

Cultural Effects Assessment – Appendix Three

CBMF 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.

Ngāi Tahu Whānui expressed the following in their submissions to the MEP:

- *‘Ngāi Tahu Whānui are the collective of individuals who descend from the primary hapū of Waitaha, Ngāti Mamoe, and Ngāi Tahu.*
- *Te Rūnanga o Ngāi Tahu was established for the benefit of, and as the representative of, Ngāi Tahu Whānui under Te Rūnanga o Ngāi Tahu Act 1996. Within Ngāi Tahu there are 18 regional Papatipu Rūnanga that exist to uphold the mana of their people over the land, the sea and the natural resources. Te Rūnanga o Kaikōura, who are statutorily acknowledged under the Te Rūnanga o Ngāi Tahu Act 1996, is the modern assemblage and representative of the hapū, Ngāti Kurī. 15. Te Rūnanga o Ngāi Tahu and Papatipu Rūnanga seek to ensure their takiwā (tribal territory) is protected and enhanced for future generations.*
- *The Ngāi Tahu takiwā is defined in section 5 of the Te Rūnanga o Ngāi Tahu Act 1996, and the same boundaries were also adopted in the Ngāi Tahu Claims Settlement Act 1998.*
- *The Ngāi Tahu takiwā extends over 80 per cent of Te Waipounamu. Te Waipounamu has been home to Ngāi Tahu for over 800 years and Ngāi Tahu holds rangatiratanga and mana whenua status within the Ngāi Tahu takiwā as acknowledged by the Crown.*
- *Section 6 of the Ngāi Tahu Claims Settlement Act (NTCSA) expressly recognises Ngāi Tahu as “the tangata whenua of, and as holding rangatiratanga within, the takiwā of Ngāi Tahu Whānui”.*
- *Ngāti Kurī are mana whenua/mana moana of the part of the Ngāi Tahu takiwā that is within the Marlborough District.*
- *The NTCSA includes a statutory acknowledgment for Te Tai o Marokura, which extends northwards to the boundary of the Ngāi Tahu takiwā.*
- *The relationship of Ngāti Kurī to Te Tai o Marokura as mana whenua, rangatira and kaitiaki is explained in the evidence of Mr Manawatu. This relationship is also demonstrated and explained in the Te Rūnanga o Kaikōura Environmental Management Plan, Te Pōhā o Tohu Raumati (IMP). The IMP is a statement of Ngāti Kurī values and policies in regard to natural resource and environmental management in the Te Rūnanga o Kaikōura takiwā. It is one way for tangata whenua to carry out their role as kaitiaki and rangatira over ancestral lands.*

Te Rūnanga o Kaikōura Environmental Management Plan, Te Pōhā o Tohu Raumati (IMP) is a ‘statement of Ngāti Kurī values and policies in regard to natural resource and environmental management in the Te Rūnanga o Kaikōura takiwā. The plan is a means for tangata whenua to carry out their role as kaitiaki and Rangatira over their ancestral lands and taonga’.

The IMP states that ‘our natural environment, waters, coasts, oceans, flora and fauna and how we engage with them, is crucial to our identity, our sense of unique culture and our ongoing ability to keep our tikanga and mahinga kai practices alive. It includes our commemoration of the places our tūpuna moved through in Te

Waipounamu, and the particular mahinga kai resources and practices we used to maintain our ahi kā that anchors our whakapapa to the landscape. Wherever we are in the world, these things give us our tūrangawaewae, they form our home, and give us a place to return and mihi to, providing us with what we need to be sustained as Ngāi Tahu’.

Section 3.6.15 covers aquaculture and marine farms. The following is an initial assessment of the proposal against this section noting that *‘the plan is not intended as a substitute for consultation with Te Rūnanga o Kaikōura. Rather it is a document that provides a basis for understanding Rūnanga values and policy related to natural resource and environmental management’.*

Policy	Ngā Kaupapa	Initial assessment
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.	The consent will be subject to an MPI assessment of undue adverse effects on customary fishing but there is no indication that there will be such effects.
2	To ensure applications for aquaculture and marine farms recognise and reflect the mana whenua and mana moana status of Te Rūnanga o Kaikōura.	CBMF have commenced engagement with Te Rūnanga o Kaikōura and anticipate this to be ongoing.
3	The following criteria will be used as a guide in determining the suitability of an area for aquaculture: <ul style="list-style-type: none"> • Whale feeding grounds • Whale migration routes • Dolphin habitat and migration routes • Migration routes for koura • Sea mounts / reefs / islands / trenches • Kaimoana • Kōhanga • Wāhi tapu / wāhi taonga • Tauranga ika • Navigation • Taiāpure, mātaimai and rāhui • Waha awa (river mouths) • Tourism values • Rimurapa 	The activity has already been assessed as appropriate in the earlier consent decision. The AEE that supports the realignment application includes an ecological assessment, landscape and natural character evidence and evidence regarding effects on recreation, fishing and boating. The effects are anticipated to be no more than minor.
4	To ensure that the integrity of local kaimoana populations remains uncompromised by aquaculture.	The ecological assessment finds the activity will have no more than minor effects on the local ecology and mussel farms are known to provide positive ecosystem benefits.
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.	CBMF are open to hosting Te Rūnanga o Kaikōura to the site.

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.	The effects of the activity are expected to be no more than minor. CBMF will operate the farm in accordance with industry best practice including the MFA Environmental Certification Programme.
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.	The ecological assessment recommends monitoring of the red macroalgae beds distributed beneath the farm although the effects are anticipated to be no more than minor.
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.	CBMF do not consider that the scale, nature and extent of the proposed activity warrants a reduced consent term.
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.	Neither CBMF nor the Redwoods have been subject to any non compliance notices or enforcement action in their long history of mussel farming in Marlborough.
10	To require comprehensive, periodic monitoring of all aquaculture and marine farms, in addition to regular compliance monitoring.	The only monitoring that is indicated by the ecological expert is periodic monitoring of the red macroalgae beds distributed beneath the farm.
11	To require the opportunity for tangata whenua to participate in periodic monitoring of aquaculture and marine farms.	CBMF are open to an ongoing relationship with tangata whenua.
12	To prohibit consent holders from adding different species (to those agreed to) to their farms, once the application has been approved.	CMBF wish to add seaweed species to the consent which can have positive ecosystem benefits.
13	To ensure that no marine farm structure is located within 50m of any kelp beds.	The ecological assessment does not show kelp beds within the vicinity of the farm.

The Rangitāne o Wairau Deed of Settlement, which encompasses the Marlborough Sounds, also extends to White Bluffs, adjacent to Clifford Bay. This is acknowledged in the Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014.

CBMF recognise that it is for mana whenua to express their cultural values and have initiated engagement on this application.