

ix) (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 bylaws; and

x) (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 Mimi o Tū Te Rakiwhānoa (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 Mimi o Tū Te Rakiwhānoa.

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 Mimi o Tū Te Rakiwhānoa.

Schedule 102: amended, on 20 May 2014, by [section 107](#) of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).