

UNDER

the Resource Management Act 1991
(the RMA)

IN THE MATTER OF

an application for a Water
Conservation Order on the Hurunui
River and Lake Sumner (Hoka Kura) by
the New Zealand and North Canterbury
Fish and Game Councils and the new
Zealand Recreational Canoeing
Association

AND

IN THE MATTER OF

a submission by Te Rūnanga o Ngāi
Tahu, Te Rūnanga o Kaikōura, Te Ngāi
Tūāhuriri Rūnanga

STATEMENT OF EVIDENCE OF MARK SOLOMON

Introduction

1. Kia ora koutou - my name is Mark Solomon and I am of Ngāti Kuri descent. I am the Kaiwhakahaere of Te Rūnanga o Ngāi Tahu, a position which I was elected to in 1998. As Kaiwhakahaere, I provide leadership for the tribe at a national level. I am also the elected representative on Te Rūnanga o Ngāi Tahu for Kaikōura Rūnanga, a position I have held since 1995.
2. I have been involved with the community in many capacities, ranging from roles as a trustee of Takahanga Marae, a school board trustee and I was on the board of the Museum of New Zealand Te Papa Tongarewa from 2001-2007.
3. I currently hold directorships on Te Hāpai Mauri Ltd, Te Pātaka o Tangaroa, Te Pātaka o Rauru and Ngāti Ruanui Group Holdings. I am also a Summit Member of the Hillary Institute and a member of Te Kāwai Taumata.

Ngāi Tahu, Ngāti Mamoe and Waitaha

4. Ngāi Tahu are the iwi comprised of Ngāi Tahu whānui; that is the collective of the individuals who descend from the five primary hapū of Ngāi Tahu, Ngāti Māmoe and Waitaha; namely Kāti Kurī, Ngāti Irakehu, Kāti Huirapa, Ngāi Tūāhuriri and Ngāi Te Ruahikihiki.
5. Ngāi Tahu literally means the “descendants of Tahu” after the tribe’s founder Tahupōtiki, who was born around 30 generations. Ngāi Tahu people acknowledge their origins from three main tribal roots – the Ngāi Tahu, Ngāti Mamoe and Waitaha peoples.
6. Waitaha is the name by which the earliest inhabitants of much of Te Waipounamu were known. The Uruao canoe, under the leadership of Te Rākaihautū, arrived on the shores of Te Waipounamu in the Nelson region about forty two generations ago. This is where the history of Waitaha begins on Te Waipounamu.
7. Te Rākaihautū divided his arrivals in two, with Te Rākaihautū leading one group southwards through the interior of Te Waipounamu and his son leading the other group southwards along the coastline. Te Rākaihautū explored the canoe of Aoraki and carved out many of its lakes with his kō (digging tool) in the tradition of ‘Ngā Puna Wai Karikari o Rākaihautū’.
8. Ngāi Tahu and Ngāti Mamoe arrived in Te Waipounamu at different times from the eastern part of the North Island several centuries ago. By the time Ngāi Tahu arrived, Ngāti Mamoe, through a combination of inter-marriage and conquest, had already merged with the resident hapū of Waitaha. Most Ngāi Tahu people today can trace their whakapapa back to their Waitaha ancestors and when we refer to Ngāi Tahu we also refer to our Waitaha and Ngāti Mamoe links.

Te Rūnanga o Ngāi Tahu

9. Te Rūnanga o Ngāi Tahu is the governing tribal council established by the Te Rūnanga o Ngāi Tahu Act 1996 (the TRoNT Act) .

10. Te Rūnanga o Ngāi Tahu is a body corporate established under section 16 of the TRoNT Act. Section 15(1) of the TRoNT Act states:

Te Rūnanga o Ngāi Tahu shall be recognised for all purposes as the representative of Ngāi Tahu Whānui.

11. An elected representative from each of the 18 rūnanga throughout Te Waipounamu makes up Te Rūnanga o Ngāi Tahu. Through this tribal council structure Te Rūnanga o Ngāi Tahu is accountable to the tribal members.

12. In paragraph 7 of section 6 of the Ngāi Tahu Claims Settlement Act 1998 (the Settlement Act) (recording the Crown's apology) Ngāi Tahu is recognised "as the tāngata whenua of, and as holding rangatiratanga within, the Takiwā of Ngāi Tahu Whānui." It has therefore been clearly affirmed in statute that Te Rūnanga o Ngāi Tahu is the sole representative of Ngāi Tahu Whānui, the iwi that is tāngata whenua within the Ngāi Tahu Takiwā.

13. Te Rūnanga o Ngāi Tahu considers itself to be an important and active member both of South Island communities and of New Zealand society as a whole. In all its undertakings, including its participation in resource management processes, Te Rūnanga o Ngāi Tahu is dedicated to the sustainable management of resources and the achievement of sound environmental outcomes. Our overarching objective is to build a stronger environmental, economic, social and cultural base for Ngāi Tahu people

Te Rūnanga o Kaikōura and Te Ngāi Tūāhuriri Rūnanga Inc

14. The proposed water conservation order for the Hurunui River (the WCO) affects the takiwā of two Papatipu Rūnanga; Te Rūnanga o Kaikōura and Te Ngāi Tūāhuriri Rūnanga.

15. The takiwā of Te Rūnanga o Kaikōura centres on Takahanga Marae and extends from Te Parinui o Whiti to the Hurunui River, and inland to the main divide. The Rūnanga is the modern day representative of the hapū Ngāti Kuri.

16. The takiwā of Te Ngāi Tūāhuriri Rūnanga centres on Tuahiwi Marae and extends from the Hurunui River to the Hakatere River (the Ashburton River) and inland to the main divide. The Rūnanga is the modern day representative of the hapū Ngāi Tūāhuriri.

17. The TRoNT Act and the Settlement Act give recognition to the status of Papatipu Rūnanga as kaitiaki and manawhenua of the natural resources within their takiwā boundaries.

The Paepae

18. Ngāi Tahu intends to use the concept of the paepae today to deliver our evidence and respond to questions. A paepae is the orators' bench on the marae and the place where the main speakers of the tangata whenua sit in order to give their speeches and respond to questions. In accordance with tikanga, when a question is put to the paepae, the person sitting on the paepae best equipped to answer it responds. So, for today's presentation, we may take the opportunity to confer amongst ourselves before the most suitable person responds to the question posed. This accords with the fact that the Ngāi Tahu association and relationship with the Hurunui is one story that is to be told today by 9 people.

The Ngāi Tahu Evidence

19. Section 199(2)(c) of the Resource Management Act 1991 states that a water conservation order may provide for:

The protection of characteristics which any water body has or contributes to, and which are considered to be of outstanding significance in accordance with tikanga Maori.

20. The Ngāi Tahu evidence will focus on identifying and describing the characteristics that are of outstanding significance in accordance with tikanga Māori. Before proceeding to outline these characteristics, the submissions of Te Rūnanga o Ngāi Tahu's Environmental Advisor, Paul Horgan, will discuss the considerations that must be taken into account when applying section 199(2)(c).

21. Following that, the Ngāi Tahu evidence will work through, in a chronological manner – from the beginning of creation through to the present day and into the

future, the cultural characteristics of the Hurunui River and Hoka Kura (Lake Sumner). These characteristics and the evidence to be presented in respect of them can be summarised as follows:

- Ben Te Aika will discuss the key concepts surrounding tikanga Māori, including manawhenua and whanaungatanga. Ben then goes on to describe the whakapapa of water;
- David Higgins will discuss the creation of the lakes of Te Waipounamu (including Hoka Kura – Lake Sumner);
- James Russell in his evidence goes onto explain how the Hurunui was a traditional travel route between Māwhera and Taramakau on the West Coast (Te Tai Poutini) over Harpers Pass through to Kaiapoi Pā on the east coast. The Hurunui trail was used for the purpose of supplying pounamu to Kaiapoi Pā, which was the South Island's major trading point;
- Takerei Norton discusses the traditional place names (wāhi ingoa) associated with the Hurunui, identifies the numerous archaeological sites of the Hurunui and also explains how the Hurunui is a significant tribal boundary;
- Te Marino Lenihan describes the mahinga kai values associated with the Hurunui; and
- Raewyn Solomon provides a detailed outline of the natural features of the Hurunui and the Ngāi Tahu environmental philosophies that we would like to see be included in the future management of Hoka Kura (Lake Sumner).

22. In addition to this, evidence will also be presented by Tony Sewell, the General Manager of Ngāi Tahu Property Limited, about the commercial interests that the company has in the Hurunui, including its ownership of Balmoral Forest and its involvement with Hurunui Water Project Limited and Meridian Energy Limited. In receiving this evidence, it is important that you bear in mind that it is a key objective of Te Rūnanga o Ngāi Tahu to ensure that the benefits of the Settlement grow for future generations and that as an iwi, Ngāi Tahu has always traded. The sustainable management of resources coupled with the acknowledged rights to harvest and trade is core to Ngāi Tahu tribal culture and history and its relationship with the land. Traditionally, Ngāi Tahu communities have traded both internally and with other iwi and clearly established trading routes existed to facilitate the trading

of resources such as pounamu, tītī, tuna and other mahinga kai. Sustainable harvesting is inherent to Ngāi Tahu culture and balancing the needs of the Ngāi Tahu communities reliant upon those resources without depleting them, is fundamental to Ngāi Tahu culture.

23. All of the evidence is based upon respected sources including:

- Evidence presented to the Waitangi Tribunal for the Ngāi Tahu Claim by the Ngāi Tahu Māori Trust Board;
- Information known by Ngāi Tahu kaumātua;
- The New Zealand Archaeological Association Site Recording Scheme;
- A number of respected publications regarding Ngāi Tahu histories and traditions;
- Iwi Management Plans;
- Respected publications about the history of the Hurunui region; and
- Records held by the Canterbury Museum.

Statutory Acknowledgements

24. The significance of both the Hurunui and Hoka Kura (Lake Sumner) to Ngāi Tahu is reflected in the fact that both water bodies are the subject of Statutory Acknowledgements under the Settlement Act. This acknowledges the Te Rūnanga o Ngāi Tahu statement of Ngāi Tahu cultural, spiritual, historic and/or traditional association with the Hurunui River and Hoka Kura (Lake Sumner). The Hurunui River is identified as having important associations because of its mahinga kai (food sources), the presence of nohoanga (settlements), traditional trails and other taonga. Hoka Kura (Lake Sumner) is acknowledged because of its role in cultural traditions as an important gathering source of mahinga kai and an integral part of the trail ways network.

25. In according the Hurunui and Hoka Kura (Lake Sumner) statutory acknowledgement status, the Crown has already recognised and acknowledged their immense tribal significance.

26. Today's kōrero will enable you to further understand our people's perspective - the outstanding significance of the Hurunui River and Hoka Kura (Lake Sumner) in accordance with tikanga Māori.

Tēnā koutou katoa