

BEFORE THE HEARINGS PANEL SOUTHLAND REGIONAL COUNCIL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an application by Alliance Group to divert water from the
Mataura River for the purposes of generating electricity.

BRIEF OF EVIDENCE BY STEVIE-RAE BLAIR

ON BEHALF OF HOKONUI RŪNANGA AND TE RŪNANGA O NGĀI TAHU

28 NOVEMBER 2018

1. Introduction

Ko wai ahau?

Ko Hananui tōku maunga

Ko Waikawa tōku awa

Ko Uruao, Ko Takitimu ōku waka

Ko Te Ākau Tai Toka tōku hau kainga

Ko Kati Kuri, Ngāti Makō, Ngāi te Ruahikihiki ōku hapu

Ko Kāi Tahu, Kati Mamoe me Waitaha ōku Iwi

Ko Stevie-Rae Blair tōku ingoa

1.1. My name is Stevie-Rae Blair.

1.2. I am an Iwi Environmental Advisor at Te Ao Marama Incorporated (TAMI). My role is to process the resource consents and help to look after various research projects within the office.

2. Qualifications and Experience

2.1. I hold a Bachelor of Environmental Management from the Southern Institute of Technology.

2.2. I have worked for TAMI for three years and prior to that worked for Kitson Consulting Ltd for one year.

2.3. I grew up at Waikawa in the Catlins with whānau who have very strong links to the environment. Because of my whānau, growing up around marae and now working for Ngā Rūnanga ki Murihiku I am aware of Ngāi Tahu history, culture, values and how these relate to the environment.

2.4. I have prepared this evidence on behalf of Hokonui Rūnanga and Te Rūnanga o Ngāi Tahu (here after referred to as Ngāi Tahu). I am presenting the cultural matters of Hokonui Rūnanga on this not as member of Hokonui Rūnanga but as someone who worked closely with the Hokonui representative Rewi Anglem on this matter prior to his passing in August of this year.

3. Scope of Evidence

3.1. I have been involved with this resource consent application by the Alliance Group since pre-consultation began in 2016. The application was lodged in December 2016 and Te Ao Marama Inc. received a copy of this. I am familiar with the application and have participated in the pre-hearing meetings. I am familiar with the Mataura River and the area discussed in the application but my understanding of the specific relationship of Hokonui Rūnanga with the Mataura River have come from my work with the Rūnanga and in particular Rewi Anglem with regard to this consent application.

3.2. In my evidence I:

- (a) Discuss **Te Ao Marama Inc. and Hokonui Rūnanga roles and responsibilities.**
- (b) Summarise the **Submission** prepared by TAMI for Ngāi Tahu.
- (c) Discuss the **Cultural significance** of Ngāi Tahu to the area and how these relate to Ngāi Tahu values.
- (d) Summarise the application in regard to **Iwi Policy** including Ngāi Tahu Claims Settlement Act, 1998, Te Tangi a Taurira, 2008, Ngāi Tahu Freshwater Policy, 2002.

4. Te Ao Marama Inc. and Te Rūnanga o Waihopai roles and responsibilities.

4.1. Te Ao Marama Inc. (TAMI) represents Ngā Rūnanga ki Murihiku for resource management Iwi environmental issues. It is made up of the four Murihiku Rūnanga Papatipu – Oraka/Aparima, Waihopai, Awarua and Hokonui.

4.2. Hokonui Rūnanga is based in Gore, and holds kaitiaki responsibilities over the Hokonui region and includes a shared interest in the lakes and mountains between Whakatipu-Waitai and Tawhitarere with other Murihiku Rūnanga and those located from Waihemo southwards. This area includes the Mataura River – from its source to the sea.

4.3. Te Rūnanga o Ngāi Tahu is statutorily recognised as the representative tribal body of Ngāi Tahu whānui and was established as a body corporate under the Te Rūnanga o Ngāi Tahu Act 1996. Te Rūnanga o Ngāi Tahu supports Hokonui Rūnanga in its submission.

5. Summary of Submission

5.1. The submission by Hokonui Rūnanga and Te Rūnanga o Ngāi Tahu opposed the application on the following grounds:

- (a) The effects of the application on in stream ecology, (particularly taonga and mahinga kai species), and cultural values associated with Te Au Nui and the Mataura Awa.

- (b) There is concern that there has been no previous monitoring of the effects of the activity on in-stream values, including migrating fish species.
- (c) The effects of the hydro-electric power turbine and proposed mitigation on fish species (including fish populations and migrating fish).
- (d) Whānau have raised the matter of the efficacy of the monitoring period (being March-April). This may not correlate with the migrating patterns of fish species.
- (e) There is a concern that the flow over the weir and the configuration of the lip of the weir may not be adequate for fish passage.
- (f) The trap and transfer system that is currently being undertaken and proposed may not be capturing the elver upstream migration period.
- (g) The lack of consideration of the effects of climate change and its influence on the lifecycles of aquatic species particularly the timing of migration.
- (h) Ngāi Tahu are concerned with the proposed duration of the application.

5.2. Hokonui Rūnanga acknowledge that the Alliance Group, Mataura had undertaken pre-application hui and consulted throughout the development of the application.

5.3. As a result of the hui the concerns of the Rūnanga were narrowed to:

- (a) The duration of the resource consent being short term so that the effects on taonga species can be assessed and if there are effects that these are addressed before allowing the scheme to continue operating.
- (b) Returning live tuna to the river if caught during monitoring and data collected to be provided to TAMI for Hokonui Rūnanga. This data was to include the date, species, length, weight and number of tuna.
- (c) Keeping the carcasses of any dead tuna for Hokonui Rūnanga, especially the head so that we may be able to age the fish and to be able to identify the cause of death.
- (d) TAMI being provided with all data that is collected from this consent.
- (e) The level of Involvement of Hokonui Rūnanga in the Trap and Transfer, and monitoring programme.
- (f) Once the monitoring has been completed a suitable person with specialist expertise in cultural matters and fisheries is engaged to implement any mitigations specific to the site.

5.4. The Rūnanga however remain opposed to the application and still seek it be declined in its current form.

6. Cultural Significance of the Mataura River

6.1. The rohe (area) involved within this application have been an important place for the collection of taonga species for tangata whenua. Our ability to collect mahinga kai has suffered as a result of the decline in species quantity and our ability to access harvesting sites.

6.2. This landscape is special to Iwi as a reminder of a frequented historical cultural landscape. As our tūpuna moved throughout Te Wai Pounamu their presence was preserved in the naming of places. In present times these names reinforces our connections to Ngāi Tahu traditions, tūpuna, incidents and mahinga kai resources.

6.3. The Mataura River is a significant catchment for mahinga kai and is tribally renowned for its abundance of kanakana and tuna, particularly around the area of Te Au-nui-pihapiha-kanakana (Mataura Falls here after referred to as Te Au-Nui). Ngāi Tahu ancestor Paroparo Te Whenua is credited with the discovery of the kanakana at Te Au-nui-pihapiha-kanakana, he is said to have spotted the birds gathering at the falls from his kāinga at Haumuri, Hokanui (Croydon). Since this time generations of Waitaha, Kati mamoe and Ngāi Tahu have gathered kanakana for their whānau.

6.4. In 1853 Reko and Kaikōura (Ngāi Tahu) guided Nathaniel Chalmers from the Tuturau kāinga to Central Otago. For the first few days they camped close to the river and lived well off eels and ducks, these were abundant through the Waimea Plains. It is also noted that during the raid led by Te Puoho in the 1830's, he and his party travelled down the Mataura River utilizing existing eel camps.

6.5. The Mataura Catchment was an important ara tawhito (traditional travel routes) for many generations of Ngāi Tahu ki Murihiku. The river provides a direct link from Murihiku to Whakatipu Waimāori (Lake Wakatipu) and to available resources such as pounamu.

6.6. Tūtūrau was a long established kāinga, located on the eastern bank of the Mataura River, just south of Te Au-Nui that provided a strategic stopover for those travelling north or south along the river, or along the inland ara tawhito connecting Murihiku and Otago. It is also known as the place where Te Puoho was killed, a Ngāti Tama leader who attempted to raid Ngāi Tahu. Later Tūtūrau was known as the only permanent settlement in the Mataura Valley.

6.7. As a result of this pattern of occupation, there are a number of urupā and wāhi tāpu located along the Mataura River. There are many archaeological, wāhi tapu and Urupā within this

area. Urupā are the resting places of Ngāi Tahu tupuna and, as such, are the focus for whānau traditions. These are places holding the memories, traditions, victories and defeats of Ngāi Tahu tupuna, and are frequently protected by secret locations.

- 6.8. The cultural significance of the Maitai River its streams, rivers and estuary is extremely important to mana whenua. The Maitai River has provided ongoing cultural use and Ngāi Tahu ki Murihiku continue to have a relationship with the river that reflects on the early mātauranga (knowledge) that has been passed down through the generations.

7. Mātaimai

- 7.1. Mātaimai reserves are established by the Minister of Fisheries in recognition of traditional fishing areas that are of special significance to tangata whenua. Mātaimai historically was and still is a tool used by tangata whenua to enhance and develop customary rights. It allows communities to come together and work in partnership whilst symbolizing the special relationship that Ngāi Tahu has with traditional fishing grounds.
- 7.2. The Maitai Te Awa Mātaimai was New Zealand's first freshwater mātaimai reserve and was opened in October 2006. The Mātaimai covers a 10km section of the Maitai River and covers the area that the application is located. The vision for the mātaimai is "a sustainable, healthy and abundant fishery that provides for the customary needs of the community."
- 7.3. In legally establishing the mātaimai it further recognised kaitiakitanga and rangatiratanga, it acknowledged the special relationship (both historically and contemporary) that exists between tangata whenua and that the area of reserve can be effectively managed by Hokonui Rūnanga. In order to effectively manage the mātaimai Hokonui Rūnanga has a responsibility to ensure sustainable management of its natural resources, including the protection of the mauri of the awa, taonga species and mahinga kai for future generations.

8. Ngāi Tahu Values

Wai

- 8.1. To ask perhaps the most fundamental question "Who am I?" Māori say "Ko wai ahau?" When these same words are stated, not asked, they mean "I am water". The physical value of good water and land to Ngāi Tahu can be seen within the patterns of settlement and occupation throughout.¹ Water is fundamental to the health and wellbeing of who we are as Māori. The health, wellbeing and Mauri of the water is directly linked to the health and wellbeing of the people.

¹ Te Marino Lenihan, 2013

- 8.2. The characteristics of the water body (smell, shape, fish passage, bed, flow, etc.) have a direct impact on its health and surrounding lands, what is harvested from it and when. Preferential sites for mahinga kai tend to be rivers, hāpua (estuaries, lagoons), repo (wetlands) and the riparian zones of rivers, streams and lakes.² The Mātaura is a good example of mahinga kai practices being carried out throughout the catchment. For example the ability to harvest kanakana during the September/ October months and tuna from the river all year round.

Ki uta ki tai

- 8.3. Ki uta ki tai reflects the mātauranga that all environmental elements are connected and must be managed as such.³ Ngāi Tahu understands Ki Uta Ki Tai as:

a paradigm and an ethic. It's a way of understanding the natural environment , including how it functions, how people related to it and how it can be looked after appropriately...

Ki Uta Ki Tai gives reference to the Ngāi Tahu understanding of the natural world and the belief that all things are connected – a belief shared by many other iwi and indigenous people. It also highlights the central importance of mahinga kai, the traditional seasonal food gathering rituals of Ngāi Tahu and the role this played in the traditional understanding and management of natural resources.

While being founded on traditional values and understanding, Ki Uta Ki Tai is also a modern management framework that involves the creation of a number of tools, such as natural resource management plans, monitoring and reporting processes and resource inventories and their associated strategies to address the continuing challenges and threats faced by all aspects of the natural environment from the mountains to the sea – ki uta, ki tai.

...Ki Uta Ki Tai, as a concept, comes from the traditions, customs and values of Ngāi Tahu Whānui in relation to the natural environment, and in particular the custom of mahinga kai and transferred between generations through purakau, whakatauki, waiata, korero and on-going practices is the foundation upon which this modern Ngāi Tahu natural resource management framework is built.⁴

- 8.4. The sources and knowing where they come from are extremely important because of the effect they have on the downstream sites. This is important for Iwi to understand what effects

² Cain, A & Whaanga D, 2017.

³ Cain, A & Whaanga D, 2017.

⁴ Kaupapa Taiao (2003) *Ki Uta Ki Tai: Mountains to the Sea Natural Resources Management*, pp. 9-10

are contributing to the health of the environments, keeping in mind that ki uta ki tai works both ways, anything effecting the downstream environments also has an effect on the upper catchment.

- 8.5. Te Au-Nui have always provided an obstacle on the river to fish but since its establishment Hokonui Rūnanga have been concerned about the effects of the hydro-electric scheme being a barrier to species safely navigating the rivers extent.

Mauri

- 8.6. Mauri is the essential life-force, the power and distinctiveness which enables each thing to exist itself. Everything in the natural world – people, fish, birds, forests, rivers, water, land, and even created things such as a house or wharenuī – has their own mauri. In essence mauri is a force or power which is used to express the relative health and vitality of any place or being⁵.
- 8.7. The Mātaura Mātaitai Management Plan states that *“Mauri must not be desecrated. Over recent decades, the mauri of the Mātaura has been degraded by pollutants and decreasing availability of mahinga kai species, such as kanakana and tuna.”*
- 8.8. It is important for mana whenua while practising kaitiakitanga that the mauri of the river and our water bodies are maintained for us and our future generations. Please see the photos below that provide a comparison of how Te Au-Nui was viewed prior to any development. It is evident from looking at the photos how the life-force, its power and distinctiveness was affected during development. Is it well known by whānau that the flow of the water in the immediate area to the falls was changed during development and this has potentially altered the ability for fish to navigate the falls and also in doing so affected their mauri.

⁵ Te Marino Lenihan, 2013

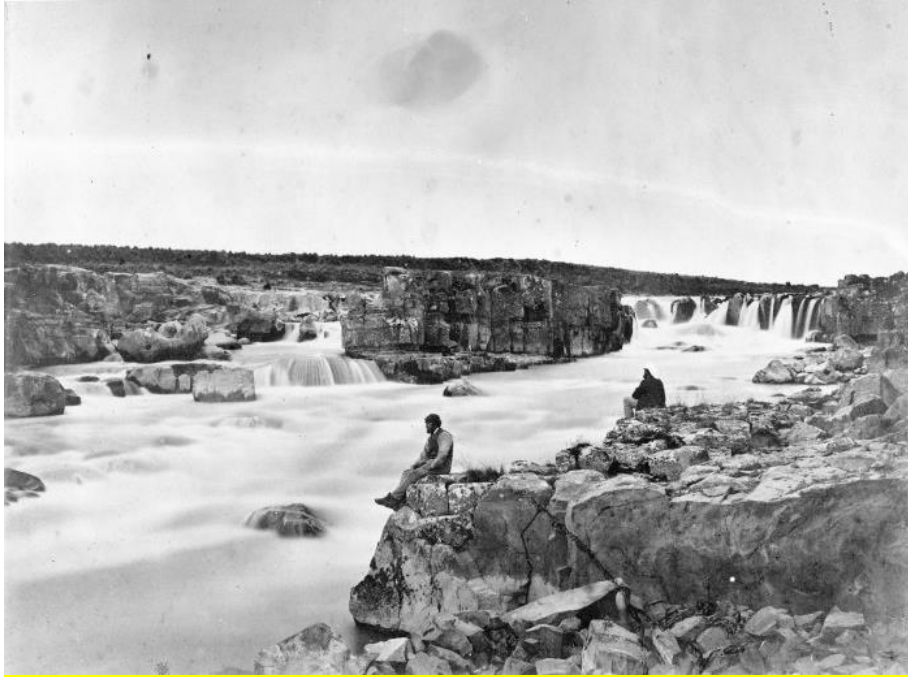


Figure 1: Te Au-Nui-Pihapiha-Kanakana prior to any development.



Figure 2: Te Au-Nui-Pihapiha-Kanakana in more recent times after development.

Mahinga kai

8.9. The Maitai Management Plan defines mahinga kai as *'the custom of gathering food and natural resources, and the places where they are gathered. The associated custom of kai hau kai (exchange of food/resources) was one of the major economic institutions in the traditional life, being the means by which food and resources as well as knowledge was traded and exchanged between the iwi, hapū and whānau.'*

8.10. Mahinga kai is broadly explained in Te Tangi a Tauri (2008) as being about

*places, ways of doing things, and resources that sustain the people. It includes the work that is done (and the fuel that is used) in the gathering of all natural resources (plants, animals, water, sea life, pounamu) to sustain well-being. This includes the ability to clothe, feed and provide shelter.*⁶

- 8.11. Mahinga kai is central to the Ngāi Tahu way of life and cultural wellbeing. It represents the ninth component of the 'Nine Tall Trees' that comprised the Ngai Tahu Claim; an intrinsic part of the tribe's identity, or the "DNA of Ngāi Tahu".⁷
- 8.12. Mahinga kai is central to our relationships with places, waterways, species and resources, and to the cultural, spiritual, social and economic well-being of Ngai Tahu. It is a vehicle for the intergenerational transfer of Mātauranga (knowledge).⁸
- 8.13. The river, its surrounding waterways and the land have provided continuous use over many generations and are extremely important for Ngāi Tahu ki Murihiku for mahinga kai. Through years of development the opportunities for gathering kai have substantially decreased, it is important for us to halt the decline.
- 8.14. In recent years whānau from Hokonui have stated that there has been a decline in species particularly kanakana at Te Au-Nui. There is less days of gathering today than in the past
- 8.15. Historically there were eel camps situated all the way up the Mataura River, today little gathering of tuna happens above the falls due to the lack of availability. This coincides with the commercial eelers who catch most of their numbers from the lower Mataura as stated in the application.

Kaitiakitanga

- 8.16. Te Tangi a Tauira, 2008 describes kaitiakitanga as 'the exercise of guardianship/stewardship by the tangata whenua of an area and resources in accordance with tikanga Māori.'⁹
- 8.17. As defined within the Proposed Southland Water and Land Plan kaitiakitanga is defined as:

Kaitiakitanga is central to Ngāi Tahu and is key to their mana whenua. By exercising kaitiakitanga, Ngāi Tahu ki Murihiku actively work to ensure that spiritual, cultural and Mahinga kai values are upheld and sustained for future generations.

Kaitiakitanga in this context includes ensuring the protection, restoration and enhancement of the productivity and life-supporting capacity of mahinga kai,

⁶ Te Tangi a Tauira, 2008.

⁷ Kitson, J. 2017.

⁸ Kitson, J. 2017.

⁹ Te Tangi a Tauira, 2008. Pg. 48.

*indigenous biodiversity, air, water, land, natural habitats and ecosystems, and all other natural resources valued by Ngāi Tahu ki Murihiku.*¹⁰

- 8.18. Being a kaitiaki is a responsibility, it is something that is inherently passed down through the generations as it goes hand in hand with identifying with your ancestral river. Those responsibilities rely on the influence that kaitiaki have over making decisions regarding taonga species and mahinga kai. Although mana whenua have retained their connection to the river and its resources there is a disconnect regarding decision making.

Interconnectedness

- 8.19. The health and wellbeing of Iwi is dependent on the four cornerstones of Maori wellbeing including wairua (spiritual), hinengaro (mind), tinana (body) and whānau (family). It is important to note the value of Whānautanga (family) and the need to engage and use the land and water to support their health and wellbeing.

9. Iwi Policy

9.1. Ngāi Tahu Claims Settlement Act, 1998

- 9.2. The Ngāi Tahu Claims Settlement Act 1998 gives effect to the provisions of the Deed of Settlement, entered into between Ngāi Tahu and the Crown in 1997. The Cultural Redress elements of the Crown's Settlement Offer were aimed at restoring the ability of Ngāi Tahu to give practical effect to its kaitiaki responsibilities.

- 9.3. Statutory acknowledgement is an acknowledgement by the Crown of the special relationship of Ngāi Tahu with identifiable areas. Namely the particular cultural, spiritual, historical and traditional association of Ngāi Tahu within those areas (known as statutory areas).¹¹

- 9.4. The Maitai River Statutory Acknowledgement gives effect to our relationship with the Crown and supports our Tupuna in recognising the importance of the Maitai River.

- 9.5. Nohoanga, literally meaning place to sit, traditionally refers to seasonal campsites which were an integral part of the nomadic lifestyle of Ngāi Tahu whānui as they moved throughout Te Wai Pounamu strategically moving to areas where they were available. The NTCSA recognizes crown owned land generally adjacent to lakeshores or riverbanks that can be utilized for the gathering of food and other natural resources, Ngāi Tahu whānau have temporary but exclusive rights to occupy these sites. There are two situated in the Maitai

¹⁰ Environment Southland, 2016, pg. 8.

¹¹ Te Tangi a Taurira Pg 47

Catchment, one being at Piano Flat on the Waikaia river and the other at Ardlussa on the Mataura River.

- 9.6. The Taonga Species List was agreed between Ngāi Tahu and the Crown and is formalised in the NTCSA. The rivers, streams and estuary serve as a breeding ground and habitat for many species included in this list and some that are not included such as kanakana, tuna, inanga and wai kōura.

10. Tangi a Tauira, 2008 and consent duration

- 10.1. Te Tangi a Tauira is a culturally based natural resource framework developed by and for Ngāi Tahu whānui and assists Ngāi Tahu to achieve rangatiratanga and kaitiakitanga in natural resource management. The main kaupapa of the plan is ki uta ki tai (described above). Various plans and policies within this framework have been integrated by local tangata whenua (people of the land) to document the issues within our takiwā (area).
- 10.2. The applicant has applied for a 25-year consent duration. Te Tangi a Tauira, 2008 policy is to advocate for consent durations of 25 years or less. A 25 year term is considered to be the longest duration that Ngāi Tahu ki Murihiku would provide approval for, when the effects on the environment, are fully mitigated and/or minor and the other relevant policies in Te Tangi are adhered to for example fish passage being unimpeded. Te Tangi is discussed further in the evidence of Lisa MacKenzie.

11. Te Rūnanga o Ngāi Tahu Freshwater Policy Statement, 2002

- 11.1. The purpose of this Freshwater Policy Statement is to provide a foundation for resource management agencies and Papatipu Rūnanga planning for freshwater. It sets out in broad terms our policies with respect to freshwater. The policy statement was completed due to Ngāi Tahu documenting numerous examples of waterways changing states and becoming degraded particularly due to discharges, reworking of hydrological regimes, erosion, sedimentation, low flows and damage to rich mahinga kai habitats on riparian margins.
- 11.2. Consent duration is important as could be an effect on cultural values that does not necessarily trigger an ecological or scientific effect. This effect in itself can then have a domino effect on other values such as if the mauri is effected, then such is the wellbeing of the people.
- 11.3. Mana whenua are concerned for the highly prized mahinga kai species within the Mataura River. The concerning factor is the limited information and monitoring that has been

conducted on taonga species over the duration of the hydro plants existence within a highly prized area for Ngāi Tahu ki Murihiku. The effects over the long term are not known hence a shorter term has been requested.

12. Conclusion

- 12.1. Māori look at the world holistically, everything is interconnected, this is shown through the value 'ki uta ki tai', it is deemed important by rūnanga that both hydro plants on either side of the river should be consented at the same time to ensure that the remaining mauri of the river is upheld with consistency and fairness.
- 12.2. For the Rūnanga to be effective kaitiaki of their mātaihai and of their taonga species they need to be heavily involved with any monitoring completed within the Mātaihai, specifically because the reasoning for the mātaihai is to have healthy and sustainable kai that can sustain the community.
- 12.3. We acknowledge that the Hydro Electric Plant is important infrastructure to Alliance Group Ltd but we do have concerns around fish passage and consent duration.
- 12.4. We wish for the application to be declined as it currently stands.

Stevie-Rae Blair

28 November 2018

13. References

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14. Schedule 42

Statutory acknowledgement for Mataura River
ss 205, 206

Statutory area

The statutory area to which this statutory acknowledgement applies is the river known as Mataura, the location of which is shown on Allocation Plan MD 125 (SO 12264).

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 Mataura River, as set out below.

Ngāi Tahu association with the Mataura River

The area of the Mataura River above the Mataura Falls was traditionally used by the descendants of the Ngāti Mamoe chief, Parapara Te Whenua. The descendants of Parapara Te Whenua incorporate the lines of Ngāti Kurī from which the Mamaru family of Moeraki descend. Another famous tupuna associated with the river was Kiritekateka, the daughter of Parapara Te Whenua. Kiritekateka was captured by Ngāi Tahu at Te Anau and her descendants make up the lines of many of the Ngāi Tahu families at Ōtākou.

For Ngāi Tahu, histories such as these 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 Mataura was an important mahinga kai, noted for its indigenous fishery. The Mataura Falls were particularly associated with the taking of kanakana (lamprey). 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 Mataura, 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 mauri of the Mataura represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the river.

Purposes of statutory acknowledgement

Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

(a)

to require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and

(b)

to require that consent authorities, Heritage New Zealand Pouhere Taonga, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to the Maitai River, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and

(c)

to empower the Minister responsible for management of the Maitai River or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and

(d)

to enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to the Maitai River as provided in section 211 (clause 12.2.5 of the deed of settlement).

Limitations on effect of statutory acknowledgement

Except as expressly provided in sections 208 to 211, 213, and 215,—

(a)

this statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and

(b)

without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu's association to the Maitai River (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Maitai River.

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, the Maitara River.

Schedule 42: amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).