



TE POHA O TOHU RAUMATI

Te Rūnanga o Kaikōura Environmental Management Plan
Te Mahere Whakahaere Taiao o Te Rūnanga o Kaikōura



2007

MIHI



Tēnā koutou katoa

E ngā karangatanga e maha he hari anā tēnei mihi atu ki a koutou i runga tonu nei i ngā ahuatanga o te tika me te pono o tēnei kaupapa manāki taonga ā whenua, ā wai māori, ā wai tai.

He kaupapa nui whakaharahara te mahi ngātahi tēnei iwi me ngā iwi katoa e nohonoho nei ki tō matou takiwā.

Heoi anō i runga i te peha o tōku tupuna Nōku te kori, kia kori mai hoki koe ka whakatau te kaupapa.

Ko Tapuae-o-Uenuku kei runga hei tititreia mō te iwi

Ko Waiau toa kei raro i hono ai ki tōna hoa ki te hauraro ko Waiau Uha

Ko Te Tai o Marokura te moana i ū mai ai a Tūteurutira kia tau mai ki tō Hineroko whenua i raro i Te Whata Kai a Rokohouia

Ko tōna utanga he tāngata, arā ko ngā Tātare o Tānemoehau

Ā, heke tātai mai ki tēnei ao

Mā tātou anō ngā awa me ngā awaawa, me ngā hiwi, me ngā toropuke, me ngā maunga, me ngā awanunui kei runga i a Kaikōura whenua e tiaki, e atawhai.

Ko Takahanga te marae

Ko Maru Kaitātea te whare tipuna

Ko Ngāti Kuri te hapū

Ko Ngāi Tahu te iwi

Tēnā koutou katoa

To all peoples it is with pleasure we greet you with the best of intentions regarding this important issue of caring for our land, our inland and coastal waterways.

It is equally important that our people work with all others that share our tribal territory.

Therefore we acknowledge the saying that was uttered by our ancestor, if I move then so should you and lay down this document for your consideration.

Tapuae-o-Uenuku is above as a chiefly comb for the people

Waiau toa is below also joining with his partner further south Waiau Uha

Te Tai o Marokura is the ocean crossed by Tūteurutira where he landed upon the shore of the land of Hineroko beneath the lofty food gathering cliffs of Rokohouia

His cargo was people the brave warriors of Tānemoehau

The descendants have remained to this time.

It is now up to us to protect and care for the rivers, valleys, hillocks, ridges, mountains and broad, braided rivers upon the lands of Kaikōura.

Takahanga is the marae

Maru Kaitātea is the ancestral house

Ngāti Kuri is the hapū

Ngāi Tahu is the iwi

WAIATA



Mā te Raupō
Whirinaki o Tapuae o Uenuku
E tu wānanga
Kakahuia te wehi
Putea te wāhi katoa
Mairo Mairo
Tupato Kakahuia
Aue Aue
Nāna te Roimata
Nei ana he Waiautoa
Neke atu waiora
Te Tai o Ngāti Kuri
Hapai te Whenua
O Tuturu Māori

*The many bonds that
strengthen Tapuae o Uenuku
give credence to creation
within its abundant bounty.*



This plan is an Iwi Environmental Management Plan. It is a statement of Ngāti Kuri values and policies in regard to natural resource and environmental management in the Te Rūnanga o Kaikōura takiwā. The plan is a means for tangata whenua to carry out their role as kaitiaki and rangatira over their ancestral lands and taonga.

Te Rūnanga o Kaikōura is the administrative council of Ngāti Kuri. Te Rūnanga o Ngāi Tahu is the tribal representative body of Ngāi Tahu Whānui and a recognised iwi authority. This plan is recognised by Te Rūnanga o Ngāi Tahu, as the Te Rūnanga o Kaikōura Environmental Management Plan 2005 and as an iwi planning document.

The Resource Management Act (RMA) 1991 sections 61, 66, and 74 make specific reference to iwi planning documents recognised by an iwi authority. As such, this document is applicable to the planning processes undertaken by district and regional councils.

The plan is not intended as a substitute for consultation with Te Rūnanga o Kaikōura. Rather it is a document that provides a basis for understanding Rūnanga values and policy related to natural resource and environmental management.

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**Te Mahere Whakahaere Taiao o
Te Rūnanga o Kaikōura**

**Te Rūnanga o Kaikōura
Environmental Management Plan**

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To our tamariki thank you for providing the incentive to do all this in the first place.

Kia mau koe ki nga kupu o ou tupuna – Hold fast to the words of our ancestors.

Toku toa, he toa rangatira – My bravery is inherited from the chiefs who were my forebears.

Mā te tuakana ka totika te teina, mā te teina ka tōtika te tuakana – A younger sibling is kept in check by an older sibling and vice versa.

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Waiho I te toipoto, Kaua I te toiroa – Let us keep together not far apart.

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*He iti te toki e rite ana kit e tangata.
A little adze can do as much work as a man.*



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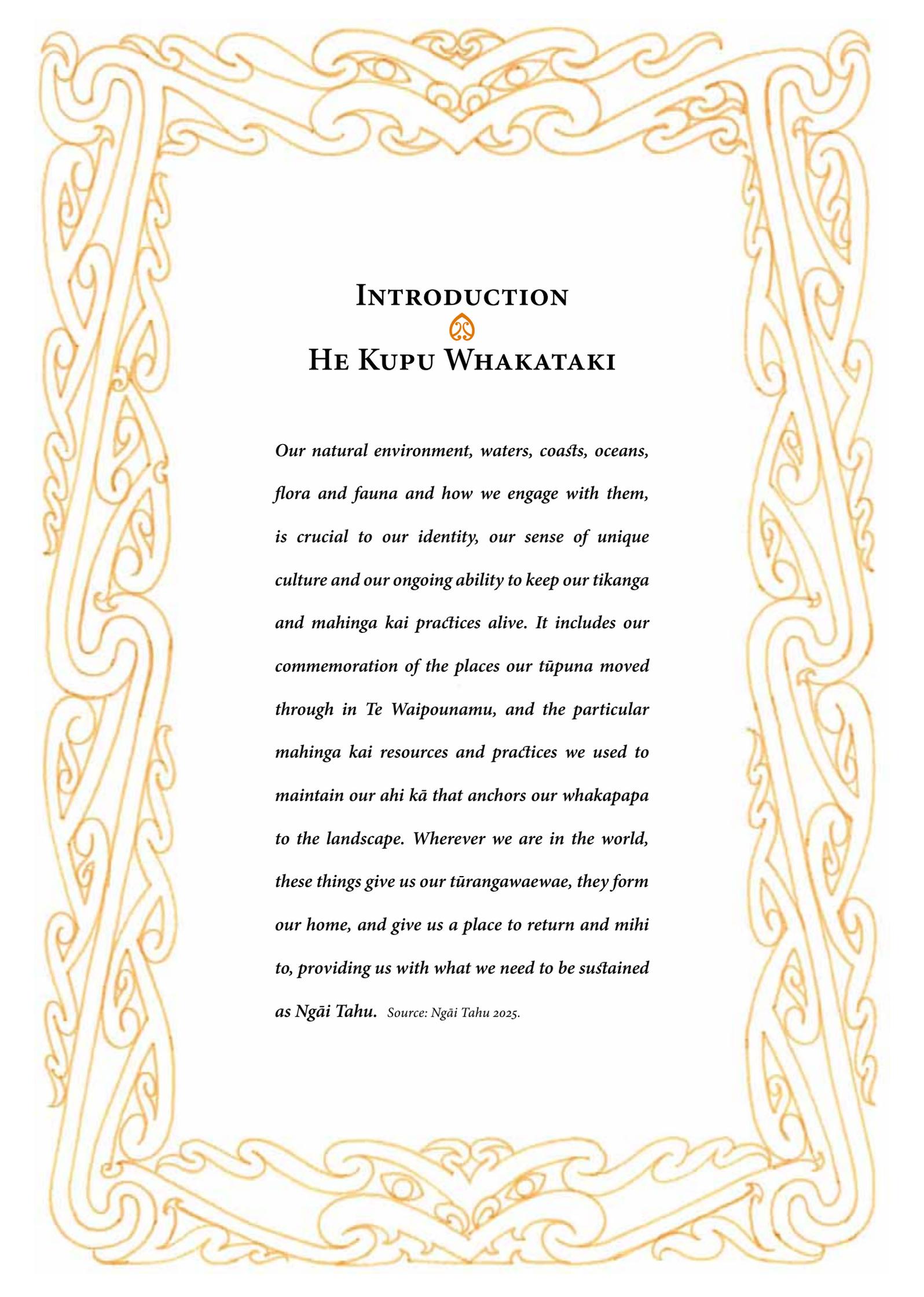
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INTRODUCTION



HE KUPU WHAKATAKI

Our natural environment, waters, coasts, oceans, flora and fauna and how we engage with them, is crucial to our identity, our sense of unique culture and our ongoing ability to keep our tikanga and mahinga kai practices alive. It includes our commemoration of the places our tūpuna moved through in Te Waipounamu, and the particular mahinga kai resources and practices we used to maintain our ahi kā that anchors our whakapapa to the landscape. Wherever we are in the world, these things give us our tūrangawaewae, they form our home, and give us a place to return and mihi to, providing us with what we need to be sustained as Ngāi Tahu. Source: Ngāi Tahu 2025.

Part 1: INTRODUCTION HE KUPU WHAKATAKI



1.1 INTRODUCTION *HE KUPU WHAKATAKI*

Natural resources are ngā taonga tuku iho – treasures of the people handed down by our ancestors. The air, mountains, forests, lakes, rivers, coast, sea, and indigenous biodiversity have been left by our ancestors to sustain life for the generations that follow. It is the responsibility of the present generation, the kaitiaki, to ensure that such resources are protected, *mō tātou, ā, mō kā uri ā muri ake nei*, for us and our children after us.

As part of this kaitiaki responsibility, Te Rūnanga o Kaikōura has developed the Te Rūnanga o Kaikōura Environmental Management Plan 2005. The plan provides a framework for the Rūnanga to effectively apply tangata whenua values and polices to natural resource and environmental management in the takiwā (largely within Resource Management Act 1991 and Conservation Act 1987 processes).

This name of this plan is *Te Poha o Tohu Raumati*, after a sacred kelp bag that once contained the first fruits and the choicest foods from the lands and the sea at Kaikōura. The *poha* was emblematic of the knowledge and mana of the people of Kaikōura, and the wealth of the region's food supplies. Whoever held the sacred poha held authority over Kaikōura.

At a great ceremony, our ancestor Maru Kaitātea stepped forward from the others to hold the poha. He ate a small amount of its contents, thus overcoming the tapu of the bag and demonstrating his mana over the Kaikōura area.

By naming our plan *Te Poha o Tohu Raumati*, we are acknowledging the knowledge and the mana of Ngāti Kuri today. We see this plan as a symbol of our shared commitment to protecting and restoring the health of the land, water, mahinga kai and biodiversity of the takiwā. Just as Maru stepped forward to demonstrate his mana, we are stepping forward as kaitiaki, to ensure that our environmental mahi today honours the past, and ensures the future.

*We not only inherit the land and sea from our ancestors;
we borrow them from our children.*



1.2 MANAWHENUA

Ngāti Kuri are the tangata whenua who have manawhenua and manamoana in the area covered by this plan. Manawhenua and manamoana are determined by whakapapa, and confer customary authority. The manawhenua and manamoana status of Ngāti Kuri comes from continuous land use and occupation of the Kaikōura area.

Takahanga Marae is the standing place for Ngāti Kuri. The marae is located on the original site of the ancient Takahanga Pā overlooking the Kaikōura township. It was developed in the 1980's and the Wharenui (meeting house) officially opened in January 1992. The Marae has traditionally been, and continues to be, the place where Ngāti Kuri, as tangata whenua, gather to kōrero and dialogue with others.

Te Rūnanga o Kaikōura is the modern day representative of the hapū Ngāti Kuri. Te Rūnanga o Kaikōura are a Papatipu Rūnanga of Ngāi Tahu Whānui, recognised in the First Schedule of the Te Rūnanga o Ngāi Tahu Act 1996. Te Rūnanga o Ngāi Tahu represents the tribal collective of Ngāi Tahu Whānui, and was established by the Te Rūnanga o Ngāi Tahu Act 1996 to give legal identity to the tribe.

In this role, Te Rūnanga o Kaikōura has a responsibility to protect the natural resources, mahinga kai, and other values of the takiwā for the benefit of those people of Ngāi Tahu descent who have customary interests in the takiwā. 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.

All matters relating to natural resource and environmental management in the takiwā are to be directed to Te Rūnanga o Kaikōura, as the representative body of Ngāti Kuri, the tangata whenua who have manawhenua in the takiwā.



Photo: **Takahanga Marae:**
Our Wharenui carries the name
Maru Kaitātea.

1.3 PURPOSE OF THE PLAN *NGĀ TAKE O TE MAHERE*

This Environmental Management Plan is a written statement that consolidates Ngāti Kuri values, knowledge and perspectives on natural resource and environmental management issues. It is an expression of kaitiakitanga.

While the plan is first and foremost a planning document to assist Te Rūnanga o Kaikōura in carrying out kaitiaki roles and responsibilities, it also recognises the role of communities in achieving good environmental outcomes and healthy environments, and thus is designed to assist others in understanding tangata whenua values and policy.

The purpose of the plan is to:

- (a) Describe the values underpinning the relationship between Ngāti Kuri and the natural environment;
- (b) Identify the primary issues associated with natural resource and environmental management in the takiwā, from the perspective of Ngāti Kuri;
- (c) Articulate Te Rūnanga o Kaikōura policies and management guidelines for natural resource and environmental management, consistent with Ngāti Kuri values;
- (d) Provide continuity between the past (those that came before us), the present (our natural resource mahi today), and the future (those that will come after us).

Further, this plan provides a tool to:

- (e) Enable Te Rūnanga o Kaikōura to effectively and proactively apply Ngāti Kuri values to the management of natural resources, wāhi tapu and wāhi taonga.
- (f) Assist local, territorial and national authorities to understand Ngāti Kuri values and perspectives, and fulfil their statutory obligations under the Resource Management Act 1991, Conservation Act 1987 and other environmental legislation.

1.4 KAUPAPA OF THE PLAN *KAUPAPA O TE MAHERE*

The kaupapa of the plan is *Ki Uta Ki Tai* – from the Mountains to the Sea. The philosophy of *ki uta ki tai* is used by Ngāi Tahu Whānui to describe an overall approach to natural resource and environmental management. It is about an indigenous understanding of the environment that can be used to help address the wide range of issues Rūnanga face with regards to environmental management. *Ki uta ki tai* is based on the idea that if the realms of Tāwhirimātea, Tāne, Papatūānuku and Tangaroa are sustained, then the people will be sustained. The kaupapa reflects the knowledge that resources are connected, from the mountains to the sea, and must be managed as such.

1.5 METHODOLOGY *NGĀ TIKANGA WHAKAHAERE*

The process of developing this Plan was as important to us as the outcome we achieved. Developing the plan gave us a forum to discuss our values and philosophies, and how we could translate those values and philosophies into policies for positive environmental outcomes. It gave us an opportunity to work together on an kaupapa that unites us all.

The development of the Te Rūnanga o Kaikōura Environmental Management Plan 2005 began in February 2004, and occurred in five stages:

Stage 1: Planning

The overall purpose, organization and content of the Plan was decided at a planning hui held at Takahanga Marae in February 2004. This was an open hui, with a high level of participation from Rūnanga members. Brainstorming workshops identified key issues, places, sites of significance and kaupapa associated with the major catchments and landscape areas in the takiwā.

Stage 2: Consolidating Ngāti Kuri knowledge and perspectives

The process of bringing together Ngāti Kuri knowledge and perspectives involved both a review of existing Rūnanga policy and planning documents, and a consultative process with tangata whenua.

- (a) Review of existing information: All natural resource and environment related information in the Marae office was reviewed to identify and compile Rūnanga policies. This included Rūnanga responses to consent and concession applications, submissions to regional and district planning processes, correspondence, hui minutes, hearing and submission files, specific project information, Cultural Impact Assessment reports, Tangata Whenua Values reports, and other technical reports prepared by the Rūnanga.
- (b) Consultative process: Interviews and hui were conducted with Rūnanga members about resources and values of significance in the takiwā, and about issues of concern relating to management of resources.

Stage 3: Reviewing draft plan

A first draft of the plan was completed in May 2004, and sent to Rūnanga members for review. In the months that followed, meetings were held to discuss, review and revise each section of the Plan. The review process enabled the identification of information gaps, and ensured that the plan was materialising in a way that captured tangata whenua perspectives and aspirations. Following the review, further research and information gathering was undertaken, including interviews and site visits. New policies were developed where necessary.

Stage 4: Finalising the plan

In November 2004 a second draft of the plan was completed and sent out to Rūnanga members for review. An invitation was also extended to Kaupapa Taiao, Te Rūnanga o Ngāi Tahu, to review the document. Work continued to revise and enhance the plan.

Stage 5: Formalising the plan

In April 2005 Te Rūnanga o Kaikōura approved moving into the final stages of formalising *Te Poha o Tohu Raumati*. The plan was sent to Te Ngāi Tūāhuriri Rūnanga and Te Rūnaka o Kāti Waewae, as neighboring rūnanga, for endorsement of those parts of the plan relevant to areas of shared interest. In June 2005 the plan was officially endorsed by Te Rūnanga o Kaikōura, and in August 2005 it was endorsed as an iwi planning document by Te Rūnanga o Ngāi Tahu, the iwi authority.

The process we followed to develop our plan provided numerous benefits. In producing the plan, we had an opportunity for our Rūnanga to understand policy development and process. We had a forum to discuss values and philosophies; one that gave us the confidence to have rigorous debate and make hard decisions. Lastly, but probably most importantly, producing our plan provided an opportunity for us to focus on a kaupapa that in turn united us – hence, a true and robust mandate has been achieved.

Raewyn Solomon, Te Rūnanga o Kaikōura

1.6 INTELLECTUAL PROPERTY *MANA WHAKAIRO HINENGARO*

All knowledge of Ngāti Kuri and Te Rūnanga o Kaikōura is the intellectual property of Ngāti Kuri and Te Rūnanga o Kaikōura. Te Rūnanga o Kaikōura reserves the right to use and make public parts of this knowledge, as deemed appropriate. Only certain kinds of information are included in this plan; additional customary knowledge is withheld, recognising that this is a public document. Use of the information in this plan by any party other than Te Rūnanga o Kaikōura does not infer comprehensive understanding of the knowledge, nor does it infer implicit support for activities or projects in which this knowledge is used.

1.7 RELATIONSHIP WITH OTHER PLANS AND POLICY *TE HONONGA KI ĒRĀ ATU MAHERE ME NGĀ KAUPAPA ATU ANŌ*

The Te Rūnanga o Kaikōura Environmental Management Plan 2005 will function as part of a larger network of tribal, district and territorial planning documents.

The plan is intended for use alongside Te Rūnanga o Ngāi Tahu tribal policy, including the Te Rūnanga o Ngāi Tahu Freshwater Policy (1999) and other Ki Uta Ki Tai tribal policy development. For all matters within the takiwā of Te Rūnanga o Kaikōura, this plan takes precedent over previous Rūnanga policy and Te Whakatau Kaupapa (1990), in the case of any inconsistency.

Sections 61 (2A), 66 (2A) and 74 (2A) of the Resource Management Act direct regional councils and territorial authorities to take into account any relevant planning documents recognised by an iwi authority when preparing or changing policy statements, and regional and district plans respectively.

1.8 HOW TO READ THIS PLAN *ME PĒHEA TE PĀNUI TIKA I TE MAHERE NEI*

The Plan is divided into four parts:

Wāhi Tuatahi | Part One

He Kupu Whakataki: Introduces the purpose, scope and organization of the plan, and identifies desired outcomes.

Wāhi Tuarua | Part Two

Kaitiakitanga: Provides the context for the plan: the history and identity of Ngāti Kuri and Te Rūnanga o Kaikōura, and the key concepts and values related to natural resource and environmental management.

Wāhi Tuatoru | Part Three

Ngā Kaupapa: Sets out ngā take (issues) and ngā kaupapa (policies) associated with natural resource and environmental management.

Part 3 of the plan, *Ngā Kaupapa*, is divided into seven sections. Policy sections 3.2 to 3.6 are organised around geographical, environmental or general landscape area boundaries (see Table 1 and Map 1), while section 3.7 addresses the protection and management of wāhi tapu and wāhi taonga across all policy sections.

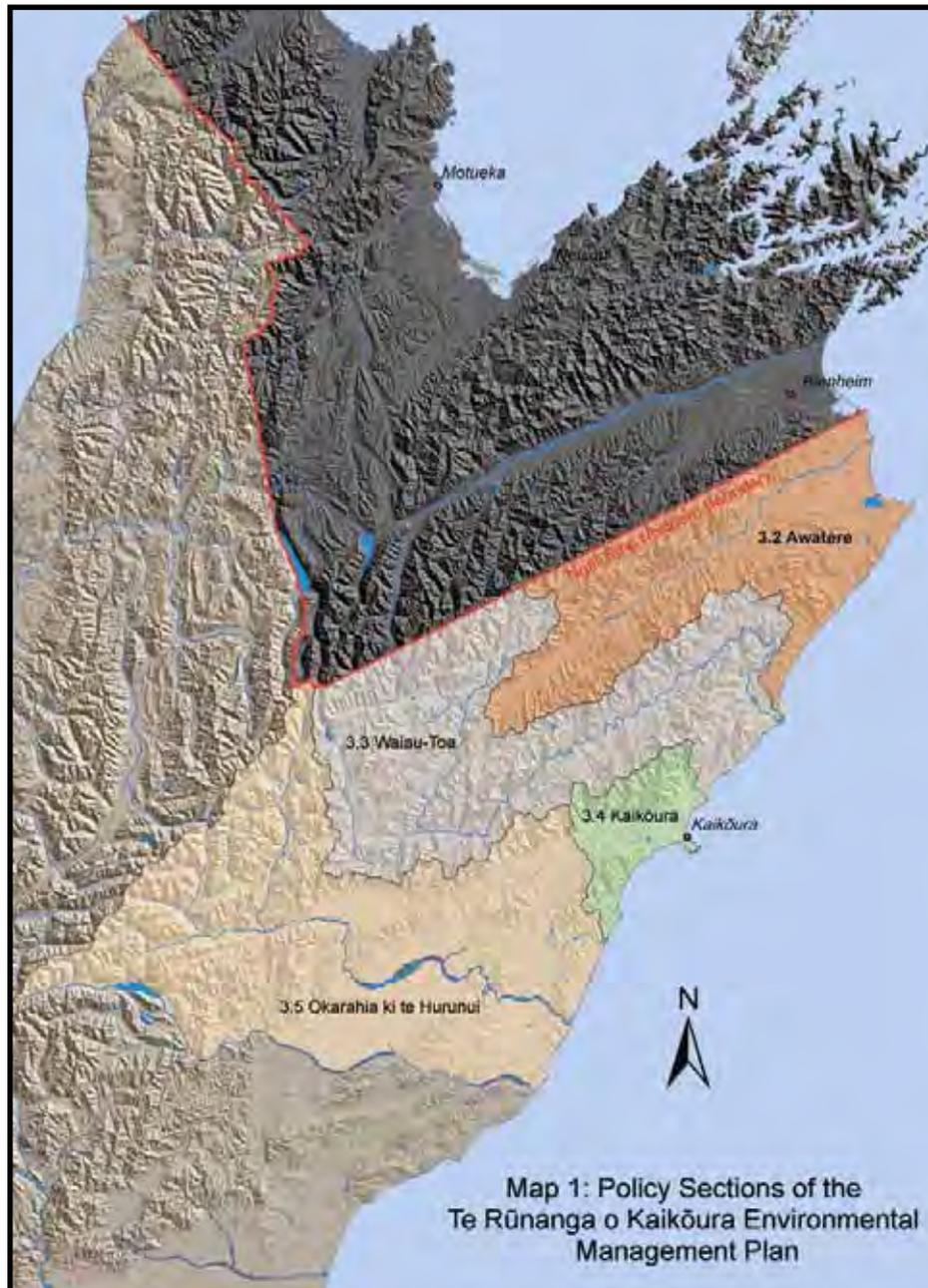
Wāhi Tuawhā | Part Four

Te Whakatinanatanga: Outlines the procedures and processes associated with implementing the plan.

Table 1: Policy sections of Part 3

Section	Title	Geographical (or other) area included
3.1	O Te Hau	Includes the atmosphere and air: the realm of Ranganui (Sky Father) and Tāwhirimātea (god of the wind and weather).
3.2	Awatere catchment area	Includes the general area of the Awatere River catchment, from the northernmost Ngāi Tahu tribal boundary and Te Parinui o Whiti south to the Waiau toa catchment, and inland to the river source in the mountains at Molesworth.
3.3	Waiau toa catchment area	Includes the general area of the Waiau toa catchment, from the Waiau toa south to the Hapūku River catchment and Mangamaunu. Inland, this section covers areas of Rangitahi and the mountain source of the Waiau toa.
3.4	Te Ahi Kaikōura a Tama ki te Rangi	Includes the town of Kaikōura and surrounding area, from the Hapūku River down to the Tūtae Putaputa catchment, and from the alpine ranges of Te Whatakai o Rakihouia to the lowland floodplains and coastal beaches.
3.5	Okarahia ki te Hurunui	Includes the area from Tūtae Putaputa to the Hurunui River, including the natural landscape of the Hundalees, and inland to the main divide. The area includes the river catchments of Tūtae Putaputa, Waiau and Hurunui.
3.6	Te Tai o Marokura	Includes the entire eastern coastline of the takiwā, from Te Parinui o Whiti to the Hurunui River, and out to the open sea.
3.7	Wāhi Tapu me te Wāhi Taonga	Includes management issues and general management guidelines associated with wāhi tapu and wāhi taonga.

Map 1: Policy Areas of the Plan



Using Geographical and landscape boundaries

Geographical (e.g. catchment) or general landscape boundaries are considered the most appropriate management units to ensure the sustainable management of natural resources.

In defining these boundaries, Te Rūnanga o Kaikōura recognises the many areas of shared interest that exist where the takiwā of Te Rūnanga o Kaikōura meets the takiwā of other Rūnanga: Te Rūnanga o Kāti Waewae to the west along the Main Divide, and Te Ngāi Tūāhuriri Rūnanga to the south along the Hurunui River, as per the Te Rūnanga o Ngāi Tahu (TRoNT) Act 1996.

1.9 HOW TO USE THIS PLAN *ME PĒHEA TE WHAKAMAHI I TE MAHERE NEI*

The content and structure of this plan reflects its primary purpose: to provide a living, working document that can assist the Rūnanga to effectively participate in environmental policy and planning.

The information in this plan also provides a resource for local and regional authorities. The plan may be used to:

- » Ensure that Ngāti Kuri values, issues and policies are clearly visible in local and regional planning documents;
- » Determine the nature and extent of consultation that may be required with regards to particular activities or places of importance; and
- » Determine the kinds of information the Rūnanga may require to make informed decisions.

This plan also provides a resource document for applicants who wish to consult with tangata whenua as part of lodging consent or other applications, or any persons, groups or organisations interested in Ngāti Kuri values, perspectives and policies related to environmental management generally.

Using Part 3 of this plan:

Part 3 of this plan addresses *ngā take and ngā kaupapa* associated with natural resource and environmental related activities and topics of importance to Ngāti Kuri.

In this plan, *Ngā Take* are issues of concern to Te Rūnanga o Kaikōura; activities, management approaches or processes that adversely impact on tangata whenua values.

In this plan, *Ngā Kaupapa* are policies. They are compiled lists of Rūnanga perspectives and guidelines on such things as specific activities, species, ecosystems, landscapes or places. Ngā kaupapa may include process, implementation or objective related information. They are intended to provide management guidance, according to Ngāti Kuri values and knowledge, in resolving significant environmental management issues and promoting the sustainable management of natural resources in the takiwā.

Ngā Kaupapa may include:

- » Statements asserting the view of the Rūnanga on a particular issue.
- » Statements that identify a desired action in order to protect Ngāti Kuri values or address a specific issue.
- » Statements that address how to avoid, remedy or mitigate adverse or undesirable effects of specific activities.
- » Process statements, describing how things should occur in a given situation, or how the Rūnanga will address or approach an issue or problem.
- » Statements of intent, identifying specific objectives or goals that the Rūnanga intends to implement or work towards.

In order to minimise repetition and facilitate ease of use, the plan is organised whereby specific policy areas are addressed in the geographical or general landscape area where they are seen as most relevant, as per Table 2 (e.g. vineyards in the Awatere region; tourism in Kaikōura, farming in Okarahia ki te Hurunui). However, the plan must be used as a whole; policies in each section are applicable to all other sections.

Cross-referencing is provided to facilitate working with the different sections of the plan.

Information sources are references to obtain further information on a particular issue or topic.

Table 2: Topics covered in each section of Part Three of the IMP

Section	Topics
3.1 Atmosphere and Air	<ul style="list-style-type: none"> » Discharges to air » Global atmosphere issues » Amenity values
3.2 Awatere	<ul style="list-style-type: none"> » Maunga – Tapuae o Uenuku » Forestry » Vineyards » Diversions and storage dams » Water abstractions – General Discharge to water » Vegetation control – Waterways » Mineral (salt) extraction » Biodiversity » Parenga » Hazardous substances and new organisms
3.3 Waiau toa	<ul style="list-style-type: none"> » Maunga » High country – Tenure Review » High country – Pastoral Farming » High country – Access » High country – National Parks » Earthworks » Transport » Waiau toa » Ngā roto waimāori » Mahinga kai – Freshwater fisheries » Biosecurity, weed, pest control
3.4 Te Ahi Kaikōura a Tama ki te Rangi	<ul style="list-style-type: none"> » Subdivision » Land use and building permits » Business growth and development » Tourism » Concessions » Te Taumanu o Te Waka a Maui » Farming » Sewage disposal » Solid waste management » Tribal properties » Water quality » Gravel extraction » Ngā roto waimāori » Rivers, creeks and streams » Research and collection » Rongoā » Cultural landscapes

Section	Topics
3.5 Okarahia ki te Hurunui	<ul style="list-style-type: none"> » Forestry » Papatūānuku – Soil conservation » Vegetation clearance » Discharge to land » Mining – Limestone » Hanmer » Water abstractions – Ground » Water abstractions – Surface
	<ul style="list-style-type: none"> » Flow management » Minimum flows » Water quality » Tūtae Putaputa » Waiau River » Hurunui River » Activities in beds and margins » Repo raupō » Mahinga kai – Customary use
3.6 Te Tai o Marokura	<ul style="list-style-type: none"> » Coastal land use and development » Land use and building permits » Activities in coastal marine areas » Coastal protection works » Access » Concessions » Farming in coastal areas » Mineral extraction » Petroleum exploration » Coastal water quality
	<ul style="list-style-type: none"> » Customary fisheries » Commercial fisheries » Recreational fisheries » Area management tools » Aquaculture and marine farms » Coastal dune environments » Marine mammals » Beached marine mammals » Karengo and rimurapa » Bioinvasion » Manu – marine birds
3.7 Wāhi Tapu	<ul style="list-style-type: none"> » Management Objectives » Management Issues
	<ul style="list-style-type: none"> » Management Guidelines » Key Relationships

A working example of how to use this plan is provided below:

A resource consent application is for discharge to land (spray irrigation of effluent) in a rural area outside of Kaikōura. The land is adjacent to a waterway. There are some riparian areas along the waterway, which the Rūnanga has identified as at risk due to stock damage.

In this case, Section 3.4 (Te Ahi Kaikōura a Tama ki te Rangi) does not contain a discharge to land policy section. However, Section 3.5 (Okarahia ki te Hurunui) focuses largely on farming related activities, and has policies for *Discharge to land* (3.5.4).

Because there is a waterway adjacent to the proposed activity, general policies in the Kaikōura section related to *Rivers, streams and creeks* (3.4.14) would be applicable, as would those associated with *Water quality* (3.4.11) and *Parenga* (3.2.10). *Section 3.5.11 Water quality* (Okarahia ki te Hurunui) may also be useful, as it addresses water quality issues specifically related to agriculture and farming.

1.10 OUTCOMES *NGĀ HUA*

In this plan, *Ngā Hua* are outcomes: what Te Rūnanga o Kaikōura wants to achieve through the development and implementation of the plan.

Broadly, the desired outcomes of this plan are:

Kaitiakitanga and Treaty-related outcomes

- » That Te Rūnanga o Kaikōura is able to effectively and proactively manage natural resources, wāhi taonga, and wāhi tapu, in a manner that upholds the philosophy of ki uta ki tai.
- » The empowerment Ngāti Kuri as tangata whenua and kaitiaki.
- » That mahinga kai and all other taonga, and the rights of Ngāti Kuri to access these, are protected, maintained, utilised, and where necessary enhanced.
- » That local, regional and central government authorities, and the wider public community, are provided with baseline information about the position of Te Rūnanga o Kaikōura on important issues and appropriate management strategies for resources over which they hold kaitiakitanga.
- » To provide a basis for Te Rūnanga o Kaikōura contributions to other initiatives, such as long term community strategies for Kaikōura, Marlborough and Hurunui.
- » That Ngāti Kuri values and policies are embedded in all other planning documents, and present in the everyday management practices of all agencies working in natural resources and environment planning and policy.
- » To facilitate consistency in Rūnanga response with regards to natural resources and environmental management policy.
- » That policies used by Te Rūnanga o Kaikōura to assess consent and other applications are a true and accurate mandate of the Rūnanga.
- » Protection and enhancement of all cultural heritage and significant sites and places, including wāhi tapu.
- » To strengthen local, community based planning and policy, in order to provide a foundation for regional planning and policy.

Environmental outcomes

- » Protection, restoration and enhancement of the productivity and life supporting quality capacity of mahinga kai, indigenous biodiversity, water, land, air, natural habitats and ecosystems, and all other natural resources valued by Ngāti Kuri.
- » Protection of mahinga kai, indigenous biodiversity, water, land, air, natural habitats and ecosystems and all other natural resources valued by Ngāti Kuri from inappropriate use or development.
- » That the realm of Tangaroa is flourishing and the mahinga kai of Tangaroa is readily available to tangata whenua and their local communities.

- » That we increase understandings in the wider community of *ki uta ki tai*, and thus catchment based planning, in order to achieve better environmental outcomes.
- » That Integrated Management is encouraged and supported, including the establishment of good working relationships with and between key management agencies, to allow collaborative efforts towards common goals.
- » To have a basis for developing a State of the Takiwā reporting and monitoring programme.
- » That Te Rūnanga o Kaikōura is able to spend less time on administrative processing and more time on environmental monitoring.

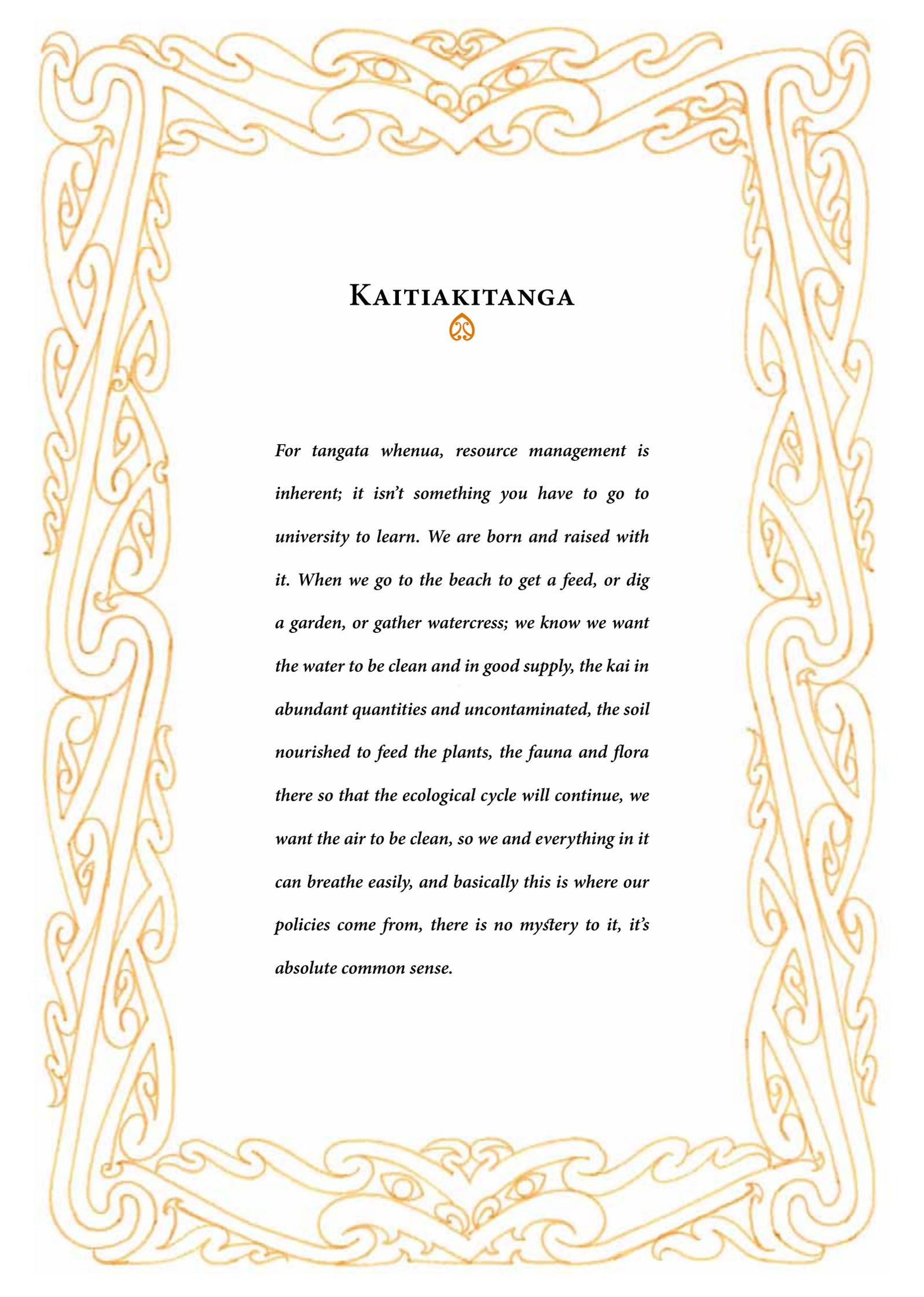
Social, economic, health and well-being outcomes

- » The protection and enhancement of the relationship between te tangata (the people), and the land, water, and air, and the traditional values, practices and knowledge that sustain that relationship.
- » Enhancement of the vision of the Rūnanga with regards to natural resources and the environment, as well as the governing policies.
- » That a basis is established for succession planning. That is, to provide a resource for those that come after us to understand the decisions we make and policies we use.
- » To assist the Rūnanga to establish a financially self-supporting Natural Resource Consultancy Service, as part of ongoing capacity and capability building to develop economically.
- » To streamline the workload associated with processing resources consents.

Te Rūnanga o Kaikōura supports local level management and decision making. We will not be effective regionally unless we are effective at home. Policy and planning is most important at home, at the community level.

Raewyn Solomon, Te Rūnanga o Kaikōura





KAITIAKITANGA



For tangata whenua, resource management is inherent; it isn't something you have to go to university to learn. We are born and raised with it. When we go to the beach to get a feed, or dig a garden, or gather watercress; we know we want the water to be clean and in good supply, the kai in abundant quantities and uncontaminated, the soil nourished to feed the plants, the fauna and flora there so that the ecological cycle will continue, we want the air to be clean, so we and everything in it can breathe easily, and basically this is where our policies come from, there is no mystery to it, it's absolute common sense.

Part 2: KAITIAKITANGA



2.1 INTRODUCTION *HE KUPU WHAKATAKI*

Part 2 of the Te Rūnanga o Kaikōura Environmental Management Plan 2005 provides the context, or background, to the plan, including:

- » The history and identity of Ngāti Kuri and Te Rūnanga o Kaikōura, including how changes to the Te Waipounamu landscape in the last 160 years have impacted the relationship between tangata whenua and the natural environment.
- » The legislative framework that facilitates tangata whenua participation in natural resource management.
- » The values and principles that underpin Ngāti Kuri perspectives and policies.

2.2 NGĀTI KURI AS KAITIAKI

Māori occupied the Kaikōura district for over 800 years before the arrival of the first Europeans. Rapuwai, Waitaha, and Ngāti Mamoe, all came before Ngāi Tahu, with each iwi overwhelming and intermarrying with the former. Most Māori settlements were concentrated along the coastline, which was rich in marine resources. However, mahinga kai (resource areas) extended inland as well, along major rivers and into the high country.

Ngāti Kuri established manawhenua and manamoana in the takiwā from the successive waves of migration south, from the North Island to the Marlborough Sounds, and the Wairau Valley, to Waipapa, and on to Kaikōura. This history of the migration is told in the panels that adorn the walls of our Whareniui at Takahanga Marae.

There are two operational marae in the Ngāti Kuri takiwā, Takahanga Marae and Mangamaunu Marae (Hohepa). Administration for Te Rūnanga o Kaikōura occurs from Takahanga Marae.

Takahanga Marae is the standing place for Ngāti Kuri. It is located on the original site of the ancient Takahanga Pā. The Marae buildings and grounds are wāhi tapu, and have Mana that has to be respected by everybody who enters the Marae grounds.

The current Marae was built in the mid-1980's and the Whareniui (meeting house) officially opened in January 1992. Beautifully carved, it was built in honour of our tupuna Maru Kaitātea, son of the rangatira Purahonui who led Ngāti Kuri south in a migration from the Wairarapa. Purahonui was killed during the migration, and Maru Kaitātea took his father's place as Chief. Maru Kaitātea eventually settled in the Kaikōura area, claiming mana whenua after being challenged to eat from a sacred poha (kelp bag) which contained the first fruits of the season. These fruits were tapu and meant for high ranking chiefs only. Whoever ate from the sacred poha and survived could claim manawhenua. Maru Kaitātea was the Chief who ate from the poha, and thus claimed the Kaikōura area. The poha was called Te Poha o Tohu Raumati which is the name now carried by our Wharekai (dining room).

Hohepa is a Marae and a church reserve, located at Mangamaunu. Land where Mangamaunu Marae stands was gifted by the elders of Kaikōura for a church Reserve in 1890, and the St. Francis Church was opened. The whare Hohepa was opened in 1915, and named after a Māori acolyte (Hohepa) who brought Catholicism to the Kaikōura Māori. The Mangamaunu area is extremely significant to Ngāti Kuri. It was once known as Kaiwhare, or "food bowl", as it was an area known for its bountiful supply of kai from both the land and the sea.



Photo: Kaikōura kaumātua, and the opening of Hohepa Marae at Mangamaunu, 1915.

2.2.1 Te Tiriti o Waitangi

Te Tiriti o Waitangi (the Treaty of Waitangi) was signed by Ngāi Tahu rangatiratanga in 1840, marking the beginning of what Ngāi Tahu saw as a partnership between the iwi and the Crown. The Treaty gave the right to govern to the Crown, but guaranteed to iwi the full exclusive and undisturbed possession of their lands, forests, fisheries and other properties (Article 1 and 2 respectively).

Article the Second:

Māori Text: *“Ko te Kuini o Ingarani ka wakarite ka wakaae ki nga Rangatira, ki nga Hapu, ki nga tangata katoa o Nu Tirani, te tino rangatiratanga o ratou wenua o ratou kainga me o ratou taonga katoa. Otiia ko nga Rangatira o te Wakaminenga me nga Rangatira katoa atu ka tuku ki te Kuini te hokonga o era wahi wenua e pai ai te tangata nona te Wenua, ki te ritenga o te utu e wakarite ai e ratou ko te kai hoko e meatia nei i te Kuini hei kai hoko mona”.*

English Text: *“Her Majesty the Queen of England confirms and guarantees to the Chiefs and Tribes of New Zealand to the respective families and individuals thereof the full exclusive and undisturbed possession of their Lands and Estates, Forests, Fisheries and other properties which they may collectively or individually possess so long as it is their wish and desire to retain the same in their possession...”.*

2.2.2 The Kaikōura Purchase

By 1859, the demand for land by European settlers resulted in a government purchase of the Kaikōura District. Mackay Jr. was sent to secure both the West Coast and the Kaikōura blocks from Ngāi Tahu. Mackay wrote to Kaikōura Whakatau at Mikonui, inviting him to discuss the purchase of the land.

“...Mackay found that under the seasoned and capable Kaikōura Whakatau they [Ngāti Kuri] were far from passive towards European encroachment on their lands. Maintaining their rights in their rugged country, with its towering mountains, fertile coastlands and rich sea fisheries and shellfish beds, was a matter of mana – a combination of duty and pride.”¹

Most of the land that Ngāti Kuri claimed customary title over (from Te Parinui o Whiti to the Hurunui) had already been sold or leased to settlers by the Nelson Land Office. For example, Ngāti Kuri had requested a large pastoral reserve between the rivers Kahutara and Tūtaeputaputa (Conway), which was refused – because the land in question had already been leased to three run holders.²

¹ Evison, H.C. 1987, pp. 263

² Ibid

Early resistance by Ngāi Tahu to the sale of their lands was met with steady pressure until an agreement was finally signed between Ngāi Tahu and Commissioner MacKay. Mackay finally got Kaikōura Whakatau and others to sign the Kaikōura Deed at Fyffe's house on 29 March 1859. The deed conveyed the Māori title in the million-hectare block to the Crown, in return for a payment of 300 pounds and the provision of some coastal reserves.

The largest reserve, at Waipapa and Mangamaunu, was a long coastal strip of about 4,795 acres that Ngāti Kuri wanted to maintain access to seafood and fishing grounds, and because of the karaka groves there.³

2.2.3 Changing landscapes

The dispossession of land that followed the signing of the Treaty of Waitangi and the Kaikōura Purchase had a profound effect on the spiritual, cultural and mahinga kai relationship between Ngāti Kuri and the environment. With settlement and agriculture came land clearance, habitat loss, drainage and diversions of natural waterways, and the introduction of exotic species. As the physical landscape changed, so did the ability of Ngāti Kuri to access manage resources upon which they depended.

Customary management practices, based on the principle of kaitiakitanga, once allowed tangata whenua to sustainably harvest and conserve natural resources. Over time, external management structures marginalised tangata whenua from decision-making processes pertaining the lands and waters of Te Waipounamu.

Despite the changes in land ownership, and the ability of Ngāi Tahu to express traditional relationships and exercise kaitiaki responsibilities, the history and identity of Ngāti Kuri remains on the landscape. Wāhi ingoa (place names) and other culturally important landscape features are tangible reminders of the extent of customary land use and occupancy, and to the degree to which tangata whenua understood and interacted with the landscape. The knowledge and stories that have been passed on through generations keep ancestral connections with significant places strong.

2.2.4 Kaitiakitanga today

While the loss of land and marginalisation from decision making processes have had a profound effect on tangata whenua, legislative provisions in the last two decades are restoring the ability of tangata whenua to participate in natural resource management as kaitiaki.

³ Evison, H. 1997, pp. 264

The 1997 Deed of Settlement between Ngāi Tahu and the Crown addressed Ngāi Tahu's long standing Treaty Claim, and reinforced the contemporary importance of land, water and mahinga kai in terms of kaitiakitanga, culture and identity. The Conservation Act 1987 and Resource Management Act 1991, as key environment legislation in New Zealand, recognise and provide for Treaty rights and the kaitiaki relationship between tangata whenua and their ancestral lands, waters, sites, wāhi tapu and other taonga.

Section 2 of the Resource Management Act 1991 defines kaitiakitanga as:

...the exercise of guardianship by the Tangata Whenua of an area in accordance with tikanga Māori in relation to natural and physical resources; and includes the ethic of stewardship.

All persons exercising functions and powers under the Act in relation to the use, development and protection of natural and physical resources shall have particular regard to Kaitiakitanga, as per section 7 (a).

For Te Rūnanga o Kaikōura, kaitiakitanga today means communities and people staying strong and keeping the environment healthy. It is about the core values and tikanga that are the foundation of everyday decision making. It is also about relationships: relationships between tangata whenua and the environment, and relationships between tangata whenua and other groups in the community that have an interest in the protection, enhancement and sustainable use of resources.

This Environmental Management Plan is an expression of kaitiakitanga. It is a statement of Te Rūnanga o Kaikōura policies for the sustainable management of natural resources, consistent with Ngāti Kuri values, which will assist the Rūnanga in fulfilling its kaitiaki responsibilities in the takiwā.

Kaitiakitanga in the resource management context means maintaining and enhancing the integrity of life – sustaining the resources we all depend upon to survive. Our philosophies are simple and rigorously imposed. We want clean water – because we eat the fish that comes from it. We want plenty of water, so that we can drink it. We want nourishing soils so we can grow our gardens to eat and our trees and birds and insects can survive. We want clean air so we can breathe easy. We need to work together because we are all part of a finely balanced ecosystem. We want all this because our kids are going to inherit this place and when you have kids you automatically become a futurist, and their future means everything to us. Kaitiakitanga means ensuring our children have all that, and that is what we are guarding.

Raewyn Solomon, Te Rūnanga o Kaikōura



2.3 LEGISLATIVE FRAMEWORK *NGĀ ARATOHU NŌ TE TURE*

The Treaty of Waitangi confirmed and guaranteed the customary rights of Māori, and established a process whereby the Crown would give effect to those rights. Subsequent environmental and natural resource management related legislation has further articulated the responsibility of the Crown and local authorities with regards to protecting the relationship between Māori and the environment, natural resources and cultural heritage. This legislative framework establishes varying degrees of recognition of the principles of Treaty of Waitangi, or of other kaupapa Māori such as kaitiakitanga.

In this section, the most pertinent legislation with regards to Te Rūnanga o Kaikōura participation in natural resource and environmental management is referenced. A summary of other legislation that involves matters relevant to tangata whenua (e.g. Hazardous Substances and New Organisms Act 1996; Crown Pastoral Land Act 1998; Environment Act 1986) is included in Appendix 1.

Treaty principles

While there is no exhaustive or conclusive list of Treaty principles, some of the key principles established by the Waitangi Tribunal and case law include: Active protection of Māori interests

- » Partnership and reasonable cooperation
- » Utmost good faith in dealing with other Treaty Partner
- » Courtesy of early consultation
- » Options – the principle of choice

Te Rūnanga o Ngāi Tahu has developed a series of principles guiding approaches to honouring the Treaty of Waitangi and the Treaty relationship Ngāi Tahu and the Crown (Appendix 2).

2.3.1 Resource Management Act 1991 (RMA)

The purpose of the RMA is to promote the sustainable management of natural and physical resources (Section 5). Sustainable management, in the context of s.5, means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural welling, and for their health and safety while –

- (a) Sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations; and
- (b) Safeguarding the life supporting capacity of air, water, soil and ecosystems; and
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.

The RMA recognises the special relationship of Māori with the environment. Sections 6, 7, and 8 establish Māori interests in resource management as greater than the general public.

Section 6 matters of national importance that must be recognised and provided for in managing the use, development, and protection of natural resources, including:

- (a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development;
- (b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development;
- (c) The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;
- (d) The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers;
- (e) The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga;
- (f) The protection of historic heritage⁴ from inappropriate subdivision, use and development;
- (g) The protection of recognised customary activities.⁵

Section 7 Other matters states that in achieving the purpose of the Act, all persons exercising functions and powers under it in relation to managing the use, development and protection of natural and physical resources, shall have particular regard to:

- (a) Kaitiakitanga
 - (aa) The ethic of stewardship
- (b) The efficient use and development of natural and physical resources
 - (ba) The efficiency of the end use of energy
- (c) The maintenance and enhancement of amenity values
- (d) Intrinsic values of ecosystems
- (f) Maintenance and enhancement of amenity values
- (g) Any finite characteristics of natural and physical resources
- (h) The protection of habitat of trout and salmon
- (i) The effects of climate change
- (j) The benefits to be derived from the use and development of renewable energy

⁴ Historic heritage includes sites of significance to Māori, including wāhi tapu.

⁵ As per the RMA (Foreshore and Seabed Amendment Act) 2004. A "recognised customary activity" is an activity, use, or practice carried on, exercised, or followed under a customary rights order. A "customary rights order" has the same meaning as in section 5 of the Foreshore and Seabed Act 2004, meaning a public foreshore and seabed customary rights order made by – (a) the Maori Land Court under section 50; or (b) the High Court under section 74.

Section 8 Treaty of Waitangi states that all persons exercising functions and powers under the RMA in relation to managing the use, development, and protection of natural and physical resources, shall take into account the Treaty of Waitangi (Te Tiriti o Waitangi).

The provisions of sections 6, 7, and 8 of the Act are not independent of section 5. Rather, these sections promote the essential purpose of sustainable management. Neither are specific provisions relating to Māori independent of other provisions within a specific section. For example, all subsections of section 6 are important to Ngāti Kuri, as are those subsections of section 7.

Te Rūnanga o Kaikōura believe that Ngāti Kuri are in the best position to assess matters under Part II, including how activities and resource management planning and policy impact on our cultural values and associations with the environment.

Other sections of the Act that relate to Māori participation in resource management include:

Section 33 Transfer of powers states that a local authority that has functions, powers, or duties under the Act may transfer any one or more of those functions, powers, or duties to another public authority (in accordance with s. 33). S. 33 (2) states that for the purposes of this section, “public authority” includes any iwi authority.

Section 35A Duty to keep records about iwi and hapu was inserted by the Resource Management Amendment Act 2005 and requires local authorities to keep and maintain a record, for the purposes of the Act, of:

- (a) the contact details of each iwi authority within the region or district and any groups within the region or district that represent hapu for the purposes of this Act; and
- (b) the planning documents that are recognised by each iwi authority and lodged with the local authority; and
- (c) any area of the region or district over which 1 or more iwi or hapu exercise kaitiakitanga.

Section 36A no duty to consult under this Act about resource consents applications and notices of requirement was inserted by the Resource Management Amendment Act 2005 and clarifies current case law that there is no duty under the Act for local authorities and resource consent applicants to consult to consult any person about resource consent applications and notices of requirement. However, each must comply with a duty under any other enactment to consult any person about the application (e.g. NTCSA 1998).

The amendment does not preclude consultation with Te Rūnanga o Kaikōura or Te Rūnanga o Ngāi Tahu as iwi authority, and consultation at the early stage of the consent process will remain good practice and facilitate the progress of an application.

Sections 36B – E Power to make joint management agreements were inserted by the Resource Management Amendment Act 2005 and provide a framework for public authorities and iwi authorities and groups that represent hapū for RMA purposes to enter into joint management agreements about natural or physical resources.

Sections 61(2A), 66(2A) and 74(2A) state that regional councils and territorial authorities are required to take into account any relevant planning document recognised by an iwi authority, and lodged with the council, to the extent that its content has a bearing on resource management issues of the region, when preparing or changing a regional policy statement, or regional or district plan.

Part 6 of the Act addresses Resource Consents.

Section 88 requires resource consent applicants to include an assessment of effects on the environment (including cultural effects) as part of their application, including the identification of those persons interested in or affected by the proposal.

Sections 93 and 94 address where a notice of an application should be sent once the consent authority is satisfied it has received adequate information. This includes Section 94 provisions that allow for the limited notification of resource consent applications. In essence, limited notification provisions avoid the requirement for full public notification in instances where the applicant is unable to secure the written approval of all affected parties.

Under Section 104, when considering an application for resource consent and any submissions received, the consent authority must, subject to Part II of the Act, have regard to “any other matter the consent authority considers relevant and reasonably necessary to determine the application”. Te Rūnanga o Kaikōura considers this section as enabling the use of Iwi Management Plans in the consideration of consent applications.

Clause 3A and 3B of the First Schedule as amended by the Resource Management Amendment Act 2005 set out a procedure for appropriate consultation with iwi authorities by councils during the preparation of a proposed policy statement or plan. Under the clause, a local authority is to be treated as having consulted with iwi authorities if the local authority:

- (a) Considers ways in which it may foster the development of their capacity to respond to an invitation to consult; and
- (b) Establishes and maintains processes to provide opportunities for those iwi authorities to consult it; and
- (c) Consults with those iwi authorities; and

- (d) Enables those iwi authorities to identify resource management issues of concern to them; and
- (e) Indicates how those issues have been or are to be addressed.

2.3.2 Te Rūnanga o Ngāi Tahu Act 1996 (TRoNT)

The TRoNT Act identifies Te Rūnanga o Ngāi Tahu as the legal representative of Ngāi Tahu Whānui, and iwi authority for all resource management matters requiring consultation under the RMA. The Act also gives recognition to the status of Papatipu Rūnanga as kaitiaki and manawhenua of the natural resources within their takiwā boundaries.

Section 15 (1) states that Te Rūnanga o Ngāi Tahu shall be recognised for all purposes as representative of Ngāi Tahu Whānui.

Section 15 (2) states that where any enactment requires consultation with any iwi or with any iwi authority, that consultation shall, with respect to matters affecting Ngāi Tahu Whānui, be held with Te Rūnanga o Ngāi Tahu.

It is the acknowledged practice of Te Rūnanga o Ngāi Tahu that initial consultation is through the Papatipu Rūnanga.

Section 15 (3) states that Te Rūnanga o Ngāi Tahu in carrying out consultation under subsection 2 of this section, –

- (a) shall seek the views of such Papatipu Rūnanga of Ngāi Tahu Whānui and such hapū as in the opinion of Te Rūnanga o Ngāi Tahu may have views that they wish to express in relation to the matter about which Te Rūnanga o Ngāi Tahu is being consulted; and
- (b) shall have regards, among other things, to any views obtained by Te Rūnanga o Ngāi Tahu under paragraph (a) of this subsection; and
- (c) Shall not act or agree to act in a manner that prejudices or discriminates against, any Papatipu Rūnanga of Ngāi Tahu or any hapū unless Te Rūnanga o Ngāi Tahu believes on reasonable grounds that the best interests of Ngāi Tahu Whānui as a whole require Te Rūnanga o Ngāi Tahu to act in that manner.

2.3.3 The Ngāi Tahu Claims Settlement Act 1998 (NTCSA)

In 1998 the NTCSA was passed to achieve full and final settlement of historical Ngāi Tahu claims (grievances) against the Crown. The Act records the apology given by the Crown to Ngāi Tahu, for injustices suffered by the Crown's actions in purchasing Ngāi Tahu land, and gives effect to the provisions of the Deed of Settlement 1997 entered into between Ngāi Tahu and the Crown.

While the Ngāi Tahu Settlement is full and final, the concept of manawhenua secures an ongoing relationship between tangata whenua and local, regional and central government authorities in terms of natural resource management.

The provisions of the Settlement are aimed at recognising the mana of Ngāi Tahu on the landscape and restoring the ability of Ngāi Tahu to give practical effect to kaitiaki responsibilities.

Such provisions include:

Ownership and control of various resources and areas of land of importance to Ngāi Tahu. In the takiwā of Te Rūnanga o Kaikōura, there are nine such sites (see Appendix 3):

- » Ōaro
- » Ōmihi / Goose Bay
- » Tuku Tuku Iwi
- » Kahutara
- » South Bay
- » The Point
- » Kaikōura Peninsula
- » Waipapa Point
- » Te Parinui o Whiti

Statutory Acknowledgements as recorded statements of the association of Ngāi Tahu with a particular area. The SA is intended to improve the effectiveness of Ngāi Tahu participation in RMA processes. Five such areas exist in the takiwā of Te Rūnanga o Kaikōura, with Hoka Kura and the Hurunui River in areas of shared responsibility with Te Ngāi Tūāhuriri Rūnanga (see Appendix 4):

- » Hoka Kura (Lake Sumner)
- » Hurunui River
- » Tūtae Putaputa (Conway River)
- » Lake Rotorua
- » Uerau (Mt. Uerau)

Deeds of Recognition apply to the same areas as Statutory Acknowledgements, and complement them by providing for Ngāi Tahu participation in the decision making processes of Crown agencies responsible for the management or administration of the lands within a statutory area (e.g. DoC, LINZ).

Tōpuni as public symbols of Ngāi Tahu mana and rangatiratanga over specific areas of land managed by the Department of Conservation, through providing an overlay or 'cloak' of Ngāi Tahu values, and thus ensuring those values are recognised and provided for. There is one Tōpuni site in the takiwā of Te Rūnanga o Kaikōura (see Appendix 5).

- » Tapuae o Uenuku

Dual place names established in a variety of areas serve as tangible reminders of Ngāi Tahu history on the landscape. The Settlement provided for 88 place names to be changed. Two places in the Te Rūnanga o Kaikōura takiwā have traditional place names re-established as dual place names (see Appendix 6).

- » Lake Grassmere / Kapara Te Hau
- » White Bluffs / Te Parinui o Whiti

Nohoanga or temporary campsites, established adjacent to lakes and rivers to facilitate customary fishing and the gathering of other natural resources. Six nohoanga sites exist in the takiwā of Te Rūnanga o Kaikōura, with Hoka Kura and the Hurunui River in areas of shared responsibility with Te Ngāi Tūāhuriri Rūnanga (see Appendix 7):

- » Waima (Ure) River
- » Hapūku River
- » Kōwhai River
- » Waiau Ua River
- » Hurunui River
- » Hoka Kura (Lake Sumner)

Customary fisheries provisions to enable Ngāi Tahu greater access to customary fisheries of importance and improved input into fisheries management.

Taonga species management provisions that recognise the cultural, spiritual, historic and traditional relationship between Ngāi Tahu and a number of species, and provide Ngāi Tahu with membership in groups involved with species management, including species recovery groups managed by the Department of Conservation (see Appendix 8 for a list of taonga species as per the NTCSA).⁶

Dedicated Memberships on Conservation Boards and the New Zealand Conservation Authority.

Fish and Game provisions that provide for Te Rūnanga o Ngāi Tahu to be an advisor to Fish and Game councils in relation to the management of four native game birds (see below). Fish and Game councils also co-opt a person nominated by Ngāi Tahu onto regional boards.

Maunu / Pārera	Grey duck	<i>Anas superciliosa</i>
Pākura / Pūkeko	Pūkeko	<i>Porphyrio porphyrio</i>
Pūtakitaki	Paradise shelduck	<i>Tadorna variegata</i>
Tētē	Shoveller	<i>Anas rhynochotis</i>

Coastal space provisions to ensure that Ngāi Tahu will have access to future Crown allocations of coastal space.

General management input mechanisms to facilitate input into management processes in addition to site and species-specific management roles provided for by other mechanisms. One such mechanism is the Department of Conservation Protocols, which are intended to guide the relationship between the Department and Ngāi Tahu with regards to specific issues of significance to Ngāi Tahu. The protocols cover cultural materials, historic resources, freshwater fisheries, culling of species, visitor and public information and Resource Management advocacy.

⁶ The list of taonga species in the NTCSA is not a comprehensive list. Many other species not included in the Act are also considered taonga species. All indigenous biodiversity is considered taonga by Ngāti Kuri.

2.3.4 Conservation Act 1987

The Conservation Act promotes the conservation of natural and historic resources. The Act established the Department of Conservation, the New Zealand Conservation Authority and seventeen regional conservation boards.

The Act is considered to be one of the strongest legislative statements of Treaty Responsibility.

Section 4 provides that: “This Act shall be interpreted and administered as to give effect to the principles of the Treaty of Waitangi.”

Te Rūnanga o Kaikōura works with two Conservancies, Nelson-Marlborough and Canterbury.

2.3.5 Historic Places Act 1993 (HPA)

The primary purpose of the HPA is to promote the identification, protection, preservation and conservation of the historical and cultural heritage of New Zealand (s.4 (1) of the Act).

Section 4 states that in achieving the purpose of this Act, all persons exercising functions and powers under it are to recognise the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga.

Any person wishing to undertake work that may damage, modify or destroy an archaeological site (as defined by the Act), or to investigate a site by excavation, must first obtain an authority from the New Zealand Historic Places Trust for that work (ss.10-20 of the Act).

2.3.6 Local Government Act 2002 (LGA)

The Local Government Act 2002 (LGA) requires local authorities to promote the social, economic, environmental and cultural well-being of communities, and to do so in a way that is sustainable now and for the future.

Section 4 requires respect for the Crown’s responsibility under the Treaty of Waitangi and improvement of opportunities for Maori to contribute to local government decision-making.

Under the LGA, a local authority must provide opportunities for Māori to contribute to the decision-making processes of the local authority, consider ways in which it may foster the development of Maori capacity to contribute to the decisionmaking processes of the local authority, and provide relevant information to Maori for the purposes of enabling Maori to contribute to decision making (s.81). A local authority can address this by ensuring processes are in place for consulting with Māori.

2.3.7 Treaty of Waitangi (Fisheries Claims) Settlement Act 1992

The Treaty of Waitangi guaranteed Tangata Whenua rangatiratanga over their fisheries. However, fisheries management, including the Quota Management System (QMS) 1983, has historically not recognised iwi or hapū fishing rights.⁷

Substantial evidence on the nature and extent of Ngāi Tahu fishing rights was presented to the Waitangi Tribunal as part of the Ngāi Tahu Claim (WAI 27). The resulting report, the Ngāi Tahu Sea Fisheries Report 1992, recognised those fishing rights as existing as far as 200 nautical miles out to sea. The report was part of the impetus for the 1992 Fisheries Settlement Deed, and the resultant Treaty of Waitangi (Fisheries Claims) Settlement Act 1992.

The Treaty of Waitangi (Fisheries Claims) Settlement Act signified an agreement between the Crown and Māori on settlement of outstanding claims by Māori in relation to commercial fishing rights. The Settlement involved the transfer of assets and commercial fishing rights to Māori, including shares in a number of fisheries companies.

In addition to settling claims to commercial fishing, the Act clarified Māori rights to customary fishing. This included the development of regulations to provide for the customary fishing rights of tangata whenua, the ability of tangata whenua to exercise rangatiratanga over traditional fisheries, and the relationship between tangata whenua and those places used for customary food gathering. The Fisheries (South Island Customary Fishing) Regulations 1999 now governs customary food gathering and the management of customary fishing.

2.3.8 Foreshore and Seabed Act 2004

The Foreshore and Seabed Act addresses ownership, access and customary rights in the coastal marine area. The Act is the Government's response to a June 2003 New Zealand Court of Appeal ruling, that the Māori Land Court had jurisdiction to hear the 1997 Te Tau Ihu application to declare the foreshore and seabed of the Marlborough Sounds as Māori customary land.

The objective of the Act is: to preserve the public foreshore and seabed in perpetuity as the common heritage of all New Zealanders in a way that enables the protection by the Crown of the public foreshore and seabed on behalf of all the people of New Zealand, including the protection of the association of whānau, hapū, and iwi with areas of the public foreshore and seabed.

The purposes of the Act are to give effect to the objective by:

- (a) Vesting the full legal and beneficial ownership of the public foreshore and seabed in the Crown; and

⁷ This section is adapted from information on Fisheries Allocation, Te Rūnanga o Ngāi Tahu (www.ngaitahu.iwi.nz), 2004.

- (b) Providing for the recognition and protection of ongoing customary rights to undertake or engage in activities, uses, or practices in areas of the public foreshore and seabed; and
- (c) Enabling applications to be made to the High Court to investigate the full extent of the rights that may have been held at common law, and, if those rights are not able to be fully expressed as a result of this Act, enabling a successful applicant group –
 - i. to participate in the administration of a foreshore and seabed reserve; or
 - ii. to enter into formal discussions on redress; and
- (d) Providing for general rights of public access and recreation in, on, over, and across the public foreshore and seabed and general rights of navigation within the foreshore and seabed.

The Act has important implications about the legal recognition of customary rights, the nature and extent of customary rights to the coastal marine area, and the participation of iwi in coastal marine management. This includes issues such as aquaculture and marine farming, marine reserves, recreational fishing, oceans policy, and general Resource Management Act and Local Government Act provisions.

Under the Act, hapū or iwi can apply to the Māori Land Court for a customary rights order to recognise a particular customary activity, use or practice carried out on an area of the foreshore and seabed. In areas where a customary rights order is granted, all decision makers must recognise and provide for recognised customary activities as a matter of national importance, as per the Resource Management (Foreshore and Seabed) Amendment Act 2004.

Despite the Foreshore and Seabed Act, Te Rūnanga o Kaikōura maintains that Ngāti Kuri continue to hold customary rights, over and above the ‘fishing’ rights that have already been recognised, and that such rights must be recognised, protected and provided for with regards to any activity in the coastal marine area.

2.4 KAITIAKITANGA: VALUES AND PRINCIPLES *NGĀ UARA ME NGĀ MĀTĀPONO*

Tangata whenua perspectives on natural resource and environmental management are based on a series of cultural values. Such values are the foundation of everyday management and decision making for Te Rūnanga o Kaikōura. They relate to recognising and protecting the mauri, or life supporting capacity, of air, land and water, and to ensuring that the relationship between people and the environment is characterised by respect and reciprocity.

There are several core values identified by Te Rūnanga o Kaikōura that encompass all other values. Natural resource and environment related policy development occurs through the interpretation of these values, and their application to resource management issues. These core values are:

- » Kaitiakitanga and the Future of our Children and the Environment
- » Rangatiratanga and Independence
- » Whakapapa and Tūrangawaewae
- » Mana of the Tipuna
- » Well-being of Ngāti Kuri

These are the values we stand on. They set the boundaries for our decisions. It is our values that should create the parameters of how we interact with resources, not an Act.

Aunty Miriama Kahu, Te Rūnanga o Kaikōura



2.4.1 Kaitiakitanga and the future of our children and the environment

As kaitiaki, Te Rūnanga o Kaikōura has a responsibility for the sustainable use and management of natural resources and the environment – *mō tātou, ā, mō kā uri ā muri ake nei* (for us and our children after us).

Papatūānuku (Earth Mother) sustains the people, and the people must in turn ensure that their actions do not compromise the life supporting capacity of the environment. The survival of people and communities is dependant on healthy air, land and water.

Thinking ahead for future generations is central to managing natural resources. Policies must reflect values that consider the future, as our tamariki and mokopuna are our greatest resource. It is about asking the question, “what will the impact of this activity be on those that come after us?”

The environment sustains and nurtures us as a people, like a parental role. Our kaitiaki responsibility is to care for our parent.

Lorraine Hawke, Te Rūnanga o Kaikōura



2.4.2 Rangatiratanga and independence

Kaitiakitanga is inextricably linked to rangatiratanga and independence. Rangatiratanga and independence, as core values, are about the ability of tangata whenua to exercise customary authority over things Māori: over mahinga kai, wāhi tapu and other taonga tuku iho. Effective rangatiratanga and independence enable manaakitanga (hospitality, taking care of visitors), by ensuring that Ngāti Kuri has access to local resources that are healthy and abundant.

Legislative changes, statutory obligations, and relationship building with local and territorial authorities will increase the participation of tangata whenua in natural resource management. However, rangatiratanga and independence is also about the empowerment of tangata whenua. Reclaiming the knowledge of tika (what is right or just), tikanga (how to do things, customs and meanings), and kawa (protocol) is part of empowering ourselves to make good decisions. Ngāti Kuri are the only ones who can define the role and function of kaitiaki in our takiwā.

We need to be our own leaders. We can take advice from others, but only use what we can make our own.

Aunty Miriama Kahu, Te Rūnanga o Kaikōura



2.4.3 Whakapapa and tūrangawaewae

You cannot know where you are going without knowing where you come from. Whakapapa and tūrangawaewae are core values that establish our history and cultural identity. Whakapapa relates to indigenous manawhenua perspectives about the relationship between people and the natural environment. It establishes the origins and creation of all things, connecting the people to their ancestors, the land and natural resources. Tūrangawaewae is derived from whakapapa; it establishes a sense of place, a sense of where you belong: your ancestral land, or 'home ground'.

The relationship between tangata whenua and the natural environment, defined by whakapapa, is given practical expression through values such as kaitiakitanga, whakapaparanga, wairua and mauri. Whakapaparanga is about how the different parts of the natural world speak to each other, and about communication between humans and the natural world. For example, when the karaka is blooming, you know the kina is calling, and then the people know to dive.⁸

⁸ Aunty Miriama Kahu, Te Rūnanga o Kaikōura

All things are considered to have the qualities of wairua (spiritual dimension) and mauri (life force or life supporting capacity), to be living, and to have a genealogical relationship with each other. Wairua and mauri are important indicators in assessing environmental health at a physical and spiritual level, and are used to assess the condition of a resource or place, from a Ngāti Kuri perspective, based on mātauranga Māori.

Whakawhānaungatanga (relationship building), whānautanga (family togetherness; basic family values and principles), and manaakitanga (hospitality) embrace the connections and relationships between people, and are important to recognising the link between healthy families and communities, and healthy environments. These values enhance the mana of the people, the natural world, and the atua.

The relationship between Ngāti Kuri and the natural environment is crucial to cultural identity, historically and in contemporary times. This relationship includes the particular mahinga kai resources and practices used to maintain our ahi kā that anchors our whakapapa to the landscape.⁹ Mahinga kai is the heart of Ngāi Tahu culture¹⁰, as one of the cornerstones of spiritual, historical, cultural, social, and economic well-being. Access and continuity of customary use ensure that mahinga kai traditions are protected and enhanced.

2.4.4 Mana of the tūpuna

An important kaupapa for Te Rūnanga o Kaikōura is ensuring that the knowledge and mana of the tūpuna, the ancestors, is respected and reflected in natural resource management mahi today. Upholding the mana of the tūpuna is about honouring the traditions and tikanga of those that came before, both human and the atua.

Our values all link back to history. If you don't understand the history, it is hard to understand the values. For example, compassion came from Maru. On several occasions, Maru showed compassion to his enemies.

Maurice Manawatu, Te Rūnanga o Kaikōura

The protection of wāhi tapu (sacred places) and wāhi taonga (treasures) is a principle that underpins many decisions related to natural resources. Such taonga were left by the tūpuna to maintain the presence of Ngāti Kuri on the landscape. They include wāhi ingoa (place names), pūrākau (stories), ara tawhito (ancestral trails), pā sites, urupā, and all other places and things of significance.

⁹ Te Rūnanga o Ngāi Tahu 2001

¹⁰ Te Rūnanga o Ngāi Tahu 1999

Our Mātauranga Taiao, knowledge of the environment, is a taonga passed on by the tūpuna to the current generations. The use of the land, water and natural resources required specialised knowledge, customs, practices and protocols (tikanga) to ensure sustainably. Ngā ture Māori such as rāhui, mātaimai and taiāpure are examples of customary management practices, developed and used by the tūpuna, that are still used today.

When we were kids and our parents would take us to the beach to collect cockles, they would tell us not to scream and shout and run about on the beach, because doing those things was like calling to the sea to become rough. We were taught to respect the sea.

Aunty Hariata Manawatu, Te Rūnanga o Kaikōura

You need to have respect for everything. That is how to take care of the land and the water. Karakia played such an important role in life, and our relationship to natural resources. Kawa is about common sense. It is the way we do things. It comes from our stories.

Aunty Darcia Solomon and Aunty Ripeka Clayton, Te Rūnanga o Kaikōura

We are measured by what we leave behind; by what we contribute.

Thomas Kahu, Te Rūnanga o Kaikōura

2.4.5 Well being of Ngāti Kuri

The health and well being of Ngāti Kuri is core value that underpins management and decision-making for Te Rūnanga o Kaikōura. Health and well being is about taha wairua (spirituality health and well being), taha whanaunga (family/ wider group health and well being), taha hinengaro (mental health and well being) and taha tinana (physical health and well being). Policy development and implementation in all services, including natural resource management, must ensure the well being of today's Ngāti Kuri.

An aspect of promoting the health and well-being of Ngāti Kuri is the task of keeping tangata whenua values alive and in use, thus ensuring that their lessons and rewards are able to sustain us today. Values associated with whakapapa, kaitiakitanga, rangatiratanga and the mana of our tūpuna must continue to be used to improve and sustain the mental, physical and spiritual health of our people.

We must ensure that the knowledge of our tūpuna is handed down to our tamariki and mokopuna. We must find ways to apply intergenerational knowledge to contemporary contexts. We must also value the new knowledge gained from our ever changing environments and communities, and protect it for those Ngāti Kuri to follow.

Nothing is gained by the old stories, other than entertainment, if the lessons and knowledge is not used today.

Norm Kerei Keepa, Te Rūnanga o Kaikōura

Kaore nawe ngā taonga tuku iho, Ka maiuiui tea o wairua, engari tea o tangata.

Don't scar the treasures of our ancestors, the spiritual world will become ill, therefore so will the world of man.

Brett Cowan, Te Rūnanga o Kaikōura

He moe moa

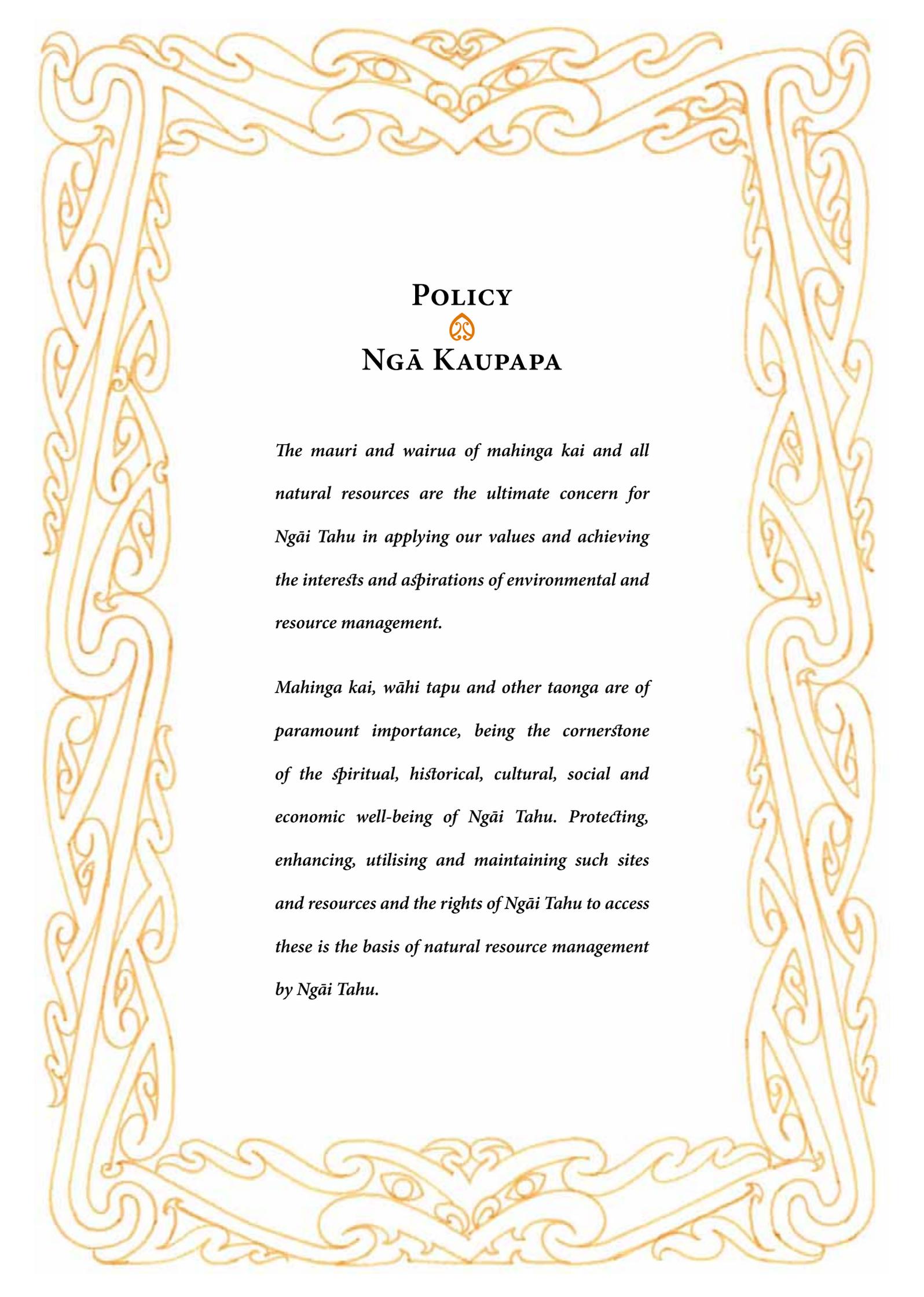
He moe roa

Kua ngaro te pouakai

The moa was our main food source; a taonga, and now it is gone. We must look after our environment and our taonga, so that we, like the moa, do not disappear. If the land and water suffers, we will suffer too.

Jim King, Te Rūnanga o Kaikōura





POLICY

NGĀ KAUPAPA

The mauri and wairua of mahinga kai and all natural resources are the ultimate concern for Ngāi Tahu in applying our values and achieving the interests and aspirations of environmental and resource management.

Mahinga kai, wāhi tapu and other taonga are of paramount importance, being the cornerstone of the spiritual, historical, cultural, social and economic well-being of Ngāi Tahu. Protecting, enhancing, utilising and maintaining such sites and resources and the rights of Ngāi Tahu to access these is the basis of natural resource management by Ngāi Tahu.

Part 3: POLICY NGĀ KAUPAPA



Part 3 of this plan describes ngā take and ngā kaupapa associated with natural resource and environmental management in the takiwā of Te Rūnanga o Kaikōura.

As described in Part 1, *Ngā Take* are issues of concern to Te Rūnanga o Kaikōura, such as activities, management approaches or processes that adversely impact on tangata whenua values. *Ngā Kaupapa* are policies: compiled lists of Rūnanga perspectives relating to the use and development of natural resources, and the protection of the environment and cultural heritage. Ngā kaupapa are intended to provide management guidance, based on Ngāti Kuri values and knowledge, to resolve significant resource management issues, and to promote the sustainable management of natural, physical and cultural resources in the takiwā.

This part of the plan is divided into 7 sections:

- 3.1 Ō Te Hau
- 3.2 Awatere
- 3.3 Waiau – toa
- 3.4 Te Ahi Kaikōura o Tama ki te Rangi
- 3.5 Okarahia ki te Hurunui
- 3.6 Te Tai o Marokura
- 3.7 Wāhi tapu me te wāhi taonga

Each of the 7 sections, where applicable, identifies ngā take and ngā kaupapa associated with **Te Whenua** (the land), **Wai Māori** (freshwater resources) or **Te Moana** (the sea), and **Mahinga Kai** and **Biodiversity** of that region or catchment.

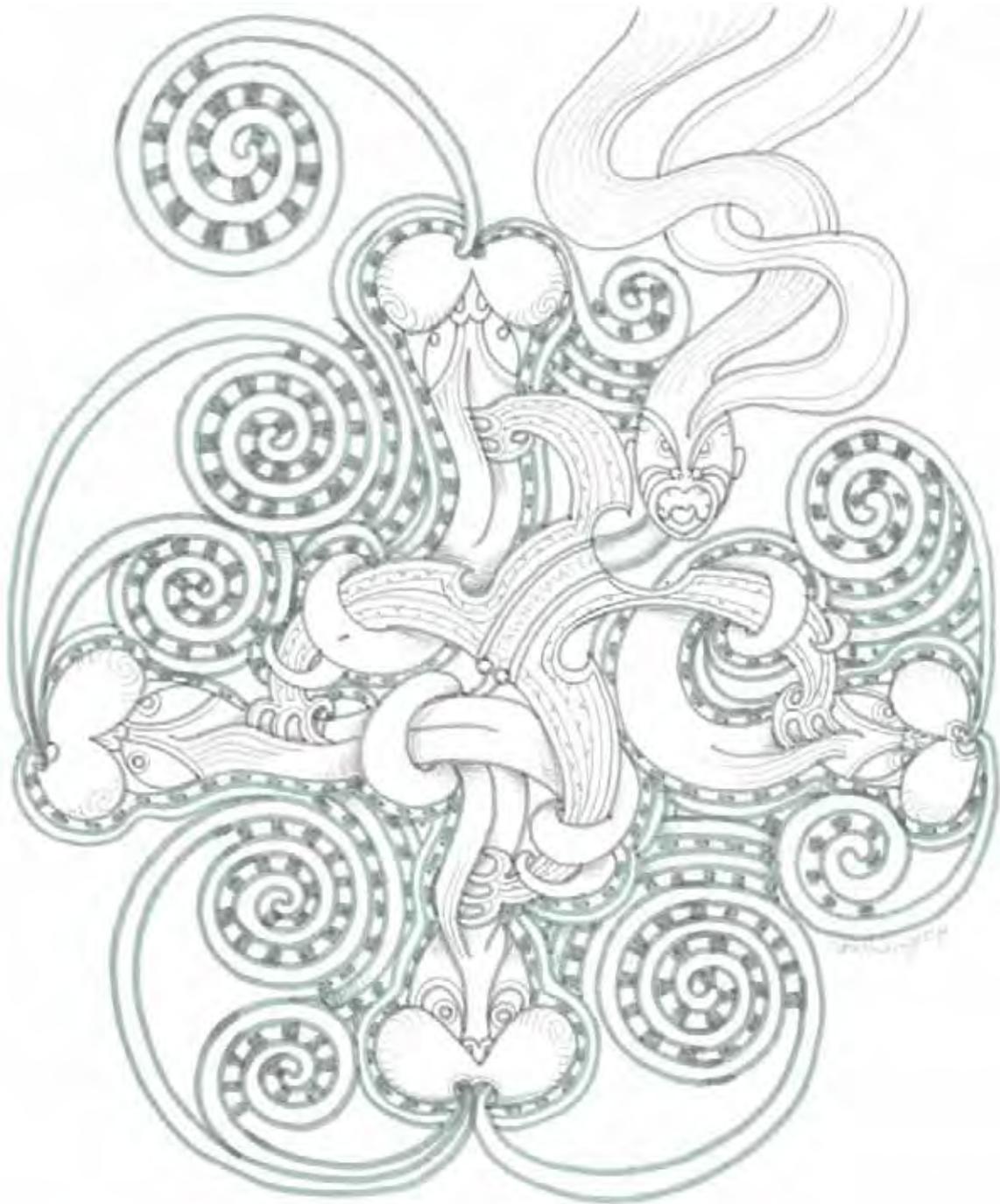
While the catchments or regions covered in each section are considered separately, it is important to recognise that there is significant overlap, connection and associations between them. Ngā kaupapa in any given section are applicable throughout the plan. Cross referencing information is provided to facilitate working between the different sections of the plan.

Please refer to **Sections 1.8 How to Read the Plan and 1.9 How to Use the Plan** for further explanation on plan organization and use.

General Policy for Resource Consent and Concession Applications:

1. Consultation must occur for all resource consent applications in the takiwā of Te Rūnanga o Kaikōura, except where Te Rūnanga o Kaikōura has determined it not necessary.
2. Consultation must occur for all concession applications in the takiwā of Te Rūnanga o Kaikōura, except where Te Rūnanga o Kaikōura has determined it not necessary.

Ō TE HAU



3.1

Ō Te Hau

Atmosphere and Air



Air is a taonga, valued for its life supporting capacity for all things. As with other taonga, the life supporting capacity of air must be maintained and enhanced, used with respect and passed on to the next generation in a healthy state.

For Ngāi Tahu, the sky is Ranginui, father of the earthy progeny of Papatūānuku. Ranginui is adorned by celestial bodies such as the moon and the stars, and is associated with life and light. Following the separation of Ranginui and Papatūānuku (the sky and the earth), their child Tāwhirimātea fled with his father to the sky. From there, he presided over the elements, including the rain, wind, breezes, mist, dew and snow.

In this section, the following activities and issues related to atmosphere and air are addressed:

Section 3.1 Ō Te Hau

Discharges to air

Global atmosphere issues

Amenity values

Ngāti Kuri indicators associated with atmosphere and air:

Visibility

View of specific landmarks

Natural quiet

Celestial darkness

Ability for sound to carry naturally

Darkness, unimpeded by light

Ability to breathe uncontaminated air

Ability to hear the sea

Purity of air (smell, taste)

Clean rain

Ability to smell the sea

3.1.1 Discharges to air

Discharges to air result in both localised air pollution / air quality issues and visual, or amenity, effects. Such discharges may be composed of odour, particulate matter, combustion products and / or hazardous air pollutants. Activities that may produce discharges to air are industrial, rural and domestic based, and include top dressing of agrochemicals, vehicle emissions, sawmill operations, vegetation burning, biological waste burning (e.g. hospitals), and aerial spraying and other aerial discharge (e.g. 1080).

Ngā Take – Issues:

- » Airborne contaminants and adverse impacts on waterways, mahinga kai and indigenous biodiversity
- » Impacts on human health from poor air quality
- » Discharges to air from spraying of fertiliser or effluent in farming operations
- » Impact on air quality as a result of vegetation clearance and burning
- » Impact on air quality as a result of increased vehicle emissions from increasing tourism sector
- » Impact on air quality as a result of burning biological hospital waste
- » Lack of monitoring of cumulative effects of discharge to air activities
- » Unacceptable duration and / or intensity of odours generated from discharges to air (e.g. spray irrigation of effluent)
- » Reduction of visibility as a result of air discharge
- » Unacceptable levels of dust in the air in some areas, from quarries, gravel extraction and sawmills
- » Cultural impact of airborne diseases
- » Difficulty of measuring, assessing and communicating value of clean air
- » Use of highly scientific, technical jargon for addressing air quality issues
- » Insufficient time allowed for rūnanga (and other community based organizations) to respond to highly technical discharge to air applications
- » Industrial activities that discharge contaminants to air, located in residential areas
- » Appropriate duration of resource consents for discharges to air
- » Protection of wāhi tapu from contaminants in air (contaminants can be corrosive)
- » Wind dispersal of contaminants in discharge to air activities (spray drift)
- » Air pollution and air quality guidelines

Our kids are getting asthma now more than ever before.

Aunty Darcia Solomon, Te Rūnanga o Kaikōura



Ngā Kaupapa – Policy:

1. To prevent the discharge of any contaminants that may threaten the life supporting capacity of air.
2. To avoid adverse effects on plants, animals and other materials, including water and soil, as a result of discharge to air activities.
3. To require that any activity resulting in the discharge of contaminants to air evaluate and propose measures to prevent adverse impacts on human health.
4. To require consent authorities and applicants to assess proposed discharge activities in terms of cumulative effects, Ngāti Kuri values and indicators for air quality, and the potential risks to human health.
5. The setting of national and regional air quality guidelines must recognise and provide for the Treaty of Waitangi, and sections 6,7 and 8 of the Resource Management Act.
6. Consultation and communication regarding discharge to air applications should be in plain language, in addition to highly technical reports, to enable the Rūnanga to make good decisions.
7. Best practice must be used in all top dressing or ground based application of agrochemicals to minimise spray drift. Consideration must be given to wind direction, best possible application rate, and proximity of waterways.
8. Best practice must be used with regards to the spraying of effluent, to minimise spray drift. Consideration must be given to wind direction, best possible application rate, and proximity to waterways and groundwater sources.
9. Depending on the scale and location of discharge, a buffer distance of at least 50m, from the area determined to be riparian, must be observed when discharging chemicals or fertiliser to air near waterways. This distance may need to be increased if there are insufficient natural riparian buffer zones.
10. The duration of resource consent must reflect the potential risk of the activity to air.
11. With regards to industrial discharges, including sawmills and activities such as the burning of treated timber, the operator must, through an objective sampling program, show that emission rates of potentially harmful contaminants such as metals and dioxins do not constitute a hazard to the surrounding community.
12. To require robust monitoring of discharge to air permits, to detect non-compliance with consent conditions and best practice. Non-compliance must result in appropriate enforcement action to discourage further non-compliance.

13. To support and encourage the use of indigenous species restoration projects to offset and mitigate industrial discharges to air.
14. To support carbon credited afforestation, commercial and domestic, to offset air pollutants.

Cross-reference: Section 3.1.3 Amenity values.

Discharge of contaminants to air: Not finding direct evidence of contaminants does not always mean contamination is not present. Contaminants tend to distribute themselves in the environment according to their character, some ending up in soil, water, fish, animals, vegetation, or humans. What you find depends on where and how you look.

3.1.2 Global air and atmosphere

Discharges to air at a global scale and the depletion of the ozone layer are issues of concern for Ngāti Kuri. Such issues can manifest in global changes to temperature (climate), sea level, and the frequency, intensity of weather events such as storms.

Ngā Take – Issues:

- » Cumulative impacts of farming practices on global air quality
- » Cumulative impacts of deforestation on carbon dioxide levels
- » Cumulative impacts of vehicle emissions from increased population and development
- » Health effects of increased solar radiation
- » Sea level rise and impact on coastal areas

Ngā Kaupapa – Policy:

1. To support and encourage efforts to reduce emissions of greenhouse gases.
2. To work with Te Rūnanga o Ngāi Tahu to contribute the views of Ngāti Kuri to tribal and national scale climate change policies and processes.
3. Any government climate change legislation must recognise and provide for the Treaty of Waitangi.
4. To support and encourage the use of indigenous species and restoration projects to address global atmospheric issues.
5. Climate change legislation associated with forests and carbon credits should promote, encourage and reward the restoration and sustainable use of indigenous forests.

6. To consider supporting, where viewed as appropriate, introduced forest species establishment for commercial and domestic use (e.g. in places that may not be suitable for native plantations).
7. To support and encourage community based education about the risks to human health associated with increased solar radiation.
8. To consider the potential impacts of natural hazards that may be associated with global climate change (e.g. sea level rise; severe weather events) with regards to the use and development of land and water resources, particularly in coastal regions of the takiwā.
9. To support and encourage sustainable transport initiatives (e.g. public transport, walking and cycling opportunities) that decrease our reliance on fossil fuels/ non-renewable sources of energy, and address local and global impacts on the environment, human health and our communities as a result of carbon dioxide emissions.

3.1.3 Amenity values

Amenity values are those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence and cultural and recreational attributes (RMA s.2). For Ngāti Kuri, this includes the ability to smell the sea, hear the waves, or have undisturbed celestial darkness. It also includes the ability to enjoy and appreciate natural and cultural landscapes, including views of important landmarks, significant places, or wāhi tapu.

Protecting amenity values includes addressing issues associated with discharges to air in the form of noise, odours, and light. It also includes assessing visual impacts of specific activities. For example, developments such as hotels, tourism ventures, or subdivisions may be inappropriate in some places if they are considered intrusive on an otherwise natural landscape with high amenity value.

Ngā Take – Issues:

- » Low flying helicopters and noise (e.g. during a pōwhiri at the Marae)
- » Air pollution and potential to impede views of maunga, the coastline, and other landmarks
- » Cumulative impacts on amenity values as a result of increased transport (planes, vehicles, helicopter), as Kaikōura grows as a tourist destination
- » Lights from offshore boats and impact on celestial darkness
- » Increased lights from development activity such as subdivisions and impact on celestial darkness
- » Unacceptable duration and/or intensity of odours generated from discharges to air (e.g. spray irrigation of effluent)

- » Impacts on visual amenity values from increased development and subdivisions (e.g. height and location of new buildings)
- » Impacts on visual amenity values of major power transmission lines in some areas

Ngā Kaupapa – Policy:

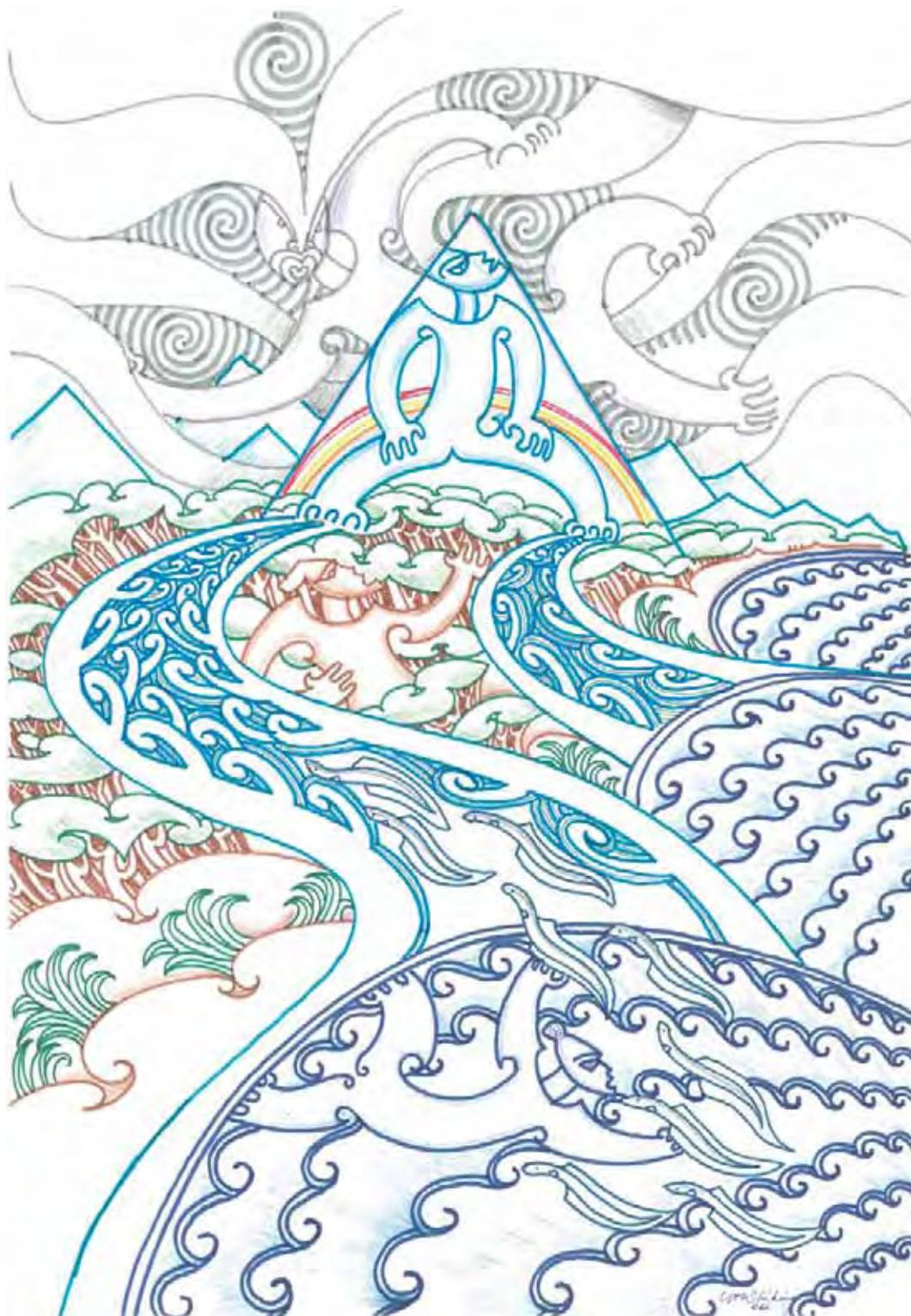
1. In some areas, Te Rūnanga o Kaikōura may recommend light suppression or limitation, and/or height restrictions on buildings, to protect amenity values, including celestial darkness.
2. Best practice must be used with regards to the spraying of effluent in farming activities (e.g. piggeries and dairy farms) and the minimisation of odour, including consideration of wind strength and direction.
3. Te Rūnanga o Kaikōura may consider certain odorous activities as inappropriate in particular areas, including areas adjacent to or near significant sites (e.g. marae, wāhi tapu, urupā).
4. Any new development that may have high visual impacts on the natural or cultural landscape may be encouraged to use suitable screening devices, such as indigenous plant species and cultural materials, to protect the natural and cultural landscape.
5. Any new development that may have high visual impacts on the natural or cultural landscape may be encouraged to work with Te Rūnanga o Kaikōura to discuss and agree on appropriate design for the proposed development in relation to the protecting the natural and cultural landscape.

If the tears of heaven are acidic, so is our Mauri.

Tai Stirling, Te Rūnanga o Kaikōura



**AWATERE
TAPUAE O UENUKU**



3.2

Awatere



This section of the plan describes ngā take and ngā kaupapa associated with the lands, waters, mahinga kai and biodiversity of the Awatere River Catchment area and surrounds, from Te Parinui o Whiti, the northernmost tribal boundary of Ngāi Tahu and hapū boundary of Ngāti Kuri, south to the Waiau toa, and inland to the river headwaters in the maunga of Molesworth.

The Awatere is one of the major river systems in Marlborough. It is 110 kilometres long with an immediate catchment area of 1,600 square kilometres. Historically, the river was a major resource zone and travel route, and played a significant role in Ngāti Kuri history.

The Awatere Catchment area holds important mahinga kai associations. The ancestors of Ngāti Kuri used the area as a seasonal food gathering site from the time of the moa until the battles with Ngāti Toa in the mid 1800s. The river, its tributaries, and associated wetlands ensured that mahinga kai resources such as tuna, waterfowl, harakeke and raupō were readily available. The river mouth provided kaimoana, and the grasslands and forests of the inland valleys provided birds and a variety of plant resources. Such resources were depended on to supply coastal settlements.

In the Awatere region, natural resource issues of particular importance relate to land based activities such as vineyards and forestry, and to the abstraction, use, damming and diversion of freshwater resources, primarily for irrigation.

In this section, the following activities, issues, ecosystems and places of importance are addressed:



Section 3.2
Awatere
Tapuae o Uenuku

Maunga – Tapuae o Uenuku
Forestry
Vineyards
Water diversions and storage dams
Water abstractions – General
Discharge to water
Vegetation control
Mineral (salt) extraction
Biodiversity
Parenga
Hazardous substances and new organisms

Ō Te Whenua – The Land

3.2.1 Maunga – Tapuae o Uenuku

Tapuae o Uenuku is an ancestral mountain for Ngāti Kuri, alongside Aoraki and Maukatere. As a landscape feature of special importance and value, Tapuae o Uenuku is recognised as a Tōpuni site in the Ngāi Tahu Claims Settlement Act 1998 (see Appendix 9).

The concept of Tōpuni derives from the traditional Ngāi Tahu tikanga of persons of rangatira status extending their mana and protection over an area by placing their cloak over it. In its new application, a Tōpuni confirms and places an ‘overlay’ of Ngāi Tahu values on specific areas of land managed by the Department of Conservation.

Tōpuni provide very public symbols of Ngāi Tahu mana and rangatiratanga over some of the most prominent landscape features and conservation areas in Te Waipounamu. The Tōpuni status of Tapuae o Uenuku effectively means that Te Rūnanga o Kaikōura and Te Rūnanga o Ngāi Tahu must be consulted with regards to any activity that may impact on the mountain (e.g. concession activities).

Ngā Take – Issues:

- » Protection of landscape and cultural values in mountain areas in the Awatere Catchment
- » Tangata whenua access to mahinga kai in mountain areas
- » Tangata whenua access to culturally important areas
- » Impacts of recreation and tourism concession activities on Ngāti Kuri cultural values
- » Interpretation of Ngāti Kuri/Ngāi Tahu values related to maunga

Ngā Kaupapa – Policy:

1. To avoid the standing on, or landing of helicopters on, the summit of Tapuae o Uenuku, as part of any concession activity, without prior consultation with Te Rūnanga o Kaikōura and Te Rūnanga o Ngāi Tahu. Standing on the very top of this Tōpuni site is like standing on the head of one of Ngāi Tahu's tūpuna and denigrates its tapu status.
2. General public access to culturally significant sites associated with maunga in the Awatere Catchment should only occur in consultation with Te Rūnanga o Kaikōura, and, where applicable, Te Rūnanga o Ngāi Tahu.
3. All Ngāi Tahu Whānui, current and future generations, must have the capacity to access, use and protect mountain landscapes, and the history and traditions that are part of such landscapes.
4. To actively encourage the use of wāhi ingoa associated with mountain regions of the Awatere Catchment.
5. All concession operations within the Tapuae o Uenuku Tōpuni area are subject to Ngāi Tahu Tōpuni Conditions for Concessions (Appendix 10), and any other special conditions required by Te Rūnanga o Kaikōura.
6. The use of any cultural information relating to Tapuae o Uenuku or other maunga in the Awatere Catchment, including interpretative material, must involve consultation with, and approval by, Te Rūnanga o Kaikōura.
7. To protect the headwaters of the Awatere, to ensure continuous healthy flow *ki uta ki tai*, from mountains to the sea.

Cross-reference: Section 3.3 Waiau toa contains policies on the high country. Relevant policy areas include 3.3.1 Maunga; 3.3.2 Tenure Review; 3.3.3 Pastoral farming; 3.3.4 Access; 3.3.5 National Parks.

Information source: *Tōpuni for Tapuae O Uenuku*. Schedule 90, Ngāi Tahu Claims Settlement Act 1998 (see Appendix 9 of this plan).

3.2.2 Forestry

Forestry in this section refers to exotic forestry plantation operations. Such operations are numerous in many areas of the Te Rūnanga o Kaikōura takiwā, including the Awatere catchment area.

Many of the activities associated with forestry plantations, if not managed appropriately, have the potential for adverse impacts on the environment. Such activities include earthworks, weed and pest control, riverworks, land preparation for planting and replanting, and harvesting activity. Forestry operations may also have adverse impacts on cultural values. Ngāti Kuri visited, used and occupied many of the places where forestry is now occurring, and in some cases cultural values associated with specific areas may be compromised by such activities.¹¹

¹¹ Identifying cultural values present in forestry areas in the takiwā of Te Rūnanga o Kaikōura was part of a Land Values Project undertaken by Te Rūnanga o Ngāi Tahu in 2001. The project's purpose was to identify Ngāi Tahu interests (any features or areas within certain forest lands which have historical, spiritual or cultural importance) and any particular protection requirements in relation to those interests.

One of the questions that face tangata whenua and forest managers is how to incorporate Ngāi Tahu values into forest management policies.

Ngā Take – Issues:

- » General effects of forestry activities on waterways
- » Impacts on water quality as a result of run-off and sedimentation
- » Waterway channel modification and stream crossings and impact on waterway health
- » Land preparation for planting and replanting and potential for unearthing cultural materials
- » Land preparation for replanting and potential for unearthing cultural materials or kōiwi tangata
- » Protection of fish passage in waterways
- » Protection of existing remnants of indigenous bush
- » Soil erosion from deforestation and unsustainable forestry practices
- » Management of wilding species such as pine and macrocarpa
- » Impact of afforestation on water yield – e.g. less water making it into the catchment
- » Herbicide use by forestry operations, for weed and pest control
- » Impacts of forestry activities on mahinga kai species, and access to mahinga kai
- » Appropriate locations for forestry plantations

Ngā Kaupapa – Policy:

1. Forest managers need to recognise and provide for the depth and strength of relationship between Ngāi Tahu and mahinga kai resources, a relationship developed through centuries of wise use and management.
2. To require that the adverse impacts associated with the following forestry activities are mitigated: earthworks and the risk of increased sedimentation, harvesting, stream crossings, weed and pest control, vegetation clearance, channel modification, and land preparation for replanting.
3. To ensure access arrangements are part of any forestry operation plan, where seen by Te Rūnanga o Kaikōura as necessary, to ensure that tangata whenua can access cultural sites, materials and mahinga kai within the forest boundaries.
4. To require that processes are established in forestry operations whereby specific mahinga kai habitats, wāhi tapu, or other culturally important areas, as identified by tangata whenua, are protected.
5. In areas of cultural significance, forestry managers must provide Te Rūnanga o Kaikōura information as to the areas to be harvested and/or re-planted each year, so that the Rūnanga has the opportunity to inspect the site with an archaeologist, if necessary, before harvesting and/or re-planting of a forestry block occurs.

6. Forestry companies must develop and implement a programme to educate contractors and operational staff on how to identify accidental discoveries of cultural material during the course of their activities (as per Accidental Discovery Protocol agreements, see section 3.7).
7. Any new forestry operation application must provide Te Rūnanga o Kaikōura with copies of the company's environmental management plan and/or environmental standards.
8. To require that monitoring programmes are established in forestry operations, and that such programmes include tangata whenua and issues of importance to tangata whenua, such as mahinga kai, cultural sites and waterway health.
9. In all forestry operations, there must be adequate management mechanisms in place to control wilding trees (e.g. pines, macrocarpa) as part of a regular weed control programme. All forestry contractors should be responsible for controlling wilding trees during planting and forestry rotation, and after harvest, on the immediate property and neighbouring property/ adjacent land, at the company's and/or landowner's cost.
10. To require that any remnants of indigenous vegetation or bush stands, and any areas of regenerating indigenous vegetation are protected. Buffer zones of at least 50 m must be observed from areas of indigenous vegetation.
11. To use, where needed, formal protection (e.g. covenants) for existing areas of indigenous vegetation high cultural or conservation value.
12. Forestry operations must provide adequate protection mechanisms for riparian margins, to ensure the integrity and ecological function of such areas is maintained, and that mahinga kai values and taonga species are protected in perpetuity.
13. Where plantations exist adjacent to waterways, and where mature production trees are present in or near riparian margins, such trees must be harvested with great care, to prevent adverse effects to waterways and riparian zones. Forestry companies must develop and provide to the Rūnanga, a harvest management plan outlining how mature production trees will be harvested in riparian areas.
14. Depending on the size and scale of operations, exotic forestry operations occurring near major waterways shall:
 - (a) observe a buffer zone of at least 100m from the area determined to be riparian;
 - (b) establish a transition area of native species between the riparian area and the buffer zone.
15. Lesser buffer zones, in addition to riparian provisions, will be considered for exotic forest operations near all other waterways, ephemeral streams, wetlands, lakes or ponds (including those that fall within plantation boundaries), depending on the size and significance of the waterway or waterbody.
16. All vehicles and forest machinery must observe buffer zones from all waterways, ephemeral streams, wetlands, lakes or ponds.

17. If stock is grazed within a forest license, effective fencing should be established to prevent stock from entering riparian areas and waterways.
18. To require notification, in writing, prior to any major culvert installation works during the fish spawning season. The Rūnanga must have the opportunity to meet a company representative to discuss any concern in relations to such works.
19. Any new culvert pipes must be laid directly on the streambed, to ensure that there is not a step between the culvert pipe and the creek.
20. Regular inspections of any permanent structures in watercourses should occur, especially after storm events.
21. To require notification, in writing, of all roading installation, and/or road upgrading associated with forestry operations.
22. To recommend, where necessary, annual meetings between foresters and Rūnanga, to review compliance.
23. The protection of instream values against the negative impacts of forestry (e.g. water yield) must include the identification and protection of cultural values associated with water, as determined by Te Rūnanga o Kaikōura.

3.2.3 Vineyards

Viticulture is increasingly replacing other forms of land use in areas of the Awatere catchment. Many areas are experiencing the subdivision and conversion of farm land into vineyards. Viticulture is a highly intensive land use activity in a relatively small land area, and the potential for adverse impacts on water and soil must be carefully considered. For example, water takes associated with vineyards are not usually standard water takes; usage is seasonally (and even grape variety) dependent, and can be characterised by dramatic spikes and strong lows off-season. Weed control, pesticide use, soil erosion, run-off and water abstractions are additional issues of concern when assessing applications for new vineyards.

Adopting suitable locations to site a vineyard may avoid or reduce adverse environmental impacts on water quantity, water quality, or soil health, and impacts on amenity values, including the adverse effects of odour, dust, noise and spray drift.

Ngā Take – Issues:

- » Subdivision of lands for vineyards
- » Allocation of water resources for vineyards
- » Cumulative effects of water takes in some areas of high density viticulture and slow or low summer recharge of aquifers

- » Pesticide use (heavy metal based)
- » Contamination of groundwater from chemicals (nutrient-rich runoff)
- » Contamination of waterways from chemicals
- » Leaching of chemicals into soil and into waipuna (springs)
- » Protection of instream values associated with waterways near vineyards
- » Impact of spray drift on waterways
- » Intensive land use and degradation of soil resources

Ngā Kaupapa – Policy:

1. To encourage the adoption of sustainable management practices that minimise impacts of vineyards on the environment (e.g. selecting suitable locations).
2. To monitor the cumulative effects of land conversion and the intensification of land use associated with vineyard establishment in some areas.
3. To assess all applications to subdivide land for the purpose of establishing vineyards in terms of the current subdividing activity, and in terms of future land use (i.e. associated building, discharge, and water abstraction applications).
4. Subdivision proposals to convert rural or farm land to vineyards may be requested to develop a landscape plan to protect the integrity of existing waterways, riparian areas, wetlands, and associated cultural values.
5. To avoid any use or activity that has the potential to result in the contamination of land and soil, unless effective precautions have been taken to avoid adverse effects on the environment.
6. To avoid any use or activity that has the potential to result in significant soil erosion or sedimentation of waterbodies.
7. Appropriate low flow restrictions (minimum flow) will be considered in all applications for irrigation associated with vineyards, to protect instream values.
8. To advocate for the use of esplanade reserves, strips, or other similar provisions on those applications that occur near waterways where such provisions are deemed necessary to protect and provide for waterway health and access values.
9. To require substantial buffer zones (in addition to riparian areas) from any waterway, bore, wetland or spring, to prevent adverse impacts on ground and/or surface water.
10. Subdivision activities for the purposes of establishing vineyards that occur along waterways of cultural importance to tangata whenua should not impede access to and along those waterways.

Cross-reference: Sections 3.2.5 Water abstractions; 3.2.10 Parenga; 3.4.1 Subdivision; 3.5.2 Papatūānuku – Soil conservation; 3.5.4 Discharge to land.

Wai Māori – Freshwater Resources

Natural systems distribute (e.g. rivers) and store (e.g. wetlands) water the way that Papatūānuku intended them to be. Human activities alter these natural systems.

Freshwater resources include groundwater and surface water resources. The freshwater resources in the wider Awatere catchment are some of the most important natural assets, providing ecological, cultural, amenity and commercial values.

Ngāti Kuri considers all freshwater as wāhi taonga: resources of great value and significance to tangata whenua. Maintaining the quality and quantity of freshwater resources is a priority policy and management area for Te Rūnanga o Kaikōura. Competing and increasing demands for water are important freshwater management issues associated with the Awatere catchment.

3.2.4 Water diversions and storage dams

Many resource consent applications in the Awatere catchment are to dam, divert and take water for irrigation purposes, for vineyards, horticulture, orchards, or other agricultural or pastoral farming activities. Water diversions and storage dams are used to temporarily store both groundwater and surface (including flood) water flows.

Ngā Take – Issues:

- » Cumulative effects of water diversions and storage dams
- » Encouragement of appropriate water storage and use
- » Less water flowing from rivers to the sea, disruption of ecological balance
- » Sediment build-up at river mouths (the sediment builds up from dams)
- » Impact on habitat as a result of water diversions and storage dams
- » Impacts on indigenous vegetation as a result of damming, inundation and diversion of water
- » Maintenance of fish passage
- » Altering the physical channel of a river and impact on habitat and the mauri of the river
- » Construction of infiltration galleries in the Awatere River
- » Dam failure and impact on water in terms of uncontained, concentrated contamination, and the unnatural mixing of waters

Ngā Kaupapa – Policy:

1. To adopt a precautionary approach for all activities involving waterways where there is an absence of detailed knowledge of that waterway (ecology, flow regimes, species, etc).
2. To ensure that water diversions for the purposes of water storage and irrigation do not compromise the overall integrity of the waterway, or of groundwater sources.
3. To oppose any diversions or storage dams that are assessed as adversely impacting the flow regime of any waterway, where that regime is needed to maintain downstream instream values.
4. To advocate for ways and means of sustainably diverting and storing flows from freshes and floods, while ensuring that the role of such freshes and floods in maintaining river health is not compromised.
5. To support and encourage local water harvesting and storage of high and/or flood flows to relieve pressure on water resources in low flow periods.
6. To require, where necessary, an engineer's report for storage dams prior to construction, to assess the potential effects on groundwater (see text box).
7. To require that all intake pipes associated with water diversion and storage are fitted with fish screens. Screens must be of an acceptable design as to ensure juvenile indigenous fish are not sucked into the pipes (e.g. īnanga, spawn).
8. Storage dams must have sound filtration systems in place to avoid adverse impacts in the event of dam failure.
9. To require that in the event of removal or inundation of culturally important indigenous vegetation, such vegetation is to be recovered and replanted (where practical).
10. Consent activities associated with the Awatere River may include an Accidental Discovery Protocol as a condition of consent, as the cultural significance of the river means that the likelihood of accidental discovery exists.

In some situations storage dams can be constructed over and directly “on top of” groundwater (e.g. sub surface aquifers). Te Rūnanga o Kaikōura has received applications for storage dams that are only metres above a known aquifer. If the dam is not built to engineering standards there is a risk of leakage and seepage of storage water into groundwater. In the worst case scenario, the dam may fail completely. The release of storage water then results in un-natural water mixing, or in the case of wipe off water, contamination of aquifers.



3.2.5 Water abstractions – General

The Awatere and Utawai (Blind River) catchments experience high irrigation demands. This leads to concerns regarding the cumulative impact of takes, and the sustainability of available water supply. Demands for water, particularly to supply viticulture operations, continue to increase.

Uncontrolled abstractions from both surface and groundwater sources can result in aquifer depletion, salt-water intrusion and the reduction of flow from waipuna. Adverse impacts on water quality and quantity as a consequence of abstractions must be avoided, to protect the mauri, or life supporting capacity of the water source.

Surface water refers to water that flows above ground, and includes rivers, streams, spring fed flows, lakes and wetlands (and also drainage canals and diversions). Groundwater is water located underground, generally in aquifers.

Ngā Take – Issues:

- » Need for adequate information upon which to base decisions on new takes
- » Cumulative effects of water takes
- » Impact on water quality from decreased water quantity
- » Quantity of water (litres per second) desired by consent applicants
- » Types of land use activities supported by water abstractions
- » Appropriate duration of consent
- » Over allocation of water resources
- » Community water schemes for irrigation from the Awatere river
- » Impact on mahinga kai from water abstractions
- » Less water flowing from rivers to the sea, disruption of ecological balance
- » Stock water schemes from tidal rivers (e.g. Utawai), and resultant saltwater intrusion
- » The effects of water takes on mauri, the life supporting capacity of water
- » Suitable minimum flows
- » Waste of water from irrigation, due to evaporation and dissipation
- » Impacts on downstream areas from upstream water takes
- » Cumulative impacts on beach and coastal areas from inland water abstractions
- » Changes to beach sedimentation and accretion profiles at Clifford Bay, due to water takes from the Awatere River
- » Drainage, and loss of wetlands that were once associated with waterways in the Awatere catchment (water retention)
- » The collapse of bores as a result of over abstraction

Ngā Kaupapa – Policy:

1. All applications for water abstractions in the Awatere region are to be forwarded to Te Rūnanga o Kaikōura in full, including the full application, accompanying maps, officer's report, and any other relevant information pertaining to the application.
2. To restore, maintain and protect the mauri of freshwater resources.
3. To support and encourage catchment management plans (ki uta ki tai) that manage the cumulative impacts of water abstractions in a given area.
4. To avoid compromising water quality as a result of water abstraction.
5. To consider all new applications for water abstractions in terms of cumulative effects of all existing water takes, and in terms of the impact on water quality, mahinga kai and other instream values of additional water takes.
6. To encourage best practice and efficient use of water, particularly in terms of sustainable irrigation design, delivery and management.
7. To promote the setting of limits that identify the maximum amount of water that can be taken from a given area to be used for irrigation or other specific activities.
8. To require that all groundwater take applications provide information on the effect of the abstraction on surface water and spring flow.
9. To require that all surface take applications provide information on the effect of the abstraction on ground water.
10. To encourage the installation of appropriate measuring devices (e.g. water meters) on all existing and future water abstractions, to accurately measure, report, and monitor volumes of water being abstracted, and enable better management of water resources.
11. To oppose 35-year durations on resource consents related to water abstractions. The duration of water permits must reflect potential risk to surface and groundwater health. Sustainable management of water resources cannot be ensured in applying 35 year durations to consents, as there is no way of knowing what the availability of water will be in 35 years time, or what the long term effects of an abstraction will be.
12. Applications for water abstraction may be required to justify the quantities to be taken. Information may need to be provided to the Rūnanga regarding the crop type, acreage, proposed water use per hectare, estimated water losses, and the level of efficiency for the scheme. This will enable the Rūnanga to put the quantity of water sought in context, and ensure that a test of reasonableness can be applied to each consent. In some cases a Cultural Impact Assessment may be required.
13. All water consents that affect water quantity are to be issued with a duration that has a common expiry date for all other abstraction consents within the same catchment, to protect future water quality, quantity and future availability to all water users.

14. To assess all applications for bores (land use consents) in terms of their potential for groundwater abstractions.
15. To require robust monitoring of water permits, to detect non-compliance with consent conditions and best practice. Non-compliance must result in appropriate enforcement action to discourage further non-compliance.

Cross-reference: Section 3.5.7 Water abstractions – Groundwater; 3.5.8 Water abstractions – Surface; 3.5.9 Flow management; 3.5.10 Minimum flows.

Ngāti Kuri believe that existing uses cannot always be presumed to continue as of right, regardless of their environmental effects. Existing uses were often granted in an era where resource managers were not fully aware of cumulative impacts on the environment.

3.2.6 Discharge to water

Discharges to water come in two main forms: point source discharge (e.g. actual discharges to water), and non-point source discharge (e.g. from land to water).

Activities that may involve the discharge to water include sewage or industrial waste disposal (ocean outfalls). Such discharges may result in increased nutrient and contaminant loads, and thus degraded water quality. Indirect discharges such as contaminated stormwater run-off, agricultural run-off, and sedimentation also have the potential to adversely affect water quality.

Te Rūnanga o Kaikōura has a baseline or benchmark policy of no discharge to water. The policy comes from years of watching waterways in the takiwā become degraded as a result of uncontrolled discharges of effluent, rubbish, industrial waste, hospital waste, grey water, and sewage. Over time, the impacts on stream health, water quality, and mahinga kai have been significant.

Water is the lifeblood of Papatūānuku, and must be protected. This general policy is a baseline or starting point. From this point, the Rūnanga can assess applications on a case by case basis.

Ngā Take – Issues:

- » The view that dilution to pollution is acceptable – Ngāti Kuri disagrees with this view
- » The disposal of treated or untreated sewage to water
- » General impacts on water quality from discharge activities
- » Agricultural runoff and nitrogen loading in waterways
- » Discharge of stormwater from roads into open drains
- » Impacts on mahinga kai and biodiversity as a result of discharge activities
- » Impacts on cultural use of waterways as a result of discharge activities
- » Impact on the mauri of the receiving environment
- » Appropriate discharge to land activities, to prevent soil and groundwater contamination

Ngā Kaupapa – Policy:

1. To avoid the use of water as a receiving environment for the direct, or point source, discharge of contaminants. Even if the discharge is treated and therefore considered “clean”, it may still be culturally unacceptable. Generally, all discharge must first be to land.
2. When existing rights to discharge come up for renewal, they must be considered in terms of alternative discharge options.
3. To consider any proposed discharge activity in terms of the nature of the discharge, and the sensitivity of the receiving environment.
4. The highest environmental standards should be applied to any consent application involving discharge of contaminants (e.g. standards of treatment of sewage).
5. When assessing the alternatives to discharge to water, a range of values, including environmental, cultural and social, must be considered in addition to economic values.
6. To avoid impacts on water, land, mahinga kai and biodiversity as a result of inappropriate discharge to land activities. Treatment and purification systems, including wetland systems, and close monitoring of the carrying capacity of soils must be part any discharge to land activity (see text box).
7. To require the establishment of a minimum 50m buffer zone between any discharge of contaminants to land activity and a surface waterbody, to ensure that both surface water quality and groundwater quality are protected.
8. To avoid adverse impacts on water quality as a result of non-point source pollution, and require that any non-avoidable impacts are mitigated.
9. To encourage the development of comprehensive strategies, including regulatory measures, to address non-point source pollution.

10. To encourage the effective management of existing riparian areas, and the restoration of other areas, as a means of maintaining and enhancing water quality and the quality of aquatic habitats.
11. Any discharge activity must include a robust monitoring programme that includes regular monitoring of the discharge and the potential effects on the receiving environment.
12. To require robust monitoring of discharge permits, to detect non-compliance with consent conditions and best practice. Non-compliance must result in appropriate enforcement action to discourage further non-compliance.
13. Te Rūnanga o Kaikōura views proposed discharges to water as a community issue. For this reason, the Rūnanga may, where seen as appropriate, recommend that a consent application be notified.

Cross-reference: Sections 3.5.11 Water quality; 3.5.4 Discharge to land.

Dilution to pollution is not the solution, and is unacceptable to tangata whenua. Rūnanga policy is consistent in advocating discharge to land, allowing Papatūānuku, through wetlands and riparian areas, the opportunity to filter and clean any impurities. However, if discharge to land exceeds the carrying capacity of the land, then both the land and the water will be contaminated.

3.2.7 Vegetation control – Drains and waterways

Te Rūnanga o Kaikōura receives consent applications relating to the management of drains and waterways in lowland areas of Marlborough such as the Wairau Plains. Management often involves the use of aquatic herbicides to control ‘undesirable vegetation’, such as submerged aquatic weeds, as part of flow maintenance and flood management.

Drainage networks are important to farming activities, particularly where land is subject to drainage problems. Herbicide spraying is one means of keeping drains clear from vegetation build-up. However, the effects of spraying on aquatic life and terrestrial habitat mean that specific conditions must be applied to any consent, and that alternative methods, such as mechanical or hand clearing of vegetation, may need to be considered.

Ngā Take – Issues:

- » What is “undesirable” vegetation? Who defines it?
- » Impact of spraying on raupō, which is a taonga species
- » Impact of spraying on tuna, and indirect effects of humans consuming tuna

- » Issues associated with irrigation i.e. when water that is used for irrigation contains aquatic herbicides
- » Effects of chemical sprays on water quality
- » Effects of chemical sprays on mahinga kai

Ngā Kaupapa – Policy:

1. To generally oppose the use of herbicides (chemical sprays) in drain cleaning and management, but to consider applications on a case-by-case basis where alternatives are not feasible. Decisions should not be based on economic considerations only.
2. To advocate for fish-friendly drain cleaning and maintenance – drain maintenance that considers the habitat needs of stream life.
3. To promote the clearing of vegetation in drains by hand, with mechanical (machine) as a second option.
4. If the effect of a given chemical or herbicide on indigenous species is unknown or unclear due to insufficient information or research, Te Rūnanga o Kaikōura will oppose the use of that substance.
5. To avoid the use of herbicides, as part of vegetation control in drains and waterways, near or on vegetation that may be used for cultural purposes.
6. To avoid the use of herbicides, as part of vegetation control in drains and waterways within 250m of any water supply intake.
7. To encourage long term solutions to aquatic weed problems, such as riparian shading and reduction of nutrients flowing into waterways (including drains). Planting riparian margins along waterways will in time reduce weed growth and the amount of vegetation control needed.
8. To encourage the use of indigenous species such as raupō as part of long term solutions to vegetation control in drains and waterways. Such species provide valuable ecosystem services, including water purification and natural flood protection, and do well in nutrient rich water such as drains.
9. To require consultation with the Rūnanga before and during spray programmes, when herbicides are to be used to control vegetation. Information provided to the Rūnanga must include: chemicals to be used, areas of operation, spray method to be used, starting date, and duration of spray activity.
10. Where requested, consent holders are required to notify Te Rūnanga o Kaikōura at least 10 days prior to the commencement of the spraying operation if herbicides are used to control vegetation.
11. To require that consented drain cleaning and management activities provide for the identification of culturally significant areas, and ways to protect such areas. This includes areas that contain raupō (a taonga species under the NTCSA 1998), and other culturally important plants, or areas that are identified as habitat for culturally important fish or bird species.

3.2.8 Mineral (salt) extraction

Mineral extraction in this section of the plan relates to salt extraction at Kaupara Te Hau (Lake Grassmere). Rūnanga policy associated with other extraction activities, such as gravel or sand extraction from river areas, is addressed in subsequent sections.

The salt manufacturing plant on the shores of Kaupara Te Hau is the only one of its kind in New Zealand. The process involves recovering salt from evaporated sea water, in evaporation ponds along the edge of the lake. Te Rūnanga o Kaikōura has contributed to the Grassmere Saltworks Management Plan.

Ngā Take – Issues:

- » Wind dispersal of salt, contaminants and other substances
- » Monitoring of saltworks activities
- » Impact on mahinga kai
- » Avoiding long term impacts

Ngā Kaupapa – Policy:

1. To ensure that robust monitoring is a regular component of the saltworks activity at Kaupara Te Hau.
2. To ensure that Te Rūnanga o Kaikōura is consulted with regards to any changes to existing activities.

Ngāti Kuri association with Kaupara Te Hau

Kaupara Te Hau plays a role in Ngāi Tahu history, both as the site of a major battle, and as mahinga kai. It was at Kaupara Te Hau where a Ngāi Tahu war party attacked and defeated Te Rauparaha (to avenge the sacking of pa at Kaikōura, Kaiapohia and Onawe Peninsula) Te Rauparaha had made it a practice to come to each year to Kaupara Te Hau, on the northern side of Cape Campbell, to catch and preserve waterfowl. The people of Kaikōura, upon learning of the exact date of his arrival, sent word to the southern communities in Canterbury and Otago.

The Ngāi Tahu party arrived at Wai-harakeke in 1833, just south of Cape Campbell, where the canoes were hauled ashore and the party proceeded overland to the outlet of the lake. There they hid among the flax and other bushes in ambush for the Ngāti Toa party. When Ngāti Toa landed, Ngāi Tahu were at once upon them. While many Ngāti Toa were killed, Te Rauparaha escaped. However, it is said that Te Rauparaha told Ngāti Rarua, the sub-tribe of Ngāti Toa, never to go back to Kaupara Te Hau: “I muri iao kia kati nga putatara Kaupara Te Hau”. This battle was known as Taua-iti.

Source: Carrington manuscripts

Mahinga Kai and Biodiversity

3.2.9 Biodiversity

Biodiversity refers to the variety of living things in the environment. The protection of indigenous biodiversity is an important value for Te Rūnanga o Kaikōura. Indigenous species, and the habitats that support them, must be protected for future generations. In many parts of the takiwā, where land use is dominated by agriculture and forestry, the impact of human activity on indigenous species has been significant.

The New Zealand Biodiversity Strategy (2000) establishes a framework to conserve, sustainably use and manage biodiversity. A goal identified in the Strategy is to “actively protect iwi and hapū interests in indigenous biodiversity, and build and strengthen partnerships between government agencies and iwi and hapū in conserving and sustainably using indigenous biodiversity”.

Ngā Take – Issues:

- » Loss of species, particularly endemic
- » Customary use of indigenous species

- » Impact of exotic forestry activities on indigenous bush remnants and indigenous species in general
- » Impact of unsustainable farming activities on indigenous bush remnants and indigenous species in general
- » Conservation of genetic resources of indigenous biodiversity
- » Species recovery
- » Reintroduction of indigenous species
- » Habitat protection
- » Protecting threatened and endangered species
- » Impact of unwanted introduced plant and animal species on indigenous biodiversity
- » Support for landowners who are protecting indigenous bush remnants and other areas of indigenous vegetation

Ngā Kaupapa – Policy:

1. To ensure that all management decisions take into account the protection and survival of all indigenous species of flora and fauna (rare and common) in their natural habitats.
2. The cultural, spiritual, historic and traditional association of Ngāti Kuri with taonga species must be recognised and provided for within all management and / or recovery plans associated with those species. This includes taonga species as per the NTCSA (Appendix 8), and all other species considered taonga by Ngāti Kuri.
3. Te Rūnanga o Kaikōura considers all indigenous biodiversity as taonga.
4. To promote the management of whole ecosystems and landscapes, in addition to single species.
5. To promote the integration of biodiversity management across land ownership land use boundaries.
6. To take responsibility for the impacts of human activities on indigenous biodiversity.
7. To ensure efforts are directed at identifying solutions for biodiversity decline, not just the problems.
8. To make full use of the knowledge of tangata whenua with regards to indigenous biodiversity, and the value of such knowledge in understanding how to protect and enhance biodiversity.
9. To require that local and regional councils consider the effects of activities on indigenous biodiversity when assessing resource consent applications, and ensure that adverse impacts are avoided.

10. To use as a consent condition, when applicable, the enhancement of indigenous biodiversity as a means to mitigate adverse impacts of proposed activities.
11. Education of the public must be a central goal of any biodiversity strategy.
12. To promote integrated management between agencies for biodiversity protection and management.
13. To advocate the establishment indigenous vegetation corridors ki uta ki tai, from mountains to the sea.
14. To require consultation with regards to the release of any sports fish (by Fish and Game) into the lakes or rivers of the takiwā of Te Rūnanga o Kaikōura.
15. To request notification, with regards to Fish and Game game bird culls / organised shoots, to provide an opportunity for the Rūnanga to access birds for kai or cultural purposes (e.g. feathers for weaving).

Cross-reference: Sections 3.2.10 Parenga; 3.2.11 Hazardous substances and new organisms; 3.3.11 Biosecurity, weed and pest control; 3.5.16 Repo raupō.

Information Source: Parliamentary Commissioner for the Environment 2002. *Weaving Resilience into our Working Lands: Recommendations for future roles of native plants*. Wellington.

Te Rūnanga o Kaikōura objectives for indigenous biodiversity are:

- » *The protection of key biodiversity areas and sites.*
 - » *The connection of areas and sites of high indigenous biodiversity through corridors from mountains to sea. Such corridors would enable the movement of plants, birds and other biodiversity.*
 - » *The encouragement of activities that are appropriate to maintaining, protecting and enhancing biodiversity.*
-

3.2.10 Parenga

Riparian areas are the transition zone between water and land. Such areas are often associated with mahinga kai and other customary use activities (mahinga parenga). Riparian areas contain a range of important plant species; some of which may be used for wāhi raranga (sources of weaving materials), or rongoā (traditional medicines) (See Table 3).

Riparian areas are also associated with their role in maintaining ecosystem health, as they reduce bank erosion, provide habitat, and enhance water quality through natural pollution abatement functions. Along many waterways, riparian zones have been highly modified and degraded as a result of poor land management, weed invasion, stock access, and land use activities such as forestry and agriculture.

Riparian management may involve esplanade reserves, esplanade strips, access strips or marginal strips.

Ngā Take – Issues:

- » Need for a stronger focus on riparian management
- » Lack of importance given to riparian margins in the consents process
- » Relationship between water quality and healthy riparian zones
- » Cumulative effects (downstream impacts of lack of riparian vegetation)
- » Spread of weed species such as willow in riparian areas: impacts on indigenous species, and weakening of natural functions of riparian areas
- » Erosion of river banks from lack of vegetation
- » Discharges to water (treated sewage, stock effluent) and impacts on riparian areas
- » Impacts of herbicide spraying (weed control) on riparian zones
- » Inappropriate discharges to land (e.g. soil saturation) and impacts on riparian areas
- » Loss of valuable ecosystem services provided by riparian zones
- » Poor water quality and impact on riparian vegetation
- » Loss of habitat for waterfowl as a result of riparian degradation
- » Unfenced channels and impact on riparian vegetation from stock access
- » Adjacent land uses and impact on riparian areas
- » Agricultural discharges and runoff, and impact on riparian vegetation

Riparian margins are extremely important to the integrity of waterways. They provide natural botanical processes to clean the leachate from paddocks before it enters waterways, thus ensuring improved water quality for mahinga kai. They provide public access, help ensure that Māori can exercise customary takes, and give us a way to just enjoy the outdoors. Riparian areas are a very important policy area for us. If I had my way, every river and every tributary would have healthy, protected riparian area.

Raewyn Solomon, Te Rūnanga o Kaikōura



Ngā Kaupapa – Policy:

1. To advocate for the restoration and enhancement of riparian zones, with indigenous (and where possible endemic) species, as part of any consent application or project proposal where it is deemed feasible to include such conditions.
2. To protect, maintain and monitor those waterways with existing healthy, functioning riparian zones.
3. To prioritise the restoration of riparian areas throughout the takiwā.
4. To advocate that Councils promote environmental education programmes that raise awareness about appropriate land management practices adjacent to waterways, including riparian management. This includes education about avoiding adverse effects of livestock on riparian areas and waterways.
5. To promote riparian enhancement and appropriate streamside management as a means of mitigating adverse effects on water quality or waterway health in general.
6. To advocate for the use of riparian, esplanade reserve, or similar provisions for any activity occurring adjacent to a waterway where such provisions are deemed necessary to protect and provide for waterway health and access values.
7. Decisions relating to the use of esplanade reserves, strips, or similar provisions in subdivision applications should be dependent on the need to protect waterway health, as opposed to the size of the waterway or the size of the allotment. Even small waterways (less than 3m) and ephemeral streams are still large and active enough to provide amenity values.
8. To advocate for recognition of esplanade reserves and strips as protection of those values relating to the integrity of waterways, and not just access.
9. To avoid stock access to riparian zones, except when required for intermittent vegetation control (and then sheep should be the only stock used).
10. To require the observance of buffer zones on riparian areas associated with waterways, where it is deemed necessary to protect such areas from adjacent land use activities.
11. To control and eradicate willow and other exotic species in riparian areas.
12. To prevent the use of willows and other exotic species in bank edge planting along waterways.
13. To avoid, remedy or mitigate any adverse effects of riverworks activities on riparian areas.
14. To protect and enhance taonga raranga (plants which produce material used for weaving) associated with riparian areas.

Te Rūnanga o Kaikōura believes that current Resource Management Act provisions do not provide adequate protection mechanisms for waterways and their riparian areas. For example, riparian margins are only required for subdivision activities along a waterway if the allotments are less than 4 ha, and the waterway is more than 3 m. Such specifications contradict the purpose of the RMA (s.5), as they inhibit the ability to fully and effectively consider adverse effects on the environment. Adverse effects must be considered over and above allotment size and the width of waterways.



Table 3: Ngā rakau parenga: Important riparian plants

Māori Name	English Name	Traditional Use
Harakeke	New Zealand Flax	Weaving
Mānuka	Tea Tree	Leaves, gum, bark and sap used in rongoā; wood used for kō (digging sticks), hoe tokotoko, taiaha, spears and construction.
Kānuka	Tea Tree	Leaves, gum, bark and sap used in rongoā; wood used for kō (digging sticks), hoe tokotoko, taiaha, spears and construction.
Tī Kōuka	Cabbage Tree	Food source; weaving.
Raupō	Swamp Reed	Production of mokihi (reed canoes) and construction, and insulation of whare (houses).
Kokomuka / Koromiko	Hebe sp.	Leaves and buds used in rongoā
Karamū	Coprosma sp.	Barks and shoots used in rongoā; bark also used for dying and leaves used at Tangihanga and other ceremonies.

Source: Riparian Planting and Management Guidelines for Tangata Whenua 2003.

3.2.11 Hazardous substances and new organisms

A hazardous substance is a substance that can harm people or the environment, such as explosives, corrosives, flammables or poisons used in cosmetics, dyes, inks, solvents, cleaners, fuels, pesticides and other chemicals used in industry. Such substances have the potential to have adverse effects on the natural environment, mahinga kai, wāhi tapu, wāhi taonga, and human health.

A new organism is any new plant, animals or micro-organism not present in New Zealand in 1998. A new organism may be introduced unintentionally, intentionally (e.g. insects for biological control), or developed through genetic manipulation (genetically modified organisms). New organisms have the potential to affect valued mahinga kai species and habitats, where they may compete with, attack, interbreed or otherwise harm existing species.

The Hazardous Substances and New Organisms (HSNO) Act 1996 manages the risk of using and introducing hazardous substances and New Organisms. Anyone wanting to manufacture or import a new hazardous substance or to develop, import or release a new organism must apply to the Environmental Risk Management Authority (ERMA) for approval.

Ngāi Tahu (both Te Rūnanga and ngā rūnanga) are regularly consulted about HSNO applications for a variety of purposes, including weed and pest control, the development of new medicines, food, or crops, or general research.

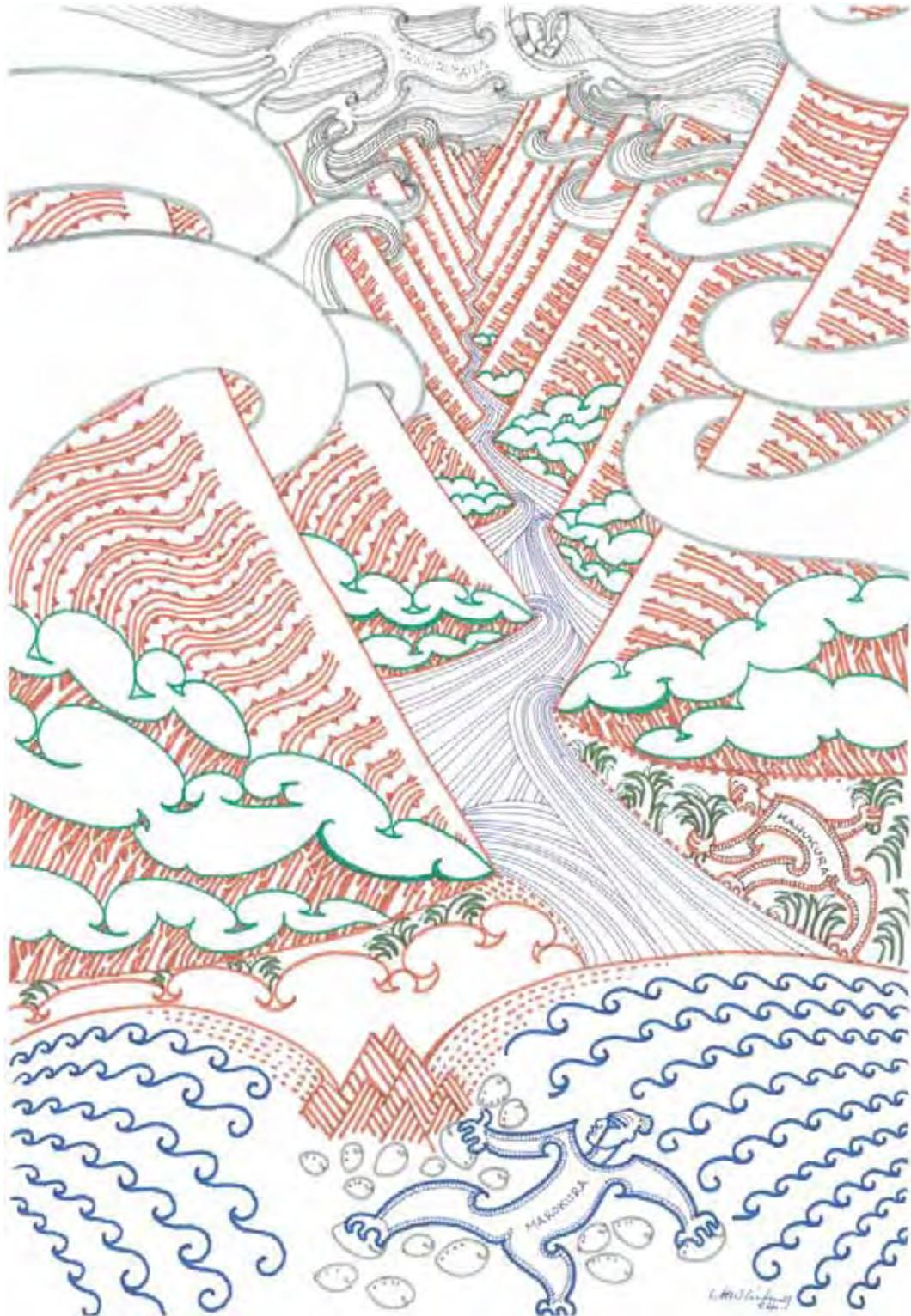
Ngā Take – Issues:

- » Adverse effects on indigenous biodiversity and mahinga kai
- » Relationship of new species to existing species (appropriate host testing)
- » Contamination or pollution of the environment from hazardous substances
- » Damage to significant sites
- » Benefits of effective biological control
- » Adequate involvement of Ngāi Tahu in decision making
- » Human health issues
- » Monitoring potential effects
- » Ability to adequately understand and assess highly technical applications
- » Impacts of genetically modified organisms on rangatiratanga, kaitiakitanga, and whakapapa
- » Transport (and associated spill risk) of hazardous substances in coastal and mountain regions

Ngā Kaupapa – Policy:

1. To require appropriate consultation with regards to any Hazardous Substances or New Organisms applications. Te Rūnanga o Kaikōura encourages pre-application consultation, presentation of research findings, lay summaries, and opportunities for tours of facilities or research sites.
2. To liaise with Te Rūnanga o Ngāi Tahu with regards to applications for Hazardous Substances or New Organisms and the development of tribal policy in this area.
3. To require, where necessary, the use of Cultural Impact Assessments as part of applications involving Hazardous Substances or New Organisms, to ensure that tangata whenua can effectively assess potential impacts on cultural values.
4. To consider any application for Hazardous Substances or New Organisms in terms of the potential effects, both positive and adverse, on indigenous biodiversity.
5. To generally oppose the release of any genetically modified organism into the environment, until such time as Te Rūnanga o Kaikōura can fully address social and cultural concerns associated with genetically modified organisms, including concerns relating to whakapapa, rangatiratanga and kaitiakitanga.
6. To consider any application for the introduction of a new organism for biological control in terms of the degree of risk of the weed to indigenous species and ecosystems, the degree of risk posed by the new organism to indigenous species and ecosystem, and the level of benefits to indigenous species and ecosystems.
7. To assess the risks association with the introduction of a new organism for biological control in terms of the potential for the new organism to displace, crossbreed with, or otherwise interfere with indigenous species, and the potential consequential effects on ecosystem processes.
8. To generally support the use of biological agents for weed control, particularly in comparison to other alternatives that may involve genetic modification or the use of toxic, residual herbicides.
9. To oppose the use of any hazardous substances where such use will have significant adverse effects on the purity of our water (inland and coastal) and our land, and the productive and life sustaining capacity of water and land.
10. To advocate for mechanisms to minimise the risk associated with transporting hazardous substances, including speed control and restrictions on bulk cartage in coastal and mountainous areas, and improved containerisation of hazardous substances.

WAI AU TOA



3.3

Waiau toa



“Ko Waiau toa te awa”

This section of the plan describes ngā take and ngā kaupapa associated with the lands, waters, mahinga kai and biodiversity of the Waiau toa (Clarence River) catchment; one of the longest and most remote catchments in New Zealand. The catchment extends from Rangitahi and the mountain source of the river, to the east coast of Te Waipounamu. The Waiau toa is bounded by two mountain ranges: Tiritiri ō te moana (Southern Alps / Inland Kaikōura Range) and Te Whatakai o Rakihouia (Seaward Kaikōura Range).

For Ngāti Kuri, the Waiau toa has a whakapapa status as the parent of many other rivers in the region, including those on the far sides of the ranges. Any impact on the Waiau toa has an impact on the rivers that are linked to it through whakapapa.

The river is of immense cultural, spiritual and historical importance for Ngāti Kuri and Ngāi Tahu, and figures prominently in tribal history. In pre-European times, the Clarence Valley was one of the most populated areas of Te Waipounamu. At one time, a large agricultural community successfully lived in the area because of the excellent condition for agriculture, as evidenced by the concentration of gardens, borrow pits, umu, midden, kāinga and pā that make the Clarence Valley one of the most significant archaeological areas in New Zealand. Archaeological information is supported by kaumātua knowledge of historical land use and occupancy traditions of the Waiau toa river surrounds.

The coastline from the Waiau toa to Mangamaunu and Kaikōura is of particular significance to Ngāti Kuri in terms of cultural heritage. This coastal region tells of Ngāi Tahu migrations to Te Waipounamu, and how Ngāti Kuri gained customary tribal authority over the rohe from Ngāti Māmoe, establishing themselves at Takahanga pā, the site of the current marae. This story is told in the panels that adorn the walls of the wharenuī at Takahanga Marae today.

Ngāti Kuri requested this coastal region as a coastal reserve during the Kaikōura Purchase in 1859, from the Hapuku River north to Porangarau Stream. The reserve was “...a long, precipitous coastal strip of about 4,795 acres that Ngāti Kuri wanted for access to seafood and fishing grounds, and because of the karaka groves there.”¹²

¹² Evison, H. 1997. pp. 264

For Ngāti Kuri, the reserve encompassed two areas of settlement, Waipapa and Mangamaunu, and gave access to a bountiful supply of kai from both the land and the sea.

In this section, the following activities, issues, ecosystems and places of importance are addressed:

Section 3.3 Waiau toa

Maunga
High country – Tenure review
High country – Pastoral farming
High country – Access
High country – National Parks
Earthworks
Transport
Waiau toa
Ngā roto waimāori
Mahinga kai – freshwater fish
Biosecurity, weed, pest control

Ō Te Whenua – The Land

The land of the Waiau toa catchment is characterised by a long river valley, and extensive high country. As a prominent part of the Waiau toa landscape, the high country is a focus of this section.

High country and mountain regions are the source of life and nourishment for rivers and lowland areas. They are also part of the cultural heritage of Ngāti Kuri.

The tūpuna possessed considerable knowledge about high country areas. This was knowledge of places – for gathering mahinga kai and other natural resources, knowledge of the relationship between people and the land, and knowledge of tikanga – ways of ensuring the appropriate and sustainable utilisation of resources. The stories, place names and mahinga kai traditions associated with high country areas are an integral component of Ngāti Kuri history, linking the people to the landscape.



3.3.1 Maunga

Maunga play an important role in the spiritual and cultural beliefs of Ngāi Tahu Whānui. As the gateways to the Atua, they are considered the most sacred part of the landscape (Table 4).

There are numerous maunga that Ngāti Kuri have important customary, historical, and cultural associations with. Many of these are in the alpine ranges of Te Whatakiāi o Rākihōiā, including Uerau (Mount Uerau), Kairuru, and Te Ao Whekere.

The relationship of Ngāi Tahu with Uerau is specifically provided for within the Deed of Settlement and the NTCSA 1998 as a statutory acknowledgement area, recognising the immense cultural, spiritual and traditional significance of the maunga (see Appendix 11). As with all principle maunga, Uerau is imbued with the spiritual elements of Ranginui and Papatūānuku.

Kairuru, the highest peak behind Waipapa, was famous for the quantity and sweetness of *taramea* (also karamea, *Aciphylla* spp.; Spaniard or speargrass), used by tangata whenua to obtain a scent, known as kākaramea. It was also known for the *tikumū*, or mountain daisy.

Ngā Take – Issues:

- » Protection of landscape and cultural values in high country areas
- » Tangata whenua access to mahinga kai in high country areas
- » Tangata whenua access to culturally important places in high country areas
- » Impacts of tourism and recreation activities, including concessions, on high country landscape
- » Interpretation of Ngāti Kuri values associated with maunga

Ngā Kaupapa – Policy:

1. Applications for activities that are within, adjacent to, or may impact on the Mt. Uerau (Uerau) Statutory Acknowledgement (SA) and Deed of Recognition area will require consultation with both Te Rūnanga o Kaikōura and Te Rūnanga o Ngāi Tahu.
2. All concession activities associated with maunga in the Waiau toa catchment are subject to Ngāi Tahu Standard Conditions for Concessions (Appendix 10), and any other special conditions required by Te Rūnanga o Kaikōura.
3. General public access to culturally significant sites associated with maunga in the Waiau toa catchment should only occur in consultation with Te Rūnanga o Kaikōura.
4. All Ngāi Tahu Whānui, current and future generations, must have the capacity to access, use and protect mountain landscapes, and the history and traditions that are part of such landscapes.

5. To actively encourage the use of wāhi ingoa associated with mountain regions in the Waiau toa catchment.
6. The use of any cultural information relating to maunga in the Waiau toa catchment, including interpretative material, must involve consultation with, and approval by, Te Rūnanga o Kaikōura.
7. To protect the headwaters of the Waiau toa, to ensure continuous healthy flow *ki uta ki tai*, from mountains to the sea.

Information Source: *Statutory Acknowledgement For Uerau (Mount Uerau)*. Schedule 67. Ngāi Tahu Claims Settlement Act 1998 (see Appendix 11 of this plan).

Table 4: Importance of mountains for Ngāi Tahu

Principle	Values	Key messages
ATUA	Mountains provide a link between the spiritual and physical world	
WHAKAPAPA	Mountains provide a link to Tipua, Tīpuna and kaitiaki	Maintaining Whakapapa Retaining the links between the past and the present
	Trails through the mountains are oral maps of the environment	
	Names of places help provide the links from past to the present	Respect Recognising the values leads to respectful behaviour
TUAHU	Mountains as visionary and spiritual places, places of ritual	
	Mountains being a 'pure' environment, pure water – the spiritual dimension	Access and Use Maintaining the Ngāi Tahu cultural relationship to the mountains
AWA	Mountains as a source of life giving water	
	Mahinga kai and trails / access to resources	

Source: Kaupapa Taiao, Te Rūnanga o Ngāi Tahu.

3.3.2 High country – Tenure review

Tenure review is an outcome of the Crown Pastoral Land Act 1998. The process is administered by Land Information New Zealand (LINZ), in relationship with the Department of Conservation (DoC), and involves Ngāi Tahu, Fish and Game, and various non-government organisations. The tenure review process is designed to distinguish economically productive land from land with conservation values.

Tenure review sees some areas of leased pastoral lands transferred to freehold, and others retired from grazing, and turned into conservation lands under the administration of the Department of Conservation. The identification of Ngāi Tahu values associated with such areas, and mechanisms for the protection of cultural values, is an important part of this process.

Te Rūnanga o Kaikōura is involved in tenure review on those pastoral lease properties within the takiwā of Ngāti Kuri.

Ngā Take – Issues:

- » Protection of significant inherent cultural values on pastoral lease lands
- » Relationship with lessees
- » Relationships with the Department of Conservation
- » Relationships with LINZ
- » Future use and management of lands identified as conservation land
- » Role of tangata whenua in determining future use and management
- » Protection of cultural values in future use scenarios
- » Adequate consultation with Te Rūnanga o Kaikōura with regards to grazing and tourist concessions on new areas of conservation land
- » Land classification of areas retained and/or acquired by the Crown from Tenure Review

Ngā Kaupapa – Policy:

1. The rights of tangata whenua to be involved in all aspects of the tenure review process must be recognised and provided for.
2. To ensure that access rights for tangata whenua to high country areas are recognised and provided for by the Crown, and thus not compromised by the tenure review process.
3. To support the use of Tangata Whenua (Cultural) Value Reports as part of the tenure review process, to identify cultural values associated with a given area, and mechanisms to protect such values.
4. To require that protection and access mechanisms are developed for all wāhi tapu and wāhi taonga areas located on pastoral lease lands. Te Rūnanga o Kaikōura must approve of all such mechanisms.

5. To recommend marginal strips, buffer zones, or similar protection mechanisms for any riparian areas or freshwater source (including waipuna), to ensure protection of these resources (on both freehold and conservation land).
6. To require consultation with regards to any concession (commercial activity on land administered by the Department of Conservation e.g. tourism or grazing activities) that may arise out of tenure review.
7. To advocate that the Department of Conservation monitor all grazing licences when pastoral lease lands are converted to conservation land, to ensure that economics do not supersede conservation.
8. To recommend, where necessary, that operational weed and pest control plans be developed for any lands transferred to conservation land, and that such plans are included in any grazing concessions.
9. When promotional material is developed for Crown lands in the high country, the Crown should ensure that traditional place names and stories are used, in consultation and with the approval of, Te Rūnanga o Kaikōura. This may involve developing partnerships between the Rūnanga and lessees of high country stations.
10. To require consultation with regards to land classifications of any land that is retained and / or acquired in Crown ownership from the Tenure Review process.

Information source: Cultural value reports, prepared by Te Rūnanga o Ngāi Tahu and Te Rūnanga o Kaikōura, for various tenure review properties.

Because tenure review is a negotiation process between the Crown and the lessee, sometimes the negotiation may result in significant cultural sites left unprotected. Under the CPLA 1998, if an area contains significant inherent cultural values then it must be protected. Te Rūnanga o Kaikōura must be involved in negotiation throughout the entire tenure review process, to ensure that cultural sites and values are protected.

3.3.3 High country – Pastoral farming

Pastoral farming (sheep, cattle, deer) is an important economic activity in high country areas of the Waiau toa catchment. Te Rūnanga o Kaikōura encourages the sound management of pastoral lands, to conserve soil and water resources, and protect natural and cultural heritage.

Ngā Take – Issues:

- » Unsustainable land use and impact on soils and vegetation
- » Vegetation burning for land management purposes, and loss of nutrients and carbon from the soil
- » Overgrazing of marginal lands
- » Water abstractions for irrigation, stock water and production of feed
- » Irrigation projects (large scale) to provide water to high country areas
- » Impact on water quality from unsustainable farming activities
- » Need for adequate minimum flow rates to protect instream values on waterways subject to abstractions
- » Stock access to waterways in areas where grazing is concentrated and intensive
- » Inappropriate discharge to land
- » Protection of wāhi tapu and wāhi taonga on private land (relationships with landowners)
- » Lessees/ landowners not knowing that there are wāhi tapu sites on their property and accidentally damaging them
- » Tangata whenua access to significant sites associated with high country areas
- » Protection of scenic qualities of high country pastoral lands
- » Conservation of threatened species in the high country
- » Pest control as part of pastoral farming
- » The need for consultation with tangata whenua when stations are Landcorp/ government owned farms.
- » Unconsented activities as part of pastoral farming
- » Spread of weed species occurring in high country pastoral lease lands

Seen from the perspective of the present day, the Crown pastoral lease lands in the South Island are an economic resource to be exploited in the interest of the pastoral industry, or a national heritage to be conserved in the interests of the whole country, depending on one's viewpoint. Seen from the perspective of history however, these lands are the remnant of the original Ngāi Tahu lands filched by the Crown in gross breach of the Treaty of Waitangi.

Source: Evison, H.C 1987



Ngā Kaupapa – Policy:

1. To encourage pastoral farm land management practices that improve or maintain soil organic matter and soil nutrient balance, and prevent soil erosion.
2. To avoid adverse impacts on the environment (water, land and biodiversity) as a result of pastoral farming.
3. To require that all water abstraction activities associated with pastoral farming practice efficient use of water, particularly in terms of sustainable irrigation design, delivery and management.
4. To require that stock watering occur via pumping water into troughs, as opposed to direct stock access to high country waterways.
5. To avoid any discharge of contaminants to water, as a result of farming activity.
6. To require that areas of indigenous vegetation are protected from vegetation burning and clearance for land management purposes.
7. To require the development of plans for pest control (weeds such as gorse and broom that will come back after burning), as part of any application for vegetation clearance or burning for land management purposes. A consent for vegetation burning for land management purposes should only be granted if appropriate monitoring is in place to address weed control.
8. To encourage and develop good working relationships with all private landowners with regards to the protection of, and access to, wāhi tapu, archaeological, or other culturally significant sites.
9. Earthworks activities associated high country pastoral farming that may impact culturally significant sites are subject to those guidelines outlined in the *Te Rūnanga o Kaikōura Management Guidelines for Wāhi Tapu and Wāhi Taonga*, as per Section 3.7. This includes provisions for site visits, cultural impact assessments and pre-resource consent archaeological assessments.
10. The following criteria will be used when considering applications for grazing and farming concessions: existing land use, proposed stock type and density, potential effects of stock on waterways, potential risk to wāhi tapu, wāhi taonga or other culturally important landscape features, soil erosion risks, impacts on indigenous vegetation, the need to use grazing for management purposes, and the duration of concession being applied for.

Cross-reference: Sections 3.2.5 Water abstractions – General; 3.3.6 Earthworks; 3.4.7 Farming; 3.5.3 Vegetation clearance and burnoff; 3.5.4 Discharge to land.

3.3.4 High country – Access

Many high country areas are conservation lands, and are used for recreation or tourism activities. Public access can put pressure on natural resources, the natural character of the landscape, and culturally significant sites. Historically, high country areas were part of the complex array of trails that linked coastal settlements to inland mahinga areas. High country trails also linked the east coast of Te Waipounamu to Te Tai Poutini.

Access, use, and protection of cultural values associated with high country landscapes are key policy areas for Te Rūnanga o Kaikōura.

Ngā Take – Issues:

- » Access for tangata whenua to culturally important areas in the high country
- » Protection of mahinga kai resources
- » Restoration and enhancement of customary use traditions
- » Impacts of tourism and recreation on high country landscapes
- » Concession applications and the protection of Ngāi Tahu values
- » Relationship with the Department of Conservation regarding the protection of wāhi tapu and wāhi taonga on conservation lands
- » Relationships with the Department of Conservation regarding access and customary use
- » Accidental discoveries of cultural materials
- » Interpretation of Ngāti Kuri values as part of concession activities

Ngā Kaupapa – Policy:

1. To require that appropriate and adequate consultation occurs with tangata whenua over conservation land access issues in the high country.
2. All Ngāi Tahu Whānui, current and future generations, must have the capacity to access, use and protect high country landscapes, and the history and traditions that are part of such landscapes.
3. Interpretation and information relating to Ngāi Tahu history, values, traditions or beliefs (including place names) is not to be provided to any clients as part of any commercial guiding and interpretation activity unless the interpretation and information is agreed to by Te Rūnanga o Kaikōura as being appropriate and accurate.
4. Consultation must occur for all concession applications in the takiwā of Te Rūnanga o Kaikōura, except when Te Rūnanga o Kaikōura has determined it not necessary.

5. Where relevant, concession activities (including filming) on conservation land in the takiwā of Te Rūnanga o Kaikōura are subject to Ngāi Tahu Standard Conditions for Concessions (Appendix11), and any other special conditions required by Te Rūnanga o Kaikōura.
6. When promotional material is developed for Crown lands in the high country, the Crown should ensure that traditional place names and stories are used, in consultation and with the approval of, Te Rūnanga o Kaikōura. This may involve developing partnerships between the Rūnanga and lessees of high country stations.
7. To encourage consent authorities to consider appropriate consent durations for activities involving tourism, recreation, and access to the high country. This includes consideration of long-term and cumulative impacts, and the potential future availability of improved technologies and/or practices.
8. To encourage and develop good working relationships with all private landowners with regards to the protection of, and access to, wāhi tapu, archaeological, or other culturally significant sites.

Cross-reference: Section 3.4.5 Concessions.

During the Settlement, several high country stations were returned to Ngāi Tahu, fee simple. However, even though we now own these stations fee simple, we have a wander at will provision imposed upon us: we have to ensure that we give access to everyone to these places. This is what we want from everywhere else, access to places that are important to us.

Aunty Darcia Solomon, Te Rūnanga o Kaikōura

3.3.5 High country – National Parks

National Parks are often proposed as a management tool to provide protection for areas possessing scenery of distinctive quality, ecological systems that are unique or scientifically important, and/or natural features that are considered so beautiful, unique or scientifically important that their preservation is in the national interest.

Investigating new areas for protection as a national park is a formal process guided by the National Parks Act 1980 (s.8). However, the Act provides no direction as to how tangata whenua concerns should be addressed as part of the investigation. Many National Park areas have strong cultural and historical associations for Ngāi Tahu. Changes of land status to a national park has the potential to affect resources of importance to tangata whenua (e.g. mahinga kai).

Ngā Take – Issues:

- » Existing National Parks Act does not sufficiently address tangata whenua issues, including Treaty responsibilities
- » Tangata whenua involvement in section 8 investigations (proposals to establish new national parks)
- » Unresolved management issues in existing national parks
- » Wider community aspirations for land that is proposed as a national park
- » Access and customary use issues on national park lands

Places such as the Kaikōura Ranges are Ngāi Tahu tipuna, and thus tangata whenua must be involved in management of the area, including any national park proposal.

Ngāti Kuri consider that tangata whenua are, in effect, excluded from the land when it becomes a National Park, due to the inadequacy of current legislation to consider management from a tangata whenua perspective. Tangata whenua must be involved in determining those activities that may be appropriate in a given area, and not excluded from exploring the potential for sustainable use and economic activities.

Ngā Kaupapa – Policy:

1. Tangata whenua, as kaitiaki of their cultural heritage, should play a key role in the identification, protection and management of their cultural and historic heritage within National Parks.
2. National parks policy and planning must be strongly Treaty of Waitangi based.
3. National Parks policy and planning must recognise and provide for Ngāi Tahu cultural values and historical associations.
4. National Parks policy and planning must positively recognise customary use. Customary use is not limited to non-commercial activities.
5. To require that any National Park section 8 investigation in the takiwā of Te Rūnanga o Kaikōura include a detailed Cultural Impact Assessment, to ensure that tangata whenua are adequately involved in the investigation.
6. If a national park (or conservation park) is established with the takiwā, the management plan process should provide for at least fifty percent Ngāti Kuri and Ngāi Tahu representation on the planning committee of the Conservation Board. This may require co-opting members onto the Board for this function.
7. If a national park (or conservation park) is established with the takiwā, the name of that park should be established by Te Rūnanga o Kaikōura, in consultation with other agencies.

8. To encourage the development and implementation of Rūnanga based alternatives for protected area management. This includes concepts such as cultural parks, or managing areas as cultural landscapes, based on the principles of kaitiakitanga and ki uta ki tai. Such alternatives provide additional options for consideration, alongside existing protected area land designations and classifications.

Cross-reference: Sections 3.3.4 High country – Access; 3.4.17 Cultural landscapes; 3.5.17 Mahinga kai – Customary use.

The Treaty of Waitangi is the historical basis for indigenous guardianship. It recognises the indigenous people as exercising responsibility for their treasures, monuments and sacred places. This interest extends beyond current legal ownership wherever such heritage exists. Particular knowledge of heritage values is entrusted to chosen guardians. The conservation of places of indigenous cultural heritage value therefore is conditional on decisions made in the indigenous community, and should proceed only in this context.

Source: Indigenous Cultural Heritage Provisions, ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value (adopted by the New Zealand National Committee of the International Council on Monuments and Sites in 1992)

3.3.6 Earthworks

Earthworks (ground disturbance) is a component of a range of activities, including subdivision, building, drainage works, the construction of farm tracks, tree removals, roadworks, and the laying of underground cables.

Given the long history of Māori land use and occupancy in many areas of the Te Rūnanga o Kaikōura takiwā, earthworks activities that involve ground disturbance often have the potential to unearth cultural materials or disturb urupā.

Ngā Take – Issues:

- » Protection of wāhi tapu and archaeological values from disturbance as a result of earthworks
- » Impact on cultural landscape values, including indigenous vegetation, as a result of earthworks
- » Rūnanga cultural monitoring of earthworks activities
- » Appropriate processes associated with the accidental discovery of cultural materials
- » Compliance with Accidental Discovery Protocols (ADPs)

- » Uncertainty on the part of contractors with regards to what an archaeological or cultural site looks like
- » Situations where the impacts on cultural values are unknown
- » Differing interpretations of when an activity is considered earthworks

Te Rūnanga o Kaikōura defines earthworks as “when the first spade goes into the ground”.



Ngā Kaupapa – Policy:

1. To assess all earthworks activities in terms of *Te Rūnanga o Kaikōura Management Guidelines for Wāhi Tapu and Wāhi Taonga*, as per Section 3.7 *Wāhi tapu me te Wāhi taonga*.
2. In areas of high cultural and historical importance, any activity involving earthworks may require a site visit and/or Cultural Impact Assessment and/or an archaeological assessment, at the cost of the applicant, to ensure the protection of wāhi tapu and other sites of cultural significance.
3. To include, where needed, an Accidental Discovery Protocol as a standard condition with applications for earthworks activities.
4. In areas considered high risk, Te Rūnanga o Kaikōura may require that a Rūnanga cultural monitor or archaeologist is present, at the cost of the applicant, to monitor all surface clearing or sub-surface excavation, and to record sites or information that may be revealed.
5. When Rūnanga cultural monitoring is required, Te Rūnanga o Kaikōura requires at least two weeks notification prior to any earthworks activity.
6. Any understandings or agreements between applicants and the Rūnanga must also be reflected in the contractors who are working on the ground.
7. Applications containing an Accidental Discovery Protocol agreement and result in no accidental discoveries during the activity, may be required to submit a letter to the Rūnanga post-activity, with a map of area excavated, indicating that no cultural materials were uncovered.
8. To avoid, in all situations, any damage to wāhi tapu, archaeological or other significant sites or materials, as opposed to remedy or mitigate.
9. To oppose any earthworks activity application whereby the adverse effects on cultural values are considered too significant.
10. Generally, if cultural values absolutely cannot be maintained (as determined by Te Rūnanga o Kaikōura), then as much information as possible should be taken from the site prior to any earthworks activity.

11. Where practical, indigenous vegetation that is removed or damaged as a result of earthworks activity should be replaced.
12. To recommend the planting of indigenous species as an appropriate mitigation measure for any adverse impacts as a result of earthworks activity.
13. Any earthworks or roadworks near rivers must have appropriate measures in place to avoid contaminants (including dust, sediment run-off from stockpiles or any hazardous substance) from entering waterways that may cause contamination, discolouration, or siltation such waterways.

Cross-reference: Section 3.7 Wāhi tapu me te wāhi taonga.

Normally, “indicators” of cultural and archaeological significance occur in the first metre. Early archaeological assessment, with test pitting, reveals these indicators and can predict what may lie below. However, the lack of indicators does not mean that there is an absence of any material of significance. Often material has accumulated on a site over time, and thus the first metre may reveal nothing of significance.



3.3.7 Transport

State Highway One travels along the coastal area from the Waiiau toa to the Hapūku River. This coastline has considerable wāhi tapu and wāhi taonga associations for Ngāti Kuri. A precautionary approach to roadworks is needed in the Waiiau toa catchment (and in fact the entire coastal area of the takiwā), as the probability of unearthing cultural materials is high, including kōiwi tangata.

Ngā Take – Issues:

- » Roadworks – upgrades, passing lanes, etc and impact on cultural and archaeological values
- » Spills of hazardous substances from transport vehicles in coastal areas
- » Earthworks, ground disturbance and likelihood of accidental discoveries of cultural materials
- » Relationship with Transit New Zealand
- » Stock effluent disposal facilities and stock effluent spillage on coastal roads
- » Removal of indigenous vegetation during roadworks
- » Balancing road safety with protection of cultural heritage

Ngā Kaupapa – Policy:

1. Applications relating to roadworks (e.g. passing lanes and realignments) are subject to those guidelines outlined in the *Te Rūnanga o Kaikōura Management Guidelines for Wāhi Tapu and Wāhi Taonga*, as per Section 3.7. This includes provisions for site visits, cultural impact assessments and pre-resource consent archaeological assessments.
2. To require Transit New Zealand to take into account considerations of coastal erosion and the impact on wāhi tapu (e.g. exposing cultural materials or kōiwi tangata), in planning for any road related activities, particularly along the coast.
3. In areas considered high risk, Te Rūnanga o Kaikōura may require that a Rūnanga cultural monitor or archaeologist is present, at the cost of the applicant, to monitor all surface clearing or sub-surface excavation, and to record sites or information that may be revealed.
4. To include an Accidental Discovery Protocol as a standard condition on any transport and roadworks plan in the Waiiau toa catchment.
5. Any understandings or agreements between Transit New Zealand and the Rūnanga must also be reflected in the contractors who are working on the ground.
6. To require that, in areas of high cultural significance where the need for road safety is seen as paramount, all ways of minimising impact on wāhi tapu and other cultural heritage values be considered (e.g. filling where possible, as opposed to excavation; archaeologists on site so that no information is lost; Rūnanga monitoring during activity).
7. Generally, if cultural values absolutely cannot be maintained (as determined by Te Rūnanga o Kaikōura), then as much information as possible should be taken from the site prior to any earthworks activity.
8. To advocate for mechanisms to minimise the risk associated with transporting hazardous substances, including speed control and restrictions on bulk cartage in coastal and mountainous areas, and improved containerisation of hazardous substances.
9. Any earthworks or roadworks near rivers must have appropriate measures in place to avoid contaminants (including dust, sediment run-off from stockpiles or any hazardous substance) from entering waterways that may cause contamination, discolouration, or siltation such waterways.
10. To avoid any roading or road related works entering or altering wetland or waipuna areas.
11. To avoid adverse effects on culturally important areas, including waterways, and culturally important landscape features (e.g. tī kōuka or karaka) as a result of roadworks, including the storage and / or disposal of spoil as a product of roadworks.
12. To require that any spoil, as a result of roadworks, found to contain cultural material is made available to tangata whenua and their appointed archaeologist for the purposes of investigation and information retrieval.

13. To advocate for mechanisms to minimise the risk associated with transporting hazardous substances, including speed control and restrictions on bulk cartage in coastal and mountainous areas, and improved containerisation of hazardous substances.

Cross-reference: Sections 3.3.6 Earthworks; 3.7 Wāhi tapu me te wāhi taonga.

Wai Māori – Freshwater Resources

Waterways have a special place in our heart. They're not just collections of gravel and water and fish. They feed the people but they also connect the mountains to the sea, are the lifeblood of Papatūānuku, have mana and a life presence of their own. Our belief is that the rivers should be treated with total respect, and their health given the utmost priority.



3.3.8 Waiau toa and its tributaries

The Waiau toa is one of regarded as one of the most significant rivers to Ngāti Kuri, and is associated with numerous ara tawhito, pā sites, urupā, kainga and gardens. The river has whakapapa links to many other waterways in the takiwā of Te Rūnanga o Kaikōura.

The Waiau toa, like all other waterways, carries its own mauri, or spiritual life force, has its own status or mana, and is guarded by distinct spiritual guardians.

Upper reaches of the river (associated with Rangitahi) are considered wāhi taonga, and were utilised and managed in the past as mahinga kai. Many areas in the lower catchment have highly significant wāhi tapu and historical associations. Today, natural resources issues associated with the Waiau toa include high country land use, water abstractions, discharges to water, stock access and water diversions.

Ngā Take – Issues:

- » Gravel extraction from the river and its tributaries
- » Downstream impacts of gravel extraction
- » Potential for hydro development in future, and impact on river and cultural values
- » Potential for viticulture and horticulture expansion along margins
- » Protection of riparian areas associated with the Waiau toa and its tributaries
- » Maintenance of the relationship of the Waiau toa with other waterways

- » Protection and enhancement of mahinga kai
- » Removal of large boulders from the river and impact on bank stability and flow
- » Water diversions and impact on flow regime and mauri of the river
- » Impacts on fish spawning, bird nesting, and habitat, as a result of water abstractions and diversions
- » Modifications to the physical channel of the river
- » Floodgate culverts and drop structures that block fish passage
- » Water quality
- » Water abstractions for irrigation
- » Protection of wāhi tapu and other cultural values associated with the Waiau toa catchment

Ngā Kaupapa – Policy:

1. To support and encourage catchment management planning (*ki uta ki tai*) to manage land and water resources in the Waiau toa catchment.
 2. To maintain the natural character and appearance of the Waiau toa *ki uta ki tai*, including sufficient and continuous water level and flow.
 3. To ensure that the value of the Waiau toa as a cultural and natural landscape is recognised and provided for in management decisions throughout the catchment.
 4. To ensure that activities in the Waiau toa catchment do not adversely impact the wāhi tapu and wāhi taonga values associated with the catchment.
 5. To protect and enhance the relationship of Ngāti Kuri with the Waiau toa catchment.
 6. To avoid the use of the Waiau toa or its tributaries as a receiving environment for the direct, or point source, discharge of contaminants.
 7. To avoid adverse impacts on water quality as a result of non-point source pollution, and require that any non-avoidable impacts are mitigated.
1. To restore, maintain and protect the mauri of freshwater resources associated with the Waiau toa catchment.
 2. To restore, maintain and enhance the mahinga kai values of river, streams, wetlands and riparian margins associated with the Waiau toa catchment.
 3. To protect, and where necessary enhance, all wetlands and waipuna associated with the Waiau toa catchment.
 4. To recommend riparian zone enhancement and restoration, using indigenous species, to mitigate adverse effects of activities associated with surface water resources of the Waiau toa catchment.
 5. To consider all applications for gravel extraction associated with the Waiau toa in terms of sustainable takes and environmental protection.

6. To discourage gravel extraction from those areas of the Waiau toa and its tributaries, where such extraction may be detrimental to bank stability and flooding, or may contribute to other environmental detriment.
7. To restrict gravel extraction activity in the Waiau toa or its tributaries to dry gravel areas, so as to prevent disruption of flow and thus impact on mahinga kai passage.
8. To avoid the construction of large scale hydropower dams on the Waiau toa, and encourage considerations of alternative sources of power.
9. To ensure that activities in the upper catchment have no adverse effect on mahinga kai, water quality and water quantity in the lower catchment.

Cross-reference: Sections 3.2.10 Parenga; 3.4.11 Water quality; 3.4.12 Gravel extraction; 3.5.8 Water abstractions – Surface; 3.5.15 Activities in the beds and margins of rivers.

3.3.9 Ngā roto waimāori

High country freshwater lakes provide habitat for fish, waterfowl and other mahinga kai. Rangitahi, near the headwaters of the Waiau toa, is a culturally and historically significant lake for Ngāti Kuri in the catchment.

Ngā Take – Issues:

- » Protection of wāhi tapu associated with ngā roto waimāori in the high country
- » Recognition of the cultural and spiritual association with ngā roto waimāori in the high country
- » Access to lakes and mahinga kai, including customary fishing opportunities
- » Intergenerational transfer of knowledge and traditions associated with ngā roto waimāori, including mahinga kai
- » Impacts on the mauri of ngā roto waimāori
- » Degradation of lakes by stock
- » Degradation of lakes as a result of forestry operations (deforestation and sedimentation)
- » Protection of indigenous flora and fauna associated with ngā roto waimāori
- » Tourism and recreational use, and concession activities, and potential impacts on ngā roto waimāori in the high country

Ngā Kaupapa – Policy:

1. To maintain and protect the cultural, spiritual, historic and traditional association of Ngāti Kuri and wider Ngāi Tahu Whānui with ngā roto waimāori in the high country.

2. All Ngāi Tahu Whānui, current and future generations, must have the capacity to access, use and protect ngā roto waimāori, and the history and traditions that are part of such landscapes.
3. To protect, and where needed enhance, the mauri or life supporting capacity of ngā roto waimāori.
4. To avoid the use of ngā roto waimāori as a receiving environment for the discharge of contaminants (e.g. industrial, residential, recreational or agricultural sources).
5. To require buffer zones of at least 100 m around all freshwater lakes to protect them from contamination as a result of residential, recreational, industrial, and agricultural activities (including all aerial applications).
6. To ensure that the water quality of ngā roto waimāori is such that it supports mahinga kai.
7. To require that stock watering occur via pumping water into troughs, as opposed to direct stock access to lakes for watering purposes.
8. Any applications for commercial eeling in freshwater lakes must involve consultation with Te Rūnanga o Kaikōura.

Cross-reference: Sections 3.2.10 Parenga; 3.3.3 High country – Pastoral farming; 3.3.10 Mahinga kai – Freshwater fisheries; 3.5.11 Water quality.

Mahinga Kai and Biodiversity

3.3.10 Mahinga kai – Freshwater fisheries

The Waiiau toa is a large and significant indigenous fisheries habitat, particularly in its higher reaches. River mouths and delta areas in the mainstem and tributaries are important areas for indigenous fish recruitment. Important mahinga kai species associated with the Waiiau toa include tuna (long and short finned), inanga and kōkopu.

Ngā Take – Issues:

- » Adverse impacts on water quality (pollution and sedimentation), and impact on mahinga kai
- » Access to mahinga kai areas; customary use
- » Impacts on the diversity and abundance of mahinga kai species
- » Impacts on the health of mahinga kai: are certain species safe to eat?
- » Habitat loss (e.g. spawning grounds)
- » Protection of river mouth environments as recruitment areas for diadromous mahinga kai fisheries
- » Fish passage: culverts, weirs and dams that interfere with fish passage upstream
- » Connectivity issues: maintaining connectivity between wetlands and waterways

- » Sufficient flow to ensure healthy mahinga kai
- » Intergenerational transfer of knowledge of traditions associated with mahinga kai
- » Impacts of gravel extraction activities on freshwater and coastal fisheries
- » Recovery plans for species of freshwater fish that are threatened or at risk
- » Release of sports fish into waterways and potential impact on indigenous species
- » Exotic pest fish and impact on indigenous species

Ngā Kaupapa – Policy:

1. To promote the protection, restoration and enhancement of freshwater fish biodiversity.
2. To advocate for the protection, restoration and enhancement of waterways, riparian margins, and wetlands as a means of protecting and enhancing freshwater fish biodiversity.
3. All Ngāi Tahu Whānui, current and future generations, must have the capacity to access, use and protect native fisheries, and the history and traditions that are part of customary use of such fisheries, as guaranteed by the Treaty of Waitangi.
4. The cultural, spiritual, historic and traditional association of Ngāti Kuri with taonga species must be recognised and provided for within all management and / or recovery plans associated with those species. This includes taonga species as per the NTCSA (Appendix 8), and all other species considered taonga by Ngāti Kuri.
5. To avoid compromising mahinga kai as a result of diversion, extraction, or other competing use for water, or as a result of any activity in the bed or margin of a lake or river.
6. To require that local and regional authorities consult with Te Rūnanga o Kaikōura regarding those areas that are considered particularly significant in terms of mahinga kai, and endeavour to protect those areas from inappropriate use and development.
7. To ensure that activities in the upper catchments do not have adverse impacts on mahinga kai resources in the lower catchments.
8. To ensure that all native fish species have uninhibited passage from the river to the sea at all times, through ensuring continuity of flow *ki uta ki tai*.
9. To advocate for fish-friendly drain cleaning and maintenance (see section 3.2.7 Vegetation control – Drains and waterways).
10. To maintain effective working relationships with the Department of Conservation with regards to managing pest fish.
11. Any consent activity involving water must ensure that effects on indigenous fish habitat and migration are avoided.

12. To ensure the protection of all sites identified as Nohoanga under the NTCSA 1998, as a means of providing tangata whenua with an opportunity to experience the landscape as our tūpuna once did, and to promote customary practices associated with mahinga kai.
13. To support the concept of Mahinga Kai Cultural Parks¹³, as a means of protecting and using specific cultural landscapes within the takiwā that have important mahinga kai associations.
14. To require consultation with regards to the release of any sports fish, by Fish and Game, into the lakes or rivers of the Te Rūnanga o Kaikōura takiwā.
15. Customary eel fisheries must not be compromised by commercial eel fishing activities in the takiwā.
16. Gravel extraction activities must ensure that continual passage for indigenous fisheries is maintained at all times.
17. To restrict gravel extraction activity to dry gravel areas, so as to prevent disruption of flow and thus impact on mahinga kai passage.

Cross-reference: Sections 3.2.9 Biodiversity; 3.5.17 Mahinga kai – Customary use.

Information source: National Institute for Water and Atmosphere (NIWA). 2005. *Atlas of New Zealand Freshwater Fishes, 2005*, <http://www.niwa.co.nz/rc/freshwater/fishatlas>. This atlas contains a brief summary for each species, including the marine wanderers. Each summary includes: a picture of the fish, how to distinguish that fish from others, some interesting facts about the species, and a distribution map.

3.3.11 Biosecurity, weed and pest control

Biosecurity is about the protection of the environment and people's health from pests and diseases. It includes trying to prevent new pests and diseases arriving in New Zealand, and eradicating or controlling those already present.

Ngā Take – Issues:

- » Wilding trees (e.g. pines and macrocarpa)
- » Aerial spraying of 1080 and impact on waterways
- » Aerial spraying of 1080 and impact on indigenous flora and fauna
- » Impact of unwanted introduced plant and animal species on indigenous flora and fauna.
- » Lack of confidence in 1080 related research
- » Non-target impacts (native birds such as kererū, hawks, ruru) of pest control operations
- » Consultation processes associated with biosecurity, and weed and pest control

¹³ Mahinga Kai Cultural Parks are proposed by Te Rūnanga o Ngāi Tahu as a management tool that provides a framework for Ngāi Tahu management and use within a specific area according to Ngāi Tahu tikanga. Management within a Mahinga Kai Cultural Park can enhance specific areas for customary use.

- » Effects on human health as a result of pest control operations
- » Need for good information at the local level regarding biosecurity, weed and pest control

Ngā Kaupapa – Policy:

1. Consultation with tangata whenua must be part of any and all pest management strategies, including 1080 related pest control.
2. Consultation and communication regarding pest control strategies should be in plain language, in addition to highly technical reports, to enable the Rūnanga (and other community groups) to make good decisions.
3. Effective biosecurity and pest control requires good partnerships between government agencies, non-governmental organisations, tangata whenua and landowners.
4. To require that monitoring of pest and weed control operations for adverse effects on indigenous species is included in any pest management strategy.
5. To require, in assessing strategies for pest or weed control in a given area, that economic values do not take precedence over other values such as environmental, cultural and social values. The most cost-effective means of pest or weed control may not be the most environmentally, culturally or socially acceptable solution.
6. To support the use of 1080 for pest control, conditional on the following factors (see text box following page):
 - (a) Locally appropriate approaches to 1080 use
 - (b) Iwi involvement in setting priorities and designing operations
 - (c) Ongoing research and communication
 - (d) Continuing investigation to improve the use of 1080, and find alternatives
 - (e) Effective and appropriate monitoring
 - (f) Clear, long term strategies for eradication of pests
7. To ensure that adequate management mechanisms are in place for forestry operations to control wilding trees, including the prevention of such trees from spreading to adjoining properties.
8. To ensure that weed and pest control programmes avoid adverse impacts on mahinga kai species or to areas of cultural significance.
9. To ensure that weed control programmes recognise appropriate buffer zones with regards to waterways or waterbodies, including ephemeral streams and those waterways that may be less than 3 m.
10. To encourage long term solutions to aquatic weed problems, such as riparian shading and reduction of nutrients flowing into waterways and drains. Planting riparian margins along waterways will in time reduce weed growth and the amount of vegetation control needed.
11. To promote the compatible management of pest and weed species on lands adjoining any area where comprehensive pest and weed control operations are in place.

Te Rūnanga o Kaikōura generally supports the use of 1080 for pest control. However, this support is conditional on a number of factors pertaining to how 1080 use is managed, and who is involved. These factors include

1. *Promoting locally appropriate approaches to 1080 use.* In order to achieve efficient and effective management of pests, there must be meaningful involvement of the local community. Communities need to shape the 'toolbox': the toolbox being the suite of tools and methods used to eradicate pests.
2. *Ensuring Iwi involvement in setting priorities and designing operations.* Iwi participation in pest control operations is fundamental to Kaitiakitanga, Tangata Whenua and Manawhenua. We as tangata whenua are the flax roots; we are on the ground people. Nobody is going to care about these places like we do; we have a vested interest. These places are our home; they are where our bones are. Priorities and operations cannot be determined by people who do not have a vested interest in a place.
3. *Keep the information flowing.* Ongoing research and communication. In our experience, good information and good consultation processes go a long way in building trust and acceptance, and securing community and iwi support for 1080 use. There needs to be more information, more research and more communication on this issue.
4. *Continuing to investigate and support efforts to find alternatives to 1080 and to improve existing use.* We do not like poisoning our environment, it is abhorrent to us. The only reason we can even consider 1080 use in our forests is because we recognize extreme situations call for extreme measures. However, while 1080 may be our best option at this time, the use of 1080 must continue to be improved through the development of best practice tools, and methods to ensure that there is consistency in the use of such tools.
5. *Effective and Appropriate Monitoring.* We don't believe that monitoring of 1080 use is taken seriously enough. The lack of commitment to monitoring lends to a lack of confidence at the community level regarding 1080 use. Working with iwi to develop monitoring programs, and providing opportunities for local iwi to be involved in monitoring should be a mandatory component of 1080 operations in our community.
6. *Focus on eradication.* The idea of using 1080 indefinitely is totally unacceptable to us. We believe that clear strategies of pest eradication, as opposed to control or management, need to be articulated. We need to see the light at the end of the tunnel. If there is no light, there is no hope.



When you live in a landscape with a mountainous range as your backdrop, you understand that there are places that are hard to access on foot. We live in a community where possum hunting is a job for some people. In a community where the majority of employment is seasonal, possum hunting is a valuable option for employment. Part of the rationale for the aerial use of 1080 is economics, and that is reasonable, but it should not be the determining factor (that is, that 1080 is used because it is the least expensive option). Cost should only be one of the many factors to consider when designing a pest management/eradication strategy.

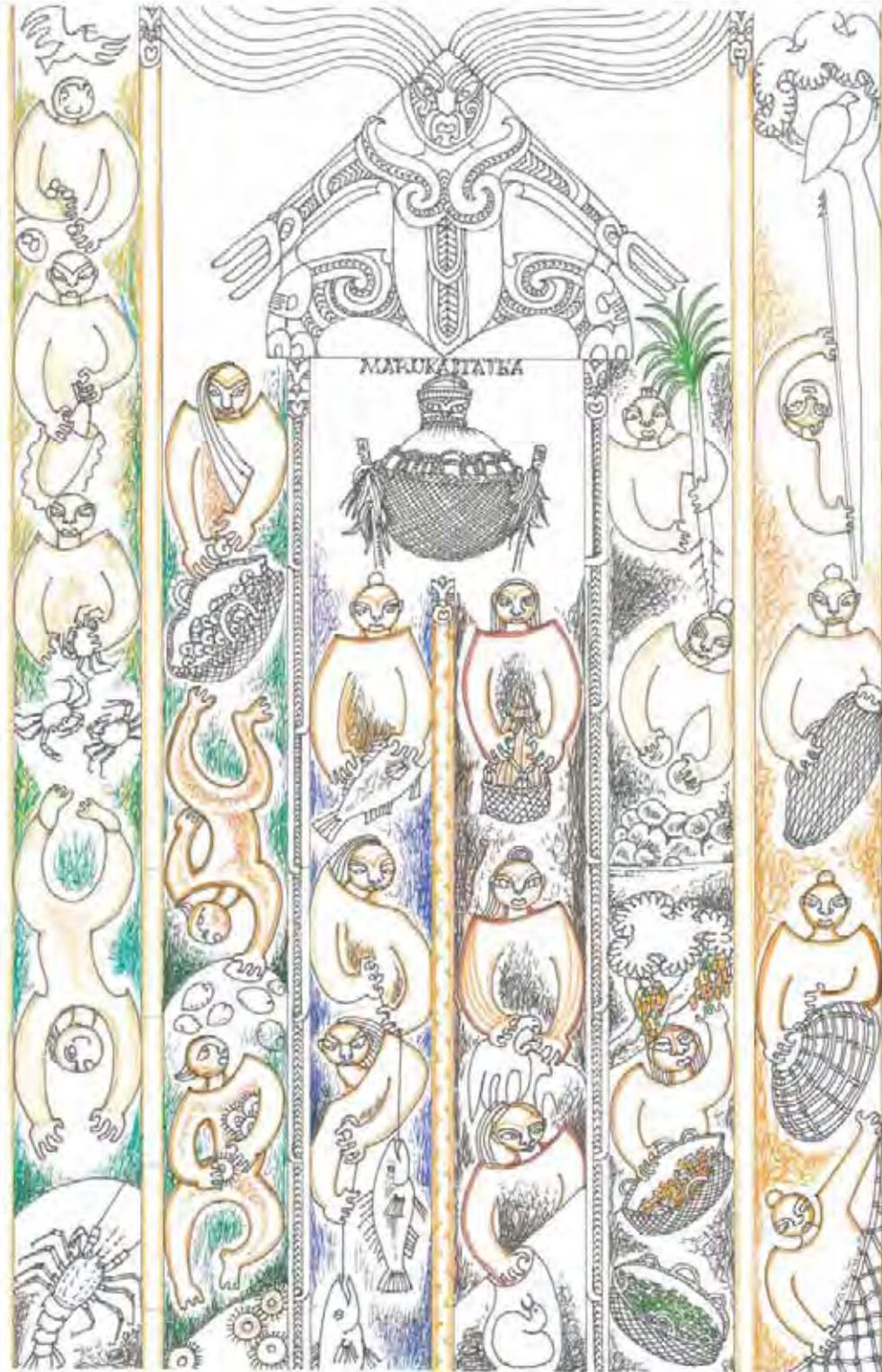
Raewyn Solomon, Te Rūnanga o Kaikōura (Submission to the Environmental Risk Management Authority 2007)



Cross-reference: Sections 3.2.2 Forestry; 3.2.7 Vegetation control – Drains and waterways; 3.2.11 Hazardous substances and new organisms.

Information source: *Biosecurity Act 1993*.

TE AHI KAIKŌURA A TAMA KI TE RANGI



3.4

Te Ahi Kaikōura a Tama ki te Rangi

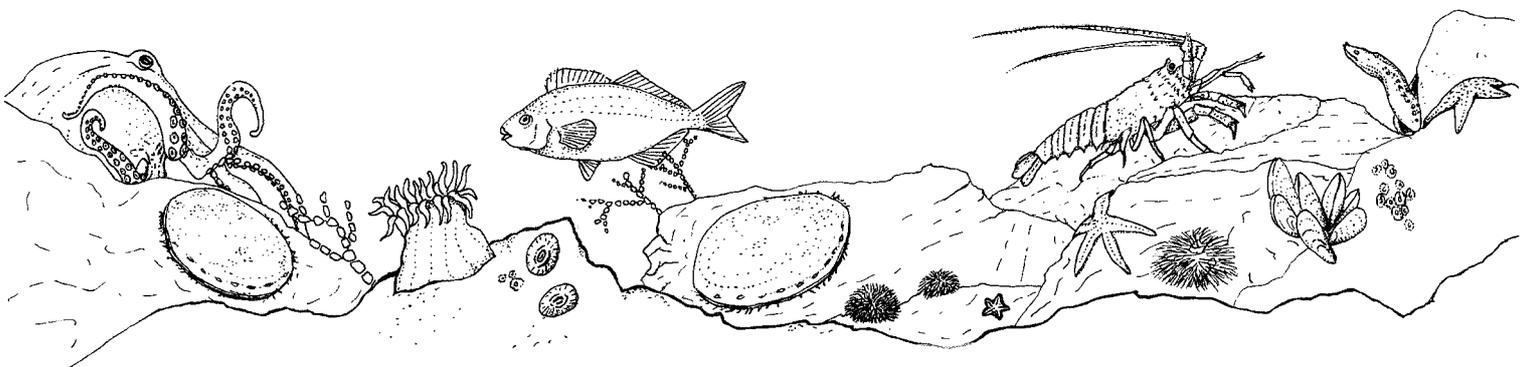


This section of the plan describes ngā take and ngā kaupapa associated with the lands, waters, mahinga kai and biodiversity in the Kaikōura area, from the Hapūku River south to Tūtae Putaputa (Conway River), including the township of Kaikōura. The alpine ranges of Te Whataakai o Rakihouia are the backdrop to the lowland floodplains, river mouths, coastal beaches, rugged rocky cliffs, limestone bluffs, and the open sea of Kaikōura.

Kaikōura was named after the explorer Tama Ki Te Rangi who travelled Te Waipounamu in the time of Tamatea Pokaiwhenua. On his way from the North Island, Tama ki Te Rangi stopped in the area now known as Kaikōura and ate some of the kōura that populated the area, over an open fire. From Tama Ki Te Rangi's feast on kōura, the area was named, Te Ahi Kaikōura a Tama ki Te Rangi – the fires where Tama Ki Te Rangi ate crayfish.

The Kaikōura area was highly populated in pre-European times. There are more than 14 pā sites on the Kaikōura Peninsula alone. Numerous other pā existed along the southern coast from Kahutara to Tūtae Putaputa, at places such as Peketa, Tahuna Torea, Omihī and Oaro. The special relationship of Ngāi Tahu with the Kaikōura coastal area, Te Tai o Marokura, in terms of cultural, spiritual, historical and traditional associations, is statutorily acknowledged under the NTCSA 1998 (see Section 3.6 Te Tai o Marokura).

A significant issue for Te Rūnanga o Kaikōura in the Kaikōura area is increasing growth and development. Such activities, if not managed appropriately, have the potential to compromise the very values that make Kaikōura attractive to visitors, developers and residents alike. As such, Te Rūnanga o Kaikōura looks for balance between maintaining Kaikōura as a beautiful place to live and visit, and protecting the natural environment and cultural heritage.



In this section, the following activities, issues, ecosystems and places of importance are addressed:

Section 3.4
Te Ahi Kaikōura a Tama ki te Rangi

Residential development – Subdivision
Land use consents – Building permits
Business growth and development
Tourism
Concessions
Te Taumanu o Te Waka a Maui
Farming
Sewage disposal
Solid waste management
Tribal properties
Water quality
Gravel extraction
Ngā roto waimāori
Rivers, creeks and streams
Parenga
Research and collection
Rongoā
Cultural landscapes

Ō Te Whenua – The Land

Kaitarau is a mountain above Kaikōura. It is the mountain where, in the past, tangata whenua would travel each year from their coastal pā at Omihi to gather and preserve tītī birds.

Source: Carrington Manuscripts



3.4.1 Residential development – Subdivision

Subdivision is a process of dividing land into one or more parcels, or changing an existing boundary location. In the Kaikōura area, the subdivision of farms and rural areas into residential allotments is an increasingly important issue.

There are two aspects of the effects of subdivision that need to be considered:

- » The processes that combine with subdivision, or result from it, to bring about a change of the use of the land; and
- » How the newly created parcels will be used once subdivision is complete – generally land will be used in a more intensive manner than was the case prior to subdivision.

Subdivision activities for residential development may be limited by availability of services and existing community infrastructure, and also physical constraints (coastline, mountain ranges, rivers and floodplains). The ability to subdivide may also be limited by the need to protect the natural character or zoning designation of an area.

For Te Rūnanga o Kaikōura, an important component of assessing any subdivision application is consideration of long term and cumulative effects. Assessments must take into account the future land use opportunities and expectations associated with a subdivision application.

Subdivision is usually preceded or accompanied by the removal of vegetation, the disturbance of land, and other changes to the natural and physical environment as building sites and access roads are formed and services installed. These works can alter drainage patterns, increase stormwater run-off, and generally alter the landscape. Such land use activities cannot be separated from – and are in fact integral to – the subdivision process, and are therefore legitimate effects to be considered for any subdivision application.

Source: An introduction to subdivision. www.qualityplanning.org.nz



Ngā Take – Issues:

- » Future land use activities, and consent applications, associated with subdivision proposals
- » Water abstractions associated with subdivisions; increased water demands from subdivisions
- » Lack of integration between local and regional council processes for subdivision (local council) and subdivision related land use and water consents (regional council)

- » Appropriate minimum allotment sizes
- » Protection of unrecorded and unknown significant sites in the Kaikōura area, from adverse effects as a result of subdivision
- » Protection of the integrity of waterways in subdivided areas
- » Esplanade provisions
- » Riparian margins and riparian management
- » Protection of wetlands
- » Rūnanga cultural monitoring of earthworks activities associated with subdivisions in Kaikōura
- » Sedimentation from land clearing, and impact on waterways
- » Pressure on community infrastructure from increased residential development
- » How is the disposal of sewage and stormwater going to occur?

Ngā Kaupapa – Policy:

1. Consent applications associated with subdivisions which are within, adjacent to, or may impact on the Kaikōura Coastal Statutory Acknowledgement (SA) area under the NTCSA 1998, or any other Deed of Settlement site, will require consultation with both Te Rūnanga o Kaikōura and Te Rūnanga o Ngāi Tahu.
2. To encourage early consultation, prior to lodging resource consent applications for subdivision.
3. To assess subdivision applications in terms of the current subdividing activity, and in terms of future uses of the land, including associated building, stormwater, sewage, and water supply consent applications.
4. Cumulative effects assessments must be part of subdivision decisions.
5. To encourage appropriate subdivision activities, that protect and even enhance natural, ecological and cultural values.
6. To avoid adverse effects on the natural environment as a consequence of increased demands placed upon land, water and community infrastructure resulting from the granting of new subdivision consents for residential development.
7. To carefully monitor the nature and extent of development along the Kaikōura coast. Te Rūnanga o Kaikōura does not support continuous, unbroken, or “ribbon” development in coastal regions.
8. Subdivision proposals to convert rural or farm land to residential allotments may be requested to develop a landscape plan to protect the integrity of existing waterways, riparian areas, and wetlands.
9. To advocate for the use of esplanade reserves, strips, or similar provisions on those subdivision applications that occur near waterways where such provisions are deemed necessary to protect and provide for waterway health and access values.

10. To advocate for recognition of esplanade reserves and strips as protection of those values relating to the health and integrity of waterways, and not just access.
11. Decisions relating to the use of esplanade reserves, strips, or similar provisions in subdivision applications should be dependent on the need to protect waterway health, as opposed to the size of the waterway or the size of the allotment.
12. Subdivision activities along waterways of cultural importance to tangata whenua should not impede access to and along those waterways.
13. To require subdivision developments to establish new, or where possible use existing, means of disposing of sewage and other solid waste in a manner that is consistent with maintaining human health and where adverse effects on the environment are avoided.
14. To avoid the use of water as a receiving environment for the direct, or point source, discharge of contaminants such as stormwater. Generally, all discharge must first be to land.
15. To require that the disposal of stormwater occur in a manner that avoids inundation of land within or adjoining the subdivision, and does not adversely affect the quality of surface and groundwater. The Rūnanga has a general policy of no discharge to water.
16. To avoid impacts on water and on land as a result of inappropriate discharge to land activities associated with subdivision. Treatment and purification systems, including wetland systems, and close monitoring of the carrying capacity of soils must be part any discharge to land activity.
17. To promote wastewater management schemes that separate greywater (washing, showers, sinks) and stormwater from blackwater (human waste), and that incorporate the reuse / recycling of greywater and stormwater for non-hygienic purposes such as garden use and irrigation.
18. To promote the use of rainwater retention / recycling tanks in any new subdivision, to store excess water for non-hygienic purposes such as garden use and irrigation.
19. All applications for subdivision in the Kaikōura area are subject to those guidelines outlined in the *Te Rūnanga o Kaikōura Management Guidelines for Wāhi Tapu and Wāhi Taonga*, as per Section 3.7. This includes provisions for site visits, cultural impact assessments, and pre-resource consent archaeological assessments.
20. In certain areas, the protection of significant cultural values will have precedence over any building, subdivision or other development activity.
21. In areas of cultural importance, any purchasers of new lots must be made aware of the high archaeological and cultural values of the surrounding area, and thus the legal requirements under the Historic Places Act 1993 with regard to destroying, damaging or modifying archaeological sites. In some cases, consent notices may need to be placed on titles, identifying the area as containing a high likelihood of uncovering archaeological sites, and outlining procedures and processes associated with such an occurrence.

22. Any proposed activity that may affect an archaeological site must obtain an archaeological authority from the New Zealand Historic Places Trust.
23. Subdivision applicants may be required to enter into Accidental Discovery Protocol and monitoring agreements with Te Rūnanga o Kaikōura, stating that any earthworks, fencing, landscaping or other such activity has the potential to uncover archaeological sites, and outlining procedures and processes associated with such an occurrence.

Cross-reference: Sections 3.3.6 Earthworks; 3.7 Wāhi tapu me te wāhi taonga.

Subdivision applications may include provisions for access ways and car park spaces; often sealed. Sealed access ways and car parks can inhibit the distribution of stormwater to ground; instead concentrating the discharge into certain run-off areas. Yet at the same time, sealed roads are important in terms of aesthetic purposes and amenity values.

Te Rūnanga o Kaikōura has identified this issue as one requiring further investigation and consideration, as it is important to ensure that the distribution of stormwater discharge is such that the carrying capacity, and thus the cleansing ability, of the land is not exceeded.

3.4.2 Land use consents and building permits

A land use, or building consent is required to undertake almost all building activities. This can include new houses, extensions to existing houses, relocations of houses, installing a pool, or constructing a deck. However, building activities that meet requirements of a proposed district plan will not require consent. In some areas, including the Kaikōura coast, such permitted activities are a concern for the Rūnanga, as they may not have appropriate processes in place to protect areas of cultural significance. The Rūnanga is trying to address this gap through the use of Heritage Alert layers on planning maps.

Building activities need to be considered in terms of the surrounding landscape. In the Kaikōura area, Te Rūnanga o Kaikōura seeks to avoid compromising, as consequence of residential development, the natural and cultural values associated with certain places.

The Building Act 2004 links to the Historic Places Act 1993 (HPA) through Project Information Memoranda (PIMs) and building consent processes. The Trust has a statutory responsibility under the HPA (sections 34 and 35) to notify territorial authorities of entries on the Register for the purposes of the Building Act. Territorial authorities have a responsibility under the Building Act to notify the Trust of receipt of a building consent or PIM relating to an entry in the Register.



Ngā Take – Issues:

- » Buildings that do not require consent (permitted activities) and potential impact on wāhi tapu and other culturally significant sites
- » Appropriate processes for protecting significant sites with regards to permitted activities
- » Servicing of residential areas
- » Earthworks associated with building permits
- » Height of buildings in some areas
- » Construction of baches in some coastal areas
- » Effect of development proposals on “small town” feel of Kaikōura
- » Protection of landscape and amenity values

Ngā Kaupapa – Policy:

1. Land use consent applications (to erect a dwelling), that are within, adjacent to, or may impact on the Kaikōura Coastal Statutory Acknowledgement area under the NTCSA 1998, or any other Deed of Settlement site, will require consultation with both Te Rūnanga o Kaikōura and Te Rūnanga o Ngāi Tahu.
2. All land use (to erect a dwelling) consent applications in the Kaikōura area are subject to those guidelines outlined in the *Te Rūnanga o Kaikōura Management Guidelines for Wāhi Tapu and Wāhi Taonga*, as per Section 3.7. This includes provisions for site visits, cultural impact assessments and pre-resource consent archaeological assessments.
3. To encourage the use and implementation of Heritage Alert Layers, on planning maps and building permit document (LIMs and PIMs), as a predictive modelling tool to assist local authorities’ to identify areas of known archaeological sensitivity and manage archaeological heritage.

4. Until Heritage Alert Layers are implemented, to require that local authorities provide Te Rūnanga o Kaikōura with a list of all proposed building permits (those activities not requiring a land use consent) in the Kaikōura area (from the Hapūku River to the Haumuri Bluffs inland to the ranges, including the town of Kaikōura and the Peninsula). The Rūnanga will use such lists to assess whether any sites of significance may be at risk from a permitted building activity. As Rūnanga capacity increases, building permits for other areas of the takiwā may be requested.
5. Earthworks activities associated with erecting dwellings or other building activities are subject to the policies relating to earthworks, contractors and the potential unearthing of cultural materials or kōiwi tangata section 3.7).
6. To carefully consider any excavation below ground for new building activity on existing buildings (e.g. additions, decks) in the Kaikōura area, in places of particular significance where the likelihood of accidental discovery of archaeological material or wāhi tapu is high.
7. Applicants applying for a land use (to erect a dwelling) consent may be required to allow for an appointed Rūnanga cultural monitor to monitor any ground disturbance activities.
8. Applicants may be required to enter into Accidental Discovery Protocol and monitoring agreements with Te Rūnanga o Kaikōura, stating that any earthworks, fencing, landscaping or other such activity has the potential to uncover archaeological sites, and outlining procedures and processes associated with such an occurrence.
9. Any proposed activity that may affect an archaeological site must obtain an archaeological authority from the New Zealand Historic Places Trust.
10. To ensure that the scale and siting of any building (e.g. building height) does not unreasonably detract from the natural landscape and character of the Kaikōura area.
11. To require that all building consent and permit applications ensure that appropriate sewerage and stormwater systems are in place.
12. To promote the use of buffer zones and covenants placed on titles, to ensure preservation of areas of indigenous vegetation and other culturally important features and places.

Cross-reference: Sections 3.3.6 Earthworks; 3.6.1 Coastal land use and development; 3.6.2 Land use consents and building permits (Te Tai o Marokura); 3.7 Wāhi tapu me te wāhi taonga.

Interpretation of Ngāti Kuri stories and place names

The are many stories about Māori settlement, occupation and use of the resources of Kaikōura. Stories and place names are used by tangata whenua to keep historical associations with the landscape strong.

New subdivision and development areas may require names for streets, properties, and other resources. Te Rūnanga o Kaikōura recommends that where possible Māori names are used, to imprint the mana of Ngāti Kuri over the area as tangata whenua. However, any use of Māori names requires consultation with Te Rūnanga o Kaikōura to ensure that appropriate names and stories are used. This requires adequate timeframes and resources to provide research. Any names used must ultimately be approved by Te Rūnanga o Kaikōura.



3.4.3 Business growth and development

The growth of business is a response to increasing visitor and resident numbers in Kaikōura. A large number of Kaikōura businesses, such as visitor accommodation services, cater to the tourism industry.

Te Rūnanga o Kaikōura recognises the need for business growth and development, but also the value of protecting cultural heritage, the natural environment, and the “small coastal village” character of Kaikōura.

Ngā Take – Issues:

- » Encouragement of appropriate business growth and development
- » Protection of the small coastal village character of Kaikōura
- » Protection of amenity values and character of the area from inappropriate growth and development
- » Protection of cultural heritage values
- » Increasing pressure from commercial franchising
- » Increasing demand on community infrastructure
- » Appropriate stormwater and sewage disposal associated with business growth and development

Ngā Kaupapa – Policy:

1. To encourage appropriate business growth and development, that enhances the natural and cultural values of the Kaikōura area.
2. To protect the natural and cultural landscape from inappropriate business growth and development.

3. All applications relating to new business developments in the Kaikōura area are subject to those policies outlined in the *Te Rūnanga o Kaikōura Management Guidelines for Wāhi Tapu and Wāhi Taonga*, as per Section 3.7. This includes provisions for site visits, cultural impact assessments and pre-resource consent archaeological assessments.
4. To require that new business developments ensure that appropriate sewage and stormwater systems are in place.
5. To ensure that the scale and siting of any development (building height, density, etc) does not unreasonably detract from the natural landscape and character of the Kaikōura area.
6. Any new business development in the Kaikōura area that is considered to have high visual impacts on the natural or cultural landscape may be required to provide opportunities, and resourcing, to work with Te Rūnanga o Kaikōura to discuss and agree on appropriate design for the proposed development in relation to protecting the natural and cultural landscape.
7. To reflect and protect the landscape values of Kaikōura, indigenous plants (e.g. tī kōuka, harakeke) should be included in any large development proposals, such as shopping centres or restaurants.
8. To support and encourage the use of indigenous species to offset and mitigate negative impacts of development activities. Activities that may have high visual impacts on the natural or cultural landscape may be required to use suitable screening devices, such as indigenous plant species and other materials.

Cross-reference: Sections 3.3.6 Earthworks; 3.6.1 Coastal land use and development; 3.7 Wāhi tapu me te wāhi taonga.

3.4.4 Tourism

Tourists often come to Kaikōura to experience a pristine natural environment. Yet increasing numbers of tourists are having an impact on the natural environment. For Te Rūnanga o Kaikōura, this is of particular concern in coastal regions, where the environment may be more vulnerable than in other areas.

Ngā Take – Issues:

- » Increasing numbers of tourists and impact on environment
- » Existing camping grounds along State Highway One are largely in areas of significance to tangata whenua; some are wāhi tapu
- » Public access to private property (Māori land)
- » Waste discharge from campervans
- » Coastal camping and impacts on coastal environment
- » Impacts on waterways from tourism (e.g. camping)

- » Can local community infrastructure handle increased pressure from tourism? (rubbish and water)
- » Litter on beaches
- » Location and upkeep of access tracks
- » Impact on mahinga kai, particularly kaimoana (taking above limits)

Tourism can have both positive and negative impacts. “Smart tourism”, such as eco-tourism, can enhance and complement our communities and the natural environment.



Ngā Kaupapa – Policy:

1. To encourage smart and responsible tourism, that protects the environment and cultural heritage of Kaikōura.
2. To avoid compromising environmental and other cultural values, as a result of tourism activities.
3. To avoid adverse impacts on coastal areas as a consequence of coastal camping and general tourist access.
4. To advocate limits to coastal camping in those areas considered vulnerable or sensitive environments, and in those areas that are without proper facilities. Current levels of coastal camping are having an impact on coastal areas.
5. To support and encourage research into the impacts of tourism on the Kaikōura area, socially, environmentally and culturally.
6. To encourage the use of tourism information boards, pamphlets and guides in the Kaikōura area, to provide information relating to appropriate waste disposal, respect for the environment, and responsible tourism.
7. To prohibit the use of recreational vehicles in coastal beach areas where the environment is vulnerable: including areas where dunes may be damaged, coastal plants such as pingao may be threatened, or wildlife areas (e.g. bird nesting sites) may be impacted.
8. To require consultation with regards to the establishment of structures in coastal areas such as public toilets, including upgrades of existing structures, to ensure that such structures are located in culturally appropriate places.
9. Interpretation and information relating to Ngāi Tahu history, values, traditions or beliefs (including place names) is not to be provided to any clients as part of any commercial guiding and interpretation activity unless the interpretation and information is agreed to by Te Rūnanga o Kaikōura as being appropriate and accurate.

10. Any interpretation and information relating to Ngāti Kuri history, values, traditions or beliefs associated with areas of significance to Ngāti Kuri is best prepared and delivered by Ngāti Kuri. When concessionaires seek to use cultural history (e.g. Ngāti Kuri stories) in their operations, Te Rūnanga o Kaikōura recommends that a Rūnanga representative is employed as part of the concession activity to provide and interpret such information.
11. Te Rūnanga o Kaikōura will not consider requests for visitor groups to Tuku Tuku Iwi, until such time as an appropriate protection and management plan is developed.

Cross-reference: Sections 3.3.4 High Country – Access; 3.4.5 Concessions; 3.6.5 Access; 3.6.6 Concessions – Recreation and tourism.

3.4.5 Concessions

A concession is a lease, easement, license or permit granted under the Conservation Act 1987, for commercial use of lands managed by the Department of Conservation. Concessions include activities such as recreation / tourism operations, aircraft landings, commercial filming and resource uses such as grazing, telecommunications, access easements across conservation land, and baches. Such activities cannot compromise natural and historical values, and must be consistent with the values for which the area is managed.

The Department of Conservation consults with Ngāi Tahu on most concession activities as part of its section 4 Conservation Act Treaty obligations, including partnership and the active protection of Māori interests.

Te Rūnanga o Ngāi Tahu and the Department of Conservation, in consultation with Papatipu Rūnanga, have developed a set of Ngāi Tahu Standard Conditions (NTSC) for concessions (see Appendix 10). The purpose of these conditions is to avoid, remedy and / or mitigate any impact that concession operations may have on the general cultural, spiritual and historical values of Ngāi Tahu. These conditions will be applied automatically where relevant to any concession activity.

Ngā Take – Issues:

- » Is the concession activity environmentally sustainable at the level that is required to run a commercial operation?
- » Cumulative impacts of concession activities (e.g. wood collected for nightly campfires, digging of toilet trenches, going off established tracks)
- » Interpretation issues: inaccurate interpretation of Ngāi Tahu values, customs, beliefs, and history is disrespectful to the Rūnanga, and the tūpuna who have previously occupied the lands.
- » Use of Ngāi Tahu history and culture by tourism operators
- » Use of te reo and Māori symbols / graphics by non-Māori to benefit private tourist ventures

- » Protection of pūrākau, as they are taonga
- » Encouragement of Ngāi Tahu held concessions, particularly in areas of immense cultural significance, or with regards to taonga species
- » Positive and negative impacts of concessions

Ngā Kaupapa – Policy:

1. Consultation must occur for all concession applications in the takiwā of Te Rūnanga o Kaikōura, except when Te Rūnanga o Kaikōura has determined it not necessary.
2. Where relevant, concession activities on conservation land in the takiwā of Te Rūnanga o Kaikōura are subject to Ngāi Tahu Standard Conditions for Concessions (Appendix 11), and any other special conditions required by Te Rūnanga o Kaikōura.
3. Concession applications that are within, adjacent to, or may impact on a Deed of Settlement site (Statutory Acknowledgement, Tōpuni, Deed of Recognition or Nohoanga) under the NTCSA 1998 will require consultation with both Te Rūnanga o Kaikōura and Te Rūnanga o Ngāi Tahu.
4. To avoid adverse effects on the environment as a result of a concessions activity.
5. To avoid adverse effects on the general cultural, spiritual and historic values of Ngāti Kuri as a result of a concessions activity.
6. To ensure that concession activities do not compromise tangata whenua access to and customary use of mahinga kai and other culturally important resource and materials.
7. Interpretation and information relating to Ngāi Tahu history, values, traditions or beliefs (including place names) is not to be provided to any clients as part of any commercial guiding and interpretation activity unless the interpretation and information is agreed to by Te Rūnanga o Kaikōura as being appropriate and accurate.
8. Any interpretation and information relating to Ngāti Kuri history, values, traditions or beliefs associated with areas of significance to Ngāti Kuri is best prepared and delivered by Ngāti Kuri. When concessionaires seek to use cultural history (e.g. Ngāti Kuri stories) in their operations, Te Rūnanga o Kaikōura recommends that a Rūnanga representative is employed as part of the concession activity to provide and interpret such information.
9. Te Rūnanga o Kaikōura must approve any use of Ngāi Tahu names used for recreation and tourism concessions in the takiwā of Ngāti Kuri.
10. In some cases, Te Rūnanga o Kaikōura may request that concessions applicants be required to prepare an interpretation panel, in consultation with the Rūnanga, explaining Māori history and cultural associations with the area.
11. To encourage research and/or monitoring as part of concession activities, to ensure that the activity is sustainable and avoiding adverse impacts on the environment.

12. To ensure that all marine mammal-watching permits include provisions for adequate monitoring and research, to ensure viewing operations do not adversely affect marine mammals.
13. The following criteria will be used when considering applications for grazing and farming concessions: existing land use, proposed stock type and density, potential effects of stock on waterways, potential risk to wāhi tapu, wāhi taonga or other culturally important landscape features, soil erosion risks, impacts on indigenous vegetation, the need to use grazing for management purposes, and the duration of concession being applied for.

Cross-reference: Sections 3.4.4 Tourism; 3.6.5 Access; 3.6.6 Concessions – Recreation and tourism.

The story of Maui: At a time when gods walked the earth Maui decided to go fishing. He had a magical fish hook which was the jawbone of one of his grandparents. Maui stood on the end of the Kaikōura Peninsula and cast his hook into the ocean. From this cast, he pulled up a giant fish that today is the north island. Even today the Māori name for the north island is known as Te Ika a Maui or the fish of Maui.

As told by Maurice Manawatu, Te Rūnanga o Kaikōura

3.4.6 Te Taumanu o Te Waka a Maui – Kaikōura Peninsula

The Kaikōura Peninsula is a unique cultural landscape. Te Taumanu o Te Waka a Maui (the thwarts of the canoe of Maui) is well known for its depth of history and associated proliferation of archaeological sites of Māori origin concentrated in a relatively small geographical area. It is also unique geologically, and protecting the area's geological values is an important value for Te Rūnanga o Kaikōura.

Strategically located along the northern part of the east coast of Te Waipounamu, the Kaikōura Peninsula provides unrestricted views of the north and south coastlines, and the open sea.

Ngā Take – Issues:

- » Development pressures and impact on archaeological and cultural values
- » Development pressures and impact on geological values
- » Tracks cutting into archaeological deposits
- » Risk of unauthorised digging where sites of significance are sign posted, or marked with pou pou
- » Potential for land slips where drainage patterns are altered

- » Protection of view (vista)
- » Noise, visual pollution and impact on ability to appreciate cultural values

Ngā Kaupapa – Policy:

1. To protect and enhance Te Taumanu o Te Waka a Maui as a culturally rich and naturally beautiful environment.
2. To consider all developments on the Kaikōura Peninsula in terms of significant cultural, historic, landscape, geological, and archaeological values associated with this place.
3. To avoid compromising the cultural, historic, and natural values of the Kaikōura Peninsula as a result of inappropriate land use, subdivision and development.
4. To ensure that development does not compromise the unique geological characteristics of the Kaikōura Peninsula coastal area, including reefs, marine terraces, and limestone and mudstone shore platforms.
5. To consider all developments on the Kaikōura Peninsula in terms of protecting the ability of tangata whenua to maintain connections to the natural and cultural heritage of the area.
6. All applications relating to development on the Kaikōura Peninsula are subject to those policies outlined in the *Te Rūnanga o Kaikōura Management Guidelines for Wāhi Tapu and Wāhi Taonga*, as per Section 3.7 of this Plan. This includes provisions for site visits, cultural impact assessments and pre-resource consent archaeological assessments.
7. To require consultation for any concessions application involving the Kaikōura Peninsula.
8. Any interpretation and information relating to Ngāti Kuri history, values, traditions or beliefs (including place names) associated with the Peninsula is best prepared and delivered by Ngāti Kuri. It is unlikely that permission will be given for others to provide such interpretation.
9. Where relevant, concession activities on conservation land in the takiwā of Te Rūnanga o Kaikōura will be subject to the Ngāi Tahu Standard Conditions (see Appendix 10), and any other special conditions required by Te Rūnanga o Kaikōura.

Cross-reference: Sections 3.4.5 Concessions; 3.6.6 Concessions – Recreation and tourism.

3.4.7 Farming

Kaikōura has a well-established farming industry, including dairy, beef and sheep farming for food production, and some cropping. As in other areas of the takiwā, farming in this area is generally intensive, associated with a reliance on external inputs (synthetic fertilisers and irrigation) and high numbers of stock per hectare of land, to increase production.

Ngā Take – Issues:

- » Unsustainable farming practices
- » Intensive farming, and the impact on environment
- » Increasing use of synthetic fertilisers (particularly nitrogen) to boost production
- » Impacts of fertilisers and irrigation on water quantity and quality (e.g. nutrient run-off)
- » Appropriate effluent disposal
- » Faecal contamination of waterways through stock access and effluent spreading
- » Drainage of wetland areas for farming purposes
- » Vegetation clearing and burning for land management purposes
- » Protection of soil resources
- » Water abstractions, ground and surface
- » Placing appropriate economic value on the environmental costs and benefits of farming

Ngā Kaupapa – Policy:

1. To encourage the development of environmentally sustainable farming systems. This includes addressing issues such as:
 - (a) improving nutrient (nitrogen fertilisers) management
 - (b) reducing faecal contamination of waterways
 - (c) water allocation
 - (d) development of appropriate indicators to monitor impacts
2. To encourage the adoption of “best practice” farming methods as part of developing environmentally sustainably, socially responsible, and economically viable farming systems.
3. The kinds of farming activities that occur in a given area (land use) must match land capability (e.g. elevation, slope, soil type).
4. To avoid the establishment or continuance of any use or activity that has the potential to result in the contamination of land or water unless effective precautions have been taken to avoid adverse effects on the environment.
5. To encourage the protection and appropriate valuation of natural capital: the water, soil and biodiversity, and the essential ecosystem services they provide (see text box).
6. To require that the relationship between terrestrial and aquatic ecosystems is recognised and provided for in all decision making relating to coastal environment.

7. To require that the relationship between land use activities in upper catchments and the health of coastal ecosystems is recognised and provided for in all decision making relating to coastal environment.
8. To require appropriate fencing to control stock access to waterways, drains, wetlands, and waipuna in the Kaikōura area.
9. To avoid the drainage of any existing wetland area.
10. To protect all existing riparian zones from adverse impacts associated with farming activities, including stock access and cultivation.
11. Depending on the nature, scale and location of the activity, to require that a minimum of 50 m buffer zone be observed for any discharge to land activity (e.g. spray irrigation of effluent) in the vicinity of any waterway, bore or waipuna.

Cross-reference: Sections 3.4.11 Water quality; 3.5.2 Papatūānuku – Soil conservation; 3.5.4 Discharge to land; 3.5.7 Water abstractions – Groundwater; 3.5.8 Water abstractions – Surface; 3.5.16 Reporaupō; 3.6.7 Farming in coastal areas.

Information source: Parliamentary Commissioner for the Environment 2004. *Growing for Good: Intensive Farming, sustainability and New Zealand's environment*. PCE: Wellington.

For farming to remain viable, the physical environment in which it is based needs to be sustained in a healthy condition. This is because farming is dependent on “natural capital” – the stocks of natural resources such as water, soil and biodiversity – and the “services” that this natural capital provides. These services include clean air and water, the creation and maintenance of fertile soils, pollination, liveable climates, raw materials, genetic resources for growing food and fibre, and processes to decompose and assimilate waste. Although these services are often taken for granted, they have immense value. Many are indeed priceless, as they have no known substitutes.

Source: Parliamentary Commissioner for the Environment 2004

3.4.8 Sewage disposal

Given the high transient population (e.g. tourists), increasing growth and development, and the coastal location of Kaikōura, sewage disposal is an important issue. Supporting and encouraging appropriate ways of managing sewage disposal is part of assessing many resource consent and concession applications.

Ngā Take – Issues:

- » Increased pressure on old systems
- » Increased pressure on community infrastructure
- » Potential for groundwater contamination

- » Cumulative impacts of sewage disposal from smaller ventures such as bed and breakfasts
- » Appropriate sewage disposal systems
- » Appropriate duration of consents for sewage disposal activities
- » Protection of soil and water resources from contamination as a result of sewage disposal

Ngā Kaupapa – Policy:

1. The highest environmental standards should be applied to any consent application involving the disposal of sewage.
2. To require that sewage disposal involves filtration through land and not discharge into water. Water must not be used as a receiving environment for the discharge of contaminants. Any consent application for the discharge of sewage to water will be opposed.
3. To avoid impacts on water and on land as a result of inappropriate discharge to land activities associated with sewage disposal. Consideration must be given to soil structure and permeability at discharge point, and the potential for adverse effects on soil and ground water. Treatment and purification systems, and close monitoring of the carrying capacity of soils, must be part of any discharge to land activity.
4. To recommend, where appropriate, that wetland creation be a component of any sewage discharge to land scheme, in order to utilise the natural capacity of these ecosystems to filter contaminants.
5. To encourage applicants applying to discharge contaminants to land to adopt principles of waste reduction and cleaner production (looking to alternatives).
6. To promote wastewater management schemes that separate greywater (e.g. washing, showers, sinks) and stormwater from blackwater (e.g. human waste), and that incorporate the reuse / recycling of greywater and stormwater for non-hygienic purposes such as garden use and irrigation.
7. The duration of the sewage disposal consents must not exceed the lifetime of the disposal or treatment system. All consents must be considered in terms of cumulative and long-term impacts.
8. To recommend that sewage discharge consents have a 10-15 year duration, depending on the scale of activity, with a review clause requiring upgrades if necessary, because of the potential impact on groundwater from systems that become inefficient over the longer-term consent duration.
9. To require robust monitoring of sewage disposal related resource consents, to detect non-compliance with consent conditions and best practice. Non-compliance must result in appropriate enforcement action to discourage further non-compliance.

Cross-reference: Section 3.5.4 Discharge to land.

Māori have driven improvements in wastewater treatment and disposal. Tangata whenua have a large body of knowledge based on customary practice, and a strong sense of their duty as kaitiaki. These have fuelled efforts to ensure that sewage sludge and bio-solids resulting from wastewater treatment are made safe before being deposited on land.

Source: Ministry for the Environment 2002



3.4.9 Solid waste management

Solid wastes are defined as those wastes that are solids or converted to solid form for disposal. They include common household waste such as paper, plastic, glass, and metals, garden waste, and a range of industrial and commercial waste.

Te Rūnanga o Kaikōura wants to ensure that solid waste is managed and disposed of appropriately, avoiding adverse impacts on the natural environment.

Ngā take – Issues:

- » General environmental impacts (on land and water) of waste disposal
- » Leaching of contaminants from landfill sites, and impact on groundwater and the sea
- » Encouragement of waste reduction
- » Education about waste management, and waste minimisation

Ngā Kaupapa – Policy:

1. Te Rūnanga o Kaikōura is committed to the development of tools and techniques to reduce waste generation and maximise re-use, recycling and recovery.
2. The highest environmental standards should be applied to any consent application involving the management and disposal of solid waste.
3. To support economic incentives to change wasteful behaviour.
4. To encourage zero waste, including composting and recycling programs, in both commercial and residential contexts.
5. To work towards achieving zero waste at Takahanga Marae, through the overall reduction of waste, and the use of composting and recycling programs.
6. To support the use of Kaikōura District Council waste management protocols on resource consent applications in the Kaikōura District.
7. The duration of the solid waste consents must not exceed the lifetime of the disposal or treatment system. All consents must be considered in terms of cumulative and long-term impacts.

Cross-reference: Section 3.5.4 Discharge to land.

Information Source: Ministry for the Environment: 2002. *The New Zealand Waste Strategy: Towards Zero Waste and a Sustainable New Zealand.*

3.4.10 Tribal properties

Many culturally significant sites were returned to Ngāi Tahu as part of the Settlement process with the Crown, and included in the Deed of Settlement and NTCSA 1998 as Tribal Properties (see Table 5).

There are a range of ownership and management issues associated with Tribal Properties, including easements, campground leases, reserve status, co-management with the Department of Conservation, public access covenants, grazing licences, requirements for management plans, rates, and pest and weed control.

Ngā Take – Issues:

- » Relationship between Papatipu Rūnanga and Te Rūnanga o Ngāi Tahu with regards to tribal properties
- » Devolution of ownership and/or management
- » Appropriate management and use of tribal properties
- » Selling of existing tribal properties to external markets

Ngā Kaupapa – Policy:

1. All tribal properties within the takiwā of Te Rūnanga o Kaikōura are to be managed through a process of co-governance and co-management between Te Rūnanga o Ngāi Tahu and Te Rūnanga o Kaikōura.
2. Management plans should be developed for all tribal properties within the takiwā of Te Rūnanga o Kaikōura.
3. Te Rūnanga o Kaikōura will not consider requests for visitor groups to Tuku Tuku Iwi, until such time as an appropriate protection and management plan is developed.

Table 5: Tribal properties in the takiwā of Te Rūnanga o Kaikōura, NTCSA

Property	Status	Encumbrances / Management issues
Te Pari Nui o Whiti	Fee simple	<ul style="list-style-type: none"> » Access is difficult » Subject to covenants to protect conservation values » Boundary significance
Waipapa Point	Scenic Reserve	<ul style="list-style-type: none"> » Campground lease » Pā site » Management plan requirements
Kahutara	Reserve	<ul style="list-style-type: none"> » Campground lease » Archaeological sites » Association with Peketa Pā » Grazing licences
Tuku Tuku Iwi	Fee simple	<ul style="list-style-type: none"> » Protection of wāhi tapu (urupā and rock art site) » Access issues
Omihi / Goose Bay	Recreation reserve	<ul style="list-style-type: none"> » Camp ground lease » Adjacent to O Te Makura pā site » Management plan requirements
South Bay	Fee simple	<ul style="list-style-type: none"> » Grazing licenses » Wāhi tapu sites
The Point	Fee simple	<ul style="list-style-type: none"> » Grazing licenses » Pā site
Kaikōura Peninsula	Fee simple	<ul style="list-style-type: none"> » Protected Private Land agreement » Wāhi tapu » Grazing licence » Kaikōura peninsula walkway
Oaro	Recreation reserve	<ul style="list-style-type: none"> » Grazing licence » Easements » Plant pests » Access to adjoining properties » Management plan requirements

Wai Māori – Freshwater Resources

Wai Māori, or valued freshwater resources, include both ground and surface water: rivers, creeks, streams, drains, repo raupō and waipuna. The maintenance and enhancement of the mauri, or life supporting capacity, of wai māori is a central management principle for all of Ngāi Tahu.¹⁴

Te Rūnanga o Kaikōura is concerned with the impacts of human activities on waterways in the Kaikōura area (see Table 6). Freshwater resources are under increasing pressure from human activities, including abstractive activities (e.g. irrigation), and activities in the beds and margins of waterways (e.g. gravel extraction). One of the challenges of freshwater management is balancing use demands (domestic, stock, irrigation, industry) with the need to protect the basic ecosystem health of, and cultural values associated with, waterways.

Management objectives for freshwater resources in the Kaikōura area:

- » *That all freshwater resources will once again be clean, healthy and fit for human use.*
- » *That the value of water, in its life supporting capacity of all things, is recognised and provided for in freshwater management.*
- » *That freshwater resources will be managed on a catchment by catchment basis.*
- » *That the traditional and customary associations with freshwater resources are restored.*



Table 6: Waterways of the Kaikōura area

Catchment Waterways	
Hapūku River	Includes Puhi Puhi River and its tributary the Clinton River
Kaikōura	Includes Waimangarara, Harnetts, Luke, and Middle Creeks, and Waikoau / Waikawau (Lyell Creek)
Kōwhai River	Includes Kōwhai River, and Floodgate and Goldmine Streams; also Stoney Creek and Ewelme Stream
Kahutara River	Includes Little Linton Creek / Linton Creek, and Cribb Creek, Greenburn Stream, and Tukutuku Iwi Stream (Waikene)
Oaro and surrounds	Includes Okarahia River, Mikonui Stream, Te Kahika (Tuatahi), Te Moto Moto (Dog Creek), Kakamutu, Oaro River, Omihi Stream, and O Te Makura Stream (at Goose Bay)

3.4.11 Water quality

The quality of water throughout the Kaikōura Plains is of great concern for Te Rūnanga o Kaikōura. It is important to maintain water quality in the best possible condition so that a waterbody and its ecosystems remain healthy.

Freshwater management must take into account the relationship between the types of land use in the catchment and water quality. That is, we need to ask questions such as: what land use activities are water abstractions supporting? Are such activities appropriate to the environment in which they occur?

Ngā Take – Issues:

- » History of poor water quality management in the Kaikōura region
- » Lack of appropriate monitoring of water quality
- » Impacts on human health from poor water quality
- » Leachate from landfill sites and other waste disposal: impact on groundwater
- » Historic contamination of water from sawmills that were located along rivers such as the Hapūku and Puhi Puhi

- » Contamination of aquifers and surface water sources from discharges to land and water generally
- » Cumulative impacts on water quality
- » Intensive stock access to waterways, wetlands and springs
- » Discharge to land without buffer zones

Ngā Kaupapa – Policy:

1. The role of Ngāti Kuri as tangata whenua and kaitiaki of water must be recognised and provided for in all water quality management in the area.
2. To ensure that flow allocation and water management regimes recognise and provide for the relationship between water quality and quantity.
3. To avoid the use of water as a receiving environment for the discharge of contaminants.
4. To avoid impacts on water and on land as a result of inappropriate discharge to land activities.
5. To avoid compromising water quality as a result of water abstractions.
6. To avoid adverse impacts on water quality as a result of non-point source pollution, and require that any non-avoidable impacts are mitigated.
7. To promote the restoration of wetlands and riparian areas as part of maintaining and improving water quality, due to the natural pollution abatement functions of such ecosystems.
8. To require that water quality management recognises and provides for the relationship between upper catchment activities (e.g. forestry) and lower catchment water quality.
9. Water quality definitions, categories, and standards must be determined, measured, and assessed with cultural values and indicators alongside scientific information. Such indicators and values centre on the ability of the waterway to support life, and the fitness of water for cultural uses.
10. To maintain standards of water quality that ensure healthy mahinga kai populations capable of sustaining customary use.
11. To support Streamcare initiatives in the Kaikōura area, that are working to improve water quality in waterways.
12. To protect the integrity and cultural uses associated with water, by prohibiting unnatural mixing of waters from different water sources.
13. To require consultation with Te Rūnanga o Kaikōura with regards to any weed or other pest control activities in or adjacent to waterways.
14. To require robust monitoring of resource consents that may have an adverse impact on water quality, to detect non-compliance with consent conditions and best practice. Non-compliance must result in appropriate enforcement action to discourage further non-compliance.

Cross-reference: Sections 3.2.6 Discharge to water; 3.2.7 Vegetation control – Drains and waterways; 3.5.4 Discharge to land; 3.5.7 Water abstractions – Ground; 3.5.8 Water abstractions – Surface; 3.5.9 Flow management; 3.5.10 Minimum flows. Water quality policies specifically related to agriculture and farming are found in section 3.5.11.

3.4.12 Gravel extraction

Gravel and sand sourced from riverbeds are a valuable resource in the Kaikōura area. Gravel extraction is also a component of floodplain and river management, as build-up of gravel deposits in rivers can create flood risks.

Several factors must be considered with regards to gravel extraction activities, including where in the riverbed the extraction is occurring, the amount of material extracted, the times of year that extraction occurs, and how any adverse effects are being mitigated.

Ngā Take – Issues:

- » Appropriate gravel extraction activities (e.g. flood control)
- » Extraction activities impacting on known sites of high archaeological or cultural value
- » Gravel extraction and impact on natural channels
- » Lack of monitoring of gravel extraction activities
- » Disturbance of riverbed from heavy machinery
- » Impact on bird life in the area, including disturbance of nesting areas
- » Impact on instream values as a result of over extraction
- » Older soil deposits, that may contain cultural material, located under gravels
- » Instability of river bank areas as a consequence of gravel extraction and increased erosion
- » Long term effects on downstream river mouth areas; often areas with high concentrations of culturally significant sites
- » Increased coastal erosion as a result of a change in the balance between river and sea from gravel extractions

Ngāti Kuri gravel extraction policy encourages sustainable takes subject to environmental protection. Gravel yields in some rivers have increased markedly, with land clearance and other activities in the catchment. In some areas, river mouths are prone to clogging with silt and gravels.

Te Rūnanga o Kaikōura recognises the benefits of gravel extraction in floodplain and river management. However, the activity must be sustainable. Where and how it occurs must be based on more than economics.

The areas from which gravel is extracted are often determined by accessibility and where it is most economical or convenient to obtain the resource, as opposed to where the extraction would do the most good for the river, in terms of floodplain and river management.

Ngā Kaupapa – Policy:

1. To support sustainable gravel extraction as part of floodplain and river management.
2. Applications for gravel extraction will be considered in terms of sustainable takes subject to environmental protection.
3. Gravel and sediment extraction from riverbeds must be carried out in a manner that avoids, remedies or mitigates adverse environmental impacts, including the establishment of weeds as a result of disturbance.
4. Gravel extraction activities in waterways must not adversely affect bird habitat or bird nesting areas, and should only occur at times of the year when birds are not nesting.
5. To discourage gravel extraction from reaches of waterways where it is detrimental to bank stability and flooding, or would contribute to other environmental detriment.
6. To avoid compromising any nohoanga site (NTCSA or otherwise) as a consequence of gravel extraction activities.
7. The bed of any waterway must be returned to its original shape following any gravel extraction activity. The Rūnanga does not want to see rivers with large holes in their beds from gravel extraction.
8. To avoid compromising cultural sites of archaeological value as a consequence of excavation activities that disturb older soil deposits, either directly or via unintended collapse of river and stream banks, or by erosion effects.
9. Gravel extraction consent activities may be subject to those guidelines outlined in the *Te Rūnanga o Kaikōura Management Guidelines for Wāhi Tapu and Wāhi Taonga*, as per Section 3.7. This includes provisions for site visits, cultural impact assessments and pre-resource consent archaeological assessments.

10. To require, where requested, notification prior to any gravel extraction work commencing, to allow a Rūnanga monitor to be present.
11. In the event of any disturbance of cultural materials during gravel extraction, the consent holder shall notify Te Rūnanga o Kaikōura immediately.
12. To require robust monitoring of gravel extraction resource consents, to detect non-compliance with consent conditions and best practice. Non-compliance must result in appropriate enforcement action to discourage further non-compliance.

Cross-reference: Section 3.5.15 Activities in the beds and margins of rivers; 3.6.8 Mineral extraction in coastal areas.

3.4.13 Ngā roto waimāori – Lake Rotorua and Lake Rotoiti

Freshwater lakes such as Lake Rotorua and Lake Rotoiti provide habitat for fish, waterfowl and other mahinga kai. Clustered together near the Kahutara River, the lakes are of cultural significance to Ngāti Kuri. The tribal significance of Lake Rotorua is recognised by its Statutory Acknowledgement under the NTCSA 1998 (see Appendix 12).

Ngā Take – Issues:

- » Recognising and providing for cultural significance in all decisions pertaining to freshwater lakes such as Lake Rotorua and Lake Rotoiti
- » Access to lakes and mahinga kai (when on private land), including customary fishing opportunities
- » Intergenerational transfer of knowledge of traditions associated with freshwater lakes, including mahinga kai
- » Impacts on the mauri of freshwater lakes as a result of inappropriate human activities
- » Degradation of lakes as a result of stock access
- » Degradation of lakes as a result of deforestation and sedimentation associated with forestry activities
- » Protection of indigenous flora and fauna
- » Tourism and recreational use; concession activities and potential impacts on lakes
- » Protection and enhancement of water quality
- » Discharges to water
- » Protection of wāhi tapu associated with ngā roto waimāori

Ngā Kaupapa – Policy:

1. To maintain and protect the cultural, spiritual, historic and traditional association of Ngāti Kuri and wider Ngāi Tahu Whānui with Lake Rotorua and Lake Rotoiti.
2. Applications for activities that are within, adjacent to, or may impact on the Lake Rotorua Statutory Acknowledgement (SA) area under the NTCSA 1998 will require consultation with both Te Rūnanga o Kaikōura and Te Rūnanga o Ngāi Tahu.
3. To avoid the use of ngā roto waimāori as a receiving environment for the discharge of contaminants (e.g. industrial, settlement, recreational or agricultural sources).
4. To protect, and where necessary enhance, the mauri of freshwater lakes.
5. The water quality of freshwater lakes must be such that it supports mahinga kai.
6. To require that water quality management recognises and provides for the relationship between upper catchment activities (e.g. forestry) and lower catchment water quality.
7. To require that stock watering occur via pumping water into troughs, as opposed to direct stock access to lakes for watering purposes.
8. To require buffer zones of at least 100 m around all freshwater lakes to protect them from contamination as a result of residential, recreational, industrial, and agricultural activities.

Cross-reference: Sections 3.2.10 Parenga; 3.3.9 Ngā roto waimāori; 3.4.11 Water quality.

Waterways such as the Waikoau (Lyell Creek), which runs right through the town of Kaikōura, were once important mahinga kai areas. The water quality in the Waikoau has deteriorated over the years, through neglect and abuse, and now it has lost much of its ability to support mahinga kai.

Rivers such as the Kōwhai and the Kahutara used to be so big and open. Now they are full of bush.

Aunty Darcia Solomon, Te Rūnanga o Kaikōura

It would be wonderful to go down to the river and gather watercress, or even mint, but you can't do that now.

Aunty Ripeka Clayton, Te Rūnanga o Kaikōura



3.4.14 Rivers, streams and creeks – General

The Kaikōura area has waterways of all sizes and character, including the large braided rivers such as the Kahutara and Kōwhai, that flow from mountains to the sea, depositing gravel, sand and mud across extensive floodplains. The physical processes associated with these braided rivers over history have formed the aquifers (layers of gravel through which groundwater flows) that supply water to the Kaikōura area today.

Many of the waterways in the Kaikōura area have specific cultural associations: known for an abundance of mahinga kai, used for a specific purpose, or associated with a specific ceremony or ritual. Waterways may be considered wāhi tapu (i.e. associated with urupā or with an activity or occurrence considered tapu), or wāhi taonga (general site of cultural significance).

A priority for Te Rūnanga o Kaikōura is on-going advocacy, through resource consent and other processes, for the protection of waterways in the Kaikōura area, and throughout the takiwā. This advocacy is extended to drains, as drains are considered to fulfil many of same functions as waterways.

Ngā Take – Issues:

- » Cumulative impacts of water abstractions on waterways
- » The closing of river mouths such as Oaro, Kōwhai, and the Waikawau, as a result of sand and shingle build up, and the lack of water flow
- » Stock access to waterways and the drains that feed them
- » Culverts, retaining structures and gravel fill
- » Run off from paddocks and tracks, and contamination of water
- » Enrichment and contamination from field drains
- » Water quality
- » Protection of flow levels
- » Gravel extraction and impact on character of the river
- » Spraying in drains, waterways, water races and riverbeds
- » Willows and other pest species
- » Protection of wāhi tapu waterways
- » Protection and enhancement of ability of waterways to support mahinga kai and all other biodiversity
- » Protection and enhancement of riparian areas associated with waterways
- » Impacts of upper catchment activities on the character and health of lower catchment waterways
- » Restoration projects: restoring cultural and natural landscapes

**Indicators used by tangata
whenua to assess stream health**

Shape of the river
Sediment in the water
Water quality in the catchment
Flow characteristics
Flow variations
Flood flows
Sound of flow
Movement of water
Fish are safe to eat
Uses of the river
Safe to gather plants
Indigenous vs. exotic species
Natural river mouth environment
Water quality
Abundance and diversity of species
Natural and extent of riparian vegetation
Use of river margin
Temperature
Catchment land use
Riverbank condition
Water is safe to drink
Clarity of the water
Suitability of place names

Ngā Kaupapa – Policy:

1. To consider, in all management planning, all waterways as wāhi taonga.
2. To restore, maintain and protect the mauri of freshwater resources.
3. The management of our waterways must take into account that each waterway has its own mauri, guarded by separate spiritual guardians, its own mana, and its own set of associated values and uses.
4. To advocate, through resource consent, planning and other processes, for the protection of our rivers, streams, creeks, drains, wetlands and all other freshwater sources.

5. To support and encourage catchment based management planning for waterways in the Kaikōura area, and the wider takiwā.
6. To adopt a precautionary approach for any activity involving a waterway where there is an absence of detailed knowledge of that waterway (ecology, flow regimes, species, etc).
7. To avoid the use of water as a receiving environment for the direct, or point source, discharge of contaminants.
8. To prioritise the restoration of those waterbodies of high cultural value in the Kaikōura area, both in terms of ecological restoration and in terms of restoring cultural landscapes.
9. To oppose any application for water abstraction or discharge activity that involves waterways in the Kaikōura area that are currently in a degraded state, until such time as existing degradation is addressed.
10. The mouths of rivers should be opened if and when they close (as a result of sand and shingle, and low flows), to maintain continuous flow of water into the sea.
11. To require appropriate fencing to control stock access to Kaikōura waterways, wetlands and springs.
12. To support Streamcare initiatives in the Kaikōura area, that are working to improve water quality in Kaikōura waterways.
13. To control and eradicate, where possible, exotic plant species along waterways in the Kaikōura area.
14. To advocate for the use of esplanade reserves, strips and other similar provisions on those waterways where such provisions are deemed necessary to protect and provide for waterway health and access values.
15. To advocate for recognition of esplanade reserves and strips as protection of those values relating to the integrity of waterways, and not just access.
16. Decisions relating to the use of esplanade reserves, strips, or similar provisions in subdivision applications should be dependent on the need to protect waterway health, as opposed to the size of the waterway or the size of the allotment. Te Rūnanga o Kaikōura sees esplanade provisions as important to all waterways. Even small waterways (less than 3 m) are large enough and active enough to provide amenity values.
17. Te Rūnanga o Kaikōura considers ephemeral streams as waterways in all management decisions.
18. To support the use of the Cultural Health Index (CHI), as a tool to facilitate monitoring of stream health.
19. To ensure that activities in upper catchments have no adverse effect on mahinga kai, water quality and water quantity in lower catchments.

20. To advocate that Councils promote environmental education programmes that raise awareness about appropriate land management practices adjacent to waterways, including riparian management. This includes education about avoiding adverse effects of livestock on riparian areas and waterways.
21. To promote riparian enhancement and appropriate streamside management as a means of mitigating adverse effects on water quality.
22. To advocate for methods of fertiliser use and application that avoid or minimise adverse effects on water and aquatic ecosystems.

Cross-reference: Sections 3.2.7 Vegetation control – Drains and waterways; 3.4.11 Water quality; 3.4.12 Gravel extraction; 3.5.7 Water abstractions – Ground; 3.5.8 Water abstractions – Surface; 3.5.9 Flow management; 3.5.10 Minimum flows; 3.5.15 Activities in the beds and margins of rivers.

Watercress is an indicator of river health:

When we look at a river, we sometimes use watercress as an indicator of waterway health. We look at how much watercress is there, and where it is growing, and how lush it may be. Naturally, watercress should be growing along the sides of the river, not in the middle. If it is in the middle it indicates that there are problems with the river. There may not be enough flow, or there may be too much nutrient run off into the river. This makes the watercress grow too thick, and it chokes the river.

Aunty Darcia Solomon, Te Rūnanga o Kaikōura

Mahinga Kai and Biodiversity

3.4.15 Research and collection

Te Rūnanga o Kaikōura supports the conduct of scientific research in the takiwā, and encourages the communication of research results for the mutual benefit of both the scientific community and tangata whenua. The Rūnanga particularly encourages research that addresses issues of cultural or customary importance.

Ngā Take – Issues:

- » Research or collection involving species of importance to tangata whenua
- » Research or collection involving places of importance to tangata whenua
- » Timeframes for responding to research and collection permit applications
- » Dissemination of research findings
- » Appropriate protocols associated with collecting and doing research involving culturally significant species or places

Ngā Kaupapa – Policy:

1. To require notification of, and if necessary involvement with, any research on, about or within the takiwā of Te Rūnanga o Kaikōura, relating to culturally significant places or resources, or research of cultural interest generally. This relates to all research that may affect the cultural, traditional, or historic relationship between Te Rūnanga o Kaikōura and the natural environment.
2. Research and collection permit applications that have the following triggers require consultation with both Te Rūnanga o Kaikōura and Te Rūnanga o Ngāi Tahu: disturbance to culturally significant species, or research of cultural interest; research involving commercial use; significant effects on species or habitat; use of material / DNA leaving New Zealand; research involving genetic modification or new organisms; or research involving intrusive collection methods.
3. The cultural, spiritual, historic and traditional association of Ngāti Kuri with taonga species must be recognised and provided for within all management and / or recovery plans associated with those species. This includes taonga species as per the NTCSA (Appendix 8), and all other species considered taonga by Ngāti Kuri.
4. All research involving culturally significant flora and fauna shall be undertaken in a culturally sensitive matter.
5. To encourage researchers to communicate results to the Rūnanga. In some cases, this may be a required condition.
6. The researcher shall not donate, sell or otherwise transfer to any third party any material, such as any genetic material, or any material propagated or cloned from such material, collected under their application without the written permission of the Rūnanga.
7. The amount of material collected during any sampling process of indigenous flora and fauna must be kept to a minimum at all times.
8. The researcher shall not interfere with, remove or damage or endanger the natural features, animals, plants or historic resources of the site from which the collection takes place, without the agreement of the Rūnanga.
9. Researchers are encouraged to consult with and involve local tangata whenua experts as part of their mahi.
10. To encourage collaborative research and monitoring projects between tangata whenua and scientists, that use both Mātauranga Māori, or traditional knowledge, and mainstream science.
11. Researchers should adequately resource involvement of tangata whenua and the Rūnanga.
12. Te Rūnanga o Kaikōura reserves the right to attach conditions that relate to Intellectual Property Rights.
13. Where relevant, research and collection permit applications in the takiwā of Te Rūnanga o Kaikōura will be subject to Ngāi Tahu Standard Conditions (Appendix 10).

The dissemination of research findings back to tangata whenua builds capacity at the community level.

3.4.16 Rongoā

The protection of rongoā, traditional medicinal plants, and access to such plants, are concerns for Ngāti Kuri. Rongoā are a tangible representation of the links between human health and the health of the environment.

Ngā Take – Issues:

- » Access to specific places to gather rongoā
- » Access and protection of knowledge of rongoā. The knowledge must be protected to ensure that it keeps working for the people
- » Our knowledge of rongoā must not be put into pills for us to buy
- » Difficulty of sourcing rongoā in some areas, because of contaminants and runoff
- » Benefit sharing

Every iwi and every hapū had the rongoā that they knew the most about, that they focused on. To have rongoā, you must believe in it.

Aunty Romi Taylor, Te Rūnanga o Kaikōura

Ngā Kaupapa – Policy:

1. Indigenous peoples are the exclusive owners of their intellectual property of knowledge of rongoā, including the protection, control, and dissemination of that knowledge, and with regards to any issues of commercialisation.
2. To support the restoration and enhancement of ecosystems where rongoā are found.
3. To support increasing the use and knowledge transfer of traditions association with medicinal plants.

Cross-reference: Section 3.5.17 Mahinga kai – Customary use.

We should not need a permit to gather our rongoā, we know how to look after it, and we know how to do things in the appropriate ways.

Aunty Romi Taylor, Te Rūnanga o Kaikōura



3.4.17 Cultural landscapes

Cultural landscapes are places that are of special importance to Ngāti Kuri because of whakapapa, mahinga kai, historical, spiritual or other cultural associations. Virtually all parts of the takiwā have cultural landscape qualities and can be identified as special for one or more reasons. Changes to the physical landscape, as a result of activities such as earthworks, vegetation clearance, forestry, water abstractions, or the establishment of buildings and structures, may result in the defilement of associated cultural landscape values.

Ngā Take – Issues:

- » Access to culturally important places
- » Use of Māori place names on the landscape
- » Protection of cultural landscapes from inappropriate use and development
- » Restoration of culturally important landscapes
- » Intergenerational knowledge transfer of knowledge and uses associated with culturally important places

In many cases, there is no predetermined scale or boundary by which to define a cultural landscape. Landscapes of cultural significance exist across a variety of scales, ranging from a dominating expansive landform to a precisely specified spot. Cultural significance also varies, for example, due to particular historical associations, or general ancestral links with previous inhabitants of an area. Often landscapes embrace layers of associations, intensifying the relationship between people and the land.

Source: Sims, M. and Thompson-Fawcett 2002



Ngā Kaupapa – Policy:

1. To increase the ability of tangata whenua to participate in the management of cultural landscapes, as identified by Te Rūnanga o Kaikōura.
2. Applications for activities that are within, adjacent to, or may impact on a Statutory Acknowledgement (SA), Tōpuni, or any other Deed of Settlement site will require consultation with both Te Rūnanga o Kaikōura and Te Rūnanga o Ngāi Tahu.
3. To protect important wāhi taonga (special places) and cultural landscapes from inappropriate subdivisions, use and development.
4. To promote, where necessary, the restoration and enhancement of wāhi taonga (special places) and cultural landscapes of importance to Ngāti Kuri (e.g. Oaro Restoration Project).
5. To require external agencies to consider cultural landscape qualities with regards to any land use, subdivisions or development proposal.
6. To adopt an integrated approach with neighbouring rūnanga with respect to the protection, maintenance and enhancement of cultural landscapes.
7. Assessing the impacts of any activity on a place identified by Ngāti Kuri as a cultural landscape must include an assessment of impacts from the perspective of tangata whenua.
8. To encourage the intergenerational transfer of knowledge of culturally important landscapes and the traditions that are associated with them.
9. To promote the use of te reo Māori, with respect to places, resources and species as part of a larger cultural landscape.
10. To improve access to culturally important places for Ngāti Kuri, and all Ngāi Tahu Whānui.
11. To protect and enhance customary use traditions associated with important cultural landscapes.
12. To protect, restore and enhance indigenous biodiversity and mahinga kai and part of protecting, restoring and enhancing cultural landscapes.
13. To support the concept of Mahinga Kai Cultural Parks¹⁵, as a means of protecting and using specific cultural landscapes within the takiwā that have important mahinga kai associations.
14. To encourage the use of appropriate interpretation and educational tools as a means of recognising and promoting cultural landscapes.

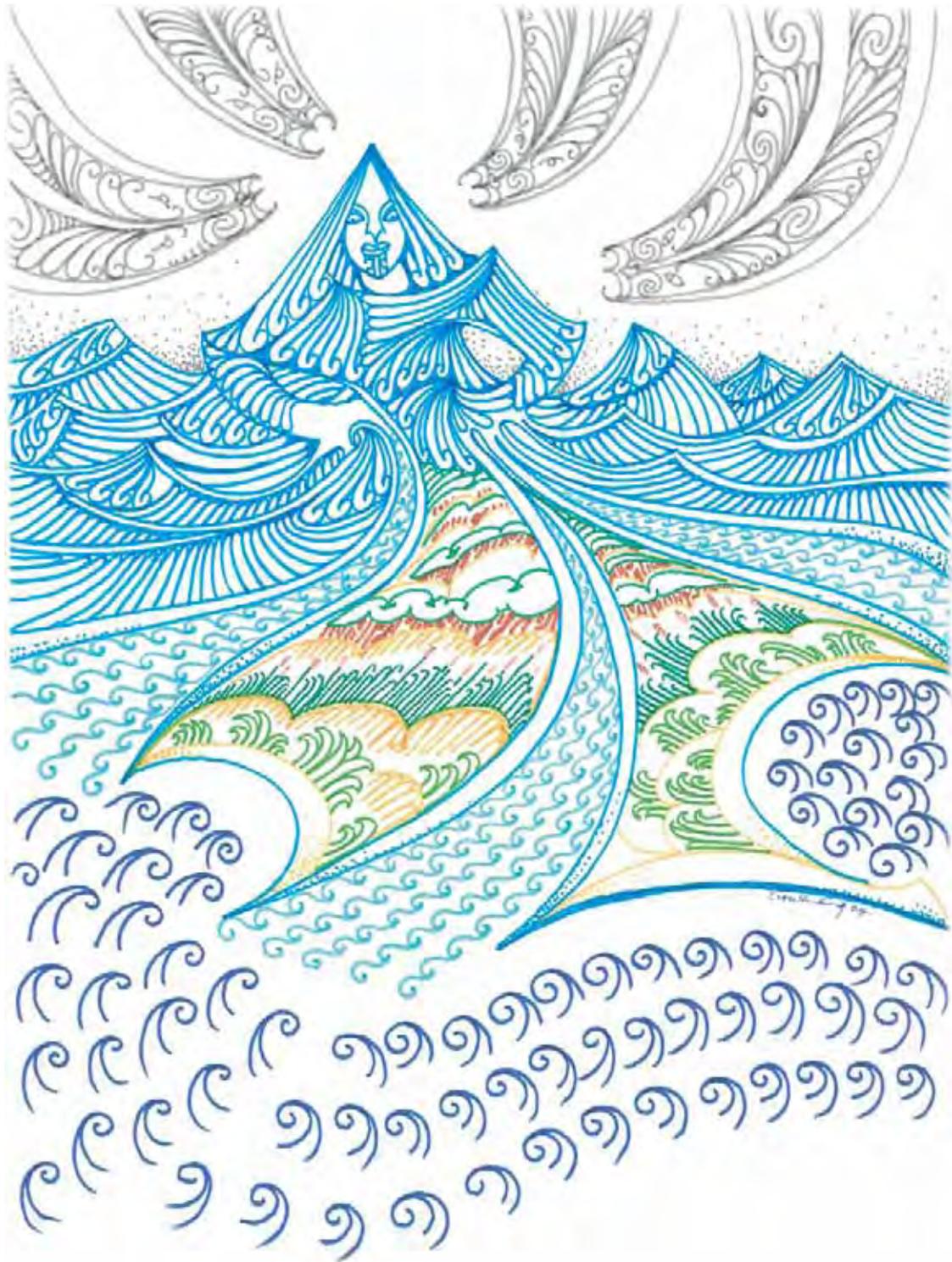
¹⁵ Mahinga Kai Cultural Parks are proposed by Te Rūnanga o Ngāi Tahu as a management tool that provides a framework for Ngāi Tahu management and use within a specific area according to Ngāi Tahu tikanga. Management within a Mahinga Kai Cultural Park can enhance specific areas for customary use.

15. To ensure the protection of all sites identified as Nohoanga under the NTCSA 1998, as a means of providing tangata whenua with an opportunity to experience the landscape as our tūpuna once did, and to promote customary practices associated with mahinga kai.
16. To encourage the development and implementation of Rūnanga based alternatives for protected area management. This includes concepts such as cultural parks, or managing areas as cultural landscapes, based on the principles of kaitiakitanga and ki uta ki tai. Such alternatives provide additional options for consideration, alongside existing protected area land designations and classifications.

Protecting cultural landscapes is about recognising the importance of our children and mokopuna being able to experience and appreciate these places – places where our ancestors walked, lived, hunted, fished, and were buried.



**OKARAHIA KI TE HURUNUI
WAI AU-UHA TE WAIRUA WAHINE**



3.5

Okarahia ki te Hurunui

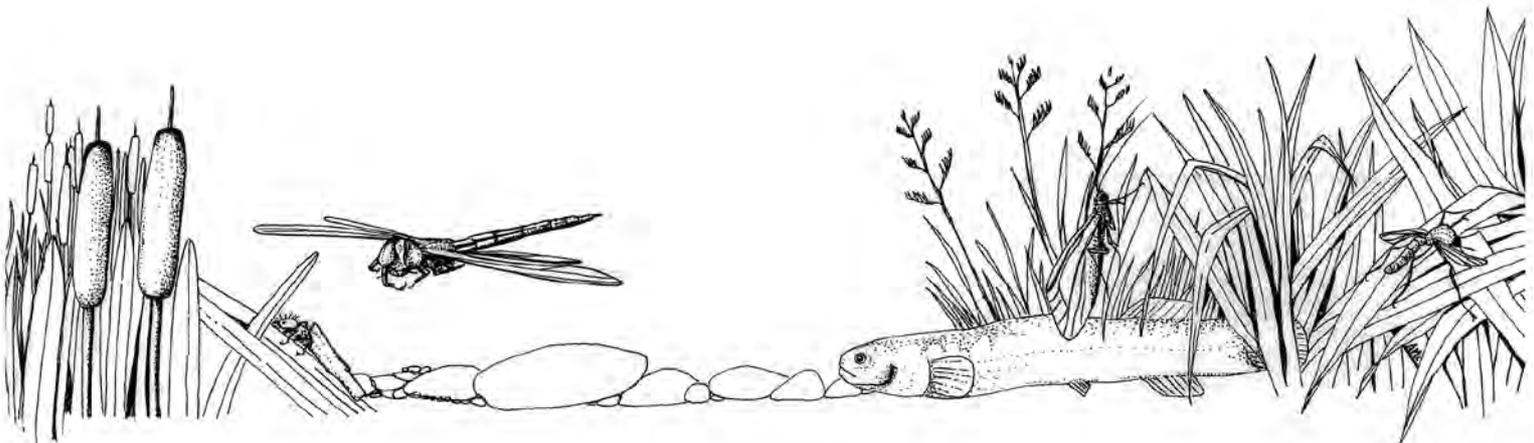


This section of the Plan describes ngā take and ngā kaupapa associated with the lands, waters, mahinga kai and biodiversity in the area defined as Okarahia ki te Hurunui. This includes the Okarahia (Hundalees) natural landscape, from Tūtae Putaputa (Conway River) to the Hurunui, and inland to the main divide. The area includes the catchments of three large rivers: Tūtae Putaputa, Waiaua and Hurunui.

Natural resource and environmental management topics in this area relate largely to land and water issues associated with forestry and farming. This includes discharge to land activities (e.g. from dairy operations and the spray irrigation of effluent), water abstractions from surface and groundwater sources, vegetation clearance as part of land management practices, and soil conservation. Freshwater management policies pertaining the important rivers such as the Tūtae Putaputa, Waiaua and Hurunui, including perspectives on flow regimes and water allocations, are also a significant focus of this section.

The ability of freshwater and soil resources to meet current and future demands is a prevalent theme for Te Rūnanga o Kaikōura when considering the Okarahia ki te Hurunui region. Protecting the productive capability and life supporting capacity of these resources is the basis of the policies described here.

The coastal area in the Okarahia ki te Hurunui region is, as with other coastal areas of the takiwā, of particular significance to Ngāti Kuri. Ngā take and ngā kaupapa relating to the protection of coastal areas, farming in coastal areas, and other land use activities are described in section 3.6 Te Tai o Marokura.



In this section, the following activities, issues, ecosystems and places of importance are addressed:

Section 3.5
Okarahia ki te Hurunui
Waiau-uha te Wairua Wahine

Forestry
Papatūānuku – Soil conservation
Vegetation clearance and burn off
Discharge to land
Mining – Limestone
Hanmer
Water abstractions – Ground
Water abstractions – Surface
Flow management
Minimum flows
Water quality
Tūtāe Putaputa
Waiau River
Hurunui River
Activities in beds and margins
Repo raupō
Mahinga kai – Customary use

Ō Te Whenua – The Land

There are several key themes that we consider with regards to land management in Okarahia ki te Hurunui:

- » *The relationship between land, water and communities*
 - » *Sustaining the life supporting capacity of the land and its soils*
 - » *Protection of cultural values, historical associations and mahinga kai*
 - » *Protection of rural amenity values*
 - » *Matching land use with land capability*
 - » *Sustainable use of water resources associated with land use*
 - » *Floodplain management and drainage*
 - » *Soil erosion prevention*
 - » *The effects of land activities on lakes and waterways*
-

3.5.1 Forestry

Forestry operations, as addressed here, involve growing exotic tree species (e.g. *Pinus radiata*) in plantations for timber and pulp. Plantations may be on private land, Crown land, or land owned and/or managed by forestry companies.

An important forestry management issue for Te Rūnanga o Kaikōura is the relationship between the Rūnanga, Te Rūnanga o Ngāi Tahu, and forestry companies when it comes to the protection of land, water and soil resources.

Ngā Take – Issues:

- » General effects of forestry activities on the waterways
- » Waterway channel modification and stream crossings
- » Impacts on water quality as a result of run-off and sedimentation
- » Vegetation clearance
- » Protection of fish passage in waterways
- » Land preparation for replanting and potential for unearthing cultural materials or kōiwi tangata
- » Protection of existing remnants of indigenous bush
- » Erosion from deforestation
- » Management of wilding species (e.g. pines, macrocarpa)

- » Impact of afforestation on water yield (less water making it into the catchment)
- » Herbicide use by forestry operations (weed and pest control)
- » Impacts of forestry activities on mahinga kai species, and access to mahinga kai
- » Appropriate locations for forestry plantations

Ngā Kaupapa – Policy:

1. Forest managers need to recognise and provide for the depth and strength of relationship between Ngāi Tahu and mahinga kai resources, a relationship developed through centuries of wise use and management.
2. To require that the adverse impacts associated with the following forestry activities are mitigated: earthworks and the risk of increased sedimentation, harvesting, stream crossings, weed and pest control, vegetation clearance, channel modification, and land preparation for planting and replanting.
3. To ensure access arrangements are part of any forestry operation plan, where seen by Te Rūnanga o Kaikōura as necessary, to ensure that tangata whenua can access cultural sites, materials and mahinga kai within the forest boundaries.
4. To require that processes be established in forestry operations whereby specific mahinga kai habitats and culturally important areas (wāhi tapu and wāhi taonga), as identified by tangata whenua, are protected.
5. In areas of cultural significance, forestry managers must provide Te Rūnanga o Kaikōura information as to the areas to be harvested and/or re-planted each year, so that the Rūnanga has the opportunity to inspect the site with an archaeologist, if necessary, before harvesting and/or re-planting of a forestry block occurs.
6. Forestry companies must develop and implement a programme to educate contractors and operational staff on how to identify accidental discoveries of cultural material during the course of their activities (as per Accidental Discovery Protocol agreements, see section 3.7).
7. Any new forestry operation application must provide Te Rūnanga o Kaikōura with copies of the company's environmental management plan and/or environmental standards.
8. To require that monitoring programmes are established in forestry operations, and that such programmes include tangata whenua and issues of importance to tangata whenua, such as mahinga kai, cultural sites and waterway health.
9. In all forestry operations, there must be adequate management mechanisms in place to control wilding trees (e.g. pines, macrocarpa) as part of a regular weed control programme. All forestry contractors should be responsible for controlling wilding trees during planting and forestry rotation, and after harvest, on the immediate property and neighbouring property/ adjacent land, at the company's and/or landowner's cost.
10. To require that any remnants of indigenous vegetation or bush stands, and any areas of regenerating indigenous vegetation are protected. Buffer zones of at least 50m must be observed from areas of indigenous vegetation.

11. To use, where needed, formal protection (e.g. covenants) for existing areas of indigenous vegetation of high cultural or conservation value.
12. Forestry operations must provide adequate protection mechanisms for riparian margins, to ensure the integrity and ecological function of such areas is maintained, and that mahinga kai values and taonga species are protected in perpetuity.
13. Where plantations exist adjacent to waterways, and where mature production trees are present in or near riparian margins, such trees must be harvested with great care, to prevent adverse effects to waterways and riparian zones. Forestry companies must develop and provide to the Rūnanga, a harvest management plan outlining how mature production trees will be harvested in riparian areas.
14. Depending on the size and scale of operation, exotic forestry operations occurring near major waterways shall:
 - (a) observe a buffer zone of at least 100m from the area determined to be riparian;
 - (b) establish a transition area of native species between the riparian area and the buffer zone.
15. Lesser buffer zones, in addition to riparian provisions, will be considered for exotic forest operations near all other waterways, ephemeral streams, wetlands, lakes or ponds (including those that fall within plantation boundaries), depending on the size and significance of the waterway or waterbody.
16. All vehicles and forest machinery must observe buffer zones from all waterways, ephemeral streams, wetlands, lakes or ponds.
17. If stock is grazed within a forest license, effective fencing should be established to prevent stock from entering riparian areas and waterways.
18. To require notification, in writing, prior to any major culvert installation works during the fish spawning season. The Rūnanga must have the opportunity to meet a company representative to discuss any concern in relations to such works.
19. Any new culvert pipes must be laid directly on the streambed, to ensure that there is not a step between the culvert pipe and the creek.
20. Regular inspections of any permanent structures in watercourses should occur, especially after storm events.
21. To require notification, in writing, of all roading installation, and/or road upgrading associated with forestry operations.
22. To recommend, where necessary, annual meetings between foresters and Rūnanga, to review compliance.
23. The protection of instream values against the negative impacts of forestry (e.g. water yield) must include the identification and protection of cultural values associated with water, as determined by Te Rūnanga o Kaikōura.

3.5.2 Papatūāknuku – Soil conservation

Soil is a fundamental resource, and together with air and water, is the basis on which other life depends. Soils are part of the wider ecosystem where the land, plants, animals and humans interact with each other.

Policies relating to soil conservation focus on encouraging sustainable land use practices that protect and conserve soil resources.

Ngā Take – Issues:

- » Protection and conservation of soil resources
- » Appropriate discharge of contaminants to land/ effluent disposal
- » Unsustainable farming practices (e.g. cropping marginal lands)
- » Intensive food production farming, and impact on environment
- » Increasing use of synthetic fertilisers (particularly nitrogen) to boost production, and impact on soils
- » Forestry operations and soil erosion
- » Over-grazing
- » Aerial application of agricultural chemicals and fertilisers
- » Vegetation burning, land clearance, and impact on soils
- » Loss of biodiversity (vegetation and habitat) as a result of unsustainable land use and induced soil erosion and degradation

Ngā Kaupapa – Policy:

1. To sustain and safeguard the life supporting capacity of soils for future generations.
2. To encourage the appropriate valuation of natural capital such as soil resources, and the essential ecosystem services they provide.
3. To protect the land from induced soil erosion as a result of unsustainable land use and development.
4. To support and encourage land management practices that improve or maintain soil organic matter and soil nutrient balance, and prevent soil erosion.
5. To support and encourage the protection of indigenous vegetation as part of conserving soil resources.
6. To support and encourage the establishment of appropriate indigenous vegetation on marginal lands, to encourage soil conservation.
7. To encourage the development of environmentally sustainable farming systems.
8. To avoid the establishment or continuance of any use or activity that has the potential to result in the contamination of land unless effective precautions are taken to avoid adverse effects on the environment.

9. The kinds of land use activities (e.g. type of farming) that occur in a given area must match land capability (e.g. elevation, slope, soil type), in order to protect soil resources.
10. To encourage landowners to undertake regular soil and foliage testing, as part of farm management, to assess appropriate fertiliser application levels and rates, and thus avoid over fertilisation of lands.
11. To advocate that all consents that effect soils are issued for a maximum of no more than 10 years.
12. To ensure that human ashes are spread only in areas agreed to by tangata whenua.

Cross-reference: Sections 3.5.1 Forestry; 3.5.3 Vegetation clearance and burn off; 3.5.4 Discharge to land.

3.5.3 Vegetation clearance and burn off

Vegetation is burned and cleared for land management purposes. In many cases, the land is covered in vegetation defined as “scrub”: often gorse, broom or matagouri. Burning the scrub opens the land for the establishment of pasture. However, it may also result in significant loss of nutrients and carbon from the soil.

Ngā Take – Issues:

- » Clearing and burning land for pasture in coastal areas, and impact on coastal values
- » Definition of ‘scrub’, whose definition is it?
- » Loss of indigenous plant species due to burning and clearing
- » Burning off of native gullies and other areas of indigenous vegetation
- » Habitat loss due to burning and clearing
- » Need for site inspections to monitor extent of burns
- » Establishment of introduced weed species through burning (see text box)
- » Soil erosion from vegetation burning and clearance

Environment Canterbury is not required to require an applicant to undertake a spray programme after burning to eradicate pest species (weeds). After burning, the area is required to be oversown and sown to ensure a vegetative cover occurs to prevent soil erosion. During this time, it is considered that the faster growing grasses will provide competition to the sprouting pest species, to delay or prevent growth. Further, if pest species do grow, it is considered that during this time stock will feed on the young shoots and provide some control.

Te Rūnanga o Kaikōura believes that additional weed control should be a required condition on consents. Often burning gorse and broom can heat the seeds in the ground, creating a wider growth area in the following years.

Ngā Kaupapa – Policy:

1. To require a description of all prevalent vegetation, including both indigenous and non-indigenous species, target and non-target, to be included with any application for vegetation burning for land management purposes.
2. To recommend that Council undertake site inspections in larger proposed burn areas, to ensure the activity complies with the information and maps provided.
3. To require the development of plans outlining the purpose and intent of the activity, and any enhancement or improvement provisions, as part of vegetation clearance for land management purposes.
4. To require the development of plans for effective weed control (weeds such as gorse and broom will come back after burning), as part of any application for vegetation clearance or burning for land management purposes. A consent for vegetation burning for land management purposes should only be granted if appropriate monitoring is in place to address weed control.
5. If herbicides are used prior to vegetation clearance and burn-off, they must be non-residual.
6. To avoid any clearance or burning in areas with a high risk of soil erosion.
7. To require that areas of indigenous vegetation in the burn area (e.g. native gullies), and immediately adjacent to the burn area, be protected from the activity.
8. Accidental burning of areas of indigenous vegetation must be replanted by the applicant, owner or person responsible for the land.
9. To support the introduction of effective penalties for non-compliance, including the restoration of areas that have been damaged or destroyed.

Cross-reference: Section 3.5.2 Papatūānuku – Soil conservation.

3.5.4 Discharge to land

Discharges to land have the potential to adversely impact the life supporting capacity of soils and groundwater, and must be monitored and managed appropriately.

Discharges to land in this section focus largely on those discharges related to farming activities. However, discharges to land may also include stormwater, sewage, dairy factory or other industrial wastewaters, and domestic wastewater.

Dairy farming is an important activity south of the Hundalees, and thus discharge to land is an important management issue. In many cases, discharge to land applications are associated with increasing herd sizes, and thus the volume of effluent discharge.

Te Rūnanga o Kaikōura has concerns that pollution from dairy farming, including faecal bacteria and viruses, may place aquifers at risk in the Okarahia ki te Hurunui region.



Ngā Take – Issues:

- » Appropriate discharge to land (i.e. consideration of soil structure)
- » Depth of effluent application in relation to the water holding capacity of the soil, and thus the risk of pathogen reaching the groundwater
- » Spray irrigation of effluent and potential impacts of ponding
- » Spray irrigation of effluent and runoff into waterways
- » Duration of consents for discharge to land
- » Lack of monitoring of discharge to land activities
- » Lack of quality information in many discharge to land proposals
- » Impact on downstream users as a result of upstream discharge to land activities
- » Appropriate discharge of stormwater to land
- » Need for public notification of areas that are unsafe due to discharge of contaminants on land
- » The combined effects of fertiliser and effluent application rates on groundwater quality
- » Contamination of soils as a result of discharge to land

Ngā Kaupapa – Policy:

1. All applications for discharge to land, particularly those concerning dairy, are to be forwarded to Te Rūnanga o Kaikōura in full, including the application, accompanying maps, officer's report, and any other relevant information pertaining to the application.
2. Applications for discharge to land will be considered in terms of the nature of the discharge, and the sensitivity of the receiving environment.
3. Applications for discharge to land will be considered in terms of soil structure, and the location of the proposed discharge to waterways (including drains) and bores.
4. To require monitoring provisions as a condition of consent on any discharge to land consent, to ensure that there are no adverse effects on soil resources.
5. To avoid the establishment or continuance of any use or activity that has the potential to result in the contamination of land or water unless effective precautions have been taken to avoid adverse effects on the environment.
6. To encourage the establishment of wetland areas, where practical, to improve discharge to land activities, through allowing Papatūānuku the opportunity to filter and clean any impurities.
7. To support management initiatives that include reducing contaminants at source, or using riparian and wetland management to maximize attenuation before discharge enters rivers or lakes.
8. To encourage applicants applying for discharge of contaminants to land to adopt principles of waste reduction and cleaner production (looking to alternatives).
9. Spray irrigation of dairy effluent must adhere to best practice sound application rate, to ensure that a safe ratio between depths of effluent application to the water holding capacity of the soil is maintained, in order to prevent over saturation of soils and contamination of groundwater.
10. To avoid the ponding of discharge on the ground as a result of spray irrigation of dairy effluent.
11. All spray drift, as a product of spray irrigation of effluent, must be managed and contained within the boundaries of the consent area.
12. To require the establishment of a minimum 50m buffer zone between any discharge of contaminants to land activity and a surface waterbody, to ensure that both surface water quality and groundwater quality are protected.
13. To oppose the granting of discharge to land consents for 35 year durations, when the potential exists for soil contamination. All consents that have the potential to contaminate soils should be issued for a duration of no more than 10 years, with conditions for monitoring impacts on soils and groundwater.
14. To require that the disposal of stormwater occur in a manner that avoids inundation or contamination of land.
15. To require public notification of areas that are unsafe due to discharge of contaminants on land.

16. To require robust monitoring of discharge to land consents, to detect non-compliance with consent conditions and best practice. Non-compliance must result in appropriate enforcement action to discourage further non-compliance.

Cross-reference: Sections 3.4.8 Sewage disposal; 3.4.9 Solid waste management.

Discharge to land applications will be considered with reference to the following criteria:

- » *Depth of groundwater*
 - » *Soil type*
 - » *Distance to waterway (potential for surface run off)*
 - » *Application rates*
 - » *How often do you apply, how often / how long does the land rest?*
 - » *Times of the year (all times or only during certain months?)*
 - » *Carbon to nitrogen ratio*
 - » *Soil tests*
-

3.5.5 Mining – Limestone

Limestone is a sedimentary rock that is mined for use in road and building construction, industry, and as an agricultural fertiliser. In the Te Rūnanga o Kaikōura takiwā, a major source of agricultural lime is Amuri Limestone, worked at Cheviot and Kaikōura.

Ngā Take – Issues:

- » General environmental impacts associated with mining
- » Discharges to air and water associated with limestone mining for fertiliser
- » Stormwater management associated with mining activities
- » Dust management associated with mining activities
- » Protection of water quality (protection of natural pH)
- » Protecting culturally important landscapes from mining activity
- » Promoting best practice and high environmental standards
- » Potential impacts on wāhi tapu and wāhi taonga
- » Protection of rock art associated with limestone landform areas

Ngā Kaupapa – Policy:

1. Applications for mining or quarrying will be considered in terms of the cultural significance of the area, and the potential for impact on culturally significant sites and other cultural values.
2. To avoid the establishment of commercial mining in areas and landscapes that are of cultural significance, particularly areas associated with wāhi tapu values.
3. To avoid adverse effects on land, water, mahinga kai and biodiversity as a result of mining.
4. The highest environmental standards should be applied to any consent application involving mining.
5. To require that best practice be applied to all mining activity.
6. Mining applications must provide Te Rūnanga o Kaikōura with copies of the company's environmental management plan and/or environmental standards.
7. To avoid any discharge of contaminated water (e.g. stormwater) to surface or groundwater as a result of mining activity.
8. All applications relating to mining are subject to those policies outlined in the *Te Rūnanga o Kaikōura Management Guidelines for Wāhi Tapu and Wāhi Taonga*, as per Section 3.7. This includes provisions for site visits, cultural impact assessments and pre-resource consent archaeological assessments.
9. Mine development plans shall include provisions for site beautification, including re-vegetation of the operation area and boundary, to minimise visual impacts on the landscape.
10. Mine development plans shall include provisions for restoration, including re-vegetation, of the operation area and boundary upon mine closure.
11. Capital expenditure for better environmental results should not be an adverse consideration, but rather an investment in the industry's future.
12. To require robust monitoring of any consent activity relating to mining, to detect non-compliance with consent conditions and best practice. Non-compliance must result in appropriate enforcement action to discourage further non-compliance.

Cross-reference: Gravel extraction, sand and aggregate mining activities are addressed specifically in sections 3.4.12 Gravel extraction and 3.6.8 Mineral extraction in coastal areas.

3.5.6 Hanmer

Te Whakatakanga o te Ngārahu o te ahi a Tamatea (Hanmer) is located in the Hanmer River Basin, an intermontane basin in the upper reaches of the Waiau River Catchment. Tourism is important in this area, reflecting the resort's location on a state highway, its mountain surrounds, and associated geothermal springs.

Ngā Take – Issues:

- » Increasing subdivision activities in the Hanmer area
- » Tourism development in the Hanmer area
- » Pressure on community infrastructure
- » Disposal of sewage and stormwater
- » Earthworks associated with development activities; Hanmer is an area where the likelihood of unearthing cultural materials or kōiwi tangata is high
- » Protection of riparian margins and wetland areas
- » Accidental discovery of cultural materials and need for Rūnanga monitoring
- » Protection of waterways in the Hanmer area, and the mahinga kai and biodiversity associated with them
- » Recognition and protection of Ngāti Kuri and Ngāi Tahu history of the area

Ngā Kaupapa – Policy:

1. To consider activities, proposals or projects in the Hanmer area in terms of protecting the ability of tangata whenua to maintain connections to the cultural heritage of the area.
2. All subdivision and associated land use consent applications are subject to the policies outlined in the *Te Rūnanga o Kaikōura Management Guidelines for Wāhi Tapu and Wāhi Taonga*, as per Section 3.7. This includes provisions for site visits, cultural impact assessments and pre-resource consent archaeological assessments.
3. Subdivisions proposals to convert rural or farm land to residential allotments may be requested to develop a landscape plan to protect and provide for the integrity of existing waterways, riparian areas, and wetlands, or to restore riparian margins along waterways where they may have been previously degraded.
4. All earthworks activities associated in this area are subject to the policies relating to contractors and the potential unearthing of cultural materials or kōiwi tangata (section 3.7).
5. To encourage the use of tourism information boards, pamphlets and guides in the Hanmer area, to provide information relating to appropriate waste disposal, respect for the environment, and responsible tourism.
6. To protect the headwaters of the Waiau River to ensure continuous healthy flow from mountains to the sea.

7. Interpretation and information relating to Ngāi Tahu history, values, traditions or beliefs (including place names) is not to be provided to any clients as part of any commercial guiding and interpretation activity unless the interpretation and information is agreed to by Te Rūnanga o Kaikōura as being appropriate and accurate.
8. Where relevant, concession activities on conservation land in Hanmer area are subject to Ngāi Tahu Standard Conditions for Concessions (Appendix 10), and any other special conditions required by Te Rūnanga o Kaikōura.

Cross-reference: Sections 3.4.1 Residential development – Subdivision; 3.4.2 Land use consents and building permits; 3.4.3 Business growth and development; 3.4.4 Tourism; 3.4.5 Concessions; 3.5.1 Forestry; 3.7 Wāhi tapu me te wāhi taonga.

The Ngāi Tahu name for Hanmer is Te Whakatakanga o te ngārahu o te ahi a Tamatea, which means “Where the ashes of Tamate’s fire lay”. The name comes from the story of Tamatea Pokai Whenua’s travels to the South Island. His waka, the Takitimu, capsized in the south of the South Island. Tamatea Pokai Whenua and his followers had to walk up along the east coast of the South Island in blizzard like conditions. When they reached Banks Peninsula, Tamatea stood on the mountain now known as ‘Te Poho o Tamatea’ and recited karakia to North Island tohunga. The tohunga responded by sending large flames from volcanoes in the North Island, which reached Banks Peninsula and helped keep Tamatea and his followers warm. When the flames were travelling down the country some fragments fell off and formed the area that we know as Hanmer Springs.

Wai Māori – Freshwater Resources

Three major river catchments are included in the Okarahia ki te Hurunui region: the Tūtae Putaputa (Conway), Waiau and Hurunui. These rivers flow from mountain to sea, and are connected to numerous tributaries, wetlands and waipuna, as well as the groundwater that nourishes the catchment from below. The Tūtae Putaputa, Waiau and Hurunui are part of Ngāti Kuri and Ngāi Tahu cultural identity. While the last 165 years have resulted in significant changes to these rivers, their importance has not diminished.

Freshwater management in the Okarahia ki te Hurunui region is of utmost concern to Te Rūnanga o Kaikōura. Concerns relate primarily to the cumulative impacts of water abstractions, water allocations, the intensification of certain land use activities, the depletion of underground aquifers, and the need for flow regimes that preserve the ability of rivers to maintain acceptable levels of biodiversity and ecological health (see Table 7).

Each river has its own distinctive environment – with unique spiritual, historical, cultural, physical and ecological values. Land use patterns and thus water requirements vary between different river catchments, and thus management tools and processes will need to respond in different ways. For these reasons, Te Rūnanga o Kaikōura supports the development of individual river catchment based management plans.



Table 7: Tangata whenua concerns related to flow management, water allocation, water quality, land use, and activities in the bed and margins of rivers, in the Okarahia ki te Hurunui region

Issue	Concerns
Flow management / water allocation	High irrigation demands
	Large scale irrigation schemes and demand for water
	Depletion of aquifers
	Damage to waipuna through low flows
	Lack of provision for connections between surface and groundwater
	Water allocations to support more intensive farming practices
	Inappropriate (low) minimum flows
	Low flows and increased sedimentation in rivers
	Low flows and changes to river mouth environment
	Lack of understanding of cumulative effects
	Lack of robust monitoring regimes in freshwater management
	Lack of understanding of instream values in many areas
	Need to maintain ecological / hydrological balance (e.g. sea water / freshwater)
	Potential loss of recreational values
Need to see all waterways as taonga, to be treated with respect and protected	
Maintenance of habitat through appropriate level and flow	
Potential impact of low flows on wāhi tapu	

Issue	Concerns
	<p data-bbox="724 320 1278 387">Impacts on natural flow variability and thus natural character of the river</p> <hr/> <p data-bbox="724 414 1114 443">Minimum flows as sustainable flows</p> <hr/> <p data-bbox="724 470 1337 537">Need to consider future demands on water – lack of long term thinking</p> <hr/> <p data-bbox="724 564 1307 631">Need to match land use with natural water constraints and capacity</p> <hr/> <p data-bbox="724 658 1310 725">Flow monitoring sites that are upstream of majority of abstractions</p> <hr/> <p data-bbox="724 752 1145 781">Duration of water abstraction consents</p> <hr/> <p data-bbox="724 808 1283 837">Lack of emphasis on water efficiency for water users</p> <hr/> <p data-bbox="724 864 999 893">Damming and diversions</p>
Water quality	<p data-bbox="724 916 1315 983">Contamination of water quality as a result of point and non-point source discharges</p> <hr/> <p data-bbox="724 1010 1310 1115">Contamination of water as a result of unsustainable land practices, such as spray irrigation of effluent, over stocking and inefficient fertiliser application</p> <hr/> <p data-bbox="724 1142 943 1171">High nitrogen levels</p> <hr/> <p data-bbox="724 1198 1275 1227">Run off into the from irrigation (irrigation bywash)</p> <hr/> <p data-bbox="724 1254 1307 1321">Lack of recognition of dependence of water quality on water quantity</p> <hr/> <p data-bbox="724 1348 1294 1415">Impacts on health, abundance and diversity of native fish</p> <hr/> <p data-bbox="724 1442 1294 1509">Impacts on health, abundance and diversity of native waterfowl / other aquatic birdlife</p> <hr/> <p data-bbox="724 1536 1286 1603">Drainage of wetlands and subsequent loss of natural cleansing function</p> <hr/> <p data-bbox="724 1630 1334 1697">Unnatural mixing of surface and groundwater as a result of irrigation and low flows</p>

Issue	Concerns
Land uses that affect water quality	Overdevelopment of land along riverbanks as a result of farming activities
	Land use that does not reflect landscape values or land capability
	Dairy conversion in lowland areas
	Unsustainable management of forestry plantations (also wilding pines / macrocarpa)
	Degradation of natural or “unmodified” environments
	Lack of long term thinking in land use activities in many areas
	Need to support landowners who are doing good things
	Drainage and dewatering of wetland areas adjacent rivers and tributaries
	Large scale irrigation projects
	Unnatural “wet” lands
Activities the beds or on the margins of rivers	Loss of riparian areas through unsustainable land practices
	River protection works that “lop” willows to increase density
	Use of willows as river protection works
	Forestry plantations to edge of rivers
	Riparian damage and erosion
	Activities that impact on the river’s natural course and ability to flood
	Stockpiling
	Lack of monitoring of gravel extractions, both existing activities and new applications

Adapted from: *Waiau River catchment: Tangata Whenua Values Report*. Environment Canterbury Report No. Uo4 / 72.

3.5.7 Water abstractions – Groundwater

Groundwater systems nourish the land and waterways from below the surface. They provide the continuous flow of rivers that may retreat beneath the surface and appear again in the form of waipuna, or springs.

The main influences on groundwater levels are the rate of recharge of the aquifer, levels of groundwater abstractions, and the discharge from the aquifer to surface waters. Decreases in groundwater levels can occur as a result of natural climatic conditions, changes in land use, or as a result of over abstraction.

Low groundwater levels and the depletion of aquifers is a concern for Te Rūnanga o Kaikōura in the Okarahia ki te Hurunui region. Low recharge rates in dry years, coupled with the cumulative effects of water abstractions can result in the drying up of spring fed streams, or saltwater intrusion into an aquifer. The Rūnanga believes that there is an urgent need for monitoring of the relationship between water abstractions, groundwater levels, and aquifer quality and quantity.

Water must be used as efficiently as the land requires, not as to what is allocated, nor be driven by the dollar.

Norm Kerei Keepa, Te Rūnanga o Kaikōura

Ngā Take – Issues:

- » Maintaining an effective working relationship with Environment Canterbury with regards to groundwater management
- » Groundwater takes from bores near waterways, and impact on waterway health
- » Impacts on groundwater as a result of the combination of low recharge and cumulative effects abstractions
- » Monitoring of groundwater levels
- » Unrealistic expectations from applicants regarding amounts of water available to take
- » Need for catchment based planning with regards to groundwater management
- » Appropriate duration of consent
- » Conflicting demands for water
- » Inefficiency of water use

Ngā Kaupapa – Policy:

1. All applications for groundwater abstractions in the Okarahia ki te Hurunui region are to be forwarded to Te Rūnanga o Kaikōura in full, including the application, accompanying maps, officer's report, and any other relevant information pertaining to the application.
2. To restore, maintain and protect the mauri of freshwater resources.
3. To support and encourage catchment management plans (ki uta ki tai) that manage the cumulative impacts of groundwater abstractions in a given area.
4. To consider all applications for groundwater abstractions in terms of the number of existing water users, the cumulative effects of new water takes, and in terms of the impact on water quality, mahinga kai and other instream values of additional water takes.
5. To require that all groundwater take applications provide information relating to the effect of the abstraction on surface water.
6. To assess all applications for bores (land use) in terms of their potential for groundwater abstractions.
7. Any bore drilling activity may be subject to an Accidental Discovery Protocol.
8. To promote the setting of limits that identify the maximum amount of water that can be taken from a given area to be used for irrigation or other specific activities.
9. To avoid compromising water quality as a result of water abstractions.
10. To encourage best practice and efficient use of water, particularly in terms of sustainable irrigation design, delivery and management.
11. Applications for groundwater abstractions in the Okarahia ki te Hurunui region may be required to justify the quantities of water requested. Information may need to be provided to the Rūnanga regarding the crop type, acreage, proposed water use per hectare, estimated water losses, stocking rates, and the level of efficiency for the scheme. This will enable the Rūnanga to put the quantity of water sought in context, and ensure that a test of reasonableness can be applied to each consent.
12. To encourage the installation of appropriate measuring devices (e.g. water meters) on all existing and future water abstractions, to accurately measure, report, and monitor volumes of water being abstracted, and enable better management of water resources.
13. To oppose 35-year durations on resource consents related to groundwater abstractions. The duration of water permits must reflect potential risk to surface and groundwater health. Sustainable management of water resources cannot be ensured in applying 35 year durations to consents, as there is no way of knowing what the availability of water will be in 35 years time, or what the long term effects of an abstraction will be.

14. All water consents that affect water quantity are to be issued with a duration that has a common an expiry date for all other abstraction consents within the same catchment, to protect future water quality, quantity and future availability to all water users.
15. To require robust monitoring of water permits, to detect non-compliance with consent conditions and best practice. Non-compliance must result in appropriate enforcement action to discourage further non-compliance.
16. To encourage monitoring of actual total water abstraction from catchments in the Okarahia ki te Hurunui region.

When considering any application that impacts water, such as a water take, we look at the minimum flows for that river if there are any; we look at the habitat of the river and if and how the take may impact on that habitat; and we look at how many other consents have been issued for water takes from that river. We will also look at provisions for water meters to be installed to monitor water takes.

3.5.8 Water abstractions – Surface

Te Rūnanga o Kaikōura has concerns over the ability of rivers in the Okarahia ki te Hurunui region to support current and future demands for water, while still maintaining natural levels of diversity and water course.

There are growing numbers of applications to extract large volumes of water (mostly for irrigation purposes) from surface water sources. At the same time, there is a lack of information about flows and instream values, and the cumulative impacts of such abstractions on general river health.

Ngā Take – Issues:

- » Maintaining an effective working relationship with Environment Canterbury with regards to freshwater management
- » Increasingly intensive farming practices, and increasing reliance on external inputs such as irrigation
- » Cumulative impacts of water takes
- » Need for both consent compliance monitoring and environment monitoring
- » Over allocation of water from braided rivers
- » Unrealistic expectations from applicants regarding amounts of water available to take
- » Need for catchment based planning with regards to freshwater management

- » Appropriate processes for setting flow management regimes and minimum flows
- » Ensuring that minimum flows are sufficient to protect instream values
- » Appropriate duration of consent
- » Inefficiency of water use, and the waste of water due to evaporation and dissipation
- » Adverse impacts on waterways from long term, continuous water takes
- » Finding a balance between meeting water needs and maintaining ecosystems health
- » Impact of surface water abstractions on groundwater
- » Large scale irrigation schemes

Ngā Kaupapa – Policy:

1. All applications for surface water abstractions in the Okarahia ki te Hurunui region are to be forwarded to Te Rūnanga o Kaikōura in full, including the full application, accompanying maps, officer's report, and any other relevant information pertaining to the application.
2. To restore, maintain and protect the mauri of freshwater resources.
3. To support and encourage catchment management plans (ki uta ki tai) that manage the cumulative impacts of surface water abstractions in a given area.
4. To consider all new applications for water abstractions in terms of cumulative effects of all existing water takes, and in terms of the impact on water quality, mahinga kai and other instream values of additional water takes.
5. To promote the setting of limits that identify the maximum amount of water that can be taken from a given area to be used for irrigation or other specific activities.
6. In some instances, Te Rūnanga o Kaikōura will seek a minimum flow as a condition on any water abstraction consent application that is higher than the existing minimum flow. Irrigators that have invested in water harvesting (e.g. using small dams) will be advantaged by this approach.
7. To encourage best practice and efficient use of water, particularly in terms of sustainable irrigation design, delivery and management.
8. To support pivot steer type irrigators as opposed to border dyke systems (where the efficient use of water is demonstrated).
9. Applications for surface water abstraction may be required to justify the quantities to be taken. Information may need to be provided to the Rūnanga regarding the crop type, acreage, proposed water use per hectare, estimated water losses, and the level of efficiency for the scheme. This will enable the Rūnanga to put the quantity of water sought in context, and ensure that a test of reasonableness can be applied to each consent.

10. Large scale projects that seek to abstract and/or divert surface water from the Tūtae Putaputa, Waiau or Hurunui catchments may be requested to commission a Tangata Whenua (Cultural) Impact Assessment, to assess the impacts of the activity on tangata whenua values.
11. To encourage the installation of appropriate measuring devices (e.g. water meters) on all existing and future water abstractions, to accurately measure, report, and monitor volumes of water being abstracted, and enable better management of water resources.
12. To require that all surface water take applications provide information on the effect of the abstraction on groundwater.
13. To avoid compromising water quality as a result of water abstraction.
14. To oppose 35-year durations on resource consents related to surface water abstractions. The duration of water permits must reflect potential risk to surface and groundwater health. Sustainable management of water resources cannot be ensured in applying 35 year durations to consents, as there is no way of knowing what the availability of water will be in 35 years time, or what the long term effects of an abstraction will be.
15. All water consents that affect water quantity are to be issued with a duration that has a common expiry date for all other abstraction consents within the same catchment, to protect future water quality, quantity and future availability to all water users.
16. In some cases, the Rūnanga may request that applicants be required to keep records of abstractions, with the information monitored by Council, and made available to the Rūnanga, if requested.
17. To require restrictions on some surface water takes at certain times (e.g. when taonga and other culturally important species such as tuna are migrating).
18. Environment Canterbury, in cooperation with Te Rūnanga o Kaikōura, should investigate a charging scheme for water abstractions from rivers in the Okarahia ki te Hurunui region (or bores where the aquifer is connected to the river). This would encourage more efficient use of water, and money collected could fund monitoring (see text box).
19. To require robust monitoring of water permits, to detect non-compliance with consent conditions and best practice. Non-compliance must result in appropriate enforcement action to discourage further non-compliance.
20. To encourage monitoring of actual total water abstraction from catchments in the Okarahia ki te Hurunui region.

3.5.9 Flow management

In the Okarahia ki te Hurunui region, Environment Canterbury, as the regional council, is responsible for determining appropriate flow management regimes to manage and allocate water resources, while maintaining instream values. It is important that this process recognises and provides for the relationship between tangata whenua values and river flows (see Table 8).

Ngā Take – Issues:

Flow management regimes that do not ensure the protection of the life supporting capacity of water

- » Instream values compromised as a result of out of stream values
- » Need for flexibility and adaptability in flow management
- » Need for adequate minimum flows
- » Appropriate monitoring stations (downstream from abstractions)
- » Rūnanga participation in the process of establishing flow management regimes

Ngā Kaupapa – Policy:

1. The establishment of water flow regimes (e.g. flow sharing) must recognise and provide for a diversity of values, including the protection of tangata whenua values.
2. The establishment of water flow regimes must reflect the principles of *ki uta ki tai*, and thus river flow requirements from source to sea, including the wetlands, tributaries and waipuna that are associated with that river flow.
3. To support flow regimes that adopt the priorities established in the Te Rūnanga o Ngāi Tahu Freshwater Policy. The priorities are:
 - Priority 1: Sustain the mauri of the waterbodies within the catchment
 - Priority 2: Meet the basic health and safety needs of humans
 - Priority 3: Protect cultural values and uses
 - Priority 4: Protect other instream values (indigenous flora and fauna)
 - Priority 5: Meet the health and safety needs of humans (sanitation)
 - Priority 6: Provide water for stock
 - Priority 7: Provide for economic activities including abstractive uses
 - Priority 8: Provide for other uses
4. Flow management regimes must have meaningful, appropriate minimum flows in place.
5. Flow management regimes must be such that upstream and downstream passage for mahinga kai fish species is maintained, and where necessary, enhanced.

6. Flow management regimes must have meaningful and appropriate limits on abstractions.
7. Flow management regimes must recognise and provide for the hydraulic connections between groundwater and surface water.
8. Flow management regimes must not compromise water quality as a result of insufficient quantity.
9. Flow management regimes must protect the natural seasonal variability of flow, including periodic flushing flows.
10. Flow management regimes must ensure that river mouth environments and river mouth opening regimes are not adversely affected by low flows.
11. To ensure flow monitoring sites are appropriate in number and location (e.g. it is not sufficient to only measure flow upstream of abstractions, as this can result in downstream areas dropping below minimum flow).
12. Flow management regimes should take into consideration appropriate land use. What land use practices are the water resources supporting?
13. To advocate for flexibility and adaptability in flow management regimes. Flow regimes, and the authorities that implement them, must be able to respond to changing circumstances.

Cross-reference: Sections 3.5.7 Water abstractions – Groundwater; 3.5.8 Water abstractions – Surface; 3.5.10 Minimum flows.

Information Source: Ministry for the Environment 1998. *Flow Guidelines for Instream Values*.

Information Source: Jolly, D., on behalf of Te Rūnan-ga o Kaikōura, 2004. *Waiau River catchment: Tangata Whenua Values Report*. Environment Canterbury Report No. Uo4/72.

Table 8: Relationship between tangata whenua values and river flows

Value Relationship to Flow and Water Quality	
Ngā wai / Mauri	<p>Flow must ensure life supporting capacity is maintained.</p> <p>Natural character and flow variability is part of the life essence of the river.</p> <p>The river is more than a source of water flow for abstraction.</p> <p>Maintaining water quality is part of respecting the river.</p> <p>Point and non-point source discharges impact erode mauri values.</p> <p>Excessive abstractions adversely impact mauri values.</p> <p>Link between water quality and water quantity.</p> <p>Mixing of waters adversely impacts mauri values.</p>
Wāhi ingoa / place names	<p>Place names often describe the physical environment, such as specific characteristics or uses associated with a waterway. Such characteristics or use may be dependent on particular flow and water quality.</p>
Ara tawhito / trails	<p>Historically, flow may have determined safe river crossings.</p> <p>How the river flows, looks, behaves is all part of the environment experienced by travellers, and would have determined to some extent the location of nohoanga (camping and food gathering sites) and other culturally important sites along the river.</p>
Repo raupō / wetlands	<p>Reduced flows, land use and drainage have reduced the number of wetlands associated with rivers and tributaries. Adequate flows are needed to maintain any remnant wetlands. Wetlands are linked to water quality in their functions as filtering water; they are the “kidneys” of the land.</p>
Waipuna / springs	<p>In some places, river flows are directly linked to waipuna. The flow of waipuna (or lack of) may be used as an indicator river health.</p> <p>High water quality can sustain valued waipuna, or conversely, poor quality can degrade them.</p>
Riparian areas	<p>Healthy riparian areas, and the indigenous species associated with them, require good water quality and sufficient flow. Reduced flows result in encroachment of introduced plants (invasion) into a riverbed.</p>

Value Relationship to Flow and Water Quality	
Mahinga kai/ biodiversity, indigenous species	Certain fish species will require certain levels of flow for migration and spawning. Temperature and water quality (and other ecological conditions) create distinctive habitats for species.
	Flood events as part of a natural hydrologic regime are necessary to maintain vegetation free gravel bars in river channel for nesting birds.
	When water demand is highest is often when fish need the water the most.
Wāhi tapu / wāhi taonga	Change in flow can either flood or expose wāhi tapu such as pā sites, middens, ovens, urupā, or water burial sites.
	Rivers and their tributaries are considered wāhi taonga and thus sufficient flow and water quality must be maintained.
River mouth environment	Flow conditions are directly related to the nature and extent of river flows into the sea; and to maintaining the balance of freshwater saltwater mix. Water quality is important to maintaining the nature of the estuary / lagoon environment.
Kaitiakitanga	Ensuring that values associated with the river are protected is a key aspect of kaitiakitanga and the rights and responsibilities that characterise the relationship between tangata whenua and rivers.
	Restoration of the ability of tangata whenua to effectively participate in freshwater resources management (in partnership with other agencies), is part of recognising and providing for kaitiakitanga.

Adapted from: *Waiau River catchment: Tangata Whenua Values Report*. Environment Canterbury Report No. Uo4 / 72.

Flow Sharing: This type of allocation regime allows a proportion of the flow above the river's minimum flow to be abstracted (a sharing ratio). For example, for each cumec above the minimum flow, half a cumec can be abstracted and the other half cumec must remain in the river. This type of regime protects the river's flow variability, but it also makes water management more difficult as it means a constantly changing allowable take as the river's flow changes.

For example, a river may have a flow sharing allocation regime of 60/40. That is, only 40% of the flow above the minimum flow may be abstracted. There may also be total abstraction limits imposed on the sharing regime.

Source: Canterbury Strategic Water Study 2002



3.5.10 Minimum flows

A flow allocation regime must have appropriate minimum flows in place to manage water abstractions both for the mainstem and the tributaries of a river. Minimum flow levels are intended to protect values such as water quality, biodiversity, habitat, and natural character.

Te Rūnanga o Kaikōura wants to ensure that the criteria used to establish minimum flows are about sustaining river health, as opposed to maintaining current levels of abstractions.

Tangata whenua have their own set of criteria and indicators for assessing river health that can enhance the process of determining minimum flows. Such indicators include the physical appearance of the water and the channel, the presence or absence of weeds or mahinga kai species, abundance and diversity of birds, health (and existence of) riparian areas, and water quality.

Ngā Take – Issues:

- » Inadequate minimum flows
- » Over allocation of water
- » Process for setting minimum flows
- » Tangata whenua participation in determining minimum flows
- » Lack of significant long term flow information, particularly in the critical summer low flow periods
- » Need for flexibility and adaptability (e.g. to seasonal changes) in minimum flow regimes
- » Need for monitoring of effectiveness of minimum flows

Ngā Kaupapa – Policy:

1. Minimum flows must be assessed using catchment based values, in addition to instream values.
2. The setting of minimum flows must reflect the principles of *ki uta ki tai*, and thus river flow requirements from source to sea.
3. Minimum flow levels should be assessed as sustainable, sufficient flows, and not only as minimum flows.
4. To ensure that the criteria used to establish minimum flows are about sustaining river health, as opposed to maintaining current levels of abstractions. River health must not be compromised for stock, irrigation and pasture use; overall river health is first, everything else second.
5. Any new minimum flow should take into account past demands on the river, all current demands, and the potential for future demands on water.
6. The setting of minimum flow should reflect cultural values as well as scientific methods.
7. Water quantity must be such that water quality is protected.
8. To advocate raising the minimum flow on existing flow regimes for braided rivers in the takiwā.
9. To recommend, where necessary, that minimum flow levels include buffer cumecs to ensure river health is protected in the dry season.
10. Minimum flows should be such that riparian areas are sustained, protected and enhanced.
11. Minimum flows should be such that there is sufficient level and flow to maintain the natural character and appearance of the waterway, the suitability of the waterway for cultural purposes, and that the habitat requirements of culturally important species are met.
12. Minimum flow regimes should be flexible enough to accommodate seasonal fluctuations, and seasonal river demands. They should not be considered final. Ongoing observations, monitoring, and research may conclude levels may need to be altered from time to time.
13. To encourage the use of the Cultural Health Index (CHI)¹⁶, as a tool to monitor stream health over time, and provide long term data that can be used to ensure that minimum flows are appropriate.

Cross-reference: Section 3.5.9 Flow management.

Information Source: Kaikōura Rivers Minimum Flows: Te Rūnanga o Kaikōura values and perspectives. A report prepared for Environment Canterbury. June 2005.

Information Source: Tipa, G. and Teirney, L. 2003. *A Cultural Health Index for Streams and Waterways: Indicators for recognising and expressing Māori Values*. Ministry for the Environment, Technical Paper 75.

¹⁶ The Cultural Health Index Assessment is a tool developed to help Rūnanga quantitatively assess the health of waterways, and participate in the management of water resources. See Tipa, G. and Teirney, L. 2003.

If you see the kingfisher on the shore of the river, you know flows in the creeks are low.

Norm Kerei Keepa, Te Rūnanga o Kaikōura

The maintenance of instream values with regard to minimum flows does not fully address the sustainable management of our rivers, lakes, streams and other waterbodies.

Councils and communities must realise that the consideration of values for the entire catchment is the only realistic way to provide for the sustainable management of these natural resources, because instream values are reliant on out of stream values.

For too long now our waterways have been compromised for the sake of economics. There needs to be a balanced attitude when valuing our environment, and as a result bad land management practices have critically compromised the environment – and you don't have to be a rocket scientist to see that. The question has to be asked when are we going to be brave and face up to that?



3.5.11 Water quality

Water quality is a reflection of the way that variables such as flow, water abstractions and discharges to land and water are managed. There are several aspects of water quality management to consider in the Okarahia ki te Hurunui region:

- » The relationship between water abstractions for irrigation, and water quality (see text box).
- » Extensive land clearance and run off of fertiliser and other contaminants into waterways in times of heavy rainfall.
- » Discharge to land activities such as the spray irrigation of dairy effluent, compounded with stock access to waterways, and the impact on waterways.
- » The long-term impacts of human activities on waterways that are reflected in the poor water quality of rivers such as the Blythe.

Ngā Take – Issues:

- » History of poor water quality management
- » Impacts on drinking water sources
- » Agricultural chemical and fertiliser applications in or near waterways
- » Cumulative effects of contaminant run-off on water quality
- » Relationship between water quality and water quantity

- » Need for further education in the farming community as to risks
- » The combined effects of fertiliser and effluent applications on groundwater quality
- » Land clearance and increases in run-off of contaminants during rainfall
- » Run-off of excess irrigation waters into waterways
- » Need for monitoring: both consent compliance monitoring and state of the takiwā / environmental monitoring

Abstracting water for irrigation purposes means that water is not just leaving the river; water is also added to the river in the form of run-off. This run-off often contains discharge such as nitrates.

The effects of water abstraction for irrigation are thus two-fold:

- » *the impact on instream values as a result of abstracting water*
 - » *the impact of putting that water on land, in terms of run off.*
-



Ngā Kaupapa – Policy:

1. The role of Ngāti Kuri as tangata whenua and kaitiaki of water must be recognised and provided for in all water quality management.
2. If cultural values and uses are to be protected, then current water pollution levels must be reduced, and any new contamination of freshwater resources must be avoided.
3. To ensure that flow allocation and water management regimes recognise and provide for the relationship between water quality and quantity.
4. To avoid compromising water quality as a result of water abstractions.
5. To avoid the use of water as a receiving environment for the direct, or point source, discharge of contaminants. Generally, all discharge must first be to land.
6. To avoid adverse impacts on water quality as a result of non-point source pollution, and require that any non-avoidable impacts are mitigated.
7. To avoid impacts on water as a result of inappropriate discharge to land activities.
8. To promote the restoration of wetlands and riparian areas as part of maintaining and improving water quality, due to the natural pollution abatement functions of such ecosystems.
9. To ensure that water quality management recognises and provides for the relationship between upper catchment activities (e.g. forestry) and lower catchment water quality.

10. Water quality definitions, categories, and standards must be determined, measured, and assessed with cultural values and indicators alongside scientific information. Such indicators and values centre on the ability of the waterway to support life, and the fitness of water for cultural uses.
11. To maintain standards of water quality that ensure healthy mahinga kai populations capable of sustaining customary use.
12. To protect the integrity and cultural uses of water through prohibiting unnatural mixing of waters from different water sources.
13. To require consultation with regards to any weed or other pest control activities in or adjacent to waterways.
14. To require the observance of a minimum 50m buffer zone with regards to any discharge to land activity (e.g. spray irrigation of effluent) in the vicinity of any waterway, bore or spring.
15. To advocate for methods of fertiliser use and application that avoid or minimise adverse effects on water and aquatic ecosystems.
16. To protect groundwater, landowners who are applying fertilisers to land should be encouraged to undertake regular soil and foliage testing, as part of farm management (and to be analysed by an independent analyst), to assess appropriate application levels and rates, and minimise the likelihood of run-off.
17. To recommend that landowners be required to monitor nitrogen levels, to prevent overloading and adverse effects on water quality.
18. To advocate that Environment Canterbury monitor nitrogen levels in soils that are intensively farmed, in order to protect water quality.
19. Acceptable levels of nitrogen should be established cooperatively between Environment Canterbury, Te Rūnanga o Kaikōura and scientific institutions.
20. To require appropriate fencing, and where necessary stock crossings, to stock access to waterways, wetlands and springs.
21. To require robust monitoring of water permits, to detect non-compliance with consent conditions and best practice. Non-compliance must result in appropriate enforcement action to discourage further non-compliance.
22. To encourage general water quality monitoring throughout the Okarahia ki te Hurunui region.

Cross-reference: Sections 3.2.6 Discharge to water; 3.4.11 Water quality (Kaikōura section); 3.5.4 Discharge to land.

Planning for water quality cannot be separated from water quantity management, because a reduction in water quantity (for example, due to water takes) may result in a reduced capacity of that water body to dilute contaminants.

Neither can surface water quality be managed independently of groundwater, or the beds and margins of water bodies, or the coastal marine environment or catchments land uses. Therefore, surface water quality must be managed comprehensively, and in a manner that is fully integrated with all other aspects of the physical and human environment.

Source: Adapted from www.qualityplanning.org.nz

3.5.12 Tūtae Putaputa

Tūtae Putaputa (Conway River) is a Statutory Acknowledgement site, under the NTCSA 1998, recognising the immense cultural, spiritual and historical significance of the river to Ngāi Tahu (see Appendix 13).

There are numerous urupā and wāhi tapu associated with Tūtae Putaputa, particularly in the vicinity of the ancestral pā site, Pariwhakatau.

Different rivers have sets of cultural values associated with them, and specific issues of concern relating to the protection and enhancement of such values. Thus, ngā take and ngā kaupapa described here are specific to Tūtae Putaputa and its tributaries.

Priority management issues with regards to Tūtae Putaputa centre on the protection of wāhi tapu and wāhi taonga values, and the regulation of gravel extraction activities, water abstractions, and stock access. Overall, the resources of the Tūtae Putaputa are considered to be under too much pressure.

Ngā Take – Issues:

- » Storage dams and water abstractions from Tūtae Putaputa and its tributaries (e.g. Charwell River) for irrigation
- » Spraying in the beds and margins of waterways to control weeds
- » Stock access to waterways, wetlands, waipuna and drains, and impact on riparian areas and water quality
- » Gravel extraction: ensuring sustainable takes and environmental protection
- » Impacts of poor water quality on mahinga kai and all biodiversity
- » Degraded riparian margins in the catchment
- » The need for appropriate minimum flows

- » Forestry activities in the catchment, and impact on water quality
- » Willows in riparian areas
- » Invasive introduced weed species (e.g. gorse and broom)

Ngā Kaupapa – Policy:

1. To ensure that the value of Tūtae Putaputa as a cultural and natural landscape is recognised and provided for in management decisions throughout the catchment.
2. Applications for activities that are within, adjacent to, or may impact on the Tūtae Putaputa Statutory Acknowledgement (SA) area under the NTCSA 1998 will require consultation with both Te Rūnanga o Kaikōura and Te Rūnanga o Ngāi Tahu.
3. To support and encourage catchment management planning (ki uta ki tai) to manage land and water resources in the Tūtae Putaputa catchment.
4. To ensure that activities in the Tūtae Putaputa catchment do not adversely impact the wāhi tapu and wāhi taonga values associated with Tūtae Putaputa.
5. To encourage enhancement measures, including restoration with indigenous species, where appropriate, as part of any consent activity associated with Tūtae Putaputa.
6. To maintain standards of water quality that ensure healthy mahinga kai populations capable of sustaining customary use.
7. To ensure that mahinga kai species have uninhibited access to and from the river, its tributaries, associated lakes, and the sea.
8. To support a flow regime for Tūtae Putaputa that adopts the priorities established in the Te Rūnanga o Ngāi Tahu Freshwater Policy. The priorities are:
 - Priority 1: Sustain the mauri of the waterbodies within the catchment
 - Priority 2: Meet the basic health and safety needs of humans
 - Priority 3: Protect cultural values and uses
 - Priority 4: Protect other instream values (indigenous flora and fauna)
 - Priority 5: Meet the health and safety needs of humans (sanitation)
 - Priority 6: Provide water for stock
 - Priority 7: Provide for economic activities including abstractive uses
 - Priority 8: Provide for other uses
9. Any earthworks or roadworks near Tūtae Putaputa or its tributaries must have appropriate measures in place to avoid contaminants (including dust, sediment run-off from stockpiles or any hazardous substance) from entering the waterway.
10. To require appropriate fencing, and where necessary stock crossings, to control stock access to Tūtae Putaputa and associated waterways, wetlands and springs.

11. To avoid the use of Tūtae Putaputa or its tributaries as a receiving environment for the direct, or point source, discharge of contaminants.
12. To ensure that gravel and sediment extraction activities associated with Tūtae Putaputa avoid, remedy or mitigate adverse environmental impacts.
13. Applications for gravel extraction in the Tūtae Putaputa catchment will be considered in terms of sustainable takes in the context of environmental protection.
14. Applications for gravel extraction in the Tūtae Putaputa catchment will be considered in terms of protecting cultural values associated with the river.
15. To require notification prior to commencing any gravel extraction work associated with the Tūtae Putaputa, to allow for a Rūnanga monitor to be present if necessary.
16. In the event of any disturbance of cultural materials during gravel extraction the consent holder shall notify Te Rūnanga o Kaikōura immediately.
17. To discourage gravel extraction from reaches of waterways where it is detrimental to bank stability and flooding, or would contribute to other environmental detriment.
18. Gravel extraction activities in the Tūtae Putaputa catchment are subject to Te Rūnanga o Kaikōura policies for gravel extraction, as per section 3.4.12.
19. To ensure that activities in the upper catchment have no adverse effect on mahinga kai, water quality and water quantity in the lower catchment.

Cross-reference: Sections 3.2.10 Parenga; 3.4.12 Gravel extraction; 3.5.8 Water abstractions – Surface; 3.5.9 Flow management; 3.5.10 Minimum flows; 3.5.11 Water quality; 3.5.15 Activities in the beds and margins of rivers.

The relationship between upper catchments and lower catchments:

Some of the reason why we have less water in the lower parts of our rivers is not only from water abstractions, but also from exotic forestry plantations in the upper catchments. Exotic trees in these plantations absorb large amounts of water.

3.5.13 Waiau River

The Waiau-uha River catchment is a cultural landscape. Tribal history is embedded in the river, and the lands that it flows through. There are multiple sites and places in the catchment considered wāhi tapu, and the river and associated tributaries, wetlands and waipuna are considered wāhi taonga. Caroline stream, Lemmington Stream, Tuahuku (Leader River), Hope and Boyle Rivers, Middle Drain and Mata Kopae Lagoon are tributaries and wetlands of particular importance in the catchment.

The river mouth of the Waiau River is also of particular significance, with key values being tauranga waka, pā, and wāhi pakanga (battle site). There is also a Nohoanga site at the river mouth, established under the NTCSA 1998, to facilitate access to customary fishing and gathering of other natural resources. Such sites would have traditionally been all along the Waiau River, often one day apart, as the Waiau River was part of a wider network of ara tawhito ki pounamu, linking Canterbury with Te Tai Poutini.

For Ngāti Kuri the Waiau River has a cosmological link with the Waiau toa. The Waiau-uha in legend is the female spirit of the inland mountains, and the Waiau toa is the male. Moving from the Spenser Mountains the waters become separated. As Waiau-uha laments the parting, her tears fall as warm rain to melt the alpine snows, swelling both rivers to massive proportions.

Management issues associated with the Waiau River include the cumulative impacts of water abstractions, the ability of the river to continue to support farm irrigation water demands, and the protection of the river flow and mahinga kai. Te Rūnanga o Kaikōura attributes the depletion of underground aquifers to the north and south of the Waiau with unsustainable levels of water abstractions occurring in the catchment.

Ngā Take – Issues:

- » Surface water abstractions in the catchment, and impacts on groundwater
- » Over development of lands along both banks of the river
- » Appropriate minimum flows
- » Protection of Ngāti Kuri associations with the river
- » Protection of the mauri, or life essence, of the Waiau River
- » Increasing pressures on waterfowl and fish as a result of human activities
- » Need for monitoring of river health
- » Loss of recreational values associated with the Waiau due to low flows
- » Introduction of weed species (e.g. gorse, broom) in the riverbed, and impact on flow
- » Willows that are choking the river, particularly in lowland areas
- » Land conversions to intensive farming, and impact on water quality and quantity
- » Protection and enhancement of nohoanga site at river mouth, including access to this site

Te Rūnanga o Kaikōura believes that abstractions are having an impact on the Waiau River, and the values that are associated with it. Current flow management regimes are considered inadequate for maintaining tangata whenua values. Concern is not just with volumes of water leaving the river, but also with the water that is returning to the river through run-off and irrigation bywash, and the cumulative impacts on water quality of low flows and contaminated run-off. Water management for the Waiau, as with other rivers, must seriously consider the sustainability of the kinds of land use that water resources are supporting, the long-term future of water, and the need to preserve the inherent values of the river.



Ngā Kaupapa – Policy:

1. To ensure that the value of the Waiau River as a cultural and natural landscape is recognised and provided for in management decisions throughout the catchment.
2. To ensure that activities in the Waiau River catchment do not adversely impact the wāhi tapu and wāhi taonga values associated with the Waiau River.
3. To protect and enhance the relationship of Ngāti Kuri with the Waiau River catchment.
4. To support and encourage catchment management planning (ki uta ki tai) to manage land and water resources in the Waiau River catchment.
5. To protect the headwaters of the Waiau River, to ensure continuous healthy flow from mountains to the sea.
6. To avoid the use of the Waiau River or its tributaries as a receiving environment for the direct, or point source, discharge of contaminants.
7. To avoid adverse impacts on water quality as a result of non-point source pollution, and require that any non-avoidable impacts are mitigated.
8. To prioritise the restoration of wetlands and riparian margins throughout the Waiau River catchment.
9. To ensure that mahinga kai have uninhibited access to and from the river, its tributaries, associated lakes, and the sea.
10. To support a flow regime for the Waiau River that adopts the priorities established in the Te Rūnanga o Ngāi Tahu Freshwater Policy. The priorities are:
 - Priority 1: Sustain the mauri of the waterbodies within the catchment
 - Priority 2: Meet the basic health and safety needs of humans
 - Priority 3: Protect cultural values and uses
 - Priority 4: Protect other instream values (indigenous flora and fauna)

- Priority 5: Meet the health and safety needs of humans (sanitation)
 - Priority 6: Provide water for stock
 - Priority 7: Provide for economic activities including abstractive uses
 - Priority 8: Provide for other uses
11. Any flow management regime for the Waiau River must ensure that the river mouth environment and river mouth opening regime are not adversely affected by low flows.
 12. To protect all existing areas of naturalness associated with the Waiau River (including areas of indigenous vegetation, bush remnants, wetlands and riparian areas) from inappropriate land use and development activities. Such areas of naturalness have important functions in maintaining ecological health.
 13. To require appropriate fencing to control stock access to the Waiau River and its associated tributaries, wetlands and springs.
 14. To advocate for regular monitoring of water quality in the Waiau river catchment, particularly in areas where intensive farming and forestry activities are occurring.
 15. To advocate for increased monitoring of actual water takes from the Waiau River catchment, both surface and groundwater.
 16. To advocate for a comprehensive monitoring programme for the Waiau River catchment, assessing the relationship between water abstractions, water levels, and aquifer quality and quantity. Monitoring should include leachate (nitrate) levels and should be done at regular intervals throughout the year.
 17. To protect lowland areas of the Waiau River catchment from dairy conversion. Low impact farming (pastoral), with appropriate stocking rates and good land stewardship is considered appropriate land use in this area.
 18. To recognise and support local landowners with long term interests in sustainable land management in the Waiau River catchment.
 19. To avoid any exotic forestry plantations immediately adjacent to the Waiau River. Any forestry operation in the vicinity of the Waiau River must establish buffer zones between the river, associated waterways, and the plantation, as per Te Rūnanga o Kaikōura policies on Forestry (s. 3.5.1).
 20. To control and eradicate, where possible, weed species along the Waiau river and associated tributaries.
 21. To prevent the use of willows and other exotic species in bank edge planting along waterways in the Waiau river catchment.
 22. To oppose the “lopping” of willows along the Waiau River, as a means to increase their density.
 23. To protect the water quality of Mata Kopae through establishing appropriate buffer zones and restricting certain land use activities.

24. To work towards changing the name of St. Anne's Lagoon to Mata Kopae and St. Anne's Lagoon, recognising the importance of the place to both Ngāi Tahu and Pakeha. Using the Ngāi Tahu name is part of respecting the history and traditions associated with the place.
25. To generally oppose any large scale proposal to dam, extract, or otherwise reduce, change or alter the existing flows of any part of the Waiau River (e.g. hydro and irrigation schemes). Te Rūnanga o Kaikōura encourages considerations of alternatives to large scale alterations of flow regimes on rivers such as the Waiau.
26. To ensure that activities in the upper catchment have no adverse effect on mahinga kai, water quality and water quantity in the lower catchment.
27. Gravel extraction activities in the Waiau catchment are subject to Te Rūnanga o Kaikōura policies for gravel extraction, as per section 3.4.12.

Cross-reference: Sections 3.2.4 Water diversions and storage dams; 3.2.10 Parenga; 3.4.12 Gravel extraction; 3.5.8 Water abstractions – Surface; 3.5.9 Flow management; 3.5.10 Minimum flows; 3.5.11 Water quality; 3.5.15 Activities in the beds and margins of rivers.

Information Source: Jolly, D., on behalf of Te Rūnanga o Kaikōura, 2004. *Waiau River catchment: Tangata Whenua Values Report*. Environment Canterbury Report No. Uo4 / 72.

Information Source: Mosley, M. P. 2004. *Waiau River: Instream values and flow regime*. Environment Canterbury Report Ro4 / 02.

3.5.14 Hurunui River

The Hurunui River is the southern boundary of the Te Rūnanga o Kaikōura takiwā. Te Rūnanga o Kaikōura shares kaitiaki rights and responsibilities associated with the Hurunui with Te Ngāi Tūāhuriri Rūnanga.

The Hurunui River is a Statutory Acknowledgement / Deed of Recognition site under the NTCSA 1998, providing for the special association of Ngāi Tahu with the river (see Appendix 14). Historically, the river was treasured for its yield of customary resources, and as the gateway for Canterbury Ngāi Tahu to the pounamu resources of Te Tai Poutini. Today, the customary importance of the river remains for tangata whenua.

Hoka Kura (Lake Sumner) is also a Statutory Acknowledgement / Deed of Recognition site, a reflection of historical importance of the lake, and the mahinga kai and wāhi tapu values associated with it (see Appendix 15).

Ngā Take – Issues:

- » Cumulative impacts of water takes on the natural character of the river
- » Future water demands, and ability of the river to support demand
- » Need for monitoring the relationship between river water takes, water levels, aquifer quality and quantity.
- » Need for catchment based planning and integrated management
- » Gravel extractions and impact on flow

- » Forestry plantations that go right down to the river edge, and impact on water quality
- » Run off into the river from forestry operations
- » Loss of wetlands associated with tributaries due to land clearance and drainage
- » Introduction of weed species (e.g. gorse, broom)
- » Willows that are choking the river
- » Protection of endemic species in the Hurunui River catchment
- » Protection of wāhi tapu values in the Hurunui River catchment

Ngā Kaupapa – Policy:

1. To recognise and provide for the shared kaitiaki responsibility with Te Ngāi Tūāhuriri Rūnanga for with the Hurunui River and Hoka Kura.
2. Applications for activities that are within, adjacent to, or may impact on the Hurunui River or Hoka Kura Statutory Acknowledgement (SA) areas under the NTCSA 1998 will require consultation with Te Rūnanga o Kaikōura, Te Ngāi Tūāhuriri Rūnanga, and Te Rūnanga o Ngāi Tahu.
3. To ensure that the value of the Hurunui River as a cultural and natural landscape is recognised and provided for in management decisions throughout the catchment.
4. To ensure that activities in the Hurunui River catchment do not adversely impact wāhi tapu and wāhi taonga values.
5. To protect and enhance the traditional and customary associations that tangata whenua have with the Hurunui River.
6. To support and encourage catchment management planning (ki uta ki tai) to manage land and water resources in the Hurunui River catchment.
7. To protect the headwaters of the Hurunui to ensure continuous healthy flow from mountains to the sea.
8. To avoid the use of the Hurunui River or its tributaries as a receiving environment for the direct, or point source, discharge of contaminants.
9. To avoid adverse impacts on water quality as a result of non-point source pollution, and require that any non-avoidable impacts are mitigated.
10. To prioritise the restoration of wetlands and riparian margins throughout the Hurunui River catchment.
11. To support a flow regime for the Hurunui that adopts the priorities established in the Te Rūnanga o Ngāi Tahu Freshwater Policy. The priorities are:
 - Priority 1: Sustain the mauri of the waterbodies within the catchment
 - Priority 2: Meet the basic health and safety needs of humans
 - Priority 3: Protect cultural values and uses

- Priority 4: Protect other instream values (indigenous flora and fauna)
- Priority 5: Meet the health and safety needs of humans (sanitation)
- Priority 6: Provide water for stock
- Priority 7: Provide for economic activities including abstractive uses
- Priority 8: Provide for other uses
12. To ensure mahinga kai have uninhibited access to and from the river, its tributaries, associated lakes, and the sea.
 13. To avoid any exotic forestry plantations immediately adjacent to the Hurunui River. Any forestry operation in the vicinity of the Hurunui River must establish buffer zones between the river, associated waterways, and the plantation, as per Te Rūnanga o Kaikōura policies on Forestry (s. 3.5.1).
 14. To require appropriate fencing, to control stock access to the Hurunui Rive and associated tributaries, wetlands and springs.
 15. To advocate for regular monitoring of water quality in the Hurunui River catchment, particularly in areas where intensive farming and forestry activities are occurring.
 16. To advocate for increased monitoring of actual water takes from the Hurunui River catchment, both surface and groundwater.
 17. Minimum flows for the Hurunui must reflect the needs of tributary streams and associated wetlands.
 18. To control and eradicate where possible weed species along the Hurunui River and associated tributaries.
 19. To generally oppose any large scale proposal to dam, extract, or otherwise reduce, change or alter the existing flows of any part of the Hurunui River (e.g. hydro and irrigation schemes). Te Rūnanga o Kaikōura encourages considerations of alternatives to large scale alterations of flow regimes on rivers such as the Hurunui.
 20. To ensure that activities in the upper catchment have no adverse effect on mahinga kai, water quality and water quantity in the lower catchment.

Cross-reference: Sections 3.2.4 Water diversions and storage dams; 3.2.10 Parenga; 3.5.8 Water abstractions – Surface; 3.5.9 Flow management; 3.5.10 Minimum flows; 3.5.11 Water quality; 3.4.14 Gravel extraction; 3.5.15 Activities in the beds and margins of rivers.

Information Source: Crengle, H. with Te Rūnanga o Kaikōura, Te Rūnanga o Tūāhuriri and Te Rūnanga o Ngāi Tahu 2002. *Hurunui River Catchment: Tangata Whenua Values*. Environment Canterbury Report RO2/23.

Encouraging Stewardship: Te Rūnanga o Kaikōura believes we should be doing more to encourage local landowners and communities to adopt sustainable land use practices and undertake restoration projects. There should be support for local landowners with long term interests (intergenerational farming), as opposed to those who want to make all the money they can out of the land and water, ignoring carrying capacity, environmental sustainability, and the needs of future generations.



3.5.15 Activities in the beds and margins of rivers

Section 13 of the RMA 1991 requires consent for activities in the beds of rivers or lakes. Such activities may include: using, placing, altering or removing any structures; disturbing the bed, including the extraction of gravel; planting plants; and reclaiming or draining part of the river or lake bed.

Ngā Take – Issues:

- » Structures in the beds of rivers and lakes
- » Impacts on riparian areas as a result of unsustainable land practices
- » River protection works
- » Channelisation and channel modification
- » General activities that impact on a river's natural course and ability to flood – many rivers are now so confined that they can only burst their banks in some places
- » Stockpiling – e.g. stockpiling in the path of flood flows, and the risk of contamination of water
- » Fertiliser use and impacts on beds and margins
- » Pesticide use (e.g. weed spraying)
- » Livestock access; stock grazing in river beds
- » Gravel extraction
- » Potential for unearthing cultural materials or kōiwi tangata as a result of disturbing a river bed
- » Impacts on breeding birds and nesting sites as a result of activities in the beds of rivers or lakes
- » Establishment of weeds in river beds as a consequence of ground disturbance

Ngā Kaupapa – Policy:

1. Applications for activities in the beds or margins of rivers or lakes will be considered in terms of the cultural significance of the river or lake, and the potential for impacts on culturally significant sites.
2. Gravel extraction activities in the beds of rivers are subject to Te Rūnanga o Kaikōura policies for Gravel Extraction, as per section 3.4.12.
3. Gravel and sediment extraction from riverbeds must be carried out in a manner that avoids, remedies or mitigates adverse environmental impacts, including the establishment of weeds as a result of disturbance.
4. To avoid compromising mahinga kai as a result of any activity in the bed or margin of a lake or river.
5. To avoid impacts on breeding birds or nesting sites as a result of activities in the beds or margins of rivers and lakes.
6. To avoid compromising cultural sites of archaeological value or wāhi tapu as a consequence of activities that may disturb older soil deposits in the beds or margins of rivers or lakes, either directly or via unintended collapse of river and stream banks, or by erosion effects.
7. Activities in the beds or margins of rivers and lakes may be subject to those guidelines outlined in the *Te Rūnanga o Kaikōura Management Guidelines for Wāhi Tapu and Wāhi Taonga*, as per Section 3.7. This includes provisions for site visits, cultural impact assessments and pre-resource consent archaeological assessments.
8. Any vegetation removal activity from river beds must not adversely affect any site of significance, including any tree or vegetation that is a wāhi tohu (site marker) for a site or trail.
9. To avoid adverse effects on the beds and margins of rivers as a consequence of recreational vehicle access.
10. To require appropriate fencing to control stock access to riverbeds and margins. Livestock should not have access to beds or margins except when required for intermittent vegetation (weed) control.
11. To advocate that Councils promote environmental education programmes that raise awareness about appropriate land management practices adjacent to waterways, including riparian management. This includes education about avoiding adverse effects of livestock on waterways.
12. To promote riparian enhancement and appropriate streamside management as a means of mitigating adverse effects on water quality.
13. To advocate for methods of fertiliser use and application that avoid or minimise adverse effects on water and aquatic ecosystems.

14. To recommend the planting of appropriate indigenous species, as part of any construction activity associated with waterways (e.g. stock crossings across waterways, culverts, retaining structures, gravel fill), to mitigate any impacts of that activity.
15. To require robust monitoring of any consent activity relating to the bed or margin or rivers or lakes, to detect non-compliance with consent conditions and best practice. Non-compliance must result in appropriate enforcement action to discourage further non-compliance.

Cross-reference: Section 3.4.12 Gravel extraction.

Mahinga Kai and Biodiversity

3.5.16 Repo raupō

Repo raupō are an important natural and cultural resource to Ngāi Tahu. Such areas were (and are) rich in biodiversity and important sources of mahinga kai. They also provide important ecosystem services, such as filtering of contaminants, and along with riparian areas, are considered natural buffer and transition zones. Wetlands are considered the “kidneys” of the land due to their ability to filter and cleanse water. They are central to what is called *Haumanu Taioa Ihumanea*, or restorative balance.

Reduced flows, changes in land use, and drainage have reduced the number of wetlands associated with many river and tributaries in takiwā. For Te Rūnanga o Kaikōura, monitoring of wetland health and condition is an important part of monitoring water quality. Specific indicators, referred to as Maori environmental performance indicators, can be used to help monitor wetlands (Appendix 16).

Ngā Take – Issues:

- » Drainage of wetlands
- » Protection and enhancement of existing wetlands
- » Restoration of wetlands where they once existed
- » Differentiating between ‘wet’ lands and wetlands
- » Use of wetland restoration or establishment as mitigation
- » Relationship between wetlands and water quality
- » Protection of wetlands from stock damage
- » Lack of flow in rivers and impact on wetland areas
- » Protecting wetlands as habitat for mahinga kai and all biodiversity

Mata Kopae: Connected to the Waiau River through Caroline Stream, Mata Kopae is a culturally significant repo raupō site for Te Rūnanga o Kaikōura, with strong mahinga kai associations. A place rich in tuna (eel), other native fish, and waterfowl, the lagoon was historically valued by Ngāi Tahu for breeding stock.



Ngā Kaupapa – Policy:

1. To maintain, and where necessary enhance, the integrity of any existing wetland area.
2. To avoid the drainage of any existing wetland area.
3. To advocate for the restoration and enhancement of wetland areas, as part of any consent application where it is deemed feasible to include such conditions.
4. To recommend, where appropriate, that wetland creation be a component of any sewage discharge to land scheme, in order to utilise the natural capacity of these ecosystems to filter contaminants.
5. To require, where appropriate, the establishment of wetlands as a consent condition on development proposals where it is deemed necessary to facilitate the mixing of waters from different sources.
6. To promote and support the restoration of wetlands as part of maintaining and improving water quality, due to the natural pollution abatement functions of such ecosystems.
7. Management planning should reflect cultural importance of wetland areas to Ngāti Kuri.
8. To require that wetlands are fenced in any area where they may at risk from stock damage.
9. Flow management regimes for rivers in the takiwā of Te Rūnanga o Kaikōura must ensure that appropriate flows are maintained to protect remnant wetlands.

Information Source: Harmsworth, G. 2002. *Coordinated Monitoring of New Zealand Wetlands, Phase Two, Goal 2: Māori environmental performance indicators for wetland condition and trend.* Landcare Research Report : LC 0102/099, Landcare Research, New Zealand.

Mauri is about the life supporting capacity of an ecosystem. It embraces the connection between tangata whenua and the environment. As a cultural value, mauri:

- » *Signifies the spiritual significance of a place*
- » *Emphasises the human relationship to a part of the environment*
- » *Provides an important indicator used to assess environmental health, at physical and spiritual levels*
- » *Makes a statement on the state of the relationship between humans and a particular place*
- » *Places a resource in a historical context*
- » *Assesses the condition of a resource from a tangata whenua perspective based on knowledge and association.*

Source: Harmsworth, G. 2002

3.5.17 Mahinga kai – Customary use

Mahinga kai is defined in the NTCSA 1998 as “the customary gathering of food and natural materials, and the places where those resources are gathered” (s. 167). Mahinga kai may be birds or fish taken for food. It may also be plants such as pingao or harakeke, used for weaving, or paru (mud), used for dying fibres. The continuation of mahinga kai is of great significance to Ngāi Tahu, as it is intrinsically linked to the continuation and understanding of the culture.¹⁷

Customary use is the on-going access to, and sustainable use of, mahinga kai resources. Following European settlement, there was an enormous loss of mahinga kai resources, and hence a great loss of customary use by tangata whenua. This loss was due to a number of reasons, including the physical destruction of habitats (e.g. clearance of forest and drainage of wetlands), the subsequent decline in species that relied on that habitat, and the introduction of foreign animals, birds, fish & plants that had a devastating effect on many native species. The loss was particularly dramatic with regards to native birds.

In an attempt to address the dramatic decline in bird species, the government began to impose controls and restrictions over hunting certain species. As early as 1922, harvesting of kererū was outlawed. In 1953 the Wildlife Act was passed, providing absolute protection to most native birds species. The introduction of conservation legislation in the years that followed (e.g. Conservation Act 1987, the National Parks Act 1980, Marine Mammals Protection Act 1978, and the Reserves Act 1977) focused on managing for preservation purposes, and thus gave little recognition to customary use rights.

¹⁷ Information for this section is sourced from Puentener, R. 2003.

Ngāti Kuri is greatly concerned over the loss of our indigenous birds, plants and fish, and is opposed to uncontrolled, unauthorised harvesting or illegal poaching of indigenous species. At the same time, customary use rights, as guaranteed by the Treaty of Waitangi, must be recognised and provided for.

For Te Rūnanga o Kaikōura, customary use is not inconsistent with conservation of species, as the concept of kaitiakitanga is an integral component of resource use. Customary use comes with management responsibilities to care and protect natural resources, which in effect translates into carefully regulated access and sustainable use of those species that are able to sustain a take.

Ngā Take – Issues:

- » Customary use of native birds, plants and other materials
- » Customary use of game birds
- » Relationship with the Department of Conservation regarding customary use
- » Access to cultural materials from lands which are administered by the Department of Conservation
- » Access to mahinga kai areas
- » Ensuring sustainable use: need for appropriate processes and monitoring
- » Protection of customary rights

Ngā Kaupapa – Policy:

1. All Ngāi Tahu Whānui, current and future generations, must have the capacity to access, use and protect mahinga kai resources, and the history and traditions that are part of customary use of such resources, as guaranteed by the Treaty of Waitangi.
2. To encourage effective working relationships with the Department of Conservation with regards to customary use of native plants, birds, marine mammals, and other traditional materials on conservation lands.
3. To encourage communication between the Department of Conservation and Te Rūnanga o Kaikōura, with regards to specific areas on conservation land where specific traditional resources may be found and sustainably harvested (e.g. harakeke).
4. To use the Cultural Material Bank Process, developed by Te Rūnanga o Ngāi Tahu and the Department of Conservation, to facilitate access to cultural materials (e.g. bone and feathers) held by the Department of Conservation.
5. To promote a good working relationship with Fish and Game with regards to customary use and access to game birds (native and non-native) for cultural use (e.g. flappers or eggs).
6. To request notification, with regards to Fish and Game game bird culls/organised shoots, to provide an opportunity for the Rūnanga to access birds for kai or cultural purposes (e.g. feathers for weaving).

7. The cultural, spiritual, historic and traditional association of Ngāti Kuri with taonga species must be recognised and provided for within all management and /or recovery plans associated with those species. This includes taonga species as per the NTCSA (Appendix 8), and all other species considered taonga by Ngāti Kuri.
8. To make full use of the knowledge of tangata whenua with regards to native birds, plants and other traditional materials, and its value in understanding how to protect and enhance biodiversity.
9. To encourage collaborative research and monitoring projects between tangata whenua and scientists, that address customary use issues using both Mātauranga Māori, or traditional knowledge, and mainstream science.
10. Tangata whenua should be fully involved in the consideration and negotiation of requests for native birds, plants, animals and materials for scientific research, for display in museums and for other non-Maori uses.
11. To support the concept of Mahinga Kai Cultural Parks¹⁸, as a means of protecting and using specific cultural landscapes within the takiwā that have important mahinga kai associations.
12. To ensure the protection of all sites identified as Nohoanga (e.g. Waiau River and Hapuku River) under the NTCSA 1998 and otherwise, as a means of providing tangata whenua with an opportunity to experience the landscape as our tūpuna did, and to promote customary practices associated with mahinga kai.

Cross-reference: Section 3.3.10 Mahinga kai – Freshwater fisheries.

Information source: Puentener, R. 2003. *Customary Use of Native Bird Species – A Way Forward*. A paper presented to the 3rd International Wildlife Management Congress, December 2003: Christchurch.

Information source: New Zealand Conservation Authority. 1997. *Māori Customary Use of Indigenous Birds, Plants and Other Traditional Materials*.

While we work with all of these agencies and have various levels of input into their planning and decision-making processes, we tend to spend a lot of time reacting to, and protecting mahinga kai from development activities and the management activities of those agencies. Without adequate decision making rights and powers over specific species and sites, we lack the ability to actively manage our mahinga kai resources.

¹⁸ Mahinga Kai Cultural Parks are proposed by Te Rūnanga o Ngāi Tahu as a management tool that provides a framework for Ngāi Tahu management and use within a specific area according to Ngāi Tahu tikanga. Management within a Mahinga Kai Cultural Park can enhance specific areas for customary use.

TE TAI O MAROKURA
TAMA NUI KI TE RANGI



3.6

Te Tai o Marokura

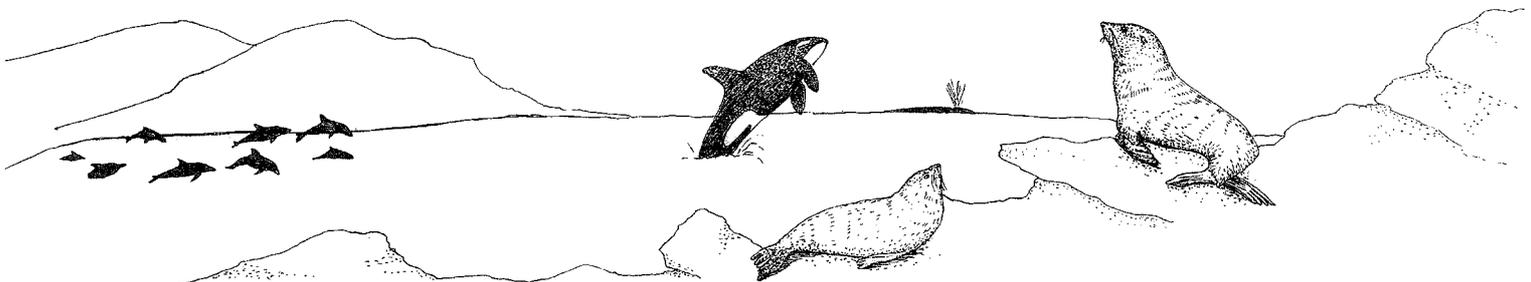


This section of the Plan describes ngā take and ngā kaupapa associated with the lands, waters, mahinga kai and biodiversity of Te Tai o Marokura, the Kaikōura Coastal Marine Area, from Te Parinui o Whiti to the Hurunui River and out to the open sea.

Te Tai o Marokura is the realm of Tangaroa, god of the sea. Tangaroa was the first husband of Papatūānuku (the Earth Mother), before she wed Ranginui (the Sky Father). The fishing harbours and sheltered coastal areas of the eastern coastline of Te Waipounamu were created by Tūterakiwhānoa, the mokopuna of Ranginui. Tūterakiwhānoa was sent by his grandfather to enable human occupation of the lands of the Te Waka o Aoraki – the lands of Te Waipounamu that formed when the waka navigated by Ranginui’s sons ran aground on a hidden reef, and turned to stone and earth.¹⁹

Te Tai o Marokura is an integral part of Ngāti Kuri history and cultural identity. The immense importance of the area historically, culturally and spiritually is captured in the Statutory Acknowledgement for Te Tai o Marokura (NTCSA 1998), a recorded statement of the relationship between Ngāi Tahu and the Kaikōura coast and sea (see below). All applications for activities that are within, adjacent to, or may impact on Te Tai o Marokura will require consultation with both Te Rūnanga o Kaikōura and Te Rūnanga o Ngāi Tahu.

¹⁹ Te Rūnanga o Ngāi Tahu 2002



In this section, the following activities, issues, ecosystems, species and places of importance associated with Te Tai o Marokura are addressed:

Section 3.6 Te Tai o Marokura Tama nui ki te Rangi	Coastal land use and development
	Land use consents and building permits
	Activities in the coastal marine area
	Coastal protection works
	Concessions – recreation, tourism
	Access
	Farming in coastal areas
	Mineral extraction
	Offshore petroleum exploration
	Coastal water quality
	Customary fisheries
	Commercial fisheries
	Recreational fisheries
	Area management tools
	Aquaculture and marine farms
	Coastal dune environments
	Marine mammals
	Beached marine mammals
	Karengo and rimurapa
	Bioinvasion
Manu – Marine Birds	

Ngāi Tahu Association with Te Tai o Marokura
(part of Schedule 100, NTCSA 1998):

The Kaikōura Coastline took its name from Tama Ki Te Rangi, an early explorer in the time of Tamatea Pokaiwhenua, who decided to explore the South Island. On his way from the North Island, Tama ki Te Rangi stopped in the area now known as Kaikōura and ate some of the crayfish that populate the area over an open fire. From Tama Ki Te Rangi's feast on crayfish, the area was named, Te Ahi Kaikōura a Tama ki Te Rangi – the fires where Tama Ki Te Rangi ate crayfish.

Because of its attractiveness as a place to establish permanent settlements, including pa (fortified settlements), the coastal area was visited and occupied by Waitaha, Ngāti Mamoe and Ngāti Tahu in succession, who through conflict and alliance, have merged in the whakapapa (genealogy) of the Ngāti Tahu Whānui. Battle sites, urupā and landscape features bearing the names of tūpuna (ancestors) record this history. Prominent headlands, in particular, were favoured for their defensive qualities and became the headquarters for a succession of rangatira and their followers.

One of the leading sites in Kaikōura in pre-contact times was Takahaka Marae, which is still occupied by Ngāti Tahu. From the time the Ngāti Tahu leader Maru Kaitātea took Takahaka Pa for Ngāti Tahu occupation, the site acted as a staging site for Ngāti Tahu migrations further south. Other pa in the area included Pariwhakatau, Mikonui, Oaro and Kahutara. Place names along the coast, such as the gardens of Tamanuhiri and the Waikawau River, record Ngāti Tahu history and point to the landscape features that were significant to people for a range of reasons.

The results of the struggles, alliances and marriages arising out of these migrations were the eventual emergence of a stable, organised and united series of hapū located at permanent or semi-permanent settlements along the coast, with an intricate network of mahinga kai (food gathering) rights and networks that relied to a large extent on coastal resources.

As well as the crayfish for which the area is famous, the whole of the Kaikōura area offered a bounty of mahinga kai including a range of kaimoana (sea food); sea fishing; eeling and harvesting of other freshwater fish in lagoons and rivers; marine mammals (providing whale meat and seal pups); waterfowl, sea bird egg gathering and forest birds; and a variety of plant resources including harakeke (flax), fern and ti root.

A particular feature of the Ngāti Tahu relationship with the Kaikōura coastal area is the special connection with the whales that frequent the area. This relationship has its basis in tradition. The well-known rangatira (chief) and brave warrior of the Kati Kuri hapū of Ngāti Tahu, Te Rakaitauneki, was said to have a kaitiaki whale, named Mata Mata, who dwelt in the sea opposite Te Rakaitauneki's home in Tahuna Torea (Goose Bay). Mata Mata's sole duty and purpose in life was to do Te Rakaitauneki's bidding, to serve all his needs and to guard him against harm. Everywhere Te Rakaitauneki went, Mata Mata went too. When Te Rakaitauneki went to Takahanga, Mata Mata could be seen blowing outside the garden of memories, as close to shore as he could possibly get. Te Rakaitauneki's love for Mata Mata was as great as the whale's love for him.

After Te Rakaitauneki's death, Mata Mata was not seen along the Kaikōura coast for some time, and it was rumoured that he had gone away and died of sorrow at the loss of his master. There were those, however, who remembered Te Rakaitauneki's prediction that after his death Mata Mata would only return when one of his descendants was facing imminent danger or death. There are many stories since that time of a Mata Mata appearing to foretell the death of one of Te Rakaitauneki's descendants. It is also said that many of the descendants of Te Rakaitauneki, when faced with peril on the high seas, have been saved by the timely intervention of a whale.

The Kaikōura coast was also a major highway and trade route, particularly in areas where travel by land was difficult. Travel by sea between settlements and hapū was common, with a variety of different forms of waka, including the southern waka hunua (double-hulled canoe) and, post-contact, whaleboats plying the waters continuously. Hence tauranga waka (landing places) occur up and down the coast in their hundreds and wherever a tauranga waka is located there is also likely to be a nohoanga (settlement), fishing ground, kaimoana resource and rimurapa (bull kelp), with the sea trail linked to a land trail or mahinga kai resource. The tūpuna had a huge knowledge of the coastal environment and weather patterns, passed from generation to generation. This knowledge 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 coast.

Numerous urupā are being exposed or eroded at various times along much of the coast. Water burial sites on the coast, known as waiwhakaheketupapaku, are also spiritually important and linked with important sites on the land. Places where kaitangata (the eating of those defeated in battle) occurred are also wāhi tapu. Urupā are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. These are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected in secret locations.

The mauri of the coastal area represents the essence of 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 coastal area.

General Policy Objectives for Te Tai o Marokura

1. That Ngāi Tahu Whānui, current and future generations, are able to exercise their customary rights and responsibilities associated with coastal and marine environments, as guaranteed by the Treaty of Waitangi.
2. That coastal and marine biodiversity is protected and enhanced.
3. That those coastal and marine areas that are most important to us are enhanced and restored.
4. To ensure that the realm of Tangaroa is flourishing and the mahinga kai of Tangaroa is readily available to tangata whenua and their local communities.
5. That the relationship between terrestrial and aquatic ecosystems is recognised and provided for in all decision making relating to coastal environment.
6. That the adverse impacts of human activities on coastal and marine environments are avoided, remedied, or mitigated at all times.
7. That research and monitoring of coastal and marine areas is supported and encouraged, to provide baseline information upon which to make sound decisions.

8. To promote communication and collaboration between those groups with an interest in the management of the coast and sea.
9. To develop a community based, integrated Coastal Management Strategy with the Department of Conservation and other fisheries stakeholders, as a means to effectively manage the land, water, mahinga kai and biodiversity of Te Tai o Marokura.

Implementation of Te Tai o Marokura Policies

Many of the policies in the Te Tai o Marokura section of this Environmental Management Plan will be implemented through the Kaikōura Coastal Management Strategy, a community based plan being developed with Te Rūnanga o Kaikōura, the Department of Conservation and fisheries stakeholders.

Ō Te Whenua – Coastal Land Areas

This section addresses the coastal land areas of Te Tai o Marokura. The adverse effects of human activities on coastal areas are of particular concern for Te Rūnanga o Kaikōura. Human activities may adversely impact the life supporting capacity and natural landscape character of coastal environments, and areas of cultural significance, such as wāhi tapu.

Note: Many of the policies and issues here overlap with other sections of this plan, as coastal areas feature prominently in each region of the takiwā.

3.6.1 Coastal land use and development

Just as the ancestors of Ngāti Kuri tended to concentrate in coastal areas, people continue to be drawn to coastal landscapes. However, the ecological vulnerability and cultural significance of such landscapes today necessitates the careful consideration of development activities that may adversely impact natural, ecological, or cultural values.

Activities in coastal areas must balance growth and development with the protection of cultural landscape values and the natural environment. Rūnanga policy in this regard is aimed at avoiding sporadic, uncontrolled development in coastal areas, and where possible, remedying or mitigating impacts of development on the coastal landscape.

The policies below are general policies relating to land use and development in coastal

areas, and will apply to a range of coastal land use activities, including subdivision, business development, and tourism focused development.

Ngā Take – Issues:

- » Protection of cultural landscape values in coastal areas from inappropriate land use and development, including subdivision
- » Protection of amenity values and character of coastal areas from inappropriate growth and development
- » Encouragement of appropriate coastal land use and development, that enhances coastal values
- » Protection and recognition of customary rights
- » Appropriate stormwater and sewage disposal associated with the establishment any new development in coastal areas
- » Addressing development pressures on coastline areas such as Gore Bay and Kaikōura
- » Protection of wāhi tapu, including both known and unknown sites
- » Protection of the integrity of coastal waterways from land use and development activities
- » Density of residential dwellings in some coastal areas
- » Sedimentation from land clearing associated with land use and development (e.g. subdivision), and impact on coastal waters
- » Impacts of buildings on coastal skyline and landscape

The coastal environment is protected from inappropriate subdivision, use and development under the RMA 1991. Section 6 provides for matters of national importance, including:

- (a) the preservation of the natural character of the coastal environment (including coastal marine areas), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development.*
-



Ngā Kaupapa – Policy:

1. To require that all decisions related to coastal land use and development activities in the takiwā of Te Rūnanga o Kaikōura recognise and give effect to the cultural, spiritual and historical association of Ngāti Kuri with the coastal environment.

2. Consent applications associated with coastal land use and development that are within, adjacent to, or may impact on the Kaikōura Coastal Statutory Acknowledgement (SA) area under the NTCSA 1998, or any other Deed of Settlement site, will require consultation with both Te Rūnanga o Kaikōura and Te Rūnanga o Ngāi Tahu.
3. To avoid compromising the natural, cultural and ecological values of the coastal environment as result of inappropriate land use and development.
4. To encourage appropriate land use and development in coastal areas.
5. Applications for coastal land use and development activities will be assessed on a case by case basis.
6. To carefully monitor the nature and extent of development along the coast. Te Rūnanga o Kaikōura does not support continuous, unbroken, or “ribbon” development in coastal regions.
7. Land use and development activities in coastal areas will be considered in terms of specific natural and cultural landscape values. The protection of significant cultural values (e.g. wāhi tapu) in coastal areas will have precedence over any building, subdivisions or other development activity.
8. All applications relating to coastal land use and development area are subject to those policies outlined in the *Te Rūnanga o Kaikōura Management Guidelines for Wāhi Tapu and Wāhi Taonga*, as per Section 3.7. This includes provisions for site visits, cultural impact assessments and pre-resource consent archaeological assessments.
9. To protect, enhance, and restore riparian margins in coastal areas, as transition zones between the coast and the sea.
10. To encourage the protection of coastal ecological and cultural values through the use of mechanisms such as voluntary agreements, esplanade strips, access strips, buffer zones and covenants.
11. To require that coastal land use and development proposals ensure that appropriate sewage and stormwater systems are in place. Such systems must avoid compromising the land, water, mahinga kai or biodiversity coastal environment.
12. To ensure that the scale and siting of any development (building height, density, etc) does not unreasonably detract from the natural coastal landscape.
13. To support and encourage the use of indigenous species plantings to offset and mitigate negative impacts of coastal development activities.
14. Any new coastal development activity should occur in such a way as to minimise the need for coastal protection works. In other words, all activities in coastal areas should recognise and provide for the potential of natural coastal hazards.

Cross-reference: Sections 3.3.6 Earthworks; 3.4.1 Residential development – Subdivision; 3.4.3 Business growth and development; 3.6.2 Land use consents and building permits; 3.6.3 Activities in the coastal marine area; 3.6.4 Coastal protection works; 3.7 Wāhi tapu me te wāhi taonga.

Māori interests in resource management are often perceived to be focused solely on reacting negatively to development. However, commercial development is extremely important as well. It just has to be done in a way that is appropriate, and sustainable. For Ngāti Kuri, sustainable use and development is about balancing the commercial and the cultural.



3.6.2 Land use consents and building permits

Building activities occurring in coastal regions must be considered in terms of the surrounding landscape. Te Rūnanga o Kaikōura seeks to avoid compromising, as consequence of residential development, the natural and cultural values associated with certain places.

An important issue for the Rūnanga in some coastal areas is building activities that meet the requirements of a district plan and thus may not require consent. In such cases, the protection of significant sites may be a concern, as standard processes to protect significant sites from possible excavation may not apply to permitted activities.

Ngā Take – Issues:

- » Appropriate processes for protecting significant sites with regards to permitted activities
- » Protection of unrecorded, or unknown, sites of significance
- » Servicing of residential areas (sewage, stormwater, water)
- » Earthworks associated with building permits
- » Height of buildings in some areas
- » Construction of baches in some coastal areas
- » Protection of landscape and amenity values

Ngā Kaupapa – Policy:

1. Land use consent applications (to erect a dwelling) which are within, adjacent to, or may impact on the Kaikōura Coastal Statutory Acknowledgement (SA) area under the NTCSA 1998, or any other Deed of Settlement site, will require consultation with both Te Rūnanga o Kaikōura and Te Rūnanga o Ngāi Tahu.
2. All land use (to erect a dwelling) consent applications in the Kaikōura area are subject to those guidelines outlined in the *Te Rūnanga o Kaikōura Management Guidelines for Wāhi Tapu and Wāhi Taonga*, as per Section 3.7. This includes provisions for site visits, cultural impact assessments and pre-resource consent archaeological assessments.

3. To encourage the use and implementation of Heritage Alert Layers, on planning maps and building permit document (LIMs and PIMs), as a predictive modelling tool to assist local authorities' to identify areas of known archaeological sensitivity and manage archaeological heritage.
4. Until Heritage Alert Layers are implemented, to require that local authorities provide Te Rūnanga o Kaikōura with a list of all proposed building permits (those activities not requiring a land use consent) in the Kaikōura coastal area (from the Hapūku River to the Haumuri Bluffs inland to the ranges, including the town of Kaikōura and the Peninsula). The Rūnanga will use such lists to assess whether any sites of significance may be at risk from a permitted building activity. As Rūnanga capacity increases, building permits for other areas of the takiwā may be requested.
5. Earthworks activities associated with erecting dwellings or other building activities are subject to the policies relating to earthworks, contractors and the potential unearthing of cultural materials or kōiwi tangata, as per Section 3.7.
6. To carefully consider any excavation below ground for new building activity on existing buildings (e.g. additions, decks), in places of particular significance where the likelihood of accidental discovery archaeological material or wāhi tapu is high.
7. Applicants applying for land use (to erect a dwelling) consents in a coastal area may be required to allow for an appointed Rūnanga cultural monitor to monitor ground disturbance activities.
8. Applicants will be required to enter into Accidental Discovery Protocol and monitoring agreements with Te Rūnanga o Kaikōura, stating that any earthworks, fencing, landscaping or other such activity has the potential to uncover archaeological sites, and outlining procedures and processes associated with such an occurrence.
9. Any proposed activity that may affect an archaeological site must obtain an archaeological authority from the New Zealand Historic Places Trust.
10. To ensure that the scale and siting of any development (building height, density, etc) does not unreasonably detract from the natural coastal landscape.
11. Building activities in coastal areas will be considered in terms of specific cultural landscape values. Locating structures and buildings so that they protrude above skylines and ridgelines may be inappropriate in some cases.
12. To require that all building consent and permit applications ensure that appropriate sewage and stormwater systems are in place.
13. To promote the use of protection tools such as buffer zones or covenants (placed on titles) to ensure preservation of areas of indigenous vegetation and other culturally important features and places.

Cross-reference: Sections 3.3.6 Earthworks; 3.7 Wāhi tapu me te wāhi taonga.

3.6.3 Activities in the coastal marine area

Activities the coastal marine area may include the establishment of coastal structures such as marinas, slipways, wharves, piers, boat ramps, jetties, moorings, or any other structure used to facilitate access to the coastal marine environment. Such activities may have adverse effects on the foreshore and seabed, coastal waters, and the coastal environment generally.

Ngā Take – Issues:

- » Public safety on coastal structures
- » Roads and access ways to facilitate access to the beach and other coastal areas
- » Impacts of bright lights from coastal structures (e.g. marinas) on bird life
- » Port developments, marinas and impacts on kaimoana habitat
- » Obstruction of view
- » Unauthorised or derelict structures.
- » Locations and density of coastal structures
- » Potential impacts of activities in the coastal marine area on natural and cultural landscape values

Ngā Kaupapa – Policy:

1. Applications for activities or structures that are within, adjacent to, or may impact on the Kaikōura Coastal Statutory Acknowledgement (SA) area under the NTCSA 1998, or any other Deed of Settlement site, will require consultation with both Te Rūnanga o Kaikōura and Te Rūnanga o Ngāi Tahu.
2. To avoid activities (including the placing of structures) in the coastal marine area that will have significant adverse effects on the foreshore and seabed, coastal water quality, mahinga kai, the coastal environment of lands adjacent, and cultural values generally.
3. To consider applications for activities in the coastal marine area in terms landscape/ seascape values associated with the coastal marine area and on lands adjacent.
4. A clear, undisturbed coastline is an important cultural value in many areas, and thus Te Rūnanga o Kaikōura may advocate limiting coastal structures in such areas.
5. To require that all existing coastal structures such as slipways and boat ramps are maintained in good order.
6. To require consultation with Te Rūnanga o Kaikōura for proposed access ways and roading that facilitate both public and private access to the coastal marine area.

Cross-reference: Sections 3.6.1 Coastal land use and development; 3.6.4 Coastal protection works.

Bright lights and birdlife: Te Rūnanga o Kaikōura is concerned about lights from coastal structures, and the potential of impacts on birds such as tītī (Huttons Shearwaters). Overly bright or large outdoor lights may result in birds landing on streets or parking areas rather than the ocean. Such lights should be minimised and shielded to prevent adverse effects on marine birds.

3.6.4 Coastal protection works

The coastal environment is a dynamic environment, and occurrences such as coastal erosion and seawater inundation are a natural part of this environment. Often coastal protection works are necessary to address these natural hazards. Coastal protection works must be managed and monitored appropriately, as such activities may have adverse effects on existing coastal environment processes. Such effects include damaging habitat, impacting mahinga kai and other taonga species, reducing amenity values, and creating hazards in other areas by interrupting processes such as sediment transport.

Ngā Take – Issues:

- » Rock placement for erosion protection
- » Discharge of stormwater from coastal protection works
- » Impact on view of coastline from coastal protection works
- » Impact on kaimoana and overall marine environment from coastal protection works

Ngā Kaupapa – Policy:

1. To adopt a precautionary approach in considering any proposal for coastal protection works.
2. Any coastal protection works deemed necessary in an area of high cultural or archaeological importance is subject to those guidelines outlined in the *Te Rūnanga o Kaikōura Management Guidelines for Wāhi Tapu and Wāhi Taonga*, as per Section 3.7. This includes provisions for site visits, cultural impact assessments and pre-resource consent archaeological assessments.
3. To require that the disposal of stormwater associated with any coastal protection works occur in a manner that does not adversely affect water quality in the coastal marine area. Te Rūnanga o Kaikōura has a general policy of no discharge to water. All discharge of stormwater should go through land first to remove sediments and contaminants.
4. To avoid adverse effects on mahinga kai and other areas of high cultural significance as a result of coastal protection works.

5. Any new coastal development activity should occur in such a way as to minimise the need for coastal protection works. In other words, all activities in coastal areas should recognise and provide for the potential of natural coastal hazards.
6. To avoid the dumping of rocks or rubble, or the placing of structures along the foreshore, as part of any unauthorised coastal protection works.

Cross-reference: Section 3.6.3 Activities in the coastal marine area.

3.6.5 Access

Access to coastal areas is an important issue in the takiwā. Many Kaikōura coastal areas have campgrounds, recreational areas, scenic reserves and other public access points that facilitate access to the coast. Having a state highway run the length of the coastline also increases accessibility. It is not uncommon to see people along the Kaikōura coastal road climbing rocks, picnicking, and gathering kaimoana; or tourism operators taking visitors out to view bird life or swim with dolphins.

Tourism and visitor expectations, and the potential impacts on cultural and ecological values of coastal regions is a complex issue. Increasing tourism means an increased demand for services. Tourism and access in coastal areas means having to address issues such as rubbish, toilet facilities, wildlife harassment, and poaching. Balancing tourism, access and the protection of coastal environments will continue to be challenge for the town of Kaikōura, and Te Rūnanga o Kaikōura.

Ngā Take – Issues:

- » Ensuring coastal values are sustained and protected for all to enjoy
- » Impacts on vulnerable coastal resources as result of uncontrolled public access
- » Future increases in visitor numbers
- » Public access on private and Māori land (e.g. Ōaro, Mangamaunu, Waipapa, Hapūku, Haumuri)
- » Recreational vehicles and impacts on coastal areas
- » Disregard and disrespect for cultural heritage in coastal areas
- » Increased commercial development in coastal areas and changes to access
- » Locations of public toilets – in some coastal areas these are located in culturally inappropriate areas
- » Lack of public toilets in some coastal areas
- » Need for education boards and information in coastal areas
- » Customary rights associated with coastal areas

Ngā Kaupapa – Policy:

1. All Ngāi Tahu Whānui, current and future generations, must have the capacity to access, use and protect coastal regions, and the history and traditions that are part of such landscapes.
2. All Ngāi Tahu Whānui, current and future generations, must have the capacity to exercise their customary rights associated with coastal and marine environments, as guaranteed by the Treaty of Waitangi.
3. To ensure that coastal regions are sustained and protected, in perpetuity, for all to enjoy.
4. To advocate limits to coastal camping in those areas considered vulnerable or sensitive environments, and in those areas that are without proper facilities.
5. To avoid adverse impacts on coastal areas as a consequence of coastal camping and general tourist access.
6. To prohibit the use of recreational vehicles in coastal beach areas where the environment is vulnerable: including areas where dunes may be damaged, coastal plants such as pingao may be threatened, or wildlife areas (e.g. bird nesting sites) may be impacted.
7. Ngāi Tahu history and association with coastal areas should be recognised and provided for through the use of wāhi ingoa (place names) and the protection of wāhi tapu.
8. To advocate for the use of both Māori and English names on signage along the Kaikōura coast, where only English names exist.
9. To require consultation with regards to the establishment of structures in coastal areas such as public toilets, including upgrades of existing structures, to ensure that such structures are located in culturally appropriate places.
10. To encourage the use of tourism information boards, pamphlets and guides in coastal areas, to provide information relating to appropriate waste disposal, respect for the environment, and responsible tourism.

Cross-reference: Sections 3.4.4 Tourism; 3.5.17 Mahinga kai – Customary use; 3.6.6 Concessions – Recreation and tourism.

Coastal camping must have limits, as it is currently too accessible. We need to work towards stopping people from pulling up and camping anywhere along the coast, outside of designated areas. Without proper facilities, and given the sensitivity of coastal environments, coastal camping can have a significant impact on the values of coastal areas.

3.6.6 Concessions – Recreation and Tourism

A concession is a lease, easement, license or permit granted under the Conservation Act 1987, for commercial use of lands managed by the Department of Conservation (DOC). Concession activities relating to recreation and tourism are an important aspect of human activity in the coastal marine environment, particularly in the Kaikōura area. Such activities include swimming with dolphins, organised fishing expeditions, bird watching tours, kayaking, and whale watching.

Recreation and tourism concession activities can help people to understand and appreciate the beauty of the coastal marine environment. However, if unmanaged, such activities can also have adverse impacts on the environment.

Ngā Take – Issues:

- » Is the concession activity environmentally sustainable at the level that is required to run a commercial operation?
- » Cumulative impacts of concession activities on the coastal environment and biodiversity
- » Interpretation issues: inaccurate interpretation of Ngāi Tahu values, customs, beliefs, and history is disrespectful to the Rūnanga and the tūpuna who have previously occupied the lands.
- » Promotion of Ngāi Tahu history and culture by tourism operators
- » Use of Mātauranga Māori by non-Māori in tourism ventures
- » Protection of pūrākau, as they are taonga
- » Encouragement of Ngāi Tahu held concessions, particularly in areas of immense cultural significance, or with regards to taonga species.
- » Balancing the positive and negative impacts of concessions
- » Visitor management
- » Taking of fish for aquariums, display (special permit from Mfish)
- » Location of huts, access trails, walkways in coastal areas
- » Building activity for tourism development, and potential impacts on landscape and cultural values

Ngā Kaupapa – Policy:

1. Consultation must occur for all concession applications in the takiwā of Te Rūnanga o Kaikōura, except when Te Rūnanga o Kaikōura has determined it not necessary.
2. Where relevant, concession activities on conservation land in the takiwā of Te Rūnanga o Kaikōura will be subject to the Ngāi Tahu Standard Conditions (see Appendix 10), and any other special conditions required by Te Rūnanga o Kaikōura.

3. Concession applications that are within, adjacent to, or may impact on the Kaikōura Coastal Statutory Acknowledgement (SA) area under the NTCSA 1998, or any other Deed of Settlement site, will require consultation with both Te Rūnanga o Kaikōura and Te Rūnanga o Ngāi Tahu.
4. Concession applications for activities in the coastal and marine environment will be considered in terms of whether the activity is environmentally sustainable at the level that is required to run a commercial operation.
5. To avoid adverse effects on the cultural, spiritual and historical values of Ngāti Kuri as a result of any commercial or recreational concession activity.
6. To avoid adverse effects on the natural character of the coastal marine environment as a result of any commercial or recreational concession activity.
7. To encourage concession activities that support and enhance natural, ecological and cultural values associated with coastal and marine environment, particularly those activities that include education about responsible tourism and reducing impacts on the environment.
8. To encourage Ngāi Tahu held concessions, particularly in areas of immense cultural significance, or with regards to taonga species.
9. Interpretation and information relating to Ngāi Tahu history, values, traditions or beliefs is not to be provided to any clients as part of any commercial guiding and interpretation activity unless the interpretation and information is agreed to by Te Rūnanga o Kaikōura as being appropriate and accurate.
10. Any interpretation and information relating to Ngāti Kuri history, values, traditions or beliefs associated with areas of significance to Ngāti Kuri (including place names) is best prepared and delivered by Ngāti Kuri. When concessionaires seek to use cultural history (e.g. Ngāti Kuri stories) in their operations, Te Rūnanga o Kaikōura recommends that a Rūnanga representative is employed as part of the concession activity to provide and interpret such information.
11. In some cases, the Rūnanga may request that concession applicants be required to prepare an interpretation panel, explaining Māori history and cultural associations with the area.
12. To encourage research and/or monitoring as part of concession activities, to ensure that the activity is sustainable and avoiding adverse impacts on the environment.
13. To ensure that all marine mammal-watching permits include provisions for adequate monitoring and research available to ensure viewing operations do not adversely affect marine mammals.
14. In the case of special permits to take selected species of fish for the purposes for an aquarium or similar activity, Te Rūnanga o Kaikōura must be supplied with information on numbers and locations of fish taken.

Cross-reference: Sections 3.4.4 Tourism; 3.4.5 Concessions (Kaikōura section); 3.6.5 High country – Access.

3.6.7 Farming in coastal areas

Farming (agricultural cropping, dairy, stock grazing) occurs in many coastal regions of the takiwā, particularly south of Tūtae Putaputa. Agriculture in coastal areas is often reliant on sea protection measures and drainage schemes.

Activities associated with farming such as discharges to land, vegetation burning, land clearance and water abstractions all have the potential to adversely impact the coastal environment. Coastal areas are also at risk from the downstream effects of farming in upper catchment areas.

Activities on land have impacts on the sea

The protection of the lowland reaches of waterways, especially the estuaries and coastal environment, is extremely important for Te Rūnanga o Kaikōura. If protection of such areas is to be achieved, all activities in the upper catchments must be assessed in terms of relationship with downstream areas.

Different land use activities in upper catchments have different impacts on coastal areas. For example, forestry, native bush, and pasture will have wildly different hydrology and nutrient inputs to aquatic systems.

Ngā Take – Issues:

- » Appropriate effluent disposal
- » Unsustainable land use practices
- » Intensive agriculture related land use in sensitive coastal environments
- » Increasing use of synthetic fertilisers (particularly nitrogen) to boost production, and impact on coastal environments
- » Agricultural run-off into coastal waterways
- » Direct and indirect discharges in the marine environment
- » Drainage of coastal wetland areas
- » Unrestricted stock access in coastal areas, and potential impact on culturally significant sites, known and unknown
- » Upper catchment land management and impact on coastal areas
- » Grazing licenses on tribal properties
- » Protection of soil resources
- » Water abstractions, ground and surface

Ngā Kaupapa – Policy:

1. To protect lowland coastal areas from dairy conversion and other intensive farming activity. Low impact pastoral farming, with appropriate stocking rates and good land stewardship is considered the only acceptable farming activity in coastal areas, where such activities are appropriate at all.
2. To encourage the adoption of “best practice” farming methods as part of developing environmentally sustainably, socially responsible, and economically viable farming systems.
3. To avoid the establishment or continuance of any use or activity that has the potential to result in the contamination of land or water unless effective precautions have been taken to avoid adverse effects on the environment.
4. The kinds of farming activities that occur in a given area (land use) should match land capability (e.g. elevation, slope, soil type).
5. To require that the relationship between terrestrial and aquatic ecosystems is recognised and provided for in all decision making relating to coastal environment (ki uta ki tai).
6. To require that the relationship between land use activities in upper catchments and the health of coastal ecosystems is recognised and provided for in all decision making relating to coastal environment (ki uta ki tai).
7. To protect all coastal waterways, wetland areas, waipuna, lagoons and estuaries from adverse impacts related to farming, including drainage, sedimentation and contamination.
8. To avoid stock access to waterways, wetland areas, waipuna, lagoons and estuaries in coastal regions.
9. To protect all existing riparian zones from adverse impacts associated with farming activities (e.g. stock, cultivation).
10. To require that a minimum of 50 m buffer zone be observed for any discharge to land activity (e.g. spray irrigation of effluent) in the vicinity of any coastal waterway, wetland area, waipuna, lagoon, estuary or bore.
11. The following criteria will be used when considering applications for grazing and farming concessions: existing land use, proposed stock type and density, potential effects of stock on waterways, potential risk to wāhi tapu, wāhi taonga or other culturally important landscape features, soil erosion risks, impacts on indigenous vegetation, the need to use grazing for management purposes, and the duration of concession being applied for.

Cross-reference: Sections 3.4.7 Farming (Kaikōura section); 3.4.11 Water quality; 3.5.2 Papatūānuku – Soil conservation; 3.5.4 Discharge to land; 3.5.7 Water abstractions – Groundwater; 3.5.8 Water abstractions – Surface.

Agriculture and forestry can impact the quality of our coastal waters

A phenomenal 390-million tonnes of sediment are washed from the New Zealand mainland into the sea each year. Some causes are obvious – such as when a pine forest is logged and the bare scraped soil lies exposed to the rain. Some are less obvious – cattle drinking from an unfenced stream can defecate in the water and their hoofs can cause stream bank erosion, sending a rich mix of fertilizer and soil into the sea.

Source: Department of Conservation



3.6.8 Mineral extraction in coastal areas (Mining)

Sand and aggregates (gravels, stones, rock) are mined from coastal areas in the takiwā.

Mining and quarrying in coastal regions can be a source of conflict. Such activities are sometimes incompatible with landscape, cultural heritage and amenity values. For Te Rūnanga o Kaikōura, any extractive activity in coastal areas has the potential to have adverse effects on cultural values, due to the high number of significant sites in such areas.

Ngā Take – Issues:

- » Extraction of sand and rock for commercial purposes
- » Extraction of sand, gravels and broken stone for roadworks
- » Protection of wāhi tapu
- » Changes to the ecosystem as a result of extraction
- » Transfer of weeds from material removal
- » People taking rocks for their gardens
- » Increased erosion and lack of stability as a result of extraction
- » What are the cumulative impacts of mineral and rock extraction on coastal areas?

Ngā Kaupapa – Policy:

1. To require consultation with regards to any activity that involves the removal of sand or aggregates from beach areas for commercial purposes.
2. Applications for mining that are within, adjacent to, or may impact on the Kaikōura Coastal Statutory Acknowledgement (SA) area under the NTCSA 1998, or any other Deed of Settlement site, will require consultation with both Te Rūnanga o Kaikōura and Te Rūnanga o Ngāi Tahu.
3. To avoid commercial mining in areas of high cultural significance, particularly areas associated with wāhi tapu values.

4. Applications for mining or quarrying in coastal regions will be considered in terms of the cultural significance of the area, and the potential for impacts on significant sites.
5. To avoid compromising cultural sites of archaeological value as a consequence of activities that may disturb older soil or sand deposits in coastal areas, either directly or via unintended erosion effects.
6. Due to the potential for unearthing archaeological material or wāhi tapu, applications for mineral extraction in coastal regions are subject to those guidelines outlined in the *Te Rūnanga o Kaikōura Management Guidelines for Wāhi Tapu and Wāhi Taonga*, as per Section 3.7. This includes provisions for site visits, cultural impact assessments and pre-resource consent archaeological assessments.
7. In areas of high probability that an archaeological or cultural site may be discovered, an expert may be required (Rūnanga cultural monitor or an archaeologist) to monitor ground disturbance, at the expense of the applicant.
8. An Accidental Discovery Protocol will be included as a standard condition on any mineral extraction consent in coastal regions.
9. The non-commercial removal of sand or stones from beaches or other areas where cultural heritage values may be present should be carefully controlled or avoided.
10. Mineral extraction must be carried out in a manner that avoids, remedies or mitigates adverse environmental impacts, including the establishment of weeds as a result of disturbance.
11. To require robust monitoring of any consent activity relating to mineral extraction in coastal regions, to detect non-compliance with consent conditions and best practice. Non-compliance must result in appropriate enforcement action to discourage further non-compliance.
12. Gravel extraction activities in the beds of coastal rivers are subject to Te Rūnanga o Kaikōura policies for gravel extraction, as per section 3.4.12.

Cross-reference: Sections 3.4.12 Gravel extraction; 3.7 Wāhi tapu me te wāhi taonga.

Ō Te Moana – The Sea

The sea and its fishing grounds are as important to Ngāti Kuri as the land. The sea sustains life; it provides the kaimoana that sustains the people.

A wide range of issues relate to the management of the marine environment. Sustainability and responsibility are key kaupapa. For tangata whenua, management issues include the impact of commercial and recreational fishing on the customary fishery, the sustainability of fish stocks, the kinds of management tools that are available and their effectiveness, and the impacts on marine health from discharges and other pollution.

Oceans should be conserved to sustain life and to sustain a way of life.



3.6.9 Offshore petroleum exploration

There are three types of applications that relate offshore petroleum activities: *prospecting* (reviewing and collating existing information); *exploration*, and / or *drilling* (mining) permit applications.

Ngā Take – Issues:

- » Prospecting, exploration and drilling activities in areas of cultural importance, offshore and coastal
- » Potential impacts on fishing grounds, coastal cultivation areas, settlement sites and urupā of our ancestors
- » Potential impacts of sonic boom on fish and fishing activities
- » Relationship between Ngāi Tahu and Crown Minerals, within the Crown Minerals Act framework
- » State-owned enterprise Treaty responsibilities
- » Balancing economic benefits with environmental impacts
- » The identification of exclusion areas: who decides?

Ngā Kaupapa – Policy:

1. To require that sufficient information is provided to the Rūnanga with regards to matters relating to the Crown Mineral Act and prospecting, exploration or mining activities, to allow for informed decisions and / or submissions.
2. To require, as part of Crown Mineral Act related consultation, that accurate information be provided as to whether the applicant will require a resource consent, concession or archaeological excavation permit prior to the commencement of any exploration, prospecting or mining activities. It is preferred that any such information be supplied in the form of a letter from the relevant authority.
3. To provide for the protection of both known and unknown culturally significant sites, permit holders must ensure that any necessary authorisations under the Historic Places Act 1993 are obtained prior to undertaking prospecting, exploration or mining activities.
4. To ensure that best mining practices are adhered to with regards to any exploration, prospecting or mining activities.
5. That systematic, periodic compliance monitoring is conducted for all exploration, prospecting or mining permits, and that appropriate enforcement action is taken to discourage non-compliance.

6. To encourage the use of Cultural Impact Assessment Reports in Crown Mineral Act processes. Such reports enable early identification of tangata whenua concerns.
7. Requests by iwi or hapū with regards to exclusion areas (defined areas of land to be excluded from any minerals activity) must be considered and included in the Minerals Programme as they arise, and not on a 10-year schedule.
8. Iwi and hapū must be notified of any decision made with regards to exclusion areas, and in those cases where requests are declined, the Minister must provide a reasonable explanation for the decline.

3.6.10 Coastal water quality and marine pollution

Coastal water quality must be maintained in order to protect the mauri of the sea, including its ability to support kaimoana.

Discharges to the sea, including sewage and industrial waste, have typically been opposed by Ngāti Kuri, and by Māori generally, due to the impacts on cultural values. Discharges of contaminants either directly or indirectly into the marine environment impact water quality, and thus all ocean life.

Ngā Take – Issues:

- » Ocean outfalls
- » Risk to kaimoana (particularly shellfish beds) from discharges to water
- » The view that dilution to pollution is acceptable
- » Discharge of untreated and treated sewage in the marine area
- » Definitions of “treated sewage”
- » Oil and diesel spills
- » Ballast water (potentially contaminated water from ships) discharge into the sea
- » Stormwater discharges from coastal roads and settlements
- » Illegal dumping of debris and rubbish
- » Run-off from upstream agricultural and forestry operations
- » Wastewater overflow pipes
- » Monitoring and enforcement issues regarding the Marine Pollution Regulations 1998
- » Sedimentation from coastal waterways flowing into the sea
- » Marine and beach pollution – debris, old craypots, nets
- » Cleaning fish on the beach and throwing waste into the sea or leaving it on the beach

Ngā Kaupapa – Policy:

1. The role of Ngāti Kuri as tangata whenua and kaitiaki of the coast and sea must be recognised and provided for in all coastal water quality management.
2. Water quality of coastal marine areas must be managed to ensure that it protects the mauri of that water, including its ability to support cultural and customary usage.
3. To avoid the use of coastal waters and the open sea as a receiving environment for the direct, or point source, discharge of contaminants.
4. Dilution to pollution is ecologically and culturally inappropriate, and an unacceptable means of addressing waste. Using the ability of the sea to dilute contaminants is an inappropriate mitigation measure with regards to discharge activities.
5. When assessing the alternatives to discharge to water, a range of values, including environmental, cultural and social, must be considered in addition to economic values.
6. To require that the relationship between land use activities in upper catchments and the health of coastal ecosystems is recognised and provided for in all decision making relating to coastal environment.
7. To protect coastal waterways, wetlands, lagoons and estuaries from adverse impacts related to unsustainable farming activities.
8. To advocate for the establishment and restoration of coastal wetlands and riparian areas to help address non-point source pollution in coastal areas.
9. To protect the integrity and cultural uses of coastal waters through prohibiting unnatural mixing of waters from different water bodies.
10. Te Rūnanga o Kaikōura views coastal water quality as a community issue. For this reason, the Rūnanga may, where seen as appropriate, recommend that a consent application be notified.
11. All boats, where appropriate, should have proper holding tanks for effluent, with appropriate monitoring programs in place to monitor and control the impacts of pollutants from boats on the sea.
12. To require robust monitoring of any activity that may impact coastal water quality, to detect non-compliance with consent conditions and best practice. Non-compliance must result in appropriate enforcement action to discourage further non-compliance.

Cross-reference: Section 3.2.6 Discharge to water.

Tikanga based management practices such as using Papatūānuku's natural abilities to filter and recycle waste, keeping waters from different environments separate (preventing unnatural mixing), and rāhui (temporary closures to protect fisheries) continue to be considered by tangata whenua the most appropriate management tools to ensure sustainability of the marine environment.

3.6.11 Customary fisheries

The Treaty of Waitangi guaranteed tangata whenua full, exclusive and undisturbed possession of the fishery in the rohe moana for which they held manawhenua and manamoana. Customary rights to fishing lie with the whānau and hapū of Ngāi Tahu. Contemporary customary fishing activities are governed by the Customary Fishing Regulations, which provide for customary food gathering and the management of customary fisheries in general.

Customary fishing rights have always had both a commercial and a non-commercial component. The right to use fisheries resources to sustain whānau, provide for others (e.g. marae), trade for other resources, and to make a living from such activities are some of the most important values for Ngāi Tahu Whānui. The utilisation of customary fisheries resources assists Ngāti Kuri to uphold the mana of Takahanga Marae in the manaaki that they show for their manuhiri.

Today, tangata whenua involved in all aspects of the fishery: customary, commercial and recreational. The policies in this section are aimed at protecting and enhancing the customary kaimoana resources within the takiwā.

Ngā Take – Issues:

- » Decline in the health of customary mahinga kai areas
- » Access to customary fisheries (e.g. in closed off areas such as marine reserves)
- » Protection of mahinga kai rights for future generations
- » Commercial and recreational policy that conflicts with customary practices
- » Customary fishery is subject to recording, while the recreational fishery is not. Tangata whenua are being held accountable for something that is a legislated right (unlike recreational fishing)
- » Finding enough people to fish for the Marae and impact on ability of tangata whenua to manaaki manuhiri visitors
- » Pressure on kaimoana stocks and thus customary fishery (e.g. large trawlers)
- » Use of mātaaitai, rāhui and taiāpure as customary area management tools to protect fisheries

- » Identification and protection of kōhanga areas
- » Need to identify all areas for mahinga kai, customary fishing numbers, and habitats

We can't just look at protecting certain areas of the ocean as breeding or spawning grounds; we need to see the big picture. The whole ocean is a kōhanga.

Gina Solomon, Te Rūnanga o Kaikōura



Ngā Kaupapa – Policy:

1. All Ngāi Tahu Whānui, current and future generations, must have the capacity to exercise their customary rights associated with coastal and marine environments, as guaranteed by the Treaty of Waitangi.
2. To protect, enhance and restore the sustainability of customary fisheries resources throughout Te Tai o Marokura.
3. To protect, maintain, and where necessary improve, access to customary fishing areas for tangata whenua.
4. To nurture and teach future generations in the importance of customary fisheries to the health and well-being of Ngāti Kuri.
5. To actively promote the restoration and use of customary area management tikanga to protect, restore and enhance customary fisheries (e.g. rāhui at Waiopuka reef in Kaikōura).
6. To advocate that marine cultural heritage is recognised as an RMA s.6 (e) matter in regional coastal environment planning, as part of protecting the relationship between Ngāti Kuri and Te Tai o Marokura.
7. To advocate that identified areas of marine cultural heritage, such as areas of significance for customary fishing, are recognised as Areas of Special Value to tangata whenua in all regional coastal environment planning and policy.
8. Management of fisheries resources should be for the customary fishery first, with other uses second.
9. Commercial and recreational fishing shall be controlled at levels that do not compromise customary fishery resources.
10. To support research efforts that promote the sustainability and enhancement of customary fisheries resources.
11. To encourage collaborative research and monitoring projects between tangata whenua and scientists, that address customary fish and marine issues using both Mātauranga Māori, or traditional knowledge, and mainstream science.

12. To continue be actively involved in the development of a community based Coastal Management Strategy for Kaikōura, with the Department of Conservation and other fisheries stakeholders, as a means to protect and enhance customary, commercial, recreational and community fisheries.
13. To encourage the commercial fishing industry (commercial vessels fishing Ngāi Tahu quota) to support customary fishery allocations (e.g. carrying customary authorisations and landing customary fish for our marae).
14. Kaimoana should not be cleaned below high water, as this impacts kōhanga areas.

Cross-reference: Sections 3.5.17 Mahinga kai – Customary use; 3.6.12 Commercial fisheries; 3.6.13 Recreational fisheries; 3.6.14 Area management tools.

The paua and the crayfish used to be so thick at Oaro that you couldn't put a pin through them. You could go down in your suit and not get dirty.

Aunty Lena Beaton, Te Rūnanga o Kaikōura

3.6.12 Commercial fisheries

The Quota Management System (QMS) was introduced in 1986 to manage and conserve the major commercial fisheries within the New Zealand Economic Fishing Zone. The QMS operates by limiting the total catch allowed from each fishery. The Ministry of Fisheries sets annually the Total Allowable Commercial Catch (TACC) for the season, which is based on annual stock assessments, catch monitoring and details of landed catch.

Ngā Take – Issues:

- » Commercial fishing sector should acknowledge customary rights
- » Distribution of quota
- » Commercial fishery is sometimes poorly managed, nothing to do with “take only what you need”
- » Small fishers with no quota
- » Commercial fishery support for the customary fishery
- » Allocations based on catch history results in over allocation of quota
- » Seabird bycatch in longline fisheries – how to reduce the number of seabird deaths related to fishing (e.g. albatrosses and petrels)
- » Tangata whenua participation in Ministry of Fisheries processes

The commercial fishery can be used to support customary allocations and provide for Marae and whānau needs. This way fish would be taken to the Marae, and from there distributed to whānau.



Ngā Kaupapa – Policy:

1. To protect and restore the sustainability of fisheries resources throughout Te Tai o Marokura.
2. To ensure that Ngāi Tahu is provided with the opportunity for effective input and participation, within a Treaty partnership framework, into Ministry of Fisheries processes, including sustainability measures, research planning and stock assessment, compliance monitoring, biosecurity, QMS assessments, and general fisheries planning.
3. To encourage the commercial fishing industry (commercial vessels fishing Ngāi Tahu quota) to support customary fishery allocations (e.g. carrying customary authorisations and landing customary fish for our marae).
4. To advocate for the Total Allowable Catch (TACC) to account for recreational takes.
5. Commercial fishing shall be controlled at levels that do not compromise customary fishery resources.
6. To advocate to relevant organisations that inshore commercial trawlers be banned from Te Tai o Marokura, to protect inshore coastal habitat and local fisheries resources.
7. To advocate for the adoption of fishing practices that avoid mortality of seabirds (seabird bycatch).

Cross-reference: Sections 3.6.11 Customary fisheries; 3.6.13 Recreational fisheries.

3.6.13 Recreational fisheries

While customary fishing is a legislated right, recreational fishing is more akin to an access right to enable harvest from the fishery. One issue associated with recreational fishing is how to provide for the expectations of recreational fishers without undermining the customary rights of tangata whenua. For Te Rūnanga o Kaikōura, recreational fishing issues are about ensuring sustainability, not the creation of rights.

Ngā Take – Issues:

- » Difference between access rights and customary rights
- » Insufficient knowledge, baseline data and monitoring of takes by recreational fishery

- » Impacts of recreational fishery on customary fishery
- » Potential impacts on sustainability of kaimoana
- » Commercial charter boats with recreational takes

Ngā Kaupapa – Policy:

1. The recreational fishery should be subject to recording and monitoring. Better estimates of the overall recreational take are needed to ensure sustainability.
2. Recreational fishing shall be controlled at levels that do not compromise local customary fishery resources.
3. To advocate that the Total Allowable Catch (TACC) account for recreational takes.
4. The differences between commercial and recreational fishing must be clearly defined, to take into account commercially chartered fishing boats that operate under the guise of recreation.
5. Recreational bag limits may need to be determined on an area-by-area basis.

Cross-reference: Sections 3.6.11 Customary fisheries; 3.6.12 Commercial fisheries.

3.6.14 Area management tools

Finding appropriate tools and practices for managing and protecting marine environments is a priority for Te Rūnanga o Kaikōura. An important issue is the need for integrated management between agencies that are responsible for protecting and sustaining coastal and marine environments.

Customary management practices historically allowed tangata whenua to sustainably harvest and conserve kaimoana. Following the signing of the Treaty of Waitangi, management structures changed to the extent that tangata whenua are unable to manage resources in the same ways.

Practices such as taiāpure, mātaimai and rāhui continue to be considered by tangata whenua as appropriate tools for protecting marine areas (see Table 9).

Ngā Take – Issues:

- » Need to ensure there are adequate resources available to protect areas designated as marine protect areas (MPA) from threats such as bioinvasion
- » Inadequacy of the Marine Reserves model for addressing threats to marine environment
- » Inadequacy of the Marine Reserves model for addressing Treaty issues and customary rights

- » Conflicts between customary management principles and scientific management (e.g. regulations that allow you to take breeding stock only is in conflict with customary management principles)
- » Customary area management tools
- » Need for more research and establishment of baseline data
- » Customary fishing and marine reserves

Ngā Kaupapa – Policy:

1. To support the use of taiāpure, mātaimai and rāhui, in appropriate areas, as expressions of kaitiakitanga.
2. To promote the use of marine protected areas that include customary management tools such as taiāpure, mātaimai and rāhui.
3. To oppose the establishment of marine reserves in areas of significance to customary fishing, wāhi tapu, or where it could inhibit the development of mātaimai or taiāpure.
4. The establishment of any marine protected area must be based on ensuring there are adequate resources to achieve protection and management objectives over the long term, and where the protection mechanism creates the least impact on customary rights and legitimate users of the marine environment.
5. Management of the marine environment must be characterised by an integrated approach between fisheries sectors – customary, commercial and recreational, and other users of the marine environment.
6. Management of the coastal marine environment should focus on local, community-based efforts, rather than a government imposed process.
7. To advocate for the use of rāhui (under Section 186 B of the Fisheries Act 1996) as an effective tool to address depletion of stocks in an area due to the combined pressure of recreational, customary and commercial fishing. (e.g. Waiopuka reef).
8. To support a review of taiāpure establishment provisions, to make it easier to facilitate this process and establish such an area management tool.

Table 9: Area management tools

Mātaimai	A mātaimai reserve identifies an area that is a place of importance for customary food gathering and allows for tangata whenua to manage these areas. Tāngata Tiaki are appointed by tangata whenua to manage the reserve through the making of bylaws (which must be approved by the Minister responsible for Fisheries, and must apply generally to all individuals). A mātaimai reserve prohibits commercial fishing within its boundaries, unless otherwise authorised by the Minister of Fisheries.
Rāhui	A rāhui is a temporary closure provision under Section 186B of the Fisheries Act 1996, allowing for the closure or restriction of fishing methods in an area. The purpose of a rāhui is to improve the size and/or availability of fish stocks, or to recognise the use and management practices of tangata whenua.
Taiāpure	A taiāpure identifies an area (being estuarine or littoral coastal waters) that has customarily been of special significance to an iwi or hapū as a source of food or for spiritual or cultural reasons. The provisions for taiāpure are contained with Part IX of the Fisheries Act 1996. Taiāpure make provision for a management committee to be established to give advice and recommendations to the Minister responsible for Fisheries and for regulations to provide integrated management of the fisheries in that area. Members of the management committee are nominated by tangata whenua and may include representatives from all fisheries stakeholders (including commercial), as well as other interest groups.

Source: Te Rūnanga o Ngāi Tahu

3.6.15 Aquaculture and marine farms

Aquaculture is a growing industry in New Zealand. However, in some parts of the country it has grown too fast, and with little control over where it should be allowed.²⁰ In some areas, aquaculture projects may have significant cultural or environmental impacts.

Ngā Take – Issues

- » Protection and recognition of customary rights
- » Difficulty of predicting long term effects to coastal environments, given the paucity of existing research
- » Applications for on shore abalone farms on Kaikōura coast
- » Changes to the character of the coastal landscape
- » Effects on reef and rock ecology under and around farms
- » Impact on nutrient supply by mussel filtering – nutrient capture by farms reducing food supply to other species
- » Disruption of access for customary fishing and gathering
- » Species to be farmed
- » What is to be fed to the farmed species?
- » Impact on local biodiversity (introducing species from outside the area)

Ngā Kaupapa – Policy:

1. To ensure that aquaculture activities recognise and provide for pre-existing customary rights and commercial fishing rights provided by the Māori Fisheries Settlement in 1992.
2. To ensure that applications for aquaculture and marine farms recognise and reflect the mana whenua and mana moana status of Te Rūnanga o Kaikōura.
3. The following criteria will be used as a guide in determining whether an area is suitable for aquaculture:
 - » Whale feeding grounds
 - » Whale migration routes
 - » Dolphin habitat and migration routes
 - » Migration routes for kōura
 - » Sea mounts / reefs / islands / trenches
 - » Kaimoana
 - » Kōhanga
 - » Wāhi tapu / wāhi taonga

²⁰ Te Rūnanga o Ngāi Tahu 2002

- » Tauranga ika
 - » Navigation
 - » Taiāpure, mātaimai and rāhui
 - » Waha awa (river mouths)
 - » Tourism values
 - » Rimurapa
4. To ensure that the integrity of local kaimoana populations remains uncompromised by aquaculture or marine farming.
 5. All applications for aquaculture or marine farms are subject to those guidelines outlined in the *Te Rūnanga o Kaikōura Management Guidelines for Wāhi Tapu and Wāhi Taonga*, as per Section 3.7. This includes provisions for site visits, cultural impact assessments and pre-resource consent archaeological assessments.
 6. Applications for aquaculture and marine farms may be required to develop a site specific management plan prior to the start of operations, including information on any pollution that may result, waste disposal plans, expected nutrient budgets, and provisions for mitigating effects on local species.
 7. An application for aquaculture or marine farming may be requested to provide surveys of significant flora and fauna, including taonga and other culturally important species.
 8. To consider consent durations for any aquaculture or marine farm on a case by case basis. Consent durations must be appropriate to the scale, nature and extent of the proposed activity.
 9. To require robust monitoring of consent activities related to aquaculture or marine farming, to detect non-compliance with consent conditions and best practice. Non-compliance must result in appropriate enforcement action to discourage further non-compliance.
 10. To require comprehensive, periodic monitoring of all aquaculture and marine farms, in addition to regular compliance monitoring.
 11. To require the opportunity for tangata whenua to participate in periodic monitoring of aquaculture and marine farms.
 12. To prohibit consent holders from adding different species (to those agreed to) to their farms, once the application has been approved.
 13. To ensure that no marine farm structure is located within 50m of any kelp beds.

Information Source: Te Rūnanga o Ngāi Tahu 2002. *Defining Aquaculture Management Areas From a Ngāi Tahu Perspective*. Report prepared for Environment Canterbury.

Mahinga Kai and Biodiversity

3.6.16 Coastal dune environments

Coastal dune environments such as Te Karaka (Cape Campbell) dune environment often hold significant cultural, traditional and historical associations for Ngāti Kuri. Past land use and occupancy associated with such environments means that protecting both known and unknown significant sites is of particular importance. Natural hazards, including coastal erosion and seawater inundation, can also threaten these environments, as can human activities such as recreational vehicle use, stock access as part of farming operations, and mining.

Ngā Take – Issues:

- » Damage to dunes, and thus potential for disturbance of wāhi tapu
- » Threats to plants such as pingao (sand binding plant), and impact on dune ecosystems
- » Tourism and access, and impact on coastal dunes
- » Subdivision, housing and other development, and impacts on coastal dune environments
- » Consideration of future coastal property ‘booms’ and threats to coastal environments
- » Impacts of recreational vehicles on dunes
- » Sand and rock extraction for commercial purposes
- » Erosion of beach areas and potential impact on wāhi tapu
- » Protection of wildlife areas (e.g. bird nesting areas)
- » Forestry activities and impact on coastal dune areas (e.g. Gore Bay, Waipapa)

Ngā Kaupapa – Policy:

1. All activities in coastal beach and dune environments must recognise and provide for the strong association between these areas and the cultural heritage of Ngāti Kuri.
2. To avoid adverse impacts on vulnerable coastal dune environments as a result of subdivision, residential development, forestry, farming, mineral extraction, tourism, or general public access.
3. Due to the potential for unearthing of archaeological material or wāhi tapu cultural materials in coastal dune environments, activities in these environments are subject to those guidelines outlined in the *Te Rūnanga o Kaikōura Management Guidelines for Wāhi Tapu and Wāhi Taonga*, as per Section 3.7.
4. To prohibit the use of recreational vehicles in coastal beach areas where the environment is vulnerable: including areas where dunes may be damaged, coastal plants such as pingao may be threatened, or wildlife areas (e.g. bird nesting sites) may be impacted.

5. To encourage and support projects for the re-establishment and restoration of indigenous plants in coastal dune environments, particularly in terms of protection against coastal erosion.
6. To encourage communication and cooperation between local authorities and Te Rūnanga o Kaikōura with regards to the identification of areas and beach systems at risk and the development of strategies for protecting areas of high conservations or cultural values.

Cross-reference: Sections 3.2.9 Biodiversity; 3.6.1 Coastal land use and development; 3.6.5 Access; 3.6.8 Mineral extraction in coastal areas; 3.7 Wāhi tapu me te wāhi taonga.

3.6.17 Marine mammals

A significant feature of the Ngāti Kuri relationship with the marine environment is the special connection with marine mammals such as whales and dolphins. The Ngāti Kuri rangatira and warrior, Te Rakaitauneke, was said to have had a kaitiaki whale named Mata Mata, who dwelt in the sea opposite of Te Rakaitauneke's home in Tahuna Tōrea (Goose Bay). The duty of the whale as kaitiaki was to protect Te Rakaitauneke. When Te Rakaitauneke went to Takahanga, the whale would be seen blowing outside the garden of memories.

The Marine Mammal Protection Act 1978 provides for the conservation, protection and management of marine mammals. The Act is administered by the Department of Conservation. Marine mammal management depends on the co-operation and involvement of a wide range of external organizations and individuals.

A diversity of marine mammals exists in the Kaikōura area, both cetaceans (whales, dolphins and porpoises) and pinnipeds (seals). The area is important in terms of tourism activities involving marine mammals: whale and dolphin watching and the seal colonies on the Peninsula.

Through the NTCSA 1998, Ngāi Tahu kaitiakitanga is formally recognised in relation to a number of marine mammal taonga species (Table 10).

Ngā Take – Issues:

- » Protection of whakapapa of whales, dolphins and all marine mammals
- » Cooperation and communication between agencies with regards to marine mammal management
- » Protection of Hector's dolphins in the Kaikōura area (an endemic species)
- » Research and collection activities, and promotion of iwi interests
- » Research and collection activities, and developing appropriate processes to guide the kinds of research undertaken
- » Monitoring potential impacts of tourism (whale and dolphin watching activities) on marine mammals

- » Impacts of tourism on seal colonies
- » Appropriate management of seals on the Kaikōura Peninsula
- » Fishing related mortalities (by catch) from recreational and commercial inshore set net and trawl fisheries

Ngā Kaupapa – Policy

1. To ensure that all marine mammals, as taonga species, are treated with the utmost respect.
2. To protect marine mammals from inappropriate disturbance by tourist and fishing activities.
3. All marine mammal watching permits in the takiwā of Te Rūnanga o Kaikōura are to involve consultation with Te Rūnanga o Kaikōura.
4. All marine mammal permits are subject to the Ngāi Tahu Standard Conditions for Marine Mammal Permits (see Appendix 10).
5. Activities relating to marine mammals will be considered in terms of existing activities, and whether the activity is environmentally sustainable at the level that is required to run a commercial operation.
6. To require that all marine mammal-watching activities include provisions for adequate monitoring and research to ensure viewing operations do not adversely affect marine mammals.
7. To support scientific research on marine mammals, where that research is seen to benefit marine mammals and their habitat, and encourage the communication of results of such research for the mutual benefit of both the scientific community and tangata whenua.
8. Applicants undertaking research involving marine mammals, or seeking marine mammal watching permits, are encouraged to develop relationships with Te Rūnanga o Kaikōura, particularly when the research or activity is of a long term nature.
9. Te Rūnanga o Kaikōura does not support sending marine mammals material overseas for research purposes, and are likely to oppose such applications.
10. Te Rūnanga o Kaikōura retain the rights to interpretation and information relating to Ngāi Tahu history, whakapapa, values, traditions or beliefs as they relate to marine mammals, and do not support its use by others without their approval of that material.

Cross-reference: Sections 3.2.9 Biodiversity; 3.6.6 Concessions – Recreation and tourism; 3.4.15 Research and collection; 3.6.18 Beached marine mammals.

Te Rūnanga o Kaikōura is the kaitiaki of all beached mammals in the takiwā, including the resources that can be obtained from them (e.g. whalebone, teeth).



Table 10: Taonga species under the NTCSA 1998

Name in Māori	Name in English	Scientific name
Ihupuku	Southern elephant seal	<i>Mirounga leonina</i>
Kekeno	Fur Seal	<i>Arctocephalus forsteri</i>
Paikea	Humpback whale	<i>Megaptera novaeangliae</i>
Parāoa	Sperm whale	<i>Physeter macrocephalus</i>
Rāpoka / Whakahao	NZ sea lion; Hooker's sea lion	<i>Phocarctos hookeri</i>
Tohorā	Southern right whale	<i>Balaena australis</i>

3.6.18 Beached marine mammals

Marine mammals play significant roles in the creation, migration, settlement and resource gathering traditions of the Ngāi Tahu. In particular, the beaching of a marine mammal can hold immense cultural significance. Stranded whales were a source of food, and whalebone and teeth were used to make implements, weapons and ornaments.

The Department of Conservation and Te Rūnanga o Kaikōura work together to address issues surrounding beached marine mammals, including the cultural use of materials such as whale bone.

Ngā Take – Issues:

- » Relationship with the Department of Conservation with regards to effective stranding response
- » Appropriate Protocols for beached marine mammals
- » Cultural use of whalebone and other resources from beached mammals
- » Commercial use of beached mammals
- » Distribution of whale material to researchers and research institutions

Ngā Kaupapa – Policy:

1. Te Rūnanga o Kaikōura, as kaitiaki, must be involved in the recovery, disposal and distribution / allocation of beached marine mammals and marine mammal materials, in conjunction with the Department of Conservation.
2. Te Rūnanga o Kaikōura, as kaitiaki, must be consulted on all applications by researchers or research institutions, to hold marine mammal material (from strandings).
3. Te Rūnanga o Kaikōura, as kaitiaki, must be kept informed of the outcomes of any research and information collected about any beached marine mammals.
4. Te Rūnanga o Kaikōura, as kaitiaki, expect any material from a beached marine mammal to be held respectfully. In cases where the Rūnanga has named a whale, this name is to be recorded with any samples taken from that whale.
5. Te Rūnanga o Kaikōura supports the use of the Interim Guidelines for the Initial Notification and Contact between the Department of Conservation and Ngāi Tahu over Beached Marine Mammals, as a tool to provide guidance to both Rūnanga and the Department of Conservation as to appropriate processes for responding to beached marine mammals.
6. Te Rūnanga o Kaikōura may request, with regards to any whale related issues, that WhaleWatch Kaikōura Ltd. be contacted, on behalf of Te Rūnanga o Kaikōura.
7. To use the Cultural Material Bank Process, developed by Te Rūnanga o Ngāi Tahu and the Department of Conservation, to facilitate access to cultural materials (e.g. whalebone) held by the Department of Conservation.
8. Te Rūnanga o Kaikōura will assess requests for whalebone on a case by case basis. Requests for whalebone from stranded whales will be assessed based on the following information: who is requesting the material, background of that person, amount desired, intended use, who the recipients may be, and whether or not the material will leave the country.
9. Te Rūnanga o Kaikōura does not support the use of whalebone from stranded whales for commercial use. However, Te Rūnanga o Kaikōura reserves the right to determine the nature and extent of cultural purposes. Cultural purposes are not limited to non-commercial activities.

Information source: Interim Guidelines for the Initial Notification and Contact between the Department of Conservation and Ngāi Tahu over beached marine mammals. July 2004.

3.6.19 Karengo and rimurapa

Seaweeds such as karengo and rimurapa have an essential role in coastal aquatic ecosystems. Karengo (karengo / nori – *Porphyra columbina*, or sea lettuce – *Ulva spp.*) and rimurapa (bull kelp – *Durvillea spp.*) are identified as non-commercially harvested species under section 306 of the NTCSA (Customary Fisheries). Both are culturally important to tangata whenua: rimurapa, or bull kelp, is a taonga species under the NTCSA 1998.

Seaweeds are also a commercially desirable resource. Some kelp and several red seaweeds are commercially harvested by a small number of permit holders. The impacts of commercial harvesting on kelp and seaweed are largely unknown.

Ngā Take – Issues:

- » Commercial harvesting of beach cast seaweed
- » Lack of information upon which to base decisions pertaining to harvesting of seaweed
- » Deliberate cutting of live seaweed in order to ‘beach cast’ it (concerns over compliance)
- » Improper and inefficient gathering of karengo
- » Too much commercial take of karengo
- » Scraping of reefs for karengo
- » Impact on seaweeds from agricultural chemicals and fertilisers leaching into the coastal marine area

Ngā Kaupapa – Policy:

1. To avoid the harvest of live seaweed. Only beach cast seaweed may be harvested.
2. Individual catch limits is the most appropriate mechanism to regulate the harvesting of beach cast seaweeds.
3. Buffer zones must be observed along all coastal areas to protect seaweeds from activities such as farming, forestry and weed and pest control operations.
4. To support and encourage research efforts that assess the impacts of commercial harvesting of kelp and seaweeds.

3.6.20 Bioinvasion

Bioinvasion refers to unwanted exotic species in the marine environment that may pose a threat to indigenous marine biodiversity. The introduction of such species may occur as a result of fouling (or encrusting) organisms growing on the bottom or hulls of ships that arrive in New Zealand waters, or from the discharge of ballast water into the marine environment – water used on a ship that originated elsewhere.

Ngā Take – Issues:

- » Threats to indigenous marine biodiversity from exotic species
- » New bioinvasion and biosecurity risks, and the need to stay informed
- » Potential for introduction of *Undaria pinnatifida* (Japanese kelp) – an exotic weed that is sometimes found in ballast water from ships
- » Algal blooms and impact on marine and human health
- » Fouled vessels entering New Zealand waters
- » Need for information sharing between agencies with regards to bioinvasion risks in New Zealand waters

Ngā Kaupapa – Policy:

1. To advocate for sufficient identification of, and education about, bioinvasion risks to New Zealand marine environments.
2. To adopt a precautionary approach with regards to potential bioinvasion risks, where there is an absence of detailed knowledge of impacts.
3. To support and encourage information sharing between agencies with regards to bioinvasion. Te Rūnanga o Kaikōura relies on external agencies to provide information on potential risks to the marine environment.
4. Any discharge of ballast water, hull cleaning or other activities that may result in the introduction of new species to New Zealand waters must be undertaken by appropriate authorities, in such a manner as to avoid compromising the integrity of indigenous marine biodiversity.
5. To support the introduction of effective penalties for non-compliance, with regards to any rules and regulations in place to address bioinvasion risks.

3.6.21 Manu – Marine Birds

A diversity of marine birds is found in coastal regions of the Te Rūnanga o Kaikōura takiwā. Many of these species, such as tīti (Hutton's shearwater), and toroa, (albatross), are considered taonga species by Ngāti Kuri.

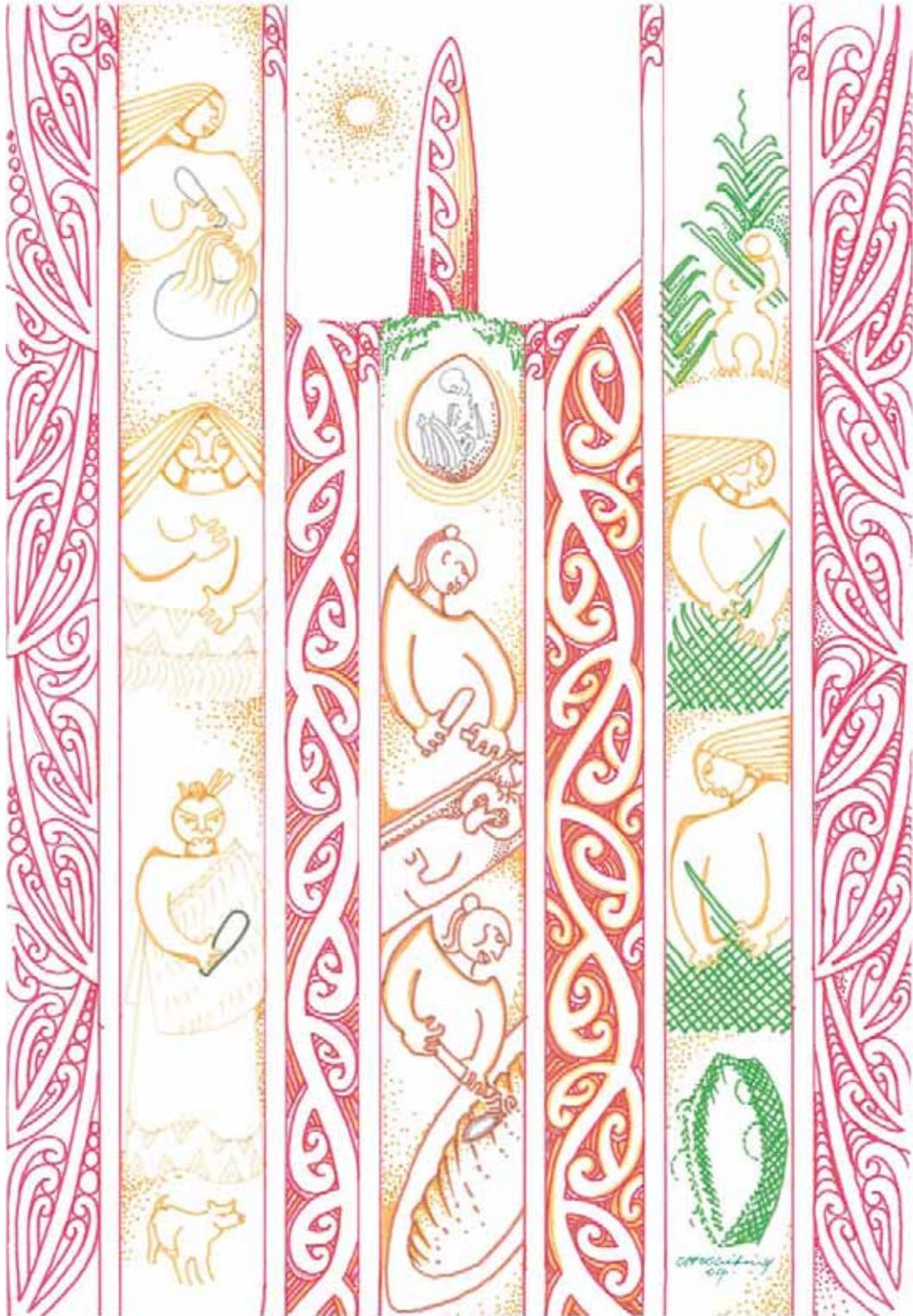
Ngā Take – Issues:

- » Protection of nesting and feeding areas
- » Need for sanctuaries for species recovery
- » Protection of Hutton's shearwater in the Kaikōura area
- » Protection of the association between tangata whenua and marine birds
- » Lights from coastal structures and impacts on birds
- » Seabird bycatch in longline fisheries – how to reduce the number of seabird deaths related to fishing (e.g. albatrosses and petrels)

Ngā Kaupapa – Policy:

1. The cultural, spiritual, historic and traditional association of Ngāti Kuri with taonga species must be recognised and provided for within all management and/or recovery plans associated with those species. This includes taonga species as per the NTCSA (Appendix 8), and all other species considered taonga by Ngāti Kuri.
2. To consider the potential impacts on marine bird species when assessing any application for activities in coastal regions.
3. To avoid compromising the habitat, diversity and abundance of marine birds as a result of inappropriate land use, development or subdivision.
4. To protect marine bird species diversity through providing and maintaining habitat.
5. To work with the Department of Conservation to establish coastal sanctuaries for species recovery.
6. To support and encourage scientific research that assists in the conservation of marine birds, particularly those that are at risk.
7. To support the ongoing restoration of the Hutton's shearwater in the Kaikōura area.
8. Researchers are encouraged to consult with and involve local tangata whenua experts as part of any research on culturally important marine bird species.
9. To encourage the use of Mātauranga Māori in scientific research and monitoring surveys.
10. To advocate for the adoption of fishing practices that avoid mortality of seabirds (seabird bycatch).

WĀHI TAPU
ME TE WĀHI TAONGA



3.7

Wāhi Tapu me te Wāhi Taonga



Wāhi tapu and archaeological sites are part of the nation's heritage, not just Ngāi Tahu heritage.

Mark Solomon, Te Rūnanga o Kaikōura



This section of the Te Rūnanga o Kaikōura Environmental Management Plan 2005 addresses ngā take and ngā kaupapa associated with wāhi tapu and wāhi taonga, or cultural heritage resources. While the protection of wāhi tapu and wāhi taonga is a prevalent theme throughout the plan, the importance of such values warrants a section devoted specifically to this issue.

The kaupapa of Ngāti Kuri is truly the protection of wāhi tapu and wāhi taonga. The sheer density of significant sites in the takiwā makes cultural heritage a prominent feature of natural resource management related work undertaken by Te Rūnanga o Kaikōura. The land, water and coasts of the takiwā are a part of Ngāi Tahu history, evidenced by the intensive concentration of pā sites, kainga, tauranga waka, gardens, wāhi tapu areas, wāhi pakanga, urupā and other places that hold the memories, stories and traditions of the people. There are more than 14 pā sites on the Kaikōura Peninsula alone.

Many wāhi tapu and wāhi taonga are part of Ngāti Kuri history; others are more ancient, belonging to Rapuwai, Waitaha, and Ngāti Māmoe. For Ngāti Kuri, the protection of this cultural heritage is about maintaining continuity between the past, the present, and the future.

In this plan, wāhi tapu are sites or places that are considered sacred, and held in reverence according to tribal custom and history. Urupā and any other places associated with kōiwi tangata, such as wāhi pakanga, are considered wāhi tapu. This includes many archaeological and silent file areas.

The Historic Places Act 1993 defines wāhi tapu as “a place sacred to Māori in the traditional, spiritual, religious, ritual, or mythological sense” (s.2); and a wāhi tapu area as “an area of land that contains one or more wāhi tapu” (s.2).

In this plan, wāhi taonga is a general term used by Te Rūnanga o Kaikōura to identify those special places or things that are considered taonga, or treasures of the people (including wāhi tapu), that link current generations to the tūpuna. Rivers, streams, mountains, hills, landforms, springs and areas of native vegetation may be wāhi taonga. Such physical taonga are linked to Ngāti Kuri cultural and historic heritage through wāhi taonga such as whakapapa traditions, pūrākau, mātauranga, and wāhi ingoa.

Archaeological sites may be wāhi tapu or wāhi taonga. Archaeological sites are defined by the Historic Places Act 1993 as any place in New Zealand that (a) either – (i) was associated with human activity that occurred before 1900; or (ii) is the site of the wreck of a vessel where that wreck occurred before 1900; and (b) is or may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand.

In this plan, silent files are information about wāhi tapu or other special sites, where the general location of a site may be provided to external agencies, but specific locations and details are held by the Rūnanga. Silent files provide a protective mechanism, while still allowing the Rūnanga to control and manage sensitive information.

Every time I look at a resource consent or concession application in our takiwā, I think about potential impacts on wāhi tapu first.

Raewyn Solomon, Te Rūnanga o Kaikōura

3.7.1 Management objectives *Ngā whaingā*

- (1) To protect all wāhi tapu and wāhi taonga in the takiwā of Te Rūnanga o Kaikōura.
- (2) To ensure that Ngāti Kuri are able to effectively exercise their role of kaitiaki over wāhi tapu and wāhi taonga in the takiwā.
- (3) To avoid compromising unidentified, or unknown, sites of cultural significance, as a consequence of ground disturbance associated with land use, subdivision and development.
- (4) To develop and maintain effective working relationships with those agencies involved in the protection of cultural and historic resources.
- (5) To develop and maintain effective working relationships with landowners and the wider community, with regards to the protection of, and access to, cultural and historic resources in the takiwā.

No-one should think they have an automatic right to destroy archaeological sites. There is a decision making process that everyone has to go through and if the process is done correctly then the right decision should be made.

This may not necessarily mean that permission will be granted. People have to realise that this is one of the risks and costs associated with building in areas such as Kaikoura.

Takerei Norton, Te Rūnanga o Kaikōura

3.7.2 Key management issues *Ngā take tō te tumu whakahaere*

There are several key issues associated with the protection of wāhi tapu and wāhi taonga in natural resource and environmental management. These issues include:

Access: Te Rūnanga o Kaikōura believes that some culturally important sites and places can be publicly accessible, but that others require restrictions on access. Much of Ngāti Kuri tangible cultural heritage (e.g. pā sites; rock art sites) is located on non-tribally owned lands, and thus access arrangements (both to restrict and allow) need to be negotiated with landowners and other agencies that are involved in the protection of wāhi tapu and wāhi taonga.

Relationships: Maintaining effective working relationships with other agencies (e.g. Historic Places Trust; district and regional councils, Department of Conservation) involved in the management of cultural heritage resources is an important part of ensuring wāhi tapu and wāhi taonga are protected. Relationships with private landowners are also important, with regards to protection and access of culturally important places and sites.

Accidental Discovery Protocols: Any activity that involves ground disturbance has the potential to uncover cultural material or wāhi tapu. As a general rule, Te Rūnanga o Kaikōura uses an Accidental Discovery Protocol to manage the potential for unearthing cultural materials in low risk areas (in high risk areas, a Rūnanga cultural monitor or archaeologist is employed to monitor the activity). The Protocol establishes a relationship between the Rūnanga and applicants / developers with regards to processes and procedures associated with accidental discoveries. A basis ADP is included in Appendix 17.

Management and protection of significant sites cannot just look at individual sites. Rather, we must look at sites in the broader context of the landscape in which they exist, and the reality of the way that tangata whenua value and interact with that landscape. Our cultural heritage is a link between past and present. Wāhi tapu and wāhi taonga sites are part of who we are today.



Cultural Monitoring: Te Rūnanga o Kaikōura uses cultural monitoring to protect wāhi tapu in high risk areas where surface clearing or sub-surface excavation may occur. Cultural monitors are appointed to oversee the excavation activity and record sites or information that may be revealed. Cultural monitoring may also be used when contractors are unsure about how to identify cultural material and accidental discoveries, or when it is impractical to have an archaeologist on site.

Oral history: Just because an area does not have a registered archaeological site or other recorded evidence of a cultural significance, it may not mean that sites are absent. Oral evidence, as part of Ngāi Tahu tribal knowledge, must be considered equally alongside written evidence when determining the cultural heritage values of a given area.

Accuracy of recorded information: Recorded sites in existing registers are sometimes inaccurate or incomplete. In some cases, a general area may be correct, but the specific point identifying a site may be inaccurate.

Education: An important aspect of protecting wāhi tapu and wāhi taonga is education: education about the importance of cultural heritage resources; education about legislation that protects such resources; and education about Rūnanga processes for avoiding impacts on cultural heritage. Education is also important to the Rūnanga in terms of ensuring that archaeologists and other people working in the area of protecting cultural heritage resources fully understand and appreciate the value of oral history.

3.7.3 General management guidelines *Ngā tohutohu tā te tumu whakahaere*

Te Rūnanga o Kaikōura has a series of general management guidelines that recognise and provide for the protection of wāhi tapu and wāhi taonga. These policies are reflected throughout this Environmental Management Plan, as are standard policies for many activities.

These management guidelines are applicable to all activities and policies in this Environmental Management Plan.

We are always wary when archaeologists say that no archaeological values will be present at a site because the site has been modified. There are many examples of archaeological material being unearthed in so-called 'modified' areas. These examples contradict that statement.

- 
1. Ngāti Kuri are kaitiaki over all wāhi tapu and wāhi taonga in the takiwā of Te Rūnanga o Kaikōura.
 2. Any activity that has the potential to affect a wāhi tapu or other site of significance in the takiwā of Te Rūnanga o Kaikōura must involve consultation with the Rūnanga.
 3. The expertise, knowledge and oral traditions of Ngāti Kuri of wāhi tapu and wāhi taonga must be recognised and provided for in all cultural and historic heritage resource management in the takiwā of Te Rūnanga o Kaikōura.
 4. All applications related to wāhi tapu or wāhi taonga will be assessed on a case by case basis.
 5. A precautionary approach will be adopted with regards to the protection of wāhi tapu and wāhi taonga.
 6. The modification or disturbance of an archaeological or wāhi tapu site will be not be approved unless sufficient evidence is provided as to the benefit to both tangata whenua and the wider community.
 7. Te Rūnanga o Kaikōura seeks to avoid any damage to wāhi tapu and wāhi taonga, as opposed to remedy or mitigate.
 8. If any cultural artefacts or materials are found, Te Rūnanga o Kaikōura requests that they be returned to Takahanga Marae. Te Rūnanga o Kaikōura is a registered holder of Antiquities.
 9. In the event of accidental discovery of wāhi tapu or cultural materials, any publicity about such discoveries must be agreed to by Te Rūnanga o Kaikōura. When such discoveries occur on private land, it is also important to liaise with local landowners regarding any publicity (e.g. photographing sites).

10. Tikanga Māori must be observed on all wāhi tapu and other sites of significance, to protect such sites from inappropriate activities that may denigrate tapu status.
11. Applications for activities in areas of cultural significance where there are no known sites but the likelihood of finding sites is high, may require one or more of the following (at the cost of the applicant):
 - (a) Site visit;
 - (b) Archaeological survey (walk over / test pitting), by an approved archaeologist;
 - (c) Cultural impact assessment;
 - (d) Cultural monitoring;
 - (e) Accidental discovery protocol agreement.
12. Any activity (e.g. subdivision, forestry operations, mining, road construction, building, landscaping or fencing) that has the potential to modify, damage or destroy a wāhi tapu or archaeological site may require a one or more of the following (at the cost of the applicant):
 - (a) Site visit;
 - (b) Archaeological assessment (walk over / test pitting), by an approved archaeologist;
 - (c) Cultural impact assessment;
 - (d) Cultural monitoring;
 - (e) Accidental discovery protocol agreement;
 - (f) An authority from Historic Places Trust.
13. All contractors undertaking earthworks activities in areas where there is a high probability of accidental discovery of wāhi tapu or archaeological sites shall:
 - (a) Be trained in how to identify cultural material;
 - (b) Have a good understanding of the protocols and processes associated with accidental discoveries;
 - (c) Be available to provide a report post-activity, explaining all excavation and other such activities; and
 - (d) Provide opportunities for cultural monitors to investigate spoil from any site where earthworks or other such activities have occurred.
14. Where an archaeological survey is required to assess the cultural heritage values in an area, the archaeologist must have the mandate of Te Rūnanga o Kaikōura.
15. Any site that fulfils the criteria of the Historic Places Act 1993, whether recorded or not (it just has to be suspected), is protected under the Act. This refers to unexpected sites that may be uncovered during development, even after approval of the overall project has been consented to by tangata whenua.

16. For applications that contain an ADP agreement, and result in no accidental discoveries during the activity, applicants may be required to submit a letter to the Rūnanga post-activity, with a map of area excavated, indicating that no cultural materials were uncovered.
17. The position of Ngāti Kuri with regards to kōiwi tangata is to preserve such remains where possible in an undisturbed state, and that action otherwise is only taken where remains are uncovered by natural processes, or threatened by excavation.
18. Applicants may be required to look to alternatives where sensitive areas are involved.
19. Radar scanning is considered an incomplete method of archaeological assessment, because it only shows anomalies in the ground, and thus may not detect potential wāhi tapu or wāhi taonga.

Table 11: Examples of wāhi taonga and wāhi tapu

Ana	Caves
Ara tawhito	Ancient trails
Kāinga nohoanga	Occupation, settlement sites
Kōiwi tangata	Human bones
Mahinga kai	Food (and other resource) gathering places
Māra	Garden, cultivation
Maunga	Mountains
Midden	Deposit composed of food refuse (shellfish, bones)
Pā tawhito	Ancient pā sites
Repo raupō	Wetlands and swamps
Tauranga waka	Canoe landing sites
Tauranga ika	Fishing grounds
Tūāhu	Sacred alters and other sites of significance
Tuhituhi neherā	Caves used for shelter, rock drawing sites
Urupā	Burial areas
Umu	Earth ovens
Waha awa	River mouth areas
Wāhi ingoa	Place names
Wāhi kaitiaki	Resource indicators from the environment

Wāhi kohātu	Rock formations
Wāhi mahi kohātu	Quarry sites
Wāhi pakanga	Battle sites
Wāhi paripari	Cliff areas
Wāhi pounamu	Greenstone areas
Wāhi raranga	Sources of weaving materials
Wāhi tohu	Markers on the landscape or seascape
Wai Māori	Important freshwater areas
Waipuna	Springs

Trigger questions / wāhi tapu procedures:

- » *What precisely is happening to the land physically and when?*
 - » *Where precisely is the activity going to take place?*
 - » *What area of ground is to be affected by the activity (how deep, how wide)?*
 - » *Are there alternatives, where sensitive areas are involved?*
 - » *Is supervision of the activity required?*
-



3.7.4 Key relationships *Ngā hononga*

3.7.4.1 Historic Places Trust *Pouhere Taonga*

The New Zealand Historic Places Trust (NZHPT) was established by the Historic Places Act 1993 with the responsibility for the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand.

Section 4 (2) (c) of the Act states that in achieving the purpose of the Act, all persons exercising functions and powers under it are to recognise the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga.

Section 10 of the Act states that an authority is required from the NZHPT if there is 'reasonable cause' to suspect that an archaeological site (recorded or unrecorded) may be damaged, modified or destroyed in the course of any activity.

The Trust also has the responsibility to establish and maintain a register of historic places, historic areas and wāhi tapu areas.

Ngā Kaupapa – Policy:

1. The expertise, knowledge and oral traditions of Ngāti Kuri in relation to wāhi tapu and wāhi taonga must be recognised, respected and provided for with regards to management of cultural and historical resources by the Historic Places Trust in the takiwā of Te Rūnanga o Kaikōura.
2. Authorities to modify, damage or destroy archaeological sites in the takiwā of Te Rūnanga o Kaikōura must not be approved without consultation and approval from Te Rūnanga o Kaikōura.
3. To ensure that Te Rūnanga o Kaikōura is provided with the opportunity to contribute to decisions concerning approval of, and conditions placed on, Historic Places Trust archaeological authorities.
4. To maintain and improve opportunities to facilitate the effective participation Te Rūnanga o Kaikōura in Historic Places Trust processes, both at governance and management levels. This includes investigating the potential for appointing a Rūnanga representative to work with the Trust on all matters relating to the takiwā of Te Rūnanga o Kaikōura.
5. To actively work with the Historic Places Trust to improve and update information contained in existing information registers.
6. When Historic Places Trust staff are visiting an archaeological or wāhi tapu site to assess or monitor its condition, they should have the mandate of Te Rūnanga o Kaikōura to do so, and should also ensure that the Rūnanga has the opportunity to have a representative present.

Information Source: New Zealand Historic Places Trust 2004. Heritage Management Guidelines for Resource Management Practitioners. New Zealand Historic Places Trust: Wellington.

NOTE: The New Zealand Historic Places Trust has provided a series New Zealand Archaeological Association Site Record Maps for inclusion in this Iwi Management Plan. These maps are included as Appendix 18 (with specific site information in Appendix 19). The maps identify recorded archaeological sites within the takiwā of Te Rūnanga o Kaikōura. It should be noted that the maps are not a comprehensive representation of all archaeological sites, but rather those recorded by the New Zealand Archaeological Association (NZAA). Te Rūnanga o Kaikōura has retained specific information and knowledge concerning known and unknown sites.

Criteria for archaeological authority applications:

It is an offence under s.99 of the Act to destroy, damage or modify any archaeological site without authorisation from the Historic Places Trust. The Act provides for substantial penalties for unauthorised destruction, damage or modification.

Any proposed activity (e.g. subdivision, forestry operations, mining, road construction, building, landscaping or fencing) that may affect an archaeological site must obtain an archaeological authority from the Historic Places Trust.

Historic Places Trust requires the following information when applying for an archaeological authority.

- » *A description of the activity that will affect the site*
 - » *A description of the archaeological site.*
 - » *An assessment of the archaeological values of the site and the effect of the work on those values.*
 - » *An assessment of any Māori values of the site and the effect of the work on those values.*
 - » *A statement about consultation.*
 - » *The consent of the landowner (if the landowner is not the applicant).*
-

3.7.4.2 New Zealand Archaeological Association

The New Zealand Archaeological Association (NZAA) promotes archaeological research in New Zealand. The Association is active in lobbying Government and Local Government for the protection of New Zealand's cultural heritage.

The NZAA runs a national Site Recording Scheme which contains records of over 59 000 archaeological sites in New Zealand.

Ngā Kaupapa – Policy:

1. The expertise, knowledge and oral traditions of Ngāti Kuri in relation to wāhi tapu and wāhi taonga must be recognised, respected and provided for with regards to New Zealand Archaeological Association activities occurring in the takiwā of Te Rūnanga o Kaikōura.

Wāhi tapu are sites that take us back into the realms of indigenous creation stories.

Jim King, Te Rūnanga o Kaikōura



3.7.4.3 District and regional councils

In achieving the purpose of the Resource Management Act, local authorities shall recognise and provide for the following matters of national importance (s.6):

- (a) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, Wāhi tapu and other taonga
- (b) the protection of historic heritage from inappropriate subdivisions, use and development.

Historic heritage, in the new definition (Resource Management Amendment Act 2003), includes historic sites, structures, places, and areas; archaeological sites; sites of significance to Māori, including wāhi tapu; and surroundings associated with the natural and physical resources.

Responsibilities for managing the adverse effects on historic heritage arise as part of policy and plan preparation, and the resource consent process.

Ngā Kaupapa – Policy:

1. The expertise, knowledge and oral traditions of Ngāti Kuri in relation to wāhi tapu and wāhi taonga must be recognised, respected and provided for by district and regional councils in the takiwā of Te Rūnanga o Kaikōura.
2. To ensure that the protection of wāhi tapu and wāhi taonga areas and sites (land, water and marine based) is recognised and provided for in planning and resource consent processes.
3. To require that district and regional councils communicate and cooperate with regards to the protection of culturally significant sites and places.
4. To ensure that Accidental Discovery Protocols are included as a standard condition on any activities that have potential to disturb significant sites (particularly low risk sites).
5. To ensure that Rūnanga cultural monitoring is included as a standard condition on activities that have a high likelihood to disturb significant sites (high risk areas).
6. Any permitted activity that occurs in or adjacent to a significant site should be made discretionary.
7. To actively work with local authorities to improve and update information contained in existing information registers.

8. To encourage the use and implementation of Heritage Alert Layers, on planning maps (e.g. GIS systems) and building permit document (LIMs PIMs), as a tool to assist local authorities' to identify areas of known archaeological sensitivity and manage archaeological heritage.

3.7.4.4 Department of Conservation *Te Papa Atawhai*

The Department of Conservation has a role in managing natural and historic resources on land it administers, on behalf of and for the benefit of present and future New Zealanders. Historic resources are addressed within the Protocols on the Department of Conservation's Interaction with Ngāi Tahu on Specified Issues (1997). The Protocols acknowledge Ngāi Tahu values associated with wāhi tapu sites and places of historic significance that are managed by the Department, and state that the Department will work to ensure that concessionaires and visitors respect such values. The Protocols also identify the ability to undertake specific projects that promote the identification, inventory and management of historic resources.

Ngā Kaupapa – Policy:

1. The expertise, knowledge and oral traditions of Ngāti Kuri in relation to wāhi tapu and wāhi taonga must be recognised, respected and provided for by the Department of Conservation.
2. To ensure that the protection of wāhi tapu and wāhi taonga areas and sites is recognised and provided for in planning and concession application processes.
3. To ensure that Accidental Discovery Protocols are included as standard conditions on any activities that have potential to disturb significant sites (particularly low risk sites).
4. To ensure that Rūnanga cultural monitoring is included as standard conditions on activities that have a high likelihood to disturb significant sites (high risk areas).
5. To actively work to improve and update information contained in existing information registers.
6. Interpretation and information relating to wāhi tapu and wāhi taonga, including Ngāi Tahu history, values, traditions or beliefs, is not to be provided to any clients as part of any concession activity unless the interpretation and information is agreed to by Te Rūnanga o Kaikōura as being appropriate and accurate.
7. When Department staff are visiting an archaeological or wāhi tapu site to assess or monitor its condition, they should have the mandate of Te Rūnanga o Kaikōura to do so, and should also ensure that the Rūnanga has the opportunity to have a representative present.

3.7.4.5 Transit New Zealand

Transit New Zealand, under the Transit New Zealand Act 1989, has the mandate to operate the state highway system. In fulfilling its mandate of ensuring that state highways are safe and efficient, Transit carries out ongoing protection, maintenance and improvement works.

In the takiwā of Te Rūnanga o Kaikōura, the state highway is largely coastal; running through many areas of cultural and historical importance. Thus, the probability of damaging sites of significance, or unearthing cultural materials or kōiwi tangata, is an important consideration with regards to any proposed maintenance and improvement works. The need to balance road safety with the protection of wāhi tapu and wāhi taonga values has necessitated the development of a working relationship between Transit and Te Rūnanga o Kaikōura.

The Land Transport Management Act 2003 provides amendment to the Transit New Zealand Act 1989. The Act contains provisions to recognise and respect the Crown's responsibility to take appropriate account of the principles of the Treaty of Waitangi and to maintain and improve opportunities for Māori to contribute to land transport decision-making processes (Part 1 Section 4).

Te Rūnanga o Kaikōura policies relating to Transport are provided in section 3.3.7 (Transport) of this Plan. General polices relating to the relationship between Transit and Te Rūnanga o Kaikōura are provided here.

1. The expertise, knowledge and oral traditions of Ngāti Kuri in relation to wāhi tapu and wāhi taonga must be recognised, respected and provided for by Transit New Zealand.
2. To ensure that the protection of wāhi tapu and wāhi taonga areas and sites is recognised and provided for within all Transit New Zealand's activities within the takiwā of Te Rūnanga o Kaikōura.
3. To adopt a precautionary approach for any proposed maintenance or improvement works in the takiwā.
4. In areas of high cultural significance where the need for road safety is seen as paramount, all ways of minimising impact on wāhi tapu and other cultural heritage values must be considered (e.g. filling where possible, as opposed to excavation; archaeologists on site so that no information is lost; Rūnanga monitoring during activity).
5. Any understandings or agreements between Transit New Zealand and the Rūnanga (e.g. policies relating to the potential unearthing of cultural materials or kōiwi tangata) must also be reflected in the work of contractors who are working on the ground.
6. To ensure that Accidental Discovery Protocols are included as standard conditions on any activities that have potential to disturb significant sites (particularly in low risk areas).

7. In areas of high cultural significance (high risk areas), Te Rūnanga o Kaikōura may require that a Rūnanga cultural monitor be present, to monitor all construction work that involves surface clearing or sub-surface excavation, and to record sites or information that may be revealed.

IMPLEMENTING THE PLAN



TE WHAKATINANATANGA

The policies in this Environmental Management Plan are about management. How we implement the plan is about governance.



Part 4: IMPLEMENTING THE PLAN TE WHAKATINANATANGA



This part of the plan describes how Ngāti Kuri values and policies are incorporated into the wider forum of natural resource and environmental management in the takiwā. The focus of this section is relationships between Te Rūnanga o Kaikōura and other agencies, and the tools and methods that are available to facilitate such relationships.

4.1 EFFECTIVE PARTNERSHIPS *NGĀ WHAKAHOATANGA WHAI MANA*

Tangata whenua have a special relationship with the environment, a relationship that is acknowledged by the Crown as an expression of customary rights guaranteed by the Treaty of Waitangi. This relationship is reflected in the Resource Management Act, Conservation Act, and other environmental legislation that recognise and provide for, to varying degrees, the Treaty of Waitangi, kaitiakitanga, and the relationship of tangata whenua with their ancestral lands, waters, sites, wāhi tapu, and other taonga.

Giving effect to the relationship between tangata whenua and the environment is dependent on communication and collaboration between those parties responsible for managing natural and physical resources. Communication and collaboration are fundamental to genuine consultation and effective participation.

For Te Rūnanga o Kaikōura, effective participation is best achieved through establishing partnerships with local authorities and other agencies involved in natural resource management. In recognition of the role of local, regional and national government bodies, and the wider community, in natural resource and environmental management, Te Rūnanga o Kaikōura will pursue the following objective:

To establish and maintain effective partnerships between Te Rūnanga o Kaikōura and local and regional authorities, and other relevant organizations and groups, for the management of the natural, physical and cultural resources of the takiwā.

Effective partnerships mean that tangata whenua are involved in natural resource and environmental management at management and governance levels of decision-making. That is, Ngāti Kuri values and policies should be represented and reflected in regional and district plans and policy statements, on planning committees and decision making boards, and in every day resource consent or concession application management processes.

Effective partnerships are founded in genuine working relationships that improve the nature and extent of tangata whenua participation in environmental management, and thus result in better environmental outcomes. These relationships must be robust enough to be sustained over the long term; even when people come and go, or challenges arise. Thinking long-term and maintaining consistency is key. All parties must respect the knowledge, experience, and skills of the others if effective partnerships are to develop.

Effective relationships only work if they occur across all levels of decision making and management.

Raewyn Solomon, Te Rūnanga o Kaikōura

4.2 WHAT IS CONSULTATION? *HE AHA TĒNEI MEA TE AKAOAKO?*

The leading case on consultation generally is *Wellington International Airport Ltd v. Air New Zealand* (1991) (Court of Appeal). The elements of consultation can be summarised as including, but not limited to the following:²¹

- » Consultation is the statement of a proposal not yet finally decided upon.
- » Consultation includes listening to what others have to say and considering responses.
- » Sufficient time must be allowed and a genuine effort must be made.
- » There must be enough information made available to the party obliged to consult, to enable the consultee to be adequately informed so as to be able to make intelligent and useful responses.
- » The party obliged to consult must remain open minded and be ready to change and even start afresh. However, the party consulting is entitled to have a working plan already in mind.
- » Consultation is an intermediate situation involving meaningful discussion.
- » The party obliged to consult holds meetings, provides relevant information and further information on request, and waits until those being consulted have had a say before making a decision.

²¹ Source: Case Law on RMA Decision Making and Consultation Involving Tangata Whenua

Consultation is not:

- » Merely telling or presenting, or
- » Intended to be a charade, or
- » The same as negotiation, although a result of consultation could be an agreement to negotiate.

Not all issues require extensive consultation. It is the view of Te Rūnanga o Kaikōura that different degrees of consultation and participation are appropriate at different times. However, the nature and extent of involvement should be decided by Te Rūnanga o Kaikōura and not the consulting agency.

4.3 WHO DOES CONSULTATION OCCUR WITH? *ME AKOAKO TAHI KI A WAI?*

The interactions and relationships between Te Rūnanga o Kaikōura and the wider community have shaped the landscape of the takiwā historically, and continue to do so today.

The Rūnanga works with a range of local, regional and national government authorities and other agencies on a diversity of natural resource and environmental management issues (Table 12).

Table 12: Who does consultation occur with?

Agency	Type of consultation and participation
Environment Canterbury	Resource Management Act obligations: resource consents, regional policy statements, regional planning documents
	Local Government Act obligations
	Technical panels (e.g. minimum flows)
Kaikōura District Council	Resource Management Act obligations: resource consents, district planning documents
	Local Government Act obligations
Marlborough District Council	Resource Management Act obligations: resource consents, territorial planning documents and policy statements
	Local Government Act obligations
Hurunui District Council	Resource Management Act obligations: resource consents, district planning documents
	Local Government Act obligations

Agency	Type of consultation and participation
Te Rūnanga o Ngāi Tahu	Joint advocacy
	Collaboration on shared issues
	Support and capacity building
	Technical advice
Other Rūnanga	Shared boundary issues
	Joint advocacy
	Collaboration on shared issues
Department of Conservation	Conservation Act responsibilities
	Concessions and permits
	Historic and cultural resources
	Visitor information
	Coastal management
	National parks policy and planning
	Conservation boards and advisory committees
	Pest control operations
	Joint advocacy with tangata whenua on common objectives (e.g. coastal management issues)
Historic Places Trust	Historic Places Act obligations
	Protection of significant sites
Private landowners Developers General public	Resource Management Act: pre-application consultation, Cultural Impact Assessments
	General enquires about protocol
	Information about tangata whenua
	Protection of significant sites
Fish and Game	Conservation Act responsibilities
	Joint advocacy with tangata whenua on common objectives (e.g. freshwater issues)
	Non voting seat on Fish and Game Council
Ministry of Fisheries	Working relationship with tangata whenua established through Treaty of Waitangi (Fisheries Claim) Settlement Act, South Island Customary Fishing Regulations

Agency	Type of consultation and participation
	Sustainability measures
	Research planning and stock assessment
	Biosecurity
	Marine protection and Fisheries Plans
Ministry for the Environment	Consultation responsibilities outlined under Environment Act, Resource Management Act, Hazardous Substances and New Organisms Act
	National planning and policy statements
	National environmental indicators
Ministry of Agriculture and Forestry	Biosecurity
	National planning and policy statements
Transit New Zealand	Transit New Zealand Act and Land Transport Management Act obligations
	Specific issues: protection of significant sites during transport projects
Crown research institutes (CRIs), universities	Research protocols
	Collection permits
	Collaborative projects
	Information and support
Environmental Risk Management Authority	Applications for hazardous substances, new organisms Specific issues: genetically modified organisms (GMO)

Disclaimer: The information provided in this table is to be used as a general guide only. It is not intended to be a definitive or comprehensive summary of all agencies with whom consultation occurs, or of the kinds of consultation that do occur.

4.4 CONSULTATION POLICY *TE KAUPAPA AKOAKO*

To achieve the objective of effective partnerships in natural resource and environmental management, Te Rūnanga o Kaikōura has developed following consultation policy, outlining the processes and protocols that should guide consultation with the Rūnanga.

- (1) All matters relating to natural resource and environmental management in the takiwā are to be directed to Te Rūnanga o Kaikōura, as the representative body of Ngāti Kuri, the tangata whenua who have manawhenua in the takiwā.
- (2) The Te Rūnanga o Kaikōura Environmental Management Plan 2005 shall provide the basis, but not a substitute, for consultation on natural resource and environmental management.
- (3) The Te Rūnanga o Kaikōura Environmental Management Plan 2005 represents the view of a Treaty partner, and of a stakeholder in the larger community.
- (4) Local, regional and national authorities shall, to the fullest extent possible, recognise and provide for the values, goals, and policy directions outlined in this plan.
- (5) Tangata whenua participation should be clearly visible at all levels of natural resource management planning and decision-making (management and governance).
- (6) Te Rūnanga o Kaikōura will assist external agencies and applicants to determine the nature and extent of consultation required for specific issues.
- (7) Te Rūnanga o Kaikōura encourages early consultation. Consultation at the earliest possible stage in the design and development of proposals, policies or plans can save both time and money. This includes pre-application consultation on resource consent and concession applications.
- (8) Consultation requests must include sufficient information to allow the Rūnanga to gain a comprehensive understanding of the issue, and thus have the ability to make informed decisions.
- (9) Consultation processes must allow for sufficient time to make informed decisions.
- (10) Adequate resourcing for consultation: The value of technical, cultural and other advice provided by the Rūnanga must be recognised and provided for.
- (11) Oral evidence, as part of accumulated knowledge base of Ngāti Kuri, shall be considered equally with written evidence in all consultation processes.
- (12) Outcomes should reflect input: Final decisions and outcomes must be an accurate reflection of the consultation process. Consultation extends beyond asking for opinions.
- (13) Genuine consultation includes a willingness to change, and recognition of differing priorities, concerns and values.

Consultation on Takahanga Marae

Te Rūnanga o Kaikōura encourages consultation to occur at Takahanga Marae. The Marae has traditionally been, and continues to be, the place where formal dialogue can occur. The Marae provides a neutral setting, giving individuals or groups the opportunity to speak and present their perspectives, and for all viewpoints to be acknowledged. The Marae provides an environment where many dialogue processes from different cultures or places can come together as one.

4.5 IMPLEMENTATION TOOLS AND METHODS *NGĀ ARA O TE WHAKATINANATANGA*

There are a range of tools, methods and processes that are used by Te Rūnanga o Kaikōura to facilitate effective participation and partnerships, and the implementation of Rūnanga policies into decision-making processes.

Māori environmental understanding and management ethics should form part of the vision for district and regional planning. Better environmental outcomes can occur through the inclusion of different cultural values. The holistic environmental outlook of Māori in essence incorporates the concept of sustainability: managing the use, development and protection of natural and physical resources in a way that enables communities to provide for their social, economic, and cultural well being, while also safeguarding the life supporting capacity of the air, water, soil, and ecosystems, and sustaining the potential of such resources to meet the needs of future generations.

4.5.1 Local government planning processes

One of the most effective ways to give effect to tangata whenua values in environmental management is to integrate such values into the planning processes of local government. This may include tangata whenua representation on planning committees, involvement in the preparation of district and regional plans or policy statements, submissions on particular issues, or participating in annual business planning meetings to discuss collaborative projects.

Effective participation in local government planning processes means that Rūnanga values and policies should be clearly visible in decision making. For example, when Rūnanga values are included in district and regional plans, they can be included in a “Tangata Whenua Values” chapter or section, but they also must be embedded within operative policies throughout the plan or policy statement.

Often customary values such as kaitiakitanga, mauri, wairua, wāhi tapu and wāhi taonga are recognised in planning documents, but an understanding of how to apply, interpret, and implement such values in operative policy is lacking. Having Rūnanga values well represented and reflected in operative policies means that decision making in relation to managing the use, development, and protection of natural resources reflects the values, issues and aspirations of both local government and tangata whenua, which in turn reduces the workload of the Rūnanga and councils at the management level, such as processing resource consent applications.

4.5.2 Resource consent and concession applications

Te Rūnanga o Kaikōura responds to resource consent applications and concessions applications in the takiwā, through district and regional councils and the Department of Conservation. Participation in such processes allows the Rūnanga to assess proposed activities according to Ngāti Kuri values and policies. The Te Rūnanga o Kaikōura Environmental Management Plan 2005, as a written compilation of policy, provides a tool to effectively and consistently assess applications.

The plan can also assist external agencies to better understand Ngāti Kuri values, concerns, and policies. Councils can use the plan to make an initial assessment of applications, including identifying the kinds of information the Rūnanga may require to assess a particular application, or the kinds of conditions that may be appropriate to minimising adverse effects on cultural values. Further, consent and concession applicants themselves can use the plan while preparing applications, to identify potential concerns, or highlight positive outcomes, early on in the process.

How we respond to resource consent applications is often dependant on provisions within each of the District or Regional Plans, and how well our values are already recognised and provided for within operative policies.



4.5.3 Kanohi ki te kanohi

Kanohi ki te kanohi means “eye to eye” or “face to face” contact, which is the way dialogue has occurred for Māori for generations. Te Rūnanga o Kaikōura encourages those wishing to consult to provide opportunities to meet in person, including site visits, field trips, hui or informal meetings. The Rūnanga also encourages the use of Takahanga Marae as a place where dialogue can occur (see Consultation on Takahanga Marae, above). Kanohi ki te kanohi consultation is a positive way of disseminating information, and is often the most effective way of exchanging ideas, resolving conflict or mediating between differences of values.

4.5.4 NTCSA / Deed of Settlement implementation

In 1998 the Ngāi Tahu Claims Settlement Act was passed to achieve full and final settlement of historical Ngāi Tahu Claims against the Crown. The Deed of Settlement and NTCSA, amongst other things, established taonga species, tōpuni, statutory acknowledgements and nohoanga site provisions, recognising the special association of Ngāi Tahu with specific areas and species. Such provisions aim to improve the effectiveness of Ngāi Tahu participation in natural resource and environmental management, specifically building on Part II of the Resource Management Act. The provisions provide for Ngāi Tahu input into decision-making processes of Crown agencies responsible for managing identified areas of cultural, historical, spiritual and traditional significance to Ngāi Tahu.

4.5.5 Memorandum of Understanding

Memoranda of Understanding are statements of intent. They establish and define the nature and extent of a working relationship between two or more parties. Te Rūnanga o Kaikōura encourages the establishment of Memorandum of Understanding (or similar Protocols) with external agencies; to improve relationships and facilitate effective participation in specific natural resource management related activities and processes.

Memorandum of Understanding can be used to help implement the Te Rūnanga o Kaikōura Environmental Management Plan 2005. They can establish standard procedures and agreed terms between Rūnanga and regional or district councils, on issues such as affected party status on resource consent applications, or consultation triggers.

4.5.6 Cultural Impact Assessments

A Cultural Impact Assessment (CIA) report is a professionally prepared assessment of the potential impacts of a given activity on resources and values of importance to tangata whenua. Such reports document Rūnanga values associated with an area, and provide appropriate measures to avoid, remedy or mitigate any adverse effects on those values.

CIA reports are an effective means of providing cultural and technical input, mainly with respect to resource consent applications under the Resource Management Act. Such reports should form part of a resource consent application's Assessment of Environmental Effects (AEE). Reports may be requested by an applicant or developer, as part of pre-resource consent consultation. Alternatively, Te Rūnanga o Kaikōura may advise an applicant or developer that a CIA is needed.

A cultural impact assessment may be required when:

- » An in-office assessment cannot be made: the cultural values associated with the site or in relation to the proposal are not easily assessed, or are unknown;
- » The proposed activity is either on, adjacent to or will impact upon a site or species of cultural importance, or within an area of cultural significance;
- » The size and scale of the proposed activity is such that multiple values or multiple effects need to be considered;
- » The proposal is considered to have significant impacts on tangata whenua values.

Cultural Value Reports (CVR) are similar to CIA reports; but are focused on providing information on the nature and extent of cultural interests in a given area, as opposed to assessing impacts of a specific proposal.

4.5.7 Technical panels, advisory groups and boards

Te Rūnanga o Kaikōura policies and perspectives may also be implemented through representation on technical panels, boards and advisory groups. Examples include Environment Canterbury minimum flow review technical panels, or the Department of Conservation species recovery groups (as part of Ngāi Tahu Claims Settlement Act implementation). Representation on, and participation in, such panels, boards or groups allows Ngāti Kuri to advocate for tangata whenua interests.

4.5.8 Wānanga

Increasing awareness and capacity building are key themes for Te Rūnanga o Kaikōura with regards to methods and tools for implementing Rūnanga policy. One of the best ways to ensure that tangata whenua values are reflected in planning processes is to ensure that natural resource managers and users are aware of, and knowledgeable about, cultural values and Rūnanga policies. Wānanga are one method to increase the awareness and capacity of external agencies.

Te Rūnanga o Kaikōura holds regular wānanga on Takahanga Marae, keeping with established traditions of the marae as a place of education. Such wānanga include archaeological wānanga, to assist developers and the contractors working for them to understand tangata whenua values and perspectives with regards to the management of sites of significance, Section 4 Conservation Act training wānanga, and also general cultural values wānanga for local government.

4.5.9 Joint advocacy

Joint advocacy can also be used to implementing the policies in this plan. Joint advocacy allows the Rūnanga to work with other agencies towards supporting or achieving common objectives, and is characterised by information sharing, communication and collaboration.

Resource Management Act advocacy

Ngāi Tahu and the Department of Conservation often have similar concerns about the effects of activities managed under the Resource Management Act. Particular issues of mutual concern are those activities that are affecting wetlands, riparian management, freshwater fish habitat, water quality management and protection of historic resources. Ngāi Tahu and the Department will often share information and expertise, in order to advocate for issues of mutual interest. This kind of joint advocacy improves the effectiveness of both parties.

4.5.10 Joint management

Joint management, or co-management, is about effective partnerships for natural resource conservation, use and management. It is an approach that involves the sharing of management power and responsibility between those stakeholders that have a vested interest in a particular resource or area.

For Te Rūnanga o Kaikōura, joint management is reflective of a high level of meaningful participation. Where the capacity exists, the Rūnanga considers joint management an effective method for managing particular areas or places of significance. Under the NTCSA, provisions such as Tōpuni may provide a basis for joint management in areas managed by the Department of Conservation.

An example of joint management in the takiwā of Te Rūnanga o Kaikōura is the development of an integrated community based Coastal Management Strategy for Kaikōura. The Rūnanga is actively working with the Department of Conservation and other fisheries stakeholders, to develop a strategy to protect and enhance customary, commercial, recreational and community fisheries. Many of the Rūnanga's governing policies in this Environmental Management Plan will be implemented through the Coastal Management Strategy.

The RMA now provides a framework for public authorities and iwi authorities (or groups that represent hapū for RMA purposes) to enter into joint management agreements about natural or physical resources (s. 36B-E). The framework is aimed at encouraging collaborative projects and partnerships.

4.5.11 State of the takiwā environmental monitoring

Environmental monitoring, using Ngāti Kuri values, is very important to Te Rūnanga o Kaikōura. Culturally based environmental monitoring can be used to assess and report on the cultural health of natural resources and the environment in the takiwā. Such monitoring, in conjunction with other tools such as indicators, resource inventories, GIS information databases, or the Cultural Health Index,²² can provide practical means to ensure that cultural values are given effect to in contemporary resource management systems.

In its most simple form, State of the Takiwā is about the gathering of information on the health, or mauri, of the environment within the takiwā, and turning the information collected into databases and reports to help inform (and monitor) policy and planning.²³ Such a system provides Rūnanga with baseline of environmental information that can then be used to monitor the performance of resource management agencies with regards to specific environmental outcomes. State of the Takiwā monitoring and reporting is one part of a larger bundle of Ki Uta Ki Tai – Mountains to the Sea Natural Resource Management tools being developed by Ngāi Tahu, including resource inventories and GIS information databases.

4.5.12 Local expert participation

Ngāti Kuri values relating to natural resources can also be given effect to through providing opportunities for local expert participation. For example, the Rūnanga encourages research institutions and government agencies to undertake collaborative research and monitoring projects that use both Mātauranga Māori, or traditional knowledge, and mainstream science. Local expert participation may also be in the form of cultural monitoring (see below).

4.5.13 Rūnanga cultural monitoring

Rūnanga cultural monitoring is a method used by Te Rūnanga o Kaikōura as part of protecting and managing cultural heritage resources in the takiwā, including wāhi tapu. The Rūnanga may require that certain activities involving surface clearing or sub-surface excavation have a cultural monitor on site, particularly in areas where the risk of modifying, damaging or destroying archaeological sites or wāhi tapu is high.

Cultural monitors allow the Rūnanga to be proactive in ensuring that all precautions are taken to protect sites of cultural significance.

²² See Tipa, G. and Teirney, L. 2003

²³ Scoping document prepared by Kaupapa Taiao for ngā Papatipu Rūnanga, 2004

4.6 MONITORING AND REVIEW *TE AROTURUKI ME TE AROTAKE*

The Te Rūnanga o Kaikōura Environmental Management Plan 2005 sets out the parameters for ensuring the protection of the natural environment and cultural heritage of Ngāti Kuri, while promoting the sustainable use of natural resources.

Te Poha a Tohu Raumati is a living, working document that will continue to evolve and grow as Rūnanga capacities increase and policy development continues. Monitoring and review of the Plan's use and effectiveness will be a key kaupapa for Te Rūnanga o Kaikōura over the next five years. This includes monitoring how the plan's effectiveness with regards to ensuring that Rūnanga values and policies are reflected in the policy and planning activities of local, regional and territorial authorities.

Section 1.10 identified ngā hua, a series of outcomes relating to what Te Rūnanga o Kaikōura wants to achieve through the development and use of this plan. These outcomes provide the benchmark against which our progress can be monitored and reviewed over time.

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Appendix 1: Provisions relating to Māori in various environmental and other legislation ¹

Legislation	Tangata whenua provisions
Wildlife Act 1953 Reserves Act 1977 Marine Mammals Protection Act 1987	<p>Section 4 of the Conservation Act 1987 states that the Act shall be interpreted and administered as to give effect to the principles of the Treaty of Waitangi. This then applies to all Conservation Management Strategies and Management Plans and Strategies.</p> <p>Section 4 applies to all legislation that is administered by the Department of Conservation, including the Wildlife Act 1953 and Reserves Act unless such legislation expressly provides otherwise. Case law has determined that the Marine Mammals Protection Act 1978 should be interpreted and administered in accordance with s. 4 as well.</p>
Hazardous Substances and New Organisms Act 1996	<p>Section 6 (d) provides for taking into account the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga.</p> <p>Section 8 states that all persons exercising powers and functions under the Act shall take into account the principles of the Treaty of Waitangi.</p>
Crown Minerals Act 1991	Section 4 states that all persons exercising powers and functions under the Act shall take into account the principles of the Treaty of Waitangi.
Crown Pastoral Land Act 1998	Section 25 (1) (b) states that during a tenure review process, the Commissioner must take into account the Treaty of Waitangi.
Fisheries Act 1996	<p>Section 5 (b) provides that the Act be interpreted in a manner consistent with the provisions of the Treaty of Waitangi (fisheries claims) Settlement Act 1992.</p> <p>Section 12 provides for consultation with Māori, and for the input and participation of tangata whenua with regards to specific activities included in the Act.</p>
Biosecurity Act 1993	Section 73 (1) (a) requires that regional council consult with tangata whenua when preparing regional pest management strategies.

¹ This is a list of additional legislation, to complement section section 2.4. This list is neither comprehensive nor authoritative.

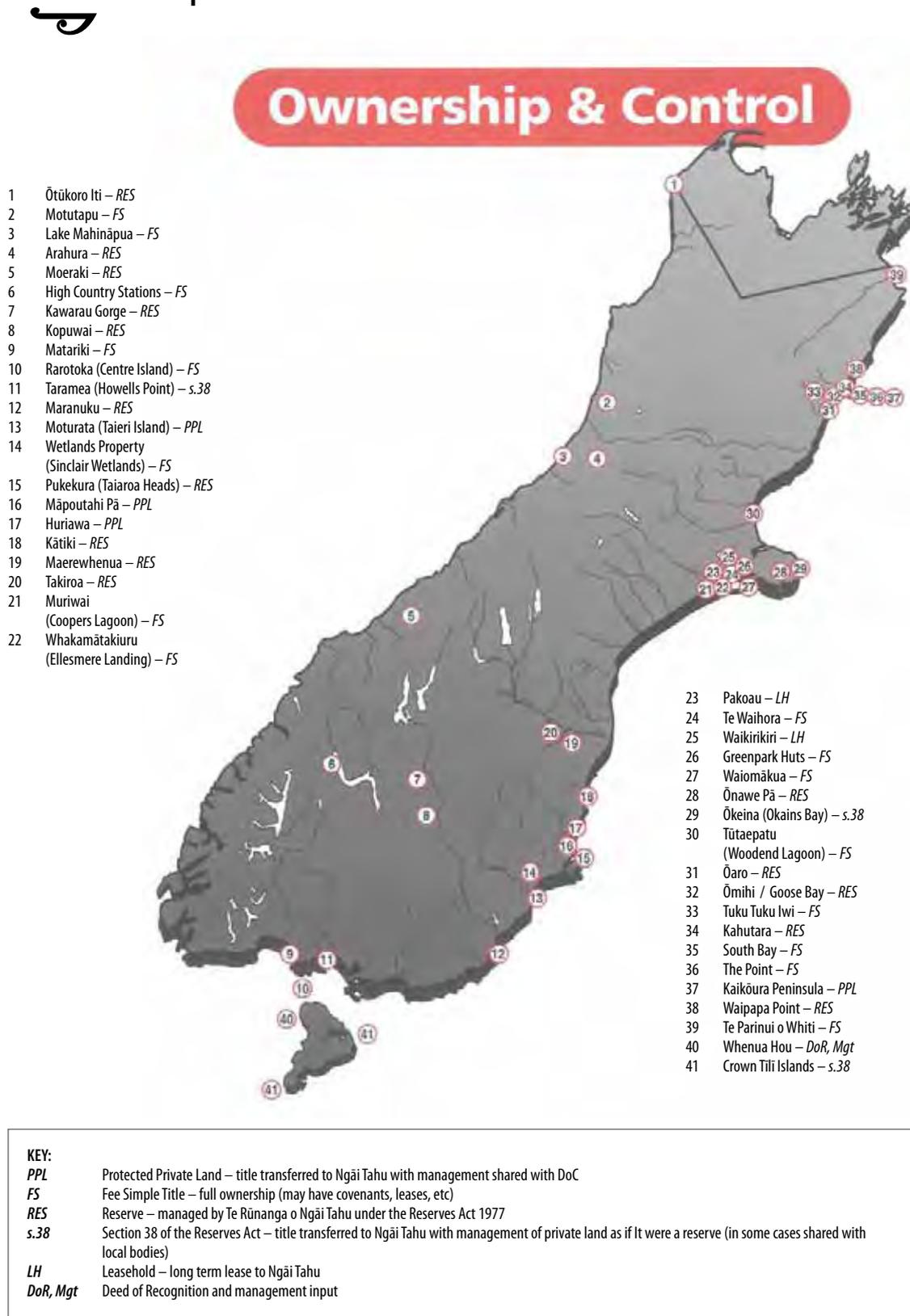
Legislation	Tangata whenua provisions
Environment Act 1986	The purpose of the Act is to (c) ensure that, in the management of natural and physical resources, full and balanced account is taken of (iii) the principles of the Treaty of Waitangi. Section 17 (c) states that regard is to be given to those matters which are part of the heritage of tangata whenua or which contribute to their well being.
Transit New Zealand Act 1989	Section 60 provides for consultation with iwi or hapū that may be affected by a transport project.
Land Transport Management Act 2003	Section 4 of the Act states that in order to recognise and respect the Crown's responsibility to take appropriate account of the principles of the Treaty of Waitangi, and to maintain and improve opportunities for Māori to contribute to land transport decision-making processes, certain sections of the Act provide principles and requirements which are intended to facilitate participation by Māori in land transport decision-making processes.
Building Act 2004	The Act links to the Historic Places Act through Project Information Memoranda (PIMs) and building consent processes. Territorial authorities have a responsibility under the certain (e.g. sections 39) to notify the Trust of receipt of a building consent or PIM relating to an entry in the Register, including wāhi tapu sites.

Appendix 2: Te Rūnanga o Ngāi Tahu: Principles Guiding Approaches to Honouring the Treaty of Waitangi

Principles of a Te Rūnanga o Ngāi Tahu Treaty framework, as approved January 2002:

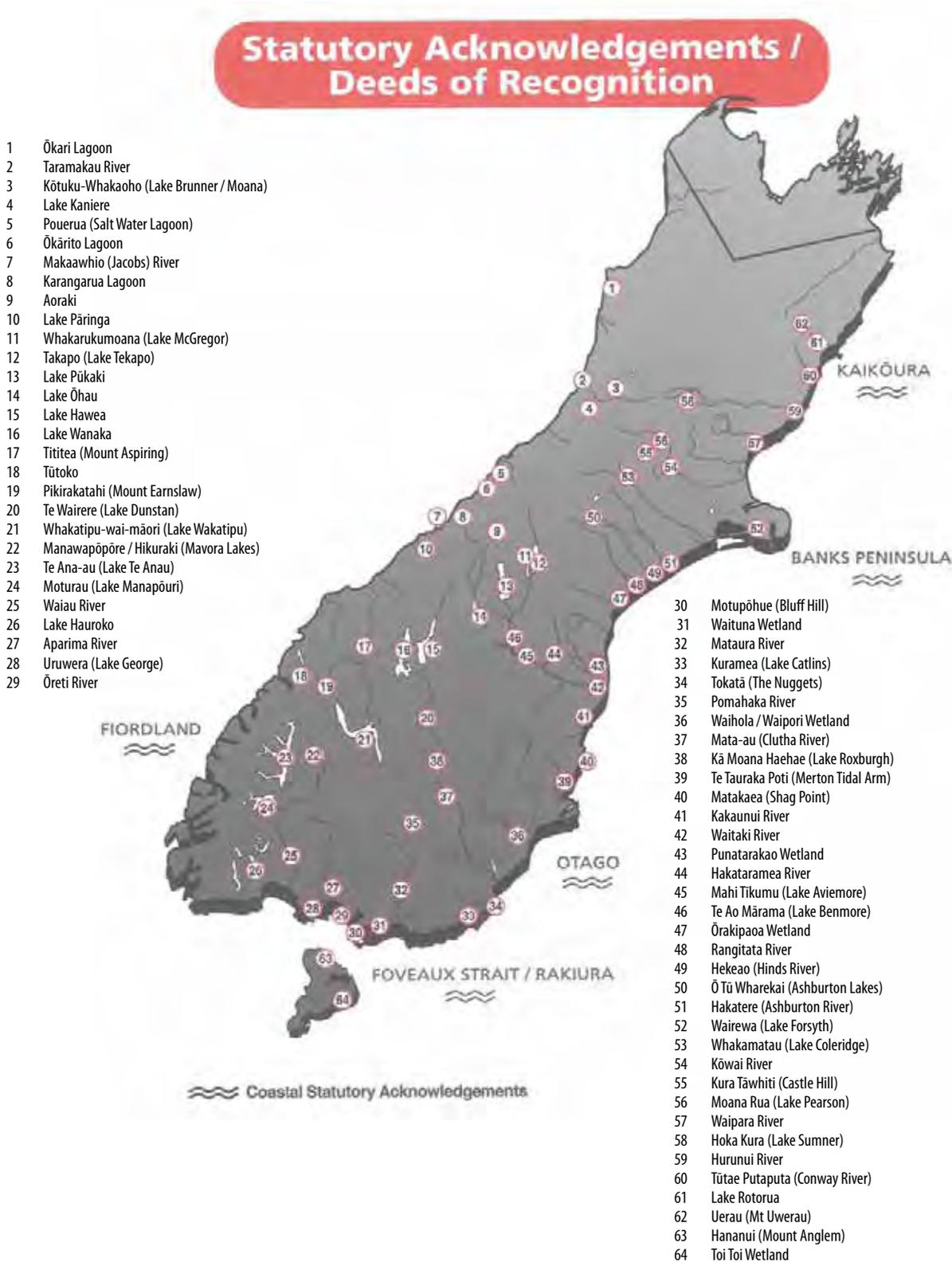
1. The Treaty of Waitangi was signed between Ngāi Tahu Whānui and the Crown in 1840 at Akaroa (May 30), Ruapuke Island (June 9,10) and Ōtākou (June 13). Ngāi Tahu Whānui is, and was at the time of the signing of the Treaty, the Tangata whenua within the boundaries as confirmed in Te Rūnanga o Ngāi Tahu Act 1996. (Ngāi Tahu Claims Settlement Act 1998).
2. Te Rūnanga o Ngāi Tahu recognises the Crown's right and responsibility to provide good government and to make law on behalf of all citizens of New Zealand and to protect all customary rights, aboriginal title and other rights inherent in the rangitiratanga of Ngāi Tahu Whānui (Article I & II Treaty of Waitangi).
3. The Crown exercises Kāwanatanga in a manner which actively protects Ngāi Tahu rangitiratanga and mana over the land within its boundaries, as confirmed in Te Rūnanga o Ngāi Tahu Act 1996, and further recognises Ngāi Tahu Whānui as tangata whenua within the takiwā of Ngāi Tahu Whānui. (Article II Treaty of Waitangi, Ngāi Tahu Claims Settlement Act 1998).
4. The Crown recognises Ngāi Tahu as the sole Treaty partner within the takiwā of Ngāi Tahu Whānui.
5. The Crown recognises Te Rūnanga o Ngāi Tahu as the representative of Ngāi Tahu Whānui on all matters an where any enactment requires consultation with respect to matters affecting Ngāi Tahu Whānui that consultation shall be held with Te Rūnanga o Ngāi Tahu. (Te Rūnanga o Ngāi Tahu Act 1996).
6. Te Rūnanga o Ngāi Tahu acknowledges that they are bound by section 15.3 (a) of the Te Rūnanga o Ngāi Tahu Act 1996 to consult with papatipu rūnanga.
7. Individual members of Ngāi Tahu Whānui have a right to expect equitable access to the benefits and services provided to all New Zealand citizens by the Government of New Zealand via social and public policy. (Article I & III of the Treaty of Waitangi).
8. Te Rūnanga o Ngāi Tahu seeks to hold the Crown/ Government to exemplary standards of administration and leadership.
9. It is expected that the Crown/ Government will also hold Te Rūnanga o Ngāi Tahu to its obligations as the Treaty partner.

Appendix 3: Ownership and Control²



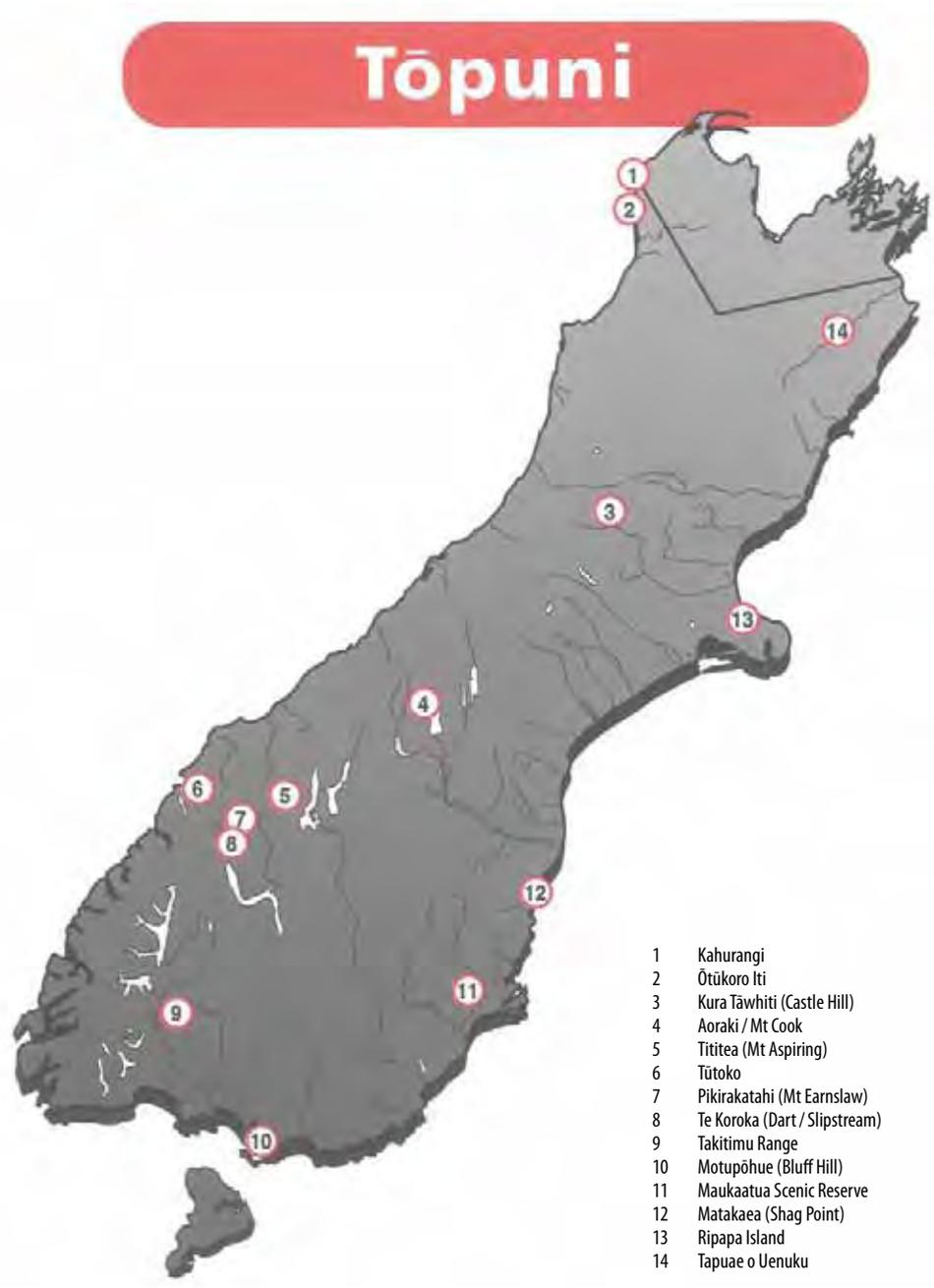
² Source: Te Karaka Special Edition: Crown Settlement Offer, November 1998.

Appendix 4: Statutory Acknowledgements / Deeds of Recognition ³



³ Source: Te Karaka Special Edition: Crown Settlement Offer, November 1998

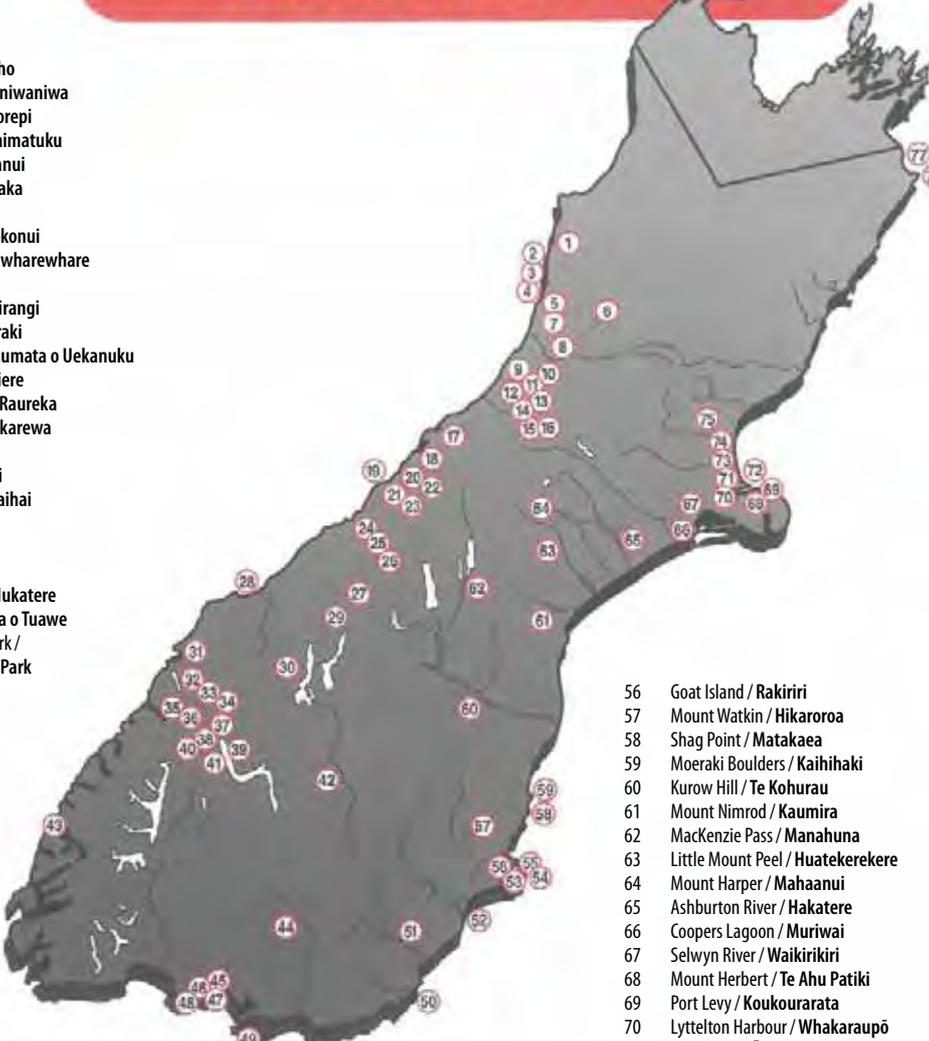
Appendix 5:
Tōpuni⁴



4 Source: Te Karaka Special Edition: Crown Settlement Offer, November 1998

Appendix 6: Place names⁵

Place Names

- 
- 1 Cave Creek / **Kotihitiho**
 2 Ten Mile Creek / **Waianiwaniwa**
 3 Nine Mile Creek / **Kotorepi**
 4 Seven Mile Creek / **Waimatuku**
 5 Grey River / **Māwheranui**
 6 Refuge Island / **Takataka**
 7 New River / **Kaimata**
 8 Greenstone River / **Hokonui**
 9 Mahināpua Creek / **Tūwharewhare**
 10 Island Hill / **Tumuaki**
 11 Rocky Point / **Tauotikirangi**
 12 The Doughboy / **Kokiraki**
 13 Mount Upright / **Te Taumata o Uekanuku**
 14 Mount Harman / **Kaniere**
 15 Browning Pass / **Noti Raureka**
 16 Lake Browning / **Whakarewa**
 17 Lake lanthe / **Matahi**
 18 Alpine Lake/ **Ata Puai**
 19 Gillespies Point / **Kōhiahai**
 20 Franz Joseph / **Waiau**
 21 Cook River / **Weheka**
 22 Franz Joseph Glacier / **Kā Roimata o Hine Hukatere**
 23 Fox Glacier / **Te Moeka o Tuawe**
 24 Westland National Park / **Tai Poutini National Park**
 25 **Aoraki / Mount Cook**
- 26 **Aoraki / Mount Cook Village**
 27 Southern Alps / **Kā Tiritiri o te Moana**
 28 Jackson Bay / **Okahu**
 29 Haast Pass / **Tioripatea**
 30 Mount Aspiring / **Tititea**
 31 Mount McKenzie / **Pakihiwitahi**
 32 Lake McKerrow / **Whakatipu Waitai**
 33 Lake Alabaster / **Wāwāhi Waka**
 34 Mount Earnslaw / **Pikirakatahi**
 35 Milford Sound / **Piopirotahi**
 36 Harris Saddle / **Tarahaka Whakatipu**
 37 Mount Alfred / **Ari**
 38 Dart River / **Te Awa Whakatipu**
 39 Pigeon Island / **Wāwāhi Waka**
 40 Hollyford River / **Whakatipu Kā Tuka**
 41 Pig Island / **Mātau**
 42 Old Man Range / **Kopuwai**
 43 Doubtful Sound / **Patea**
- 44 Ships Cone / **Ōtaupiri**
 45 Riverton / **Aparima**
 46 Colac Bay / **Ōraka**
 47 Howells Point / **Taramea**
 48 Colac / **Ōraka**
 49 Bluff Hill / **Motupōhue**
 50 Leaning Rock / **Haehaeata**
 51 Clutha River / **Mata-Au**
 52 Taieri Island / **Moturata**
 53 Quarantine Island / **Kamaa Taurua**
 54 Mount Charles / **Poatiri**
 55 **Whareakeake** (formerly Murdering Beach)
- 56 Goat Island / **Rakiriri**
 57 Mount Watkin / **Hikaroroa**
 58 Shag Point / **Matakaea**
 59 Moeraki Boulders / **Kaihihaki**
 60 Kurow Hill / **Te Kohurau**
 61 Mount Nimrod / **Kaumira**
 62 MacKenzie Pass / **Manahuna**
 63 Little Mount Peel / **Huatekerekerere**
 64 Mount Harper / **Mahaanui**
 65 Ashburton River / **Hakatere**
 66 Coopers Lagoon / **Muriwai**
 67 Selwyn River / **Waikirikiri**
 68 Mount Herbert / **Te Ahu Patiki**
 69 Port Levy / **Koukourarata**
 70 Lyttelton Harbour / **Whakaraupō**
 71 Avon River / **Ōtakaro**
 72 Heathcote Estuary / **Ihutai**
 73 Cam River / **Ruataniwha**
 74 Ashley River / **Rakahuri**
 75 Mount Grey / **Maukatere**
 76 Lake Grassmere / **Kapara Te Hau**
 77 White Bluffs / **Te Parinui o Whiti**
 78 Mount Anglem / **Hananui**
 79 Port William / **Potirepo**
 80 Paterson Inlet / **Whaka a Te Wera**
 81 Stewart Island / **Rakiura**
 82 East Cape / **Koromere**
 83 Lords River / **Tutaekawetoweto**
 84 Port Pegasus / **Pikihaiti**
 85 South West Cape / **Puhiwaero**
 86 South Cape / **Whiore**
 87 Campbell Island / **Motu Ihupuku**
 88 Snares Islands / **Tini Heke**

⁵ Source: Te Karaka Special Edition: Crown Settlement Offer. November 1998

Appendix 7: Nohoanga⁶

Nohoanga



OTAGO

- 21 Waianakarua River
- 22 Taieri River x 3
- 23 Te Wairere (Lake Dunstan)
- 24 Mata-au (Clutha River) x 3
- 25 Shotover River x 2
- 26 Lake Wanaka x 2
- 27 Lake Hawea x 4
- 28 Whakatipu-wai-māori (Lake Wakatipu)

SOUTHLAND

- 29 Waikawa River
- 30 Ōreti River
- 31 Mataura River
- 32 Mavora Lakes
- 33 Te Ana-au x 2
- 34 Moturau
- 35 Waikaia River
- 36 Waiau River x 3

WEST COAST

- 37 Cascade River
- 38 Waiatoto Lagoon x 2
- 39 Ōkuru River
- 40 Waita River / Māori Lake
- 41 Mahitahi River
- 42 Karangarua River
- 43 Ōkārito Lagoon and River
- 44 Lake Kanieri
- 45 Kōtuku Whakaoho (Lake Brunner / Moana)
- 46 Mikonui River x 2
- 47 Taramakau River
- 48 Lake Haupiti
- 49 Punakaiki River
- 50 Pororari River
- 51 Lady Lake

⁶ Source: Te Karaka Special Edition: Crown Settlement Offer, November 1998

Appendix 8: Taonga species

“Taonga species” means the species of birds, plants, and animals described in Schedule 97 of the NTCSA1998.

Birds

Name in Māori	Name in English	Scientific name
Hoiho	Yellow-eyed penguin	<i>Megadyptes antipodes</i>
Kāhu	Australasian harrier	<i>Circus approximans</i>
Kākā	South Island kaka	<i>Nestor meridionalis meridionalis</i>
Kākāpō	Kākāpō	<i>Strigops habroptilus</i>
Kākāriki	New Zealand parakeet	<i>Cyanoramphus spp.</i>
Kakaruai	South Island robin	<i>Petroica australis australis</i>
Kakī	Black stilt	<i>Himantopus novaeseelandiae</i>
Kāmana	Crested grebe	<i>Podiceps cristatus</i>
Kārearea	New Zealand falcon	<i>Falco novaeseelandiae</i>
Karoro	Black-backed gull	<i>Larus dominicanus</i>
Kea	Kea	<i>Nestor notabilis</i>
Kōau	Black shag	<i>Phalacrocorax carbo</i>
	Pied shag	<i>Phalacrocorax varius</i>
	Little shag	<i>Phalacrocorax varius melanoleucos brevirostris</i>
Koekoeā	Long-tailed cuckoo	<i>Eudynamis taitensis</i>
Kōparapara / Korimako	Bellbird	<i>Anthornis melanura melanura</i>
Kororā	Blue Penguin	<i>Eudyptula minor</i>
Kōtare	Kingfisher	<i>Halcyon sancta</i>
Kōtuku	White heron	<i>Egretta alba</i>
Kōwhiowhio	Blue duck	<i>Hymenolaimus malacorhynchos</i>
Kūaka	Bar-tailed godwit	<i>Limosa lapponica</i>
Kūkupa / Kererū	New Zealand wood pigeon	<i>Hemiphaga novaeseelandiae</i>
Kuruwhengu / Kuruwhengi	New Zealand shoveller	<i>Anas rhynchotis</i>
Mātā	Fernbird	<i>Bowdleria punctata punctata</i>
		<i>Bowdleria punctata stewartiana</i>
		<i>Bowdleria punctata wilsoni</i>
		<i>Bowdleria punctata candata</i>
Matuku moana	Reef heron	<i>Egretta sacra</i>
Miromiro	South Island tomtit	<i>Petroica macrocephala macrocephala</i>
Miromiro	Snares Island tomtit	<i>Petroica macrocephala dannefaerdi</i>
Mohua	Yellowhead	<i>Mohoua ochrocephala</i>
Pākura / Pūkeko	Swamp hen / Pūkeko	<i>Porphyrio porphyrio</i>
Pārera	Grey duck	<i>Anas superciliosa</i>

Name in Māori	Name in English	Scientific name
Pateke	Brown teal	<i>Anas aucklandica</i>
Pihoihoi	New Zealand pipit	<i>Anthus novaeseelandiae</i>
Pipīwharau	Shining cuckoo	<i>Chrysococcyx lucidus</i>
Piwakawaka	South Island fantail	<i>Rhipidura fuliginosa fuliginosa</i>
Poaka	Pied stilt	<i>Himantopus himantopus</i>
Pokotiwha	Snares crested penguin	<i>Eudyptes robustus</i>
Pūtakitaki	Paradise shelduck	<i>Tadorna variegata</i>
Riroriro	Grey warbler	<i>Gerygone igata</i>
Roroa	Great spotted kiwi	<i>Apteryx haastii</i>
Rowi	Okarito brown kiwi	<i>Apteryx mantelli</i>
Ruru koukou	Morepork	<i>Ninox novaeseelandiae</i>
Takahē	Takahē	<i>Porphyrio mantelli</i>
Tara	Terns	<i>Sterna spp.</i>
Tawaki	Fiordland crested penguin	<i>Eudyptes pachyrhynchus</i>
Tete	Grey teal	<i>Anas gracilis</i>
Tieke	South Island saddleback	<i>Philesturnus carunculatus carunculatus</i>
Titi	Sooty shearwater	<i>Puffinus griseus</i>
	Muttonbird / Hutton's shearwater	<i>Puffinus huttoni</i>
	Common diving petrel	<i>Pelecanoides urinatrix</i>
	South Georgian diving petrel	<i>Pelecanoides georgicus</i>
	Westland petrel	<i>Procellaria westlandica</i>
	Fairy prion	<i>Pachyptila turtur</i>
	Broad-billed prion	<i>Pachyptila vittata</i>
	White-faced storm petrel	<i>Pelagodroma marina</i>
	Cook's petrel	<i>Pterodroma cookii</i>
	Mottled petrel	<i>Pterodroma inexpectata</i>
Tītīpounamu	South Island rifleman	<i>Acanthisitta chloris chloris</i>
Tokoeka	South Island brown kiwi	<i>Apteryx australis</i>
Toroa	Albatrosses and Molywawks	<i>Diomedea spp.</i>
Toutouwai	Stewart Island robin	<i>Petroica australis rakiura</i>
Tūi	Tūi	<i>Prothemadera novaeseelandiae</i>
Tutukiwi	Snares Island snipe	<i>Coenocorypha aucklandica huegeli</i>
Weka	Western weka	<i>Gallirallus australis australis</i>
Weka	Stewart Island weka	<i>Gallirallus australis scotti</i>
Weka	Buff weka	<i>Gallirallus australis hectori</i>

Plants

Name in Māori	Name in English	Scientific name
Akatorotoro	White rata	<i>Metrosideros perforata</i>
Aruhe	Fernroot (bracken)	<i>Pteridium aquilinum</i> var. <i>esculentum</i>
Harakeke	Flax	<i>Phormium tenax</i>
Horoeka	Lancewood	<i>Pseudopanax crassifolius</i>
Houhi	Mountain ribbonwood	<i>Hoheria lyalli</i> and <i>H. glabata</i>
Kahikatea	Kahikatea / White pine	<i>Dacrycarpus dacrydioides</i>
Kāmahi	Kāmahi	<i>Weinmannia racemosa</i>
Kānuka	Kānuka	<i>Kunzia ericoides</i>
Kāpuka	Broadleaf	<i>Griselinia littoralis</i>
Karaeopirita	Supplejack	<i>Ripogonum scandens</i>
Karaka	New Zealand laurel / Karaka	<i>Corynocarpus laevigata</i>
Karamū	Coprosma	<i>Coprosma robusta</i> <i>coprosma lucida</i> <i>coprosma foetidissima</i>
Kātote	Tree fern	<i>Cyathea smithii</i>
Kiekie	Kiekie	<i>Freycinetia baueriana</i> subsp. <i>banksii</i>
Kōhia	NZ Passionfruit	<i>Passiflora tetrandra</i>
Korokio	Korokio Wire-netting bush	<i>Corokia cotoneaster</i>
Koromiko / Kōkōmuka	Koromiko	<i>Hebe salicifolia</i>
Kōtukutuku	Tree fuchsia	<i>Fuchsia excorticata</i>
Kōwhai Kōhai	Kowhai	<i>Sophora microphylla</i>
Mamaku	Tree fern	<i>Cyathea medullaris</i>
Mānia	Sedge	<i>Carex flagellifera</i>
Mānuka / Kahikātoa	Tea-tree	<i>Leptospermum scoparium</i>
Māpou	Red matipo	<i>Myrsine australis</i>
Mataī	Matai / Black pine	<i>Prumnopitys taxifolia</i>
Miro	Miro / Brown pine	<i>Podocarpus ferrugineus</i>
Ngaio	Ngaio	<i>Myoporum laetum</i>
Nikau	New Zealand palm	<i>Rhopalostylis sapida</i>
Pānako	(Species of fern)	<i>Asplenium obtusatum</i>
Pānako	(Species of fern)	<i>Botrychium australe</i> and <i>B. biforme</i>
Pātōtara	Dwarf mingimingi	<i>Leucopogon fraseri</i>
Pīngao	Pīngao	<i>Desmoschoenus spiralis</i>
Pōkākā	Pokaka	<i>Elaeocarpus hookerianus</i>
Ponga / Poka	Tree fern	<i>Cyathea dealbata</i>
Rātā	Southern rata	<i>Metrosideros umbellata</i>
Raupō	Bulrush	<i>Typha angustifolia</i>
Rautāwhiri / Kōhūhū	Black matipo / Mapou	<i>Pittosporum tenuifolium</i>
Rimu	Rimu / Red pine	<i>Dacrydium cypressinum</i>
Rimurapa	Bull kelp	<i>Durvillaea antarctica</i>
Taramea	Speargrass, spaniard	<i>Aciphylla</i> spp.
Tarata	Lemonwood	<i>Pittosporum eugenioides</i>
Tawai	Beech	<i>Nothofagus</i> spp.
Tētēaweka	Muttonbird scrub	<i>Olearia angustifolia</i>

Name in Māori	Name in English	Scientific name
Tirākau / TīKōuka	Cabbage tree	<i>Cordyline australis</i>
Tikumu	Mountain daisy	<i>Celmisia spectabilis</i>
		<i>Celmisia semicordata</i>
Tītoki	New Zealand ash	<i>Alectryon excelsus</i>
Toatoa	Mountain Toatoa, Celery pine	<i>Phyllocladus alpinus</i>
Toetoe	Toetoe	<i>Cortaderia richardii</i>
Tōtara	Tōtara	<i>Podocarpus totara</i>
Tutu	Tutu	<i>Coriaria spp.</i>
Wharariki	Mountain flax	<i>Phormium cookianum</i>
Whinau	Hinau	<i>Elaeocarpus dentatus</i>
Wī	Silver tussock	<i>Poa cita</i>
Wīwī	Rushes	<i>Juncus all indigenous Juncus spp. and J. maritimus</i>

Marine mammals

Name in Māori	Name in English	Scientific name
Ihupuku	Southern elephant seal	<i>Mirounga leonina</i>
Kekeno	New Zealand fur seals	<i>Arctocephalus forsteri</i>
Paikea	Humpback whales	<i>Megaptera novaeangliae</i>
Parāoa	Sperm whale	<i>Physeter macrocephalus</i>
Rāpoka / Whakahao	New Zealand sea lion / Hooker's sea lion	<i>Phocarctos hookeri</i>
Tohorā	Southern right whale	<i>Balaena australis</i>

Taonga fish species

Name in Māori	Name in English	Scientific name
Kāeo	Sea tulip	<i>Pyura pachydermatum</i>
Koeke	Common shrimp	<i>Palaemon affinis</i>
Kōkopu / Hawai	Giant bully	<i>Gobiomorphus gobioides</i>
Kōwaro	Canterbury mudfish	<i>Neochanna burrowsius</i>
Paraki / Ngaiore	Common smelt	<i>Retropinna retropinna</i>
Piripiripōhatu	Torrent fish	<i>Cheimarrichthys fosteri</i>
Taiwharu	Giant kokopu	<i>Galaxias argenteus</i>

Shellfish species

Name in Māori	Name in English	Scientific name
Pipi / Kakāhi	Pipi	<i>Paphies australe</i>
Tuaki	Cockle	<i>Austrovenus stutchburgi</i>
Tuaki / Hākiari	Surfclam	<i>Dosinia anus</i> ,
Kuhakuha / Pūrimu		<i>Paphies donacina</i>
		<i>Mactra discor</i>
		<i>Mactra murchsoni</i>
		<i>Spisula aequilateralis</i>
		<i>Basina yatei</i>
		or <i>Dosinia subrosa</i>
Tuatua	Tuatua	<i>Paphies subtriangulata</i>
		<i>Paphies donacina</i>
Waikaka / Pūpū	Mudsnail	<i>Amphibola crenata</i>
		<i>Turbo smaragdus</i>
		<i>Zedilom spp.</i>

Appendix 9: Tōpuni for Tapuae o Uenuku

Schedule 90 Ngāi Tahu Claims Settlement Act 1998

Description of Area

The area over which the Tōpuni is created is the area known as Tapuae o Uenuku as shown on Allocation Plan MS 100 (S.O. 7317).

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 Tapuae o Uenuku, as set out below.

Ngāi Tahu Values Relating to Tapuae o Uenuku

The name Tapuae o Uenuku refers to the sacred footsteps of Uenuku. Uenuku was one of the principal Ngāi Tahu atua (gods), who is represented as a rainbow. Uenuku is often found in tribal traditions as a tupuna (ancestor) who instigates migration from Hawaiiki to New Zealand. According to the traditions of Kaikōura Ngāi Tahu, Uenuku cursed his son, Ruatapu, for an infringement on his tapu. The curse referred to the fact that Ruatapu's mother was of lowly origins, so that his younger brother, Paikea, was in fact his senior because of his mother's superior descent lines, Ruatapu's response was to attempt to kill all of the leading sons of the chiefs of Hawaiiki, including Paikea. Ruatapu took all of the sons out in a waka (canoe), then set about killing them with a spear. Paikea survived by diving overboard and swimming away. He was rescued by a whale and brought to New Zealand, where he eventually settled at Whangarā, on the East Coast of the North Island. There he coupled with a woman called Te Waiaruatūatai, who bore him Tahu Potiki, who went on to become the founding ancestor of Ngāi Tahu.

As well as being a reminder of the traditions of Paikea and Tahu Potiki, the mountain Tapuae o Uenuku is a manifestation of the tupuna Uenuku. Uenuku was more than just a human ancestor, he was an atua and thus is also seen manifested in the rainbow.

In another Ngāi Tahu tradition, Uenuku is portrayed as one of the survivors of the Arai Te Uru waka which foundered at Moeraki, on the north Otago coast. These survivors are now manifested as the Southern Alps. Uenuku continued further north where he too eventually turned to stone on the spot where the maunga (mountain) Tapuae o Uenuku now stands. Thus, when Ngāi Tahu refer to the old people's hair turning grey, they are speaking of the snow which caps the Southern Alps, including Tapuae o Uenuku.

These physical and enduring manifestations of tūpuna represent the links between the cosmological world of the gods and present generations. Creation stories and whakapapa recall links of fifty or more generations from the time of Hawaiiki Pacific migrations. These traditional histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te WaiPounamu and Ngāi Tahu as an iwi. They are frequently woven around major landscape features.

In Ngāi Tahu oratory, Tapuae o Uenuku is likened to an overarching portal which must be crossed by all visitors from the North Island. For this reason, visitors to the takiwā of Ngāi Tahu are welcomed as 'Ngā Tapuae o Uenuku' – those whose feet have been made sacred by passing beneath Uenuku.

The mauri of Tapuae o Uenuku 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 Tapuae o Uenuku.

Appendix 10: Ngāi Tahu Standard Conditions (NTSC) for Concessions

Ngāi Tahu Standard Conditions (NTSC) for Concessions

Ngāi Tahu Standard Conditions For:

- Recreation / Tourism Concessions
- Filming Concessions
- Marine Mammal Permits
- Mining Arrangements

Prepared by Ngāi Tahu and the Department of Conservation

Aim

The purpose of these conditions is to avoid, remedy and / or mitigate any impact that concession operations may have on the cultural, historical and spiritual values of Ngāi Tahu. The standard conditions are considered necessary to:

- Minimise the time and effort that the Department and Ngāi Tahu need to spend on each concession application.
- Minimise the cost and time to applicants.
- To ensure that even if Ngāi Tahu does not respond to each application their main generic interests will still be represented.
- To ensure workable and consistent conditions across the rohe / conservancy.
- To give affect to the Ngāi Tahu Claims Settlement Act 1998

Application Schedules from Permissions

The application of these conditions, consulting with Ngāi Tahu and rūnanga on applications and providing regular schedules on what applications we are processing are all vital components in maintaining Ngāi Tahu's confidence in our concession system. Each conservancy must apply these conditions and continue to send rūnanga the schedules of the applications that we process from the Permissions System. These schedules shall be sent out at least every six months.

All Concessions including one-off permits, except filming within the Ngāi Tahu rohe.

NTSC 1 The Concessionaire is requested to consult the relevant Papatipu Rūnanga (as set out below) if they wish to use Ngāi Tahu cultural information. If the concessionaire wishes to use the Tōpuni or statutory acknowledgement information contained in schedules 14-108 of the Ngāi Tahu Claims Settlement Act 1998, or any Department produced interpretative material in respect to Ngāi Tahu cultural information, they are requested to notify the relevant Papatipu Rūnanga, as a matter of courtesy.

Tōpuni Conditions NTSC 2 – 4 Apply to all concessions within Tōpuni areas including one-off and filming permits. These conditions are in addition to the special activity conditions listed separately e.g. filming permits and NTSC 1.

NTSC 2 The Concessionaire and any persons employed by the Concessionaire are requested to recognise and provide for Ngāi Tahu values in the conduct of their activities. In particular, the cultural significance of [insert relevant Tōpuni names] Tōpuni and its Tōpuni status, should be explained to the clients of the Concessionaire.

NTSC 3 The Concessionaire and their staff should note that, to Ngāi Tahu – (apply appropriate Tōpuni condition)

Aoraki; Tapuae o Uenuku; Tititea; Tūtoko

Standing on the very top of (Aoraki; Tapuae o Uenuku; Tititea; Tūtoko delete those that do not apply) Tōpuni it is like standing on the head of one of Ngāi Tahu's tūpuna (sacred ancestors) and denigrates its tapu status.

Kura Tāwhiti

Climbing the rock outcrops at Kura Tāwhiti denigrates their tapu status and may damage or destroy rock art remnants

Ripapa Island

Eating food on the Island denigrates its tapu status.

Motupōhue (Bluff Hill)

Picnicking should only take place in designated areas as there are urupā in the reserve which are tapu to Ngāi Tahu

Matakaea (Shag Point)

Picnicking should only take place in designated areas as there are urupā in the reserve which are tapu to Ngāi Tahu

Ōtūkoro Iti

Camping in the area denigrates its tapu status

NTSC 4 The Concessionaire shall, as far as practicable, attend any workshops held by the Department of Conservation for the purpose of providing information to concessionaires, which will include the Ngāi Tahu values associated with Tōpuni areas.

Note: Discretion should be used with respect to the application of this condition i.e. it may not be appropriate to include this condition for one-off filming permits for example.

Fishing Guides NTSC 5-7 Does not include whitebait or eels (whitebait are covered by fisheries regulations and eels are covered by the quota management system)

- NTSC 5** The concessionaire is requested not to target any indigenous fish species and is requested to release immediately any indigenous fish species that are caught.
- NTSC 6** If fish are killed the Concessionaire shall dispose of any fish waste well away from any water bodies.

For Otago Conservancy only:-

- NTSC 7** The Concessionaire is not permitted to operate in the Dart River Special Protected Area

Filming NTSC 8 – 9 Applies to all filming. For filming within the Tōpuni or featuring the Tōpuni landmark (e.g. Aoraki) and when filming is on DOC managed land, see NTSC 2-4 and all other Tōpuni conditions as well.

- NTSC 8** The Concessionaire is requested not to portray any Ngāi Tahu spiritual, cultural, historical, or traditional association in the film without first consulting Te Rūnanga o Ngāi Tahu and the relevant Papatipu Rūnanga.
- NTSC 9** Where filming is undertaken in a Tōpuni area the Concessionaire is requested to provide an acknowledgement in the film credits (where these exist) that...
- (a) “xxxxxx Tōpuni is a highly significant site for the tribe of Ngāi Tahu”,
- OR
- Where filming has been undertaken on conservation lands within the Ngāi Tahu rohe, especially in an area known to be significant, the Concessionaire is requested to provide an acknowledgement in the film credits (where these exist) that:
- (b) “Some of the filming was undertaken in the tribal area of Ngāi Tahu”.
- NTSC 10** Where there is any portrayal of Ngāi Tahu spiritual, cultural, historical or traditional association a VHS copy of all relevant film footage pertaining to the filming shall be sent by the Concessionaire to the Public Affairs Manager, Te Rūnanga o Ngāi Tahu, PO Box 13-046, Christchurch. Te Rūnanga o Ngāi Tahu understands that the copyright is held with the film producers but Te Rūnanga o Ngāi Tahu may negotiate with the film producer to use the material for non-commercial purposes and if so would request a copy on Beta.

Pounamu (concessions within pounamu areas)

- NTSC 11** The Concessionaire acknowledges that pounamu is under the ownership of Te Rūnanga o Ngāi Tahu pursuant to the Ngāi Tahu (Pounamu Vesting) Act 1997. No pounamu may be removed or recovered by the Concessionaire or their employees/clients. Where any pounamu is found by the Concessionaire, they are requested to immediately notify the Pounamu Management Officer of Te Rūnanga o Ngāi Tahu, Bill Doland, Te Rūnanga o Ngāi Tahu, P O Box 90, Keogan Rd, Hokitika.
- NTSC 12** The Concessionaire is requested to ensure that any interpretation provided to its clients on Ngāi Tahu historical, spiritual, or cultural association with pounamu or any pounamu area is entirely consistent with the Ngāi Tahu Pounamu Resource Management Plan or any Department produced interpretative material. The Concessionaire should notify the relevant Papatipu Rūnanga if they are using the above information, as a matter of courtesy.
- NTSC 13** Where the Concessionaire wishes to provide clients with information not contained in these sources, which relate to Ngāi Tahu historical, spiritual or cultural association with pounamu or any pounamu area, then the Concessionaire is requested to consult with the local Papatipu Rūnanga before using any other information to ensure such information is both appropriate and accurate.
- Note: The Department of Conservation will provide the Concessionaire with the contact details of the relevant Papatipu Rūnanga, in relation to this clause.

Access Arrangements for Mining Permits NTSC 11 For West Coast Conservancy (and Otago and Southland potentially)

- NTSC 14** The permit holder acknowledges that pounamu is reserved to Te Rūnanga o Ngāi Tahu pursuant to the Ngāi Tahu (Pounamu Vesting) Act 1997. No pounamu may be removed or recovered by the permit holder from the Land unless a written arrangement is first entered into with Te Rūnanga o Ngāi Tahu.
- Where any pounamu is found by the permit holder on or under the land during the course of operations the permit holder will forthwith notify the Pounamu Protection Officer, Bill Doland, Te Rūnanga o Ngāi Tahu, P O Box 90, Keogan Rd, Hokitika.

Marine Mammals Viewing / Swimming NTSC 12 – 13 Applies to all marine mammals permits

- NTSC 15** The Permittee is encouraged to use both the English and Ngāi Tahu names of marine mammals species in their advertising and publication material.
- NTSC 16** The Permittee is requested to consult the relevant Papatipu Rūnanga if they wish to use Ngāi Tahu cultural information.

STANDARD CONDITIONS IN EVERY CONCESSION OR PERMIT

The following are a list of conditions that Ngāi Tahu wished to include in the Ngāi Tahu Standard Conditions (NTSC). These have not been included as NTSC's as they are legally required to be in every concession. They are:

Concessions

1. *“17.2 If in the opinion of the Grantor the activities of the Concessionaire, its employees, clients or invitees are having or may have an adverse effect on the environment and the Grantor is of the opinion that the effect, including cultural effects, can be avoided, remedied or mitigated to an extent satisfactory to the Grantor, the Grantor may suspend this Concession until the Concessionaire remedies, avoids or mitigates the adverse impact to the satisfaction of the Grantor.”*
2. *“13 Except as approved in writing by the Grantor the Concessionaire will not, whether by act or omission:*
 - (a) *deposit on the Site debris, rubbish or other dangerous or unsightly matter, or contaminate any water body on the Site;*
 - (b) *bury any toilet waste within 50 metres of any water source and;*
 - (c) *bury any animal or fish carcass, offal and / or by-products within 50 metres of any water body, waterway or watercourse or public access way.*

Marine Mammal Watching / Swimming Permits

3. This Permit may at any time be amended, suspended or revoked, in accordance with the provisions of regulation 13 of the Marine Mammals Protection Regulations 1992.

Appendix 11: Statutory Acknowledgement for Mount Uwerau

Schedule 67 Ngāi Tahu Claims Settlement Act 1998

Statutory Area

The statutory area to which this statutory acknowledgement applies is the area known as Uerau (Mount Uwerau), as shown on Allocation Plan MS 101 (S.O. 7318).

Preamble

Under Section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic, and traditional association to Uerau, as set out below.

Ngāi Tahu Association with Uerau

The name Uwerau should properly be spelt Uerau, which is the name of an important Ngāi Tahu tupuna (ancestor) with Ngāti Mamoe descent lines. In particular, those descent lines lead down to Tura, a principle tupuna for Ngāti Mamoe, Ngāti Wairaki and Rapuwai – all of which are constituents of the iwi known today as Ngāi Tahu. For Ngāi Tahu, such placing of tūpuna names on significant landscape features serves as a reminder of tribal identity and solidarity, and continuity between generations, and documents events that have shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

As with all principal maunga (mountains), Uerau is imbued with the spiritual elements of Raki and Papa, in traditions and practice regarded as an important link to the primeval parents. Like the rest of the mountains this region, Uerau is closely connected with the Arai Te Uru tradition, which tells that many of the mountains of the Southern Alps and Kaikōura ranges were the manifestations of the survivors of the Arai Te Uru waka (canoe) which foundered at Moeraki, on the north Otago coast.

This area was used by Ngāi Tahu as a mahinga kai (food gathering place) where birds, particularly tītī (muttonbirds) were harvested. The tūpuna had considerable knowledge of such places for gathering kai and other taonga, ways in which to use the resources of the land, the relationship of people with the land and their dependence on it, and tikanga for the proper and sustainable utilization of resources. All of these values remain important to Ngāi Tahu today.

There are a number of urupā (burial places) in this area unique to the descendants of Tura. Urupā are the resting places of Ngāi Tahu tūpuna, and are frequently protected by secret locations.

The Kāti Kurī hapū of Ngāi Tahu has manawhenua (tribal authority over land) and carries the responsibilities of kaitiaki in relation to the area. The hapū is represented by the tribal structure, Te Rūnanga o Ngāi Tahu.

The mauri of Uerau 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 land.

Purposes of Statutory Acknowledgement

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

- (a) To require that consent authorities forward summaries of resource consents applications to Te Rūnanga o Ngāi 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 acknowledgment in relation to Uerau, 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 Uerau 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 Rūnanga o Ngāi Tahu and any member of Ngai Tahu Whanui to cite this statutory acknowledgement as evidence of the association of Ngai Tahu to Uerau as provided in section 208 (clause 12.2.5 of the deed of settlement).

Limitations on Statutory Acknowledgment

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

- (a) This statutory acknowledgment 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 any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu's association to Uerau (as described in the 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 Uerau.

Except as expressly provided in this Act, this statutory acknowledgment 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 acknowledgment 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, Uerau.

Appendix 12: Statutory Acknowledgement for Lake Rotorua

Schedule 35 Ngāi Tahu Claims Settlement Act 1998

Description of Area

The statutory area to which this statutory acknowledgment applies is the lake known as Rotorua, the location of which is shown on Allocation Plan MD 43 (S.O. 7327).

Preamble

Under section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu cultural, spiritual, historic and traditional association of Rotorua, as set out below.

Ngāi Tahu Association with Rotorua

Rotorua is one of the lakes referred to in the tradition of 'Ngā Puna Wai Karikari o Rakaihautu' which tells of how the principle lakes of Te Waipounamu were dug by the rangatira Rakaihautu. Rakaihautu was the captain of the canoe Uruao, which brought the Waitaha tribe to New Zealand. According to the tradition, Rakaihautu beached his canoe at Whakatu (Nelson). From there, he divided the new arrivals in two, with his son taking one party to explore the coastline southwards. Rakaihautu also went south, but took an inland route.

On his journey inland, Rakaihautu used his famous ko to dig what are now the principle lakes of Te Waipounamu. Those included Whakamatau (Coleridge), Rotorua, Pūkaki, Ōhau, Wanaka, Takapo and Hawea. All of these lakes were used by Ngāi Tahu as mahinga kai and sites of occupation.

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.

Rotorua was used as a mahinga kai by Ngāi Tahu as well as the earlier tribes such as Ngāti Tumatakokiri and Ngāti Wairaki. The main foods taken from this area were waterfowl and eel.

The tūpuna had considerable knowledge of places for gathering kai and other taonga, ways in which to use the resources of the lake, the relationship of people with the lake and their dependence of it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

The mauri of Rotorua represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of ten natural environments 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 lake.

Purposes of Statutory Acknowledgement

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

- (e) To require that consent authorities forward summaries of resource consents applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and
- (f) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgment in relation to Rotorua, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and
- (g) To empower the Minister responsible for management of Rotorua 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
- (h) To enable Te Rūnanga o Ngāi Tahu and any member of Ngai Tahu Whanui to cite this statutory acknowledgement as evidence of the association of Ngai Tahu to Rotorua as provided in section 208 (clause 12.2.5 of the deed of settlement).

Limitations on Statutory Acknowledgment

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

- (a) This statutory acknowledgment 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 any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu's association to Rotorua (as described in the 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 Uerau.

Except as expressly provided in this Act, this statutory acknowledgment 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 acknowledgment 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, Rotorua.

Appendix 13: Statutory Acknowledgement for Tūtae Putaputa

Schedule 65 Ngāi Tahu Claims Settlement Act 1998

Statutory Area

The statutory area to which this statutory acknowledgement applies is the area known as Tūtae Putaputa (Conway River), the location of which is shown on Allocation Plan MD 109 (S.O. 7328 (Marlborough Land District) and S.O. 19906 (Canterbury Land District).

Preamble

Under Section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic, and traditional association to Tūtae Putaputa, as set out below.

Ngāi Tahu Association with the Tūtae Putaputa (Conway River)

This river, and the mahinga kai which it provided, fell under the mana of the Ngāti Wairaki chief Rakatuarua until Ngāi Tahu gained manawhenua (tribal authority over the area) by way of the Ngāti Kuri hapū.

The tūpuna has 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, and the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilization of resources. All of these values remain important to Ngāi Tahu today.

The resources of the river once supported a nearby pā built by the Ngāti Mamoe leader, Tukiauu. Tukiauu eventually abandoned this pā for another site just south of Dunedin.

There are numerous urupā and wāhi tapu associated with the river, particularly in the vicinity of the pā, Pariwhakatau. Urupā are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. Urupā and wāhi tapu are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected by secret locations.

The mauri of Tūtae Putaputa 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 river.

Purposes of Statutory Acknowledgement

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

- (i) To require that consent authorities forward summaries of resource consents applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and
- (j) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgment in relation to Tūtae Putaputa, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and
- (k) To empower the Minister responsible for management of Tūtae Putaputa 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
- (l) To enable Te Rūnanga o Ngāi Tahu and any member of Ngai Tahu Whanui to cite this statutory acknowledgement as evidence of the association of Ngai Tahu to Tūtae Putaputa as provided in section 208 (clause 12.2.5 of the deed of settlement).

Limitations on Statutory Acknowledgment

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

- (a) This statutory acknowledgment 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 any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu's association to Tūtae Putaputa (as described in the 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 Tūtae Putaputa.

Except as expressly provided in this Act, this statutory acknowledgment 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 acknowledgment 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, Tūtae Putaputa.

Appendix 14: Statutory Acknowledgement for the Hurunui River

Schedule 21 Ngāi Tahu Claims Settlement Act 1998

Statutory Area

The statutory area to which this statutory acknowledgement applies is the river known as Hurunui, the location of which is shown on Allocation Plan MD 112 (S.O. 19848).

Preamble

Under Section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic, and traditional association to the Hurunui River, as set out below.

Ngāi Tahu Association with the Hurunui River

The Hurunui River once provided an important mahinga kai resource for Ngāi Tahu, although those resources are now in a modified and depleted condition. Traditionally, the river was particularly known for its tuna (eel) and inaka (whitebait).

The tūpuna 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 Hurunui, 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 Ngāi Tahu today.

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

The mauri of the Hurunui 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 river.

Purposes of Statutory Acknowledgement

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

- (m) To require that consent authorities forward summaries of resource consents applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and

- (n) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgment in relation to the Hurunui River, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and
- (o) To empower the Minister responsible for management of the Hurunui 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
- (p) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to the Hurunui River as provided in section 208 (clause 12.2.5 of the deed of settlement).

Limitations on Statutory Acknowledgment

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

- (a) This statutory acknowledgment 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 any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu's association to the Hurunui River (as described in the 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 Hurunui River.

Except as expressly provided in this Act, this statutory acknowledgment 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 acknowledgment 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 Hurunui River.

Appendix 15: Statutory Acknowledgement for Hoka Kura (Lake Sumner)

Schedule 20 Ngāi Tahu Claims Settlement Act 1998

Statutory Area

The statutory area to which this statutory acknowledgement applies is the lake known as Hoka Kura (Lake Sumner), the location of which is shown on Allocation Plan MD 127 (S.O. 19854).

Preamble

Under Section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic, and traditional association to Hoka Kura, as set out below.

Ngāi Tahu Association with Hoka Kura

Hoka Kura is one of the lakes referred to in the tradition of 'Ngā Puna Wai Karikari o Rakaihautu' which tells how the principal lakes of Te Wai Pounamu were dug by the rangatira (chief) Rakaihautu. Rakaihautu was the captain of the canoe, Uruao, which brought the tribe, Waitaha, to New Zealand. Rakaihautu beached his canoe at Whakatū (Nelson). From Whakatū, Rakaihautu divided the new arrivals in two, with his son taking one party to explore the coastline southwards and Rakaihautu taking another southwards by an inland route. On his inland journey southward, Rakaihautu used his famous kō (a tool similar to a spade) to dig the principal lakes of Te Wai Pounamu, including Hoka Kura. The origins of the name 'Hoka Kura' have now been lost, although it is likely that it refers to one of the descendants of Rakaihautu.

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.

Hoka Kura was used as a mahinga kai by North Canterbury Ngāi Tahu. The tūpuna had considerable knowledge of whakapapa, traditional trails, places for gathering kai and other taonga, ways in which to use the resources of the lake, the relationship of people with the lake and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

The mahinga kai values of the lake were particularly important to Ngāi Tahu parties traveling to Te Tai Poutini (the West Coast). The lake 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 lake.

There are a number of urupā and wāhi tapu in this region. Urupā are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. Urupā and wāhi tapu are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected by secret locations.

The mauri of Hoka Kura 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 lake.

Purposes of Statutory Acknowledgement

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

- (q) To require that consent authorities forward summaries of resource consents applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and
- (r) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgment in relation to Hoka Kura, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and
- (s) To empower the Minister responsible for management of Hoka Kura 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
- (t) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgment as evidence of the association of Ngāi Tahu to Hoka Kura as provided in section 208 (clause 12.2.5 of the deed of settlement).

Limitations on Statutory Acknowledgment

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

- (a) This statutory acknowledgment 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 any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu's association to Hoka Kura (as described in the statutory acknowledgment) than that person or entity would give under the relevant statute, regulation or bylaw, if this statutory acknowledgment did not exist in respect of the Hoka Kura.

Except as expressly provided in this Act, this statutory acknowledgment 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 acknowledgment 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 Hoka Kura.

Appendix 16: Māori Indicators for Wetland Health

Indicator	Examples	What to measure / assess
Positive indicators of wetland condition	Harakeke, raupō, tī kōuka, carex, kanuka /manuka, plants for weaving, medicinal plants, watercress	<ul style="list-style-type: none"> » Extent and quantity of native species » Diversity » Obtainable yield from plants such as harakeke » Ratio of native plants vs exotic species » Health of plants
Fish / Animals	Tuna, koura, koaro, kokupu, kaakahi, pipi, flounder, karoro	<ul style="list-style-type: none"> » Size, condition (colour, texture, taste), abundance of various native species » Percentage of area that is suitable habitat » Present fishing grounds vs historical fishing grounds
Birds	Pukeko, tui, kererū, weka, shags, parera	<ul style="list-style-type: none"> » Observations of birds » Bird calls » Ratio of native birds vs exotic species » Sound (intensity) of native birds in a given time frame
Negative indicators of wetland condition	Grey willow, crack willow, gorse, blackberry, pinus radiata, pondweed, water buttercup, banana passionfruit	<ul style="list-style-type: none"> » Ratio of native plants vs exotic species » Areas of natural habitats affected » Extent of invasion » Type of exotic species present » Mahinga kai areas affected by exotic plants
Fish / Animals	Catfish, trout, koi carp, possums, goats, rats, stoats, ferrets, cattle, horses	<ul style="list-style-type: none"> » Number type and quantity of exotic species » Density of exotic species » Ratio of native vs exotic species » Affect on native habitats » Cost of pest control » Frequency / observation of exotic animals in a given time frame
Micro – organisms	Cryptosporidium, giardia, other protozoa, bacteria, viruses	<ul style="list-style-type: none"> » Numbers and quantity present, » Illnesses associated with micro organisms

Indicator	Examples	What to measure / assess
Indicators that provide an assessment of te mauri (ecosystem health)	Te mauri Mauri (life force) of the wetland, degree of naturalness, degree of modification	<ul style="list-style-type: none"> » Presence and absence of culturally important species » Spiritual association with wetland » Access to wetland for tangata whenua » Contamination levels and contamination sources » Closeness to natural water levels » How far has the wetland system moved away from original Maori values? » Odour and water temperature » Are there problems eating kai from the wetland? » Nearness of industrial sites and landfills » Degree of livestock access » Ratio of exotic species vs native species » Land use activities in the catchment » Land use practices adjacent to the wetland
Water quality	Clarity, taste, feel	<ul style="list-style-type: none"> » Māori water quality classifications » Observations of water clarity and water colour » Observed or measured sediment load » Observed or measured pollution / contaminants, » Water taste and feel of water » Frequency of floods » Is there mixing of waters? » Use of tangata whenua indicator species associated with water quality
Mahinga kai	Plant species used for weaving Plant species used for food Plant species used for medicine Customary fish species	<ul style="list-style-type: none"> » Area of the wetland that is considered healthy for mahinga kai » Number of people with access to the area for mahinga kai purposes » Number of people using the area for mahinga kai » Amount of kai and other resources collected from the wetland in a given time frame » Observation and collection of quality fish and plants.

Indicator	Examples	What to measure / assess
Community wellbeing/human health	Health illnesses Psychological illnesses	<ul style="list-style-type: none"> » Number of people from the marae who collect kai or other resources from the wetland, » Reported sicknesses » Number of people with concerns about health of mahinga kai » Number of culturally significant species at risk from pollution, sediment or contaminants
Cultural heritage indicators	Significant sites and places, wāhi taonga, wāhi tapu	<ul style="list-style-type: none"> » Extent of significant sites associated with wetland » Extent of modification or destruction of sites » Number of sites affected by human activity (including drainage and subdivision) » Number of sites recorded in district or regional plans » The degree to which Maori names are used » Type and degree of protection to protect taonga wetlands

This table is based on: Harmsworth, G. 2002: Coordinated Monitoring of New Zealand Wetlands, Phase Two, Goal 2: Māori environmental performance indicators for wetland condition and trend. Landcare Research Report: LC 0102/099, Landcare Research, New Zealand.

Appendix 17: Sample Accidental Discovery Protocol (ADP)

KŌIWI TĀNGATA AND ACCIDENTAL DISCOVERY PROTOCOL

Purpose

The purpose of the 'Kōiwi Tāngata and Accidental Discovery Protocol' is:

- » To manage and protect the integrity of 'known' and 'unknown' archaeological and rock art sites from damage and loss.
- » To maximize the opportunity to retrieve physical and archaeological evidence from disturbed sites.
- » To obtain quality information on the lives, activities, food and resource use, trails and campsites of resource use, trails and campsites of Ngāi Tahu ancestors from archaeological sites.
- » To ensure Te Rūnanga o Kaikōura is happy with the management if any kōiwi tāngata is discovered.

Definition

"Archaeological site" means any place in New Zealand that –

- (a) Either –
 - (i) Was associated with human activity that occurred before 1900; or
 - (ii) Is the site of the wreck of any vessel where that wreck occurred before 1900;
- and
- (b) is or may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand" (Historic Places Act 1993).

Process for Discovery of Archaeological Sites

The applicant shall consult with Te Rūnanga o Kaikōura to determine, in accordance with Tikanga Māori, if there are any matters of protocol which tangata whenua wish to undertake in relation to the commencement of any development works, significant events or the commissioning of completed works.

In the event of any discovery of suspected cultural remains (e.g. shells, charcoal or charcoal-stained soil, fire-fractured stone, or bones) the contractor / workman shall take the following action:

1. Cease all works immediately.
2. Advise the site supervisor of a find.
3. The site supervisor shall contact an appointed expert to advise on the significance of the find.
4. If the 'expert' believes the find is of potential significance to Ngāi Tahu, 'contact person (s)' from Te Rūnanga o Kaikōura must be advised.
5. The Historic Places Trust must be advised in all cases (not that it is an offence under section 99 of the HPA 1993 to modify, damage or destroy an archaeological site without the prior authority of the New Zealand Historic Places Trust).

In cases of wāhi taonga and wāhi tapu

- » The appointed expert and site supervisor will consult with the nominated Te Rūnanga o Kaikōura representatives to determine further actions to avoid, reduce, remedy or mitigate any damage to wāhi taonga and wāhi tapu.
- » The applicant shall consult with Te Rūnanga o Kaikōura on any matters of protocol, which they may wish to undertake in relation to the find and prior to the commencement of any investigation.
- » The applicant shall consult with the Historic Places Trust for advice of any requirements under the HPT 1993.

In cases of suspected Kōiwi Tāngata

- » The site supervisor shall take steps to immediately stop work, shut down all machinery or activity, and secure the area to ensure that the remains are not touched.
- » The applicant shall notify the nominated Te Rūnanga o Kaikōura representatives and the police.
- » The applicant shall consult with the Historic Places Trust for advice of any requirements under the HPT 1993.
- » The site supervisor must ensure that staff is available to meet and guide Police (note that the Coroners Act applies), Kaumatua, and Historic Places staff to the site and to assist with any requests made. The area shall be marked off and if the remains are of Māori origin, Kaumatua will decide what will happen to the remains and advise the Police and other parties of their decision.
- » Work may only recommence in the area with the approval of the Police, Kaumatua, and the Historic Places Trust.

In all other cases

- » The expert and site supervisor shall determine what further actions are appropriate to avoid, reduce, remedy or mitigate any damage to archaeological sites.
- » The Historic Places Trust shall be consulted for advice of any requirements under the HPT 1993.

Responsibilities

Te Rūnanga o Kaikōura

1. To inform the applicant of the position of any known sites prior to earth disturbance.
2. To inform the applicant in accordance with tikanga Māori, if there are any matters of protocol which tāngata whenua wish to undertake in relation to the commencement of work or significant events.
3. To provide a list of contact persons and phone, fax and mobile numbers to the applicant.
4. To adopt a policy of guaranteeing response to notification of a site find, within a 24-hour time frame.
 - (a) this will consist of contacting appropriate people and organizations depending on the nature of the 'find';
 - (b) arranging a time for inspection of the site;
 - (c) coordination of the appropriate action to remove or otherwise any archaeological material from the site.

The Applicant

1. To ensure staff are aware of the applicant's responsibilities under this Accidental Discovery Find Protocol.
2. To implement a reporting procedure in the instance of a 'find' of any archaeological material.
3. To ensure that all statutory obligations under the Historic Places Act 1993 are met.
4. To provide the following reports to Te Rūnanga o Kaikōura no less than 25 working days prior to any earth moving works:
 - A schedule of the dates of all significant earthmoving events, their sequence and duration.
 - A summary of all measures being undertaken to ensure that adverse effects on archaeological values are avoided, remedied or mitigated.
5. To invite Te Rūnanga o Kaikōura to attend any episode of archeological, monitoring or earthmoving activity.
6. To provide Te Rūnanga o Kaikōura with a copy of all-archaeological monitoring and investigation results with an invitation to respond, comment or meet to discuss any results.
7. To appoint an expert, jointly approved by Te Rūnanga o Kaikōura, who will advise on identification or protection of wāhi tapu, wāhi taonga, urupā, or historic cultural sites.

Appendix 18: New Zealand Historic Places Trust, Pouhere Taonga New Zealand Archaeological Association Site Record Maps

The following maps identify recorded archaeological sites within the iwi takiwā of Te Rūnanga o Kaikōura. The sites identified on the topographical maps provide representation of archaeological areas within the Kaikōura, Hurunui and Marlborough districts. It should be noted that they are not a comprehensive representation of all archaeological sites but rather those recorded by the New Zealand Archaeological Association. Te Rūnanga o Kaikōura has retained specific information and knowledge concerning known and unrecorded sites. Therefore, acknowledgement of iwi expertise in this field is essential for all resource management practitioners operating within the Kaikōura, Hurunui and Marlborough districts. It is important that rūnanga and iwi are acknowledged as not only key stakeholders but also kaitiaki/guardians in the management and protection of sites. This obligation requires resource management authorities, practitioners – including heritage and conservation agencies to consult and actively participate with iwi in planning matters affecting archaeological and Māori heritage sites.

The Historic Places Trust is the statutory authority for the protection of archaeological sites. The Historic Places Act 1993 (HPA) provides for the identification, protection, preservation and conservation of the historic and cultural heritage of New Zealand. Under section 2 of the HPA, an archaeological site is defined as a place associated with pre-1900 human activity, where there may be evidence relating to the history of New Zealand. Section 10 of the HPA directs that an authority is required from the New Zealand Historic Places Trust if there is “reasonable cause” to suspect an archaeological site (recorded or unrecorded), may be modified, damaged or destroyed in the course of any activity. An authority is required for such work whether or not the land on which an archaeological site may be present is designated, or a resource or building consent has been granted. Any activity that may destroy, damage or modify a site will first require any authority from the Trust.

A reference key to each numbered site, providing further information such as site descriptions, follows the map series (Appendix 20).

The Historic Places Trust is committed to ensuring transparency in the authority process. The Trust seeks to ensure rūnanga participation in decisions concerning final approval and subsequent conditions for protection of archaeological, Māori heritage sites.¹

¹ This information and the associated maps and schedules are provided by Amos Kamo, Māori Heritage Advisor, New Zealand Historic Places Trust, Christchurch.



Map P29 P 1

Map P29 P 2



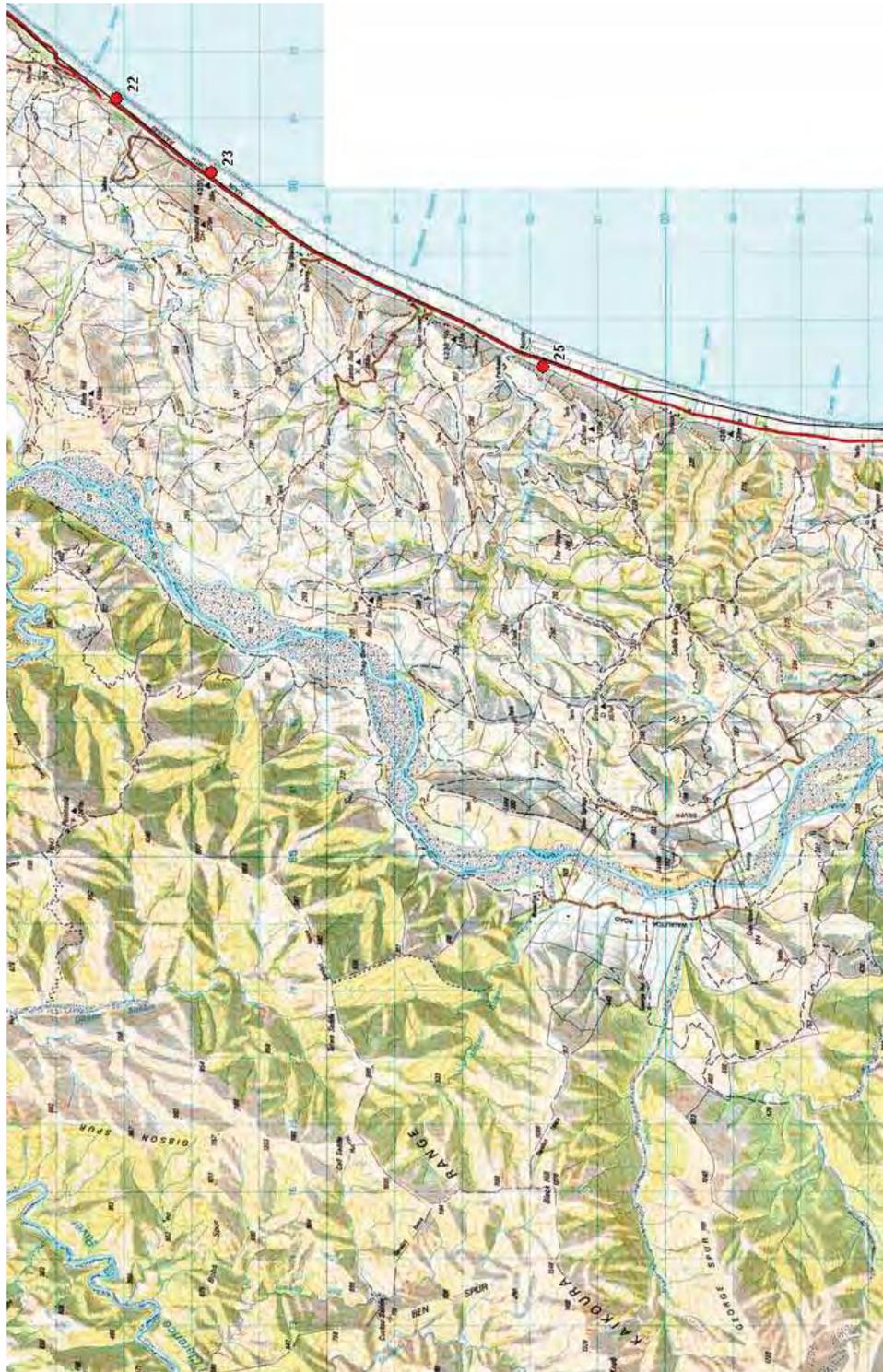
Map Q29

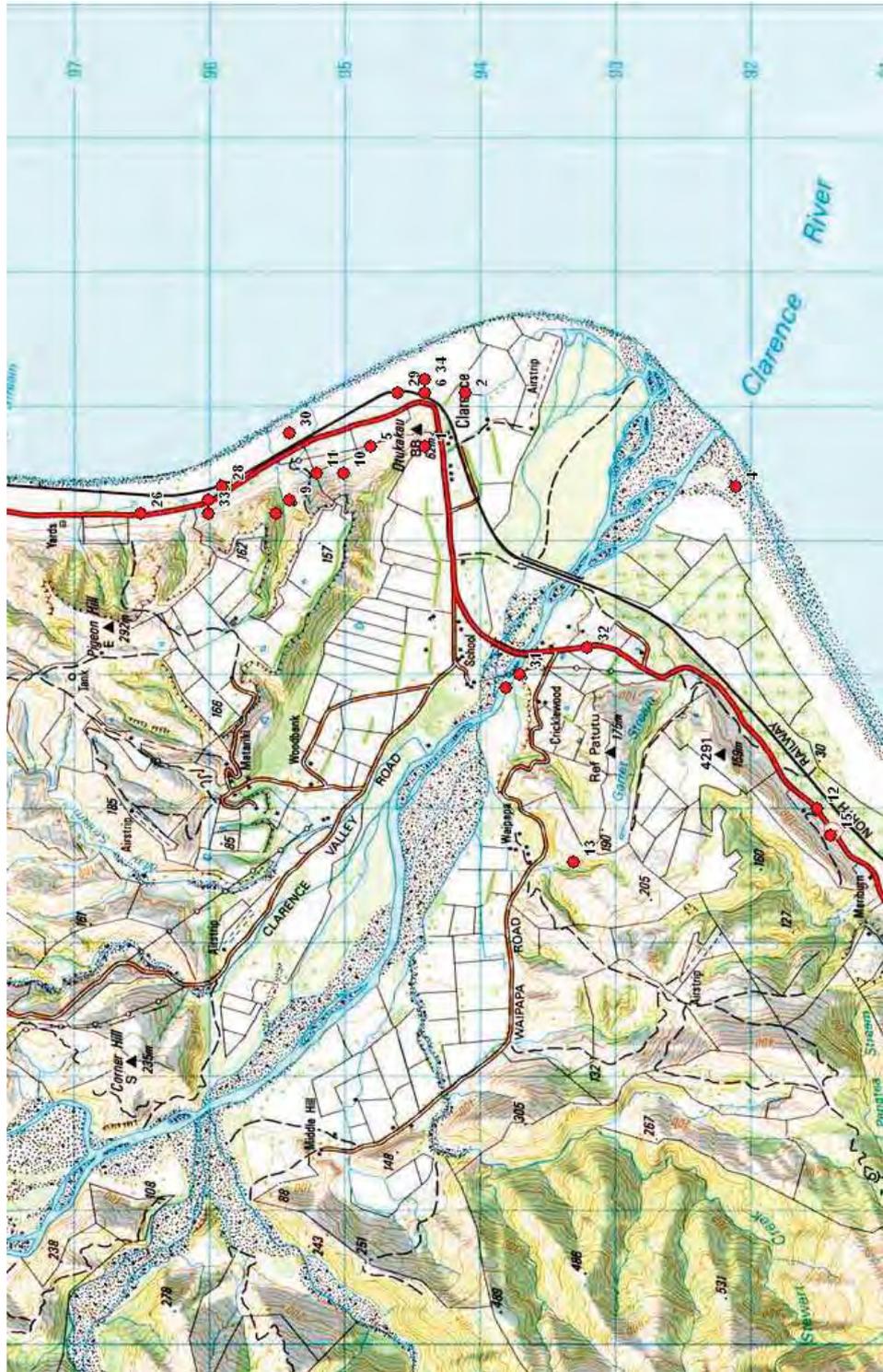


Map P30 Pt 1



Map P30 Pt 2



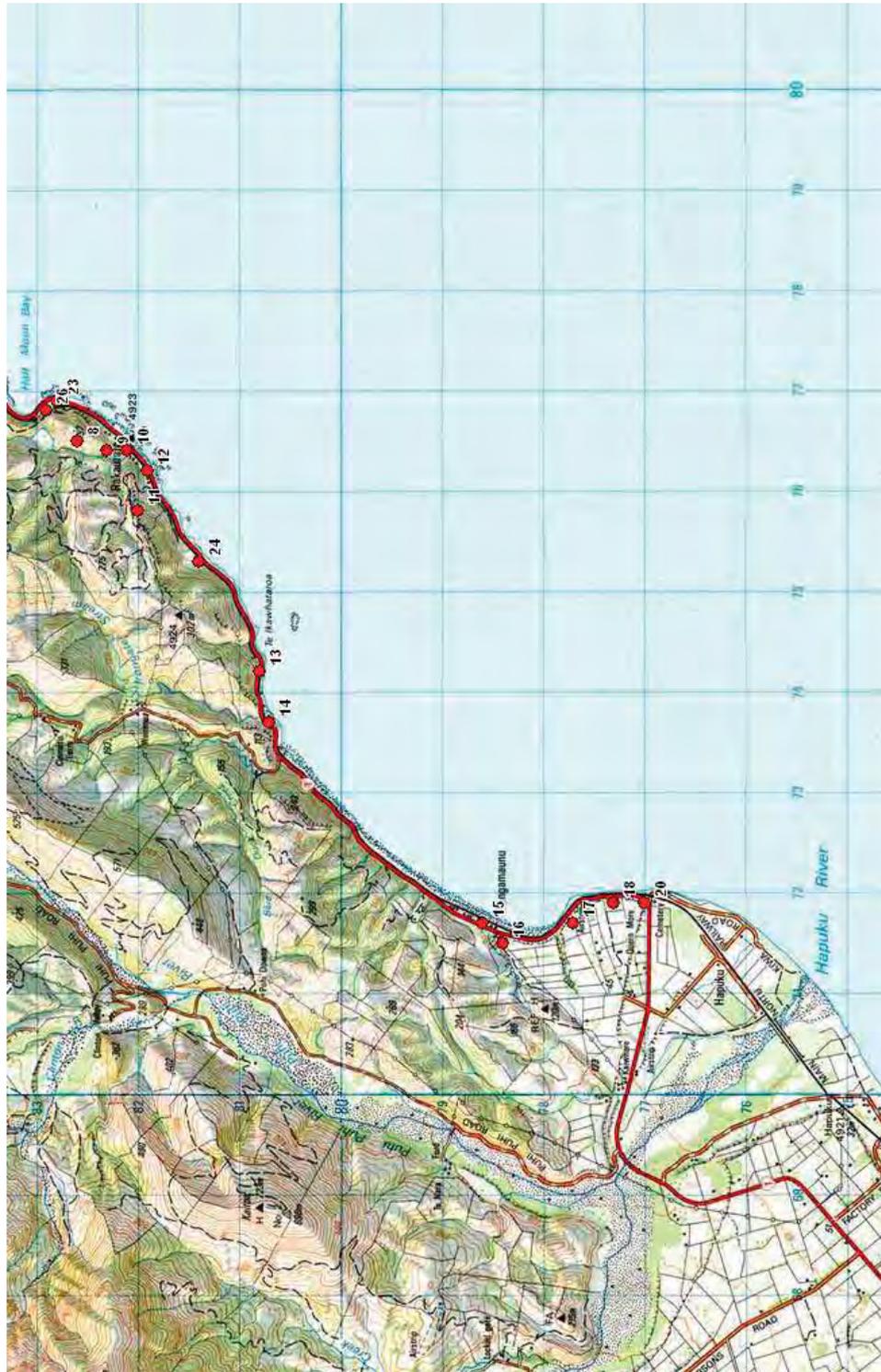


Map P30 Pt 3

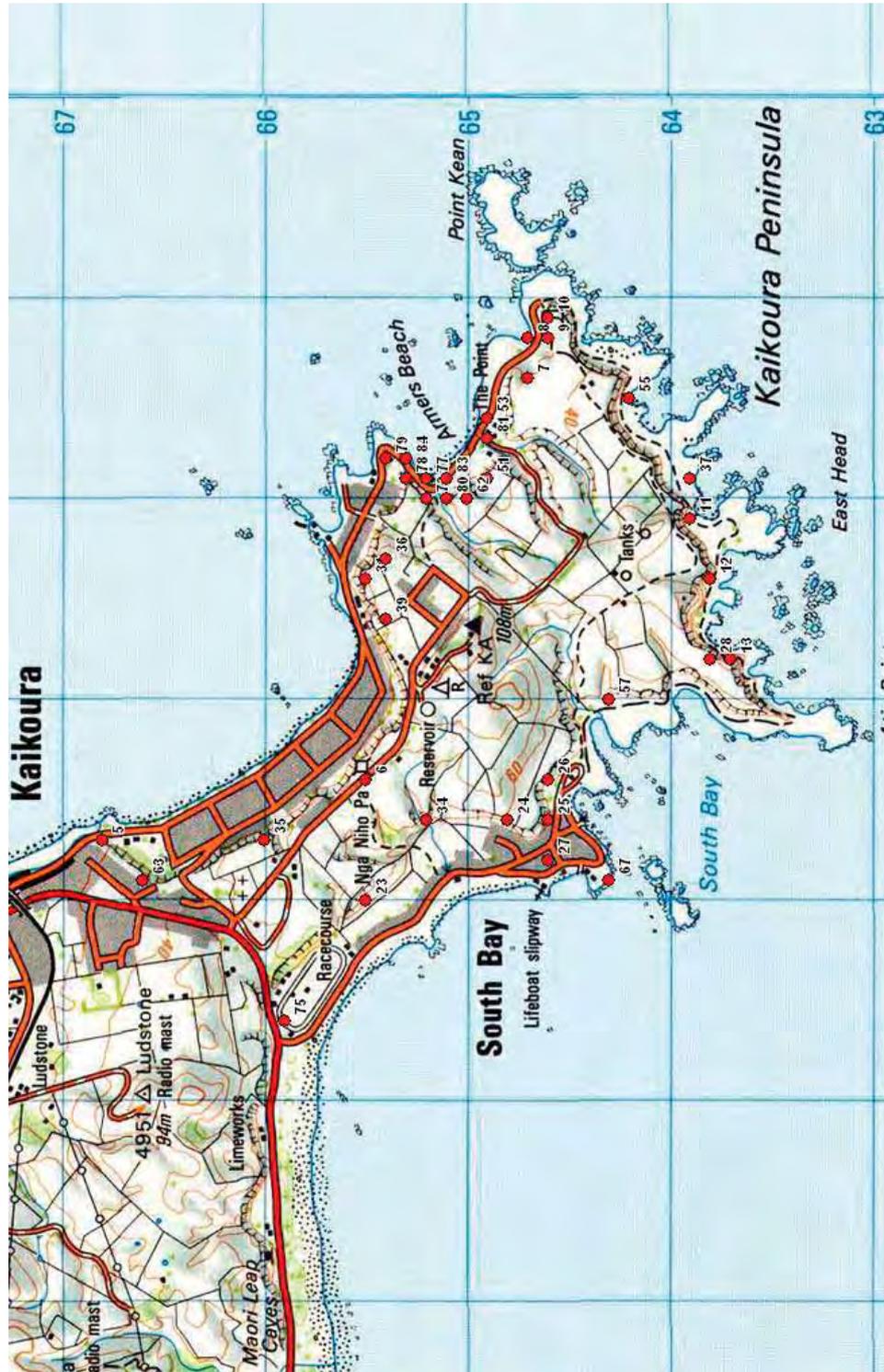
Map P31 Pt 1



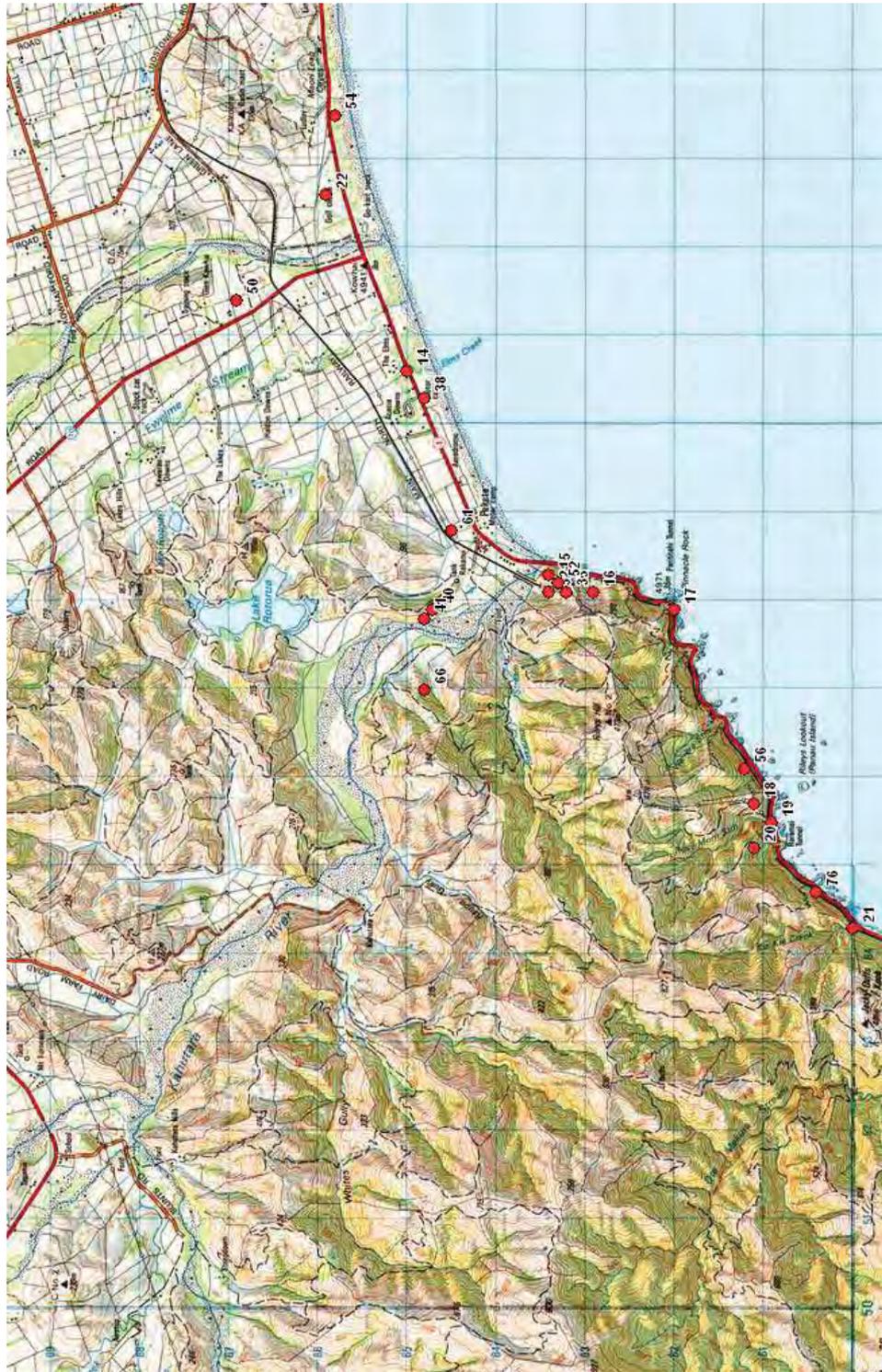
Map P31 Pt 2



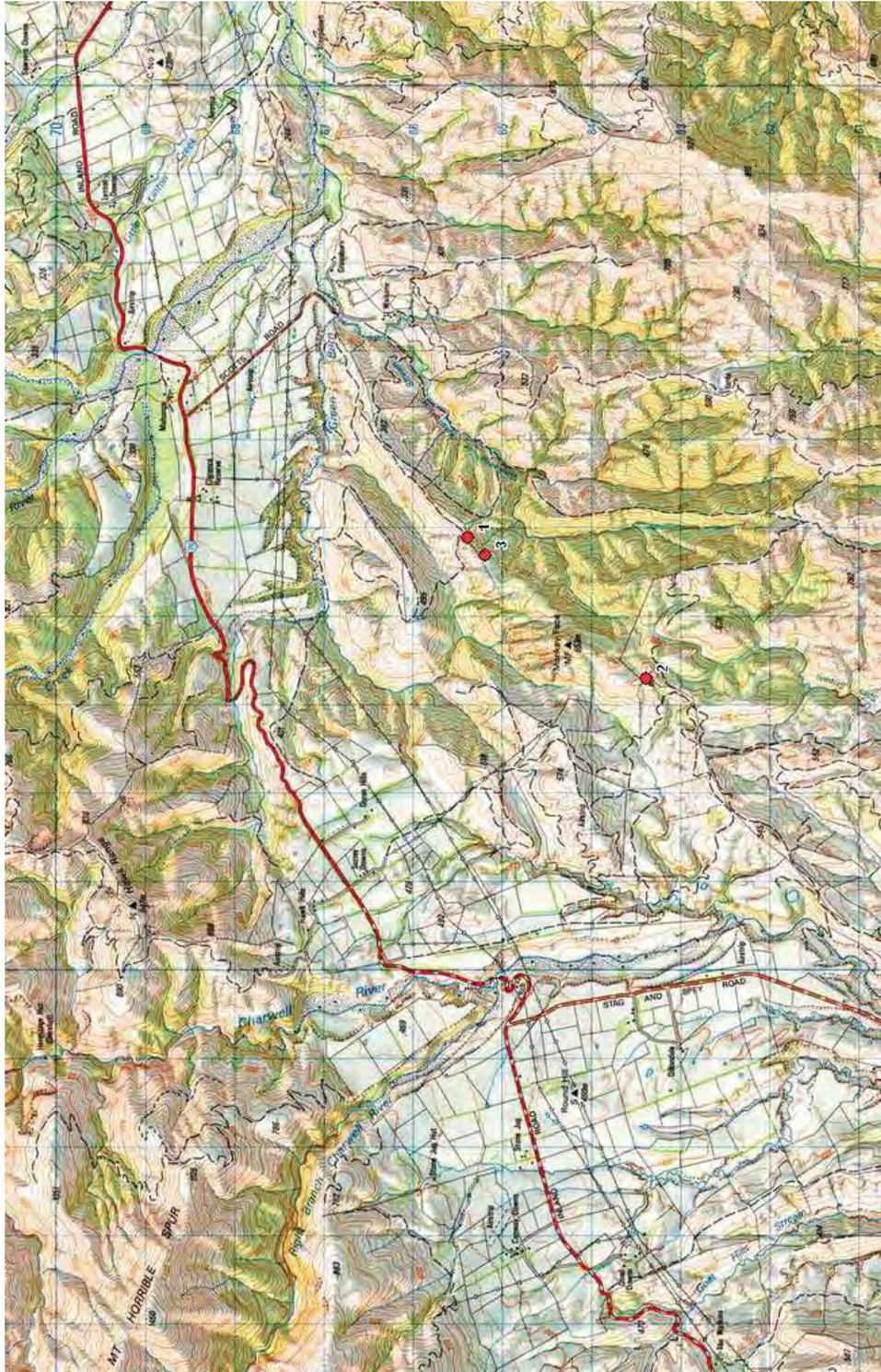
Map 031 Pt 2



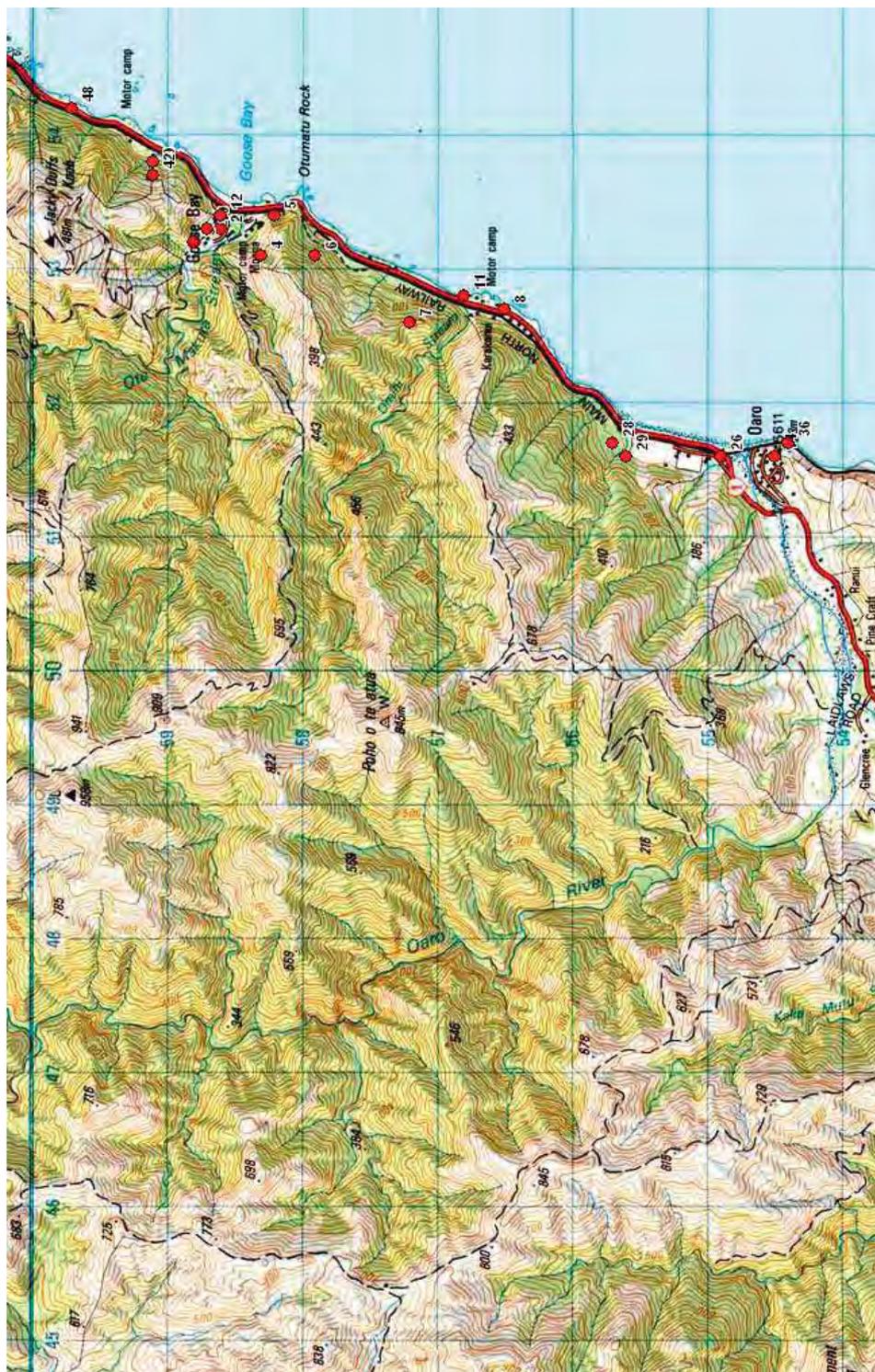
Map 031 Pt 3



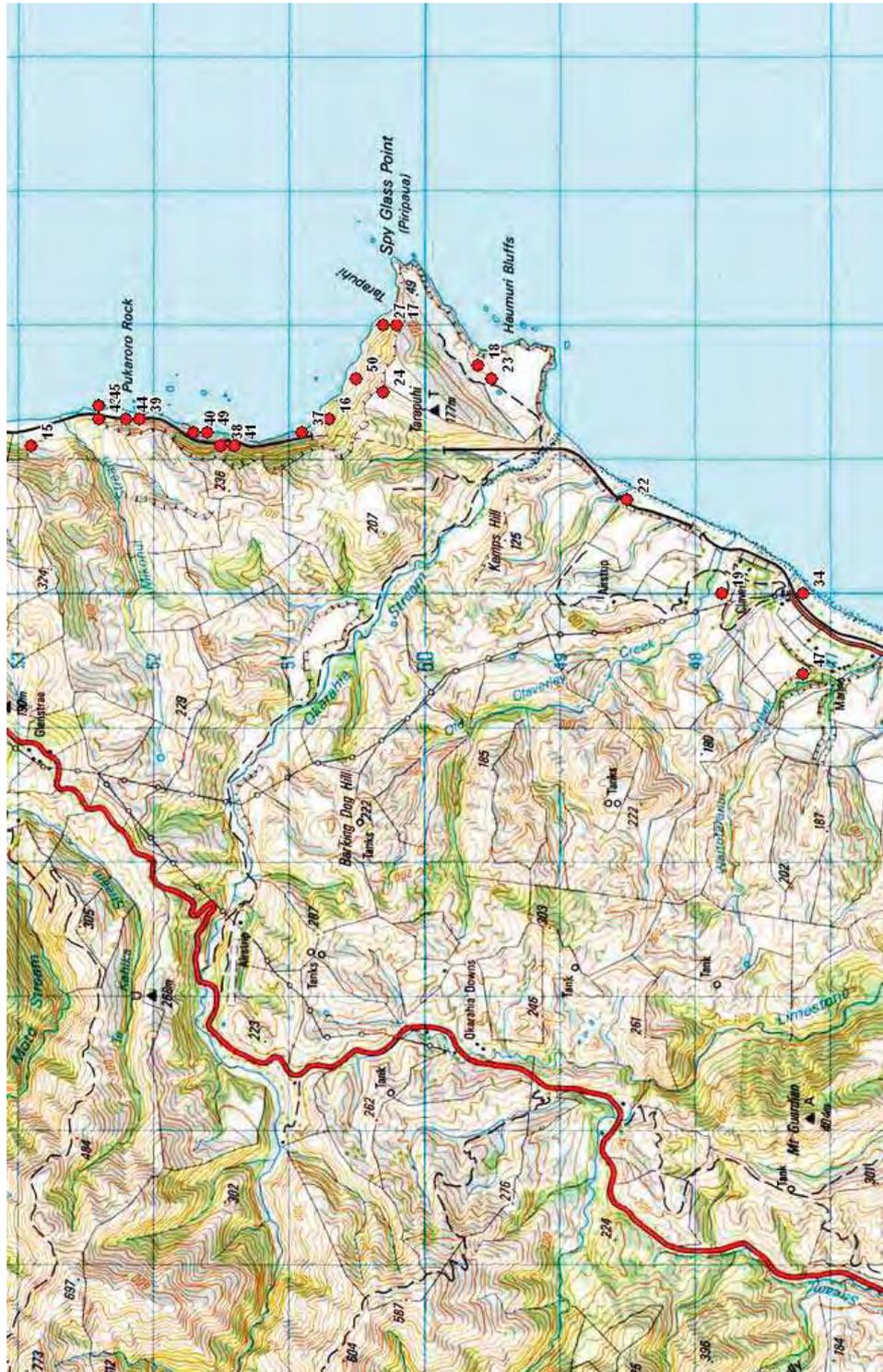
Map 031 Pt 4



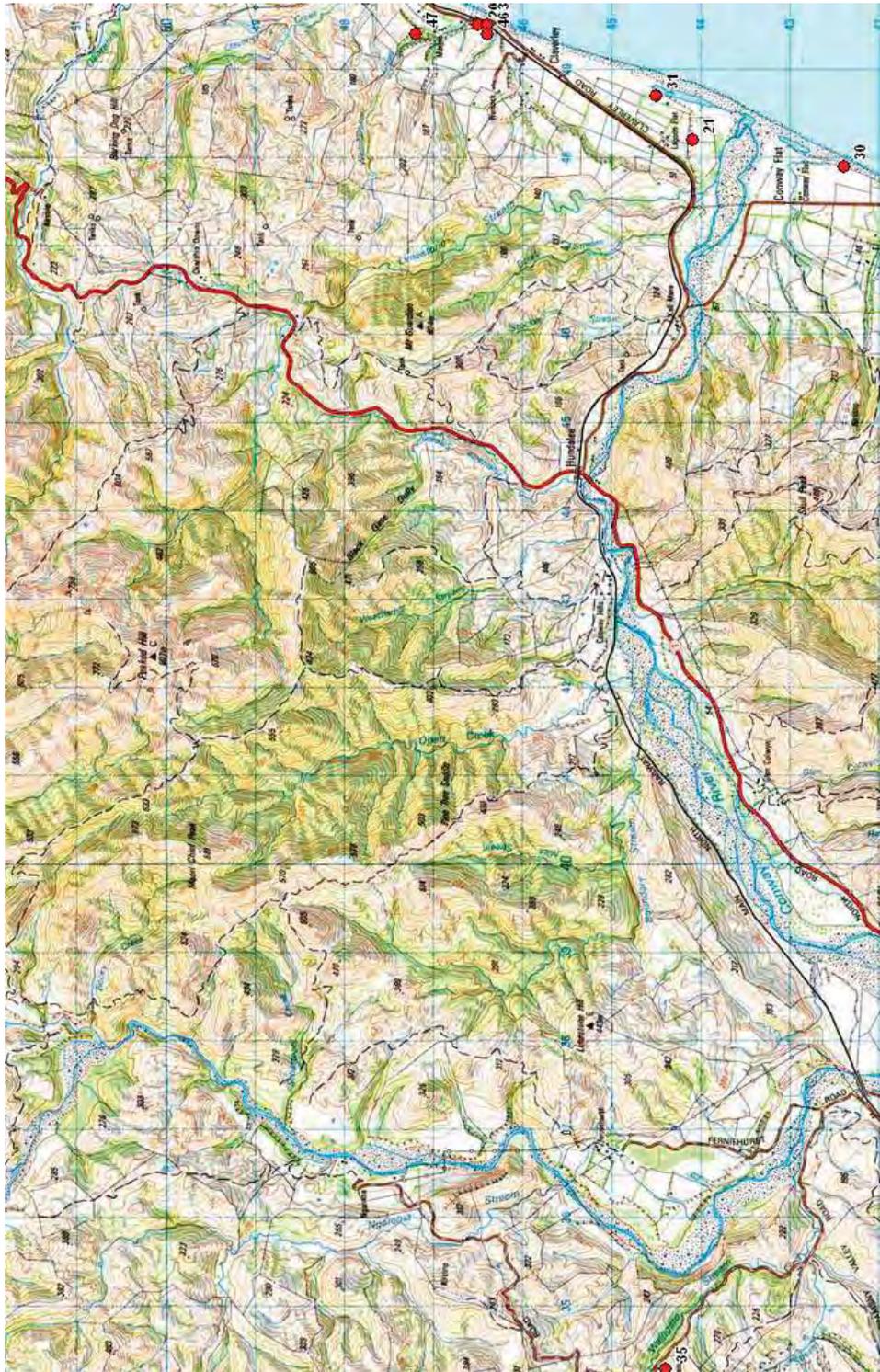
Map 032 Pt 1

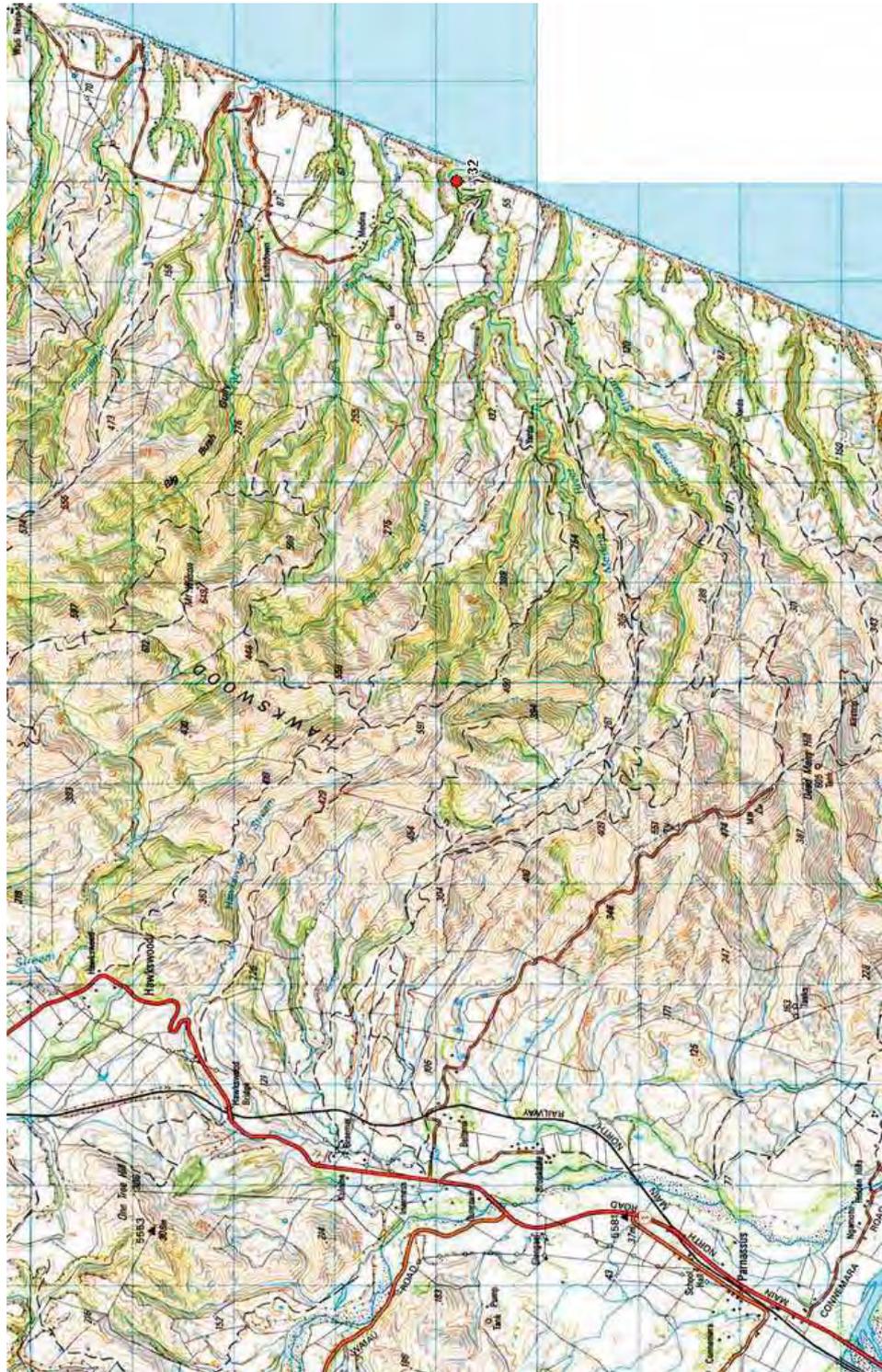


Map 032 Pt 2



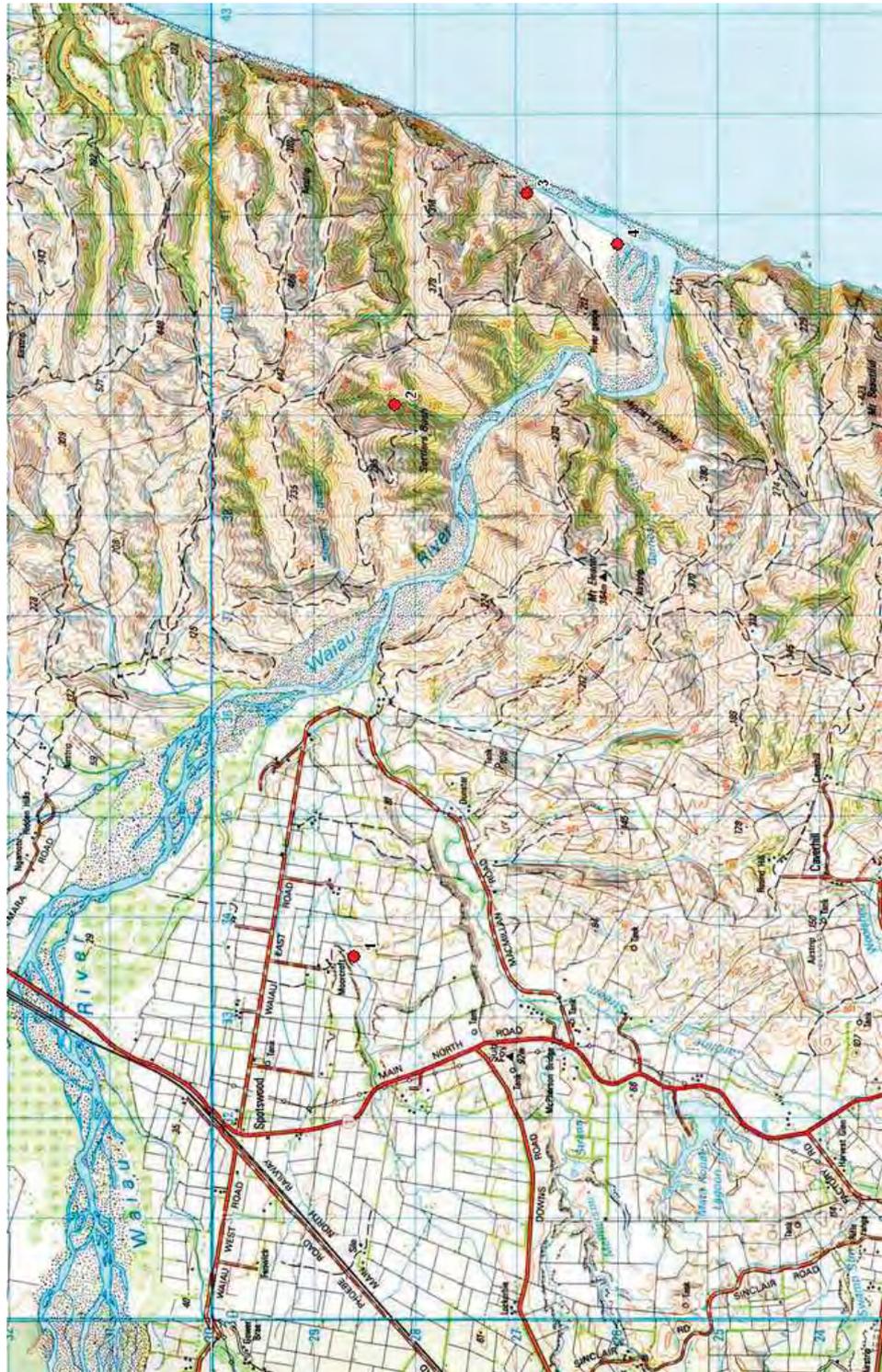
Map 032 Pt 3





Map 032 Pt 4

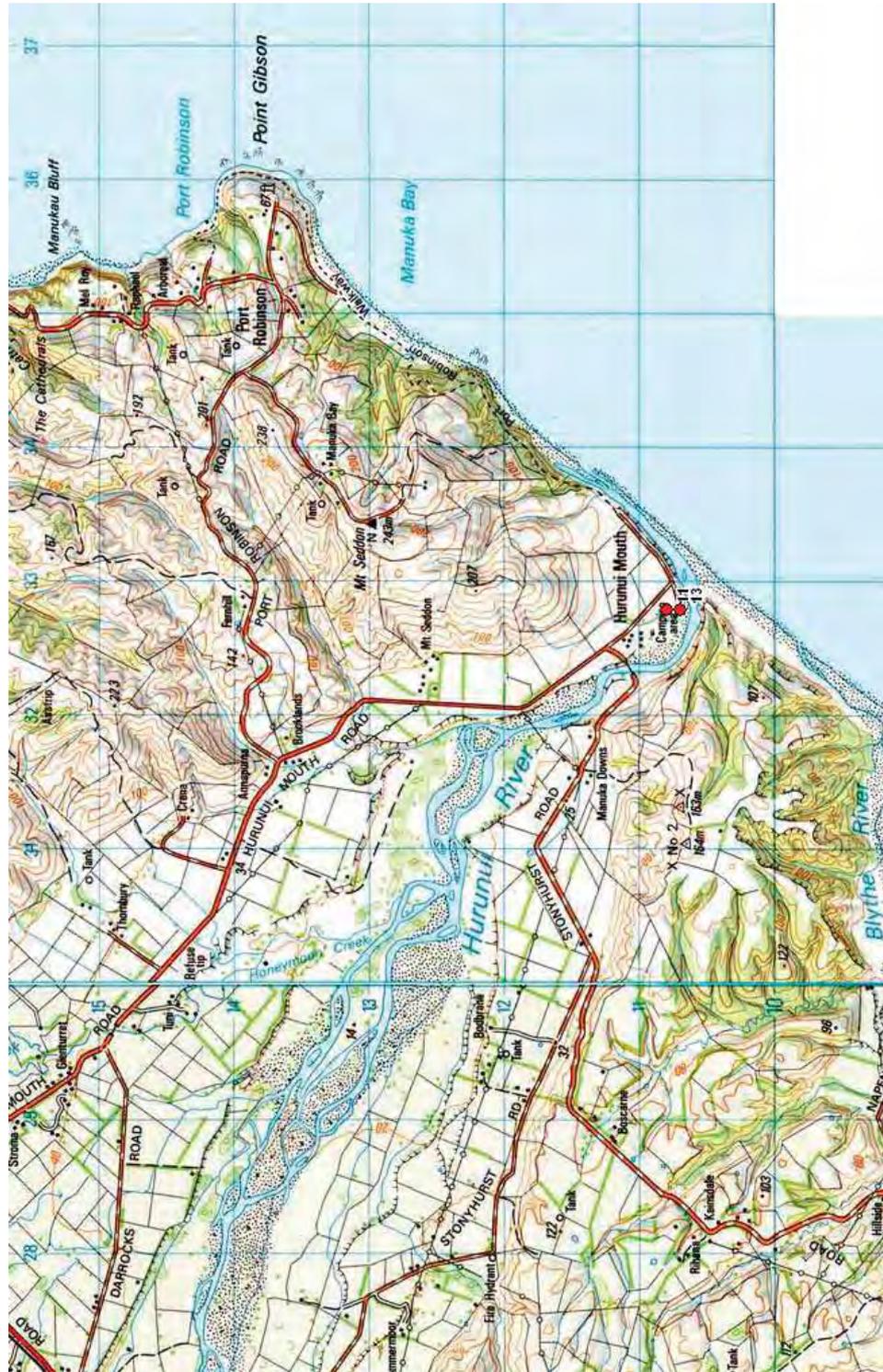
Map 033 Pt 1



Map 033 Pt 2



Map 033 Pt 3



Appendix 19: Schedule of Recorded Archaeological Sites New Zealand Archaeological Association Files

Map P28

Metric Map Sheet	NZAA file Reference	Site Description	TLA
P28	39	Pits cull line	Marlborough DC
P28	46	Stone crossing	Marlborough DC
P28	43	Burnt stones	Marlborough DC
P28	22	Pits	Marlborough DC
P28	37	Pit	Marlborough DC
P28	40	Midden area	Marlborough DC
P28	50	Pit	Marlborough DC
P28	45	Terraces	Marlborough DC
P28	33	Pits	Marlborough DC
P28	32	Earth bank	Marlborough DC
P28	17	Pit cluster	Marlborough DC

Map P29 P 1

Metric Map Sheet	NZAA file Reference	Site Description	TLA
P29	4	Oven stones	Marlborough DC
P29	5	Human remains	Marlborough DC
P29	2	Midden	Marlborough DC
P29	23	Terrace	Marlborough DC

Map P29 P 2

Metric Map Sheet	NZAA file Reference	Site Description	TLA
P29	18	Lime Pits	Marlborough DC
P29	22	Homestead	Marlborough DC
P29	21	Clay pit	Marlborough DC
P29	19	Boil down works	Marlborough DC
P29	20	Rubbish dump	Marlborough DC
P29	6	Find spot	Marlborough DC
P29	7	Oven, flakes	Marlborough DC
P29	8	Ovens	Marlborough DC
P29	9	Oven flakes	Marlborough DC
P29	10	Oven	Marlborough DC
P29	11	Oven	Marlborough DC
P29	12	Oven	Marlborough DC
P29	13	Oven	Marlborough DC
P29	14	Oven	Marlborough DC

Metric Map Sheet	NZAA file Reference	Site Description	TLA
P29	15	Oven	Marlborough DC
P29	16	Oven middens	Marlborough DC
P29	17	Ovens	Marlborough DC

Q29

Metric Map Sheet	NZAA file Reference	Site Description	TLA
P29	1	Midden	Marlborough DC
P29	2	Cached Patu	Marlborough DC
P29	3	Artefacts karaka	Marlborough DC
P29	4	Pits	Marlborough DC
P29	5	Pits	Marlborough DC
P29	6	Burial	Marlborough DC
P29	7	Ovens	Marlborough DC

P30 Pt 1

Metric Map Sheet	NZAA file Reference	Site Description	TLA
P30	14	Ovens – midden	Kaikoura DC
P30	16	Ovens – flakes	Kaikoura DC
P30	17	Ovens	Kaikoura DC
P30	18	Ovens	Kaikoura DC
P30	19	Ovens	Kaikoura DC
P30	20	Ovens	Kaikoura DC
P30	21	Ovens	Kaikoura DC
P30	24	Railway station	Kaikoura DC
P30	7	Pits wall	Kaikoura DC
P30	22	Firestones	Kaikoura DC

P30 Pt 2

Metric Map Sheet	NZAA file Reference	Site Description	TLA
P30	22	Firestones	Kaikoura DC
P30	23	Firestones	Kaikoura DC
P30	25	Find spot	Kaikoura DC

P30 Pt 3

Metric Map Sheet	NZAA file Reference	Site Description	TLA
P30	26	Midden – firestones	Kaikoura DC
P30	33	Terraces – pits	Kaikoura DC
P30	27	Midden	Kaikoura DC
P30	28	Borrow pit	Kaikoura DC
P30	8	Pa	Kaikoura DC
P30	9	Terrace – pits	Kaikoura DC
P30	30	Firestones	Kaikoura DC
P30	11	Stone rows	Kaikoura DC

Metric Map Sheet	NZAA file Reference	Site Description	TLA
P30	10	Pa	Kaikoura DC
P30	5	Stone rows – pit	Kaikoura DC
P30	1	Pa	Kaikoura DC
P30	29	Borrow pit	Kaikoura DC
P30	6	Borrow pit	Kaikoura DC
P30	34	Borrow pit	Kaikoura DC
P30	2	Pits / midden	Kaikoura DC
P30	3	Pa	Kaikoura DC
P30	31	Bridge	Kaikoura DC
P30	13	Pits	Kaikoura DC
P30	32	Acc house	Kaikoura DC
P30	4	Midden / ovens	Kaikoura DC
P30	12	Ovens / Artefacts	Kaikoura DC
P30	15	Stone rows	Kaikoura DC

P31 Pt 1

Metric Map Sheet	NZAA file Reference	Site Description	TLA
P31	1	Ovens midden	Kaikoura DC
P31	2	Midden	Kaikoura DC
P31	3	Stone heap	Kaikoura DC
P31	4	Pa	Kaikoura DC
P31	5	Midden	Kaikoura DC
P31	6	Ovens	Kaikoura DC
P31	21	Occupation	Kaikoura DC

P31 Pt 2

Metric Map Sheet	NZAA file Reference	Site Description	TLA
P31	26	Cave	Kaikoura DC
P31	23	Cave	Kaikoura DC
P31	8	Pit	Kaikoura DC
P31	9	Pa	Kaikoura DC
P31	10	Caves	Kaikoura DC
P31	11	Pits	Kaikoura DC
P31	12	Midden	Kaikoura DC
P31	24	Terraces	Kaikoura DC
P31	13	Caves	Kaikoura DC
P31	14	Cave	Kaikoura DC
P31	15	Pits	Kaikoura DC
P31	16	Pa	Kaikoura DC
P31	17	Pits mounds	Kaikoura DC
P31	18	Pa	Kaikoura DC
P31	20	Midden	Kaikoura DC

031 Pt 1

Metric Map Sheet	NZAA file Reference	Site Description	TLA
031	48	Ovens – artefact	Kaikoura DC
031	47	Ovens	Kaikoura DC
031	4	Canoe hull	Kaikoura DC
031	60	Pa – pits Terraces	Kaikoura DC
031	44	Oven	Kaikoura DC
031	43	Pit	Kaikoura DC
031	45	Adze finds	Kaikoura DC
031	46	Ovens	Kaikoura DC
031	49	Ovens	Kaikoura DC
031	42	Artefacts	Kaikoura DC
031	58	Ovens	Kaikoura DC
031	59	Ovens	Kaikoura DC

031 Pt 2

Metric Map Sheet	NZAA file Reference	Site Description	TLA
031	5	Occp – Burials	Kaikoura DC
031	63	Pa	Kaikoura DC
031	75	Firestones	Kaikoura DC
031	35	Pa	Kaikoura DC
031	23	Pa	Kaikoura DC
031	34	Pa	Kaikoura DC
031	24	Pa	Kaikoura DC
031	27	Midden ovens	Kaikoura DC
031	67	Whaling Stat	Kaikoura DC
031	25	Pa	Kaikoura DC
031	26	Pa	Kaikoura DC
031	57	Midden	Kaikoura DC
031	28	Pa	Kaikoura DC
031	13	Cave	Kaikoura DC
031	12	Cave	Kaikoura DC
031	11	Pa	Kaikoura DC
031	37	Midden	Kaikoura DC
031	55	Midden	Kaikoura DC
031	7	Pa	Kaikoura DC
031	8	Midden	Kaikoura DC
031	9	Pits – midden	Kaikoura DC
031	10	Pa	Kaikoura DC
031	53	Midden	Kaikoura DC
031	81	Boiling down work	Kaikoura DC
031	51	Pits	Kaikoura DC
031	62	Pits	Kaikoura DC
031	80	Occupation	Kaikoura DC
031	83	Fence line	Kaikoura DC
031	73	Spring	Kaikoura DC

Metric Map Sheet	NZAA file Reference	Site Description	TLA
031	77	Whaling Stat	Kaikoura DC
031	78	Graves	Kaikoura DC
031	84	Road	Kaikoura DC
031	79	Sea bath	Kaikoura DC
031	36	Burials	Kaikoura DC
031	31	Pa	Kaikoura DC
031	39	Cave burials	Kaikoura DC
031	6	Pa	Kaikoura DC

031 Pt 3

Metric Map Sheet	NZAA file Reference	Site Description	TLA
031	50	Ovens	Kaikoura DC
031	54	Ovens	Kaikoura DC
031	22	Midden	Kaikoura DC
031	14	Pa	Kaikoura DC
031	38	Midden	Kaikoura DC
031	61	Ovens	Kaikoura DC
031	66	Homestead	Kaikoura DC
031	41	Pits	Kaikoura DC
031	40	Pits	Kaikoura DC
031	15	Pa	Kaikoura DC
031	32	Pa	Kaikoura DC
031	52	Pa	Kaikoura DC
031	33	Pa	Kaikoura DC
031	16	Terraces	Kaikoura DC
031	17	Pa	Kaikoura DC
031	56	Cave	Kaikoura DC
031	18	Pits	Kaikoura DC
031	20	Pits	Kaikoura DC
031	21	Pa	Kaikoura DC
031	76	Whaling Stat	Kaikoura DC
031	19	Oven	Kaikoura DC

031 Pt 4

Metric Map Sheet	NZAA file Reference	Site Description	TLA
031	1	Rock Shelter	Kaikoura DC
031	2	Rock Shelter	Kaikoura DC
031	3	Rock Shelter	Kaikoura DC

032 Pt 1

Metric Map Sheet	NZAA file Reference	Site Description	TLA
032	48	Artefacts – burials	Hurunui DC
032	42	Pa	Hurunui DC
032	9	Ovens midden	Hurunui DC

Metric Map Sheet	NZAA file Reference	Site Description	TLA
032	2	Mounds	Hurunui DC
032	3	Pa	Hurunui DC
032	12	Midden burial	Hurunui DC
032	4	Pa	Hurunui DC
032	5	Midden	Hurunui DC
032	6	Cave	Hurunui DC
032	7	Pa	Hurunui DC
032	8	Oven midden	Hurunui DC
032	11	Midden	Hurunui DC
032	28	Pit	Hurunui DC
032	29	Pit	Hurunui DC
032	14	Pits terrace	Hurunui DC
032	36	Midden burial	Hurunui DC

032 Pt 2

Metric Map Sheet	NZAA file Reference	Site Description	TLA
032	15	Stone row midden	Hurunui DC
032	43	Artefacts	Hurunui DC
032	45	Burial	Hurunui DC
032	44	Midden	Hurunui DC
032	39	Midden	Hurunui DC
032	40	Midden	Hurunui DC
032	49	Whaling stat	Hurunui DC
032	38	Find spot	Hurunui DC
032	41	Midden	Hurunui DC
032	37	Midden	Hurunui DC
032	16	Terraces	Hurunui DC
032	50	Midden wall	Hurunui DC
032	24	Pit	Hurunui DC
032	27	Midden	Hurunui DC
032	17	Terraces pit	Hurunui DC
032	18	Pits	Hurunui DC
032	23	Midden	Hurunui DC
032	22	Midden	Hurunui DC
032	19	Rim pits	Hurunui DC
032	34	Fire area	Hurunui DC
032	47	Pits	Hurunui DC

032 Pt 3

Metric Map Sheet	NZAA file Reference	Site Description	TLA
032	47	Pits	Hurunui DC
032	20	Pa	Hurunui DC
032	33	Midden	Hurunui DC
032	46	Pits	Hurunui DC
032	31	Midden ovens	Hurunui DC

Metric Map Sheet	NZAA file Reference	Site Description	TLA
032	21	Pits	Hurunui DC
032	30	Ovens artefact	Hurunui DC

032 Pt 4

Metric Map Sheet	NZAA file Reference	Site Description	TLA
032	32	Pit	Hurunui DC

033 Pt 1

Metric Map Sheet	NZAA file Reference	Site Description	TLA
033	1	Ovens	Hurunui DC
033	2	Pits	Hurunui DC
033	3	Terraces	Hurunui DC
033	4	Ovens – pits	Hurunui DC

033 Pt 2

033 Pt 3

Metric Map Sheet	NZAA file Reference	Site Description	TLA
033	11	Ovens artefacts	Hurunui DC
033	13	Artefacts	Hurunui DC

GLOSSARY

PAPAKUPU



ahi kā

continued occupation, one of the most important elements of traditional law of māori land tenure

ara tawhito

trails

ara tawhito ki pounamu

pounamu (greenstone) trails

atua

gods

awa

river

harakeke

flax

hapū

sub-tribe

iwi

tribe

iwi authority

the authority that represents an iwi

iwi management plan

a planning document that is recognised by the iwi authority

kai awa

food resources from rivers

kaimoana

seafood

kāinga

settlement

kaitiaki

iwi, hapū or whānau group with the responsibilities of kaitiakitanga; guardians

kaitiakitanga

the exercise of guardianship and resource management

karakia

prayer, incantation

kaumātua

Elders

kaupapa

policy, strategy, plan

kawa

rules, protocols or procedures

kawanatanga

governance

ki uta ki tai

a description of environmental policy and planning that takes a holistic 'from mountains to the sea' approach and encapsulates rangatiratanga and kaitiakitanga

kōhanga

breeding ground, seeding ground, nursery

kō iwi tangata

human bones

kōrero

speak, talk, discussion

mahinga kai	food and other resources and the areas they are sourced from	ngahere	forest
mana	respect, dignity, influence	Ngāi Tahu	an iwi of the south island
manaakitanga	hospitality, kindness	Ngāi Tahu whānui	the wider tribal membership base
manuhiri	visitors, guests	ngā roto waimāori	freshwater lakes
manawhenua	customary authority; traditional status, rights and responsibilities of hapū in their traditional territories	Ngāti Kuri	hapū of Ngāi Tahu
manu	birds	ngā wai	water
mātaitai	area management tool that identify an area as a place of importance for customary food gathering	nohoanga	seasonal occupation sites; areas and places where food is gathered
mātauranga	knowledge	pā	fortified settlement site
mātauranga taiao	knowledge of the environment	papatipu rūnanga	marae based councils administering the affairs of the hapū. the Te Rūnanga o Ngāi Tahu act 1996 lists the 18 papatipu rūnanga and their respective takiwā.
maunga	mountains	Papatūānuku	Mother Earth
mauri	the essential life force of all things	poha	kelp bag (used for storing preserved food)
mokopuna	grandchild	pōwhiri	welcoming ceremony

pūrākau

stories, legends

rāhui

area management tool that allows kaitiaki to place restrictions or controls on an area to manage a resource in an area

rakau

tree

Ranganui

Sky Father

rangatiratanga

customary authority and control, sovereignty

repo raupō

wetlands

repo wai

coastal wetland

rongoā

medicinal plants

takiwā

tribal or hapū customary or traditional territory

taiāpure

area management tool for managing areas that have customarily been of special significance to an iwi or hapū as a source of food or for spiritual or cultural reasons

tamariki

children

Tangaroa

god of the sea

tangata whenua

people of the land, local people; the iwi or hapū that holds manawhenua over an area

taonga

treasured possessions, valued resources, both tangible and intangible

taonga raranga

weaving treasures

tapu

sacred; spiritual protection or restriction

tauranga waka

canoe landing site in coastal areas

Te Whatakai o Rakihouia

Seaward Kaikōura range

tikanga

customary values and practices

tīpuna / tupuna

ancestors

tohunga

spiritual leader; expert in a particular field

turangawaewae

a person's right to stand on a particular piece of land or in a certain place and to speak and be heard on matters affecting them and their relationships to that land and resources

urupā

burial site

wāhi ingoa

place names

wāhi pakanga

places where historical battles took place

wāhi taonga

places and things that are treasured and valued

wāhi tapu

places of sacredness and immense importance

waiata

song

wai māori

freshwater resources

waipuna

freshwater spring

wairua

spirit, spiritual essence

waka

canoe

wānanga

learning, seminar, workshop

whakapapa

genealogy; cultural identity; indigenous manawhenua perspectives about the relationships between people and the natural environment

whānau

family

whānaungatanga

kinship

whānui

wider community

whare kai

dining room

whare tupuna

ancestral meeting house

whenua

land

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