

3.5

Okarahia ki te Hurunui

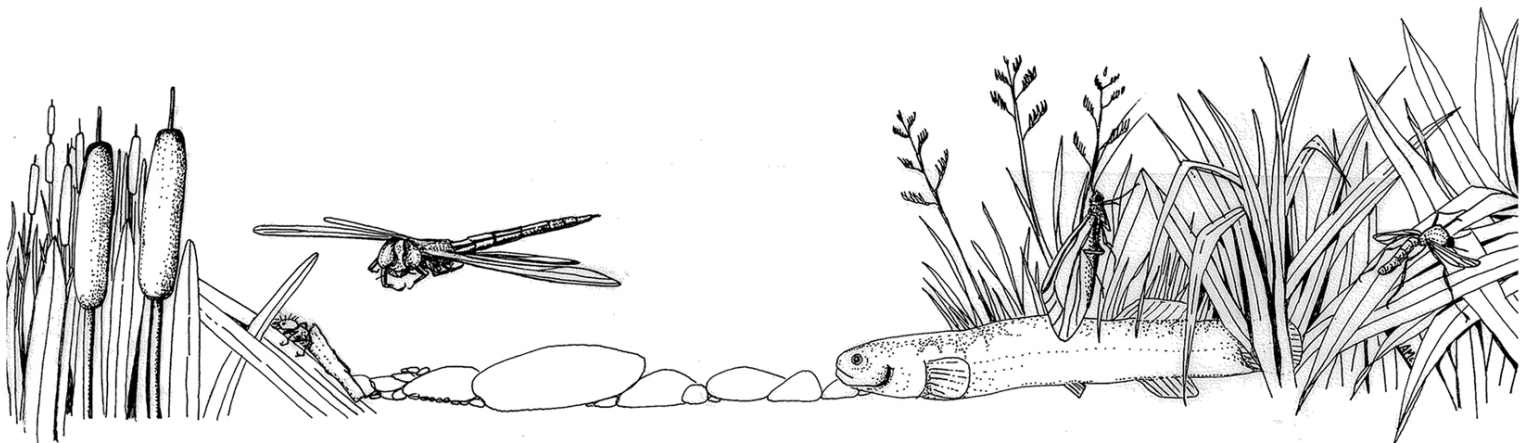


This section of the Plan describes ngā take and ngā kaupapa associated with the lands, waters, mahinga kai and biodiversity in the area defined as Okarahia ki te Hurunui. This includes the Okarahia (Hundalees) natural landscape, from Tūtae Putaputa (Conway River) to the Hurunui, and inland to the main 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 to 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 sowed 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*
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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="724 315 1278 383">Impacts on natural flow variability and thus natural character of the river</p> <hr/> <p data-bbox="724 412 1114 439">Minimum flows as sustainable flows</p> <hr/> <p data-bbox="724 468 1334 535">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="724 660 1310 728">Flow monitoring sites that are upstream of majority of abstractions</p> <hr/> <p data-bbox="724 757 1142 784">Duration of water abstraction consents</p> <hr/> <p data-bbox="724 813 1281 840">Lack of emphasis on water efficiency for water users</p> <hr/> <p data-bbox="724 869 999 896">Damming and diversions</p>
Water quality	<p data-bbox="724 911 1313 978">Contamination of water quality as a result of point and non-point source discharges</p> <hr/> <p data-bbox="724 1008 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 1144 943 1171">High nitrogen levels</p> <hr/> <p data-bbox="724 1200 1275 1227">Run off into the from irrigation (irrigation bywash)</p> <hr/> <p data-bbox="724 1256 1305 1323">Lack of recognition of dependence of water quality on water quantity</p> <hr/> <p data-bbox="724 1352 1291 1420">Impacts on health, abundance and diversity of native fish</p> <hr/> <p data-bbox="724 1449 1291 1516">Impacts on health, abundance and diversity of native waterfowl / other aquatic birdlife</p> <hr/> <p data-bbox="724 1545 1283 1612">Drainage of wetlands and subsequent loss of natural cleansing function</p> <hr/> <p data-bbox="724 1641 1331 1709">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. *Waiiau 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	Flow must ensure life supporting capacity is maintained.
	Natural character and flow variability is part of the life essence of the river.
	The river is more than a source of water flow for abstraction.
	Maintaining water quality is part of respecting the river.
	Point and non-point source discharges impact erode mauri values.
	Excessive abstractions adversely impact mauri values.
	Link between water quality and water quantity.
	Mixing of waters adversely impacts mauri values.
Wāhi ingoa / place names	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.
Ara tawhito / trails	Historically, flow may have determined safe river crossings.
	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.
Repo raupō / wetlands	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.
Waipuna / springs	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.
	High water quality can sustain valued waipuna, or conversely, poor quality can degrade them.
Riparian areas	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.

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 just above where the Caroline Stream enters the mainstem of the Waiau River, 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.

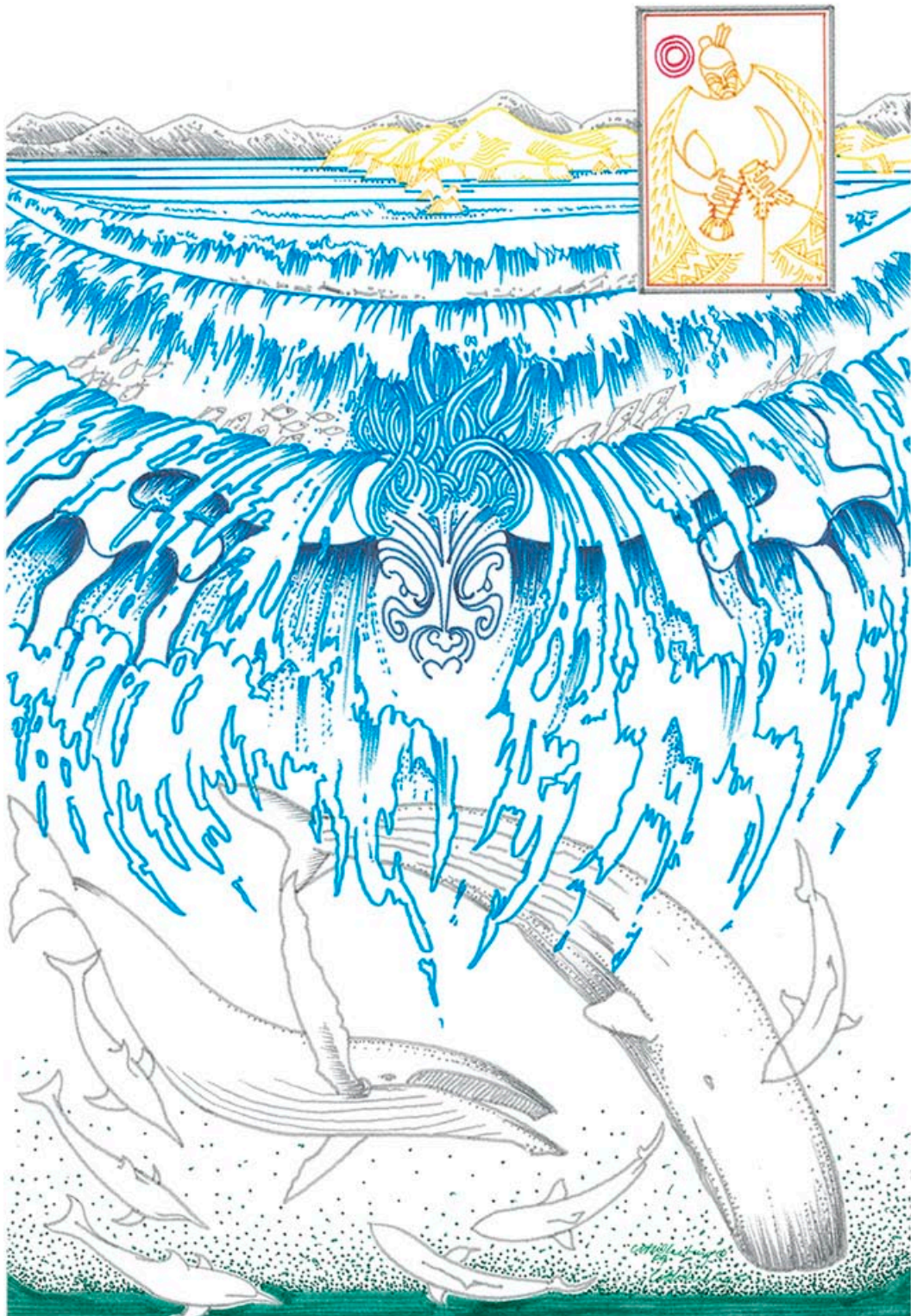
Information source: Puentener, R. 2003. *Customary Use of Native Bird Species – A Way Forward*. A paper presented to the 3rd International Wildlife Management Congress, December 2003: Christchurch.

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

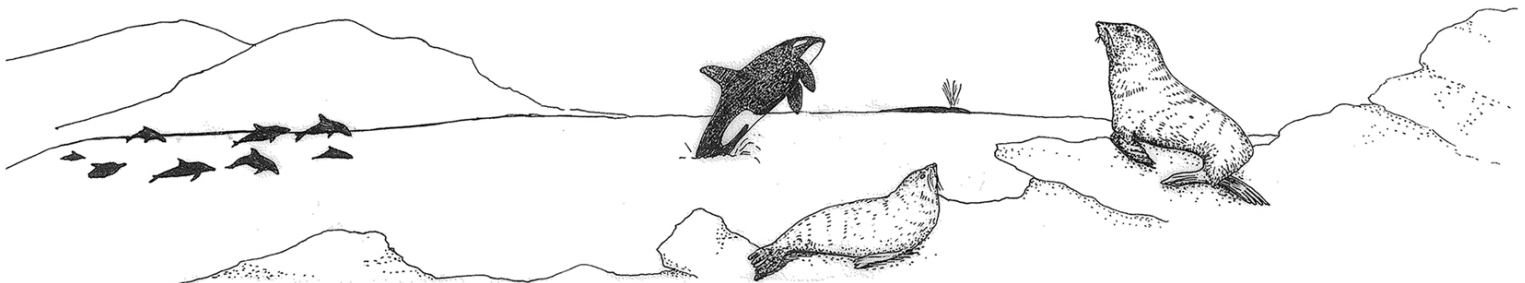


This section of the Plan describes ngā take and ngā kaupapa associated with the lands, waters, mahinga kai and biodiversity of Te Tai o Marokura, the Kaikōura Coastal Marine Area, from Te Parinui o Whiti to the Hurunui River and out to the open sea.

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 Rakaitauneke, was said to have a kaitiaki whale, named Mata Mata, who dwelt in the sea opposite Te Rakaitauneke's home in Tahuna Torea (Goose Bay). Mata Mata's sole duty and purpose in life was to do Te Rakaitauneke's bidding, to serve all his needs and to guard him against harm. Everywhere Te Rakaitauneke went, Mata Mata went too. When Te Rakaitauneke went to Takahanga, Mata Mata could be seen blowing outside the garden of memories, as close to shore as he could possibly get. Te Rakaitauneke's love for Mata Mata was as great as the whale's love for him.

After Te Rakaitauneke'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 Rakaitauneke'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 Rakaitauneke's descendants. It is also said that many of the descendants of Te Rakaitauneke, 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 tītī (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).

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.