



# **Expert Cultural Evidence to Support Section 42A Report: Plan Change 24 – Sites and Areas of Significance to Māori (SASM)**

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## **1. Mihi**

**Mai i te po kei te whai ao ki te ao marama**

From darkness to light

**Kā rere te manu ki te taumata o Aoraki**

The bird fly to the summit of Aoraki

**Kā rere te wairua o te whenua**

The spirit of the land fly's

**Kā rere te wairua o te takata**

The spirit of people fly's

**Tae noa Ki Kati Huirapa Ki Arowhenua**

Up until Kati Huirapa and Arowhenua

**Tihei mauri ora tihei mauri ora**

Behold the sneeze of life.

## **2. Purpose Of Evidence**

1. This evidence is prepared under s42A of the RMA in relation to Plan Change 24 (PC24) (Sites and Areas of Significance to Māori (SASM)) to the Mackenzie District Plan (MDP). The purpose of this evidence is to provide the Hearing Panel with cultural evidence in relation to the SASMs proposed in PC24. This evidence:
  - a) Explains why areas have been identified as SASM.
  - b) Looks at how the SASMs have been described and mapped and why, for example they may appear to apply to areas that have been modified.
2. This evidence is structured to also form my evidence to the Hearings Panel.

## **3. Qualifications and Experience**

3. My full name is Michael George McMillan and through my Mother, I whakapapa to all 18 papatipu rūnaka under the Te Rūnanga o Ngāi Tahu (Ngāi Tahu) tribal banner, including Kati Huirapa. Today, I speak on behalf of Kati Huirapa with the unconditional support of Te Rūnanga o Arowhenua (Arowhenua), Te Rūnanga o Waihao (Waihao) and Te Rūnanga o Moeraki (Moeraki).
4. I am employed as a Cultural Consultant with Aoraki Environmental Consultancy Limited (AECL) who is mandated on behalf of Arowhenua to work in the environmental space. In addition to this role, I am a rūnaka representative on the Upper and Lower Waitaki Zone Committees, and the Central and South Canterbury Biodiversity Advisory Groups. I am also currently the Deputy

Chairperson of the Aoraki Waitaha Conservation Board. In addition to these groups, I am a qualified commercial diver as well as a qualified welder and fabricator.

5. Through my role with AECL, I worked alongside Karl Russell (previous Cultural Consultant with AECL), Mackenzie District Council and Rationale on the drafting and public consultation phases of the Mackenzie Spatial Plans. This work provided a base in which to provide cultural expertise to the AECL planner involved in the drafting of the Plan Changes to the Mackenzie District Plan, particularly the Mana Whenua and SASM chapters. I also contributed along with rūnaka members from Waihao and Moeraki in the cultural mapping for Plan Change 24.
6. Through my whakapapa I have an interest in these proceedings. Notwithstanding my associations, the basis for my evidence and the sources of information that I have relied on are clearly outlined in paragraph nine below, and I consider that this evidence can be relied on as a demonstration of the historical and contemporary relationship of Ngāi Tahu with Te Manahuna/Mackenzie District covered by this Plan Change.
7. This evidence has been prepared in accordance with my knowledge which is informed by the collective mātauranga (knowledge), experiences, beliefs, and mana of Arowhenua, Waihao and Moeraki (collectively known hereon as Ngā Rūnaka). It is with the greatest respect and integrity that I provide this evidence to the Hearings Panel.

#### **4. Scope and Format of Evidence**

8. This evidence is supplementary to the Section 42A report prepared by Mrs Liz White on PC24 to the Mackenzie District Plan relating to SASMs. It does however have relevancy to other Plan Changes that form part of Stage 3 of the District Plan Review (Plan Changes 23, 25, 26 and 27) due to the integrated approach taken to managing sites and areas of significance throughout the Plan.
9. To prepare this evidence, I have considered the following information:
  - a) Waitaki Iwi Management Plan 2019,
  - b) Iwi Management Plan of Kati Huirapa 1992,
  - c) The Section 32 report prepared on Plan Change 24,
  - d) Relevant submissions and further submissions on Plan Change 24, and
  - e) The information on Kā Huru Manu - <https://kahurumanu.co.nz/atlas>.

#### **5. Tribal Structure**

10. Ngāi Tahu is the iwi authority established by the Te Rūnanga o Ngāi Tahu Act 1996 and is recognised as the representative of Ngāi Tahu Whānui.

11. Ngāi Tahu is made up of 18 papatipu rūnaka. Papatipu rūnaka are a contemporary focus for whānau and hapū (extended family groups). Three of these rūnaka share an interest in the Te Manahuna/Mackenzie District.
12. The Crown in 1998 recognised Ngāi Tahu as “the tāngata whenua of, and as holding rakatirataka within, the takiwā of Ngāi Tahu Whānui.” It has been clearly affirmed in statute that Ngāi Tahu is the sole representative of Ngāi Tahu Whānui. In practice, Ngāi Tahu encourages consultation with the Ngā Rūnaka and defers to the views of Ngā Rūnaka when determining its own position.

## **6. Mana Whenua – Ngā Rūnaka**

13. The takiwā of the three Ngā Rūnaka who represent the mana whenua interests in Te Manahuna/Mackenzie District is set out in the Te Rūnanga o Ngāi Tahu (Declaration of Membership) Order 2001.
  - a) Te Rūnanga o Arowhenua: The takiwā of Arowhenua centres on Arowhenua/Temuka and extends from the Rakaia River in the north to the Waitaki River in the south and inland to the Main Divide.
  - b) Te Rūnanga o Waihao: The takiwā of Waihao centres on Wainono, sharing interests with Arowhenua to Waitaki, and extends inland to Ōmārama and the Main Divide.
  - c) Te Rūnanga o Moeraki: The takiwā of Moeraki centres Moeraki and extends from Waitaki to Waihemo and inland to the Main Divide. The interests of Moeraki are concentrated in the Moeraki Peninsula area and surrounds.
14. These three Rūnaka share an interest in Te Manahuna/Mackenzie District. Although they are represented by two separate Rūnaka-owned entities (Aukaha and AECL) they often work together to achieve the outcomes they are seeking. A function of Rūnaka is the high duty of observing faithfully the nature, extent and source of customary rights that underpin authentically the place of mana whenua in Te Manahuna/Mackenzie District.

## **7. Mana Whenua Values: Whakapapa, Rakatirataka, Mana, Kaitiakitaka, and Relationship to Wāhi Tūpuna, Wāhi Taoka, Wāhi Tapu, Wai Taoka and Wai Tapu**

15. To assist with understanding how the Sites and Areas of Significance to Māori were identified, I will start with how four key values or concepts drive mana whenua’s desire to protect the wāhi tupuna, wāhi taoka, wāhi tapu, wai taoka and wai tapu values as an essential duty: whakapapa, rakatirataka, mana, and kaitiakitaka.
16. The introductory Mana Whenua Chapter (Plan Change 20) tells the stories of our people in this district, from the creation narratives through to the waves of arrivals of the Kāi Tahu, Ngāti

Māmoe, Rapuwai, Hawea and Waitaha who occupied this place; therefore, I do not feel it is relevant to repeat this again today.

17. For mana whenua, our mana is interconnected to our mauka, awa, roto, whenua (mountains, rivers, lakes and land), to our tūpuna who walked these lands, and who left their mark in the placenames, camp sites and tradition of mahika kai. Mana can be lost. The leading Ngāi Tahu chiefs always took wives who could claim Kai Tahu and Waitaha (and often Kāti Māmoe) descent, to illustrate length of association and connection to the first people. It is their descendants who are mana whenua, who uphold the mana of the land today.
18. Kaitiakitaka is the practical expression of rakatirataka. It involves the exercise of customary authority over the way a resource is used, managed, and protected. As mana whenua, Ngā Rūnaka have the responsibility for exercising kaitiakitaka in Te Manahuna/Mackenzie District. Kaitiakitaka is a widely used term, first penned in the Resource Management Act 1991, but based on the traditional concept of 'kaitiaki', that functioned as follows:
  - a) There were a range of demi-gods responsible for the different components of nature such as Tāne god of the forests, Takaroa for the water and things living in it, Tāwhirimātea god of the elements, and many more. All demi-gods were acknowledged generally by words of prayer by those taking a tree or going fishing or when travelling for instance. The first fish caught was normally returned to the water, in deference to the kaitiaki.
  - b) There were also those signs to be read in the environment, which manifest in a range of forms, such as an animal, fish or the seasonal appearance of a certain species that was the signal to take or to stop taking a resource.
  - c) There were also powers of protection, by placing in the environment or on a person, an inanimate object by ceremonial process, to act as a mauri for protective purposes, to absorb harmful forces or deflect same.
19. Post-contact, the traditional 'kaitiaki' functions have in the main been taken up by people, i.e. mana whenua who have adapted old customs to address new challenges in the new world of commerce, law, environmental change, and new peoples who do not understand traditional ways. Kaitiakitaka is intergenerational, and in this context, it is the responsibility to care and look after our environment handed to us by our ancestors for tomorrow's generation – our children and grandchildren.
20. In summary, kaitiakitaka is a responsibility to take action in respect of activities that might be about to occur, to assess their impact and make comment to the appropriate authorities, to influence the way those activities may occur or may not occur. It is being part of and taking into account of that kinship relationship with the whenua. We have a responsibility to speak up about these cultural associations and values to express kaitiakitaka. In this way we are giving respect to and being responsive to those values. That is our duty. We seek to continue to build the effectiveness of being kaitiaki, generation by generation.

## 8. Identifying and Protecting the Cultural Landscape

21. As you have heard, the Te Manahuna/Mackenzie Basin landscape is the cradle of our creation stories. The imagery speaks of the footsteps of our tūpuna, tells us where they lived and camped and caught mahika kai. The place names also talk of these stories of our people. There is not a lot known about the Waitaha and Mamoe people, so our memories are what is left in the landscape, the way it looks, what it provides and how it reposes.
22. Our traditions are in the landscape. It's like a book to us, the names, the stories, the traditions. All these things combine to narrate the story of connection and association. The land is part of Papatūānuku. It still has water running through it, it keeps on giving in terms of how we relate to this place. The way we talk about these things on wānanga and hui (meetings) or hīkoi (journeys/walks) are strong stimuli in terms of the way the land speaks to us about the past, our heritage, our kōrero, it is so important going forward for us and future generations.
23. There is a kinship connection here in terms of our traditions. Even in the current generation, families who come here for holidays, they each have kōrero about these traditions. It embeds the kōrero in the minds and thoughts of each generation. It's important to repeat these stories to build the connections.
24. In European cities people have fabulous cathedrals or museums that embody and represent much of what is important and celebrated by those societies. To us, mana whenua, the landscape itself, lakes, mountains and prominent landscapes evoke a spiritual power, the tabernacle of the fabulous stories our tūpuna placed on the landscape of Te Manahuna/Mackenzie District. The defacing of such wāhi tūpuna through activities that are not appropriately managed, such as earthworks, indigenous vegetation removal, and the introduction of certain agricultural practices, represents a gross breach of our mana whenua values and associations, and mocks our descendants, and further reduces ancestral connections.
25. The recognition of significant cultural landscapes is imperative. A cultural landscape is one that is characterised not only by its natural and physical aspects, but also by its place names and associated traditions and events that bind us to it. The cultural landscape is a part of us, both the tangible and intangible. These cultural landscapes evoke whānaukata (kinship) that links creation traditions with whakapapa, underpinning our mana whenua status, and giving body to our kawa and tikaka. Such ancestral landscapes are wāhi taoka that transcend the generations.
26. As mana whenua, we continue in our endeavour to exercise this duty of kaitiakitaka to the full extent by working with developers and landowners in a consultative manner to ensure inappropriate development that would have an adverse impact on the unique biodiversity and landscape of Te Manahuna/Mackenzie Basin does not occur; participating in local government strategic planning and policy, working with other Rūnaka and Mackenzie District Council on joint projects such as Te Manahuna Aoraki; and developing our own iwi resource management plan.

Without the wāhi tūpuna mapping and provisions to guide Council about the location of our significant places, their values and the activities that could threaten them, Council cannot support us to protect them, and we cannot fulfil our kaitiaki role. The wāhi tūpuna mapping is a way for us to exercise kaitiakitaka over our important sites and landscapes. It will help us maintain our connection with these landscapes for generations to come.

## **9. Mapping Sites and Areas of Significance – The Process**

27. The wāhi tūpuna, wāhi taoka, wāhi tapu, wai taoka and wai tapu sites identified through the SASM mapping in PC24 are encapsulated as part of the treasured ancestral landscape. As I have said, it is our duty as kaitiaki to care for them and pass them on to future generations in a state that retains the central characteristics of what made them special to mana whenua. Te Manahuna/Mackenzie District is our home, our whenua. It was, and remains a source of identity, rest, and restoration physically, culturally, and spiritually for mana whenua.
28. We have lost many values across Te Manahuna/Mackenzie District through inappropriate land use change and development that impacts on the direct physical relationship mana whenua have with our ancestral landscape. The emphasis should be placed on strongly protecting what remains.
29. We took the same approach to mapping SASM in PC24 and in the way that mana whenua values are captured throughout the Mackenzie District Plan (MDP) rather than restricting the values to PC24. The purpose of the mapping is to identify areas within which a cultural assessment is triggered, when resource consents are required to identify potential 'threats' to mana whenua values. This generally brings Ngā Rūnaka into the resource consenting process as a Treaty Partner rather than just an affected party.
30. Given the integrated way in which mana whenua see the landscape there is a difficulty for mana whenua in mapping individual areas and sites. Cultural sites and areas of significance are not defined by territorial authority boundaries, property boundaries, roads, or topographical lines on a map. The cultural landscape instead provided memory maps of ancient trails through Te Manahuna/Mackenzie District and important links to freshwater ecosystems that were essential for gathering and harvesting mahika kai, providing drinking water and the transporting and trading of goods.
31. There have been many changes to the landscape of our ancestors. It can be hard to reconcile how land is used and viewed now with how it was used and viewed. But for mana whenua, it does not change the significance of the site to us, just how it may be interacted with. When looking at landscapes, mana whenua must consider that some of the wāhi tūpuna, wāhi taoka and wāhi tapu have been compromised. Some sites have been damaged or destroyed and some of those that have survived exist in a landscape that has been modified in terms of the site's functioning or setting. Despite this, wāhi tūpuna, wāhi taoka and wāhi tapu remain significant to mana whenua today.



32. Ngā Rūnaka worked closely with Mackenzie District Council to identify and map areas and sites that were classified as wāhi tupuna, wāhi tapu, wāhi taoka, wai taoka and wai tapu - values specifically chosen through the Spatial Plan exercise and the initial drafting stages of the Mackenzie District Plan Review (MDPR) and set out in the now operative Mana Whenua Chapter (in Part 1 – Introduction and General Provisions).
33. Having been directly involved in the identification and mapping process, I can confirm that the SASM were identified using the Kā Huru Manu website, historical written records and the knowledge of Kaumatua, Kaitiaki and Ūpoko<sup>1</sup> from Ngā Rūnaka. Following the initial identification and mapping process, Kaumatua, Kaitiaki and Ūpoko from Ngā Rūnaka met at the office of AECL to discuss mapping complexities and confirm areas, sites and their location. Ngā Rūnaka through AECL then worked closely with GIS Consultants contracted by Mackenzie District Council to refine boundaries of SASM using common topographical lines, roads, ridgelines, riverbanks, and lake edges. The reason for this is expanded on further below.
34. The identification and mapping process does not “introduce” new sites and areas of significance to mana whenua, rather the process provides a way to formally identify existing sites and areas of significance and recognise these in a statutory document such as the MDP. I would note here that there is a tension for mana whenua to identify their sites and make this information public, risking for example, māori rock art and silent file area being damaged.
35. The information recorded on Kā Huru Manu, the Ngāi Tahu cultural map database was first collated by Kaumatua, Kaitiaki and Ūpoko from across the Ngāi Tahu takiwā as part of the Waitangi Tribunal Claim process. This database is a public database which records traditional place names and associated stories that went on to be recorded in the Ngāi Tahu Claim Settlement Act 1998. This mapping shows sites agreed by Ngā Rūnaka to be made public.
36. Arowhenua also has its own database and mapping which captures additional information for Arowhenua – this is not public, and I cannot share it here. What I can say is that it expands on the information that is recorded on the Ka Huru Manu, showing specific locations for mahika kai, pa sites, battle grounds and urupā. The information for the sites identified in the schedules and mapped in the MDP EPlan contain information from both the Kā Huru Manu and the Arowhenua database with the descriptives of what the sites are.
37. Due to the complexity of the mapping of individual sites and areas, it was prudent for mana whenua to ascertain a common boundary technique that could be applied generically within an EPlan setting and to provide certainty to landowners and plan users as to whether a site was located within a SASM overlay or not. In order to fit a mana whenua mind-set into a European planning regime, key mountains were identified and the setting in which the mountain was

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<sup>1</sup> Ūpoko is the Appointed Traditional Leader. Mr Tewera King is Ūpoko for Te Rūnanga o Arowhenua and Te Rūnanga o Waihao, and Mr David Higgins is the Ūpoko for Te Rūnanga o Moeraki.

located determined how the mountain was mapped. For those mountains that formed part of a mountain range, the entire range was mapped whilst for those individual mountains that sit within Te Manahuna/Mackenzie Basin, such as Te Kohai/Simons Hill, just the mountain was mapped. Mapping the extent of the mountain was determined by a consistent contour line that matched key geographical features such as roads, rivers/streams and fence lines. In terms of lakes, these were mapped to the exterior lake edge whilst rivers and streams were mapped by a line along the middle of the riverbed.<sup>2</sup>

## 10. High Level Response to Submissions

38. I would like to respond to several matters that were raised within the submissions and further submissions received by Mackenzie District Council. Mana whenua have reflected on the submissions and further submissions, particularly those that have questioned the need to identify SASM and whether mana whenua are the appropriate people to be involved in their management and protection. Mrs Liz White will discuss details further in her evidence, but I will address these at a high level.
39. The SASM layer reflects our cultural paradigm in terms of our histories, uses, traditions, naming of features and how we relate to our landscape. The mapping provides a cultural context for our values in the district planning framework.
40. Mana whenua consider the whole of Te Manahuna/Mackenzie District to be ancestral land and culturally significant. The broad mapping of the wāhi tūpuna, wāhi taoka and wāhi tapu sites more accurately reflects the holistic way mana whenua relate to and think about their relationship with the tribal landscape. The maps reveal the breadth of our cultural connection with the landscape.
41. Our associations are much broader than discrete sites. It is incomprehensible that mana whenua would try and talk about their story by placing dots on maps. That is a reductionist approach to looking at values. For example, an archaeological site will contain items, but what we are talking about is the kōrero which goes with a place and that blankets a place like a korowai (traditional cloak), overlays it, which does not have strong boundary lines. If you approach it at a site level you are getting a limited snapshot, it does not do it justice or give it context. The storybook that mana whenua carried in memory, the nature of an oral culture, has a sweeping grandeur that imprints itself on memory.
42. There's a cultural difference in the way mana whenua relate to landscape. It's more like layers. There are layers upon layers across the landscape, and at a landscape level mana whenua talk

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<sup>2</sup> I understand that in the EPlan maps, there are some instances of the mapped areas not being along the middle of the riverbed. This matter is addressed by Mrs White, but I confirm here that the intent was to identify the river generally, rather than try to map a specific extent.

about mountains, lakes, rivers. Mana whenua have worked alongside Council to undertake the SASM mapping and we've reduced it as best we can without losing its effect. Our traditions do not take to being constrained very well.

43. The SASM maps are also intended to convey information to the public on our landscapes of significance. People wanting to carry out activities in these areas will know what our values are at an early stage, by looking at the MDP. This means there are no surprises, and consultation will be triggered. It also ensures that activities that may have adverse effects on mana whenua values can be avoided or at least mitigated.
44. The extent of the SASM layer is clearly defined in the EPlan. Some submissions have requested that the SASM layer be remapped to avoid certain areas on properties, properties entirely, or only to allow mapping to occur once agreement has been met with landowners, but the maps show where our values lie.
45. With this in mind, I will explain why Māori Rock Art, rivers (awa) and their surrounds, and mountains (mauka) have been mapped and the significance of these features.

### **9.1 Māori Rock Art**

46. As kaitiaki for māori rock art, the Ngāi Tahu Māori Rock Art Trust is charged with working with Ngāi Tahu and Ngā Rūnaka to manage these taonga. I am not an expert in what is needed to protect māori rock art, but I can talk about how it fits into the landscape.
47. Half a millennium ago the valleys of the Waitaki, Te Ana a Wai/Tengawai, Opihi, and Opūaha/Opuha Rivers were well-trodden seasonal hunting and fishing routes between the South Island's East Coast and West Coast and to the alpine lakes located within the Te Manahuna/Mackenzie Basin.
48. The outcrops where most rock art is found occupied strategic positions approximately one day apart (walking distance). Often located near natural springs, waterways and wetlands, the rock art depicted the cultural landscape (Ki Uta Ki Te Tai) and the mahika kai (plant, fish and bird species) found in abundance at the location in which individuals and groups could harvest. The conspicuous limestone caves and overhangs also gave welcome shelter on cold southern nights, and in some cases provided viewing points to allow advance warning of the approach of strangers or bad weather.

### **9.2 Awa / Rivers and their Surrounds**

49. Like māori rock art, rivers (awa) form part of the cultural landscape. The Ōpūaha/Opuha River, for example, has been identified as a SASM by Arowhenua because of the role the awa (river) played in the traditional economy and cultural identity of Arowhenua. Waterbodies such as the Ōpūaha/Opuha River and Ōpihi were principal travel routes from Arowhenua Marae close to Temuka to the rich kāika mahika kai of Te Manahuna/Mackenzie Basin. This ancient trail followed significant mahika kai resources so food and water could be gathered and consumed

by tupuna during their journeys. Some seasonal food was also traditionally gathered and processed so that it could be traded with other Rūnaka passing through the takiwā. Having the Ōpūaha/Opuha River recognised as a significant site and area within the District Plan ensures the footprints, traditions and tikaka of past tūpuna who once navigated this route are recognised and the values of these to mana whenua protected.

50. For Te Rūnanga o Arowhenua, connections and values associated with a place or area are retained through traditional activities and the passing on of knowledge to younger generations. The Ōpūaha/Opuha River is significant to Te Rūnanga o Arowhenua because the awa connects Rūnaka with their tūpuna (ancestors) and spiritual practices (tikaka). The practice of tikaka and the passing on of knowledge and customs has continued despite the construction of a dam and/or a downstream weir retention pond. It is only now that Arowhenua has had the opportunity to partake in a statutory process that recognises the cultural significance and connection with specific areas within the Arowhenua takiwā; the changes to the awa do not diminish the reason it is significant to us.

### **9.3 Mauka / Mountains**

51. The Grampian Mountain Range (no Māori name), Te Pā-o-Kāti-Kuri/Mount Maggie, Ōtūpaka/Mary Range, and Te Kohai/Simons Hill are all significant mauka/mountains in Te Manahuna/Mackenzie Basin. Mauka in the high country served as memory maps to the many Ngāi Tahu trails and mahika kai gathering areas that spread across Te Manahuna/Mackenzie District. The smaller mauka provided Ngā Rūnaka with a sense of safety and protection as well as a source of kai. Being able to position oneself at higher location provided Ngā Rūnaka with the ability to view the basin and see other iwi/tribes approaching in the distance. This ability to view potential threats provided Ngā Rūnaka the opportunity to be ready for battle. This connection to the historical importance of Mauka is important to one's identity and is referred to during formal speeches on the marae.

## **11. Conclusion**

52. I am sure that you now have a greater understanding of the strong cultural relationship that mana whenua holds for the landscape of Te Manahuna/Mackenzie District. I have described some of the locations of our māori rock art, rivers (awa) and mountains (mauka). I have also shown that generations of Ngāi Tahu Whānui have continually used these places and waterways and have fought to preserve, restore, and enhance our cultural relationship with them. Lastly, I have also set out the process in which the SASM were identified and mapped to explain the breadth of our cultural connection with the landscape.
53. It is the responsibility of this generation to continue the work of our tupuna to ensure that the cultural and historical association that Ngāi Tahu Whānui holds for these places are protected and preserved for our future generations – mō tātou, ā, mō kā uri ā muri ake nei (for us and our children after us).