

From: Tanya Stevens <Tanya.Stevens@ngaitahu.iwi.nz>
Sent: Friday, 3 September 2021 2:38 p.m.
To: RPS
Cc: Trudy Heath; Lynda Murchison
Subject: Proposed RPS: Submission on behalf of Te Runanga o Ngai Tahu
Attachments: TRoNT ORC RPS Submission 3 September 2021.pdf; Appendices One and Two.pdf; TRoNT submission Schedule 1 3 September.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Submission - Iwi partner

Tēnā koe,

Please find attached submissions on behalf of Te Rūnanga o Ngāi Tahu on the proposed Otago Regional Policy Statement.

Feel free to contact me if you have any questions or require further information.

Ngā mihi,
Tanya

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Te Rūnanga o Ngāi Tahu

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Te Rūnanga o NGĀI TAHU

SUBMISSION ON PROPOSED OTAGO REGIONAL POLICY STATEMENT

Date: 03 September 2021

To: Otago Regional Council
70 Stafford St
Dunedin
Submission lodged by email: RPS@orc.govt.nz

Name of person making submission: Te Rūnanga o Ngāi Tahu

This is a submission in support of: the Proposed Otago Regional Policy Statement

Te Rūnanga o Ngāi Tahu **could not** gain an advantage in trade competition through this submission.

Te Rūnanga o Ngāi Tahu **wishes** to be heard in support of its submission

If others make a similar submission, Te Rūnanga o Ngāi Tahu **will** consider presenting a joint case with them at a hearing

1. Te Rūnanga o Ngāi Tahu and Papatipu Rūnanga

1.1 This response is made on behalf of Te Rūnanga o Ngāi Tahu (**Te Rūnanga**) which 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.

1.2 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.

1.3 Notwithstanding its statutory status as the representative voice of Ngāi Tahu whānui “for all purposes”, Te Rūnanga accepts and respects the right of individuals and Papatipu Rūnanga to make their own responses.

1.4 Papatipu Rūnanga who have shared interests across the Otago Region are: Waihōpai Rūnanga; Te Rūnanga o Awarua; Te Rūnanga o Ōraka Aparima and Te Rūnanga o Hokonui (collectively referred to as Ngāi Tahu ki Murihiku) and Te Rūnanga o Ōtākou, Kati Huirapa ki

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Puketeraki Rūnaka and Te Rūnanga o Moeraki (collectively referred to as Kāi Tahu ki Ōtākou).

- 1.5 Te Rūnanga respectfully requests that the Panel accord this response 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. Te Tiriti o Waitangi

- 2.1 The contemporary relationship between the Crown and Ngāi Tahu is defined by three core documents; Te Tiriti o Waitangi (**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.
- 2.2 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.
- 2.3 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 Te Rūnanga interests in the Proposed Otago Regional Policy Statement

- 3.1 Te Rūnanga notes the following particular interests in the Proposed Otago Regional Policy Statement:

Treaty Relationship

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

Kaitiakitanga

- In keeping with the kaitiaki responsibilities of Ngāi Tahu whānui, Te Rūnanga 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, Te Rūnanga is guided by the tribal whakataukī: “mō tātou, ā, mō kā uri ā muri ake nei” (*for us and our descendants after us*).

Whanaungatanga

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

4. Relief Sought - General

4.1 Te Rūnanga supports the submissions and detailed relief sought by Waihōpai Rūnanga; Te Rūnanga o Awarua; Te Rūnanga o Ōraka Aparima and Te Rūnanga o Hokonui and Te Rūnanga o Ōtākou, Kati Huirapa ki Puketeraki Rūnanga and Te Rūnanga o Moeraki sent in as submissions from Aukaha and Te Ao Marama Inc.

4.2 Te Rūnanga supports the plan provisions except where we ask for specific amendments or additions as set out in **Schedule One** attached.

5. Reasons - General

5.1 The amendments and additions sought to this plan by Te Rūnanga are to better incorporate the broader interests and aspirations of Ngāi Tahu in the Otago Region. The submitters consider these changes are necessary to:

- Better achieve the purpose of the Resource Management Act 1991 (**RMA**), including matters under s6, having particular regard to kaitiakitanga as required under s7(a) of the RMA, and taking into account the principles of the Treaty as required under s8 of the RMA;
- Take into account relevant iwi management plans, namely:
 - Te Rūnanga o Ngāi Tahu Freshwater Policy 1999
 - Kāi Tahu ki Otago Natural Resources Management Plan 2005
 - Te Tangi a Tauira: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008
 - Waitaki Iwi Management Plan 2019as required under s74(2A) of the RMA; and
- Consequently discharge the council's duties under s32 of the RMA.

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



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Proposed Otago Regional Policy Statement 2021

Te Rūnanga o Ngāi Tahu Submission: Schedule 1

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p><i>The reasons for my views are:</i></p>	<p><i>I seek the following decision from the local authority: (amendments are shown in strikethrough and bold underline)</i></p>
<p>MW – Mana whenua <i>Whole chapter</i></p>	<p>Supported with amendments.</p>	<p>Sets out at key matters that relate to Ngāi Tahu.</p>	<p>Retain with amendments as sought below.</p>
<p>MW – Mana whenua Resources of Significance</p>	<p>Support</p>	<p>Te Rūnanga supports the descriptions of resources and the importance of those to Ngāi Tahu.</p>	<p>Retain</p>
<p>MW – Mana whenua Ngāi Tahu Claims Settlement Act 1998 (NTCSA 1998)</p>	<p>Support</p>	<p>Te Rūnanga supports the description of Statutory Acknowledgement Areas, Tōpuni, Nohoanga, Customary Fisheries, and Māori Land Reserves with amendments.</p> <p>Te Rūnanga nohoanga advisor has checked the list of nohoanga and advised that minor amendments are sought to the list of nohoanga.</p> <p>In addition, it appears that the Hawea and Wānaka (Wānaka plantation Reserve) known as Sticky Forest is absent from the list of reserves.</p>	<p>Retain with amendment: Nohoaka:</p> <ul style="list-style-type: none"> • Waitaki River (two sites) • Waianakarua River • Taieri River (three sites) • Lake Hāwea (three sites) • Hāwea River • Lake Wānaka (two sites) • Lake Wakatipu • Shotover River (two sites) • Mata-au Clutha River (<u>four sites</u>) <p>To the list of Native Reserves add:</p>

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			<p><u>Hawea and Wānaka (Wanaka Plantation Reserve), known as Sticky Forest</u> <u>SILNA</u></p>
<p>Introduction and General Provisions MW – Mana whenua New section</p>	<p>Support with amendments</p>	<p>The Mana whenua section of the Introduction and Provisions chapter sets out matters of importance to Ngāi Tahu, such as Ngāi Tahu values, the Ngāi Tahu approach to resource management and Settlement matters arising from the NTCSA.</p> <p>It is also appropriate for this section to include a summary of the Māori Commercial Aquaculture Claims Settlement Act 2004 for the reason that any future Settlement outcomes will need to be provided for in Regional and District plans.</p>	<p>Following from the Ngāi Tahu Claims Settlement Act 1998 (NTCSA 1998) section, insert the following:</p> <p><u>Māori Commercial Aquaculture Claims Settlement Act 2004</u> <u>The Māori Commercial Aquaculture Claims Settlement Act 2004 provides full and final settlement of Māori commercial aquaculture claims since 21 September 1992. Settlement is delivered via Regional Aquaculture Agreements (RAA) which may describe areas to be provided to iwi for the purposes of commercial aquaculture. Any future Settlement outcomes will need to be provided for in Regional and District plans.</u></p>
<p>MW – Mana whenua MW–O1 – Principles of Te Tiriti o Waitangi</p>	<p>Support with amendments</p>	<p>Te Rūnanga supports the intention of the objective but considers that articles, as well</p>	<p>Amend as follows: Promote awareness and understanding of the obligations</p>

<p>The specific provisions of the proposal that my submission relates to are:</p>	<p>I support or oppose the specific provisions or wish to have them amended.</p>	<p>The reasons for my views are:</p>	<p>I seek the following decision from the local authority: (amendments are shown in strike through and <u>bold underline</u>)</p>
		<p>as principles of Te Tiriti need to be promoted.</p>	<p>of local authorities in regard to the principles <u>and articles</u> of Te Tiriti o Waitangi, tikaka Māori and kaupapa Māori.</p>
<p>MW-P2 – Treaty principles</p>	<p>Support with amendments</p>	<p>Te Rūnanga supports the intention of the objective but considers that articles, as well as principles of Te Tiriti need to be promoted.</p> <p>In addition, Settlement outcomes reached under the Māori Commercial Aquaculture Claims Settlement Act 2004 need to be provided for.</p>	<p>MW-P2 – Treaty principles</p> <p>Local authorities exercise their functions and powers in accordance with Treaty principles <u>and articles</u>, by:</p> <ol style="list-style-type: none"> 1. recognising the status of Kāi Tahu and facilitating Kāi Tahu involvement in decision-making as a Treaty partner, 2. including Kāi Tahu in resource management processes and implementation to the extent desired by mana whenua, 3. recognising and providing for Kāi Tahu values and resource management issues, as identified by mana whenua, in resource management decision-making processes and plan implementation, 4. recognising and providing for the relationship of Kāi Tahu culture and traditions with their ancestral lands, water, sites,

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			<p>wāhi tapu, and other taoka by ensuring that Kāi Tahu have the ability to identify these relationships and determine how best to express them,</p> <p>5. ensuring that regional and district plans recognise and provide for Kāi Tahu relationships with Statutory Acknowledgement Areas, tōpuni, nohoaka and customary fisheries identified in the NTCSA 1998, including by actively protecting the mauri of these areas,</p> <p>6. <u>ensuring that regional and district plans recognise and provide for aquaculture Settlement outcomes identified under the Māori Commercial Aquaculture Claims Settlement Act 2004</u></p> <p>6.7. having particular regard to the ability of Kāi Tahu to exercise kaitiakitaka,</p>

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			<p>7. 8. actively pursuing opportunities for:</p> <ul style="list-style-type: none"> a. delegation or transfer of functions to Kāi Tahu, and b. partnership or joint management arrangements, and <p>8. 9. taking into account iwi management plans when making resource management decisions and</p> <p>9. <u>10. recognising and providing for mātauraka Tahu and tikaka Tahu in environmental and resource management.</u></p>
<p>MW-P4 – Sustainable use of Māori land</p>	<p>Support with amendments</p>	<p>Te Rūnanga supports the policy in so far as it provides for the development of Māori Land.</p> <p>Te Rūnanga is aware that there may be limited land available for the purposes of papakāinga or other development, and as such, considers that the expansion of the</p>	<p>Amend as follows:</p> <p>Kāi Tahu whānui are able to protect, develop and use land and resources within native reserves, and land held under the Te Ture Whenua Māori Act 1993, <u>and land with an ancestral connection,</u> in <u>accordance with</u></p>

<p>The specific provisions of the proposal that my submission relates to are:</p>	<p>I support or oppose the specific provisions or wish to have them amended.</p>	<p>The reasons for my views are:</p>	<p>I seek the following decision from the local authority: (amendments are shown in strike through and bold underline)</p>
		<p>policy to include ancestral land is appropriate.</p> <p>Sub policy (2) effectively creates a hierarchy between matters of national importance, and insinuates that as a matter of national importance, section 6(e) holds less weight than other matters of national importance by requiring Ngāi Tahu to avoid significant adverse effects. Marae, papakāinga and other development by Ngāi Tahu will often be naturally located in Outstanding Natural Landscapes (section 6 (b)), or Significant Natural Areas (section 6(c)). This is a result of generations of occupation and use which precede the contemporary approach of western planning to protect significant values to the detriment of Ngai Tahu ahi ka.</p> <p>Deletion of (2) allows Ngāi Tahu to progress Papakāinga, Marae and other development in a manner that is appropriate to Ngāi Tahu.</p>	<p><u>matauraka and tikaka</u>, and <u>providing for their</u> economic, cultural and social aspirations, including for papakāika, marae and marae related activities, while:</p> <ol style="list-style-type: none"> (1) avoiding adverse effects on the health and safety of people, (2) avoiding significant adverse effects on matters of national importance, and (3) Avoiding, remedying, or mitigating other adverse effects. <p>Consequential amendments may be required elsewhere in the plan.</p>
<p>MW–M5 – Regional and district plans</p>	<p>Support with amendments</p>	<p>Amendment to the methods is required to implement the policy sought above.</p>	<p>MW–M5 – Regional and district plans</p> <p>Local authorities must amend their regional and district plans to:</p> <ol style="list-style-type: none"> 1. take Iwi Management Plans and resource management issues of significance to Kāi

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			<p>Tahu (RMIA) into account,</p> <ol style="list-style-type: none"> 2. provide for the use of native reserves and land held under Te Ture Whenua Māori Act 1993 in accordance with MW-P4, and 3. incorporate active protection of areas and resources recognised in the NTCSA 1998. <u>and</u> 4. <u>set aside areas to achieve Settlement outcomes identified under the Māori Commercial Claims Aquaculture Settlement Act 2004.</u>
<p>IM-P8 – IM-P12 Climate Change</p>	<p>Support with amendments</p>	<p>While the climate change policies are supported, it is considered that more is required throughout the plan to provide for climate change.</p>	<p>Retain policies, and better incorporate climate change throughout the plan.</p> <p>Specific relief is sought in individual chapters with reference back to this submission point. Further consequential amendments may be required to achieve a comprehensive approach.</p>

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<p>AIR–M2 – Regional plans</p>	<p>Support with amendments</p>	<p>To implement policy AIR-P6 (adverse effects on mana whenua values) an additional method is sought. This is to ensure that adverse effects on mana whenua are avoided through provisions in regional plans.</p> <p>Adverse effects from discharges to air can be offensive to mana whenua or inappropriate in highly sensitive areas. For example, aerial spraying over an area of wāhi tapu.</p> <p>The relief sought is consistent with the Mana Whenua Chapter of the Proposed RPS, sections 6(e), 7(a) and 8 of the RMA.</p>	<p>Retain with the following amendments: No later than 31 December 2024, Otago Regional Council must prepare or amend and maintain its regional plans to:</p> <p><u>6. include measures to avoid adverse effects of discharges to air on wāhi tupuna.</u></p>
<p>CE – Coastal Environment, whole chapter, general</p>	<p>Support with amendments</p>	<p>Te Tai o Ārai Te Uru Statutory Acknowledgement (Schedule 103 to the Ngāi Tahu Claims Settlement Act 1998) describes both the formation of the coastline and also the ongoing importance of the Otago coast to Ngāi Tahu, from both a historical perspective but also, and importantly a contemporary mahinga kai perspective.</p> <p>Te Rūnanga considers that the Coastal Chapter needs to better provide for the Ngāi Tahu relationship to, and use of Te Tai o Ārai Te Uru, and the Coastal Environment more broadly.</p>	<p>Amend to achieve the following (see detailed relief below):</p> <ul style="list-style-type: none"> - Make the structure of the chapter clearer and easier to read and understand. - Better alignment with LW-WAI – Te Mana o Te Wai, LF-VM – Visions and Management, LF-FW – Fresh Water, and LF-LS – Land and Soil to improve readability across the plans, but also to provide for integrated management (see below).

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		<p>Fisheries, aquaculture and the RMA</p> <p>For Ngāi Tahu, the coastal marine area is a place that needs to be managed in accordance with tikanga so that the environmental quality of the coast, including coastal water quality, is protected and at the same time enables appropriate and sustainable use. In terms of customary and commercial fisheries and aquaculture, Ngāi Tahu are engaged in or use processes and tools which sit outside the RMA, namely via the Fisheries Act 1996 and Māori Commercial Aquaculture Claims Settlement Act 2004. Realisation of the outcomes sought via other legislation is in turn reliant on the management of activities and effects, and allocation of space in the CMA within RMA plans. In particular:</p> <ul style="list-style-type: none"> - Ngāi Tahu use a range of tools to manage customary fisheries. These may include Mātaitai, Taiapure, Bylaws or temporary closures or restrictions under the Fisheries Act 1996. It is necessary for coastal planning under the RMA to work in tandem with customary tools in order to ensure that the outcomes sought under the 	<ul style="list-style-type: none"> - Provide for integrated management, ki uta ki tai, including management of the relationship between freshwater and coastal water including ecosystems. - Prioritise protection of Ngāi Tahu cultural values and health of coastal waters over other uses. - Provision for customary protection areas, such as Mātaitai and Taiapure, and direction for Regional and District Plans to manage those areas in a way that supports and enables the activities within those areas is required. This includes appropriate water quality standard to enable safe shellfish gathering. Importantly, the Plan needs to direct Regional Coastal Plans, Land and Water Plans and District Plans to avoid adverse effects on customary protection areas as a result of discharges. - Options for mana whenua to exercise their raketirataka and

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		<p>Fisheries Act 1996 are not undermined via RMA processes.</p> <ul style="list-style-type: none"> - Commercial aquaculture activity resulting from Settlement obligations need to be anticipated and provided for in Regional and District Plans, particularly the Regional Coastal Plan. Failure to do so undermines Treaty of Waitangi settlements. <p>Amendments to provide for the above are consistent with Sections 6(e), 7(a) and 8 of the RMA, and Objective 2 and Policy 3 of the NZCPS.</p> <p>Climate Change</p> <p>Te Rūnanga considers that the coastal environment is particularly sensitive to climate change. As described previously in this submission, Te Rūnanga supports policies IM-P8 – IM-P12 Climate Change but considers that climate change needs to be better provided for throughout the plan. This is particularly important in the Coastal Chapter which is highly susceptible to climate change. Amendment to better incorporate into the Coastal Chapter the effects of climate change is consistent with Policy 4(c)(iii) of the NZCPS.</p>	<p>kaitiakitaka through delegated powers should be incorporated into the chapter.</p> <ul style="list-style-type: none"> - River mouth openings are of particular importance to ensure the recruitment and escapement of diadromous fish. Provision to enable these activities is required in the chapter. - Climate change is and will continue to affect the coast, and coastal waters. The chapter needs to better provide for climate change, and to pull down relevant threads from the Integrated Management chapter to provide clarity for plan users. - The Māori Commercial Aquaculture Claims Settlement Act 2004 provides full and final settlement of Māori commercial aquaculture claims since 21 September 1992. Settlement is delivered via Regional Aquaculture Agreements (RAA) which may describe areas to be provided to iwi for the purposes of commercial

<p>The specific provisions of the proposal that my submission relates to are:</p>	<p>I support or oppose the specific provisions or wish to have them amended.</p>	<p>The reasons for my views are:</p>	<p>I seek the following decision from the local authority: (amendments are shown in strike through and bold underline)</p>
		<p>Management of the coastal environment in accordance with tikanga</p> <p>Te Rūnanga is concerned that the Coastal Chapter should provide for opportunities for Ngāi Tahu to exercise kaitiakitanga and rakatiratanga in accordance with tikanga, within the coastal environment. Management of the coastal environment in accordance with tikanga relies on a holistic, ki uta ki tai, approach which needs to be provided for in the Coastal Chapter, consistent with Sections 6(e), 7(a), and 8 of the RMA, and Objective 2 and Policy 3 of the NZCPS.</p> <p>Linked to this, is;</p> <ul style="list-style-type: none"> - the ability for Ngāi Tahu to ensure that the recruitment and escapement of diadromous fish is provided for to ensure healthy fish stock. - Integrated management, ki uta ki tai, acknowledging the connectivity between freshwater and coastal water. - The ability for Ngāi Tahu to exercise kaitiakitanga and rangatiratanga via delegated powers. 	<p>aquaculture. There is currently no RAA for Otago. However, to ensure that the Regional and District Plans, particularly the Regional Coastal Plan, does not undermine any future Settlement outcomes, the Regional Policy Statement must direct that Regional and District plans enable the delivery and fulfillment of any future Settlement outcomes for Otago.</p>

The specific provisions of the proposal that my submission relates to are:	I support or oppose the specific provisions or wish to have them amended .	The reasons for my views are:	I seek the following decision from the local authority: (amendments are shown in strike through and <u>bold underline</u>)
CE – Coastal Environment	New objective	For the reasons above, a new objective is sought to better provide for integrated management	<u>Mauri of Otago’s coastal waters</u> <u>The mauri of Otago’s coastal waters and their health and well-being is protected and restored where it is degraded, including through enhancing coastal water quality where it has deteriorated from what would be its natural condition.</u>
CE–O1 – Safeguarding the coastal environment	Support with amendments	For the reasons above, acknowledgement of the effects of climate change is sought at an objective level.	Renumber, and add: (7) <u>the ongoing effects of climate change are recognised and planned for</u>
CE-O4 – Kāi Tahu associations with Otago’s coastal environment	Support with amendments	As part of restructuring the chapter for ease of reading, it is suggested that this policy is elevated. Amendments are sought to provide for the ability of Ngāi Tahu to exercise rakatirataka, kaitiakitanga and to undertake customary and commercial fisheries and mahinga kai.	Renumber and amend as follows: CE-O4 <u>O3</u> - Kāi Tahu associations with Otago’s coastal environment <u>Mana moana</u> The enduring cultural association of Kāi Tahu with Otago’s coastal environment is recognised and provided for, and mana whenua are <u>enabled</u> to; a.) exercise their <u>rakatirataka role, manaakitaka and their kaitiaki role-duty of care</u> within the coastal environment, and

<p>The specific provisions of the proposal that my submission relates to are:</p>	<p>I support or oppose the specific provisions or wish to have them amended.</p>	<p>The reasons for my views are:</p>	<p>I seek the following decision from the local authority: (amendments are shown in strike through and <u>bold underline</u>)</p>
			<p>b.) <u>engage in customary and commercial fisheries and mahika kai.</u></p>
<p>CE-O5 – Activities in the coastal environment</p>	<p>Support with amendment</p>	<p>Amendments are sought to this objective to improve the clarity of the objective and to prioritise the health of coastal waters.</p>	<p>Renumber and amend as follows: CE–O5 <u>O6</u> – Activities in the coastal environment</p> <p><u>To enable activities to locate in the coastal environment due to functional or operational need, or to provide for the cultural, social or economic wellbeing of people or their health and safety, provided: A</u> activities in the coastal environment:</p> <ol style="list-style-type: none"> 1. <u>any adverse effects on Ngāi Tahu on cultural values, including adverse effects on customary fisheries including mātaimai reserves and taiāpure, are avoided;</u> 2. <u>any other adverse environmental effects are avoided, remedied or mitigated;</u> 3. efficient use <u>is made</u> of space occupied in the coastal marine area, 4. <u>activities</u> are of a scale, density and design compatible with their location <u>and the need to manage adverse effects; and,</u>

The specific provisions of the proposal that my submission relates to are:	I support or oppose the specific provisions or wish to have them amended .	The reasons for my views are:	I seek the following decision from the local authority: (amendments are shown in strikethrough and <u>bold underline</u>)
			5. are only provided for within appropriate locations and limits, and 6. <u>public access</u> to and along the coastal marine area, including for customary uses <u>including mahika kai and kaimoana gathering is maintained or enhanced, except where public access needs to be restricted for reasons of health and safety or ecological or cultural sensitivity.</u>
CE-P2 – Identification	Support with amendments	As described above Ngāi Tahu rely on RMA plans to enable outcomes sought from other legislation to be realised.	Amend as follows: Identify the following in the coastal environment: [...] <u>(3) areas of coastal water where takata whenua have a particular interest, including Mātaitai, Taiapure, and any Settlement outcomes under Māori Commercial Aquaculture Claims Settlement Act 2004.</u>
CE-P3 – Coastal water quality	Oppose	As described above, coastal water quality is essential in supporting mahinga kai.	Replace policy as follows:

<p>The specific provisions of the proposal that my submission relates to are:</p>	<p>I support or oppose the specific provisions or wish to have them amended.</p>	<p>The reasons for my views are:</p>	<p>I seek the following decision from the local authority: (amendments are shown in strikethrough and <u>bold underline</u>)</p>
		<p>It is noted that the reference to P1(2) should be corrected to P2(2).</p>	<p>CE-P3 – Coastal water quality/<u>Te Hauora o Te Wai Tai</u></p> <p><u>Manage activities either within, or that impact on, the coastal environment by:</u></p> <ol style="list-style-type: none"> 1. <u>prioritising the health and well-being of coastal water and coastal ecosystems</u> 2. <u>involving Kāi Tahu in decision-making in relation to coastal waters,</u> 3. <u>setting appropriate water quality targets for coastal waters, including areas of customary protection, and other areas used for kaimoana gathering, customary fisheries, contact recreation and habitats of taoka species,</u> 4. <u>actively enhancing areas of deteriorated coastal water described within CE-P2(2), including by the avoidance of adverse effects of activities on these areas.</u> 5. <u>avoiding adverse effects on those areas of coastal water where takata whenua have a particular interest including Mātaitai and Taiapure, and</u>

<p>The specific provisions of the proposal that my submission relates to are:</p>	<p>I support or oppose the specific provisions or wish to have them amended.</p>	<p>The reasons for my views are:</p>	<p>I seek the following decision from the local authority: (amendments are shown in strikethrough and <u>bold underline</u>)</p>
			<p><u>6. managing effects on other areas of coastal waters so that water quality is maintained or enhanced.</u></p> <p>Coastal water quality is improved where it is considered to have deteriorated to the extent described within CE-P1(2), and otherwise managed, so that:</p> <ol style="list-style-type: none"> 1. healthy coastal ecosystems, indigenous habitats provided by the coastal environment, and the migratory patterns of indigenous coastal water species are maintained or enhanced, 2. Kāi Tahu relationships with and customary uses of coastal water are sustained, 3. recreation opportunities and existing uses of coastal water are maintained or enhanced, and <p>within identified areas where takata whenua have a particular interest, adverse effects on these areas and values are remedied or where remediation is not practicable, are mitigated.</p>

<p>The specific provisions of the proposal that my submission relates to are:</p>	<p>I support or oppose the specific provisions or wish to have them amended.</p>	<p>The reasons for my views are:</p>	<p>I seek the following decision from the local authority: (amendments are shown in strikethrough and <u>bold underline</u>)</p>
<p>CE-P11 – Aquaculture</p>	<p>Support with amendments</p>	<p>Provision for Ngāi Tahu related aquaculture is sought to be included in this policy, consistent with the general comments on the Coastal Chapter above.</p>	<p>Amend as follows: Provide for the development and operation of aquaculture activities within appropriate locations and limits, taking into account:</p> <ol style="list-style-type: none"> 1. the need for high quality water required for an aquaculture activity, 2. the need for land-based facilities and infrastructure required to support the operation of aquaculture activities, and 3. <u>Whether the aquaculture development sought is being carried out by Kāi Tahu and has been identified as a Settlement outcome; and</u> 4. the potential social, economic and cultural benefits associated with the operation and development of aquaculture activities.

<p>The specific provisions of the proposal that my submission relates to are:</p>	<p>I support or oppose the specific provisions or wish to have them amended.</p>	<p>The reasons for my views are:</p>	<p>I seek the following decision from the local authority: (amendments are shown in strikethrough and <u>bold underline</u>)</p>
<p>CE – new policy</p>	<p>New policy</p>	<p>To support mahinga kai and healthy coastal water, a new policy is required to manage discharge.</p>	<p>Add the following policy: <u>Discharge of contaminants into Te Tai o Ārai Te Uru</u> <u>Coastal water quality will be improved by:</u> <u>a). in time, ceasing all wastewater discharges into Te Tai o Ārai Te Uru</u> <u>b). avoiding adverse effects from discharge originating in terrestrial, freshwater or marine environments.</u> <u>c). cessation of wastewater infiltration into stormwater systems.</u> <u>d). attenuation and treatment of stormwater prior to discharge into coastal waters.</u></p>
<p>Methods CE–M3 – Regional plans</p>	<p>Support with amendments</p>	<p>To implement the policies sought above in relation to the provision of aquaculture, amendment is sought to the methods.</p>	<p>CE–M3 – Regional plans Otago Regional Council must prepare or amend and maintain its regional plans no later than 31 December 2028 to: [...] <u>13. Allocate areas of aquaculture for Kāi Tahu consistent with Settlement outcomes under Māori Commercial Aquaculture Claims Settlement Act 2004.</u></p>

<p>The specific provisions of the proposal that my submission relates to are:</p>	<p>I support or oppose the specific provisions or wish to have them amended.</p>	<p>The reasons for my views are:</p>	<p>I seek the following decision from the local authority: (amendments are shown in strike through and bold underline)</p>
<p>LF – Land and Freshwater <i>Whole chapter</i></p>	<p>Support with amendments</p>	<p>Overall the chapter is supported with amendments, as described below.</p>	<p>See below.</p>
<p>LF – Land and Freshwater LF-WAI – Te Mana o te Wai <i>Objectives LF-WAI-01 Te Mana o te Wai</i></p>	<p>Support</p>	<p>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.</p> <p>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. Consistent with tikanga, Ngāi Tahu management of resources is inherently integrated with ki uta ki tai being an holistic approach to environmental management.</p> <p>The objectives set out at a high level an integrated approach to water management – ki uta ki tai, acknowledging the whakapapa of wai and Ngāi Tahu relationship with wai (past, present and future), the necessity of wai for all of us and the role of Ngāi Tahu as kaitiaki.</p> <p>The amendment sought furthers the submissions above on the Coastal Chapter, and seeks to provide better connection with the coastal environment.</p>	<p>Amend as follows:</p> <p>The mauri of Otago’s water bodies and their health and well-being is protected, and restored where it is degraded, and the management of land and water recognises and reflects that:</p> <p>(1) ...</p> <p>(2) ...</p> <p>(3) ...</p> <p>(4) <u>freshwater, and land and coastal waters</u> have a connectedness that supports and perpetuates life, and</p> <p>(5) ...</p>

<p>The specific provisions of the proposal that my submission relates to are:</p>	<p>I support or oppose the specific provisions or wish to have them amended.</p>	<p>The reasons for my views are:</p>	<p>I seek the following decision from the local authority: (amendments are shown in strike through and bold underline)</p>
		<p>This is consistent with RMA sections 6(e), 7(a) and 8, and the NZPS-FW particularly Policies 2 and 3.</p>	
<p>LF – Land and Freshwater LF-WAI – Te Mana o te Wai</p> <p><i>Policies</i> <i>LF-WAI-P1 – Prioritisation</i></p>	<p>Support</p>	<p>Policies LF-WAI-P1 set out water management priorities in the Otago Region. The health and well-being of water bodies and freshwater ecosystems, te hauora o te wai and te hauora o te taiao, and the exercise of mana whenua to uphold these is the first priority. This is followed by the health and well-being of people, and thirdly, the ability for people and communities to provide for social, economic and cultural well-being.</p> <p>Te Rūnanga supports the expression of Te Mana o Te Wai noting from the Section 32 report that Papatipu Rūnanga via Aukaha and Te Ao Marama Inc. were engaged with on the drafting of these provisions.</p> <p>Te Rūnanga considers that the prioritisation of water bodies and freshwater systems is consistent with Part 2 of the NZPS-FW, in particular Objective 2.1 (1).</p>	<p>Retain.</p>
<p>LF-WAI-P2 – Mana whakahaere</p>	<p>Support with amendment</p>	<p>This policy is largely supported. Te Rūnanga seeks amendment to recognise that to achieve rakatiratanga, instream and out of stream allocations may be required for mahinga kai.</p>	<p>Amend as follows: Recognise and give practical effect to Kāi Tahu rakatiratanga in respect of fresh water by:</p>

<p>The specific provisions of the proposal that my submission relates to are:</p>	<p>I support or oppose the specific provisions or wish to have them amended.</p>	<p>The reasons for my views are:</p>	<p>I seek the following decision from the local authority: (amendments are shown in strike through and <u>bold underline</u>)</p>
			<ol style="list-style-type: none"> 1. facilitating partnership with, and the active involvement of, mana whenua in freshwater management and decision-making processes, 2. sustaining the environmental, social, cultural and economic relationships of Kāi Tahu with water bodies, 3. providing for a range of customary uses, including mahika kai, specific to each water body, <u>which may require instream and out of stream allocations</u>, and 4. incorporating mātauraka into decision making, management and monitoring processes. 5. <u>Managing wai and its connections with whenua in a holistic and interconnected way – ki uta ki tai.</u>

<p>The specific provisions of the proposal that my submission relates to are:</p>	<p>I support or oppose the specific provisions or wish to have them amended.</p>	<p>The reasons for my views are:</p>	<p>I seek the following decision from the local authority: (amendments are shown in strikethrough and <u>bold underline</u>)</p>
<p>LF-WAI-P3 Integrated management/ki uta ki tai</p>	<p>Support with amendments</p>	<p>As described previously in this submission, Te Rūnanga supports policies IM-P8 – IM-P12 Climate Change but considers that climate change needs to be better provided for throughout the plan.</p> <p>Climate change has the potential to accelerate changes to wai. The NPS-FW requires that in setting limits on use Council's must have regard to the foreseeable impacts of climate change (National Objectives Framework, 3.14 (2)(a)(ii)). The amendment sought provides greater clarity to the drafting.</p>	<p>Amend as follows:</p> <p>Manage the use of fresh water and land in accordance with tikaka and kawa, using an integrated approach that:</p> <p>(1) recognises and sustains <u>or restores</u> the connections and interactions between water bodies ...</p> <p>(2) <u>maintains or where modified or lost</u> wherever restores the connections and interactions between land and water, from the mountains to the sea,</p> <p>(3) sustains and, wherever possible, <u>enhances</u> the habitats of mahika kai and indigenous species, including taoka species associated with the water body <u>bodies</u>,</p> <p>(4) manages the effects of the use and development of land to maintain or enhance the health and well-being of fresh water and coastal water <u>and associated ecosystems</u>,</p> <p>(5) ...</p> <p>(6) has regard to foreseeable climate change risks <u>and the potential effects of climate change on the natural functions of water bodies</u>, and</p>

<p>The specific provisions of the proposal that my submission relates to are:</p>	<p>I support or oppose the specific provisions or wish to have them amended.</p>	<p>The reasons for my views are:</p>	<p>I seek the following decision from the local authority: (amendments are shown in strike through and <u>bold underline</u>)</p>
<p>LF-WAI-M1 Mana whenua involvement</p>	<p>Support with amendments</p>	<p>Te Rūnanga supports the approach to partner with Ngāi Tahu and seeks to ensure that this opportunity is still available following from RMA reform.</p>	<p>(7) ... Amend as follows: Otago Regional Council must partner with Kāi Tahu in freshwater management by: (1) implementing the actions in MW-M3 and MW-M4, (2) actively identifying and pursuing opportunities for mana whenua to be involved in freshwater governance, including through use of available mechanisms such as transfers of functions (under section 33 of the RMA 1991 <u>or any successor legislation</u>) and supporting the establishment of freshwater mātaítai ...</p>
<p>LF-FW-P7 – Fresh water</p>	<p>Support with amendment</p>	<p>Te Rūnanga seeks to ensure that consistent with prioritising the health of wai, that habitats are not only protected but sustained, and that freshwater allocation does not inadvertently result in users taking a maximum amount of water rather than amounts required for actual use.</p>	<p>Amend as follows: Environmental outcomes, attribute states (including target attribute states) and limits ensure that: (1) ... (2) the habitats of indigenous species associated with water bodies are protected <u>and sustained</u>, including by providing for fish passage, (3) ... (4) ...</p>

The specific provisions of the proposal that my submission relates to are:	I support or oppose the specific provisions or wish to have them amended .	The reasons for my views are:	I seek the following decision from the local authority: (amendments are shown in strike through and bold underline)
			(5) ... (6) <u>allocation of</u> fresh water is allocated within environmental limits, <u>the amounts taken are reasonable for the proposed activity when water is</u> used efficiently, <u>and wastage is avoided</u>
LF-VM – Visions and Management LF-VM-02 – Clutha Mata-au FMU Vision	Support with amendments	Clutha Mata-au is a Statutory Acknowledgement, and is of high significance to Ngāi Tahu. Te Rūnanga is concerned that the division of the Mata-au into 5 sub rohe may potentially undermine proposed objectives and policies in LF-WAI, particularly in terms of achieving ki uta ki tai.	Amend to provide an overarching <u>vision for Clutha Mata-au.</u>
ECO – Ecosystems and Indigenous Biodiversity ECO-03 – Kaitiakiaka and stewardship	Support with amendments	Kaitiakitaka is mis-spelt in the title of the objective. Consistent with section 7(a) RMA, Ngāi Tahu need to be able to <i>exercise</i> kaitiakitanga and not just be <i>recognised</i> as kaitiaki.	Amend as follows: ECO-03 – Kaitiakika <u>Kaitiakitaka</u> Amend as follows: Mana whenua are recognised as <u>able to exercise</u> their <u>role as</u> kaitiaki of Otago’s indigenous biodiversity, and Otago’s communities are recognised as stewards, who are responsible for: ...
ECO-P4 – Provision for new activities	Support with amendments	As previously described in this submission, section 6(e) and the ability for Ngāi Tahu to	[...]

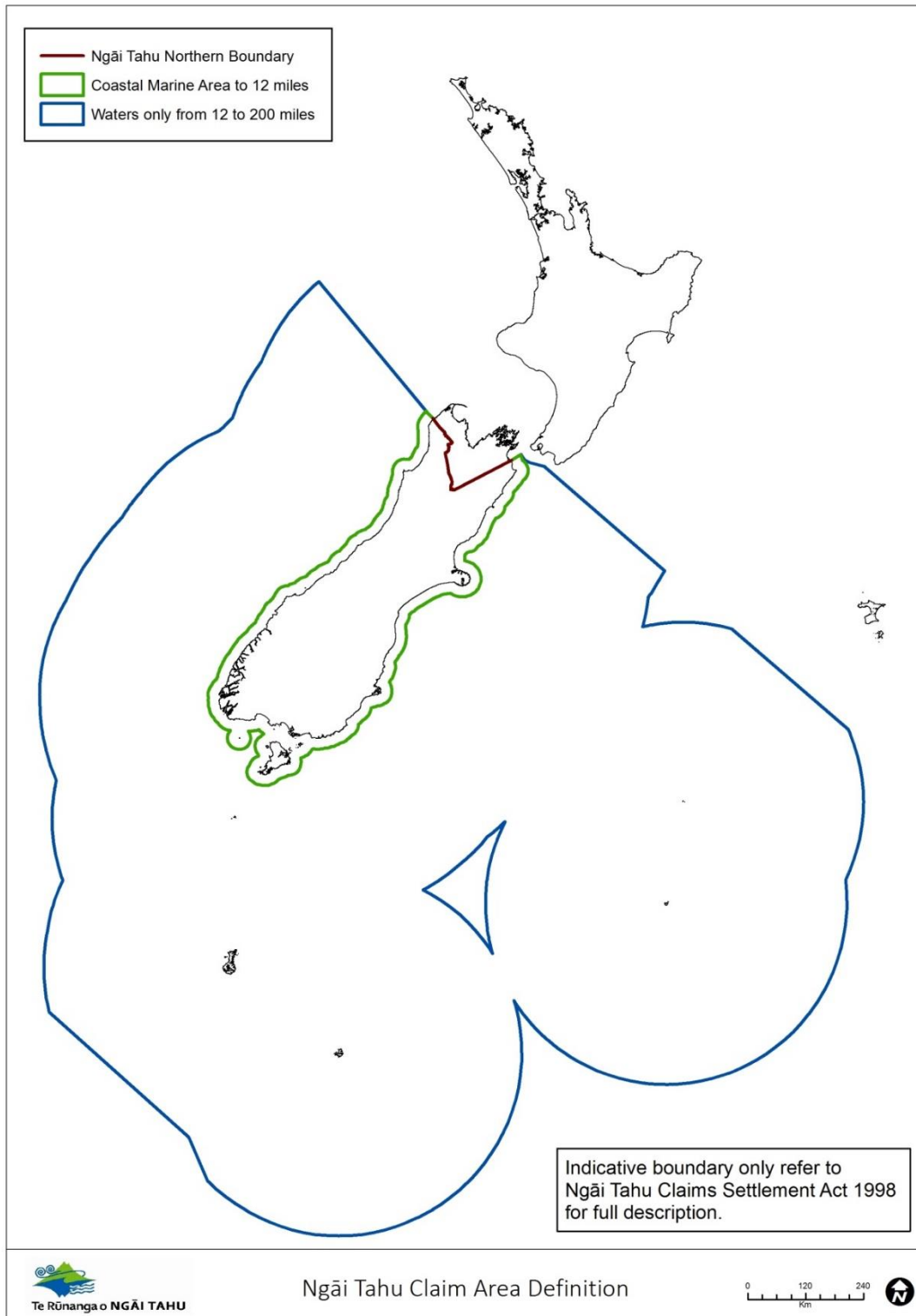
<p>The specific provisions of the proposal that my submission relates to are:</p>	<p>I support or oppose the specific provisions or wish to have them amended.</p>	<p>The reasons for my views are:</p>	<p>I seek the following decision from the local authority: (amendments are shown in strikethrough and <u>bold underline</u>)</p>
		<p>retain ahi ka and continue the ancestral relationship with land, should not be frustrated by the identification and protection of significant values under section 6(c).</p> <p>ECO-P4 provides for certain development within significant natural areas and includes papakainga, marae and other customary activity, and the use of Māori land.</p> <p>It is sought that 'significant contribution' is removed. Tangata whenua should not need to meet a threshold or test in order to develop their ancestral land.</p>	<p>3.) the use of Māori land in a way that will make a significant contribution to <u>enable takata whenua to maintain their connection to their whenua and enhance</u> the social, cultural or economic well-being,</p> <p>[...]</p>
<p>ECO-P10 – Integrated management</p>	<p>Support with amendments</p>	<p>As described previously in this submission, Te Rūnanga supports policies IM-P8 – IM-P12 Climate Change but considers that climate change needs to be better provided for throughout the plan. Amendments are sought to ECO-P10 to provide for better integration.</p>	<p>Amend as follows:</p> <p>Implement an integrated and co-ordinated approach to managing Otago's ecosystems and indigenous biodiversity that:</p> <ol style="list-style-type: none"> 1. ensures any permitted or controlled activity in a regional or district plan rule does not compromise the achievement of ECO-O1, 2. recognises the interactions ki uta ki tai (from the mountains to the sea) between the terrestrial environment, fresh water, and the coastal marine

<p>The specific provisions of the proposal that my submission relates to are:</p>	<p>I support or oppose the specific provisions or wish to have them amended.</p>	<p>The reasons for my views are:</p>	<p>I seek the following decision from the local authority: (amendments are shown in strikethrough and <u>bold underline</u>)</p>
			<p>area, including the migration of fish species between fresh and coastal waters,</p> <p>3. <u>acknowledges that climate change will affect indigenous biodiversity, and manages activities which will exacerbate the effects of climate change,</u></p> <p>[...] renumber accordingly</p>
<p>Objectives HCV-WT-O1 and HCV-WT-O2</p>	<p>Support with amendments</p>	<p>Te Rūnanga supports the use wāhi tūpuna as a tool to provide for Ngāi Tahu values. The term cultural landscapes can be confusing for plan users who may not be familiar with the concept of wāhi tūpuna, and might literally consider a cultural landscape to be a purely visual/aesthetic concept. For that reason consistency is sought within the plan by referring to wāhi tūpuna.</p> <p>It is important that Ngāi Tahu have ownership over wāhi tūpuna, and are not expected to provide information over and above what they are comfortable with sharing.</p>	<p>Amend as follows:</p> <p>HCV-WT-O1 – Kāi Tahu cultural landscapes <u>wāhi tūpuna</u></p> <p>Wāhi tūpuna and their associated cultural values are identified, <u>where appropriate</u>, and protected.</p> <p>HCV-WT-O2 -Rakatirataka</p> <p>The rakatirataka of mana whenua over wāhi tūpuna is recognised, and mana whenua are able to exercise kaitiakitaka <u>their role as kaitiaki</u> within these areas.</p>

<p>The specific provisions of the proposal that my submission relates to are:</p>	<p>I support or oppose the specific provisions or wish to have them amended.</p>	<p>The reasons for my views are:</p>	<p>I seek the following decision from the local authority: (amendments are shown in strikethrough and <u>bold underline</u>)</p>
		<p>Wāhi tūpuna as a tool is consistent with sections 6(e), 7(a) and 8 of the RMA.</p>	
<p>NFL – Natural features and landscapes NFL-P1 – Identification</p>	<p>Support with amendments</p>	<p>The chapter needs to acknowledge that Ngāi Tahu use and occupation of the whenua has occurred over generations. The ongoing use and occupation of the whenua should be anticipated within areas of Outstanding Natural Landscapes/Features. Protection of outstanding natural landscapes and features under RMA Section 6(b) should not frustrate the ability of Ngāi Tahu to maintain their relationship with ancestral lands, water, sites, wāhi tapu and other taonga under RMA Section 6(e).</p>	<p>Add the following to NFL-P1 – Identification In order to manage outstanding and highly valued natural features and landscapes identify: [...] <u>3.) That Kāi Tahu occupation and use will form part of the landscape in some ONLF.</u></p>
<p>NFL-P7 – New policy</p>	<p>New policy</p>	<p>A new policy is sought to provide direction for the drafting of regional plans and district plans on the relationship between section 6(e) and 6(b).</p>	<p><u>Kāi Tahu customary uses in landscapes</u> <u>Recognise and provide for Kāi Tahu customary uses of natural resources, including land, water and other natural resources as an integral part of areas identified in Regional and District plans as outstanding natural features and landscapes, areas of natural character and seascapes.</u></p>

<p>The specific provisions of the proposal that my submission relates to are:</p>	<p>I support or oppose the specific provisions or wish to have them amended.</p>	<p>The reasons for my views are:</p>	<p>I seek the following decision from the local authority: (amendments are shown in strike through and <u>bold underline</u>)</p>
<p>UFD–O5 – Urban development and climate change</p>	<p>Support with amendment</p>	<p>Both the impacts of, and contribution to, climate change need to be considered when managing urban development. This submission point is further to previous submission points seeking better provision for climate change throughout the plan.</p>	<p>Amend as follows: The impacts of climate change, <u>and human contribution towards climate change, are considered</u> and responded to in the development and change of Otago’s urban areas so that: ...</p>

APPENDIX ONE: 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 5: Text in Māori

The text of the apology in Māori is as follows:

1. Kei te mōhio te Karauna i te tino roa o ngā tūpuna o Ngāi Tahu e totohe ana kia utu mai rātou e te Karauna—tata atu ki 150 ngā tau i puta ai tēnei pēpeha a Ngāi Tahu arā: “He mahi kai tākata, he mahi kai hoaka”. Nā te whai mahara o ngā tūpuna o Ngāi Tahu ki ngā āhuetanga o ngā kawenga a te Karauna i kawea ai e Matiaha Tiramōrehu tana petihana ki a Kuini Wikitoria i te tau 1857. I tuhia e Tiramōrehu tana petihana arā: ‘Koia nei te whakahau a tōu aroha i whiua e koe ki runga i ēnei kāwana... tērā kia whakakotahitia te ture, kia whakakotahitia ngā whakahau, kia ōrite ngā āhuetanga mō te kiri mā kia rite ki tō te kiri waitutu, me te whakatakoto i te aroha o tōu ngākau pai ki runga i te iwi Māori kia noho ngākau pai tonu ai rātou me te mau mahara tonu ki te mana o tōu ingoa.’ Nā konei te Karauna i whakaae ai tērā, te taumaha o ngā mahi a ngā tūpuna o Ngāi Tahu, nā rēira i tū whakaiti atu ai i nāiane i mua i ā rātou mokopuna.
2. E whakaae ana te Karauna ki tōna tino hēanga, tērā i takakino tāruaruatia e ia ngā kaupapa o te Tiriti o Waitangi i roto i āna hokonga mai i ngā whenua o Ngāi Tahu. Tēnā, ka whakaae anō te Karauna tērā i roto i ngā āhuetanga i takoto ki roto i ngā pukapuka ā-herenga whakaatu i aua hokonga mai, kāore te Karauna i whai whakaaro ki tāna hoa nā rāua rā i haina te Tiriti, kāore hoki ia i whai whakaaro ki te wehe ake i ētahi whenua hei whai oranga tinana, whai oranga ngākau rānei mō Ngāi Tahu.
3. E whakaae ana te Karauna tērā, i roto i tāna takakino i te wāhanga tuarua o te Tiriti, kāore ia i whai whakaaro ki te manaaki, ki te tiaki rānei i ngā mauanga whenua a Ngāi Tahu me ngā tino taonga i hiahia a Ngāi Tahu ki te pupuri.
4. E mōhio ana te Karauna tērā, kāore ia i whai whakaaro ki a Ngāi Tahu i runga i te ngākau pono o roto i ngā tikanga i pūtake mai i te mana o te Karauna. Nā tāua whakaaro kore a te Karauna i puaki mai ai tēnei pēpeha a Ngāi Tahu: “Te Hapa o Niu Tīreni”. E mōhio ana te Karauna i tāna hē ki te kaipono i ngā āhuetanga whai oranga mō Ngāi Tahu i noho pōhara noa ai te iwi ia whakatupuranga heke iho. Te whakataua i pūtake mai i aua āhuetanga: “Te mate o te iwi”.
5. E whakaae ana te Karauna tērā, mai rāno te piri pono o Ngāi Tahu ki te Karauna me te kawa pono a te iwi i ā rātou kawenga i raro i te Tiriti o Waitangi, pērā anō tō rātou piri atu ki raro i te Hoko Whitu a Tū i ngā wā o ngā pakanga nunui o te ao. E tino mihi ana te Karauna ki a Ngāi Tahu mō tōna ngākau pono mō te koha hoki a te iwi o Ngāi Tahu ki te katoa o Aotearoa.

6. E whakapuaki atu ana te Karauna ki te iwi whānui o Ngāi Tahu i te hōhonu o te āwhitu a te Karauna mō ngā mamaetanga, mō ngā whakawhiringa i pūtake mai nō roto i ngā takakino a te Karauna i takaongetia ai a Ngāi Tahu Whānui. Ewhakaae ana te Karauna tērā, aua mamaetanga me ngā whakawhiringa hoki i hua mai nō roto i ngā takakino a te Karauna, arā, kāore te Karauna i whai i ngā tohutohu a ngā pukapuka ā-herenga i tōna hokonga mai i ngā whenua o Ngāi Tahu, kāore hoki te Karauna i wehe ake kia rawaka he whenua mō te iwi, hei whakahaere mā rātou i ngā āhuatanga e whai oranga ai rātou, kāore hoki te Karauna i hanga i tētahi tikanga e maru motuhake ai te mana o Ngāi Tahu ki runga i ā rātou pounamu me ērā atu tāonga i hiahia te iwi ki te pupuri. Kore rawa te Karauna i aro ake ki ngā aurere a Ngāi Tahu.
7. E whakapāha ana te Karauna ki a Ngāi Tahu mō tōna hēanga, tērā, kāore ia i whai whakaaro mō te rangatiratanga o Ngāi Tahu, ki te mana rānei o Ngāi Tahu ki runga i ōna whenua ā-rohe o Te Wai Pounamu, nā rēira, i runga i ngā whakaritenga me ngā herenga a Te Tiriti o Waitangi, ka whakaae te Karauna ko Ngāi Tahu Whānui anō te tāngata whenua hei pupuri i te rangatiratanga o roto i ōna takiwā.
8. E ai mō ngā iwi katoa o Aotearoa e hiahia ana te Karauna ki te whakamārie i ngā hara kua whākina ake nei—otirā, ērā e taea i nāianeī - i te mea kua āta tau ngā kōrero tūturu ki roto i te pukapuka ā-herenga whakaritenga i hainatia i te 21 o ngā rā o Whitu hei tīmatanga whai oranga i roto i te ao hōu o te mahinga tahi a te Karauna rāua ko 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 Tirenī' ('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 fulfilment of its Treaty obligations, the Crown recognises Ngāi Tahu as the tāngata 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."