



New Zealand Legislation

Ngāi Tahu Claims Settlement Act 1998

Statutory acknowledgements

205 Interpretation

(1) In sections 206 to 222 and in Schedules 14 to 77,—

consent authority has the same meaning as in section 2 of the Resource Management Act 1991

deed of recognition means a deed of recognition described in sections 212 and 213, which is to be entered into by the Crown pursuant to clause 12.3 or clause 13.5.4 of the deed of settlement

effective date means the date that is 6 months after the settlement date

lake—

(a) means—

- (i) a body of fresh water which is entirely or nearly surrounded by land, including a lake controlled by artificial means; and
- (ii) the bed of the lake; but

(b) does not include—

- (i) any part of the bed of the lake which is not in Crown ownership or control; or
- (ii) with respect to a lake not controlled by artificial means, any land which the waters of the lake do not cover at its highest level without exceeding its margin; or
- (iii) with respect to a lake controlled by artificial means, any land which the waters of the lake do not cover at its maximum operating level as prescribed from time to time by any resource consent or rule of a regional plan or proposed plan within the meaning of the Resource Management Act 1991; or
- (iv) any river or watercourse, artificial or otherwise, draining into or out of a lake

resource consent has the same meaning as in section 87 of the Resource Management Act 1991

river—

(a) means—

- (i) a continually or intermittently flowing body of fresh water, including a stream and modified watercourse; and
- (ii) the bed of the river; but

(b) does not include—

- (i) any part of the bed of the river which is not in Crown ownership or control; or
- (ii) any land which the waters of the river do not cover at its fullest flow without overtopping its banks; or
- (iii) any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal); or
- (iv) any tributary flowing into a river, unless expressly provided to the contrary in the description of a particular river contained in any of Schedules 14 to 77

statutory acknowledgement means an acknowledgement made by the Crown by virtue of section 206 or section 313 or section 332 in respect of a statutory area, and except as expressly provided, on the terms set out in sections 206 to 220

statutory areas means the areas, rivers, lakes, and wetlands described in Schedules 14 to 77, 100 to 104, and 108, the general locations of which are indicated on the SO plans referred to in those schedules, and

statutory area means any one of them

wetland—

(a) means—

- (i) a permanently or intermittently wet area, shallow water, and land water margin that supports a natural ecosystem of plants and animals that are adapted to wet conditions; and
- (ii) the land beneath that wet area, shallow water, and land water margin; but

(b) does not include—

- (i) any part of the land beneath the wet area, shallow water, or land water margin which is not in Crown ownership or control; or
 - (ii) any land bordering the wetland; or
 - (iii) any river or watercourse, artificial or otherwise, draining into or out of a wetland; or
 - (iv) any lake.
- (2) SO references are included in Schedules 14 to 77 for the purposes of indicating the general location of the statutory areas, and are not intended to establish the precise boundaries of the statutory areas.



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206 Statutory acknowledgements by the Crown

The Crown acknowledges the statements made by Te Rūnanga o Ngāi Tahu of the particular cultural, spiritual, historic, and traditional association of Ngāi Tahu with the statutory areas, the texts of which are set out in Schedules 14 to 77.



New Zealand Legislation

Ngāi Tahu Claims Settlement Act 1998

Schedule 92

ss 238, 239

Tōpuni for Tititea (Mount Aspiring)

Description of area

The area over which the Tōpuni is created is the area known as Tititea (Mount Aspiring) as shown on Allocation Plan MS 2 (SO 24665).

Preamble

Under section 239 (clause 12.5.3 of the deed of settlement), the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic, and traditional values relating to Tititea, as set out below.

Ngāi Tahu values relating to Tititea (Mount Aspiring)

As with all principal maunga (mountains), Tititea is imbued with the spiritual elements of Raki and Papa, in tradition and practice regarded as an important link to the primeval parents. Tititea is a prominent and majestic peak, clearly visible from a number of vantage points in the south, and its role in Ngāi Tahu's creation stories gives rise to its tapu status. From the heights above Te Ana-au (Lake Te Anau), it is a particularly impressive sight when the sun is setting.

The most common Ngāi Tahu name for the mountain known to Pākehā as Mount Aspiring is Tititea, referring to the mountain's white peak. It is not unusual, however, for places and physical features to have more than one name, reflecting the traditions of the successive iwi who peopled the land. Other names for the mountain include "Mākahi Tā Rakiwhānoa" (referring to a wedge belonging to Tū Te Rakiwhānoa) and "Ōtapahu", which may refer to a type of dogskin cloak.

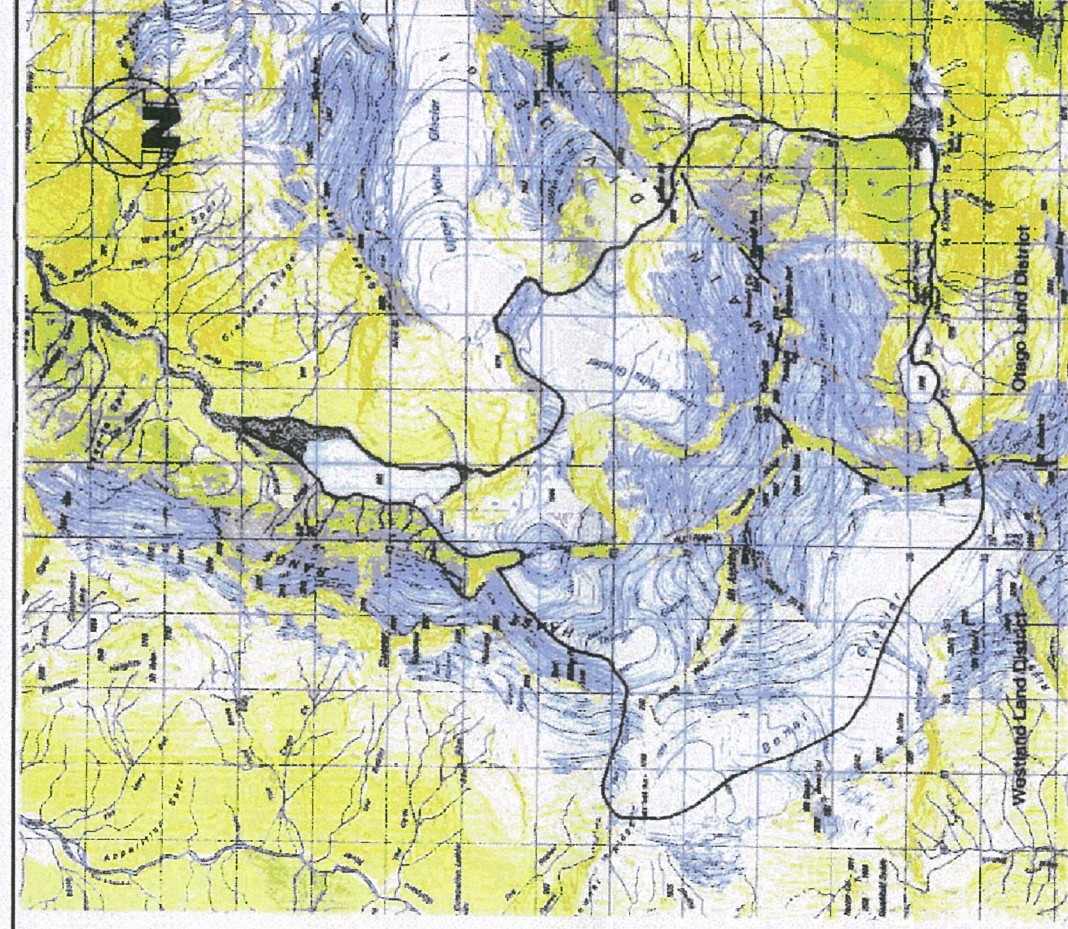
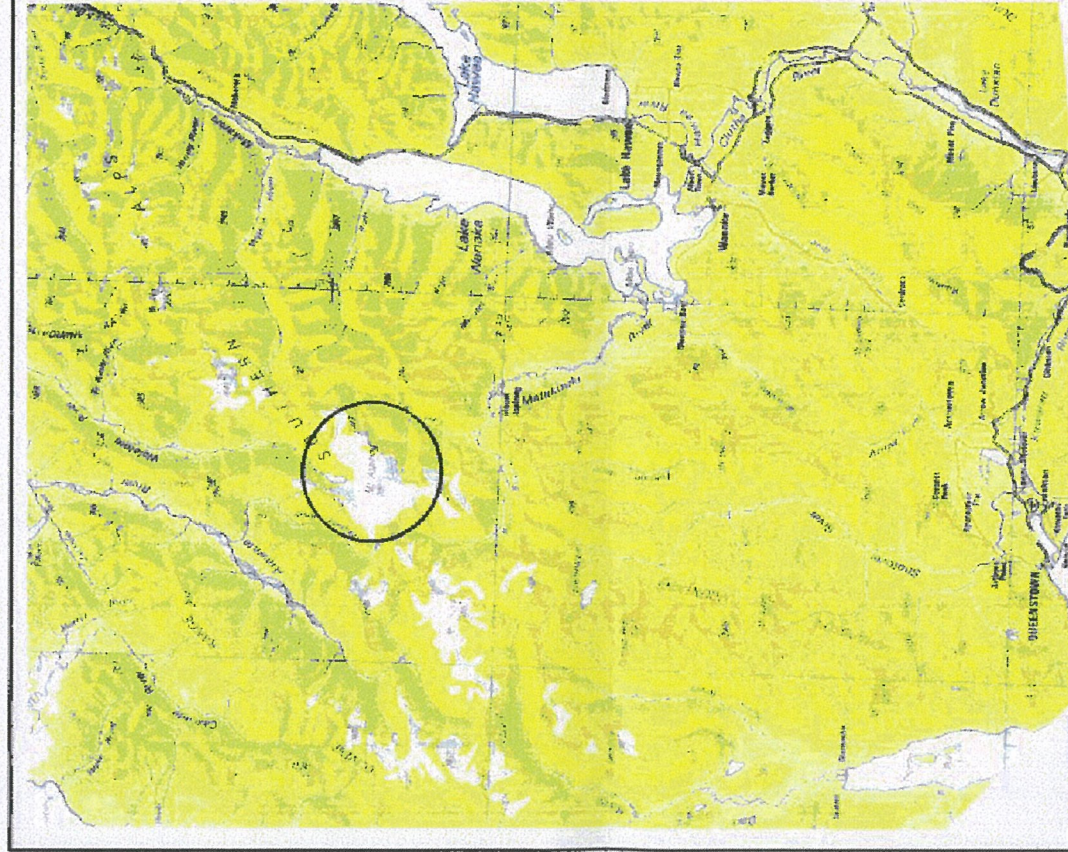
The Bonar Glacier is known as Hukairoroa Tā Parekiore (which refers to the long, hard glacial ice and crevasses formed by Parekiore). Parekiore was a giant who used to stalk up and down the South and North Islands taking tītī (muttonbirds) northwards and returning with kūmara. The lakes represent his footprints and the frozen splashes from his footsteps in the south were transformed into glaciers.

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.

The area 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 land.

The mauri of Tititea 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 area.



Scale of Original 1:50000 approx.
0 1 2 3 km

Otago/Westland Land District
Territorial Authority: Westland District &
Queenstown - Lakes District
Terralink NZ Ltd
Survey Services
Christchurch



Tititea (Mt Aspiring)

Areas referred to in the Deed of Settlement for the
Ngāi Tahu Claim

Approved as to boundaries:

for Te Runanga o Ngāi Tahu

on behalf of the Crown

MS 2

OTAGO SO 24665 WESTLAND SO 12475