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## Ngai Tahu Claims Settlement Act 1998

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### Schedule 26 Statutory acknowledgement for Kowai River

Sections 205 and 206

#### Statutory Area

The statutory area to which this statutory acknowledgement applies is the River known as Kowai, the location of which is shown on Allocation Plan MD 114 (SO 19850).

#### Preamble

Under section 206, the Crown acknowledges Te Runanga o Ngai Tahu's statement of Ngai Tahu's cultural, spiritual, historic, and traditional association to the Kowai River, as set out below.

#### Ngai Tahu Association with the Kowai River

The Kowai River once provided an important mahinga kai resource for North Canterbury Ngai Tahu. Traditionally, the river was known for its tuna (eel) and inaka (whitebait), although those resources have now been depleted.

The tupuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the river, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngai Tahu today.

Nohoanga (settlements) were located at points along the length of this river, with some wahi tapu located near the mouth. Wahi tapu are places holding the memories, traditions, victories and defeats of Ngai Tahu tupuna, and are frequently protected by secret locations.

The mauri of the Kowai River 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 Ngai Tahu Whanui with the river.

#### Purposes of Statutory Acknowledgement

Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) To require that consent authorities forward summaries of resource consent applications to Te Runanga o Ngai Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and
- (b) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to the Kowai River, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and

- (c) To empower the Minister responsible for management of the Kowai River or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and
- (d) To enable Te Runanga o Ngai Tahu and any member of Ngai Tahu Whanui to cite this statutory acknowledgement as evidence of the association of Ngai Tahu to the Kowai River as provided in section 211 (clause 12.2.5 of the deed of settlement).

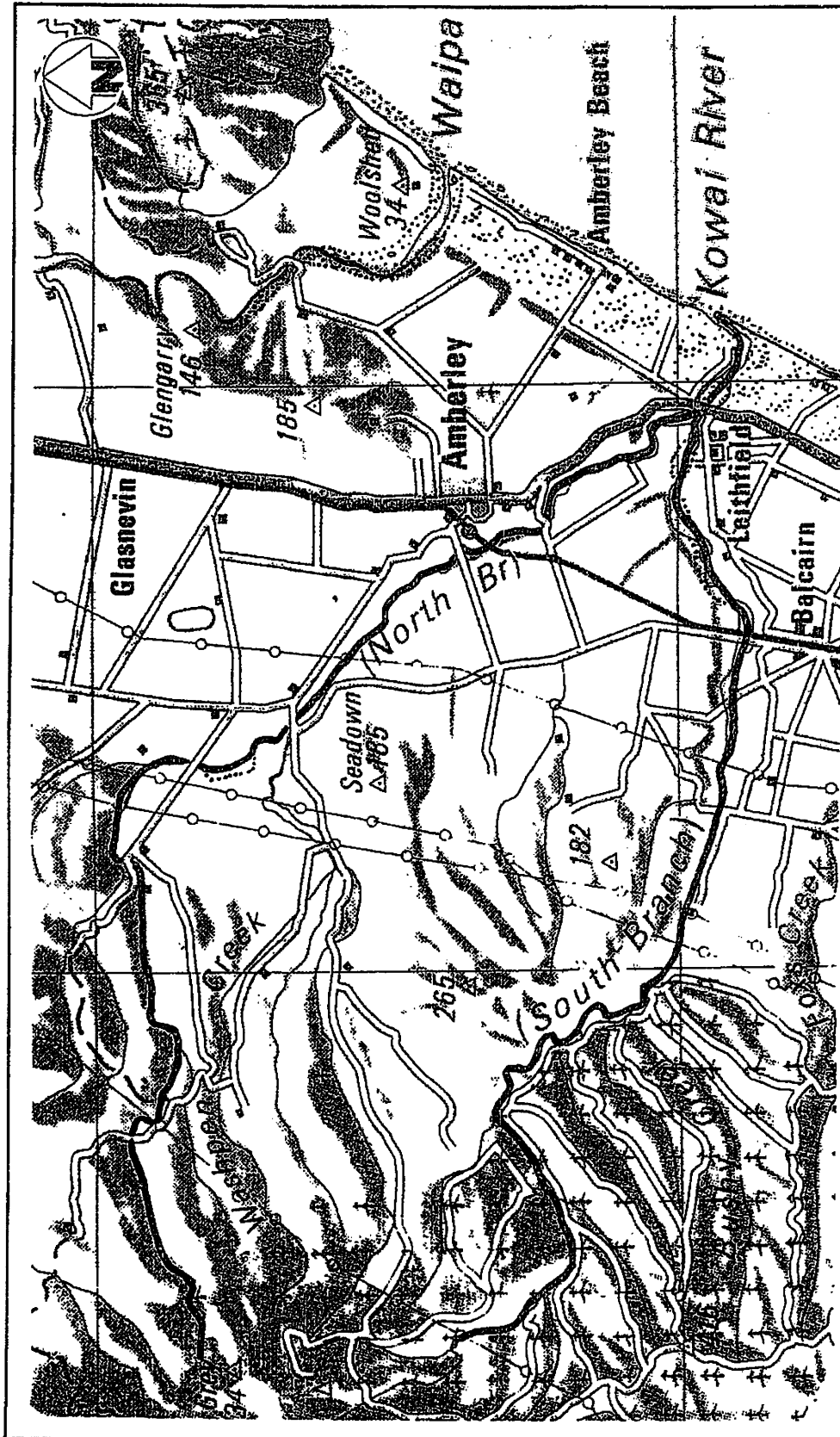
#### **Limitations on Effect of Statutory Acknowledgement**

Except as expressly provided in sections 208 to 211, 213, and 215,—

- (a) This statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and
- (b) Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under statute, regulation, or bylaw, may give any greater or lesser weight to Ngai Tahu's association to the Kowai River (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Kowai River.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, the Kowai River.



Approved as to boundaries:  
 For Te Rūnanga o Ngāi Tahu  
 on behalf of the Crown

21/11/92  
 21/11/92

MD 114

**Kōwai River**

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

Scale of original 1:62500 approx.  
 0 1 2 3 4 km

Canterbury Land District  
 Territorial Authority: Hurunui District  
**Terralink NZ Ltd**  
 Survey Services  
 Christchurch

