



Te Rūnanga o NGĀI TAHU

26th February 2021

The Chairperson: Ms Heather Ash
Expert Panel Queenstown Arterials Project
c/- Environmental Protection Authority
via email: queesntownarterialsfastrack@epa.govt.nz

Tēnā koe Ms Ash

QUEENSTOWN ARTERIALS PROJECT – COMMENTS BY TE RŪNANGA O NGĀI TAHU

I am writing to provide comments on the proposal by Queenstown Lakes District Council and the New Zealand Transport Agency (the applicant) “to construct, maintain and operate a new Queenstown Town Centre urban arterial road (including associated infrastructure, structures, walkways, shared path and landscaping)” under the Covid-19 Recovery (Fast-track Consenting) Act 2020. The project is a listed project in Schedule 2 to that Act.

This letter:

- (i) Describes the status of Te Rūnanga o Ngāi Tahu as the relevant iwi authority able to make comments on this proposal in accordance with Clause 17(4)(b) of Schedule 6 to the Act; and
- (ii) Provides comment on behalf of Te Rūnanga o Ngāi Tahu and relevant papatipu rūnanga who have been consulted in preparing these comments in accordance with clause 18(3)(b) of Schedule 6 to the Act.

1. Te Rūnanga of Ngāi Tahu and Papatipu Rūnanga

- 1.1 Ngāi Tahu are tangata whenua of the area which now forms Queenstown Lakes District.
- 1.2 Ngāi Tahu means “people of Tahu” and Ngāi Tahu is the iwi comprised of Ngāi Tahu whānui; that is the collective of the individuals who descend from the five primary hapū: Ngāti Kurī, Ngāti Irakehu, Kati Huirapa, Ngāi Tūāhuriri and Ngāi Te Ruahikihiki.

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- 1.3 Te Rūnanga o Ngāi Tahu is the iwi authority that represents Ngāi Tahu whānui as recognised in section 15 of Te Rūnanga o Ngāi Tahu Act 1996 (TRONT Act).
- 1.4 The takiwā of Te Rūnanga o Ngāi Tahu is described in section 5 of TRONT Act and includes all of Te Wai Pounamu/the South Island south from an approximate boundary centred on Belvedere Peak in the Nelson Lakes District across to the coastline of Cloudy Bay in Marlborough north-west of White Bluffs, and includes Queenstown Lakes District, Rakiura/Te Ara a Kiwa (Stewart Island) and offshore and sub-Antarctic islands.
- 1.5 Te Waipounamu has been home to Ngāi Tahu for over 800 years therefore Ngāi Tahu hold mana whenua over these lands.
- 1.6 Te Rūnanga o Ngāi Tahu is comprised of 18 papatipu rūnanga, who collectively represent the hapū and whānau of Ngāi Tahu and their ancestors, including Ngāti Mamoe and Waitaha. Papatipu Rūnanga are defined in section 9 of the Act. The takiwā of each papatipu rūnanga is described in the Ngāi Tahu (Declaration of Membership) Order 2001.
- 1.7 Papatipu rūnanga who have shared interests across the Queenstown Lakes District are: Waihopai 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, Katie Huirapa ki Puketeraki Rūnanga and Moeraki Rūnanga (collectively referred to a Kāi Tahu ki Ōtākou).
- 1.8 Te Rūnanga o Ngāi Tahu (Te Rūnanga) is statutorily recognised as the representative tribal body of Ngāi Tahu whānui and was established as a body corporate on 24th April 1996 under section 6 of TRONT Act.
- 1.6 We note the following relevant provisions of our constitutional documents:
- Section 3 of TRONT Act states:
“This Act binds the Crown and every person (including any body politic or corporate) whose rights are affected by any provisions of this Act.”
 - Section 15(1) of TRONT Act states:
“Te Rūnanga o Ngāi Tahu shall be recognised for all purposes as the representative of Ngāi Tahu Whānui.”
- 1.9 The Charter of Te Rūnanga o Ngāi Tahu constitutes Te Rūnanga as the kaitiaki of the tribal interests.

- 1.10 Notwithstanding its statutory status as the representative voice of Ngāi Tahu whānui “for all purposes”, Te Rūnanga o Ngāi Tahu accepts and respects the right of individuals and Papatipu Rūnanga to make their own responses.
- 1.11 Section 15(2) of TRONT Act provides that where any enactment requires consultation with any iwi or with any iwi authority, that consultation shall, with respect to matters affecting Ngai Tahu whānui, be held with Te Rūnanga o Ngai Tahu.
- 1.12 Section 15(3) of TRONT Act requires that in carrying out any consultation Te Rūnanga o Ngāi Tahu shall in turn consult with Papatipu Rūnanga. In practice, Te Rūnanga o Ngāi Tahu takes into account the views of Papatipu Rūnanga when determining its position. In the case of issues of local significance only, Te Rūnanga o Ngāi Tahu may defer a response completely to Papatipu Rūnanga.
- 1.13 In the case of this application, Te Rūnanga o Ngāi Tahu has referred this listed project to both Kāi Tahu ki Ōtākou and Ngāi Tahu ki Murihiku for comment through their respective environmental entities Aukaha Ltd and Te Ao Marama Inc.

2. Comments on Queenstown Arterials Project

- 2.1 The applicant commissioned a Cultural Impact Assessment (CIA) as part of their application. That CIA was prepared by Te Ao Marama Inc .
- 2.2 The CIA included recommended conditions by which the activity should take place.
- 2.3 The comments Te Rūnanga o Ngāi Tahu has received from officers at both Aukaha Ltd and Te Ao Marama Inc is that papatipu rūnanga are satisfied with the conditions proposed by the applicant and would like these and the recommendations from the CIA reflected in the decision.

3. Decision Sought

- 3.1. As this project is a listed project under Schedule 2 of the Covid-19 Recovery (Fast-track Consenting) Act 2020, our understanding is that the Expert Panel is limited in its consideration to the matters listed in Clauses 29 and 30 of Schedule 6 to the Act.
- 3.2 Te Rūnanga o Ngāi Tahu and Papatipu Rūnanga request that to ensure the proposal is consistent with the principles of Te Tiriti o Waitangi/Treaty of Waitangi and achieves the purpose

of the Resource Management Act 1991, the recommendations and conditions identified in the CIA are included in any decision to approve the project.

- 3.3 To that end, should the Expert Panel grant the application, Te Rūnanga o Ngāi Tahu requests the right to comment on draft conditions in accordance with Clause 35 of Schedule 6 to the Covid-19 Recovery (Fast-Track Consenting) Act 2020.

Nuku noa nā



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cc Aukaha Ltd
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