

APPENDICES ĀPITI HANGA



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Appendix 1: Provisions relating to Māori in various environmental and other legislation¹

| Legislation | Tangata whenua provisions |
|--|--|
| Wildlife Act 1953 Reserves Act 1977 Marine Mammals Protection Act 1987 | <p>Section 4 of the Conservation Act 1987 states that the Act shall be interpreted and administered as to give effect to the principles of the Treaty of Waitangi. This then applies to all Conservation Management Strategies and Management Plans and Strategies.</p> <p>Section 4 applies to all legislation that is administered by the Department of Conservation, including the Wildlife Act 1953 and Reserves Act unless such legislation expressly provides otherwise. Case law has determined that the Marine Mammals Protection Act 1978 should be interpreted and administered in accordance with s. 4 as well.</p> |
| Hazardous Substances and New Organisms Act 1996 | <p>Section 6 (d) provides for taking into account the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga.</p> <p>Section 8 states that all persons exercising powers and functions under the Act shall take into account the principles of the Treaty of Waitangi.</p> |
| Crown Minerals Act 1991 | Section 4 states that all persons exercising powers and functions under the Act shall take into account the principles of the Treaty of Waitangi. |
| Crown Pastoral Land Act 1998 | Section 25 (1) (b) states that during a tenure review process, the Commissioner must take into account the Treaty of Waitangi. |
| Fisheries Act 1996 | <p>Section 5 (b) provides that the Act be interpreted in a manner consistent with the provisions of the Treaty of Waitangi (fisheries claims) Settlement Act 1992.</p> <p>Section 12 provides for consultation with Māori, and for the input and participation of tangata whenua with regards to specific activities included in the Act.</p> |
| Biosecurity Act 1993 | Section 73 (1) (a) requires that regional council consult with tangata whenua when preparing regional pest management strategies. |

¹ This is a list of additional legislation, to complement section section 2.4. This list is neither comprehensive nor authoritative.

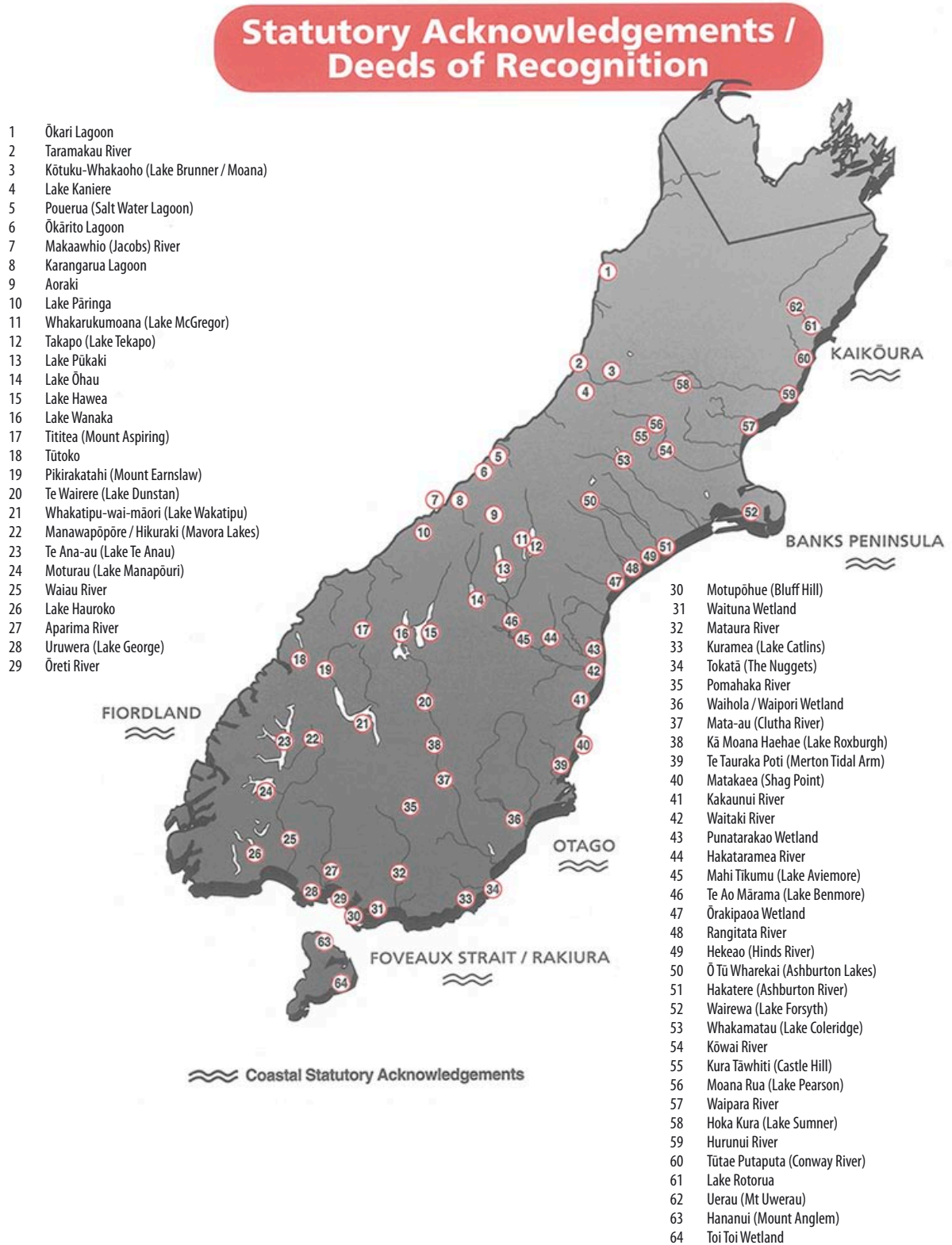
| Legislation | Tangata whenua provisions |
|------------------------------------|--|
| Environment Act 1986 | The purpose of the Act is to (c) ensure that, in the management of natural and physical resources, full and balanced account is taken of (iii) the principles of the Treaty of Waitangi. Section 17 (c) states that regard is to be given to those matters which are part of the heritage of tangata whenua or which contribute to their well being. |
| Transit New Zealand Act 1989 | Section 60 provides for consultation with iwi or hapū that may be affected by a transport project. |
| Land Transport Management Act 2003 | Section 4 of the Act states that in order to recognise and respect the Crown's responsibility to take appropriate account of the principles of the Treaty of Waitangi, and to maintain and improve opportunities for Māori to contribute to land transport decision-making processes, certain sections of the Act provide principles and requirements which are intended to facilitate participation by Māori in land transport decision-making processes. |
| Building Act 2004 | The Act links to the Historic Places Act through Project Information Memoranda (PIMs) and building consent processes. Territorial authorities have a responsibility under the certain (e.g. sections 39) to notify the Trust of receipt of a building consent or PIM relating to an entry in the Register, including wāhi tapu sites. |

Appendix 2: Te Rūnanga o Ngāi Tahu: Principles Guiding Approaches to Honouring the Treaty of Waitangi

Principles of a Te Rūnanga o Ngāi Tahu Treaty framework, as approved January 2002:

1. The Treaty of Waitangi was signed between Ngāi Tahu Whānui and the Crown in 1840 at Akaroa (May 30), Ruapuke Island (June 9,10) and Ōtākou (June 13). Ngāi Tahu Whānui is, and was at the time of the signing of the Treaty, the Tangata whenua within the boundaries as confirmed in Te Rūnanga o Ngāi Tahu Act 1996. (Ngāi Tahu Claims Settlement Act 1998).
2. Te Rūnanga o Ngāi Tahu recognises the Crown's right and responsibility to provide good government and to make law on behalf of all citizens of New Zealand and to protect all customary rights, aboriginal title and other rights inherent in the rangitiratanga of Ngāi Tahu Whānui (Article I & II Treaty of Waitangi).
3. The Crown exercises Kāwanatanga in a manner which actively protects Ngāi Tahu rangitiratanga and mana over the land within its boundaries, as confirmed in Te Rūnanga o Ngāi Tahu Act 1996, and further recognises Ngāi Tahu Whānui as tangata whenua within the takiwā of Ngāi Tahu Whānui. (Article II Treaty of Waitangi, Ngāi Tahu Claims Settlement Act 1998).
4. The Crown recognises Ngāi Tahu as the sole Treaty partner within the takiwā of Ngāi Tahu Whānui.
5. The Crown recognises Te Rūnanga o Ngāi Tahu as the representative of Ngāi Tahu Whānui on all matters an where any enactment requires consultation with respect to matters affecting Ngāi Tahu Whānui that consultation shall be held with Te Rūnanga o Ngāi Tahu. (Te Rūnanga o Ngāi Tahu Act 1996).
6. Te Rūnanga o Ngāi Tahu acknowledges that they are bound by section 15.3 (a) of the Te Rūnanga o Ngāi Tahu Act 1996 to consult with papatipu rūnanga.
7. Individual members of Ngāi Tahu Whānui have a right to expect equitable access to the benefits and services provided to all New Zealand citizens by the Government of New Zealand via social and public policy. (Article I & III of the Treaty of Waitangi).
8. Te Rūnanga o Ngāi Tahu seeks to hold the Crown/ Government to exemplary standards of administration and leadership.
9. It is expected that the Crown/ Government will also hold Te Rūnanga o Ngāi Tahu to its obligations as the Treaty partner.

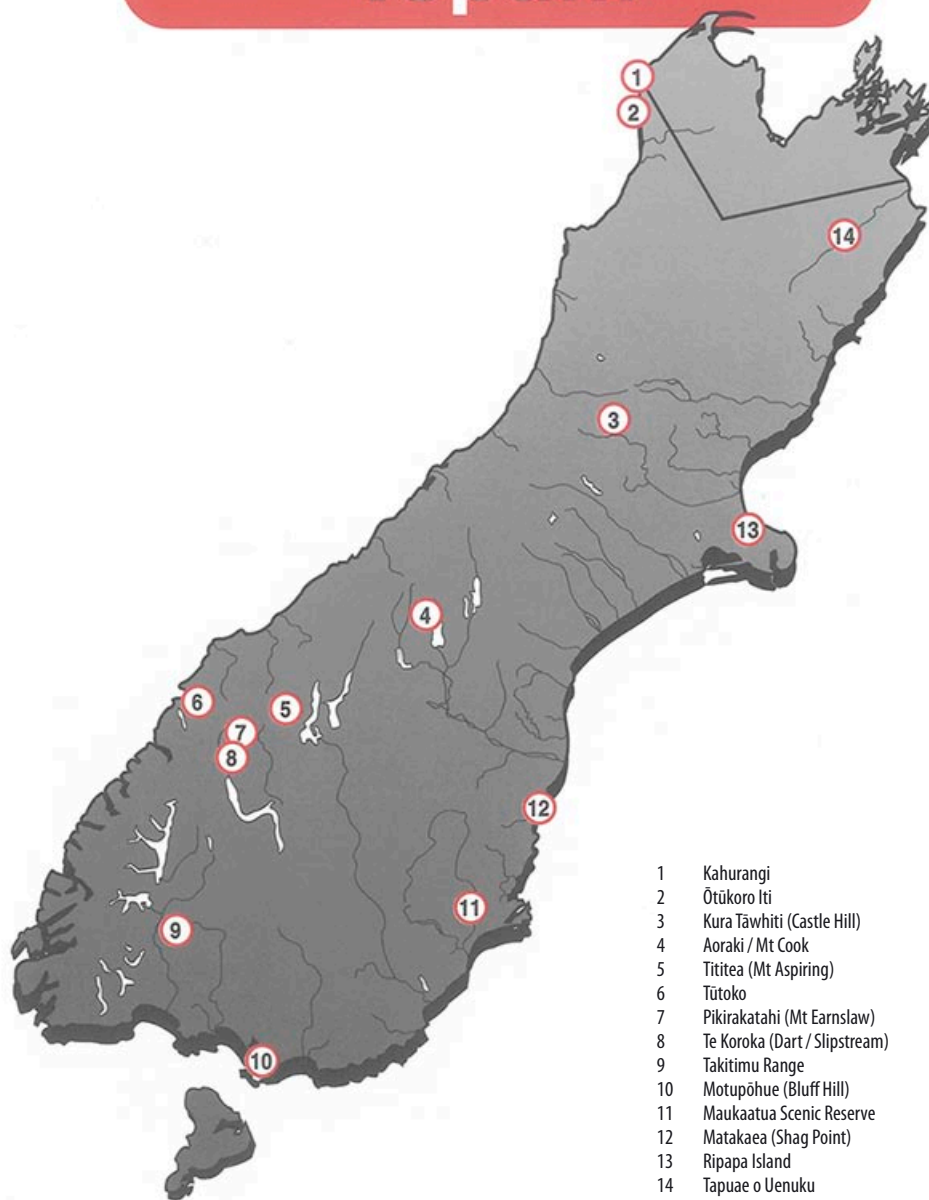
Appendix 4: Statutory Acknowledgements / Deeds of Recognition³



³ Source: Te Karaka Special Edition: Crown Settlement Offer, November 1998

Appendix 5:
Tōpuni⁴

Tōpuni



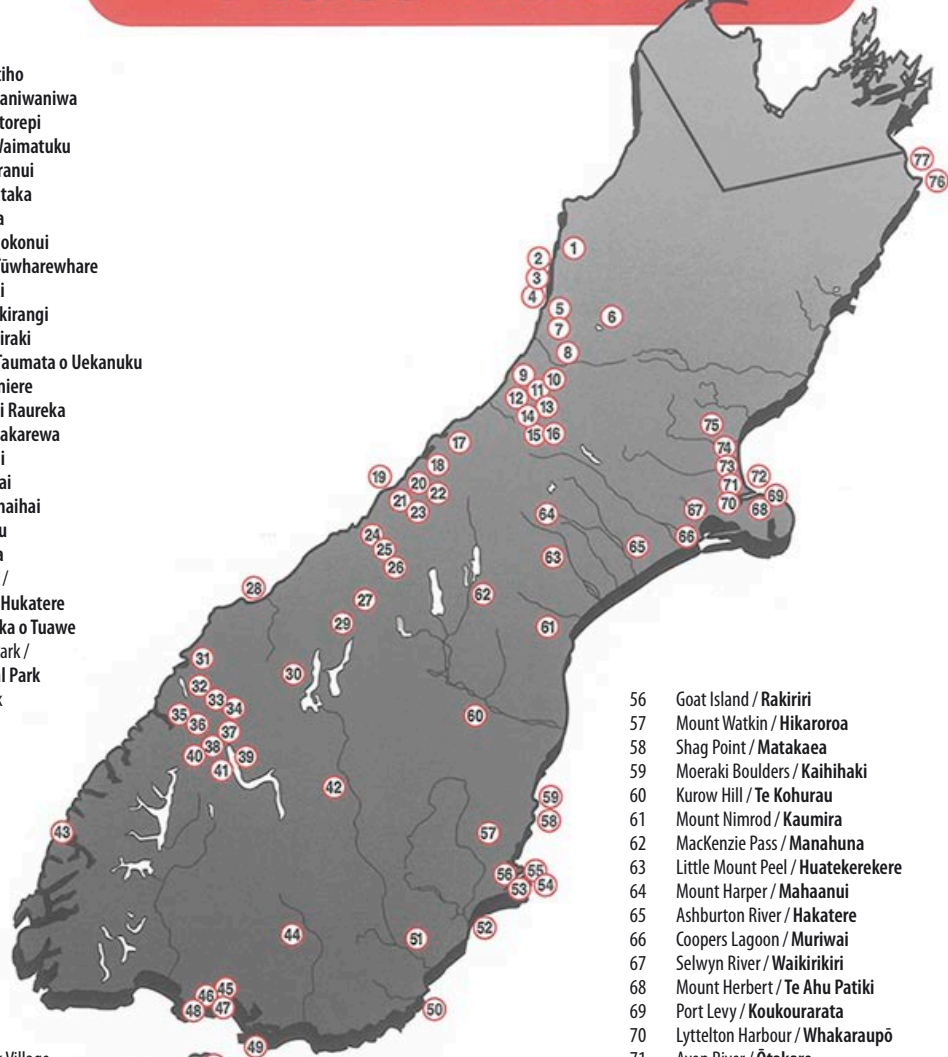
- 1 Kahurangi
- 2 Ōtūoro Iti
- 3 Kura Tāwhiti (Castle Hill)
- 4 Aoraki / Mt Cook
- 5 Tititea (Mt Aspiring)
- 6 Tūtoko
- 7 Pikirakatahi (Mt Earnslaw)
- 8 Te Koroka (Dart / Slipstream)
- 9 Takitimu Range
- 10 Motupōhue (Bluff Hill)
- 11 Maukaatua Scenic Reserve
- 12 Matakaea (Shag Point)
- 13 Ripapa Island
- 14 Tapuae o Uenuku

4 Source: Te Karaka Special Edition: Crown Settlement Offer, November 1998

Appendix 6: Place names⁵

Place Names

- 1 Cave Creek / *Kotihotiho*
- 2 Ten Mile Creek / *Waianiwaniwa*
- 3 Nine Mile Creek / *Kotorepi*
- 4 Seven Mile Creek / *Waimatuku*
- 5 Grey River / *Māwheranui*
- 6 Refuge Island / *Takataka*
- 7 New River / *Kaimata*
- 8 Greenstone River / *Hokonui*
- 9 Mahināpua Creek / *Tūwharewhare*
- 10 Island Hill / *Tumuaki*
- 11 Rocky Point / *Tauotikirangi*
- 12 The Doughboy / *Kokiraki*
- 13 Mount Upright / *Te Taumata o Uekanuku*
- 14 Mount Harman / *Kaniere*
- 15 Browning Pass / *Noti Raureka*
- 16 Lake Browning / *Whakarewa*
- 17 Lake lanthe / *Matahi*
- 18 Alpine Lake / *Ata Puai*
- 19 Gillespies Point / *Kōhiahai*
- 20 Franz Joseph / *Waiau*
- 21 Cook River / *Weheka*
- 22 Franz Joseph Glacier / *Kā Roimata o Hine Hukatere*
- 23 Fox Glacier / *Te Moeka o Tuawe*
- 24 Westland National Park / *Tai Poutini National Park*
- 25 *Aoraki* / Mount Cook



- 26 *Aoraki* / Mount Cook Village
- 27 Southern Alps / *Kā Tiritiri o te Moana*
- 28 Jackson Bay / *Okahu*
- 29 Haast Pass / *Tioripatea*
- 30 Mount Aspiring / *Tititea*
- 31 Mount McKenzie / *Pakihiwitahi*
- 32 Lake McKerrow / *Whakatipu Waitai*
- 33 Lake Alabaster / *Wāwāhi Waka*
- 34 Mount Earnslaw / *Pikirakatahi*
- 35 Milford Sound / *Piopiotaahi*
- 36 Harris Saddle / *Tarahaka Whakatipu*
- 37 Mount Alfred / *Ari*
- 38 Dart River / *Te Awa Whakatipu*
- 39 Pigeon Island / *Wāwāhi Waka*
- 40 Hollyford River / *Whakatipu Kā Tuka*
- 41 Pig Island / *Mātau*
- 42 Old Man Range / *Kopuwai*
- 43 Doubtful Sound / *Patea*

- 44 Ships Cone / *Ōtaupiri*
- 45 Riverton / *Aparima*
- 46 Colac Bay / *Ōraka*
- 47 Howells Point / *Taramea*
- 48 Colac / *Ōraka*
- 49 Bluff Hill / *Motupōhue*
- 50 Leaning Rock / *Haehaeata*
- 51 Clutha River / *Mata-Au*
- 52 Taieri Island / *Moturata*
- 53 Quarantine Island / *Kamau Taurua*
- 54 Mount Charles / *Poatiri*
- 55 *Whareakeake* (formerly Murdering Beach)

- 56 Goat Island / *Rakiriri*
- 57 Mount Watkin / *Hikarorea*
- 58 Shag Point / *Matakaea*
- 59 Moeraki Boulders / *Kaihihaki*
- 60 Kurow Hill / *Te Kohurau*
- 61 Mount Nimrod / *Kaumira*
- 62 MacKenzie Pass / *Manahuna*
- 63 Little Mount Peel / *Huatekerekere*
- 64 Mount Harper / *Mahaanui*
- 65 Ashburton River / *Hakaterere*
- 66 Coopers Lagoon / *Muriwai*
- 67 Selwyn River / *Waikirikiri*
- 68 Mount Herbert / *Te Ahu Patiki*
- 69 Port Levy / *Koukourarata*
- 70 Lyttelton Harbour / *Whakaraupō*
- 71 Avon River / *Ōtakaro*
- 72 Heathcote Estuary / *Ihutai*
- 73 Cam River / *Ruataniwha*
- 74 Ashley River / *Rakahuri*
- 75 Mount Grey / *Maukatere*
- 76 Lake Grassmere / *Kapara Te Hau*
- 77 White Bluffs / *Te Parinui o Whiti*
- 78 Mount Anglem / *Hananui*
- 79 Port William / *Potirepo*
- 80 Paterson Inlet / *Whaka a Te Wera*
- 81 Stewart Island / *Rakiura*
- 82 East Cape / *Koromere*
- 83 Lords River / *Tutaekawetoweto*
- 84 Port Pegasus / *Pikihātiti*
- 85 South West Cape / *Puhiwaero*
- 86 South Cape / *Whiore*
- 87 Campbell Island / *Motu Ihupuku*
- 88 Snares Islands / *Tini Heke*

⁵ Source: Te Karaka Special Edition: Crown Settlement Offer, November 1998

Appendix 7: Nohoanga⁶

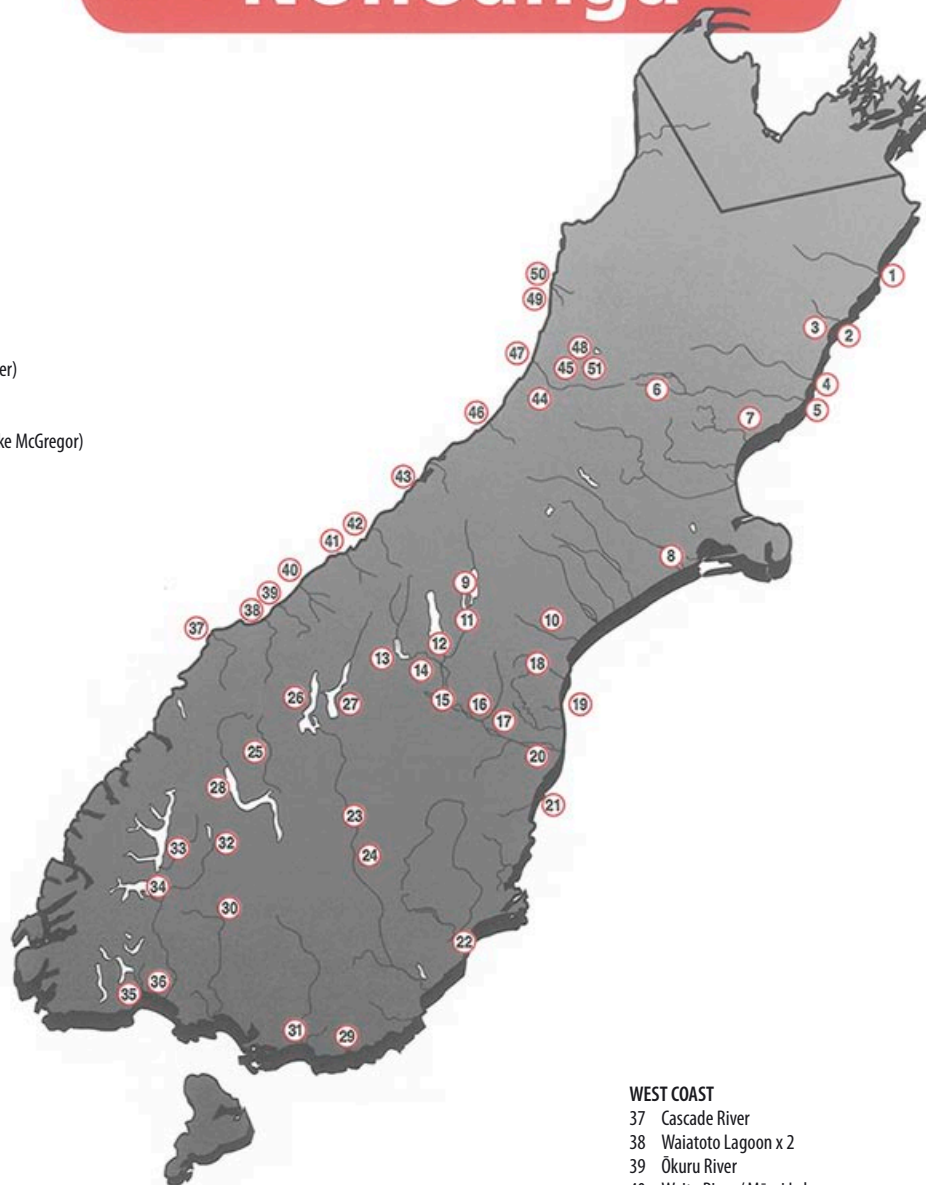
Nohoanga

KAIKOURA

- 1 Waima (Ure) River
- 2 Hapuku River
- 3 Kōwhai River
- 4 Waiau Ua River

CANTERBURY

- 5 Hurunui River
- 6 Hoka Kura (Lake Sumner)
- 7 Waipara River x 2
- 8 Rakaia River x 2
- 9 Whakarukumoana (Lake McGregor)
- 10 Tengawai River
- 11 Lake Alexandrina
- 12 Lake Pūkaki
- 13 Lake Ōhau x 2
- 14 Ōhau River x 2
- 15 Ahuriri River
- 16 Lake Benmore x 2
- 17 Lake Aviemore
- 18 Pareora River x 2
- 19 Waihao River x 2
- 20 Waitaki River x 2



WEST COAST

- 37 Cascade River
- 38 Waiatoto Lagoon x 2
- 39 Ōkuru River
- 40 Waita River / Māori Lake
- 41 Mahitahi River
- 42 Karangarua River
- 43 Ōkārito Lagoon and River
- 44 Lake Kaniere
- 45 Kōtuku Whakaoho (Lake Brunner / Moana)
- 46 Mikonui River x 2
- 47 Taramakau River
- 48 Lake Haupiti
- 49 Punakaiki River
- 50 Pororari River
- 51 Lady Lake

OTAGO

- 21 Waianakarua River
- 22 Taieri River x 3
- 23 Te Wairere (Lake Dunstan)
- 24 Mata-au (Clutha River) x 3
- 25 Shotover River x 2
- 26 Lake Wanaka x 2
- 27 Lake Hawea x 4
- 28 Whakatipu-wai-māori (Lake Wakatipu)

SOUTHLAND

- 29 Waikawa River
- 30 Ōreti River
- 31 Mataura River
- 32 Mavora Lakes
- 33 Te Ana-au x 2
- 34 Moturau (Lake Manapōui)
- 35 Waikaia River
- 36 Waiau River x 3

⁶ Source: Te Karaka Special Edition: Crown Settlement Offer, November 1998

Appendix 8: Taonga species

“Taonga species” means the species of birds, plants, and animals described in Schedule 97 of the NTCSA1998.

Birds

| Name in Māori | Name in English | Scientific name |
|-------------------------|-------------------------|---|
| Hoiho | Yellow-eyed penguin | <i>Megadyptes antipodes</i> |
| Kāhu | Australasian harrier | <i>Circus approximans</i> |
| Kākā | South Island kaka | <i>Nestor meridionalis meridionalis</i> |
| Kākāpō | Kākāpō | <i>Strigops habroptilus</i> |
| Kākāriki | New Zealand parakeet | <i>Cyanoramphus spp.</i> |
| Kakaruai | South Island robin | <i>Petroica australis australis</i> |
| Kakī | Black stilt | <i>Himantopus novaeseelandiae</i> |
| Kāmana | Crested grebe | <i>Podiceps cristatus</i> |
| Kārearea | New Zealand falcon | <i>Falco novaeseelandiae</i> |
| Karoro | Black-backed gull | <i>Larus dominicanus</i> |
| Kea | Kea | <i>Nestor notabilis</i> |
| Kōau | Black shag | <i>Phalacrocorax carbo</i> |
| | Pied shag | <i>Phalacrocorax varius</i> |
| | Little shag | <i>Phalacrocorax varius melanoleucos brevirostris</i> |
| Koekoeā | Long-tailed cuckoo | <i>Eudynamis taitensis</i> |
| Kōparapara / Korimako | Bellbird | <i>Anthornis melanura melanura</i> |
| Kororā | Blue Penguin | <i>Eudyptula minor</i> |
| Kōtare | Kingfisher | <i>Halcyon sancta</i> |
| Kōtuku | White heron | <i>Egretta alba</i> |
| Kōwhiowhio | Blue duck | <i>Hymenolaimus malacorhynchos</i> |
| Kūaka | Bar-tailed godwit | <i>Limosa lapponica</i> |
| Kūkupa / Kererū | New Zealand wood pigeon | <i>Hemiphaga novaeseelandiae</i> |
| Kuruwhengu / Kuruwhengi | New Zealand shoveller | <i>Anas rhynchotis</i> |
| Mātā | Fernbird | <i>Bowdleria punctata punctata</i> |
| | | <i>Bowdleria punctata stewartiana</i> |
| | | <i>Bowdleria punctata wilsoni</i> |
| | | <i>Bowdleria punctata candata</i> |
| Matuku moana | Reef heron | <i>Egretta sacra</i> |
| Miromiro | South Island tomtit | <i>Petroica macrocephala macrocephala</i> |
| Miromiro | Snares Island tomtit | <i>Petroica macrocephala dannefaerdi</i> |
| Mohua | Yellowhead | <i>Mohoua ochrocephala</i> |
| Pākura / Pūkeko | Swamp hen / Pūkeko | <i>Porphyrio porphyrio</i> |
| Pārera | Grey duck | <i>Anas superciliosa</i> |

| Name in Māori | Name in English | Scientific name |
|---------------|----------------------------------|---|
| Pateke | Brown teal | <i>Anas aucklandica</i> |
| Pihoihoi | New Zealand pipit | <i>Anthus novaeseelandiae</i> |
| Pipīwharau | Shining cuckoo | <i>Chrysococcyx lucidus</i> |
| Piwakawaka | South Island fantail | <i>Rhipidura fuliginosa fuliginosa</i> |
| Poaka | Pied stilt | <i>Himantopus himantopus</i> |
| Pokotiwha | Snares crested penguin | <i>Eudyptes robustus</i> |
| Pūtakitaki | Paradise shelduck | <i>Tadorna variegata</i> |
| Riroriro | Grey warbler | <i>Gerygone igata</i> |
| Roroa | Great spotted kiwi | <i>Apteryx haastii</i> |
| Rowi | Okarito brown kiwi | <i>Apteryx mantelli</i> |
| Ruru kōukou | Morepork | <i>Ninox novaeseelandiae</i> |
| Takahē | Takahē | <i>Porphyrio mantelli</i> |
| Tara | Terns | <i>Sterna spp.</i> |
| Tawaki | Fiordland crested penguin | <i>Eudyptes pachyrhynchus</i> |
| Tete | Grey teal | <i>Anas gracilis</i> |
| Tieke | South Island saddleback | <i>Philesturnus carunculatus carunculatus</i> |
| Titi | Sooty shearwater | <i>Puffinus griseus</i> |
| | Muttonbird / Hutton's shearwater | <i>Puffinus huttoni</i> |
| | Common diving petrel | <i>Pelecanoides urinatrix</i> |
| | South Georgian diving petrel | <i>Pelecanoides georgicus</i> |
| | Westland petrel | <i>Procellaria westlandica</i> |
| | Fairy prion | <i>Pachyptila turtur</i> |
| | Broad-billed prion | <i>Pachyptila vittata</i> |
| | White-faced storm petrel | <i>Pelagodroma marina</i> |
| | Cook's petrel | <i>Pterodroma cookii</i> |
| | Mottled petrel | <i>Pterodroma inexpectata</i> |
| Tītīpounamu | South Island rifleman | <i>Acanthisitta chloris chloris</i> |
| Tokoeka | South Island brown kiwi | <i>Apteryx australis</i> |
| Toroa | Albatrosses and Mōlymawks | <i>Diomedea spp.</i> |
| Toutouwai | Stewart Island robin | <i>Petroica australis rakiura</i> |
| Tūi | Tūi | <i>Prosthemadera novaeseelandiae</i> |
| Tutukiwi | Snares Island snipe | <i>Coenocorypha aucklandica huegeli</i> |
| Weka | Western weka | <i>Gallirallus australis australis</i> |
| Weka | Stewart Island weka | <i>Gallirallus australis scotti</i> |
| Weka | Buff weka | <i>Gallirallus australis hectori</i> |

Plants

| Name in Māori | Name in English | Scientific name |
|---------------------|-----------------------------|---|
| Akatorotoro | White rata | <i>Metrosideros perforata</i> |
| Aruhe | Fernroot (bracken) | <i>Pteridium aquilinum</i> var. <i>esculentum</i> |
| Harakeke | Flax | <i>Phormium tenax</i> |
| Horoeka | Lancewood | <i>Pseudopanax crassifolius</i> |
| Houhi | Mountain ribbonwood | <i>Hoheria lyalli</i> and <i>H. glabata</i> |
| Kahikatea | Kahikatea / White pine | <i>Dacrycarpus dacrydioides</i> |
| Kāmahi | Kāmahi | <i>Weinmannia racemosa</i> |
| Kānuka | Kānuka | <i>Kunzia ericoides</i> |
| Kāpuka | Broadleaf | <i>Griselinia littoralis</i> |
| Karaeopirita | Supplejack | <i>Ripogonum scandens</i> |
| Karaka | New Zealand laurel / Karaka | <i>Corynocarpus laevigata</i> |
| Karamū | Coprosma | <i>Coprosma robusta</i> <i>coprosma lucida</i> <i>coprosma foetidissima</i> |
| Kātote | Tree fern | <i>Cyathea smithii</i> |
| Kiekie | Kiekie | <i>Freycinetia baueriana</i> subsp. <i>banksii</i> |
| Kōhia | NZ Passionfruit | <i>Passiflora tetrandia</i> |
| Korokio | Korokio Wire-netting bush | <i>Corokia cotoneaster</i> |
| Koromiko / Kōkōmuka | Koromiko | <i>Hebe salicifolia</i> |
| Kōtukutuku | Tree fuchsia | <i>Fuchsia excorticata</i> |
| Kōwhai Kōhai | Kowhai | <i>Sophora microphylla</i> |
| Mamaku | Tree fern | <i>Cyathea medullaris</i> |
| Mānia | Sedge | <i>Carex flagellifera</i> |
| Mānuka / Kahikātoa | Tea-tree | <i>Leptospermum scoparium</i> |
| Māpou | Red matipo | <i>Myrsine australis</i> |
| Mataī | Matai / Black pine | <i>Prumnopitys taxifolia</i> |
| Miro | Miro / Brown pine | <i>Podocarpus ferrugineus</i> |
| Ngaio | Ngaio | <i>Myoporum laetum</i> |
| Nikau | New Zealand palm | <i>Rhopalostylis sapida</i> |
| Pānako | (Species of fern) | <i>Asplenium obtusatum</i> |
| Pānako | (Species of fern) | <i>Botrychium australe</i> and <i>B. biforme</i> |
| Pātōtara | Dwarf mingimingi | <i>Leucopogon fraseri</i> |
| Pīngao | Pīngao | <i>Desmoschoenus spiralis</i> |
| Pōkākā | Pokaka | <i>Elaeocarpus hookerianus</i> |
| Ponga / Poka | Tree fern | <i>Cyathea dealbata</i> |
| Rātā | Southern rata | <i>Metrosideros umbellata</i> |
| Raupō | Bulrush | <i>Typha angustifolia</i> |
| Rautāwhiri / Kōhūhū | Black matipo / Mapou | <i>Pittosporum tenuifolium</i> |
| Rimu | Rimu / Red pine | <i>Dacrydium cypressinum</i> |
| Rimurapa | Bull kelp | <i>Durvillaea antarctica</i> |
| Taramea | Speargrass, spaniard | <i>Aciphylla</i> spp. |
| Tarata | Lemonwood | <i>Pittosporum eugenioides</i> |
| Tawai | Beech | <i>Nothofagus</i> spp. |
| Tētēaweka | Muttonbird scrub | <i>Olearia angustifolia</i> |

| Name in Māori | Name in English | Scientific name |
|------------------|------------------------------|---|
| Tirākau/ TiKōuka | Cabbage tree | <i>Cordyline australis</i> |
| Tikumū | Mountain daisy | <i>Celmisia spectabilis</i> |
| | | <i>Celmisia semicordata</i> |
| Tītoki | New Zealand ash | <i>Alectryon excelsus</i> |
| Toatoa | Mountain Toatoa, Celery pine | <i>Phyllocladus alpinus</i> |
| Toetoe | Toetoe | <i>Cortaderia richardii</i> |
| Tōtara | Totara | <i>Podocarpus totara</i> |
| Tutu | Tutu | <i>Coriaria spp.</i> |
| Wharariki | Mountain flax | <i>Phormium cookianum</i> |
| Whinau | Hinau | <i>Elaeocarpus dentatus</i> |
| Wī | Silver tussock | <i>Poa cita</i> |
| Wīwī | Rushes | <i>Juncus all indigenous Juncus spp. and J. maritimus</i> |

Marine mammals

| Name in Māori | Name in English | Scientific name |
|-------------------|--|-------------------------------|
| Ihupuku | Southern elephant seal | <i>Mirounga leonina</i> |
| Kekeno | New Zealand fur seals | <i>Arctocephalus forsteri</i> |
| Paikea | Humpback whales | <i>Megaptera novaeangliae</i> |
| Parāoa | Sperm whale | <i>Physeter macrocephalus</i> |
| Rāpoka / Whakahao | New Zealand sea lion / Hooker's sea lion | <i>Phocarctos hookeri</i> |
| Tohorā | Southern right whale | <i>Balaena australis</i> |

Taonga fish species

| Name in Māori | Name in English | Scientific name |
|------------------|--------------------|--------------------------------|
| Kāeo | Sea tulip | <i>Pyura pachydermatum</i> |
| Koeke | Common shrimp | <i>Palaemon affinis</i> |
| Kōkopu / Hawai | Giant bully | <i>Gobiomorphus gobioides</i> |
| Kōwaro | Canterbury mudfish | <i>Neochanna burrowsius</i> |
| Paraki / Ngaiore | Common smelt | <i>Retropinna retropinna</i> |
| Piripiripōhatu | Torrent fish | <i>Cheimarrichthys fosteri</i> |
| Taiwharu | Giant kokopu | <i>Galaxias argenteus</i> |

Shellfish species

| Name in Māori | Name in English | Scientific name |
|-------------------|-----------------|--------------------------------|
| Pipi / Kakāhi | Pipi | <i>Paphies australe</i> |
| Tuaki | Cockle | <i>Austrovenus stutchburgi</i> |
| Tuaki / Hākiari | Surfclam | <i>Dosinia anus</i> , |
| Kuhakuha / Pūrimu | | <i>Paphies donacina</i> |
| | | <i>Mactra discor</i> |
| | | <i>Mactra murchsoni</i> |
| | | <i>Spisula aequilateralis</i> |
| | | <i>Basina yatei</i> |
| | | or <i>Dosinia subrosa</i> |
| Tuatua | Tuatua | <i>Paphies subtriangulata</i> |
| | | <i>Paphies donacina</i> |
| Waikaka / Pūpū | Mudsnail | <i>Amphibola crenata</i> |
| | | <i>Turbo smaragdus</i> |
| | | <i>Zedilom spp.</i> |

Appendix 9: Tōpuni for Tapuae o Uenuku

Schedule 90 Ngāi Tahu Claims Settlement Act 1998

Description of Area

The area over which the Tōpuni is created is the area known as Tapuae o Uenuku as shown on Allocation Plan MS 100 (S.O. 7317).

Preamble

Under Section 239 (clause 12.5.3 of the deed of settlement), the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic, and traditional values relating to Tapuae o Uenuku, as set out below.

Ngāi Tahu Values Relating to Tapuae o Uenuku

The name Tapuae o Uenuku refers to the sacred footsteps of Uenuku. Uenuku was one of the principal Ngāi Tahu atua (gods), who is represented as a rainbow. Uenuku is often found in tribal traditions as a tupuna (ancestor) who instigates migration from Hawaiiki to New Zealand. According to the traditions of Kaikōura Ngāi Tahu, Uenuku cursed his son, Ruatapu, for an infringement on his tapu. The curse referred to the fact that Ruatapu's mother was of lowly origins, so that his younger brother, Paikea, was in fact his senior because of his mother's superior descent lines, Ruatapu's response was to attempt to kill all of the leading sons of the chiefs of Hawaiiki, including Paikea. Ruatapu took all of the sons out in a waka (canoe), then set about killing them with a spear. Paikea survived by diving overboard and swimming away. He was rescued by a whale and brought to New Zealand, where he eventually settled at Whangarā, on the East Coast of the North Island. There he coupled with a woman called Te Waiaruatatai, who bore him Tahu Potiki, who went on to become the founding ancestor of Ngāi Tahu.

As well as being a reminder of the traditions of Paikea and Tahu Potiki, the mountain Tapuae o Uenuku is a manifestation of the tupuna Uenuku. Uenuku was more than just a human ancestor, he was an atua and thus is also seen manifested in the rainbow.

In another Ngāi Tahu tradition, Uenuku is portrayed as one of the survivors of the Arai Te Uru waka which foundered at Moeraki, on the north Otago coast. These survivors are now manifested as the Southern Alps. Uenuku continued further north where he too eventually turned to stone on the spot where the maunga (mountain) Tapuae o Uenuku now stands. Thus, when Ngāi Tahu refer to the old people's hair turning grey, they are speaking of the snow which caps the Southern Alps, including Tapuae o Uenuku.

These physical and enduring manifestations of tūpuna represent the links between the cosmological world of the gods and present generations. Creation stories and whakapapa recall links of fifty or more generations from the time of Hawaiiki Pacific migrations. These traditional histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te WaiPounamu and Ngāi Tahu as an iwi. They are frequently woven around major landscape features.

In Ngāi Tahu oratory, Tapuae o Uenuku is likened to an overarching portal which must be crossed by all visitors from the North Island. For this reason, visitors to the takiwā of Ngāi Tahu are welcomed as 'Ngā Tapuae o Uenuku' – those whose feet have been made sacred by passing beneath Uenuku.

The mauri of Tapuae o Uenuku 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 Tapuae o Uenuku.

Appendix 10: Ngāi Tahu Standard Conditions (NTSC) for Concessions

Ngāi Tahu Standard Conditions (NTSC) for Concessions

Ngāi Tahu Standard Conditions For:

- Recreation / Tourism Concessions
- Filming Concessions
- Marine Mammal Permits
- Mining Arrangements

Prepared by Ngāi Tahu and the Department of Conservation

Aim

The purpose of these conditions is to avoid, remedy and / or mitigate any impact that concession operations may have on the cultural, historical and spiritual values of Ngāi Tahu. The standard conditions are considered necessary to:

- Minimise the time and effort that the Department and Ngāi Tahu need to spend on each concession application.
- Minimise the cost and time to applicants.
- To ensure that even if Ngāi Tahu does not respond to each application their main generic interests will still be represented.
- To ensure workable and consistent conditions across the rohe / conservancy.
- To give affect to the Ngāi Tahu Claims Settlement Act 1998

Application Schedules from Permissions

The application of these conditions, consulting with Ngāi Tahu and rūnanga on applications and providing regular schedules on what applications we are processing are all vital components in maintaining Ngāi Tahu's confidence in our concession system. Each conservancy must apply these conditions and continue to send rūnanga the schedules of the applications that we process from the Permissions System. These schedules shall be sent out at least every six months.

All Concessions including one-off permits, except filming within the Ngāi Tahu rohe.

NTSC 1 The Concessionaire is requested to consult the relevant Papatipu Rūnanga (as set out below) if they wish to use Ngāi Tahu cultural information. If the concessionaire wishes to use the Tōpuni or statutory acknowledgement information contained in schedules 14-108 of the Ngāi Tahu Claims Settlement Act 1998, or any Department produced interpretative material in respect to Ngāi Tahu cultural information, they are requested to notify the relevant Papatipu Rūnanga, as a matter of courtesy.

Tōpuni Conditions NTSC 2 – 4 Apply to all concessions within Tōpuni areas including one-off and filming permits. These conditions are in addition to the special activity conditions listed separately e.g. filming permits and NTSC 1.

NTSC 2 The Concessionaire and any persons employed by the Concessionaire are requested to recognise and provide for Ngāi Tahu values in the conduct of their activities. In particular, the cultural significance of [insert relevant Tōpuni names] Tōpuni and its Tōpuni status, should be explained to the clients of the Concessionaire.

NTSC 3 The Concessionaire and their staff should note that, to Ngāi Tahu – (apply appropriate Tōpuni condition)

Aoraki; Tapuae o Uenuku; Tititea; Tūtoko

Standing on the very top of (Aoraki; Tapuae o Uenuku; Tititea; Tūtoko delete those that do not apply) Tōpuni it is like standing on the head of one of Ngāi Tahu's tūpuna (sacred ancestors) and denigrates its tapu status.

Kura Tāwhiti

Climbing the rock outcrops at Kura Tāwhiti denigrates their tapu status and may damage or destroy rock art remnants

Ripapa Island

Eating food on the Island denigrates its tapu status.

Motupōhue (Bluff Hill)

Picnicking should only take place in designated areas as there are urupā in the reserve which are tapu to Ngāi Tahu

Matakaea (Shag Point)

Picnicking should only take place in designated areas as there are urupā in the reserve which are tapu to Ngāi Tahu

Ōtūkoro Iti

Camping in the area denigrates its tapu status

NTSC 4 The Concessionaire shall, as far as practicable, attend any workshops held by the Department of Conservation for the purpose of providing information to concessionaires, which will include the Ngāi Tahu values associated with Tōpuni areas.

Note: Discretion should be used with respect to the application of this condition i.e. it may not be appropriate to include this condition for one-off filming permits for example.

Fishing Guides NTSC 5-7 Does not include whitebait or eels (whitebait are covered by fisheries regulations and eels are covered by the quota management system)

NTSC 5 The concessionaire is requested not to target any indigenous fish species and is requested to release immediately any indigenous fish species that are caught.

NTSC 6 If fish are killed the Concessionaire shall dispose of any fish waste well away from any water bodies.

For Otago Conservancy only:-

NTSC 7 The Concessionaire is not permitted to operate in the Dart River Special Protected Area

Filming NTSC 8 – 9 Applies to all filming. For filming within the Tōpuni or featuring the Tōpuni landmark (e.g. Aoraki) and when filming is on DOC managed land, see NTSC 2-4 and all other Tōpuni conditions as well.

NTSC 8 The Concessionaire is requested not to portray any Ngāi Tahu spiritual, cultural, historical, or traditional association in the film without first consulting Te Rūnanga o Ngāi Tahu and the relevant Papatipu Rūnanga.

NTSC 9 Where filming is undertaken in a Tōpuni area the Concessionaire is requested to provide an acknowledgement in the film credits (where these exist) that...

(a) “xxxxxx Tōpuni is a highly significant site for the tribe of Ngāi Tahu”,

OR

Where filming has been undertaken on conservation lands within the Ngāi Tahu rohe, especially in an area known to be significant, the Concessionaire is requested to provide an acknowledgement in the film credits (where these exist) that:

(b) “Some of the filming was undertaken in the tribal area of Ngāi Tahu”.

NTSC 10 Where there is any portrayal of Ngāi Tahu spiritual, cultural, historical or traditional association a VHS copy of all relevant film footage pertaining to the filming shall be sent by the Concessionaire to the Public Affairs Manager, Te Rūnanga o Ngāi Tahu, PO Box 13-046, Christchurch. Te Rūnanga o Ngāi Tahu understands that the copyright is held with the film producers but Te Rūnanga o Ngāi Tahu may negotiate with the film producer to use the material for non-commercial purposes and if so would request a copy on Beta.

Pounamu (concessions within pounamu areas)

NTSC 11 The Concessionaire acknowledges that pounamu is under the ownership of Te Rūnanga o Ngāi Tahu pursuant to the Ngāi Tahu (Pounamu Vesting) Act 1997. No pounamu may be removed or recovered by the Concessionaire or their employees/clients. Where any pounamu is found by the Concessionaire, they are requested to immediately notify the Pounamu Management Officer of Te Rūnanga o Ngāi Tahu, Bill Doland, Te Rūnanga o Ngāi Tahu, P O Box 90, Keogan Rd, Hokitika.

NTSC 12 The Concessionaire is requested to ensure that any interpretation provided to its clients on Ngāi Tahu historical, spiritual, or cultural association with pounamu or any pounamu area is entirely consistent with the Ngāi Tahu Pounamu Resource Management Plan or any Department produced interpretative material. The Concessionaire should notify the relevant Papatipu Rūnanga if they are using the above information, as a matter of courtesy.

NTSC 13 Where the Concessionaire wishes to provide clients with information not contained in these sources, which relate to Ngāi Tahu historical, spiritual or cultural association with pounamu or any pounamu area, then the Concessionaire is requested to consult with the local Papatipu Rūnanga before using any other information to ensure such information is both appropriate and accurate.

Note: The Department of Conservation will provide the Concessionaire with the contact details of the relevant Papatipu Rūnanga, in relation to this clause.

Access Arrangements for Mining Permits NTSC 11 For West Coast Conservancy (and Otago and Southland potentially)

NTSC 14 The permit holder acknowledges that pounamu is reserved to Te Rūnanga o Ngāi Tahu pursuant to the Ngāi Tahu (Pounamu Vesting) Act 1997. No pounamu may be removed or recovered by the permit holder from the Land unless a written arrangement is first entered into with Te Rūnanga o Ngāi Tahu.

Where any pounamu is found by the permit holder on or under the land during the course of operations the permit holder will forthwith notify the Pounamu Protection Officer, Bill Doland, Te Rūnanga o Ngāi Tahu, P O Box 90, Keogan Rd, Hokitika.

Marine Mammals Viewing / Swimming NTSC 12 – 13 Applies to all marine mammals permits

- NTSC 15** The Permittee is encouraged to use both the English and Ngāi Tahu names of marine mammals species in their advertising and publication material.
- NTSC 16** The Permittee is requested to consult the relevant Papatipu Rūnanga if they wish to use Ngāi Tahu cultural information.

STANDARD CONDITIONS IN EVERY CONCESSION OR PERMIT

The following are a list of conditions that Ngāi Tahu wished to include in the Ngāi Tahu Standard Conditions (NTSC). These have not been included as NTSC's as they are legally required to be in every concession. They are:

Concessions

1. *“17.2 If in the opinion of the Grantor the activities of the Concessionaire, its employees, clients or invitees are having or may have an adverse effect on the environment and the Grantor is of the opinion that the effect, including cultural effects, can be avoided, remedied or mitigated to an extent satisfactory to the Grantor, the Grantor may suspend this Concession until the Concessionaire remedies, avoids or mitigates the adverse impact to the satisfaction of the Grantor.”*
2. *“13 Except as approved in writing by the Grantor the Concessionaire will not, whether by act or omission:*
 - (a) *deposit on the Site debris, rubbish or other dangerous or unsightly matter, or contaminate any water body on the Site;*
 - (b) *bury any toilet waste within 50 metres of any water source and;*
 - (c) *bury any animal or fish carcass, offal and / or by-products within 50 metres of any water body, waterway or watercourse or public access way.*

Marine Mammal Watching / Swimming Permits

3. This Permit may at any time be amended, suspended or revoked, in accordance with the provisions of regulation 13 of the Marine Mammals Protection Regulations 1992.

Appendix 11: Statutory Acknowledgement for Mount Uwerau

Schedule 67 Ngāi Tahu Claims Settlement Act 1998

Statutory Area

The statutory area to which this statutory acknowledgement applies is the area known as Uerau (Mount Uwerau), as shown on Allocation Plan MS 101 (S.O. 7318).

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 Uerau, as set out below.

Ngāi Tahu Association with Uerau

The name Uwerau should properly be spelt Uerau, which is the name of an important Ngāi Tahu tupuna (ancestor) with Ngāti Mamoe descent lines. In particular, those descent lines lead down to Tura, a principle tupuna for Ngāti Mamoe, Ngāti Wairaki and Rapuwai – all of which are constituents of the iwi known today as Ngāi Tahu. For Ngāi Tahu, such placing of tūpuna names on significant landscape features serves as a reminder of tribal identity and solidarity, and continuity between generations, and documents events that have shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

As with all principal maunga (mountains), Uerau is imbued with the spiritual elements of Raki and Papa, in traditions and practice regarded as an important link to the primeval parents. Like the rest of the mountains this region, Uerau is closely connected with the Arai Te Uru tradition, which tells that many of the mountains of the Southern Alps and Kaikōura ranges were the manifestations of the survivors of the Arai Te Uru waka (canoe) which foundered at Moeraki, on the north Otago coast.

This area was used by Ngāi Tahu as a mahinga kai (food gathering place) where birds, particularly tīti (muttonbirds) were harvested. The tūpuna had considerable knowledge of such places for gathering kai and other taonga, ways in which to use the resources of the land, the relationship of people with the land and their dependence on it, and tikanga for the proper and sustainable utilization of resources. All of these values remain important to Ngāi Tahu today.

There are a number of urupā (burial places) in this area unique to the descendants of Tura. Urupā are the resting places of Ngāi Tahu tūpuna, and are frequently protected by secret locations.

The Kāti Kurī hapū of Ngāi Tahu has manawhenua (tribal authority over land) and carries the responsibilities of kaitiaki in relation to the area. The hapū is represented by the tribal structure, Te Rūnanga o Ngāi Tahu.

The mauri of Uerau 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 land.

Purposes of Statutory Acknowledgement

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

- (a) To require that consent authorities forward summaries of resource consents 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, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgment in relation to Uerau, 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 Uerau 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 Ngai Tahu Whanui to cite this statutory acknowledgement as evidence of the association of Ngai Tahu to Uerau as provided in section 208 (clause 12.2.5 of the deed of settlement).

Limitations on Statutory Acknowledgment

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

- (a) This statutory acknowledgment 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 Uerau (as described in the statutory acknowledgment) than that person or entity would give under the relevant statute, regulation or bylaw, if this statutory acknowledgement did not exist in respect of Uerau.

Except as expressly provided in this Act, this statutory acknowledgment 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 acknowledgment 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, Uerau.

Appendix 12: Statutory Acknowledgement for Lake Rotorua

Schedule 35 Ngāi Tahu Claims Settlement Act 1998

Description of Area

The statutory area to which this statutory acknowledgment applies is the lake known as Rotorua, the location of which is shown on Allocation Plan MD 43 (S.O. 7327).

Preamble

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

Ngāi Tahu Association with Rotorua

Rotorua is one of the lakes referred to in the tradition of 'Ngā Puna Wai Karikari o Rakaihautu' which tells of how the principle lakes of Te Waipounamu were dug by the rangatira Rakaihautu. Rakaihautu was the captain of the canoe Uruao, which brought the Waitaha tribe to New Zealand. According to the tradition, Rakaihautu beached his canoe at Whakatu (Nelson). From there, he divided the new arrivals in two, with his son taking one party to explore the coastline southwards. Rakaihautu also went south, but took an inland route.

On his journey inland, Rakaihautu used his famous ko to dig what are now the principle lakes of Te Waipounamu. Those included Whakamatau (Coleridge), Rotorua, Pūkaki, Ōhau, Wanaka, Takapo and Hawea. All of these lakes were used by Ngāi Tahu as mahinga kai and sites of occupation.

For Ngāi Tahu, traditions such as this represent the links between the cosmological world of the gods and present generations, these histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

Rotorua was used as a mahinga kai by Ngāi Tahu as well as the earlier tribes such as Ngāti Tumatakokiri and Ngāti Wairaki. The main foods taken from this area were waterfowl and eel.

The tūpuna had considerable knowledge of places for gathering kai and other taonga, ways in which to use the resources of the lake, the relationship of people with the lake and their dependence of it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

The mauri of Rotorua represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of ten natural environments possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the lake.

Purposes of Statutory Acknowledgement

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

- (e) To require that consent authorities forward summaries of resource consents 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
- (f) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgment in relation to Rotorua, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and
- (g) To empower the Minister responsible for management of Rotorua 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
- (h) To enable Te Rūnanga o Ngāi Tahu and any member of Ngai Tahu Whanui to cite this statutory acknowledgement as evidence of the association of Ngai Tahu to Rotorua as provided in section 208 (clause 12.2.5 of the deed of settlement).

Limitations on Statutory Acknowledgment

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

- (a) This statutory acknowledgment 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 Rotorua (as described in the 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 Uerau.

Except as expressly provided in this Act, this statutory acknowledgment 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 acknowledgment 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, Rotorua.

Appendix 13: Statutory Acknowledgement for Tūtae Putaputa

Schedule 65 Ngāi Tahu Claims Settlement Act 1998

Statutory Area

The statutory area to which this statutory acknowledgement applies is the area known as Tūtae Putaputa (Conway River), the location of which is shown on Allocation Plan MD 109 (S.O. 7328 (Marlborough Land District) and S.O. 19906 (Canterbury Land District).

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 Tūtae Putaputa, as set out below.

Ngāi Tahu Association with the Tūtae Putaputa (Conway River)

This river, and the mahinga kai which it provided, fell under the mana of the Ngāti Wairaki chief Rakatuarua until Ngāi Tahu gained manawhenua (tribal authority over the area) by way of the Ngāti Kuri hapū.

The tūpuna has considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the river, and the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilization of resources. All of these values remain important to Ngāi Tahu today.

The resources of the river once supported a nearby pā built by the Ngāti Mamoe leader, Tukiauu. Tukiauu eventually abandoned this pā for another site just south of Dunedin.

There are numerous urupā and wāhi tapu associated with the river, particularly in the vicinity of the pā, Pariwhakatau. 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 by secret locations.

The mauri of Tūtae Putaputa 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 acknowledgment are –

- (i) To require that consent authorities forward summaries of resource consents 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
- (j) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgment in relation to Tūtae Putaputa, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and
- (k) To empower the Minister responsible for management of Tūtae Putaputa 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
- (l) To enable Te Rūnanga o Ngāi Tahu and any member of Ngai Tahu Whanui to cite this statutory acknowledgment as evidence of the association of Ngai Tahu to Tūtae Putaputa as provided in section 208 (clause 12.2.5 of the deed of settlement).

Limitations on Statutory Acknowledgment

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

- (a) This statutory acknowledgment 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 Tūtae Putaputa (as described in the statutory acknowledgment) than that person or entity would give under the relevant statute, regulation or bylaw, if this statutory acknowledgment did not exist in respect of Tūtae Putaputa.

Except as expressly provided in this Act, this statutory acknowledgment 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 acknowledgment 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, Tūtae Putaputa.

Appendix 14: Statutory Acknowledgement for the Hurunui River

Schedule 21 Ngāi Tahu Claims Settlement Act 1998

Statutory Area

The statutory area to which this statutory acknowledgement applies is the river known as Hurunui, the location of which is shown on Allocation Plan MD 112 (S.O. 19848).

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 Hurunui River, as set out below.

Ngāi Tahu Association with the Hurunui River

The Hurunui River once provided an important mahinga kai resource for Ngāi Tahu, although those resources are now in a modified and depleted condition. Traditionally, the river was particularly known for its tuna (eel) and inaka (whitebait).

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 Hurunui, 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.

Nohoanga (settlements) were located at points along the length of this river, with some wāhi tapu located near the mouth. Wāhi tapu are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected by secret locations.

The mauri of the Hurunui 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 acknowledgment are –

- (m) To require that consent authorities forward summaries of resource consents 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

- (n) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgment in relation to the Hurunui River, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and
- (o) To empower the Minister responsible for management of the Hurunui 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
- (p) 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 Hurunui River as provided in section 208 (clause 12.2.5 of the deed of settlement).

Limitations on Statutory Acknowledgment

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

- (a) This statutory acknowledgment 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 Hurunui River (as described in the 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 Hurunui River.

Except as expressly provided in this Act, this statutory acknowledgment 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 acknowledgment 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 Hurunui River.

Appendix 15: Statutory Acknowledgement for Hoka Kura (Lake Sumner)

Schedule 20 Ngāi Tahu Claims Settlement Act 1998

Statutory Area

The statutory area to which this statutory acknowledgement applies is the lake known as Hoka Kura (Lake Sumner), the location of which is shown on Allocation Plan MD 127 (S.O. 19854).

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 Hoka Kura, as set out below.

Ngāi Tahu Association with Hoka Kura

Hoka Kura is one of the lakes referred to in the tradition of 'Ngā Puna Wai Karikari o Rakaihautu' which tells how the principal lakes of Te Wai Pounamu were dug by the rangatira (chief) Rakaihautu. Rakaihautu was the captain of the canoe, Uruao, which brought the tribe, Waitaha, to New Zealand. Rakaihautu beached his canoe at Whakatū (Nelson). From Whakatū, Rakaihautu divided the new arrivals in two, with his son taking one party to explore the coastline southwards and Rakaihautu taking another southwards by an inland route. On his inland journey southward, Rakaihautu used his famous *kō* (a tool similar to a spade) to dig the principal lakes of Te Wai Pounamu, including Hoka Kura. The origins of the name 'Hoka Kura' have now been lost, although it is likely that it refers to one of the descendants of Rakaihautu.

For Ngāi Tahu, traditions such as this represent the links between the cosmological world of the gods and present generations, these histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an *iwi*.

Hoka Kura was used as a *mahinga kai* by North Canterbury Ngāi Tahu. The *tūpuna* had considerable knowledge of *whakapapa*, traditional trails, places for gathering *kai* and other *taonga*, ways in which to use the resources of the lake, the relationship of people with the lake and their dependence on it, and *tikanga* for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

The *mahinga kai* values of the lake were particularly important to Ngāi Tahu parties traveling to Te Tai Poutini (the West Coast). The lake was an integral part of a network of trails which were used in order to ensure the safest journey and incorporated

locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by whānau and hapū and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the lake.

There are a number of urupā and wāhi tapu in this region. 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 by secret locations.

The mauri of Hoka Kura represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the lake.

Purposes of Statutory Acknowledgement

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

- (q) To require that consent authorities forward summaries of resource consents 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
- (r) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgment in relation to Hoka Kura, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and
- (s) To empower the Minister responsible for management of Hoka Kura 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
- (t) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgment as evidence of the association of Ngāi Tahu to Hoka Kura as provided in section 208 (clause 12.2.5 of the deed of settlement).

Limitations on Statutory Acknowledgment

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

- (a) This statutory acknowledgment 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 Hoka Kura (as described in the statutory acknowledgment) than that person or entity would give under the relevant statute, regulation or bylaw, if this statutory acknowledgment did not exist in respect of the Hoka Kura.

Except as expressly provided in this Act, this statutory acknowledgment 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 acknowledgment 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 Hoka Kura.