

### Cultural Effects Assessment – Appendix Three

NWML recognise that Iwi/Māori wellbeing is strongly driven by a sense of belonging; connectedness to the land and the sea, the lifeforce (mauri) of place, the ability to express Māoritanga including collection of seafood (kaimoana), and the ability to tell their stories in their own way and in their own language. Cultural effects have been assessed as far as possible but NWML are open to ongoing engagement.

#### 1.0 Cultural Setting

The coastal land north of Whāingaroa is subject to the Waikato-Tainui Raupatu 1995 settlement<sup>29</sup> which was the first historical Treaty of Waitangi grievance settled with the Crown. A key component of their claim was the Waikato River and bylaws now *‘allow the tribe to exercise mana whakahaere in managing the use of the fishery in the rivers, lakes and streams within the Waikato Tainui Fisheries Area’*. There are remaining unsettled claims including over the west coast harbours.

The Waikato-Tainui Environmental Plan / Tai Tumu, Tai Pari, Tai Ao, identifies the Iwi’s key strategic objectives are *‘to grow our tribal estate and manage our natural resources.’* The overarching purpose of the Plan is *‘to provide a map or pathway that will return the Waikato-Tainui rohe to the modern day equivalent of the environmental state that it was in when Kiingi Taawhiao composed his maimai aroha’*.

There are five marae in the general vicinity of the application area<sup>30</sup>. Ngāti Tāhinga are the primary hapū of Pukerewa, Weraroa, Te Ākau and Pohākena marae. Ngāti Tamainupo, Toa Kotara and Te Huaki are the primary hapū of Waingaro marae.

The Ngati Tahinga Environmental Management Plan<sup>31</sup> *‘identifies Tahinga environmental base lines and provides policies and methods to help hapū and whānau to protect those base lines and achieve their environmental aspirations. The Tahinga EMP is driven by kawa, whakanoa and taikanga. Sustainability is the key foundation from which Tahinga makes decisions regarding the environment’*.

#### 2.0 Cultural Associations

NWML understands that it is for Iwi/hapū to describe any cultural or historical associations with the project site and has been undertaking engagement to further understand these associations. The following has been provided to NWML during engagement to date.

##### 2.1 Ngāti Whakamarurangi hapū

*‘Ngāti Whakamarurangi is a west coast hapū and our rohe begins at Otū north of Papanui Point and includes the southern side of Karioi to the summit before descending to Te Hutuwai, then south to Te Mata, to Wairēinga Falls where it follows the Pākoka river to Aotea harbour. It then follows the main channel to the mouth of Aotea. It turns north from Pōtahi Point and follows the coastline to Taranaki Point, Haerepō, Papapounamu, Waiau, Paringatai, Matawha, Raukura, Ruapuke, Pākaraka, Papanui Point to Otū.*

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<sup>29</sup> <https://waikatotainui.com/about-us/settlements/>

<sup>30</sup> <https://maorimaps.com/map>

<sup>31</sup> <https://www.waikatoregion.govt.nz/assets/WRC/WRC-2019/2386228-Ngati-Tahinga.pdf>

*The entire rohe of Ngāti Whakamarurangi is culturally significant, and has long been recognised as an outstanding landscape, with high coastal and natural character.*

*Ngāti Whakamarurangi's CMA stretches from the shoreline to Karewa Island, a distance of some 20 kilometers and runs parallel from Aotea to Otū. It includes the reef known as Rewatu (mapped as Aotea reef) and we share customary usage and responsibilities with our Ngāti Koata relations to Patuatini (Jackson's reef). This area is within that covered by the application<sup>32</sup>.*

## **2.2 Te Rūnanga o Ngāti Mahuta ki te Hauāuru**

*'Te Rūnanga o Ngāti Mahuta ki te Hauāuru is the governance body representing the interests of the hapū of Ngāti Mahuta, a hapū of Waikato Tainui. Our marae are Maketu, Arauka and Te Kōraha. We are a coastal hapū with mana whenua and mana moana interests on the Waikato West Coast.*

*Our rohe moana encompasses the 'Kāwhia Harbour' including Port Tahāroa to the south, Te Puia Springs to the north and Karawea to the north-west. We have exclusively used and occupied this area since 1840 and have established kaitiakitanga over the moana. We continue to exercise this important customary right for the benefit of our hapū.*

*In terms of the Northern Mussels proposal, we confirm that we do not have customary interests in the area subject to this application<sup>33</sup>.*

## **2.3 Tainui Hapū o Tainui Waka**

*'Tainui, the applicant group, whakapapa to the original people of the Whaingaroa, Aotea and Kāwhia area. Notable ancestors who link whānau and hapū together are: Hoturoa, Rakatāura and Kahukeke, Tāwhao, Pimioatekore and Marutehiakinaa, Kakati, tuirirangi, Koata, Kahfaru, Te Ikaunahi, Hounuku, and others.*

*Tainui whānau and hapū have continually occupied Te Whānga, Te Kopua and Rakaunui. Te Horea at Te Akau (north of Whaingaroa Harbour) was occupied until 1941 when the Native Land Court gave it to a Pākehā leaving us with a small urupā on that land. Our meeting house Lira te Kakara and papakainga at Te Kopua, were destroyed by the government in the same year to make way for an emergency aerodrome. However, whānau remained on the lands south of the confiscation and are still there today.<sup>34</sup>*

## **2.4 Ngāti Tahinga**

*'Tahinga settled in this area for many years and remain to this day. Tahinga are descendants of Hotunui, brother to the captain of the Tainui Waka in the years of the great mitigation to Aotearoa. Tahinga people utilised the environment and the land that they settled on and all its taonga. Tahinga have always had symbiotic relationship as defined in this document.*

*The land block known as Te Akau was a large tract of country between Wahapū (port Waikato), Te Puaha o Waikato (Waikato River Inlet up to Mercer Te Paina), Whangape Lake, inward to Waihi Lake and across to*

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<sup>32</sup> Heather Thompson communications during 2018 engagement process

<sup>33</sup> Shirley Tuteao communications during 2018 engagement process

<sup>34</sup> <https://www.courtsofnz.govt.nz/assets/the-courts/high-court/high-court-lists/applications-marine-coastal-list/civ-2017-419-000083-tainui-hapū-o-tainui-waka/civ-2017-419-83.pdf>

Whaingaoa Harbour (Raglan)<sup>35</sup>.

Ngāti Tahinga hold customary fishing rights pertaining to the area<sup>36</sup>.

### 3.0 Cultural Management Plans

NWML have undertaken a preliminary assessment against the following cultural management plans acknowledging that it is for each Iwi/hapū to make their own assessment of cultural values.

#### 3.1 Waikato-Tainui Environmental Plan/Tai Tumu, Tai Pari, Tai Ao

The Waikato-Tainui Environmental Plan / Tai Tumu, Tai Pari, Tai Ao, identifies the Iwi's key strategic objectives are *'to grow our tribal estate and manage our natural resources.'* The overarching purpose of the Plan is *'to provide a map or pathway that will return the Waikato-Tainui rohe to the modern day equivalent of the environmental state that it was in when Kiingi Taawhiao composed his maimai aroha'*. Provisions of particular relevance are outlined below:

Objective	Policy	Assessment
24.3.1 The mauri of marine waters in the Waikato-Tainui coastal area is protected and enhanced and the marine biodiversity in the Waikato-Tainui coastal area is restored and protected	24.3.1.1 To ensure that the mauri of marine waters in the Waikato-Tainui coastal area is protected and enhanced and that the marine biodiversity in the Waikato-Tainui coastal area is restored and protected	The spat catching/nursery operation will not adversely affect the marine biodiversity in or around the proposed sites.
24.3.3 Waikato-Tainui access to coastal areas for customary activities is protected and enhanced	24.3.3.1 To ensure that Waikato-Tainui access to coastal areas for customary activities is protected and enhanced	The proposal will not affect existing access to the CMA and the proposed navigational measures will ensure that the structures are easy to identify from the water (such as from boats etc).
24.4.3 Activities in the Waikato-Tainui coast area only occur when adverse effects to the environment, community, and customary activities are managed, as determined in consultation with Waikato-Tainui	24.3.4.1 To ensure a precautionary approach to activities in the coast area that may result in adverse effects to the environment, community, and customary activities.	The spat catching/nursery operation has a functional need to be located in the CMA, based on the fact that this is where the spat pass through on the current. At the same time, the adverse effects on the environment are less than minor or negligible.

In summary, the proposal is not considered contrary to the Waikato-Tainui Environmental Plan.

#### 3.2 Ngāti Tahinga Environmental Management Plan

The Tahinga Environmental Management Plan (TEMP) was developed by the Nga Uri o Tahinga Trust and

<sup>35</sup> Nga Uri o Tahinga Trust (2019). Tahinga Environmental Management Plan  
<https://www.waikatoregion.govt.nz/assets/WRC/WRC-2019/2386228-Ngati-Tahinga.pdf>

<sup>36</sup> <https://gazette.govt.nz/notice/id/2010-go2521>

identifies Tahinga environmental baselines and provides policies and methods to help hapū/whānau to protect those base lines and achieve their environmental aspirations.

Under the plan Tahinga play a crucial role in ensuring that whatever activities are undertaken in the rohe, *‘the mana of our tūpuna and mauro of the taonga they left us are preserved.’* The TEMP identifies a range of issues, objectives, policies and implementation methods and includes, for Tangaroa (marine) that:

- *‘Tangaroa is the great provider of kaimoana. For generations Tahinga have looked after many of Tangaroa creatures and the environment they live in. Tahinga people access and use the sea to collect food and medicine to sustain our people.*
- *Access to the sea and an ability to harvest sea food that is abundant and healthy is central to our customs and traditions. Activities that lead to poor water quality, loss of habitat and a degradation of kai moana are of primary concern to Tahinga.’*

It is not considered that the spat catching/nursery operation will have an adverse effect on these values.

### **3.3 Mōtakotako Marae Hapū Management Plan**

The Mōtakotako Marae Hapū Management Plan (MMHMP) was developed to allow Ngāti Whakamarurangi to share information and work cooperatively with one another and with statutory organisations and the community in exercising kaitiakitanga over their rohe.

The MMHMP identifies:

- Key tangata whenua values;
- Key tangata whenua issues;
- The ethic of kaitiakitanga;
- The exercise of kaitiakitanga on the Mōtakotako Estate; and
- Consultation processes.

The MMHMP largely covers the Mōtakotako Estate which, while not identified on a map, is presumed to cover the area directly in and around the Mōtakotako Marae. As it is, the Mōtakotako Marae is located some distance south of the southern-most proposed spat catching/nursery site. As such, the proposal is not considered to have any direct effects (adverse or otherwise) on the Mōtakotako Estate, or the CMA located directly adjacent to the same.