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22 June 2022

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Tēnā koutou katoa,

### **Proposal to vest part of Morning Star Beach Recreation Reserve**

We write to you on behalf of Te Rūnanga o Waihōpai (**Waihōpai**). As tangata whenua we make this submission in support of the proposal to vest part of the Morning Star Beach Recreation Reserve in Te Rūnanga o Ngāi Tahu (**Te Rūnanga**).

It is important that the Department of Conservation (**the Department**) hearing Commissioner, Mr Kevin O'Connor, and the Minister understand and have particular regard to our views as tangata whenua, and as holding rangatiratanga over our takiwā when making their decision.

The Ngāi Tahu Claims Settlement Act 1998 (**the Act**) explicitly states at section 6 that Ngāi Tahu are recognised as “the tangata whenua of, and as holding rangatiratanga within, the takiwā of Ngāi Tahu Whānui” and section 4 of the Conservation Act requires the Conservation Act (and other conservation legislation) to be interpreted and administered to “give effect to the principles of the Treaty of Waitangi”. Therefore, by vesting part of the Morning Star Reserve in Te Rūnanga the Minister will, to some extent, be recognising and respecting our mana and tino rangatiratanga in the takiwā and giving effect to section 4.

#### *Who are we*

As one of the 18 Papatipu Rūnanga of Ngāi Tahu, Waihōpai, is tasked with maintaining the mana of Ngāi Tahu whānui in our takiwā, with the Murihiku Marae situated in Invercargill. Murihiku connects ancestrally to nga waka Uruao me Takitimu, maunga Takitimu and the Te Moana Ara a Kiwa.

The takiwā 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.

#### *Importance of Kimiākau (the Shotover River)*

Kimiākau has immense cultural, historical, and economic significance, we view it as a wāhi rangatira in the context that the importance of this river is identified to some extent in the Act. This wāhi rangatira is one of our many important ancestral sites within our traditional mahika kai trails (ara tawhito) that saw intergenerational knowledge systems developed and practiced within whānau and hapū over hundreds of years before European arrival.

Ara tawhito ran through this area bringing whānau into the southern lakes and rivers on their seasonal pursuit of resources. Today the river is used for recreation and is valued for its landscape qualities the species that reside in it. Kimiākau is a valued place where whānau have grown up and spent time together.

Kimiākau is significant to Waihōpai. Our connection goes back centuries, we have an intimate relationship with the landscape, as it was the home of our tūpuna and a place where they exercised rangatiratanga and gathered mahinga kai, it is a part of us.

Kimiākau provided sustenance, many kāinga mahinga kai (food gathering sites) were located along the awa and seasonal heke (visits) were common for our whānau. Birdlife was abundant and was widely used. Several species of moa and several waterfowl species were caught. After the decline in

the moa species, weka, koreke (New Zealand quail) and tuna (eel) provided protein staples, while aruhe (bracken fern root) and the stem of the edible tī (cabbage tree) were sources of carbohydrate. Seasonal visits were still being undertaken in the 19th century and were recorded by early European settlers.

#### *The vesting*

Over the last 18 months staff at Te Rūnanga Group have been progressing an application for the part of Morningstar Reserve currently occupied by Shotover Jet to be vested in Te Rūnanga. The outcome would be that Te Rūnanga would effectively administer the site, not the Department. We see this as a way to better connect us, as mana whenua, with the site and give us the chance to make decisions about the site.

Under the current arrangement the Department effectively acts as the land manager for the Crown, it is our view that this has resulted in Ngāi Tahu whānui not being able to connect with the whenua or act as kaitiaki and participate in cultural and other activities at place. Due to the current management process we, as mana whenua, have become alienated from the whenua and the awa.

The proposed vesting is seeking to develop, enable and support ahi kā, whilst connecting mana whenua to place. As mana whenua we support this proposal by Te Rūnanga that it would be responsible for administering the land accordingly and to enable the continued access to the wider recreation reserve to the public. In addition to enhancing the rangatiratanga of Ngāi Tahu in its takiwā, the vesting will enhance the ability of Ngāi Tahu to develop, provide the iwi with a level of autonomy and support the Treaty partnership. If achieved, the vesting of the reserve to Te Rūnanga would be a significant and beneficial exemplar of the Treaty partnership in action.

The proposed vesting would not only increase the public enjoyment of the site but will support the protection and enhancement of its archaeological and historic values, as well as the biological, geological, or other scientific features. Ngāi Tahu hold rangatiratanga and kaitiakitanga over its takiwā and our tūpuna have visited and occupied Kimiākau and the surrounding whenua for centuries. Our aspirations for this area include recognition of the importance of the ara tāwhito, maintaining the integrity of the landscape, and access. We have a kaitiaki responsibility and kaitiakitanga requires the protections of Ngāi Tahu values in the river, to ensure it is left in a good state.

The Department cannot connect the site to its Ngāi Tahu whakapapa, nor fully appreciate its history, in the same way that Te Rūnanga could. Therefore, Te Rūnanga is best placed to provide information on, support the values and history of the site as well as act as kaitiaki to protect and enhance the whenua, the awa and species associated with them.

#### *Next Steps*

If the Department determines that public hearings are necessary, we would like the opportunity to speak to our submission. However, if no other submitter seeks a public hearing, we have set out our support for the proposed vesting in this letter.

Ngā mihi,



Cyril Gilroy  
Kaiwhakahaere/Chairman