

# Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

*This form is for local authorities to provide comments to the Minister for the Environment on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.*

Local authority providing comment	Southland Regional Council (Environment Southland)
Contact person (if follow-up is required)	Rob Phillips
	Chief Executive
	s 9(2)(a)

## Comment form

Please use the table below to comment on the application.

Project name	Hananui Aquaculture Project
General comment – potential benefits	<p>Environment Southland is supportive of the application progressing through the COVID-19 Recovery (Fast Track Consenting) Act 2020 in principle.</p> <p>It is acknowledged that the project has the potential to generate significant benefits, including to assist economic and social recovery from the impacts of COVID-19, and support the certainty of ongoing investment in the Southland Region.</p> <p>In particular, it is recognised that:</p> <ol style="list-style-type: none"> <li>1. There is the potential for a generally weaker employment and economic recovery for Southland from COVID-19, given the uncertain and potential sustained impact on the tourism sector, and signaled closure of the Tiwai Point Aluminum Smelter in 2025.</li> <li>2. Aquaculture is identified in the Southland Regional Development Strategy as an enabler for increasing the population, diversification, and resilience of the Southland economy. There is the potential for aquaculture, including the project, to make a significant contribution to generating employment and economic stimulus, in part offsetting the impacts from COVID-19. Refer page 34  <a href="https://www.sords.co.nz/site/assets/files/1/sords_action_plan.pdf">https://www.sords.co.nz/site/assets/files/1/sords_action_plan.pdf</a></li> </ol>

	<p>3. The project is aligned with the government's Aquaculture Strategy<sup>1</sup>, by enabling expansion of aquaculture into the open ocean, and supporting the vision for New Zealand to be a leader in sustainable and innovative aquaculture delivering \$3B in annual sales by 2035.</p> <p>4. There are benefits to the wider New Zealand aquaculture industry from the development of open ocean aquaculture in the cooler waters of Southland as a consequence of climate change driven impacts on existing inshore aquaculture in other parts of the country.</p>
<b>General comment – significant issues</b>	<p>Environment Southland considers that aquaculture activities have the potential to generate adverse effects on the environment where the scale and intensity of the activity exceeds the natural carrying capacity of the environment in which it is located.</p> <p>We have commenced technical peer reviews of the applicant's resource consent application. Given the initial findings of the peer reviews, Environment Southland considers the project has the potential to result in generating adverse effects related to benthic effects, marine mammals and seabirds unless they are appropriately addressed.</p> <p>We are continuing to complete technical reviews of the applicant's assessments and have yet to commence technical reviews on effects of the project on sharks, wild fish, and landscape and natural character values, or undertake a full assessment against the relevant statutory planning documents.</p> <p>Accordingly, Environment Southland is not currently able to confirm its position on the relative significance of any adverse effects relating to these matters, or the consistency of the project with the statutory planning documents.</p>
<b>Is Fast-track appropriate?</b>	<p>Environment Southland does not oppose the application in principle becoming a referred project and proceeding through the CRFTCA process. However, it acknowledges that given the likelihood of the application being publicly notified, proceeding through the accelerated CRFTCA process is likely to be faster and mean that any employment and economic benefits supporting recovery from COVID-19 will potentially be realised sooner, in the event consent is granted by the expert consenting panel.</p>
<b>Environmental compliance history</b>	<p>None. There is no known environmental regulatory compliance history in our region for the company or its directors.</p>
<b>Reports and assessments normally required</b>	<p>See below specific question response 2.</p>
<b>Iwi and iwi authorities</b>	<p>Te Rūnanga o Ngāi Tahu is the only iwi authority whose area of interest includes the project area.</p>

<sup>1</sup> <https://www.mpi.govt.nz/dmsdocument/15895-The-Governments-Aquaculture-Strategy-to-2025>

<b>Relationship agreements under the RMA</b>	<p>Environment Southland does not have any relationship agreements in place under the RMA, including any Mana Whakahono a Rohe Iwi Participation Agreement with iwi authority Te Rūnanga o Ngāi Tahu under sections 58O–58U of the RMA.</p> <p>Endorsed by Ngāi Tahu, a charter of understanding “He Huarahi mō Ngā Uri Whakatupu (A Pathway for the Generations Coming Through)” dated March 2016, exists between local government (Environment Southland and all territorial local authorities) and Te Ao Marama Inc , which is authorised to represent the papatipu rūnanga that hold mana whenua over all ancestral lands in Murihiku (Te Rūnanga o Awarua, Te Rūnanga o Ōraka-Aparima, Te Rūnanga o Waihōpai and Te Rūnanga o Hokonui), with the charter endorsed by Te Rūnanga o Ngāi Tahu.</p>
<b>Insert responses to other specific requests in the Minister’s letter (if applicable)</b>	See below specific question responses.
<b>Other considerations</b>	Environment Southland currently has one other large scale open ocean aquaculture application, on hold for further information, which is currently being progressed under the RMA process.

Note: All comments, including your name and contact details, will be made available to the public and the applicant either in response to an Official Information Act request or as part of the Ministry’s proactive release of information. Please advise if you object to the release of any information contained in your comments, including your name and contact details. You have the right to request access to or to correct any personal information you supply to the Ministry.

### **Response to Other Specific Requests in the Minister’s Letter**

**1. Are there any reasons that you consider it more appropriate for the project, or part of the project, to proceed through existing Resource Management Act 1991 (RMA) consenting processes rather than the processes in the FTCA?**

Environment Southland does not consider there are any specific reasons why the application needs to proceed through the existing RMA consenting process.

**2. What reports and assessments would normally be required by the council for a project of this nature in this area?**

1. Overall assessment of environmental effects that meets the relevant requirements of schedule 4 of the RMA and responds to the matters set out at section 18 of the Southland Regional Coastal Plan.
2. Engineering report, outlining the proposed farm structures, mooring and anchoring systems, and demonstrating their suitability to withstand the anticipated current and wave environment.
3. Water column effects report, including associated hydrodynamic modeling, assessing the effects of farm derived nutrients on macroalgae and phytoplankton, effects on dissolved oxygen, and effects of submerged artificial lighting.

4. Seabed effects report, including associated modelling, assessing the effects of farm associated deposition and seabed enrichment on benthic communities beneath and surrounding the farm.
5. Oyster effects report, assessing the effects on the abundance and disease risk to wild oysters present within Foveaux Strait.
6. Biosecurity effects report, assessing the biosecurity risks of the farm for the spread of marine pests and diseases, including an associated Biosecurity Management Plan.
7. Shark effects report, assessing the effects on sharks present within Foveaux Strait, including from potential entanglement.
8. Marine mammals' effects report, assessing the effects on marine mammals within Foveaux Strait, including from habitat exclusion, disturbance and potential entanglement.
9. Seabird effects report, assessing the effects on seabirds within Foveaux Strait, including from habitat exclusion, changes to food supply, disturbance, and potential entanglement.
10. Wild Fish effects report, assessing the effects on wild fish, including from attraction to farms, and waste feed and other organic matter.
11. Landscape and Natural Character effects assessment report, describing the landscape and natural character values present, and assessing the effects on landscape character, natural character and visual amenity.
12. Navigation Risk Assessment, assessing the effects of the farm on navigation safety for vessels operating within Foveaux Strait.
13. Cultural Impact Assessment, identifying and assessing the effects on Ngāi Tahu cultural values.

Environment Southland confirms that the assessments described above are all captured in the technical reports that have been provided by the applicant in support of its resource consent application, and which are described in its application to become a referred project.

### **3. In relation to the resource consents lodged with the Southland Regional Council for this project:**

#### **a. What is the current status of these resource consent applications?**

Ngāi Tahu Seafood Resources (the applicant) applied to Environment Southland for resource consent for the Hananui Aquaculture Project on 12 January 2020. The application was for the activities of marine farming, including associated occupation and disturbance of the seabed, and discharges of contaminants to the environment.

The application was formally accepted for processing under section 88 of the Resource Management Act 1991 (RMA) on 16 January 2020. In fulfilling its statutory obligations, Environment Southland also advised the following parties the application had been received:

1. Maritime New Zealand, under section 89A of the RMA.
2. Fisheries New Zealand, under section 107F(3)(a) of the RMA.
3. Te Rūnanga o Ngāi Tahu, under the statutory acknowledgement provisions of section 104 of the Ngāi Tahu Claims Settlement Act 1998.

Following a detailed review of the application, a request for further information under section 92 of the RMA was made to the applicant on 10 February 2020. Since that time the application has remained on hold, pending

receipt of the requested information. To date, the applicant has provided all the requested further information except for a Cultural Impact Assessment, which Council understands is a work in progress.

The applicant has continued to regularly inform Environment Southland of its progress in responding to the further information request, and its intention to apply to become a referred project under the CRFCA. Subject to the outcome of the Minister's decision on whether the project becomes a referred project, Environment Southland anticipates the next steps will be for it to decide on whether the application should be notified under sections 95A-95G of the RMA, following receipt of the Cultural Impact Assessment.

**b. When would council anticipate these resource consent applications to be determined under the Resource Management Act 1991?**

While no formal decision on notification has been made, Environment Southland is currently of the view that public notification of the application under section 95A of the RMA is the most probable outcome as the effects on the environment are likely to be more than minor. Following any notification decision, it is anticipated that the consideration and determination of the application will follow the timeframes set out in the RMA.

**4. Does the applicant, or a company owned by the applicant, have any environmental regulatory compliance history in your region?**

As stated earlier, there is no known environmental regulatory compliance history in our region for the company or its directors.

**5. In relation to the review of the Regional Coastal Plan for Southland:**

**a. What is the proposed timing to release a new Proposed Regional Coastal Plan?**

Environment Southland is currently in stage two of the review and has a team working on drafting the new provisions. Environment Southland is aiming to run pre-consultation on the coastal plan in 2022, with the first schedule process commencing in 2023. Staff have commenced a plan change to section 16.2 of the coastal plan – this section relates to Fiordland commercial vessel activities and will not impact the timeline of the full coastal plan review process.

**b. Is the review process identifying any issues regarding aquaculture which we should be aware of?**

Key issues identified during the review of the current management framework for marine aquaculture, include:

1. The Regional Coastal Plan (2013) does not adequately identify Southland's outstanding coastal landscapes and natural character. Therefore, the Plan does not provide protection against the potential adverse effects of marine aquaculture on natural character and landscapes for the majority of Southland's outstanding areas in the CMA.
2. Further, the marine aquaculture provisions in the Regional Coastal Plan (2013) are not consistent with the NZCPS and the Southland Regional Policy Statement, which require the adverse effects of activities on outstanding natural character and outstanding natural features and landscapes to be avoided.
3. The marine aquaculture provisions in the Regional Coastal Plan (2013) are not consistent with Policy 11 of the NZCPS and the Southland Regional Policy Statement, which require the protection of indigenous biodiversity in the coastal environment. Council has also identified additional areas of

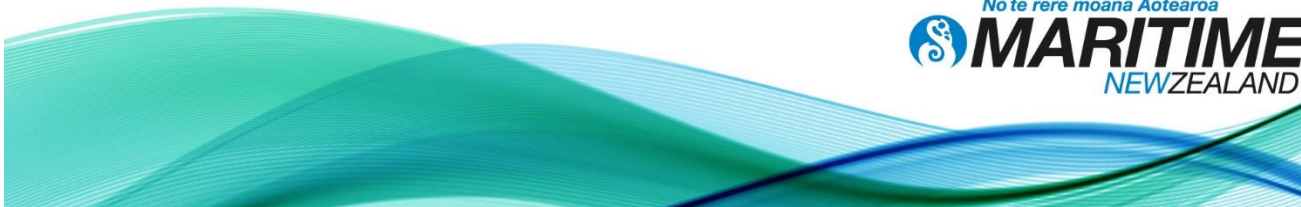
significant indigenous biodiversity outside of the 'significant and high value areas' in the Regional Coastal Plan (2013).

4. Most of the existing coastal permit for the marine farms in Big Glory Bay, Stewart Island/Rakiura will expire on 1 January 2025. The impending NES-MA will include rules relating to the re-consenting of marine farms (that will override regional coastal plan rules), but not supporting policies that can help decision-makers when assessing applications.
5. Marine farming in the Bluff Port Zone is currently a non-complying activity. A non-complying activity status for marine farming in the Bluff Port Zone does not adequately reflect the potential adverse environmental effects (particularly on the port) of marine farming taking place in the location.
6. The Regional Coastal Plan (2013) does not include provisions relating to the removal of abandoned structures and restoration or reinstatement of the environment should a business cease its operation.

Drafting of the marine aquaculture provisions has not yet begun, however, in March 2020, Council and Te Ao Marama Inc. board members approved a policy direction for marine aquaculture, that:

1. Maintains the operative Coastal Plan approach to marine aquaculture in outstanding areas (prohibited);
2. Prohibits marine aquaculture where it will adversely affect significant indigenous biodiversity;
3. Prohibits marine aquaculture in the Bluff Port Zone;
4. Maintains the operative Coastal Plan approach to marine aquaculture in other areas (discretionary), except where the activity will have significant adverse effects (non-complying);
5. Makes marine aquaculture non-complying where the activity will have a significant adverse effect on indigenous biodiversity;
6. Provides policy direction for making decisions on new applications for aquaculture activities with a discretionary activity status, including recognising the potential benefits of aquaculture applications; and
7. Requires new aquaculture to be developed in a staged manner where adverse effects cannot be adequately predicted and are potentially significant or the sensitivity of the receiving environment warrants a precautionary approach;
8. Requires a reasonable assurance (e.g. a fidelity fund or insurance) or a bond for new aquaculture activities to cover potential costs associated with the removal of abandoned farms, restoration of the environment, and emergency repairs or rescue; and
9. Aligns with the proposed NES for Marine Aquaculture for re-consenting existing marine farms and includes policies to assist decision-makers when considering applications to re-consent marine farms.





23 September 2021

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Level 11, 1 Grey Street, Wellington 6011  
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New Zealand

Hon David Parker  
Minister for the Environment  
Private Bag 18041  
Parliament Buildings  
Wellington

By email

s 9(2)(a)

[fasttrackconsenting@mfe.govt.nz](mailto:fasttrackconsenting@mfe.govt.nz)

Dear Hon David Parker

**COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Hananui Aquaculture Project**

Please find attached comments from Maritime NZ on the application for referral of the Hananui Aquaculture Project under the Covid-19 (Fast-track Consenting) Act 2020. Thank you for giving us the opportunity to comment on this application. We look forward to further involvement should it proceed through the fast-track process.

Yours sincerely

**Kirstie Hewlett**

Chief Executive/Director  
Maritime New Zealand | Nō te rere moana Aotearoa

Encl

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the Official Information Act 1982

# Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

*This form is for persons requested by the Minister for the Environment to provide comments on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.*

Organisation providing comment	Maritime New Zealand
Contact person (if follow-up is required)	Domonic Venz
	s 9(2)(a)
	<a href="#">Click or tap here to enter text.</a>

## Comment form

Please use the table below to comment on the application.

Project name	Hananui Aquaculture Project
General comment	Maritime New Zealand in principle supports this application.
Other considerations	<p>Aquaculture sites can create risks for navigational safety. Therefore, Maritime NZ expects the navigational aspects will be amongst the range of issues discussed and reviewed by an expert panel, should the application progress through the fast track process.</p> <p>Maritime NZ has identified a number of navigational issues with the proposed application and discussed these with Environment Southland and their Harbourmasters, as well as in meetings with the applicant. The navigational issues created by the proposed aquaculture project are standard or well-known and are able to be dealt with during the life of the farms.</p> <p>Additionally, Maritime NZ considers it is important that the local maritime authorities (Environment Southland and their Harbourmasters) are closely involved in the development of this project. Local maritime authorities, in consultation with Maritime NZ, need to ensure international and domestic mariners are kept abreast of changes to navigational hazards in the area.</p>
[Insert specific requests for comment]	No additional requests noted.

Note: All comments, including your name and contact details, will be made available to the public and the applicant either in response to an Official Information Act request or as part of the Ministry's proactive release of information. Please advise if you object to the release of any information contained in your comments, including your name and contact details. You have the right to request access to or to correct any personal information you supply to the Ministry.



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Organisation providing comment	Environment Southland
Contact person (if follow-up is required)	Lyndon Cleaver
	Regional Harbourmaster
	Click or tap here to enter text.

## Comment form

Please use the table below to comment on the application.

Project name	Hananui Aquaculture
General comment	I have no navigation safety concerns with regards to the project application.
Other considerations	Click or tap here to provide any information you consider relevant to the Minister's decision on whether to refer the project to an expert consenting panel.
[Insert specific requests for comment]	Click or tap here to insert responses to any specific matters the Minister is seeking your views on.

Note: All comments, including your name and contact details, will be made available to the public and the applicant either in response to an Official Information Act request or as part of the Ministry's proactive release of information. Please advise if you object to the release of any information contained in your comments, including your name and contact details. You have the right to request access to or to correct any personal information you supply to the Ministry.



Te Rūnanga o NGĀI TAHU

23 September 2021

The Honourable Minister Parker  
Ministry for the Environment  
c/- Fast-Track Consenting Team  
Environmental Protection Authority

Via email: [fasttrackconsenting@mfe.govt.nz](mailto:fasttrackconsenting@mfe.govt.nz)

Tēnā koe,

### **Te Rūnanga o Ngāi Tahu comments on Hananui Aquaculture Project**

I set out below comments on the proposal by Ngāi Tahu Seafood Resources Limited (the applicant) to develop approximately 2,500ha for finfish (salmon) farming off the northern coast of Rakiura/Stewart Island, under the Covid-19 Recovery (Fast-track Consenting) Act 2020.

#### **1. Te Rūnanga o Ngāi Tahu and Papatipu Rūnanga**

- 1.1 This response is made on behalf of Te Rūnanga o Ngāi Tahu (**Te Rūnanga**) which is the statutorily recognised representative tribal body of Ngāi Tahu whānui (as provided by section 15 of the Te Rūnanga o Ngāi Tahu Act 1996 (**TRONT Act**)) and was established as a body corporate on 24 April 1996 under section 6 of the TRONT Act.
- 1.2 Te Rūnanga encompasses five hapū, Kati Kurī, Ngāti Irakehu, Kati Huirapa, Ngāi Te Ruahikihiki, Ngāi Tūāhuriri and 18 Papatipu Rūnanga, who uphold the mana whenua and mana moana of their rohe. Te Rūnanga is responsible for managing, advocating and protecting, the rights and interests inherent to Ngāi Tahu as mana whenua.
- 1.3 Notwithstanding its statutory status as the representative voice of Ngāi Tahu whānui “for all purposes”, Te Rūnanga accepts and respects the right of individuals and Papatipu Rūnanga to make their own responses.
- 1.4 Papatipu Rūnanga who have interests in Rakiura/Stewart Island are: Te Rūnanga o Awarua, Te Rūnanga o Oraka-Aparima, Te Rūnanga o Waihōpai, and Hokonui Rūnanga (collectively referred to as Kāi Tahu ki Murihiku).
- 1.5 In the case of this application, Te Rūnanga has discussed this project with environmental entity Te Ao Marama Inc who is mandated to respond on behalf of Kāi Tahu ki Murihiku.

Te Rūnanga o Ngāi Tahu  
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PO Box 13-046, Christchurch, New Zealand  
Phone + 64 3 366 4344, 0800 KAI TAHU  
Email: [info@ngaitahu.iwi.nz](mailto:info@ngaitahu.iwi.nz)  
Website: [www.ngaitahu.iwi.nz](http://www.ngaitahu.iwi.nz)



1.6 Te Rūnanga respectfully requests that the Panel accord this response with the status and weight of the tribal collective of Ngāi Tahu whānui comprising over 70,000 registered iwi members, in a takiwā comprising the majority of Te Waipounamu. A map of the takiwā of Te Rūnanga is included at **Appendix One**.

## 2. Te Tiriti o Waitangi

2.1 The contemporary relationship between the Crown and Ngāi Tahu is defined by three core documents; the Treaty, the Ngāi Tahu Deed of Settlement 1997 (**Deed of Settlement**) and the Ngāi Tahu Claims Settlement Act 1998 (**NTCSA**). These documents form an important legal relationship between Ngāi Tahu and the Crown.

2.2 Of significance, the Deed of Settlement and NTCSA confirmed the rangatiratanga of Ngāi Tahu and its relationship with the natural environment and whenua within the takiwā.

2.3 As recorded in the Crown Apology to Ngāi Tahu (see **Appendix Two**), the Ngāi Tahu Settlement marked a turning point, and the beginning for a “new age of co-operation”. In doing so, the Crown acknowledged the ongoing partnership between the Crown and Ngāi Tahu.

## 3. Comments

3.1 Te Rūnanga is supportive of the proposal being processed under the Covid-19 Recovery (Fast-track Consenting) Act 2020.

3.2 If it is accepted for the Fast-track process, Te Rūnanga as the iwi authority, will be invited for comment on the application<sup>1</sup>. We recommend that the Papatipu Rūnanga listed in paragraph 1.4 are also invited to comment on the application to enable them to provide comment directly to the Environmental Protection Authority (**EPA**), if they wish to do so<sup>2</sup>.

## 4. Decision Sought

4.1 Te Rūnanga thanks the Minister for the opportunity to comment on the above application. Should the application progress through the Fast-track process, Te Rūnanga requests that:

- Papatipu Rūnanga, in addition to Te Rūnanga as the iwi authority, are invited to provide comment on the application.

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<sup>1</sup> Schedule 6 CI 17(6)(b)

<sup>2</sup> As provided for by Schedule 6 CI 17(8)

Nuku noa nā,



Trudy Heath  
**General Manager, Te Ao Tūroa**

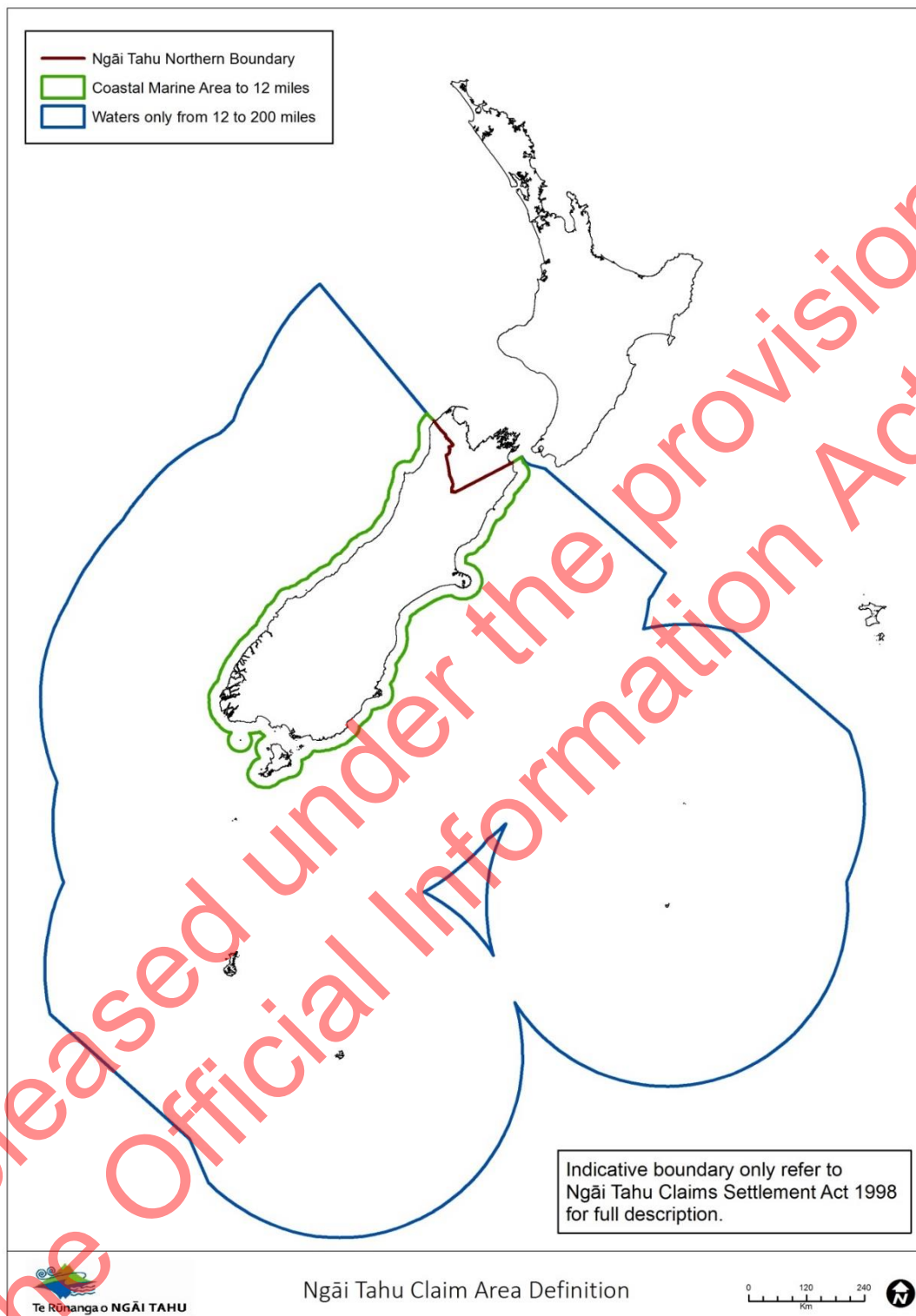
Address for Service:  
Tanya Stevens  
Senior Environmental Advisor  
Te Rūnanga o Ngāi Tahu

s 9(2)(a)

Cc: Stevie-Rae Blair, Te Ao Marama  
Dean Whaanga, Te Ao Marama  
Jacqui Caine, Te Rūnanga o Ngāi Tahu

Appendices:  
Appendix One – Map of takiwā of Ngāi Tahu  
Appendix Two – Crown Apology to Ngāi Tahu

## APPENDIX ONE: NGĀI TAHU TAKIWĀ



## APPENDIX TWO: TEXT OF CROWN APOLOGY

The following is text of the Crown apology contained in the Ngāi Tahu Claims Settlement Act 1998.

### Part One – Apology by the Crown to Ngāi Tahu

#### Section 5: Text in Māori

The text of the apology in Māori is as follows:

1. Kei te mōhio te Karauna i te tino roa o ngā tūpuna o Ngāi Tahu e totohe ana kia utu mai rātou e te Karauna—tata atu ki 150 ngā tau i puta ai tēnei pēpeha a Ngāi Tahu arā: “He mahi kai tākata, he mahi kai hoaka”. Nā te whai mahara o ngā tūpuna o Ngāi Tahu ki ngā āhuatanga o ngā kawenga a te Karauna i kawea ai e Matiaha Tiramōrehu tana petihana ki a Kuini Wikitoria i te tau 1857. I tuhia e Tiramōrehu tana petihana arā: ‘Koia nei te whakahau a tōu aroha i whiua e koe ki runga i ēnei kāwana... tērā kia whakakotahitia te ture, kia whakakotahitia ngā whakahau, kia ōrite ngā āhuatanga mō te kiri mā kia rite ki tō te kiri waitutu, me te whakatakoto i te aroha o tōu ngākau pai ki runga i te iwi Māori kia noho ngākau pai tonu ai rātou me te mau mahara tonu ki te mana o tōu ingoa.’ Nā konei te Karauna i whakaae ai tērā, te taumaha o ngā mahi a ngā tūpuna o Ngāi Tahu, nā rēira i tū whakaiti atu ai i nāianei i mua i ā rātou mokopuna.
2. E whakaae ana te Karauna ki tōna tino hēanga, tērā i takakino tāruaruatia e ia ngā kaupapa o te Tiriti o Waitangi i roto i āna hokonga mai i ngā whenua o Ngāi Tahu. Tēnā, ka whakaae anō te Karauna tērā i roto i ngā āhuatanga i takoto ki roto i ngā pukapuka ā-herenga whakaatu i aua hokonga mai, kāore te Karauna i whai whakaaro ki tāna hoa nā rāua rā i haina te Tiriti, kāore hoki ia i whai whakaaro ki te wehe ake i ētahi whenua hei whai oranga tinana, whai oranga ngākau rānei mō Ngāi Tahu.
3. E whakaae ana te Karauna tērā, i roto i tāna takakino i te wāhanga tuarua o te Tiriti, kāore ia i whai whakaaro ki te manaaki, ki te tiaki rānei i ngā mauanga whenua a Ngāi Tahu me ngā tino taonga i hiahia a Ngāi Tahu ki te pupuri.
4. E mōhio ana te Karauna tērā, kāore ia i whai whakaaro ki a Ngāi Tahu i runga i te ngākau pono o roto i ngā tikanga i pūtake mai i te mana o te Karauna. Nā tāua whakaaro kore a te Karauna i puaki mai ai tēnei pēpeha a Ngāi Tahu: “Te Hapa o Niu Tīreni”. E mōhio ana te Karauna i tāna hē ki te kaipono i ngā āhuatanga whai oranga mō Ngāi Tahu i noho pōhara noa ai te iwi ia whakatupuranga heke iho. Te whakatauākī i pūtake mai i aua āhuatanga: “Te mate o te iwi”.
5. E whakaae ana te Karauna tērā, mai rāno te piri pono o Ngāi Tahu ki te Karauna me te kawa pono a te iwi i ā rātou kawenga i raro i te Tiriti o Waitangi, pērā anō tō rātou piri atu ki raro i te Hoko Whitu a Tū i ngā wā o ngā pakanga nunui o te ao. E tino mihi ana te Karauna ki a Ngāi Tahu mō tōna ngākau pono mō te koha hoki a te iwi o Ngāi Tahu ki te katoa o Aotearoa.

6. E whakapuaki atu ana te Karauna ki te iwi whānui o Ngāi Tahu i te hōhonu o te āwhitu a te Karauna mō ngā mamaetanga, mō ngā whakawhiringa i pūtake mai nō roto i ngā takakino a te Karauna i takaongetia ai a Ngāi Tahu Whānui. Ewhakaae ana te Karauna tērā, aua mamaetanga me ngā whakawhiringa hoki i hua mai nō roto i ngā takakino a te Karauna, arā, kāore te Karauna i whai i ngā tohutohu a ngā pukapuka ā-herenga i tōna hokonga mai i ngā whenua o Ngāi Tahu, kāore hoki te Karauna i wehe ake kia rawaka he whenua mō te iwi, hei whakahaere mā rātou i ngā āhuatanga e whai oranga ai rātou, kāore hoki te Karauna i hanga i tētahi tikanga e maru motuhake ai te mana o Ngāi Tahu ki runga i ā rātou pounamu me ērā atu tāonga i hiahia te iwi ki te pupuri. Kore rawa te Karauna i aro ake ki ngā aurere a Ngāi Tahu.
7. E whakapāha ana te Karauna ki a Ngāi Tahu mō tōna hēanga, tērā, kāore ia i whai whakaaro mō te rangatiratanga o Ngāi Tahu, ki te mana rānei o Ngāi Tahu ki runga i ōna whenua ā-rohe o Te Wai Pounamu, nā rēira, i runga i ngā whakaritenga me ngā herenga a Te Tiriti o Waitangi, ka whakaae te Karauna ko Ngāi Tahu Whānui anō te tāngata whenua hei pupuri i te rangatiratanga o roto i ōna takiwā.
8. E ai mō ngā iwi katoa o Aotearoa e hiahia ana te Karauna ki te whakamārie i ngā hara kua whākina ake nei—otirā, ērā e taea i nāiane i te mea kua āta tau ngā kōrero tūturu ki roto i te pukapuka ā-herenga whakaritenga i hainatia i te 21 o ngā rā o Whitu hei tīmatanga whai oranga i roto i te ao hōu o te mahinga tahi a te Karauna rāua ko Ngāi Tahu.

## Section 6: Text in English

The text of the apology in English is as follows:

1. The Crown recognises the protracted labours of the Ngāi Tahu ancestors in pursuit of their claims for redress and compensation against the Crown for nearly 150 years, as alluded to in the Ngāi Tahu proverb 'He mahi kai takata, he mahi kai hoaka' ('It is work that consumes people, as greenstone consumes sandstone'). The Ngāi Tahu understanding of the Crown's responsibilities conveyed to Queen Victoria by Matiaha Tiramorehu in a petition in 1857, guided the Ngāi Tahu ancestors. Tiramorehu wrote:

*"This was the command thy love laid upon these Governors ... that the law be made one, that the commandments be made one, that the nation be made one, that the white skin be made just equal with the dark skin, and to lay down the love of thy graciousness to the Māori that they dwell happily ... and remember the power of thy name."*

2. The Crown hereby acknowledges the work of the Ngāi Tahu ancestors and makes this apology to them and to their descendants.
3. The Crown acknowledges that it acted unconscionably and in repeated breach of the principles of the Treaty of Waitangi in its dealings with Ngāi Tahu in the purchases of Ngāi Tahu land. The Crown further acknowledges that in relation to the deeds of purchase it has failed in most material respects to honour its obligations to Ngāi Tahu as its Treaty partner, while it also failed to set aside adequate lands for Ngāi Tahu's use, and to provide adequate economic and social resources for Ngāi Tahu.
4. The Crown acknowledges that, in breach of Article Two of the Treaty, it failed to preserve and protect Ngāi Tahu's use and ownership of such of their land and valued possessions as they wished to retain.

5. The Crown recognises that it has failed to act towards Ngāi Tahu reasonably and with the utmost good faith in a manner consistent with the honour of the Crown. That failure is referred to in the Ngāi Tahu saying 'Te Hapa o Niu Tirenī' ('The unfulfilled promise of New Zealand'). The Crown further recognises that its failure always to act in good faith deprived Ngāi Tahu of the opportunity to develop and kept the tribe for several generations in a state of poverty, a state referred to in the proverb 'Te mate o te iwi' ('The malaise of the tribe').
6. The Crown recognises that Ngāi Tahu has been consistently loyal to the Crown, and that the tribe has honoured its obligations and responsibilities under the Treaty of Waitangi and duties as citizens of the nation, especially, but not exclusively, in their active service in all of the major conflicts up to the present time to which New Zealand has sent troops. The Crown pays tribute to Ngāi Tahu's loyalty and to the contribution made by the tribe to the nation.
7. The Crown expresses its profound regret and apologises unreservedly to all members of Ngāi Tahu Whānui for the suffering and hardship caused to Ngāi Tahu, and for the harmful effects which resulted to the welfare, economy and development of Ngāi Tahu as a tribe. The Crown acknowledges that such suffering, hardship and harmful effects resulted from its failures to honour its obligations to Ngāi Tahu under the deeds of purchase whereby it acquired Ngāi Tahu lands, to set aside adequate lands for the tribe's use, to allow reasonable access to traditional sources of food, to protect Ngāi Tahu's rights to pounamu and such other valued possessions as the tribe wished to retain, or to remedy effectually Ngāi Tahu's grievances.
8. The Crown apologises to Ngāi Tahu for its past failures to acknowledge Ngāi Tahu rangatiratanga and mana over the South Island lands within its boundaries, and, in fulfilment of its Treaty obligations, the Crown recognises Ngāi Tahu as the tāngata whenua of, and as holding rangatiratanga within, the Takiwā of Ngāi Tahu Whānui.
9. Accordingly, the Crown seeks on behalf of all New Zealanders to atone for these acknowledged injustices, so far as that is now possible, and, with the historical grievances finally settled as to matters set out in the Deed of Settlement signed on 21 November 1997, to begin the process of healing and to enter a new age of co-operation with Ngāi Tahu."