



**TE AO  
MĀRAMA INC.**

## **Queenstown Lakes District Council Cultural Impact Assessment**

QLDC Wastewater Treatment Plant Discharge Consent



“Toitū te marae o Tāne, Toitū te marae o Tangaroa, Toitū te Iwi”

“Protect and strengthen the realms of the land and sea and they will  
protect and strengthen the people”



## TE AO MĀRAMA INC.

The compilation of the report has been greatly assisted by whānau who have upheld kaitiaki responsibilities in the Murihiku Takiwā, within which the proposed project is located, over decades and contributed to the foundations of the report.

**Disclaimer: Information contained within this report cannot be distributed or used without the permission of Ngāi Tahu ki Murihiku. This assessment is to be used for the current consenting process only. If decisionmakers require any information for other purposes they need to contact either Te Ao Mārama Inc. or Papatipu Rūnanga. Use of the report by decisionmakers, or any other party, in any other circumstances (for example, subsequent applications for other projects) will be subject to written approval by Papatipu Rūnanga via Te Ao Mārama Inc.**



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## Executive Summary

To provide a Short Form Cultural Impact Assessment to identify relevant values and associations to this Takiwā for Nga Rūnanga ki Murihiku and to assess the likely impacts of a proposal on those values and associations.

Ngāi Tahu has a long association with the Murihiku and Otago region. Ngāi Tahu led a seasonal lifestyle, following resources throughout the region. Generally, the use of the areas was extensive rather than intensive.

Ngāi Tahu values, rights and interests need to be respected when dealing with any activity that poses risks because these values and beliefs are central to Ngāi Tahu existence

The potential adverse effects are associated with Kaitiakitanga, Hauora, mauri, ki uta ki tai and mahinga kai. Ngāi Tahu values need to be respected when dealing with any activity that poses risks or seeks opportunities. These values and beliefs are central to Ngāi Tahu existence. An impact upon one value may impact upon all and inevitably put the health and wellbeing of humans at risk. Through proper planning and management risks may be reduced or mitigated and opportunities obtained.

Te Ao Mārama on behalf of Nga Rūnanga ki Murihiku have identified the potential risks of the proposal that are to be avoided to ensure the sustainability of the whenua and wai. Te Ao Mārama have identified ways in which the applicant is able to reduce or mitigate these risks. Te Ao Mārama wish to see draft consent conditions that reflect the recommendations made in this Short Form Cultural Impact Assessment.

Te Ao Mārama Inc on behalf of Nga Rūnanga ki Murihiku recognise the complexity of the current wastewater treatment plant and subsequent discharge issues that Queenstown District Lakes Council are facing and would like to continue to work towards a viable solution in partnership with the council.

Queenstown Lakes District Council are working with Te Ao Mārama, Aukaha and Ngāi Tahu to ensure the cultural interests of the project area are well represented and addressed to the best of their ability. The continuation of these relationships are encouraged throughout the duration of the proposed activity to ensure the appropriate outcomes are achieved for Iwi, communities and future generations.

## Issues and Recommendations

### Key Issue one: Associations and connections to cultural landscapes

The proposed works within the bed of the Kimikākau / Shotover River for the purpose of creating and maintaining a flowing channel past the Wastewater Treatment Plant point of discharge will have **adverse effects on the cultural landscape**. The proposed works will

impact the associated connections and relationship that Ngāi Tahu whānui have with the awa and its surrounding area.

### **Recommendations:**

An attempt to address the above issue whanau seek the following measures to be reflected in conditions of consent:

- Condition of consent requiring consultation with Mana whenua and other experts on the development of management plans for the site.
- Condition of consent that requires the removal of direct discharge to the Kimikākau / Shotover river as a consideration for the long-term solution.
- Condition of consent that requires the removal of the proposed river diversion channel at the conclusion of the consent term.

### **Key Issue two: Mauri**

It is important that the awa and surrounding environment is restored back, overtime, to its natural state, protected where necessary, and improved for cultural well-being and use. Such restoration and remediation of the awa will go some way to restoring mauri and environmental equilibrium.

### **Recommendations:**

An attempt to address the above issue whanau seek the following measures to be reflected in conditions of consent:

- Condition of consent requiring consultation with Mana whenua and other experts on the development of management plans for the site.
- Condition of consent that requires the removal of direct discharge to the Kimikākau / Shotover river as a consideration for the long-term solution.
- Condition of consent that requires the removal of the proposed river diversion channel at the conclusion of the consent term.

### **Key Issue three: Mahingakai, access and Wāhi Tapū**

Ngā Rūnanga seek to ensure that there are no further adverse effects on; mahinga kai species and habitat; the ability to use and access these areas; and water quality such that it is being maintained, improved, or enhanced. Ngā Rūnanga also seek to ensure there is no impact on any wāhi tapū, wāhi Ingoa or archaeological sites.

### **Recommendations:**

An attempt to address the above issue whanau seek the following measures to be reflected in conditions of consent:

- Condition of consent requiring consultation with Mana whenua and other experts on the development of management plans for the site.

- Condition of consent that requires the removal of direct discharge to the Kimikākau / Shotover river as a consideration for the long-term solution.
- Condition of consent that requires the removal of the proposed river diversion channel at the conclusion of the consent term.
- Thorough baseline monitoring undertaken to ensure no reduction in water quality
- Condition of consent that reflects changing the activity if there is an issue with the water quality.
- Condition of consent requiring taonga species and their associated habitat is to be protected and enhanced.
- Condition of consent requiring mana whenua to be actively involved in any monitoring programme associated with the activity.

### Purpose

The purpose of the short form Cultural Impact Assessment is to:

- Provide a narrative of the Ngāi Tahu cultural values and associations of the Kimikākau / Shotover River and surrounding landscape.
- Assess the likely impact of the proposal on Ngāi Tahu cultural values and associations.
- Provide recommendations to the applicant on how those impacts may be mitigated.
- Where unable to be mitigated, support further discussions on the ability to mitigate significant impacts.

### Limitations

We acknowledge the following limitations that impact this short form Cultural Impact Assessment.

- QLDC are under a time constraint that does not allow for a full form CIA that would contain a much more extensive assessment.
- This report is being compiled with limited information as a complete resource consent application is not yet available. This assessment is only based on the information provided on or before 02 July 2025.
- It is known there are likely to be effects yet to be verified by scientific reporting (for example ecological assessments and taonga species).

### Methodology - Āpiti Hono Tātai Hono Assessment

To undertake the Cultural Impact Assessment the methodology of Āpiti Hono Tātai Hono as outlined in *Apiti Hono Tatai Hono: Nga Whenua o Ngai Tahu ki Murihiku Stage 1 Southland Cultural Landscape Assessment Study, 2021*, has been utilized.

In Murihiku, Ngai Tahu have developed Apiti Hono Tatai Hono to assess and consider what is held within a land or seascape, drawing their understanding from whakapapa, mana, kawa, tikanga, matauranga, identity, connections, practices, history, and future aspirations. These considerations then build the context or foundation in which to determine what is appropriate at place and the relationships Ngāi Tahu ki Murihiku have with their whenua and moana.

## Background

Queenstown Lakes District Council (QLDC) is responsible for the conveyance, treatment, and disposal of wastewater generated by the district in a manner that protects the health of its communities and the environment and is in accordance with the requirements of all relevant resource consents.

The current consented disposal system for treated effluent requires disposal through a dose and drain field. Due to significant issues and failures with the disposal field, emergency works were undertaken on 31 March 2025 to commence the discharge of treated effluent through the historic discharge channel.

These emergency works were undertaken by QLDC to address increased waterfowl presence from ponded water within and outside of the existing disposal field, which was determined to potentially be an aircraft safety concern following reports from Queenstown airport to QLDC. This has necessitated the discharge of treated wastewater through the previous discharge channel to the Kimikākau/Shotover River.

As the discharge of treated effluent and the adverse effects of the activity will continue, QLDC have now submitted a resource consent application with ORC to undertake the current activity of discharging via the historic discharge channel.

### **Waste Water Treatment Plant**


The WWTP was established in the 1970s. Before 2017 wastewater treatment at the WWTP was basic, consisting of an aerated septage treatment lagoon and treated wastewater disposed directly to the lower Kimikākau /Shotover River.

Over the years, QLDC has undertaken, upgrades of the WWTP site. In its present state, the WWTP, and specifically the DAD disposal field, no longer operates as designed and is struggling to cope with existing flows. Therefore in October 2024 QLDC commenced developing a new long-term disposal solution for treated effluent produced at the WWTP to address the emerging performance issues.

The solution will replace the existing DAD disposal field and cater to the WWTP's long-term effluent disposal requirements in a culturally appropriate, environmentally friendly, and operationally effective manner.

### **Current Resource Consent**

Queenstown Lakes District Council is seeking authorisation to undertake works within the bed of the Kimikākau/Shotover River as part of the current resource consent application lodged with the ORC. Consent is sought to create and maintain a flowing channel past the WWTP's point of discharge, to create a more dynamic mixing zone. See **Appendix 1** – proposed activity location. This work will include:

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- A water permit to divert water flow as needed
  - A Land use consent to undertake works within the Kimikākau/Shotover riverbed to create a new river diversion channel
  - A Discharge consent for the remobilization of the bed material from the Kimikākau/Shotover riverbed during the diversion works

Te Ao Mārama Inc. has provided a Short Form Cultural Impact Assessment to help inform the above consents from a Te Ao Māori perspective. Te Ao Mārama Inc. have undertaken this mahi on behalf of Ngā Rūnanga.

## Mana Whenua

The peoples of Waitaha, Kati Mamoe and Ngāi Tahu are nowadays collectively referred to as Ngāi Tahu. Waitaha settled in the South Island approximately 800 years ago and were later followed by Kati Mamoe and Ngāi Tahu in the major domestic migrations between 1500s and 1700s.1 Ngāi Tahu means the ‘people of Tahu’, linking to the eponymous ancestor Tahu Pōtiki, ‘Within the iwi there are five primary hapū being Kāti Kurī, Ngāti Irakehu, Kāti Huirapa, Ngāi Tūāhuriri and Ngāi Te Ruahikihiki.’<sup>1</sup>

Ngāi Tahu now has an extensive territory that includes most of the South Island ‘except for the Blenheim and Nelson areas.’<sup>2</sup>

The territory includes offshore islands such as Rakiura, Raratoka and Whenua Hou. Across its takiwā, Ngai Tahu constantly travelled ‘as they worked the resources of their area and traded their surplus with people from other areas. This created a complex and far-flung network of relationships which in turn were strengthened by marriage.’<sup>3</sup>

The Te Rūnanga o Ngāi Tahu Act 1996 establishes Te Rūnanga o Ngāi Tahu (Te Rūnanga), consisting of each of the Papatipu Runanga of Ngāi Tahu Whānui (section 9).

In Murihiku there are four Papatipu Rūnanga whose members hold mana whenua status within the region. Te Ao Mārama Inc. represents the interests of these four Rūnanga on matters pertaining to the management of natural resources under the Resource Management Act 1991 and the Local Government Act 2002.

Te Rūnanga o Ngāi Tahu (Declaration of Membership) Order 2001 describes the respective takiwā of Papatipu Rūnanga representing Ngāi Tahu ki Murihiku, as being particular to Te Rūnanga o Awarua, Hokonui Rūnanga, Te Rūnanga o Ōraka-Aparima and Waihōpai Rūnaka.

## Relationship/Association to place

To Ngāi Tahu, the land and water confers dignity and rank, provides the means of manaakitanga, is the resting place for the dead, a spiritual base for traditional beliefs, and a heritage for future generations.

The Ngāi Tahu whānui associations with this area and many of the Purakau for this rohe are reflected in the landscape and creation stories such as ngā atua being, Ranginui, Pāpātuānuku, Tangaroa and Tāwhirimātea. This rohe brings a connection to our tupuna knowing they traversed, gathered and recreated here. The association to this rohe is historical and contemporary and includes, whakapapa, place names, ara tawhito, mahinga kai, and wāhi tapu.

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<sup>1</sup> Ngai Tahu (1996) Ngai Tahu – the iwi, <http://ngaitahu.iwi.nz/ngai-tahu/>

<sup>2</sup> Dacker, B. (1990) Te People of the Place: Mahika Kai, p. 6

<sup>3</sup> Dacker (1990) p. 6

The name Whakatipu-Wai-Māori originates from the earliest expedition of discovery made many generations ago by the tupuna Rakaihautu and his party from the Uruao waka. Rakaihautu is traditionally credited with creating the great waterways of the interior of the island with his famous kō (a tool similar to a spade), known as Tū Whakaroria and renamed Tuhiraki at the conclusion of the expedition.

Ngāi Tahu moved around Te Waipounamu hunting and gathering the island's resources. Movements were, and still are, according to the seasons following the breeding cycles, migration times and feeding habits of animals and plants. Seasonal hunting of moa and weka by highly mobile coastal communities were common in the central lakes area and mobile moa butchery sites were quite common.

Historically Mana Whenua supported nohoanga and villages which were the seasonal destinations of Otago and Southland whānau and hapū for many generations to exercise ahikā, access mahinga kai and providing a route to access the treasured pounamu located beyond the head of the lake.

Māori would travel to the sacred Pounamu fields, following particular land features such as mountain ranges for guidance while utilising waterbodies.

Tribal history is embedded in the landscape, rivers and the lands that it flows through. This association is expressed through the metaphorical understanding of land and waters as our ancestors – our whakapapa, which connects us to place.

After colonisation, Ngāi Tahu were predominantly removed from this landscape, however some Ngāi Tahu whānui have remained connected to this place through Mahinga kai harvesting, Taonga harvesting (Pounamu) and reclaimed Nohoanga sites. The Ngāi Tahu Claims Settlement Act 1998 process saw Ngāi Tahu fighting and succeeding in having areas recognised as important to mana whenua.

To date Ngāi Tahu continue to argue that the Whakatipu area was never sold, Ta Tipene O'Regan refers to the area as "the hole in the middle".

Due to disrupted presence in Whakatipu and the surrounding area, key mechanisms such as the Ngai Tahu Claims Settlement Act 1998 and Te Tangi a Tauria 2008 help to uphold Mana Whenua aspirations in the area.

The Ngāi Tahu whakataukī/ proverb: Mō tātou, ā, mō ngā uri ā muri ake nei (For all of us and the generations that follow) – Te Tangi a Tauria 2008, articulates the aspirations for Mana Whenua, to:

- Protect the ability for our future generations to engage with ancestral land and the surrounding environment as their ancestors did and continue to do.

- Ensure that water quality continues to be protected to a standard that allows for mahinga kai to be diverse, abundant, and safe to eat.
- Be able to exercise rangatiratanga over Whakatipu and the surrounding environment.

Ngāi Tahu is today and was at the time of the signing of the Treaty of Waitangi in 1840, the tangata whenua that hold manawhenua and manamoana within the takiwā of Ngāi Tahu Whānui, which includes all of Murihiku. See **Appendix 2** for early map of Lake Whakatipu, Lake Hawea and Lake Wānaka

### Te Tangi a Tauira

In 2008, Te Tangi a Tauira – the Cry of the People: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan was published. This plan consolidates Ngāi Tahu ki Murihiku values, knowledge, perspectives, outcomes and aspirations for natural resource and environmental management issues. It builds on earlier documents, including Te Whakatau Kaupapa ki Murihiku 1997 and Ngāi Tahu Freshwater Policy 1999.

The primary purpose of Te Tangi a Tauira is to assist Ngāi Tahu ki Murihiku in carrying out kaitiaki roles and responsibilities, and as such is relied upon by Te Ao Mārama to support Papatipu Rūnanga.

### Te Tangi a Tauira Outcomes

The following are the outcomes in which Ngāi Tahu ki Murihiku want to achieve through the implementation and use of this Plan.

#### **The desired outcomes are divided into three:**

1. Kaitiakitanga, Tino Rangatiratanga and Treaty related outcomes;
2. environmental outcomes;
3. social, economic, health and well-being outcomes.

#### **1. Kaitiakitanga, Tino Rangatiratanga and Treaty related outcomes**

- That Ngāi Tahu ki Murihiku is involved at a level that allows for effective and proactive management of natural resources, wāhi tapu and wāhi taonga in a manner that upholds the kaupapa of this Plan.
- That there is mutual understanding of iwi and local authority values and responsibilities with respect to the environment, effective management of resources by councils, and effective performance of kaitiaki by Ngāi Tahu ki Murihiku.
- That the principle of Tino Rangatiratanga is enhanced and partnerships formed and extended.

#### **2. Environmental Outcomes**

- To ensure environmental outcomes accommodate for cultural and traditional spiritual values held by Ngāi Tahu ki Murihiku.

- To ensure the protection, restoration and enhancement of the productivity and life supporting capacity of mahinga kai, indigenous biodiversity, air, water, land, natural habitats and ecosystem, and all other natural resources valued by Ngāi Tahu ki Murihiku.

### **3. Social, economic, health and well-being outcomes**

That a sense of belonging and social responsibility with respect to the surrounding environments is encouraged. This includes supporting activities and events that engage communities with their local environments.

To ensure that economic development and growth do not have implications for Ngāi Tahu ki Murihiku in exercising Kaitiakitanga or have adverse impacts on the environment and communities.

A policy assessment of Te Tangi a Taura that are relevant to the proposal can be found in **Appendix 3**. The most relevant policies and issues to this proposal are found in Table 1: Analysis and Recommendations, below.

#### **Frameworks, values and practices**

Understanding the implications of the Wastewater discharge and channelling within riverbeds on cultural values, historic and contemporary associations, requires a comprehensive analysis of the framework of knowledge that underpins these values, otherwise known as Mātauranga Māori.

For Ngāi Tahu, the potential effects of activities on cultural values, rights and interests are both tangible and intangible. Tangible cultural effects, in this instance for example, relate to the physical discharge of contaminants entering the Kimikākau, which can be verified by western science as affecting water quality and the species that reside within the water.

Intangible cultural effects reflect the spiritual connection between mana whenua and the Kimikākau. These effects are not necessarily verified by western science yet form the rich basis of evidence for decision making relating to resource management by mana whenua. In the context of this proposal, Human waste is tapu and therefore it should not be directly interacted with by living beings, and in the realm of Te Ao Māori, Rivers are their own spiritual living being with their own Mauri. For the Tapu to be lifted from treated wastewater it must be brought to a state of Noa, this would require the discharge to pass through Papatuanuku, the earth mother.

The frameworks, values and practices identified are related to the project area and the surrounding area. Mana Whenua frameworks, values and practices do not exist only within a defined resource management area. They extend beyond and encompass the entire whenua.

See **Appendix 4** for a detailed explanation of values.



## Analysis and Recommendations

The following Table 1 provides an analysis of the proposal against the Ngāi Tahu values along with suggested recommendations or expectations of Ngāi Tahu whānui to address the likely impacts.

**Table 1: Analysis and Recommendations**

Ngāi Tahu value and/or framework	Element of proposed activity	Impact on Value	Te Tangi issue/policy	Recommended mitigation/expectation
<p><b>Kaitiakitanga</b></p>	<p>The application in its entirety.</p>	<p>Inability for mana whenua to fulfill our duty as Kaitiaki and ensure the appropriate use of the environment and its limited resources.</p> <p>Pollution of the site causing severance between Mana Whenua as Kaitiaki.</p>	<p>To ignore the detrimental effects is contrary to the concept of Kaitiakitanga – the holistic concept of environmental care.</p> <p>Specific provisions within the RMA &amp; LGA require the recognition and provision for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga, to have particular regard to Kaitiakitanga and take into account principles of the Treaty of Waitangi.</p> <p>A number of statutes, regulations, policies and associated legal mechanisms, make provision for incorporating Ngāi Tahu ki Murihiku values into the management of natural resources, including provision for kaitiakitanga.</p>	<p>Consent condition requiring consultation with Mana Whenua and other experts on the development of management plans for the site.</p> <p>Consent condition that requires the removal of direct discharge to the Kimikākau / Shotover river as a consideration for the long-term solution.</p> <p>Consent condition that requires the removal of the proposed river diversion channel at the conclusion of the consent term.</p>



			<p>Ngāi Tahu ki Murihiku acknowledge and support appropriate and existing management regimes that strive to enhance and maintain the natural landscape, promote Kaitiakitanga and provide access for sustainable customary use.</p> <p>Ensure that economic development and growth do not have implications for Ngāi Tahu ki Murihiku in exercising Kaitiakitanga, or have adverse impacts on the environment and communities.</p> <p>For Ngāi Tahu ki Murihiku, customary use is consistent with conservation of species. The concept of Kaitiakitanga is an integral component of resource use. Customary use comes with management responsibilities to care and protect natural resources.</p>	
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<p><b>Ki uta ki tai</b></p>	<p>Where the application is dissecting ki uta from ki tai</p>	<p>The application in its entirety causes a disruption of the chain from Ki Uta to Ki Tai. This is of heightened concern due to its location at the top of the Clutha / Mata-Au and the potential adverse effects on the entire catchment below.</p>	<p>Promote the management of freshwater according to the principle of ki uta ki tai, and thus the flow of water from source to sea.</p> <p>Promote catchment management planning (ki uta ki tai), as a means to recognise and provide for the relationship between land and water</p> <p>Promote river management that adopts the priorities established in the Te Rūnanga o Ngāi Tahu Freshwater Policy 1997. The priorities are:</p> <ol style="list-style-type: none"> <li>1. Sustain the mauri of the waterbodies within the catchment.</li> <li>2. Meet the basic health and safety needs of humans (drinking water)</li> <li>3. Protect cultural values and uses</li> <li>4. Protect other instream values (indigenous flora and fauna).</li> <li>5. Meet the health and safety needs of humans (sanitation).</li> </ol>	<p>Consent conditions requiring consultation with Mana Whenua and other experts on the development of management plans for the site.</p> <p>Consent condition that requires the removal of direct discharge to the Kimikākau / Shotover river as a consideration for the long-term solution.</p> <p>Consent conditions requiring the removal of the proposed river diversion channel at the conclusion of the consent term.</p>
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			<p>6. Provide for other uses.</p> <p>Ensure that all native fish species have uninhibited passage from the river to the sea at all times, through ensuring continuity of flow, ki uta ki tai</p>	
<b>Mauri</b>	<p>The altering / channeling of the river</p> <p>Inappropriate disposal of wastewater directly into the river.</p>	<p>The Mauri of the river is disrupted due to its inappropriate use as a disposal site.</p> <p>Water quality is affected by the entire activity, impeding Mana Whenua ability to use the river as a space to recharge their Mauri.</p> <p>Alters the river in an unnatural way causing potential risks for future generations and the lower catchment.</p>	<p>Wastewater disposal options that propose the direct discharge of treated or untreated effluent to water need to be assessed by the kaitiaki rūnanga on a case by case, individual waterway, basis. The appropriateness of any proposal will depend on the nature of the proposal, and what waterway is involved. Individual waterways possess their individual mauri and values, and kaitiaki rūnanga are in the best position to assess the potential impacts of a proposal on such values</p> <p>Wastewater Disposal – “For Ngāi Tahu ki Murihiku, discharge to land is considered a better option than discharge to water, as discharging to land allows Papatūānuku to filter and cleanse contaminants from the</p>	<p>Consent conditions requiring consultation with Mana Whenua and other experts on the development of management plans for the site.</p> <p>Consent condition that requires the removal of direct discharge to the Kimikākau / Shotover river as a consideration for the long-term solution.</p> <p>Consent conditions requiring the removal of the proposed river diversion channel at the conclusion of the consent term.</p>



			<p>discharge in a natural way, before the discharge enters the hydraulic system</p> <p>Water Quality – “Water is held in the highest esteem because the welfare of the life that it contains determines the welfare of the people reliant on those resources. Ensuring that water that is meant for drinking is of drinking water quality, and that water where mahinga kai is harvested is safe to eat from, and the water where our kids swim is safe for them to swim in, is our kaitiaki responsibly as Ngāi Tahu ki Murihiku”</p> <p>Strive for the highest possible standard of water quality that is characteristic of a particular place/waterway, recognising principles of achievability. This means that we strive for drinking water quality in water we once drank from, contact recreation in water we once used for bathing or swimming, water quality capable of sustaining healthy mahinga kai in waters we use for providing kai</p>	
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			<p>Avoid the use of water as a receiving environment for the direct, or point source, discharge of contaminants. Even if the discharge is treated and therefore considered “clean”, it may still be culturally unacceptable. Generally, all discharge must first be to land</p> <p>Avoid compromising freshwater fishery values as a result of diversion, extraction, or other competing use for water, or as a result of any activity in the bed or margin of a lake or river</p>	
<b>Mahinga Kai</b>	The application in its entirety.	<p>Water quality is affected by the activity and therefore affects the quality and quantity of mahinga kai.</p> <p>The activity provides for an inappropriate discharge directly into the river and therefore Mahinga Kai cannot be sourced from or around the discharge site.</p>	<p>Freshwater Fisheries – “Fish are of great cultural, social and economic significance to Ngāi Tahu ki Murihiku. Fish from Murihiku rivers formed an essential part of the Ngāi Tahu economy prior to the Treaty. The importance of such fisheries remains today”</p> <p>All Ngāi Tahu Whānui, current and future generations, must have the capacity to access, use and protect native fisheries, and the history and traditions that are part of</p>	<p>Consent conditions requiring consultation with Mana Whenua and other experts on the development of management plans for the site, in particular the Ecological Management Plan.</p> <p>Consent condition that requires the removal of direct discharge to the Kimikākau / Shotover river as a consideration for the long-term solution.</p>

		<p>Displacement of taonga species due to the degraded nature of the river as a direct result of the activity.</p>	<p>customary use of such fisheries, as guaranteed by the Treaty of Waitangi</p> <p>Ensure that all native fish species have uninhibited passage between lakes, rivers and sea, where such passage is a natural occurrence, through ensuring continuity of flow ki uta ki tai, and fish passageways</p> <p>Mahinga kai is about mahi ngā kai – it is about places, ways of doing things, and resources that sustain the people. The loss of mahinga kai is attributed, in part to habitat degradation and resource depletion.</p>	<p>Consent condition that requires the removal of the proposed river diversion channel at the conclusion of the consent term.</p> <p>Thorough Baseline monitoring undertaken to ensure no reduction in water quality.</p> <p>Condition that reflects changing the activity if there is an issue with water quality.</p> <p>Require that taonga species are protected and habitat is enhanced.</p> <p>Require that we are invited to do or be part of any monitoring.</p>
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## Conclusion

Ngāi Tahu has a long association with the Murihiku region. Ngāi Tahu led a seasonal lifestyle, following resources throughout the region. Generally, the use of the areas was extensive rather than intensive.

The potential adverse effects are associated with kaitiakitanga, mauri, ki uta ki tai and mahinga kai. Ngāi Tahu values need to be respected when dealing with any activity that poses risks. These values and beliefs are central to Ngāi Tahu existence. Any impact upon one value will impact upon all including and inevitably put the health and wellbeing of humans at risk.

Through proper planning and management these risks may be reduced or mitigated. Te Ao Mārama on behalf of Te Rūnanga o Ōraka Aparima have identified the potential risks that are to be avoided to ensure the sustainability of the whenua and have identified ways in which the applicant is able to reduce and mitigate these risks. Te Ao Mārama wish to see draft consent conditions that reflect the recommendations made.

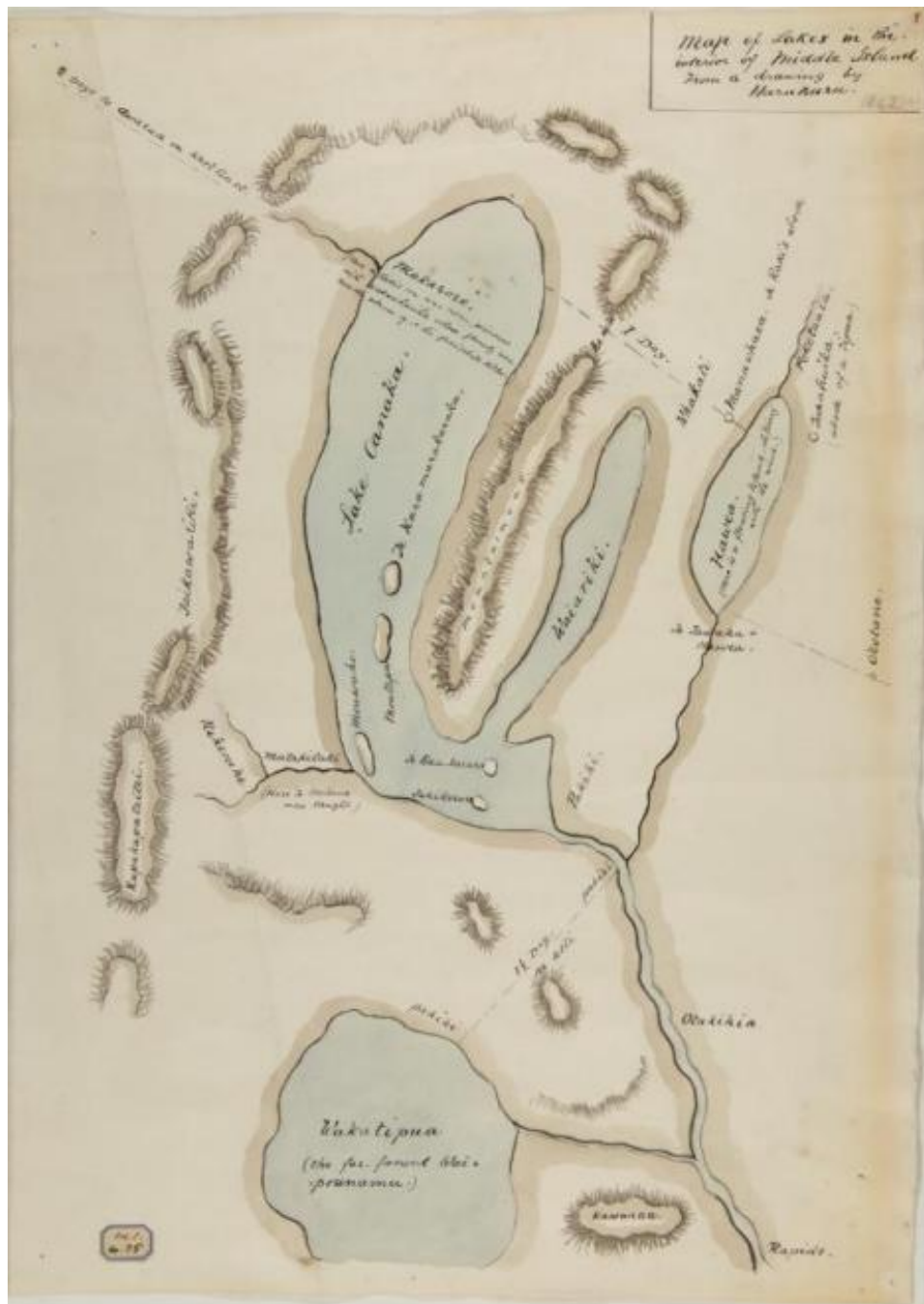
Queenstown Lakes District Council are working closely with Te Ao Mārama Inc and other experts to work through the complexities of this application and subsequent short-term solution as well the future long-term solution.

The continuation of the relationship is encouraged throughout the duration of the proposed activity and to ensure the appropriate cultural sensitivity is achieved.

## Appendix 1 – Location of proposed activity



Appendix 2 – early map of Lake Whakatipu, Lake Wānaka and Lake Hawea



Te Huru-huru Map of Whakatipu Waimāori, Wānaka and Hāwea, 1842. Hocken Library. 4

<sup>4</sup> Jock Phillips, European exploration – Otago and Southland, Te Ara – the Encyclopedia of New Zealand, <https://teara.govt.nz/en/zoomify/11271/te-huru-huru-map> (accessed 28 July 2025).

## Appendix 3 – Te Tangi a Taurira

“Toi tū te marae a Tāne,  
Toi tū te marae a Tangaroa,  
Toi tū te iwi”

“If the world of Tāne (deity of all living things) endures,  
If the marae of Tangaroa (deity of the sea) endures,  
The people endure”

### 3.3.10 General Water Policy

#### Nga Take – Issues

- Management of waters - ki uta ki tai
- Protection of the mauri of all water
- Impacts of discharges of contaminants on water resources and the relationship of Ngāi Tahu ki Murihiku to such resources

#### Nga Kaupapa – Policy

- Manage our freshwater resources wisely, mō tātou, ā, mō ngā uri ā muri ake nei, for all of us and the generations that follow.

### 3.5.10 General Water Policy

#### Nga Take – Issues

- participation of iwi in freshwater management
- Access to freshwater resources for cultural and customary use
- Maintenance of water quality and water quantity
- Protection of the mauri and wairua of rivers, lakes and wetlands
- Protection, maintenance and enhancement of mahinga kai
- Protection of wāhi tapu and wāhi taonga associated with rivers, lakes and wetlands
- Recognition of the special significance of particular water bodies to Ngāi Tahu ki Murihiku
- The aspirations of iwi to develop, use and protect water resources
- Enhancing waterways, in addition to ensuring no adverse effects
- Direct and indirect discharges to water

#### Nga Kaupapa – Policy

- The role of Ngāi Tahu ki Murihiku as kaitiaki of freshwater must be given effect to in freshwater policy, planning and management

- Protect and enhance the mauri, or life supporting capacity, of freshwater resources throughout Murihiku
- Manage our freshwater resources wisely, mō tātou, ā, mō ngā uri ā muri ake nei, for all of us and the generations that follow
- Promote the management of freshwater according to the principle of ki uta ki tai, and thus the flow of water from source to sea
- Protect and enhance the customary relationship of Ngāi Tahu ki Murihiku with freshwater resources

### **3.5.11 Rivers**

#### **Nga Take – Issues**

- Ensuring that water is valued as a taonga for all of New Zealand
- Effects on the mauri of Murihiku Rivers due to land use and discharge activities, and water abstractions
- Poor water quality in some Murihiku Rivers: our children are not able to swim in some rivers
- Ngāi Tahu development rights pertaining to water resources

#### **Nga Kaupapa – Policy**

- Promote river management that adopts the priorities established in the Te Rūnanga o Ngāi Tahu Freshwater Policy 1997. The priorities are:
- Priority 1: Sustain the mauri of the waterbodies within the catchment.
- Priority 2: Meet the basic health and safety needs of humans (drinking water).
- Priority 3: Protect cultural values and uses.
- Priority 4: Protect other instream values (indigenous flora and fauna).
- Priority 5: Meet the health and safety needs of humans (sanitation).
- Priority 6: Provide water for stock.
- Priority 7: Provide for economic activities including abstractive uses.
- Priority 8: Provide for other uses.

- Management of our rivers must take into account that each waterway has its own mauri, guarded by separate spiritual guardians, its own mana, and its own set of associated values and uses.
- The establishment of river flow regimes (e.g. minimum flows) must reflect the principles of ki uta ki tai, and thus river flow requirements from source to sea, including the wetlands, tributaries and waipuna that are associated with that river flow.
- Ensure that all native fish species have uninhibited passage from the river to the sea at all times, through ensuring continuity of flow ki uta ki tai
- Promote, where appropriate, the use of Freshwater Mātaitai<sup>9</sup>, Water Conservation Orders (WCO), rāhui, and similar tools to protect the rivers of Murihiku, where those rivers are under threat from competing water uses, and/or when there are outstanding cultural, amenity or intrinsic values that require protection
- Avoid the use of rivers as a receiving environment for the discharge of contaminants (e.g. industrial, residential, recreational or agricultural sources)
- Prioritise the restoration of those waterbodies of high cultural value, both in terms of ecological restoration and in terms of restoring cultural landscapes
- Ensure that activities in upper catchments have no adverse effect on mahinga kai, water quality and water quantity in lower catchments

### **3.5.20 Freshwater Fisheries**

#### **Nga Take – Issues**


- Effects of poor water quality and degraded habitat on customary fisheries

#### **Nga Kaupapa – Policy**

- Avoid compromising freshwater fishery values as a result of diversion, extraction, or other competing use for water, or as a result of any activity in the bed or margin of a lake or river
- Ensure that all native fish species have uninhibited passage from the river to the sea at all times, through ensuring continuity of flow ki uta ki tai

#### **Indicators used by tangata whenua to assess stream health:**

- Shape of the river

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- Sediment in the water
  - Water quality in the catchment
  - Flow characteristics
  - Flow variations
  - Flood flows
  - Sound of flow
  - Movement of water
  - Fish are safe to eat
  - Uses of the river
  - Safe to gather plants
  - Natural river mouth environment
  - Water quality
  - Abundance and diversity of species
  - Temperature
  - Water is safe to drink
  - Clarity of the water

## Appendix 4 – Frameworks, values and practices

### **Ki Uta Ki Tai**

“Ki Uta Ki Tai” or “mountains to the sea” is a fundamental pillar of the strategy employed by Ngai Tahu within the environmental space, this philosophy emphasises the holistic nature of our environment, elements interact and affect one another.

Following is an excerpt from Te Tangi a Taurira that outlines the fundamental concept of Ki Uta Ki Tai:

“Ki Uta Ki Tai is based on the idea that if the realms of Tāwhirimātea (God of the winds), Tāne Mahuta (God of all living things), Papatūānuku (mother earth) and Tangaroa (god of the sea) are sustained, then the people will be sustained. The kaupapa reflects the knowledge that resources are connected, from the mountains to the sea, and must be managed as such. Furthermore, the kaupapa reflects that we belong to the environment and are only borrowing the resources from our generations that are yet to come. It is considered our duty to leave the environment in as good or even better condition than received from our tūpuna. The historical practices were established by our tūpuna and must be passed on to ngā uri kei te heke mai, the generations to come.”

### **Whakapapa**


Whakapapa establishes links that maintain relationships between our people, language and their environment. All things whether animate or inanimate are connected and have mauri, a life force. Therefore, the welfare of any part of our environment determines the welfare of our people.

The cultural identity of Ngāi Tahu ki Murihiku stems from their relationship with their whenua, maunga, awa, and taonga species. These relationships originate in whakapapa. People are from a junior line (Ira Tangata line) from Ranginui (sky father) and Papatūānuku (earth mother). The environment and all the flora and fauna are from the senior line (Ira Atua line) from this union. This relationship between tangata (people) and the environment requires respect and appropriate behaviour in gathering resources otherwise negative consequences can result.

With the alienation of Māori from ancestral land, mana whenua connection has relied on the inanimate and spiritual connection we have to the landscapes and water bodies.

### **Mauri**

Protecting and restoring mauri is the responsibility of Kaitiaki Papatipu Rūnanga, as described in Te Tangi a Taurira as follows:



The central component of the Māori perspective on the environment is the recognition of mauri, the life principal in all objects, animate and inanimate. The presence of mauri in all things entrusts people to appreciate and respect that resource. In this way, overuse, depletion or desecration of natural resources is not an accepted practice. Tikanga regulates activities concerning the conservation and sustainable use of natural resources in order to protect the mauri.

### **Hauora**

Hauora is not just a reference to one's health but to a state of health. Hauora is defined in English as meaning 'fit, well, healthy, vigorous, robust.' A human analogy for Hauora is that you can take a knock, such as have a cold, and have the resilience to bounce back to a healthy and vigorous state

### **Taonga Species**

Taonga species were part of the cultural redress for mahinga kai, to give practical effect for Ngāi Tahu to undertake kaitiaki obligations. Through the settlement, the Crown acknowledged the relationship Ngāi Tahu has with these species. Not all species that are considered taonga were listed because of various reasons. All indigenous species are taonga to Ngāi Tahu because of their contribution to ecosystem health.

### **Rangatiratanga**

Rangatiratanga is by definition; chieftainship, the powers and qualities of chiefly leadership, and exercise of tribal authority or self-determination. Tino rangatiratanga is defined as full Tribal Authority, of the Iwi in respect to their natural, physical and metaphysical resources. Tino rangatiratanga is a concept deeply rooted in te ao Māori and can be traced back to the very principles of Te Tiriti o Waitangi.

### **Tapu**

Tapu is defined as something or someone being sacred, restricted, set apart, prohibited or forbidden.

## Appendix 5 – Rohe of Papatipu Rūnanga

Awarua Rūnaka – centres on Awarua and extends to the coasts and estuaries adjoining Waihopai sharing an interest in the lakes and mountains between Whakatipu-Waitai and Tawhitarere with other Murihiku Rūnanga and those located from Waihemo southwards.

Hokonui Rūnanga – centres on the Hokonui region and includes a shared interest in the lakes and mountains between Whakatipu-Waitai and Tawhitarere with other Murihiku Rūnanga and those located from Waihemo southwards.

Te Rūnanga o Oraka Aparima – centres on Oraka and extends from Waimatuku to Tawhitarere sharing an interest in the lakes and mountains from Whakatipu-Waitai to Tawhitarere with other Murihiku Rūnanga and those located from Waihemo southwards.

Waihōpai Rūnaka – centres on Waihopai and extends northwards to Te Mata-au sharing an interest in the lakes and mountains to the western coast with other Murihiku Rūnanga and those located from Waihemo southwards.<sup>5</sup>

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<sup>5</sup> *Te Runanga o Ngai Tahu (Declaration of Membership) Order 2001 section 4*

## Schedule 40 Statutory acknowledgement for Mata-au (Clutha River)

ss 205, 206

### Statutory area

The statutory area to which this statutory acknowledgement applies is the river known as Mata-au (Clutha River), the location of which is shown on Allocation Plan MD 122 (SO 24727).

### 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 Mata-au, as set out below.

### Ngāi Tahu association with the Mata-au

The Mata-au river takes its name from a Ngāi Tahu whakapapa that traces the genealogy of water. On that basis, the Mata-au is seen as a descendant of the creation traditions. 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.

On another level, the Mata-au was part of a mahinga kai trail that led inland and was used by Ōtākou hapū including Ngāti Kurī, Ngāti Ruahikihiki, Ngāti Huirapa and Ngāi Tuahuriri. 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 river, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

The river was also very important in the transportation of pounamu from inland areas down to settlements on the coast, from where it was traded north and south. Thus there were numerous tauranga waka (landing places) along it. The tūpuna had an intimate knowledge of navigation, river routes, safe harbours and landing places, and the locations of food and other resources on the river. The river 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 river.

The Mata-au is where Ngāi Tahu's leader, Te Hautapunui o Tū, established the boundary line between Ngāi Tahu and Ngāti Mamoe. Ngāti Mamoe were to hold mana (authority) over the lands south of the river and Ngāi Tahu were to hold mana northwards. Eventually, the unions

between the families of Te Hautapunui o Tū and Ngāti Mamoe were to overcome these boundaries. For Ngāi Tahu, histories such as this represent the links and continuity between past and present generations, reinforce tribal identity, and document the events which shaped Ngāi Tahu as an iwi.

Strategic marriages between hapū further strengthened the kupenga (net) of whakapapa, and thus rights to travel on and use the resources of the river. It is because of these patterns of activity that the river continues to be important to rūnanga located in Otago and beyond. These rūnanga carry the responsibilities of kaitiaki in relation to the area, and are represented by the tribal structure, Te Rūnanga o Ngāi Tahu.

Urupā and battlegrounds are located all along this river. One battleground, known as Te Kauae Whakatoro (downstream of Tuapeka), recalls a confrontation between Ngāi Tahu and Ngāti Mamoe that led to the armistice established by Te Hautapunui o Tū. Urupā are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. These are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected by secret locations.

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

### **Purposes of statutory acknowledgement**

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

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

**(b)** to require that consent authorities, Heritage New Zealand Pouhere Taonga, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to the Mata-au, as provided in [sections 208 to 210](#) (clause 12.2.4 of the deed of settlement); and

**(c)** to empower the Minister responsible for management of the Mata-au or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in [section 212](#) (clause 12.2.6 of the deed of settlement); and

**(d)** to enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to the Mata-au as provided in [section 211](#) (clause 12.2.5 of the deed of settlement).

### **Limitations on effect of statutory acknowledgement**

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

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

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

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, the Mata-au.

**Schedule 40:** amended, on 20 May 2014, by [section 107](#) of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26)

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<sup>6</sup> [Ngāi Tahu Claims Settlement Act 1998 No 97 \(as at 01 July 2022\)](#), [Public Act Schedule 40 Statutory acknowledgement for Mata-au \(Clutha River\) – New Zealand Legislation](#)