



Te Rūnanga o NGĀI TAHU

## Submission on Notified Resource Consent Application

To: Environment Southland  
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**Name of submitter:** Te Rūnanga o Ngāi Tahu (**Te Rūnanga**).

- 1 This is a submission on Resource Consent Application (**APP-20211669**) for the periodic opening of Lake Waituna to the sea by excavation of a channel through the gravel barrier separating Lake Waituna from Toetoes Bay. The works include disturbance of the foreshore and placement of excavated material adjacent to the excavation; disturbance of the lake bed associated with the excavation of the channel; diversion of water from Lake Waituna and associated wetlands; and discharge of water from Lake Waituna into the sea.
- 2 This submission by Te Rūnanga relates to the whole of the proposal as outlined in **Attachment A**.
- 3 Te Rūnanga wishes to be heard in support of its submission.
- 4 Te Rūnanga **opposes** the granting of this Application.
- 5 Te Rūnanga is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.
- 6 A copy of this submission has been sent to the Consent Holder.

**Signed** for and on behalf of Te Rūnanga o Ngāi Tahu:

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**Aaron Leith**  
**Acting General Manager, Te Ao Tūroa**  
**Te Rūnanga o Ngāi Tahu**

Date: 13 July 2022

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## **1 Introduction**

- 1.1 This is a submission on behalf of Te Rūnanga o Ngāi Tahu (**Te Rūnanga**) on Resource Consent Application (**APP-20211669**) for the periodic opening of Lake Waituna to the sea by excavation of a channel through the gravel barrier separating Lake Waituna from Toetoes Bay. The works include disturbance of the foreshore and placement of excavated material adjacent to the excavation; disturbance of the lake bed associated with the excavation of the channel; diversion of water from Lake Waituna and associated wetlands; and discharge of water from Lake Waituna into the sea.

## **2 Background**

- 2.1 Te Rūnanga is the statutorily recognised representative tribal body of Ngāi Tahu whānui (as provided by section 15 of the Te Rūnanga o Ngāi Tahu Act 1996 (**TRONT Act**)) and was established as a body corporate on 24 April 1996 under section 6 of the TRONT Act.
- 2.2 Te Rūnanga encompasses five hapū, Kati Kurī, Ngāti Irakehu, Kati Huirapa, Ngāi Te Ruahikihiki, Ngāi Tūāhuriri and 18 Papatipu Rūnanga, who uphold the mana whenua and mana moana of their rohe. Te Rūnanga is responsible for managing, advocating and protecting, the rights and interests inherent to Ngāi Tahu as mana whenua.
- 2.3 Te Rūnanga respectfully requests that Southland Regional Council accord this submission with the status and weight of the tribal collective of Ngāi Tahu whānui comprising over 70,000 registered iwi members, in a takiwā comprising the majority of Te Waipounamu. A map of the takiwā of Te Rūnanga is included at **Appendix One**.
- 2.4 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 in relation to this matter.
- 2.5 Papatipu Rūnanga who have shared interests in this Application are: Waihōpai Rūnaka, Te Rūnanga Ōraka Aparima, Te Rūnanga o Awarua, Hokonui Rūnanga collectively referred to in this response as ‘Ngāi Tahu ki Murihiku’.
- 2.6 Te Rūnanga supports the joint submission of the Department of Conservation (**DoC**) and Te Rūnanga o Awarua.

### **Te Tiriti o Waitangi**

- 2.7 The contemporary relationship between the Crown and Ngāi Tahu is defined by three core documents: Te Tiriti o Waitangi (**the Treaty**), the Ngāi Tahu Deed of Settlement 1997 (**Deed of Settlement**) and the Ngāi Tahu Claims Settlement Act 1998 (**NTCSA**). These documents form an important legal relationship between Ngāi Tahu and the Crown.
- 2.8 Of significance, the Deed of Settlement and NTCSA confirmed the rangatiratanga of Ngāi Tahu and its relationship with the natural environment and whenua within the takiwā.
- 2.9 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”. In doing so, the Crown acknowledged the ongoing partnership between the Crown and

Ngāi Tahu and the expectation that any policy or management regime would be developed and implemented in partnership with Ngāi Tahu.

### **3 Ngāi Tahu Interests in Relation to Resource Consent Application**

3.1 Te Rūnanga note the following particular interests in relation to the Application:

#### ***Treaty Relationship***

- Ngāi Tahu have an expectation that the Crown (and their delegated authorities) will honour Te Tiriti o Waitangi and the principles upon which it was founded. All persons undertaking duties and responsibilities in accordance with the purpose this document shall recognise and respect the Crown's responsibility to give the 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 whānui are 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 NTCSA. 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 this Application are the:

- Waituna Wetland (which includes the Application site)
- Rakiura/Te Ara a Kiwa (Rakiura/Foveaux Strait CMA) (adjacent to the Application site)

3.4 Tribal history is embedded in the Waituna lagoon and the wetlands, rivers and lands that surround it. The NTCSA describes the Ngāi Tahu associations with Waituna and the adjacent coastal marine area (refer to **Appendix Three** for a full description). These associations are material to decision making under the Resource Management Act 1991 (the RMA) and to this Application. These association are expressed through the metaphorical understanding of land and waters and Ngāi Tahu whakapapa which

connects us to this place. These associations include the formation of landscape, wāhi ingoa (place names), mahinga kai, wāhi tapū and archaeological sites.

- 3.5 In addition, the NTCSA includes recognition of taonga species as part of the cultural redress for mahinga kai, to give practical effect for Ngāi Tahu to undertake kaitiaki obligations. Through the settlement, the Crown acknowledged the relationship Ngāi Tahu has with these species. While not all species that are considered taonga were listed in the NTCSA (for various reasons), all indigenous species are taonga to Ngāi Tahu because of their contribution to ecosystem health.
- 3.6 Waituna Lagoon was listed as a wetland of international importance under the Convention on Wetlands (Ramsar Convention) in 1976 for the significant ecological values that it supports. The Ramsar site was expanded in 2008 to encompass the wider Awarua wetland complex.

#### **4 General Position and Reasons for the Submission**

- 4.1 Te Rūnanga supports the joint submission of DoC and Te Rūnanga o Awarua, and adopts their position and reasoning. In addition, Te Rūnanga opposes the Application for the reasons set out below.

*Te Mana o te Wai and ki uta ki tai*

- 4.2 For Ngāi Tahu waterbodies have their own whakapapa. Some wai will be included in pepeha and connect whānau to the whakapapa of te ao tūroa. Wai has its own mauri, and that mauri can be damaged when the health of wai suffers. This connectedness between te ao tūroa (including wai) and Ngāi Tahu heightens the desire of Ngāi Tahu to ensure that the health of wai is of the highest priority.
- 4.3 Te Mana o te Wai is the “fundamental concept” of the applicable National Policy Statement for Freshwater Management (**NPS-FM**), and is described as being:<sup>1</sup>

*... a concept that refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. It protects the mauri of the wai. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community.*

- 4.4 Consistent with tikanga, Ngāi Tahu management of resources is inherently integrated with ki uta ki tai being a holistic approach to environmental management. Ki uta ki tai is a natural resource management framework that reflects the notion all resources are connected, from the mountains to the sea, and must be managed as such. The concept and value reflects that we belong to the environment and are only borrowing the resources from the generations that are yet to come. Ki uta ki tai is the main kaupapa of Te Tangi a Tauira, the applicable Iwi Management Plan.
- 4.5 The proposed Southland Water and Land Plan embodies ki uta ki tai and upholds Te Mana o Te Wai. The proposed Plan specifically requires these two concepts to be at the forefront of all discussions and decisions about water and land (see the Interpretation Statement).

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<sup>1</sup> NPSFM 2020, 1.3.

- 4.6 This Application pays lip service to the cultural significance of Waituna but fails to recognise and provide for the relationship of Ngāi Tahu to our culture and traditions associated with ancestral lands, water, sites, waahi tapu, and other taonga as required by the Resource Management Act. There is no regard given to kaitiakitanga. The Application does not attempt to avoid or mitigate the adverse impacts of the proposed opening regime on the Lagoon and fringing wetlands. Rather, it puts the economic benefit of opening the Lagoon for land drainage ahead of the ecological benefits of a healthy lagoon and the maintenance and restoration of cultural values. This is inconsistent with ki uta ki tai and fails to uphold Te Mana o te Wai.
- 4.7 Accordingly, the adverse effects on cultural values are significant, including but not limited to those that are described in this submission.

#### *Mahinga Kai*

- 4.8 Mahinga kai is key to the identity as Ngāi Tahu and part of who Ngāi Tahu are. It represents the ninth component of the 'Nine Tall Trees' that comprised Te Kerēme - the Ngāi Tahu Claim against the Crown. Mahinga kai activities are an important expression of cultural identity and the continuation of traditional mahinga kai practices is a means of passing values and knowledge on to current and future generations.<sup>2</sup>
- 4.9 As set out in the Statutory Acknowledgment description, Waituna was once a major food basket utilised by temporary and permanent settlements for its wide variety of reliable mahinga kai. The diversity of wildlife associated with the area includes several breeds of ducks, white heron, gulls, spoonbill, kōtuku, oyster-catcher, dotterels, terns and fernbirds. The wetlands are important kōhanga (spawning) grounds for a number of indigenous fish species. Kaimoana available includes giant and banded kōkopu, varieties of flatfish, tuna (eels), kanakana (lamprey), inaka (whitebait), waikākahi (freshwater mussel) and waikōura (freshwater crayfish). Harakeke, raupō, mānuka, tōtara and tōtara bark, and pingao were also regularly harvested cultural materials.
- 4.10 Waituna Lagoon is considered one of the best remaining examples of a natural coastal lagoon in New Zealand and is unique in Southland and New Zealand. Waituna Lagoon is in moderate-good condition compared to other coastal lakes/lagoons in New Zealand.
- 4.11 However, the prolonged, ill-timed or regular opening of the Lagoon to the sea has a significant negative impact on mahinga kai and therefore the wellbeing, values, use and association of Ngāi Tahu to the lagoon. The Application fails to apply the most recent relevant information on the effects of the opening regime on the ecological and cultural health of the Lagoon, particularly the "Review of the conditions for opening Waituna Lagoon (Robertson et al. 2021)" submitted to the Whakamana Te Waituna Trust (and publicly available) and fails to apply the recommended water level thresholds to maintain and enhance the significant values of the Lagoon. The Application does not address these significant effects, nor has the Applicant sought to meaningful engage with these issues.

#### *Consultation*

- 4.12 The Applicant has not consulted with Te Rūnanga o Ngāi Tahu or Papatipu Rūnanga, despite our significant interests in the area.

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<sup>2</sup> Te Rūnanga o Ngāi Tahu Freshwater Policy, Section 4.4 page 23

- 4.13 The Application states that “Te Rūnanga o Ngāi Tahu and Te Ao Marama Inc will be affected parties to this application so will have the opportunity to be directly involved in the consent process”.<sup>3</sup> However, failing to consult with mana whenua who have such significant interests (that are widely known) prior to lodging this Application is not good resource management practice.

*Consent term*

- 4.14 The Application is for a 20 year consent term. With respect to this duration, the Application notes:<sup>4</sup>

*... currently, tangata whenua values and Ngāi Tahu indicators of health are not being met, which is why considerable effort is going into trying to restore the lagoon's health and mauri. Tangata Whenua are a significant part of that process through its involvement in the Trust. The **term of the consent for openings is not a significant issue in this work**, but the openings are an important part of the management of the lagoon for both the applicant and the Trust, notwithstanding their different priorities. Again, openings will be required for the foreseeable future and any changes required to the consent conditions can be addressed through other processes rather than expiry of the consent.*

*[Emphasis added]*

- 4.15 This Application does not prioritise the health and wellbeing of Waituna, and therefore the term of consent is relevant and significant. Te Runanga is opposed to a long-term consent duration of 20 years for this Application as it:

- would encapsulate potentially two 10-year cycles of RMA plan changes;
- diminishes the ability for Ngāi Tahu whānui to fulfil their role as kaitiaki; and
- results in long term and intergenerational effects on Ngāi Tahu values and the environment.

- 4.16 Long term consent durations for Applications that do not prioritise the health and wellbeing of the environment can create intergenerational effects. The intergenerational nature of these consent durations can inhibit the ability to exercise kaitiakitanga, and in turn impact on the ongoing relationship between Ngāi Tahu and the environment within their takiwā. Passing on the effects of one generation to the next does not fit with Ngāi Tahu kaitiakitanga responsibilities. Ngāi Tahu consider that a conservative approach is the most appropriate, when considering consent durations for Applications of this nature.

*Statutory Assessment*

- 4.17 The Application is contrary to Part 2 of the Resource Management Act, in particular section 5, sections 6(a), (c), (d) and (e), sections 7 (a), (d) and (f) and section 8. Of particular importance to Ngāi Tahu, the Application does not have regard to kaitiakitanga; it does not provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga; nor does it take into account the principles of Te Tiriti o Waitangi. In addition, the Application fails to:

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<sup>3</sup> Page 18, Application.

<sup>4</sup> Page 27, Application.

- promote sustainable management of natural and physical resources;
  - recognise and provide for the preservation of natural character of the coastal environment; wetlands, lakes and their margins; and
  - recognise and provide for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.
- 4.18 The Application is inconsistent with the objectives and policies of the New Zealand Coastal Policy Statement 2010, specifically Objectives 1, 2, and 3, and Policies 2, 3, 5, 11 and 13.
- 4.19 As already highlighted above, the Application is inconsistent with the Objective and Policy 1 of the NPS-FM in the way that it prioritises the use of resources to provide for economic well-being ahead of the health and wellbeing of water bodies and freshwater ecosystems in a manner that is inconsistent with Te Mana o Te Wai. The NPS-FM Objective specifically priorities:
- first, the health and well-being of water bodies and freshwater ecosystems
  - second, the health needs of people
  - third, the ability of people and communities to provide for the social, economic and cultural well-being, now and in the future.
- 4.20 The Application is inconsistent with Policy 2 of the NPSFM as it fails to identify and provide for Māori freshwater values and actively involve tangata whenua in freshwater management.
- 4.21 The Application is also contrary to the objectives and policies of regional planning documents, including but not limited to the following:
- The Southland Regional Policy Statement, specifically Objectives TW.3, TW.4, WQUAL.2 and Policies TW.4 and WQUAL.3.
  - The Regional Coastal Plan for Southland, particularly Objectives 5.6.1, 5.6.2, 7.4.2.1 and Policies 5.6.1, 5.6.2, 5.6.3, 5.6.5 and 7.4.2.2 regarding the opening of Waituna Lagoon to the sea, consultation, and protection of characteristics of significance to Māori.
  - The Regional Water Plan, specifically Objectives 10 and 13, and Policy 32.
  - The proposed Southland Water and Land Plan, which embodies ki uta ki tai and upholds Te Mana o Te Wai and specifically requires these two concepts to be at the forefront of all discussions and decisions about water and land.
- 4.22 The Application is also contrary to policies set out in Te Tangi a Tauria, the applicable Iwi Management Plan, which should be considered under section 104 of the Resource Management Act and be taken into account pursuant to Objective and Policy TW.2 of the Southland Regional Policy Statement. The main kaupapa of Te Tangi is ki uta ki tai (described above). The Application is inconsistent with the following policies (but not limited to those highlighted below):
- Policy 3.6.2.8 to require that an assessment of environmental effects includes and assessment of the cultural effects and potential cumulative effects on the natural character of the coastal environment.

## Attachment A

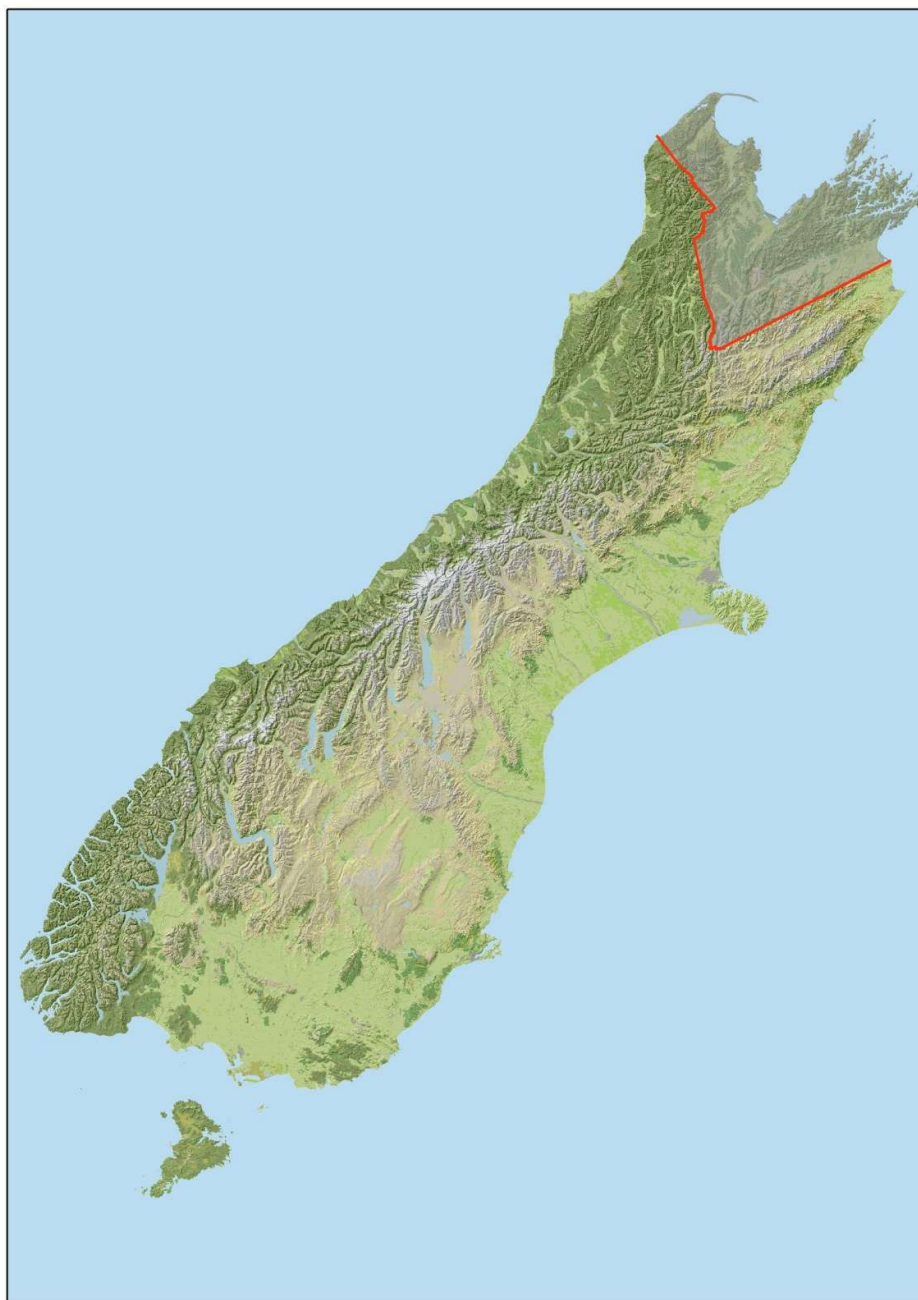
- Policy 3.6.2.25 to recognise Ngāi Tahu history and use of the coastal environment and the identification and protection of wāhi tapu and wāhi taonga sites when new land use development occurs.
- Policy 3.6.13.1. to avoid coastal activities that may disturb, and have a direct or indirect detrimental impact, on areas of significant vegetation and habitats.
- Policy 3.5.10.1 to give effect to the role of Ngāi Tahu ki Murihiku as kaitiaki of freshwater in freshwater policy, planning and management.

### **5 Decision Sought**

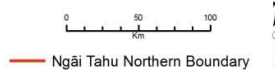
- 5.1 Te Rūnanga supports and adopts the decision sought by DoC and Te Rūnanga o Awarua that the resource consent application be **declined**.



## APPENDIX ONE: NGĀI TAHU TAKIWĀ



Ngāi Tahu Takiwā



## **APPENDIX TWO: TEXT OF CROWN APOLOGY**

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

### ***Part One – Apology by the Crown to Ngāi Tahu***

#### ***Section 6 Text in English***

The text of the apology in English is as follows:

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

*This was the command thy love laid upon these Governors ... that the law be made one, that the commandments be made one, that the nation be made one, that the white skin be made just equal with the dark skin, and to lay down the love of thy graciousness to the Māori that they dwell happily ... and remember the power of thy name.*

2. The Crown hereby acknowledges the work of the Ngāi Tahu ancestors and makes this apology to them and to their descendants.
3. The Crown acknowledges that it acted unconscionably and in repeated breach of the principles of the Treaty of Waitangi in its dealings with Ngāi Tahu in the purchases of Ngāi Tahu land. The Crown further acknowledges that in relation to the deeds of purchase it has failed in most material respects to honour its obligations to Ngāi Tahu as its Treaty partner, while it also failed to set aside adequate lands for Ngāi Tahu’s use, and to provide adequate economic and social resources for Ngāi Tahu.
4. The Crown acknowledges that, in breach of Article Two of the Treaty, it failed to preserve and protect Ngāi Tahu’s use and ownership of such of their land and valued possessions as they wished to retain.
5. The Crown recognises that it has failed to act towards Ngāi Tahu reasonably and with the utmost good faith in a manner consistent with the honour of the Crown. That failure is referred to in the Ngāi Tahu saying “Te Hapa o Niu 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”).
6. The Crown recognises that Ngāi Tahu has been consistently loyal to the Crown, and that the tribe has honoured its obligations and responsibilities under the Treaty of Waitangi and duties as citizens of the nation, especially, but not exclusively, in their active service in all of the major conflicts up to the present time to which New Zealand has sent troops. The Crown pays tribute to Ngāi Tahu’s loyalty and to the contribution made by the tribe to the nation.

7. The Crown expresses its profound regret and apologises unreservedly to all members of Ngāi Tahu Whānui for the suffering and hardship caused to Ngāi Tahu, and for the harmful effects which resulted to the welfare, economy and development of Ngāi Tahu as a tribe. The Crown acknowledges that such suffering, hardship and harmful effects resulted from its failures to honour its obligations to Ngāi Tahu under the deeds of purchase whereby it acquired Ngāi Tahu lands, to set aside adequate lands for the tribe's use, to allow reasonable access to traditional sources of food, to protect Ngāi Tahu's rights to pounamu and such other valued possessions as the tribe wished to retain, or to remedy effectually Ngāi Tahu's grievances.
8. The Crown apologises to Ngāi Tahu for its past failures to acknowledge Ngāi Tahu rangatiratanga and mana over the South Island lands within its boundaries, and, in fulfillment 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.
9. Accordingly, the Crown seeks on behalf of all New Zealanders to atone for these acknowledged injustices, so far as that is now possible, and, with the historical grievances finally settled as to matters set out in the Deed of Settlement signed on 21 November 1997, to begin the process of healing and to enter a new age of co-operation with Ngāi Tahu.”

### **Appendix Three: Text of Relevant Statutory Acknowledgement Areas from the Ngāi Tahu Claims Settlement Act 1998**

#### **Schedule 73 Statutory acknowledgement for Waituna Wetland**

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

...

Intermittently open to the sea, Waituna wetland (with the western end, where the lagoon breaks out to sea known as Kā-puna-wai) was a major food basket utilised by nohoanga and permanent settlements located in the immediate vicinity of the wetlands, and further away, for its wide variety of reliable mahinga kai. The great diversity of wildlife associated with the complex includes several breeds of ducks, white heron, gulls, spoonbill, kōtuku, oyster-catcher, dotterels, terns and fernbirds. The wetlands are important kōhanga (spawning) grounds for a number of indigenous fish species. Kaimoana available includes giant and banded kōkopu, varieties of flatfish, tuna (eels), kanakana (lamprey), inaka (whitebait), waikākahi (freshwater mussel) and waikōura (freshwater crayfish). Harakeke, raupō, mānuka, tōtara and tōtara bark, and pingao were also regularly harvested cultural materials. Paru or black mud was available, particularly sought after as a product for making dyes.

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 Waituna, 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.

As a result of this history of use and occupation of the area, there are wāhi tapu and wāhi taonga all along its shores. It is also possible that particular sections of the wetland were used for waiwhakaheketūpāpāku (water burial).

Urupā and wāhi tapu 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 Waituna 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.

#### **Schedule 104 Statutory acknowledgement for Rakiura/Te Ara a Kiwa (Rakiura/Foveaux Strait Coastal Marine Area)**

Under section 313, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic, and traditional association to Rakiura/Te Ara a Kiwa as set out below.

...

Generally the formation of the coastline of Te Wai Pounamu relates to the tradition of Te Waka o Aoraki, which foundered on a submerged reef, leaving its occupants, Aoraki and his brother to turn to stone. They are manifested now in the highest peaks of the Kā Tittiri o Te Moana (the Southern Alps). The bays, inlets, estuaries and fiords which stud the coast are all the creations of Tū Te Rakiwhānoa, who took on the job of making the island suitable for human habitation.

The naming of various features along the coastline reflects the succession of explorers and iwi (tribes) who travelled around the coastline at various times. The first of these was Māui, who fished up the North Island, and is said to have circumnavigated Te Wai Pounamu. In some accounts the island is called Te Waka o Māui in recognition of his discovery of the new lands. A number of coastal place names are attributed to Māui, particularly on the southern coast. Māui is said to have sojourned at Ōmaui (at the mouth of the New River Estuary) for a year, during which time he claimed the South Island for himself. It is said that in order to keep his waka from drifting away he reached into the sea and pulled up a stone to be used as an anchor, which he named Te Puka o Te Waka o Māui (Rakiura or Stewart Island).

The great explorer Rakaihautu travelled overland along the coast, identifying the key places and resources. He also left many place names on prominent coastal features. When Rakaihautu's southward exploration of the island reached Te Ara a Kiwa, he followed the coastline eastwards before heading for the east coast of Otago.

Particular stretches of the coastline also have their own traditions. Foveaux Strait is known as Te Ara a Kiwa (the pathway of Kiwa), the name relating to the time when Kiwa became tired of having to cross the land isthmus which then joined Murihiku (Southland) with Rakiura (Stewart Island). Kiwa requested the obedient Kewa (whale) to chew through the isthmus and create a waterway so Kiwa could cross to and fro by waka. This Kewa did, and the crumbs that fell from his mouth are the islands in Foveaux Strait, Solander Island being Te Niho a Kewa, a loose tooth that fell from the mouth of Kewa.

The waka Takitimu, captained by the northern rangatira (chief) Tamatea, travelled around much of Te Wai Pounamu coast, eventually breaking its back at the mouth of the Waiau River in Murihiku. Many place names on the coast can be traced back to this voyage, including Monkey Island near Ōrepuki which is known as Te-Punga (or Puka)-a-Takitimu. While sailing past the cliffs at Ōmaui it is said that Tamatea felt a desire to go ashore and inspect the inland, and so he turned to the helmsman and gave the order "Tārere ki whenua uta" ("swing towards the mainland"), but before they got to the shore he countermanded the order and sailed on. Subsequently the whole area from Ōmaui to Bluff was given the name of Te Takiwā o Tārere ki Whenua Uta. In olden days when people from the Bluff went visiting they were customarily welcomed on to the hosts' marae with the call, "haere mai koutou te iwi tārere ki whenua uta". One of the whare at Te Rau Aroha marae in Bluff is also named "Tārere ki Whenua uta" in memory of this event.

The Takitimu's voyage through the Strait came to an end and when the waka was overcome by three huge waves, named Ō-te-wao, Ō-roko and Ō-kaka, finally coming to rest on a reef near the mouth of the Waiau (Waimeha). According to this tradition, the three waves continued on across the low lying lands of Murihiku, ending up as permanent features of the landscape.

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.

Because of its attractiveness as a place to establish permanent settlements, including pā (fortified settlements), the coastal area was visited and occupied by Waitaha, Ngāti Mamoe and Ngāi Tahu in succession, who through conflict and alliance, have merged in the whakapapa (genealogy) of Ngāi Tahu Whānui. Battle 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.

The results of the struggles, alliances and marriages arising out of these migrations were the eventual emergence of a stable, organised and united series of hapū located at permanent or semi-permanent settlements along the coast, with an intricate network of mahinga kai (food gathering) rights and networks that relied to a large extent on coastal resources.

Mokamoka (Mokomoko or Mokemoke) was one such settlement, in a shallow inlet off the Invercargill estuary. It was here that Waitai was killed, the first Ngāi Tahu to venture this far south, well out of the range of his own people, then resident at Taumutu. This settlement was sustained by mahinga kai taken from the estuary and adjoining coastline, including shellfish and pātiki (flounder).

Ōue, at the mouth of the Ōreti River (New River Estuary), opposite Ōmaui, was one of the principal settlements in Murihiku. Honekai who was a principal chief of Murihiku in his time was resident at this settlement in the early 1820s, at the time of the sealers. In 1850 there were said to still be 40 people living at the kaik at Ōmaui under the chief Mauhe. Honekai's brother, Pukarehu, was a man who led a very quiet life, and so was little known. He is remembered, however, in the small knob in the hills above Ōmaui which bears his name. When he passed away he was interred in the sandhills at the south end of the Ōreti Beach opposite Ōmaui. Ōue is said to have got its name from a man Māui left to look after his interests there until his return. It was also here that the coastal track to Riverton began. From Ōue to the beach the track was called Te Ara Pakipaki, then, when it reached the beach, it was called Mā Te Aweawe, finally, at the Riverton end, it was known as Mate a Waewae. After the death of Honekai, and as a consequence of inter-hapū and inter-tribal hostilities in the Canterbury region, many inhabitants of Ōue and other coastal villages on Foveaux Strait relocated to Ruapuke Island, which became the Ngāi Tahu stronghold in the south. The rangatira Pahi and Tupai were among the first to settle on the island. Pahi had previously had one of the larger and oldest pā in Murihiku at Pahi (Pahia), where 40 to 50 whare (houses) were reported in 1828. The Treaty of Waitangi was signed at Ruapuke Island by Tuhawaiki and others. No battles however occurred here, the pā Pā-raki-ao was never fully completed, due to the realisation that Te Rauparaha could not reach this far south.

Other important villages along the coast included: Te Wae (Waiau), Taunoa (Ōrepuki), Kawakaputaputa (Wakaputa), Ōraka (Colac Bay), Aparima (Riverton—named Aparima after the daughter of the noted southern rangatira Hekeia, to whom he bequeathed all of the land which his eye could see as he stood on a spot at Ōtaitai, just north of Riverton), Turangiteuaru, Awarua (Bluff), Te Whera, Toe (mouth of the Mataura River) and Waikawa.

Rarotoka (Centre Island) was a safe haven at times of strife for the villages on the mainland opposite (Pahi, Ōraka and Aparima). Numerous artefacts and historical accounts attest to Rarotoka as having a significant place in the Ngāi Tahu history associated with Murihiku.

Rakiura also plays a prominent part in southern history, the “Neck” being a particularly favoured spot. Names associated with the area include: Kōrako-wahine (on the western side of the peninsula), Whare-tātara (a rock), Hupokeka (Bullers Point) and Pukuheke (the point on which the lighthouse stands). Te Wera had two pā built in the area called Kaiarohaki, the one on the mainland was called Tounoa, and across the tidal strip was Kā-Turi-o-Whako.

A permanent settlement was located at Port Pegasus, at the south-eastern end of Rakiura, where numerous middens and cave dwellings remain. Permanent settlement also occurred

on the eastern side of Rakiura, from the Kaik near the Neck, south to Tikotaitahi (or Tikotatahi) Bay. A pā was also established at Port Adventure.

Mahinga kai was available through access from the coastal settlements to Te Whaka-a-te-Wera (Paterson Inlet), Lords River and, particularly for waterfowl, to Toi wetland. In addition, the tītī islands off the northeastern coast of the island, and at the mouth of Kōpeka River and the sea fishery ensured a sound base for permanent and semi-permanent settlement, from which nohoanga operated.

Te Ara a Kiwa, the estuaries, beaches and reefs off the mainland and islands all offered a bounty of mahinga kai, with Rakiura and the tītī islands being renowned for their rich resources of bird life, shellfish and wet fish. The area offered a wide range of kaimoana (sea food), including tuaki (cockles), paua, mussels, toheroa, tio (oysters), pūpū (mudsnails), cod, groper, barracuda, octopus, pātiki (flounders), seaweed, kina, kōura (crayfish) and conger eel. Estuarine areas provided freshwater fisheries, including tuna (eels), inaka (whitebait), waikōura (freshwater crayfish), kōkopu and kanakana (lamprey). Marine mammals were harvested for whale meat and seal pups. Many reefs along the coast are known by name and are customary fishing grounds, many sand banks, channels, currents and depths are also known for their kaimoana.

A range of bird life in the coastal area also contributed to the diversity of mahinga kai resources available, including tītī, seabirds such as shags and gulls, sea bird eggs, waterfowl, and forest birds such as kiwi, kākā, kākāpō, weka, kukupa and tieke. A variety of plant resources were also taken in the coastal area, including raupō, fern root, tī kōūka (cabbage tree), tutu juice and kōrari juice. Harakeke (flax) was an important resource, required for the everyday tasks of carrying and cooking kai. Black mud (paru) was gathered at Ocean Beach for use as dye. Tōtara bark was important for wrapping pōhā in, to allow safe transport of the tītī harvest. Pōhā were made from bull kelp gathered around the rocky coast.

The numerous tītī islands are an important part of the Ngāi Tahu southern economy, with Taukihepa (Te Kanawera) being the largest. Tītī were and are traded as far north as the North Island. The “Hakuai” is a bird with a fearsome reputation associated with the islands. No one has ever seen this bird, which appears at night, but it once regularly signalled the end to a birding season by its appearance at night. Known for its distinctive spine-chilling call, the hakuai was a kaitiaki that could not be ignored. At the far western edge of Foveaux Strait is Solander Island (Hau-tere), an impressive rock pinnacle rising hundreds of feet out of the sea, on which fishing and tītī gathering occurred.

The coast was also a major highway and trade route, particularly in areas where travel by land was difficult. Foveaux Strait was a principal thoroughfare, with travel to and from Rakiura a regular activity. There was also regular travel between the islands Ruapuke, Rarotoka and other points.

The tītī season still involves a large movement across the Strait to the islands, in addition large flotillas of Ngāi Tahu once came south from as far afield as Kaikōura to exercise their mutton-birding rights. Whenua Hou (Codfish Island) and the Ruggedy Islands were important staging posts for the movement of birders to the tītī islands off the south-west coast of Rakiura. Whenua Hou had everything that the birders required: shelter, proximity to the tītī islands, kai moana, manu (birds) and ngahere (bush). From Whenua Hou, the birders would camp at Miniti (Ernest Island), at the end of Mason Bay, where the waka-hunua (double-hulled canoes, or canoes with outriggers) were able to moor safely, ready for the final

movement to the various tītī islands. Waka-hunua were an important means of transport on the dangerous and treacherous waters of Foveaux Strait and the Rakiura coast. After dropping birders and stores on the tītī islands the waka hunua generally returned immediately to Aparima and other tauranga waka along the mainland of Foveaux Strait, due to the paucity of safe anchorages among the tītī islands.

Travel by sea between settlements and hapū was common, with a variety of different forms of waka, including the southern waka hunua (double-hulled canoe) and, post-contact, whale boats plying the waters continuously. Hence tauranga waka occur up and down the coast, including spots at Pahi, Ōraka and Aparima, and wherever a tauranga waka is located there is also likely to be a nohoanga (settlement), fishing ground, kaimoana resource, rimurapa (bull kelp - used to make the pōhā, in which tītī were and still are preserved) and the sea trail linked to a land trail or mahinga kai resource. Knowledge of these areas 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 New River Estuary contains wāhi tapu, as do many of the coastal dunes and estuarine complexes for the length of the Foveaux Strait. Many urupā are located on islands and prominent headlands overlooking the Strait and the surrounding lands and mountains. The rangatira Te Wera, of Huriawa fame, is buried at Tamea (Howells Point), near Riverton. There are two particularly important urupā in Colac Bay, as well as an old quarry site (Tīhaka). From Colac Bay to Wakapatu, the coastal sandhills are full of middens and ovens, considered to be linked to the significant mahinga kai gathering undertaken in Lake George (Uruwera). 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 in secret locations.

The mauri of the coastal area represent 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 coastal area.