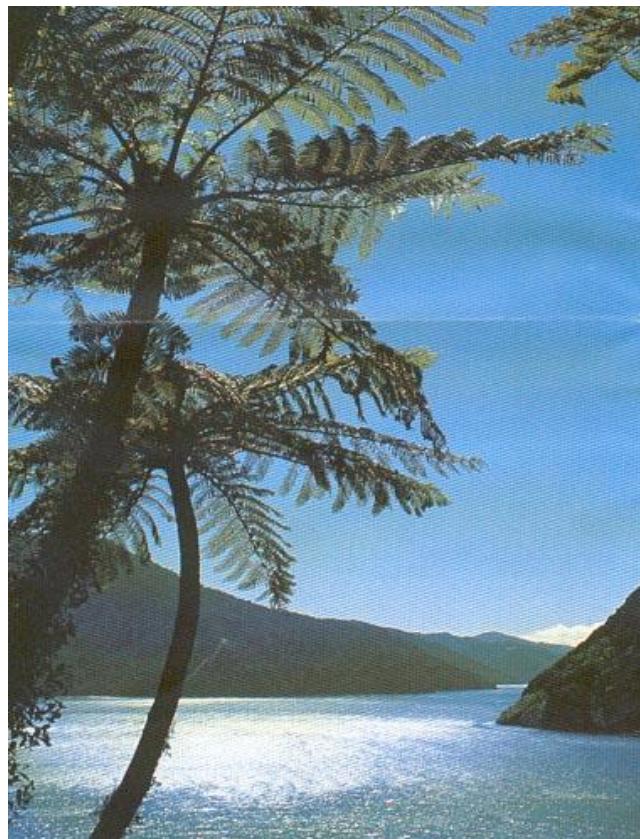




Ngati Koata No Rangitoto Ki Te Tonga Trust

Iwi Management Plan



10 June 2002

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- John Hippolite

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Disclaimer.

Ngati Koata No Rangitoto Ki Te Tonga Trust are the owners of this Plan, including the information contained within it. Ngati Koata also intend to continually develop and intermittently review this plan over time to ensure it best represents Ngati Koata expectations and protects Ngati Koata interests in the management, use and protection of natural and physical resources. This plan will therefore evolve. For this reason, at no time may any person assume they have an up to date version without first checking with Ngati Koata No Rangitoto Ki Te Tonga Trust.

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1 THE NGATI KOATA VISION STATEMENT

Ngati Koata seek to ensure that the environment and human activities are culturally managed in harmony with the appreciation that the natural world is dynamic, fragile and finite.



Te Kuru Kuru Island owned by Ngati Koata.

The definition of 'environment' as provided within the RMA is as follows:

"Environment" includes –

- (a) Ecosystems and their constituent parts, including people and communities; and'
- (b) All natural and physical resources;
- (c) Amenity values; and
- (d) The social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) of this definition or which are affected by those matters.

2 INTRODUCTION

A UNIQUE LIGHTHOUSE



Te Aumiti (in French Pass). Photo courtesy of Carl Elkington.

The only lighthouse in the world where safe passage lies in the red sector.

As unique are the Ngati Koata people.

- 2.1 This Ngati Koata No Rangitoto Ki Te Tonga Trust Iwi Management Plan (“IMP”) incorporates an update to the Ngati Koata Coastal Plan presented to Marlborough District Council and other governmental agencies in February 1993.
- 2.2 This Plan further updates the goals and objectives of the iwi management plan made by Te Runanganui O Te Waka A Maui Inc. that was made available to Local Authorities and Government Agencies in 1994.
- 2.3 The Resource Management Act recognises that Maori manage natural and physical resources and will continue to have a role in resource management. The Resource Management Act specifically provides for the relationship of Maori with their culture and traditions regarding land, water, air, forests, flora and fauna.
- 2.4 Ngati Koata have a complex set of customs and lore to conserve, manage and protect their water, land, air, forests, flora and fauna.
- 2.5 Ngati Koata considers all living things have a Mauri or life force.
- 2.6 Ngati Koata Kawa such as Tapu, Rahui, Mana, Kaitiakitanga and Mauri were utilised to ensure the resources were managed sustainably and the Mauri protected. This system of laws holds the same validity today.
- 2.7 The Ngati Koata approach to environmental management incorporates the needs and values of people and recognises the interrelated nature of the natural world. Hence, individual Chapters of this Plan cannot be read in isolation from the others.
- 2.8 It is important to note that the Crown delegated its Treaty responsibilities to Regional and District Authorities without the consent of the other Treaty partner, in this case Ngati Koata.
- 2.9 Ngati Koata must stress that if true partnership is to flourish then Iwi need to be involved at the decision making level.

3 PURPOSE OF THIS PLAN

"IMP's are a useful mechanism for the articulation and clarification of the values, objectives and strategies of iwi authorities in relation to resource management and related economic and cultural issues."

"if fully recognised and provided for by local authorities, [IMPs] are potentially one of the most practical means by which proactive partnership can be achieved under the provisions of the RMA".

- 3.1 The primary purpose of this IMP is to provide a means by which Ngati Koata are properly and fully considered in decision-making affecting their interests in Te Tau Ihu. Without the articulation of who Ngati Koata are and their link to Te Tau Ihu, as past experience has shown in the need to be reactive in decision-making processes, Ngati Koata cannot guarantee that their interests are properly taken into account. Legislation also encourages the proactive documentation of iwi values / interests.
- 3.2 The preparation of this IMP has therefore again resulted in Ngati Koata reinforcing who we are and where we came from. Providing an explanation of Ngati Koata manawhenua over areas and inclusion of this into the IMP therefore allows readers of this IMP to gain an understanding of why Ngati Koata feel strongly about different areas or about the use, development and protection (sustainable management) of natural and physical resources. This is seen to be beneficial to the processes / procedures initiated by those unaware of Ngati Koata history in this region.
- 3.3 Another important benefit of this IMP is to identify how to consult with Ngati Koata. The protocols for consultation are commonly misunderstood and therefore can lead to conflict over resource use, or ill feeling between individuals / developers and Ngati Koata. This IMP therefore specifies the ground rules for consultation and identifies the outcomes that should be anticipated.
- 3.4 In summary, the key benefits of this IMP to Ngati Koata include:
 - Providing the legal means of ensuring their interests are properly and fully taken into account;
 - In determining policy to guide their management of resources;
 - To increase awareness and involvement of Ngati Koata members in resource management issues;
 - In setting down guidelines for consultation in an attempt to avoid inadequate consultation leading to negative outcomes;

- To openly declare their exercise of tino rangitiratanga and kaitiakitanga over resources;
 - To implement a cost recovery regime in terms of resource management issues;
 - To move toward a proactive rather than reactive involvement in decision-making, thereby removing the ad hoc contesting of Iwi concerns;
 - To provide for a more efficient input by Ngati Koata in decision-making processes;
 - To achieve the resource management outcomes sought by Ngati Koata.
- 3.5 The benefits to readers of this IMP include:
- Improving understanding of iwi environmental perspectives in resource management and decision making at the national, regional and district level.
 - Gain an understanding of who Ngati Koata are and where Ngati Koata came from;
 - Gaining certainty over the processes and procedures necessary in order to complete full and proper consultation;
 - Understanding that when an applicant or agency initiates resource management issues with Ngati Koata they must meet all costs of this process.
 - Avoiding delays and confusion to any applicant or agency when undertaking to meet their responsibilities under legislation.

4 TIKANGA



The Waka Tainui was tied up to this Pohutukawa Tree called *Tangi Te Korowhiti*, located at Kawhia.

"Pene Ruruku and the Waka Te Awatea Hou Kaihoe 1992".

4.1 In order to base this IMP on a firm foundation it has been considered appropriate for Ngati Koata to first assert their tino rangitiratanga over ancestral taonga. To do so, Ngati Koata has chosen to explain the Maori environmental ethic before providing an historical account of how Ngati Koata first settled in Te Tau Ihu.

4.2 The Environmental Ethic

4.3 Life stemmed after the void, from Io Matua Kore, the parentless one, who created the preval parents, Ranginui and Papatuanuku and from their union sprang Atua or Gods.

4.4 The departmental Atua became the first Kaitiaki of the domains world of light, Te Ao Marama, and presided over the domains in the natural world.

4.5 Principle among them were:

- Tane Mahuta Atua of forests and all living things within them.
- Tangaroa Atau of the fish and sea life.
- Tumatauenga Atua of war and guardian of the Marae Atea and people.
- Tawhirimatea Atua of the winds, storms and air.
- Ruaumoko Atua of earthquakes and volcanoes.
- Haumaitiketike Atua of fern roots and other wild foods.
- Rongomatane Atua of the Kumara and of cultivated foods.
- Tutewehiwehi The grandson of Tangaroa and Atua of amphibians and the inland water creatures.

4.6 The domains of Atua provide integration across resources giving a more holistic approach to environmental management. The recognition of Atua by Maori was achieved through the practice of Karakia, Kawa and Tikanga.

4.7 This regime of social controls maintained the integrity of Maori society and led to a sensitive and responsive environmental management system.

4.8 Then came Maui the legendary trickster. After the visit of Maui to Aotearoa, of those who have dared the Southern Seas and whom little is known, there remains only Hui Te Rangiora and Pou Paka.

4.9 Hui Te Rangiora and his crew experienced mountainous seas on their voyage, during which he saw seals, bullkelp and ice fields or flows which they described as “A sea of arrowroot”.

4.10 There were dark places where the sun did not shine, it is not unreasonable to conjecture that they prevailed the Antarctic seas.

4.11 History

4.12 Then in the year 900 A.D. the most famous navigator to rediscover Aotearoa was Kupe. His wife and 2 daughters came with his party. One daughter who was called Toru had a pet shag referred to as Te Kawau A Toru (The Shag of Toru).

4.13 Ngati Koata rohe is full of Kupe explorations. If more information is required on Kupe than please contact Ngati Koata Trust.

4.14 After Kupe came the great migration of waka about 1350A.D. Ngati Koata have strong links back into the Waka Tainui.

4.15 Ngati Koata settled around the Raglan and Kawhia area's and still have a Ngati Koata Marae at Raglan.

4.16 Some Ngati Koata people moved south towards Kapiti about the 1820's and were settled there some time before the migration led by Te Rauparaha.

4.17 Shortly after the arrival of Te Rauparaha a battle occurred at Kapiti known as the battle of Waiorua.

4.18 The battle of Waiorua was led by tribes in Te Tau Ihu. The largest force which had ever been marshaled during the Maori wars along this coast was defeated by one of the smallest.

4.19 It is believed that the paramount Chief of this expedition was Tutepourangi. It has been stated that the invaders' Waka were so numerous that "The sunlight on the water was obscured".

4.20 In the battle that the Te Tau Ihu tribes lost, one of the paramount Chiefs Tutepourangi was captured. But the boy Tawhe, the son of the Ngati Koata Rangitira, was captured and taken over to Te Wai Pounamu.

4.21 After the battle of Waiorua Ngati Koata dispatched two 100 foot long Waka Taua to search for the boy Tawhe. One Waka Taua called Kapakapanui and the other was called Mangumangu. One Waka Taua went to search Te Hoiere (Pelorus Sounds). The other waka went directly to Rangitoto Ki Te Tonga (D'Urville Island).

4.22 One Waka Taua was under the command of The Giant Whakatari and the other under the command of the famous scout Mauriri.

- 4.23 Mauriri was accompanied by Te Putu (father of Tawhi). Tutepourangi was also on the Waka Taua.
- 4.24 The Boy Tawhi was found at Ngamuka on Rangitoko Ki Te Tonga. Tawhi had been well looked after. A peace between Ngati Koata and the other tribes was brokered by the Tutepourangi Tuku.
- 4.25 Since this time Ngati Koata has settled throughout the Rohe of the Tuku.
- 4.26 In 1987 there was a resolution that a Trust be set up for the Iwi, Hapu and whanau of Ngati Koata Ki Te Tonga to replace the Ngati Koata Runanga of 1880. This has resulted in the formulation of the Ngati Koata No Rangitoto Ki Te Tonga Trust to represent the interests of Ngati Koata No Rangitoto Ki Te Tonga.
- 4.27 The Ngati Koata Trust holds the mandate to represent the Iwi of Ngati Koata No Rangitoto Ki Te Tonga.
- 4.28 For more information contact Ngati Koata Trust.



Penguin Island. Photo courtesy of Carl Elkington.

5 TREATY OF WAITANGI (1840)



Photo courtesy of Joe & Priscilla Paul.

- 5.1 Ngati Koata signed the Treaty of Waitangi in Te Hoera Pa at Te Marua on Rangitoto Ki Te Tonga on the 10th of May 1840.
- 5.2 The fundamental principles that are inherent within this agreement are summarised in the following:
 - The principle of the governments right to govern and write good laws.
 - The guarantee of exclusive and undisturbed possession of Tino Rangitiratanga (Self govern) over their lands, waters, fisheries, air, forest and other properties which Iwi may collectively or individually posses so long as it is their wish and desire to retain the same in their possession.
 - The principle of partnership. That both treaty partners will act reasonably and in the utmost good faith with each other.
 - The principle of active participation in decision-making.
 - The principle of active protection. That the Crown will actively protect Maori in the use and management of their resources.

- 5.3 Any clarification on the principles of the Treaty of Waitangi should be addressed to the Ngati Koata Trust Board.
- 5.4 The Treaty of Waitangi has and still is recognised nationally and internationally as one the important documents in New Zealand's history. The court system from the District Court through to the Privy Council hold the Treaty as a legal document.
- 5.5 On the 29 June 1987 the Privy Council made a decision on the New Zealand Maori Council v Her Majesty's New Zealand Attorney General.

5.6 The effect of the Court decision as quoted by Justice Cooke.

The prosaic (ordinary) language of the Court's formal orders should not be allowed to obscure the fact that the Maori people have succeeded in this case. Some might speak of a victory, but Courts do not usually use that kind of language. (QUOTE all of this)

At the outset I mentioned that each member of the Court was writing a separate judgment. It will be seen that approaching the case independently we all reached two major conclusions.

First that the principles of the Treaty of Waitangi override everything else in the State-Owned Enterprises Act.

Second that those principles require the Pakeha and Maori Treaty partners to act towards each other reasonably and with the utmost good faith.

That duty is no light one. It is infinitely more than a formality. If a breach of the duty is demonstrated at any time, the duty of the court will be to insist that it be honored.

5.7 The Application of Treaty Principles

- 5.8 This contract of partnership between Crown and Maori has become increasingly difficult in its application as a result of the various government (central, regional and local) departments / authorities that have been established under their own guiding legislation. Refer to Chapter 16 "Statutory Acknowledgements".
- 5.9 In essence, the guiding principles contained within the Treaty of Waitangi and their non-application, in many cases, has caused the urgent need for Iwi to prepare Iwi Management Plans. It is through these Plans that provides for Iwi participation in the relevant decision-making processes affecting their relationship with ancestral taonga.

6 METHODOLOGY

- 6.1 This document has been developed through a process involving hui to identify ‘issues’, a drafting phase which resulted in a draft IMP dated 10 October 2001, and further consultation and meetings within Ngati Koata to produce the final version dated 10 June 2002.
- 6.2 The efforts of Ngati Koata in the development of this IMP was also coordinated in conjunction with the development of IMPs by Ngati Rarua Iwi Trust, Ngati Toarangitira Manawhenua Ki Te Tau Ihu Trust, Te Atiawa Manawhenua Ki Te Tau Ihu Trust and Ngati Apa Ki Te Waipounamu Trust.
- 6.3 In developing this IMP Ngati Koata also drew on the existing ‘*Coastal Section of the Ngati Koata Management Plan*’, the *Eel Management Plan*, as well as the relevant resource management policy and planning documents currently in place within the Marlborough District.
- 6.4 Ngati Koata also sought input from the National Institute of Water and Atmosphere (NIWA) the Department of Conservation (DOC) and the Marlborough District Council (MDC). Each of these agencies provided useful feedback, some of which has been incorporated into this Plan.

6.5 Scope of this IMP

- 6.6 Financial assistance from the Ministry for the Environment’s *Sustainable Management Fund* initiated the development of this Iwi Management Plan in conjunction with the development of four other Plans. This funding has specifically provided for the development of such Iwi Management Plans within the Marlborough Region. A hui held in December 2000 was held to scope and identify environmental issues in this region of significance to these iwi.
- 6.7 This IMP has therefore appropriately focused solely on Ngati Koata interests in the Marlborough District portion of Te Tau Ihu. Later amendments may be made following annual reviews of this IMP by the Trust Board to take account of Ngati Koata interests in Nelson City and Tasman District. Notwithstanding this focus on Marlborough, and in recognition of inability to geographically separate individual resources, this IMP reflects Ngati Koata interests in Te Tau Ihu in general. The same principles and policy may also be applied, and must also be considered, in decision making in Nelson and Tasman.

7 CULTURAL HERITAGE

Taken on location during filming of “*Nomads of the wind*”.

Sourced from Marlborough District Council’s State of the Environment Report.

7.1 Issues

- 7.2 The long-term protection of Ngati Koata cultural heritage, such as waahi tapu and others, is an issue that is addressed in this IMP. Taonga and other heritage values can be lost or significantly affected if District and Regional Plans and the resource consent process, as administered by Council, do not have due regard to such values.
- 7.3 The potential impacts from inappropriate earthworks, whether related to forestry, subdivision or any other activity are the primary causes for heritage values to be detrimentally affected. Disturbance of the seabed in sensitive areas also has the potential to compromise or destroy heritage sites.
- 7.4 The proposed Marlborough Resource Management Plans do not comprehensively identify known heritage sites, possibly due to their sheer number and lack of disclosure. The decision not to identify known heritage sites does not necessarily need to result in degradation or loss of such values so long as alternative methods are in place to provide the appropriate level of protection.
- 7.5 Looking specifically at the proposed Marlborough Sounds Resource Management Plan the protection of cultural heritage is undertaken primarily via a 'list' of significant sites (Appendix A, Sounds Plan). This list is by no means a comprehensive one. The Council has provided a level protection to these identified sites but has only arbitrary rules governing earthworks and land disturbance activities. On this basis it is clear that the proposed Sounds Resource Management Plan does not, and was not intended to be, the primary means of protection of cultural heritage values.
- 7.6 The functions of the Historic Places Trust and the tools available under their governing provides a further level of protection, however, the protection afforded by this legislation is by no means total. The proposed amendments to the Historic Places Act and Resource Management Act have the potential to improve this situation.
- 7.7 The complications surrounding an attempt to comprehensively identify cultural heritage sites within District Plans, the sensitivity (and silent nature) of some of this information, the overlapping nature of Waitangi Tribunal claims, and the lack of surveillance of activities undertaken within the Sounds, also cause the need to develop other more effective and efficient planning tools. Ngati Koata seek to be involved in developing such new tools. Marlborough District Council's forthcoming 'heritage review', alongside the changes proposed within the Resource Management Amendment Bill, provide the opportunity for Ngati Koata in this regard.

- **Waahi Tapu**

- 7.8 Some Ngati Koata Waahi Tapu sites including old pa sites are now covered by water at stages of the tide. Ngati Koata may identify those waahi tapu sites that belong to Maoridom and may identify sites in the same situation that are European based. Some of these sites date back to Captain Cook's first visits in New Zealand. Because of the spiritual, traditional and historical nature, Ngati Koata may also choose to register those sites under a Heritage Protection Order.
- 7.9 Ngati Koata has identified 302 waahi tapu sites on D'Urville Island alone, excluding accompanying Islands, which is only part of the rohe. It is Ngati Koatas intention to fully explore and adequately record these sites on D'Urville Island including other areas of waahi tapu that are in the Ngati Koata rohe.
- 7.10 All areas will be colour photographed and will belong to the Iwi, they will not be made available to other authorities for general use. However any objection laid by Ngati Koata could be substantiated by a presentation of such files to the Council.
- 7.11 The 302 waahi tapu areas identified by Ngati Koata at this stage on D'Urville Island does not include Tauranga Waka, Kaimoana beds, Mahinga Mataitai, Mahinga Kai or Taonga Raranga. These have been recorded but will not be released to the general public.
- 7.12 It is therefore appropriate to acknowledge that a comprehensive disclose of heritage values will not occur because of their sensitivity and spiritual values. Withholding this information will also prevent other people depleting the kaimoana beds and mahinga kai areas. In the name of conservation, preservation the areas of traditional timber and weaving material will also not be identified. Ngati Koata assures the reader of this Plan that Ngati Koata has a full understanding of where all those other areas are and the traditional and historical use associated to them. In many of the cases, according to the Ngati Koata Charter, Ngati Koata has been charged as Kaitiaki to protect those areas of waahi tapu within Ngati Koata rohe that do not necessarily belong to Ngati Koata. The reasons stated are consistent with Ngati Koata Charter.
- 7.13 Approximately fourty (40) islands belonging to Ngati Koata, that are associated to the D'Urville Island region, are identified within a Gazette Notice dated Wednesday 1986, No 44. Ngati Koata surveyed each Island and a title has been issued. Because of the history associated to these islands they are declared with waahi tapu status and are reserved for the common use and benefit of Ngati Koata descendants (as the gazette notice identifies). Each individual island has its own special character and place in Ngati Koata history. Please refer to Appendix 1 of this Management Plan.

7.14 Objective

The protection of Ngati Koata heritage values.

7.15 Policies

1. Recognition, when appropriate, of the location of heritage values in the relevant resource management planning documents.
2. Recognition that there will always be heritage values that are intentionally not identified in planning documents.
3. Ensure that rules governing land disturbance and both terrestrial and marine based development activities have full and proper regard to potential impacts on heritage values.
4. Ensure district and regional plans prepared under the Resource Management Act 1991 require consultation with Ngati Koata and the results of such consultation reported within any Resource Consent application.
5. Involvement in decision-making affecting management of Ngati Koata heritage values.
6. To ensure there is an appropriate level of integration of heritage management currently encompassed by the Resource Management Act and Historic Places Act.
7. Support the development of new and more effective planning tools (e.g. education) and management structures that result in the long term protection of Ngati Koata heritage values.

7.16 Methods

1. Involvement in the District and Regional Plan preparation processes.
2. Review the level of protection the district and regional plans currently provide to Ngati Koata heritage values.
3. Establish Memorandum of Understanding / agreements with appropriate development sectors and organizations i.e. Forestry Companies.
4. Encourage Treaty partners to utilization of tools available under the Historic Places Act.
5. Develop greater awareness of the existence and role of the NZ Archeological Association's File keeper and the availability of that information.
6. Require Iwi Monitors to be present during earthworks in areas of potential heritage values.

7. Require Archaeological Survey when heritage values are known to exist on particular site or generally within close proximity to a site.
8. Advocate volunteered protection of private property containing heritage values.
9. Establish an effective means of dialogue to assist consultation processes.
10. Support the Marlborough District Council and/or Historic Places Trust at times when enforcement procedures are used to penalize at fault developers and applicants.
11. Actively seek new methods of protection for heritage values in conjunction with other Iwi, Historic Places Trust and the Marlborough District Council.

7.17 Monitoring

1. The level of protection given to heritage values in district plans will be monitored at appropriate times.
2. The adequacy and performance of other protection methods.
3. The frequency of works being consented to and/or undertaken without consultation with Ngati Koata, by monitoring non-notified and notified resource consent applications.
4. The state of heritage sites and their maintenance and condition over time.

7.18 Cross-reference to Marlborough Planning Documents

7.19 The following planning documents are relevant to this section of the Ngati Koata Iwi Management Plan. A selection of the relevant chapters of these documents is provided here for reference purposes. These references are not however comprehensive.

- Marlborough Regional Policy Statement 28 August 1995 (e.g. Part 3.2 and 7.3);
- Proposed Marlborough Sounds Resource Management Plan (e.g. Volume 1, Chapters 6, 9 and 13);
- Proposed Wairau / Awatere Resource Management Plan (e.g. Volume 1, Chapters 2, 3, 9 and 14).

8 COASTAL WATER



Te Aumiti (French Pass). Photo courtesy of Carl Elkington.

*Ka hura to mata o te tai.
The tide has begun to flow.*



Te Aumiti (French Pass). Photo courtesy of Carl Elkington.

8.1 Issues

- 8.2 The definition of “coastal marine area” as provided within Section 2 of the Resource Management Act 1991 is as follows:

“coastal marine area” means the foreshore, seabed, and coastal water, and airspace above the water –

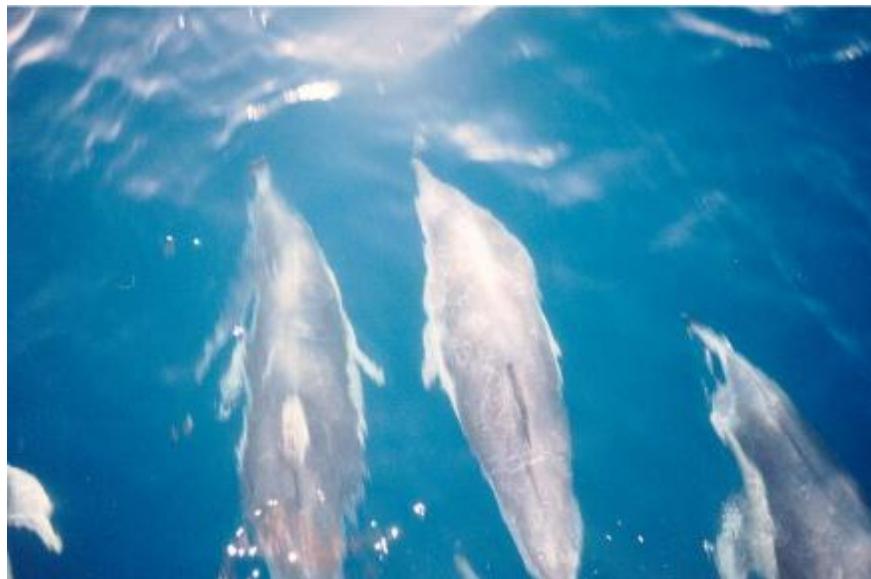
- (a) Of which the seaward boundary is the outer limits of the territorial sea;
- (b) Of which the landward boundary is the line of mean high water springs, except that where that line crosses a river, the landward boundary at that point shall be whichever is the lesser of –
 - (i) One kilometer upstream from the mouth of the river; or
 - (ii) The point upstream that is calculated by multiplying the width of the river mouth by 5:

- 8.3 Refer to Appendix 3 for the South Island Customary Fishing Boundary.
- 8.4 Ngati Koata are involved with the Foreshore and Seabed claim. Section 8 of the RM Act is entitled ‘Treaty of Waitangi’ and states:

In achieving the purpose of this Act, all the persons exercising functions and powers under it, in relation to managing the use, development and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi.

- 8.5 Article II of the Treaty guarantees to Maori the exclusive and undisturbed possession and Tino Rangitiratanga over lands, forests, air space and waters. There has been no statutory extinguishments of Maori customary title to foreshore and seabed since 1840 by the Tangata Whenua iwi of the Te Tau Ihu Rohe. This fact was upheld by Judge Hingston’s decision, of the Maori Land Court, on the 22 December 1997.
- 8.6 Ngati Koata culture and traditions involve fishing. Fishing is spiritual, ritual and traditional to Ngati Koata. There are various rituals that we adhered to before we can enter and leave the domain of Tangaroa (Atua of the Sea). Recognition of Atua by Maori was achieved through the practice of Karakia, Kawa and Tikanga.
- 8.7 The coastal marine area is encompassed within the definition of Waahi Tapu. Under section 6 of the Resource Management Act 1991 the Council must recognise and provide for the relationship of Maori and their culture and traditions within their ancestral lands, water, sites, waahi tapu, and other taonga.

- 8.8 It is an applicant's responsibility to avoid, remedy or mitigate the adverse effects their proposal might have in regards to cultural and Iwi values.
- 8.9 The Maori Kaitiaki role has been recognised by the Crown in the coastal environment by the South Island Customary Fishing Regulations (dated 1999).
- 8.10 Ngati Koata favour open water marine farms rather than the coastal ribbon development. This is because the greatest area for recreational fishing occurs nearest the coastline of the Marlborough Sounds.
- 8.11 Ngati Koata will object when coastal development proposals have adverse effects on the following resources that can not be avoided, remedied or mitigated to Ngati Koata satisfaction,
1. Impact on any significant coastal marine habitat;
 2. Impact on significant flora and/or fauna;
 3. Customary fishing grounds;
 4. Any Taonga affected;
 5. Ngati Koata cultural and economic wellbeing; and
 6. Impact on fish life-cycle.
- 8.12 Ngati Koata will also be seeking to ensure coastal development proposals comprise:
7. A planned staged development;
 8. A management plan; and
 9. Consultation with Ngati Koata that has been full and proper.
- **Taonga**
- 8.13 Of importance to Ngati Koata are Te Kawau A Toru (King Shag), the Tuatara, the dolphin Te Ata, any other dolphins, stingrays, killer whales, whales and others.



Some Ngati Koata members have witnessed the sight of a yellow dolphin swimming in the area.

Courtesy of Carl Elkington.

- **Water Quality Restoration**

- 8.14 Further despoliation of coastal waters is unacceptable by Ngati Koata. Restoration and enhancement of water quality is needed.
- 8.15 Agricultural herbicides are detrimental to the fish life, and human consumption, affecting the delicate balance of our ecosystem. Ngati Koata register a strong concern of forest / harvesting developments, creating sediment run off into the waterways. This sediment creates bottlenecks at river outlets, changing river flow and affecting the habitat health and ability of species, that once lived gracefully in the areas of the river mouth, to survive.
- 8.16 Ngati Koata will monitor forest harvesting within Ngati Koata rohe.
- 8.17 Ngati Koata will strongly oppose any further proposals to discharge untreated sewerage into coastal waters.
- 8.18 During consultation, Ngati Koata will explain why the discharge of untreated waste is unacceptable.
- 8.19 Ngati Koata will strongly encourage court action against any vessel illegally discharging oil or other pollutants into the water, within Ngati Koata rohe.
- 8.20 Ngati Koata objections could be satisfied by the introduction of an appropriate land based treatment system. As Tangaroa extends from the ocean to the rivers and to the lakes, any discharge of raw sewerage into any waterways is totally unacceptable.
- 8.21 Tangaroa and Moana Kiwa are Kaitiaki of the waterways and in Maori terminology are the guardians and keepers of the waterways. Any discharge of raw sewerage and other pollutants will be seen as an affront to Maoridom and contrary to the principles of the Treaty of Waitangi, including the kaupapa of Ngati Koata of leaving for oncoming generations a rohe to be proud of.

- **Kaimoana Beds**



Jim Elkington undertaking a monitoring survey of Kaimoana Beds.

- 8.22 Ngati Koata has a long history of transplanting Kaimoana beds for the betterment and use by all communities. This is because of Ngati Koata tradition and highly developed skill in transplanting and management of such beds. Unless these Kaimoana beds are properly managed then ongoing depletion of such stocks will continue. Ngati Koata will make this philosophy known to the world.
- 8.23 Esplanade reserves create a barrier for the on-going management of Ngati Koata Kaimoana beds. Esplanade reserves are therefore of high concern to Ngati Koata.
- 8.24 Our concerns could be satisfied by close negotiations between Council's and the Department of Conservation for the removal of Esplanade Reserves in some cases and in other cases designating authority to Ngati Koata to administer the Esplanade Reserves, thereby removing the physical barrier, allowing Ngati Koata to properly manage the Kaimoana Beds for the betterment and use of all people with the intent of educating the user group of seasons and species of harvesting. This will ensure the resources are available for oncoming generations.

- **Ballast Tank and Shipping**

- 8.25 Ngati Koata registers a strong objection to overseas shipping but this interest is not necessarily restricted to deballasting water tanks within coastal regions. In all cases port companies and Local Authorities should satisfy themselves that Ngati Koata is satisfied that an appropriate filter system will be used for all discharges. However, Ngati Koata would prefer that no discharge from tanks take place in coastal regions for fear of contamination that may already occupy ship tanks. All ships, including oil rigs, should deballast prior to entering New Zealand International water and reballast with water from the appropriate area. All ships prior to entering Marlborough shall deballast and enter these waters in a lightly deballast mode.
- 8.26 The remaining ballast water held in the tanks would be contaminated by that taken from other ports. The objection is not to prevent water ballasting within the New Zealand Coastal Zone being discharged in Ngati Koata rohe, the objection is to the contaminants within the tanks that have widely traveled the world and those contaminants being dispersed into the waterways of Tangaroa and Moana Kiwa in Ngati Koata rohe.
- 8.27 Ngati Koata recommend that all commercial vessels in the rohe of Ngati Koata be fitted with holding tanks to prevent discharge of raw sewerage into the waterways of Ngati Koata rohe.

- **Fish**

- 8.28 Water purity is Ngati Koata's first goal for enhancing the restoration of fish life.
- 8.29 In the opinion of Ngati Koata Fisheries Consultants, if the Iwi Authorities and Local Authorities combine their efforts with Government Authorities to enhance the purification of waterways and the prevention of oil pollutants and other pollutants, the natural food cycle of the fish stock will rejuvenate. This would encourage indigenous species of fish back into the waterways to take advantage of the natural cycle associated to the food chain system.
- 8.30 Ngati Koata Fisheries Consultants would be actively involved in the management of fisheries in their rohe. This would bring to fish management a traditional concept, introducing appropriate seasons for the appropriate species, and in some cases discounting catching methods for the long-term protection of fish stocks for the benefit of current and future generations.
- 8.31 Ngati Koata involvement at this level of management would stabilize the fisheries, which would also increase their commercial viability and enhance employment without contravening traditional practices.

8.32 Objectives

1. Maintenance or enhancement of water quality in the coastal marine area at a level that enables the gathering or cultivating of shellfish for human consumption (Class SG).
2. Protection of the coastal environment by avoiding, remedying or mitigating any significant adverse effects of activities that alter or modify the foreshore or seabed.

8.33 Policies

- 1 Ngati Koata involvement in the management and planning of coastal water quality.
- 2 Avoid, remedy or mitigate the adverse effects of use and development of resources in the coastal area on cultural and iwi values.
- 3 Avoid, remedy or mitigate any adverse effects resulting from the occupation of structures and activities in the coastal marine area.
- 4 Avoid foreshore structures in areas of cultural use where there is potential adverse effect on cultural values.
- 5 Avoid the discharge of contaminants into the coastal marine area where it will adversely effect:
 - a) areas identified by Ngati Koata as being of special spiritual, cultural or historical significance; or
 - b) areas identified by Ngati Koata as outstanding landscape
6. Recognise and provide for the need to:
 - a) Preserve the natural character of the coastal environment.
 - b) Protect public health.
 - c) Protect the amenities of the area.
 - d) Protects sites of spiritual, historical or cultural significance to Maori identified in accordance with Tikanga Maori, including waahi tapu, tauranga waka, maataitai and taonga raranga.
 - e) Avoid, remedy or mitigate adverse effects on ecological systems including natural movement and productivity of biota, natural biodiversity and adverse effects on:
 - Shellfish areas;
 - Fish spawning and nursery areas;
 - Bird-breeding and nursery areas;

- Fish and bird migration;
 - Feeding patterns flora and fauna;
 - Habitats important to the continued survival of all indigenous species;
 - Wildlife and marine biota; and
 - The intrinsic value of ecosystems
- f) Avoid, remedy or mitigate adverse effects on existing lawful activities, particularly marine farming, fishing, recreation and tourism activities.

When assessing a permit to discharge water or contaminants into the coastal marine area.

7. Progressively eliminate discharge of human sewage direct to the coastal marine area from land-based wastewater treatment facilities, including existing authorised discharges, except where there has been consultation with the Tangata Whenua in accordance with Tikanga Maori and due weight has been given to Sections 5, 6, 7 and 8 of the Act.
8. Ensure that every coastal permit to discharge contaminants into the coastal marine area contains conditions requiring the discharger to monitor the effects of the discharge and compliance with the water quality classification (SG).
9. Avoid, remedy or mitigate any adverse environmental effects associated with the extraction and movement of sand, shell, shingle or other natural material from the coastal marine area.
10. Avoid, remedy or mitigate any adverse effects to the foreshore and seabed arising from structures and marine farming activity.
11. Avoid, remedy or mitigate any significant adverse effects to the foreshore and seabed arising from any activity in the coastal marine area, including any lawfully established or otherwise permitted activity. (As required by Section 17 of the Resource Management Act 1991)
12. When assessing the effect of any alteration to the foreshore or seabed, to have particular regard to Maori cultural values, heritage values, natural character, landscape and ecological values.
13. Ngati Koata representation at the decision making level.

8.34 Resource Consent Applications

8.35 Ngati Koata acknowledge that the ‘Assessment Criteria’ for ‘discretionary activities’ involving foreshore and seabed alterations, enable the effect of the alteration on the coastal marine area to be assessed. An assessment of the effect of the proposed alteration on Maori, cultural and heritage values, natural character, landscape and ecological values is necessary, with the findings of this assessment forming a part of any resource consent application lodged. Full and proper consultation with Ngati Koata must occur before any related AEE can be deemed to be adequate.

8.36 Anticipated Environmental Results

- 8.37 Maintenance and enhancement of the coastal environment following occupation of coastal space and from alterations to the foreshore or seabed.
- 8.38 Only appropriate structures, which are sensitive to the coastal environment being constructed.
- 8.39 A progressive improvement in water quality in the coastal marine area at a level that enables the gathering or cultivating of shellfish for human consumption.
- 8.40 The continuation of activities that do not significantly or adversely alter the foreshore or seabed.
- 8.41 Tikanga input into the decision-making policies.
- 8.42 Greater recognition of Treaty of Waitangi rights.
- 8.43 The 1992 Settlement Act (“Sealord Deal”) and acknowledgement of customary fishing regulations.

8.44 Monitoring

1. Coastal Permit Applications
2. Monitoring results of compliance with conditions on marine farming/aquaculture and coastal permits, through desk and on-site analysis.
3. To measure the effectiveness of rahui and/or maataitai sites if and when established.

8.45 Cross-reference to Marlborough Planning Documents

- 8.46 The following planning documents are relevant to this section of the Ngati Koata Iwi Management Plan. A selection of the relevant chapters of these documents is provided here for reference purposes. These references are not however comprehensive.
- Marlborough Regional Policy Statement 28 August 1995 (e.g. Part 3.2 and 5.3);

- Proposed Marlborough Sounds Resource Management Plan (e.g. Volume 1, Chapter, 9);
- Proposed Wairau / Awatere Resource Management Plan (e.g. Volume 1, Chapter 9).



Te Aumiti (French Pass). Photo courtesy of Carl Elkington.

9 FRESHWATER



Inanga and whitebait. Courtesy of Roy Grose (DOC).

*Ko te kai reka o nga awa, he tuna
The sweet food from rivers is tuna.*



Tuna (Eels). Courtesy of Marlin Elkington.

9.1 Issues

- 9.2 The Resource Management Act 1991 defines freshwater as:
- “Fresh water means all water except coastal water and geothermal water”*
- 9.3 This part of the Ngati Koata IMP first acknowledges the *Te Tau Ihu Mahi Tuna EM6 Eel Management Plan* that has previously been put in place. Ngati Koata support that Plan.
- 9.4 Freshwater resources are identified by Ngati Koata as being a source for food (*Mahinga kai*), as containing a “life-force” (*Mauri*), while also being sites of spiritual significance (*Waahi Tapu*). Activities that involve the discharge of contaminants, and in particular the discharge of untreated sewerage, are seen to significantly affect these values. Ngati Koata are also concerned about the allocation of water resources and the potential effects associated with over allocation. Management of groundwater resources is also seen to be of particular value to Ngati Koata, which is where the demands from viticulture and other rural groundwater users come into play.

9.5 Objective

1. Maintenance and enhancement of freshwater aquatic ecosystems and the management of the effects of activities on water quality in wetlands, lakes, rivers, groundwater and receiving coastal waters that enables:
 - a) Contact water recreation;
 - b) Food gathering;
 - c) Cultural integrity; and
 - d) Biological / ecological life supporting capacity
2. That the natural functioning and life supporting capacity of ecosystems is not disrupted by discharges into, the taking, use, damming and diversion of fresh surface water or groundwater.

9.6 Policies

1. Avoid the direct or indirect discharge of contaminants into freshwater where it will modify, damage or destroy any significant ecological or spiritual value.
2. Avoid the discharge of contaminants into freshwater where it will adversely affect:
 - a. areas identified by iwi as being of special spiritual, cultural or historical significance
 - b. areas identified as an outstanding landscape; and
 - c. quality of water in the coastal marine area.

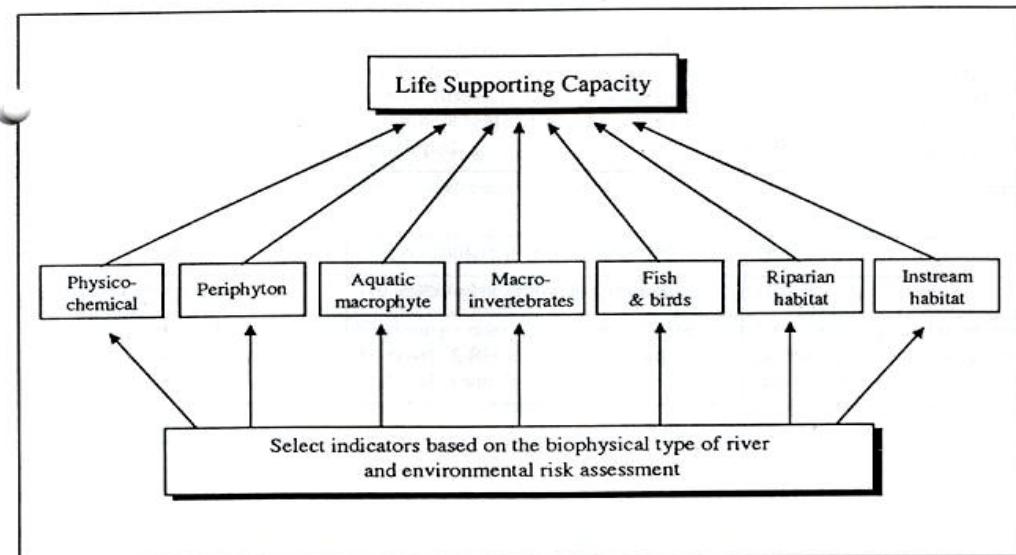
3. When assessing a permit to discharge water or contaminants into a wetland, lake or river, have particular regard to the classification of that water body and the need to protect sites of spiritual, historical or cultural significance to Maori identified in accordance with Tikanga Maori, including waahi tapu, tauranga waka, mahinga maataitai and taonga raranga.
4. Promote and encourage land use practices and measures which avoid, remedy or mitigate adverse effects on water quality.
5. Adopt a precautionary approach towards the allocation of surface and groundwater resources.
6. Avoid adverse environmental effects on fresh water ecosystems from the taking of fresh surface water and groundwater. Generally this will mean not more than 35% of the five year - seven day low flow is allocated for abstraction.
7. Ngati Koata involvement in decision-making processes when developments affecting water resources are considered.

9.7 Methods

1. Discharges of untreated human sewage into freshwater is prohibited. Rules and standards relating to discharges to land, which affect water quality, are included. Other discharges to freshwater are not provided for, thus, resource consents will be required for discharges to water and consent only granted where adverse effects are able to be avoided, remedied or mitigated.
2. Encourage the Marlborough District Council to establish alternative systems such as rain water storage, efficient use of water, and water conservation measures to reduce reliance on abstraction during periods of low seasonal flow.

9.8 Monitoring

- 9.9 Ngati Koata seek to ensure the monitoring of flows and levels of freshwater bodies, paying particular attention to those areas where abstraction occurs.
- 9.10 Ngati Koata also support the selection of environmental indicators based on the biophysical type of the river and related environmental risk assessment. Indicators selected may include, physico-chemical; periphyton; aquatic macrophyte; macro-invertebrates; fish and birds; riparian habitat; instream habitat.



Indicator	Status	Data Availability
Physico-chemical	Statistical protocol needed, such as using a percentile, for meaningful information.	Yes. Regional Councils routinely collect these data.
Periphyton	Research is sufficient to develop a periphyton assessment protocol.	Some regional councils are collecting data on periphyton.
Aquatic macrophytes	Further research on macrophytes is needed.	Not yet.
Macroinvertebrates	A protocol exists (MCI). It needs to be reviewed in the light of advances in the use of macroinvertebrates as a monitoring tool. The Ministry will commence work on this review this year.	Yes. Many regional councils are collecting these data.
Fish	At the national scale, this indicator is ready, based on Giant Kokopu. With further research, regional scale and catchment scale indicators could be developed.	Yes. The fresh water fish database contains a large amount of data. Data is being added by DoC, Fish and Game Councils, CRIs and some regional councils.
Birds	Not ready / research needed.	Possibly, by some ornithological groups.
Instream habitats	An assessment protocol is needed.	Not yet.
Riparian habitats	An assessment protocol is needed.	Not yet.
Spatial framework for rivers (eco-classification systems)	Currently under development by the Ministry. CRIs and a small group of regional councils.	Yes, some regional councils are developing or piloting such frameworks.

9.11 It must also be acknowledged that physico-chemical monitoring provides information on only one component of an aquatic ecosystem. Other components can be critical to the concept of life-supporting capacity. For example, it is possible to have high water quality but very poor habitat conditions as a result of river engineering works.

9.12 Environmental Performance Indicators

9.13 Tangaroa is kaitiaki of the waterways and in Maori terminology is the guardian and keeper of the waterways.

9.14 Any discharge of raw sewerage and other pollutants will be seen as an affront to Maoridom and contrary to the principles of the Treaty of Waitangi including the kaupapa of Ngati Koata of leaving for oncoming generations a rohe to be proud of.

9.15 For Ngati Koata, water, land, air, flora and fauna are equally important, as they are vital elements. The state of water is directly linked to the well being of people. Water is pivotal to the traditional Ngati Koata way of life. Water is also used in Maori ceremonies throughout life from birth to death.

9.16 Monitoring native fish populations and the presence and well being of native birds is particularly relevant for Mahinga Kai (food gathering activities) and for determining Mauri.

9.17 Ngati Koata fully supports and adopts the principles in the Te Tau Ihu Mahi Tuna EMC 6 Eel Management Plan.

• Water Take

Ngati Koata consider water take requests as follows:

1. Recognition of Treaty of Waitangi.
2. Waterway to have been measured to allow calculation of the available flow.
3. Consultation over the amount of water to be taken.
4. When the calculated flow reaches the 35% level of take that consultation with Ngati Koata be full and proper, with an agreement be reached with Ngati Koata if any proposed take exceeds the 35% flow.

• Discharges

Ngati Koata consider discharges as follows:

9.18 To retain and enhance Tino Rangitiratanga by acknowledging the Mana of Tangaroa on the basis of 'cleanliness is next to godliness'.

9.19 The discharges into waterways is culturally offensive to Ngati Koata.

9.20 Ngati Koata seeks to have the highest purity and restoration of waterways.

9.21 Any discharges of raw sewerage into waterways is totally unacceptable. Ngati Koata favour land base disposal of sewerage.

9.22 Cross-reference to Marlborough Planning Documents

9.23 The following planning documents are relevant to this section of the Ngati Koata Iwi Management Plan. A selection of the relevant chapters of these documents is provided here for reference purposes. These references are not however comprehensive.

- Marlborough Regional Policy Statement 28 August 1995 (e.g. Part 3.2, 5.1 and 5.2);
- Proposed Marlborough Sounds Resource Management Plan (e.g. Volume 1, Chapter 3);
- Proposed Wairau / Awatere Resource Management Plan (e.g. Volume 1, Chapter 6).



Waterfall. Photo courtesy of Carl Elkington.

10 FLORA / FAUNA

Takapourewa (Stephens) Island. Tuatara. Photo courtesy of Roy Grose.

*Me tiaki tatou nga taonga O nga Atau.
As kaitiaki let us respectfully take care of all treasures given to us by the gods.*

Kawau A Toru (King Shags). Courtesy of Roy Grose.

10.1 Issues

- 10.2 Ngati Koata are a claimant in the Wai 262 claim commonly called the “*Flora and Fauna claim*”.
- 10.3 Towards the outer Sounds, coarse sand, shell, bedrock and mud offer habitat to a diverse and complex marine community. Reefs are highly productive habitats featuring a high diversity of plants, coral and animals. A large variety of indigenous species occupy these habitats and a number are rare or uncommon for various reasons. Some more well known include the horse mussel, brachiopods, tubeworms, elephant fish, blue cod, dolphins, killer whales, whales and variety of bird life.



Some Ngati Koata members have witnessed Killer Whales giving birth at Rangitoto ki te Tonga.

- 10.4 The habitat of eel and whitebait are also of concern to Ngati Koata.
- 10.5 On land the indigenous vegetation is very important in its own right because it contains a number of endemic and rare plants, animals and generally as it provides a habitat for important indigenous fauna. The Marlborough Sounds are home to a great variety of indigenous fauna including some uncommon or rare native birds, insects and reptiles.
- 10.6 Ngati Koata have undertaken work on the restoration of mutton bird holes and have also been proactive in the ongoing protection of Tuatara and their habitat. These species are of particular significance and concern to Ngati Koata. Ngati Koata have identified the flight path of the Mutton Birds, refer to Appendix 2 of this Management Plan.
- 10.7 Certain flora contains healthy medicinal properties.
- 10.8 The issue is therefore: ‘*Degradation of indigenous vegetation and the habitat of indigenous fauna from the adverse effects of land and water use*’.
- 10.9 The effects of concern or the significant threats to indigenous vegetation and the habitat of indigenous fauna include:

- Degradation or destruction of areas of significant flora and fauna through logging, burning, grazing, land development and invasive plant and animal pests;
- Degradation or destruction of the habitats of native fish, through the drainage of wetlands, pollution of waterbodies, removal of riparian vegetation and diversion and damming of water;
- Degradation of coastal marine habitats arising from structures, works or activities occurring within the coastal marine area or contamination of water arising from the effects of land-based activities; and
- The adverse effects of the interaction of people and the natural ecosystem (eg. through the pressures of domestic and international tourism).



Giant Weta. Courtesy of Roy Grose.

- 10.10 Ngati Koata also has a preference for native flora and fauna in Te Tau Ihu. . A National policy on Biodiversity is currently being developed.
- 10.11 The Resource Management Amendment Bill 2001 includes the following definition:

“biological diversity” means the variability among living organisms, and the ecological complexes of which they are a part, including diversity within species, between species, and of ecosystems”.

- 10.12 Genetic engineering / modification of native flora and fauna is of significant concern to Ngati Koata.

Hamilton Frog. Courtesy of Roy Grose.

10.13 Objective

- 10.14 The protection of significant indigenous flora and fauna and their habitats from the adverse effects of use and development.
- 10.15 The protection of indigenous flora and fauna and their habitats from pest animals and plants.
- 10.16 Recognise and provide for Tangata Whenua perspectives, values and use in the improvement and enhancement of indigenous biodiversity.

10.17 Policies

1. Promote the establishment of agreements / Whenua / and other forms of protection for the purpose of protecting land containing indigenous flora, fauna and their habitats.
2. Support the establishment of Maataitai for the purpose of protecting marine habitats.
3. Protect indigenous flora and fauna stocks and habitats from unsustainable harvesting and inappropriate harvesting techniques, and from the control of exotic flora and fauna.
4. Encourage control of pest plants and animals.

5. Support appropriate research undertaken for the purpose of assisting with long term protection of indigenous flora and fauna and their habitats.
6. Ngati Koata will address genetic engineering / modification as the need arises with full and proper consultation as the starting point.

10.18 Anticipated Environmental Results

- 10.19 Implementation of the above policies will result in achievement of the above stated objectives as well as:
- Long term protection of indigenous biological and ecological diversity;
 - Sustainable stocks of native fish and distribution of rare and endangered species.

10.20 Monitoring

- 10.21 Ngati Koata supports biannual monitoring of indigenous flora and fauna and their habitats. Population sizes and the wellbeing of indigenous flora and fauna is considered appropriate in order to properly measure the performance of management programmes or the effects of activities on such flora and fauna resources.



Kawa Kawa. A multi purpose healing plant. Photo courtesy of Carl Elkington.

10.22 Cross-reference to Marlborough Planning Documents

- 10.23 The following planning documents are relevant to this section of the Ngati Koata Iwi Management Plan. A selection of the relevant chapters of these documents is provided here for reference purposes. These references are not however comprehensive.
- Marlborough Regional Policy Statement 28 August 1995 (e.g. Part 3.2 and 6);
 - Proposed Marlborough Sounds Resource Management Plan (e.g. Volume 1, Chapters 4 and 15);
 - Proposed Wairau / Awatere Resource Management Plan (e.g. Volume 1, Chapters 4 and 16).



Puha Plant. Photo courtesy of Carl Elkington.

11 LAND

Totara. Courtesy of Roy Grose.

Kei Papatuanuku te oranga.

With Mother Earth is our wellbeing.

11.1 Issues

- 11.2 The Resource Management Act 1991 defined “land” as:
- “Land” includes land covered by water and the air space above land”.
- 11.3 This section of the Iwi Management Plan covers both dry and wet (covered temporarily or permanently) land areas. The modification of such land resources can impact adversely on the resources of value to Ngati Koata. The relationship between land, air and water is also recognised therefore consideration of such direct and indirect connections is necessary in order to achieve the outcomes sought within this Plan.
- 11.4 The protection of cultural heritage values was addressed in Section 7 of this Plan however more specific policy is provided in order to provide a protocol to be followed when heritage values are concerned.
- 11.5 Ngati Koata also value ‘landscape’ and have therefore also addressed these concerns in this section.
- 11.6 Minerals, such as argillite and pounamu, have also played significant historical roles for Ngati Koata. These minerals are found in various places within Ngati Koata Rohe. Ngati Koata therefore sees such resources as taonga and has accordingly addressed this within this section of ‘land’.
- 11.7 The effects associated with gravel extraction also have the potential to be adverse, which is the reason for Ngati Koatas interest in that activity.



Bellbird.

11.8 Objectives

1. The protection of Ngati Koata heritage values.
2. The maintenance and enhancement of landscape values of significance to Ngati Koata.
3. Protection of mineral resources from inappropriate exploitation.

11.9 Policies

• Cultural Heritage

1. A historical title search may be requested.
2. An archeological survey may also be requested.
3. An on site inspection and/or Iwi monitors may be required.
4. Land disturbance
 - a. The applicant or contractor will contact Ngati Koata Trust immediately if any Artifact or Taonga is uncovered.
 - b. In the event that any Artifact or Taonga is found then all work within a defined area of the Artifact or Taonga, to be determined by Ngati Koata, is to stop and is not to restart without permission from Ngati Koata Trust.
 - c. The costs, expense incurred by Ngati Koata Trust for the removal or otherwise of the Artifact or Taonga will be paid for by the applicant.
5. Protection of significant native flora and/or fauna.
6. Input into naming of streets, roads, reserves etc.

• Landscape

7. Ensure that any long-term adverse effects on landscape from land disturbance and earthworks are avoided, remedied or mitigated.
8. Require activities involving vegetation clearance to incorporate measures to mitigate any significantly adverse visual landscape effects by appropriate rehabilitation, including revegetation.
9. Encourage retention of areas or stands of indigenous vegetation where they contribute significantly to landscape character and quality.

• Minerals

10. The protection of minerals such as argillite, pounamu and others within Ngati Koata rohe.



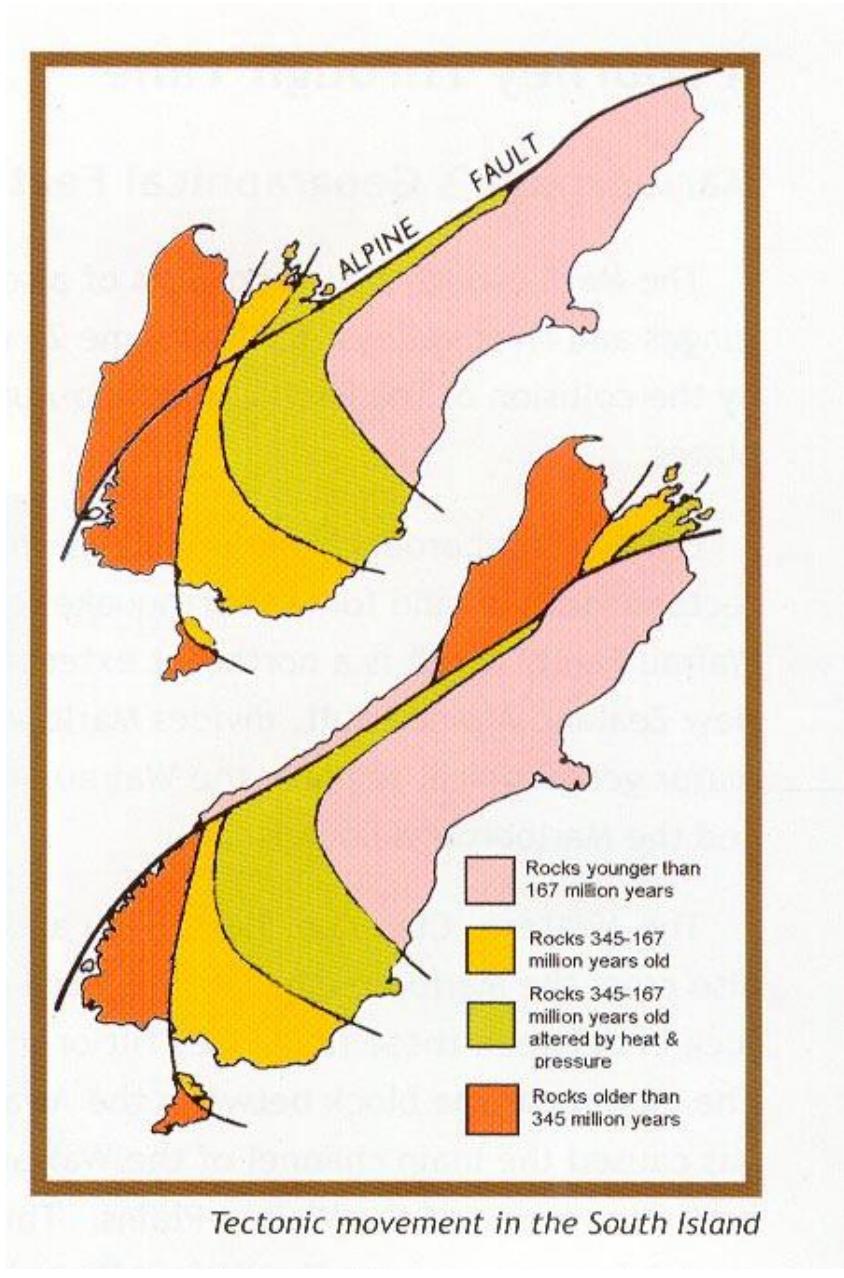
Photo courtesy of Priscilla Paul.

11.10 Monitoring

1. Issued land use and coastal permit applications, both notified and non-notified.
2. Iwi monitoring reports.
3. On-site inspections by Ngati Koata and Marlborough District Council.
4. Issued Crown Mineral licenses.

11.11 Cross-reference to Marlborough Planning Documents

- 11.12 The following planning documents are relevant to this section of the Ngati Koata Iwi Management Plan. A selection of the relevant chapters of these documents is provided here for reference purposes. These references are not however comprehensive.
- Marlborough Regional Policy Statement 28 August 1995 (e.g. Part 3.2 and 6);
 - Proposed Marlborough Sounds Resource Management Plan (e.g. Volume 1, Chapters 5, 6 and 13);
 - Proposed Wairau / Awatere Resource Management Plan (e.g. Volume 1, Chapters 3, 5 and 14).



Courtesy of Marlborough District Council. Sourced from the State of the Environment Report.

12 AIR QUALITY



Photo courtesy of Priscilla Paul.

Ko uenuku tawhana i te Rangi

Uenuku like a bow in the sky

When it appears it is a sign.

12.1 Issues

- 12.2 The traditional Maori view of air is encapsulated by Ranginui and Tawhirimatea. The domain of Ranginui is a protected taonga under the Treaty of Waitangi.
- 12.3 Careful management is needed to ensure that air quality is maintained and improved to provide a healthy environment.
- 12.4 To manage the air resource we need to know what the state of our air quality is and how it is changing.
- 12.5 Ultimately environmental indicators can assist in achieving better environmental outcomes.
- 12.6 Air quality is governed by the presence or absence of substances in the air such as gases and dusts that may cause adverse environmental effects. These substances are generally referred to as 'contaminants'.
- 12.7 The quantity of contaminants in the air is controlled by the amount discharged from both human and natural activities, the meteorological conditions that control dispersions of the air and the formation of other substances via chemical reactions.
- 12.8 There are therefore a number of factors that control the quality of air and its impact on the environment.
- 12.9 Air requires the maintenance or improvement of ambient air quality for the protection of human health, flora and fauna and aesthetic values (such as clarity and odour).
- 12.10 Guidelines should not be seen as a permissive limit to pollution. They are minimum requirements for air quality.

12.11 Objective

1. The establishment of air quality indicators and the monitoring of the air resource, to indicate the cumulative effects of activities on ambient air quality.
2. The adverse effects of discharging contaminants into air be avoided, remedied or mitigated, including adverse effects on local ambient air quality, community well-being, amenity values, resources or values of significance to Tangata Whenua, ecosystems, water and soil.
3. Reduction of discharges into air of ozone depleting substances and greenhouse gases to a level which is consistent with central government initiatives and directives.

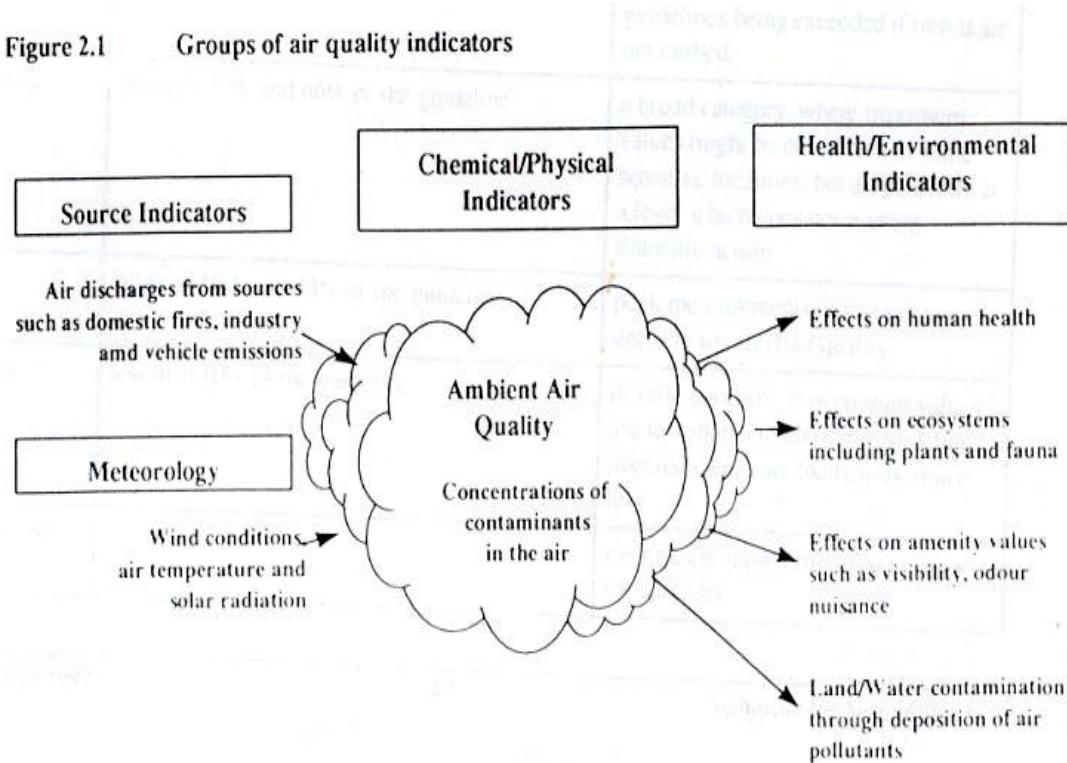
12.12 Policies

1. Ensure that all persons discharging contaminants into air, avoid, remedy or mitigate any adverse effect arising from that discharge. This includes all effects likely to be noxious, dangerous, offensive, or objectionable to such an extent that there is an adverse effect on the environment.
2. Promote measures that avoid or reduce the discharge of contaminants to air at their source.
3. Ensure that any measures adopted to avoid, remedy or mitigate the effects of discharge of contaminants to air, take account of the alternative receiving environments.
4. Promote an appropriate roading hierarchy as a practical means to reduce the adverse effects of vehicle emissions.
5. Provide input to central government on the effects of its policies on the Marlborough Sounds environment.

12.13 Anticipated Environmental Results

- 12.14 Local ambient air quality being enhanced in those areas where it is, or has been, degraded by specific discharges of contaminants to the air.

Figure 2.1 Groups of air quality indicators



12.15 Advantages of maintaining good clean air.

Benefits:	<p><u>Aesthetic Values</u>: New Zealanders may enjoy many benefits from good air quality. It contributes to our quality of life. New Zealanders and visitors alike can enjoy clear views and scenic vistas because of low levels of air pollution.</p> <p><u>Tourism</u>: By overseas standards, much of New Zealand enjoys good air quality. Visitors come to enjoy our scenery and the beauty and diversity of our natural and physical resources. The clarity of New Zealand's air is essential to the perception of this country as a clean environment, and provides an integral part of the tourist experience.</p>
Costs Avoided:	<p><u>Health</u>: When air quality is poor, people's health is adversely affected. This creates human suffering, and society also pays in lower productivity and higher health care costs. Numerous overseas studies show the costs associated with the level of air pollution.</p> <p>The Canterbury Regional council (CRC) estimated that in Christchurch there may be over 82,000 'person' days per year when people are restricted in their ordinary activities – they miss work or school, or just feel bad, as a result of particulate matter from domestic fires and woodburners. Poor air increases allergies and asthma attacks, irritates the eyes, throat sinuses, and breathing passages, and increases the susceptibility of all people, especially children and the elderly, to viruses causing colds and flu (CRC, 1997). This causes use of medications to treat the respiratory problems.</p> <p><u>Recreation</u>: Contaminates in the air can result in pollution of streams and lakes. This damages ecosystems and biodiversity. It can also place recreation areas at risk for swimming and fishing, and result in loss of aesthetic value.</p> <p><u>Built Environment</u>: All pollutants damage materials used in the human built environment. Particulates soil buildings. Sulphuric and nitric acid corrode construction materials and burn protective coatings and paints. These damages result in maintenance and repair costs. Areas affected by air pollution can also experience reduction in property values.</p> <p><u>Commerce</u>: There are many variables of commercial harvest losses associated with air pollution. These include crop losses, timber losses, and fish and fowl losses. Each of these results in a drain on the economy. New Zealand currently avoids these losses.</p>

12.16 Potential Source, Chemical / Physical and Environmental / Human Health Indicators of Air Quality

Source Indicators	Chemical / Physical Indicators	Environmental / Human Health Indicators
Fuel Consumption	Carbon monoxide	Complaints databases
Coal consumption	Sulphur dioxide	Number of hospital admissions relating to air pollution
Wood Consumption	Particulate matter, such as: total suspended particulate (TSP), Inhalable Particulate less than 10 microns in diameter (PM10), Particulate matter less than 2.5 microns in diameter (PM2.5), visibility reducing particulate 0.1um to 2um.	Asthma epidemiological studies
Volatile hydrocarbon production	Nitrogen dioxide	Odour complaints
Vehicle kilometers traveled	Ozone	Lost work days
Industrial growth	Nitrogen oxide	Hastened deaths
Emissions inventors	Hydrocarbons / Volatile organic Compounds (e.g. benzene, toluene etc)	Visibility
	Formaldehyde	Biomonitoring e.g. using lichens
	Products of incomplete combustion e.g. PAH dioxins	Concentrations of air contaminants in human blood and hair
	Heavy metals (lead, cadmium, mercury, nickel)	
	Hydrogen sulphide.	

12.17 Proposed Air Quality Categories

Category	Maximum measured value	Comment
Action	Exceeds the guideline	Completely unacceptable, by national and international standards
Alert	Between 66% and 100% of the guideline	A warning level, which can lead to guidelines being exceeded if trends are not curbed
Acceptable	Between 33% and 66% of the guideline	A broad category, where maximum values might be of concern in some sensitive locations, but are generally at a level which does not warrant dramatic action
Good	Between 10% and 33% of the guideline	Peak measurements in this range are unlikely to affect air quality
Excellent	Less than 10% of the guideline	Of little concern. If maximum values are less than a tenth of the guideline, average values are likely to be much less.
Not Assessed		Insufficient monitoring data to assess the category.

Reminder: Guidelines should not be seen as a permissive limit to pollution.
They are minimum requirements for air quality.

12.18 Example of the information that will be held on the Indicators Database

Table 1	Readings exceeding the Ministry for the Environment's Guidelines, at any monitoring site, for any period.
Table 2	Assessment, by region, site type, and by pollutant, of the percentage frequency that levels fall within each of the categories: <ul style="list-style-type: none">- Excellent;- Good;- Acceptable;- Alert;- Action
Table 3	National trends in key sources and where other data is recorded, eg: <ul style="list-style-type: none">- Urban growth;- Population and demographic data;- Industrial growth;- Vehicle kilometers traveled;- Fuel consumption;- National / regional emissions inventories of key pollutants
Table 4	Description of any key events which contribute significant emissions, or impact air quality on a wide scale, eg: <ul style="list-style-type: none">- large fires;- Unusual weather periods;- Prolonged power shortages;- Volcanic eruptions.

12.19 Cross-reference to Marlborough Planning Documents

- 12.20 The following planning document is relevant to this section of the Ngati Koata Iwi Management Plan. A selection of the relevant chapters of these documents is provided here for reference purposes. These references are not however comprehensive.
- Marlborough Regional Policy Statement 28 August 1995 (e.g. Part 3.2 and 7.1).

13 THE CONSULTATION PROCESS

- 13.1 Ngati Koata consider ‘consultation’ to be essential in their role as kaitiaki over natural, physical and spiritual resources within their rohe. Ngati Koata have therefore undertaken to provide an outline of the **‘consultation process’** that they consider is necessary in order to achieve the objectives outlined above.
- 13.2 Consultation is also a key method identified within the Marlborough Regional Policy Statement (Refer to section 7.3) and relevant Resource Management Plans, such as Chapter 6 of the Marlborough Sounds Resource Management Plan. Consultation is identified in these documents as a tool to achieve the significant environmental outcomes identified within these ‘community owned’ documents.
- 13.3 **The following steps in the consultation process have also been referred to in a Parliamentary Commissioner’s report to assist local authorities. The ‘good practice’ elements of consultation as determined by leading resource management case law (such as the Wellington Airport Case quoted above), also includes:**
 - (a) A statement of a proposal, not yet finally decided upon;
 - (b) Listening to what others have to say and considering responses;
 - (c) A process that must be genuine and not a sham;
 - (d) Allowing sufficient time for the process;
 - (e) Providing enough information to enable the consultee to be adequately informed so as to be able to make intelligent and useful responses;
 - (f) Keeping ones mind open and a readiness to change and even start afresh, although the consulter is entitled to have a working plan already;
 - (g) Holding meetings, providing relevant information, providing further information on request, and waiting until those consulted have had an opportunity to respond before making a decision.

13.4 OBJECTIVE

- 13.5 Full recognition of Ngati Koata interests and relationship with the environment.

13.6 Who to contact?

- 13.7 The Ngati Koata office may be contacted either by letter, facsimile, or telephone. Any correspondence shall be addressed to the attention of the Chief Executive Officer, c/- 30 Vanguard Street or PO Box 63, Nelson. Telephone (03) 546-8018, Facsimile (03) 546-8994.
- 13.8 The correspondence or message will be given to the Board Member or staff member authorised to follow up on such matters.

13.9 What information to provide?

- 13.10 Information provided shall be at the discretion of the individual party, however, if Ngati Koata consider the information is inadequate in order for an informed decision to be made as to how any activity or proposal affect their interests, Ngati Koata would request further information thereby resulting in time delays.
- 13.11 Careful attention must therefore be given to providing specifics about site locations and activities proposed. In areas of particular interest to Ngati Koata, special consideration should be given to engaging specialist advice and expertise.



Rata Vine Flower. Courtesy of Roy Grose.

13.12 Further guidance / requirements

13.13 The following will guide how consultation is to be undertaken with Ngati Koata:

- 1. Ngati Koata charge a fee for resource management issues.**
- 2. Full and proper consultation is required.**
- 3. Accept that consultation requires genuine consideration of the advice given, with an open mind and the willingness to change.**
- 4. Consultation is to be timely and genuine.**
- 5. Consultation with Ngati Koata will occur as early as possible in the process.**
- 6. Consultation to take place in a forum and format that is conducive to discussion and where Ngati Koata feel most at ease.**
- 7. The principle of '*Kanohi Ki te Kanohi*' (face-to-face) will be adhered to in the consultation process.**
- 8. Consult with Ngati Koata on an ongoing basis, explaining technical data and statutory requirements to Ngati Koata satisfaction.**
- 9. Further information may also be required for Ngati Koata to make an informed decision.**
- 10. Recognise that silence by Ngati Koata does not constitute approval.**
- 11. Allow Ngati Koata sufficient time to consider the issues and respond in a culturally appropriate manner. Ngati Koata will respond to requests within 20 working days.**

14 MONITORING & RESEARCH

The Waka Tangata “Te Awatea Hou”. Courtesy of Carl Elkington.

- 14.1 Ngati Koata seeks to regularly review the developments external agencies (eg. Department of Conservation) make with regard to their obligations to Ngati Koata under the Treaty of Waitangi.
- 14.2 Ngati Koata considers better progress can be made than what has been achieved to date.
- 14.3 Ngati Koata would like to be updated on all monitoring projects in Ngati Koata Rohe at least twice per year. For long-term projects, exceeding 12 months, biennial meetings are required.
- 14.4 For short-term projects (less than 12 months), Ngati Koata request that at least two consultation meetings be held with Ngati Koata Trust.
- 14.5 The information to be provided at meetings arranged to discuss monitoring and research projects will be as follows:
 1. A description of the nature of project;
 2. An explanation as to the relevant legal requirements and legislation;
 3. Maps to identify the areas monitored;
 4. Explanation of chosen methodology;
 5. Results to date;
 6. Discussion over project;
 7. The scope of Iwi input to the project;
 8. Conclusion.

14.6 Environmental Performance Indicators

- 14.7 The key to success of the Environmental Performance Indicators (EPI) is the development of simple, robust and credible indicators that can be monitored cost effectively.
- 14.8 The Council's '*State of the Environment Report*' is a reporting mechanism recognised by Ngati Koata. In future, Ngati Koata seeks to have greater input into this document. Incorporating a section on *Tangata Whenua* into this Report is an option that should be considered. In addition, iwi perceptions of the State of the Environment could provide a useful addition to other sections of this Report.

15 INTERPRETATION

15.1 This IMP commonly refers to a number of Maori terms and words that can have differing meanings (and spelling) depending on their application. It is also common for different Iwi to have their own slight variations in Te Reo. Ngati Koata have chosen to provide definitions for the purpose of ensuring the use of Maori terms / words within this document is properly understood.

15.2 Mauri

15.3 Life principle, thymus of being, source of emotions, talisman, a material symbol of the hidden principle protecting vitality, Mana, fruitfulness of people, lands and forest.

15.4 The concept of mauri is a very important element, as it embodies the holistic approach required for environmental management. It is also something that is difficult to define, as it is a “means” and an “end” that includes the physical and spiritual aspects of all things, animate and inanimate.

15.5 Mauri can provide a process that determines all appropriate uses for a resource. The mauri of resources that have deteriorated or been degraded can be restored. In essence mauri is means of achieving, maintaining and /or restoring balance and, at the same time, is the state of the balance.

15.6 Kaitiaki

15.7 To preserve, to conserve, to foster, to protect and to keep watch over. Guardianship.

15.8 The term ‘kaitiaki’ includes the ideas and principles of:

- Guardianship
- Care
- Wise management
- Resource indicators, where resources themselves indicate the state of their own mauri.

15.9 Kaitiaki are person/s and other agents who perform the tasks of guardianship over a particular resource or area. In the instance of kaitiaki being Taniwha, their appearances may act as indicators in the use or state

of the resource or area they guard. Kaitiaki derive their role and function from their own relationship with a resource not through appointment by another agency. Whilst tribal authorities themselves may not be considered kaitiaki, they can represent kaitiaki and can help to identify them or those with authority to interpret kaitiaki obligations.

15.10 Kaitiakitanga is a more recent term, commonly used in resource management. It refers to the practice of guardianship, with the provision that guardianship is used and exercised by those who have a whakapapa link to the resource. In this way kaitiakitanga is also inextricably linked to mana whenua and mana motuhake. Therefore kaitiakitanga is a diverse set of practices, which result in the sustainable management of a resource.

15.11 Kawa

15.12 Protocol of dedication, acid, pepper tree, pile of rocks, kara.

15.13 Rahui

15.14 Restriction or enforcement over a resource as a means to enhance the Mauri of that resource.

15.15 Tikanga

15.16 Rule, plan, method, custom, habit, anything normal or usual. Reason, meaning, purport, authority, control, correct, right.

15.17 Other definitions

The following definitions are provided for the purpose of ensuring the common terms used in this Plan are properly understood:

- Issue = Identification of issues undertaken prior to establishing objectives.
- Objective = Desired outcome.
- Policy = What needs to be done to achieve an objective.
- Method = Action to be taken to put policy into effect.
- Monitoring = Measurement to determine performance of actions.
- Anticipated Environmental Result = The outcome of achieving the objective.

16 STATUTORY ACKNOWLEDGEMENTS

- 16.1 One of the stated purposes of this IMP is to clearly show Ngati Koata's strong desire to become involved in decision-making that has the potential to affect their tribal taonga.
 - 16.2 This IMP is required to be appropriately considered under particular legislation and therefore, is where Ngati Koata can proactively influence and contribute toward the management of such resources.
 - 16.3 This section is intended to provide a summary of such statutory obligations to have regard to this IMP. The following list of statutes is not a comprehensive one and will alter over time as legislation and amended and / or introduced.
 - Treaty of Waitangi (Te Tiriti o Waitangi);
 - Resource Management Act 1991;
 - The Conservation Act 1987;
 - The Historic Places Act 1993;
 - The Local Government Act 1974;
 - Crown Mineral Act 1991;
 - Hazardous Substances and New Organisms Act 1996;
 - State-Owned Enterprises Act 1986;
 - Environment Act 1986;
 - Building Act 1991;
 - Reserves Act 1997;
 - Marine Reserves Act 1971;
 - Te Ture Whenua - The Maori Land Act 1993;
 - Fisheries Act 1996 / 1993;
 - South Island Customary Fishing Regulation 20 April 1998;
 - Eel Management Plan – Te Tau Ihu Mahi Tuna EMC6
 - 16.4 This IMP has summarised the relationship of this IMP to a selection of the above statutes.
- 16.5 Resource Management Act 1991**
- 16.6 The RMA obligates district and regional councils to "*have regard to*" Tangata Whenua issues, aspirations and management objectives contained within iwi management plans, or any other planning document recognised by an iwi authority. The Resource Management Amendment has proposed to strengthen this requirement by giving greater status to iwi planning documents. This strengthening would occur through there being an obligation to "*take into account*" such documents.

- 16.7 This obligation to consider Tangata Whenua expectations during the preparation of policy statements and plans is contained within sections 61(2)(a)(ii), 66(2)(c)(ii) and 74(2)(b) of the Act.
- 16.8 The Marlborough Regional Policy Statement recognises the role and interests of Tangata Whenua in resource management. This acknowledgement is specifically provided within Sections 2.5, 3.2 and within various provisions contained within Chapters 5 to 10.
- 16.9 The Marlborough District Council has also prepared the following combined regional coastal, regional and district plans:
 - o Proposed Marlborough Sounds Resource Management Plan; and
 - o Proposed Wairau / Awatere Resource Management Plan.
- 16.10 Recognition of IMPs at the plan preparation phase is also important when considering the requirements of s88(4)(c) for resource consent applications. This subsection requires that resource consent applications include all that information required by a Plan (i.e. District or Regional Plan). Therefore if IMPs are proactive in identifying the information needed in support of resource consent applications dealing with resources or activities of significance, this should follow through into comprehensive applications prepared under section 88.
- 16.11 The RM Act also recognises the benefits of transferring or delegating decision making to other public authorities, including iwi authorities, under section s33 and s34 of the RM Act 1991. The use of these powers to awarding greater responsibility to iwi authorities has however not yet been initiated. One reason for this has been described as being the result of a lack of specific's as to how such powers would be implemented. Hence, this IMP in that regard. Clearly there are also important issues that would need to be managed, such as accountability and appropriate levels of expertise. A co-management approach is also a key feature of the Resource Management Amendment Bill. This may well provide greater opportunities to Ngati Koata in the future when direct involvement in management is sought.
- 16.12 Recognition of Tangata Whenua aspirations and values is provided for in Part II '*Purpose and Principles*' of the RM Act. Sections 5, 6, 7 and 8 each provide for recognition of Maori cultural values. Identified as a matter of national importance is '*The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga*' (s6(e)). Section 7(a) also requires regard be given to '*Kaitiakitanga*' while section 7(aa) requires regard be given to '*the ethic of stewardship*'. Section 8 requires all persons exercising functions and powers under the Act to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

16.13 The above Part II considerations are critical to the evaluation of resource consent applications under section 104(1) of the RM Act. It is therefore through IMPs that individual iwi could influence individual development proposals through articulating their affiliation with natural and physical resources.

16.14 All resource consent application must also be prepared in accordance with the Fourth Schedule. Subsection 1(h) requires that such application should include:

An identification of those persons interested in or affected by the proposal, the consultation undertaken, and any response to the views of those consulted.

16.15 The presence of an IMP would therefore enable applicants to better identify whether particular iwi are / or potentially are interested in or affected by a proposal.

16.16 In summary, the RM Act 1991 contains various obligations for the direct consideration of Tangata Whenua issues, including the principles of the Treaty of Waitangi. The RM Act also requires the consideration of IMPs during the preparation and implementation of policy statements, district and regional plans. The actual influence of these obligations to consider Maori and their relationship with this Country's natural and physical resources has however proven to be somewhat arbitrary without the presence of IMPs.

16.17 Conservation Act 1987

16.18 This Act was introduced for the purpose of establishing a Department of Conservation and thereby promote conservation of natural and physical resources.

16.19 In terms of the significance of this Act to Iwi, Section 4 requires that the Act be interpreted and administered as to give effect to the principles of the Treaty of Waitangi. This is a very strong endorsement of the Treaty when compared to any other legislative responsibility.

16.20 This obligation imposed under section 4 has caused the development of the Kaupapa Atawhai Strategy. This strategy guides staff in their working relationship with Tangata Whenua and provides a vision for DOC and their relationship with Maori.

16.21 It is through the development of IMPs that individual iwi are therefore able to influence the individual Conservation Management Strategies prepared for each area and also the more focused management plans prepared for particular resources.

16.22 Membership on Conservation Boards would also provide for direct involvement in the management of resources in any particular area of interest.

16.23 In order to become involved in the management of the Conservation Estate it is also important for IMPs to state the issues, objectives and outcomes with respect to this estate. One particular issue could be the concessions given (permits, consents) for the use and development of conservation estate.

16.24 The Historic Places Act 1993

16.25 The Historic Places Act provides for the identification, protection, preservation, and conservation of the historic and cultural heritage in New Zealand. In achieving the purpose of the Act all persons exercising functions and powers under it have to recognise the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.

16.26 It must be acknowledged here that this Act is currently the subject of a heritage management review and could therefore be the subject of partial or complete change.

16.27 This Act uses Heritage Orders, Heritage Covenants and a Historic Places Register to protect sites. The Maori Heritage Council is authorised specifically to address issues of significance to Maori. This system of protection is also accompanied with a system of penalties for unlawful destruction of such sites.

16.28 It is therefore important to acknowledge the protection provided by this legislation during the preparation of IMPs.

16.29 The Local Government Act 1974

16.30 The Local Government Act 1974 does not recognise the Treaty of Waitangi and is therefore considered to be out of touch with the principles endorsed within the RM Act and Conservation Act. A recently initiated review of the Local Government Act has however sought to address this matter.

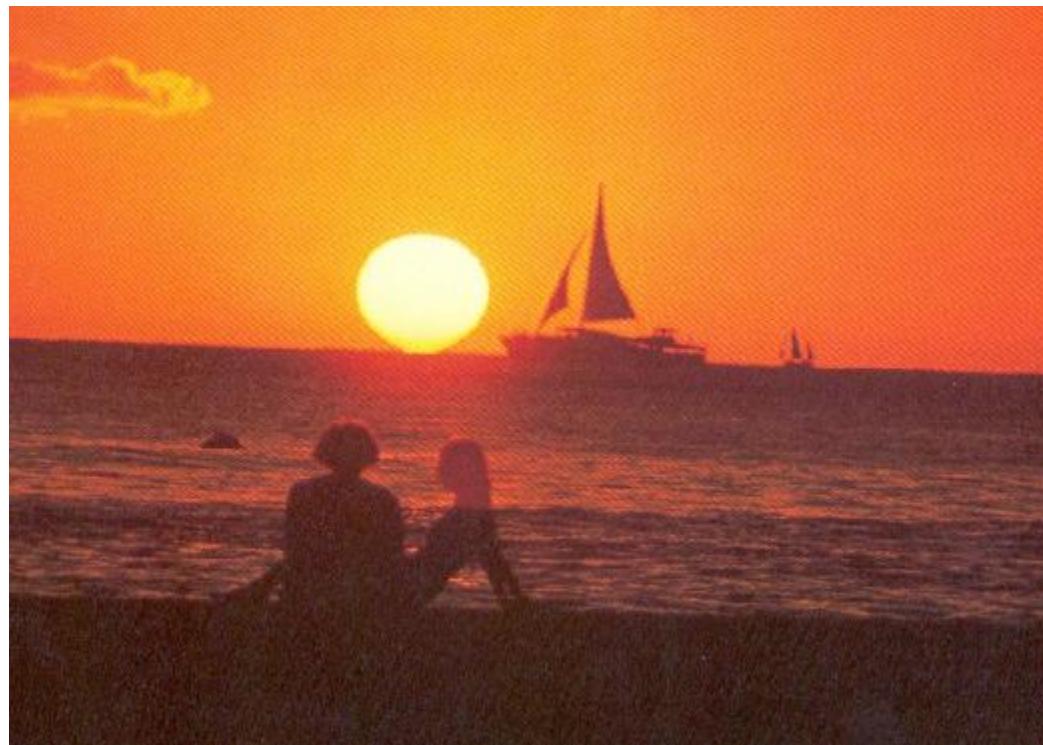
16.31 Crown Mineral Act 1991

16.32 This Act was introduced as a result of the reform of the laws governing the management of Crown owner minerals. Section 4 requires regard be given to the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

16.33 The Ministry of Commerce considers permit applications under this Act. During this consideration process the Minister of Commerce will consider

- whether any iwi management plans are in place that detail the area of importance;
- what it is about the specific area of land that makes it important to the mana of Tangata whanua, hapu, or iwi;
- whether the area is known as waahi tapu;

- whether the uniqueness of the specific area of land is one of many mahinga kai areas or the only waka tauranga;
- whether the importance of the area to Tangata Whenua, hapu, and iwi has already been demonstrated;
- whether granting the permit would impair the prospect of redress, grievances, or any relevant Treaty claims;
- the area's land ownership status;
- whether the area is already protected under other legislation e.g. RM Act, Cons. Act, HP Act; and
- the size of the area and the value of the resource if the area is excluded.



Courtesy of Priscilla Paul.

Appendix 1



NGATI KOATA TRUST

PO BOX 63 NELSON. PH (03) 546 8018. FAX (03) 546 8994

OFF LYING ISLANDS RECORD FORM

IWI: NGATI KOATA

METRIC MAP NUMBER: NZMS 260 SITE NUMBER: 033

METRIC MAP NAME: Topo Map French Pass DATE OF PHOTO: 23/04/93

METRIC MAP EDITION: P25 SITE TYPE: 409 Reserve

SITE NAME: Te Waka a Pani

GRID REFERENCE: E| 9 | 0 | 2 | N| 5 | 6 | 7 |

1. INFORMATION TO SITE LOCATION:

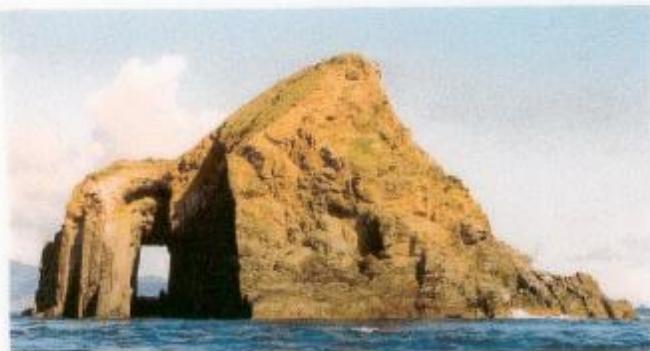
Te Waka a Pani: island off Cape Stephens.
Looks like a canoe with an outrigger.
1.1350 Hectares

2. DESCRIPTION OF SITE:

Te Waka a Pani:

The Waka of Pani:
When Pani tried to
escape from Kupe his
Waka capsized. His
daughters and the
slave drowned. Pani
survived and he
prayed for the
return of his two
daughters.

They came back as
rocks.



WHEREAS the Rocks and Islets around D'Urville Island as set out in the 1st Schedule was by notice in the NZ Gazette, No: 44, Page 1305, dated 26 March 1986, set apart as a Maori Reservation for the purpose of a burial ground, landing place, fishing grounds and place of historical and scenic interest and the protection of indigenous wildlife for the common use and benefit of the descendants of the original owners as determined by the Maori Land Court on 20 November 1883.

3. INFORMATION SUPPLIED BY: Turi Elkington

4. IWI CONTACT PERSON/FILE KEEPER: James Elkington
ADDRESS: Conway Cottage, Waikawa Road, Waikawa Bay

5. RECORDED BY: Carl and Marlen Elkington

▲ NGATI KOATA NO RANGITOTO KI TE TONGA TRUST ▲

Appendix 2

Mutton Birds

In the winter months mutton birds vacate the area and depart on an amazing six month 20,000 mile migration around the north pacific and back to Rangitoto Ki Te Tonga.

The flight path from Rangitoto Ki Te Tonga when they take off on this migration is up the Tasman sea then north west to Japan where some time is spent just idling around.

Then up past Camp Chatka in the Siberian Coast then North East to the area around the Bearing Straights and Alaska.

On the return flight the birds travel across the top of the Pacific and down the West Coast of Canada and California where again they spend some time idling and feeding a long way out to sea, well out of sight of land.

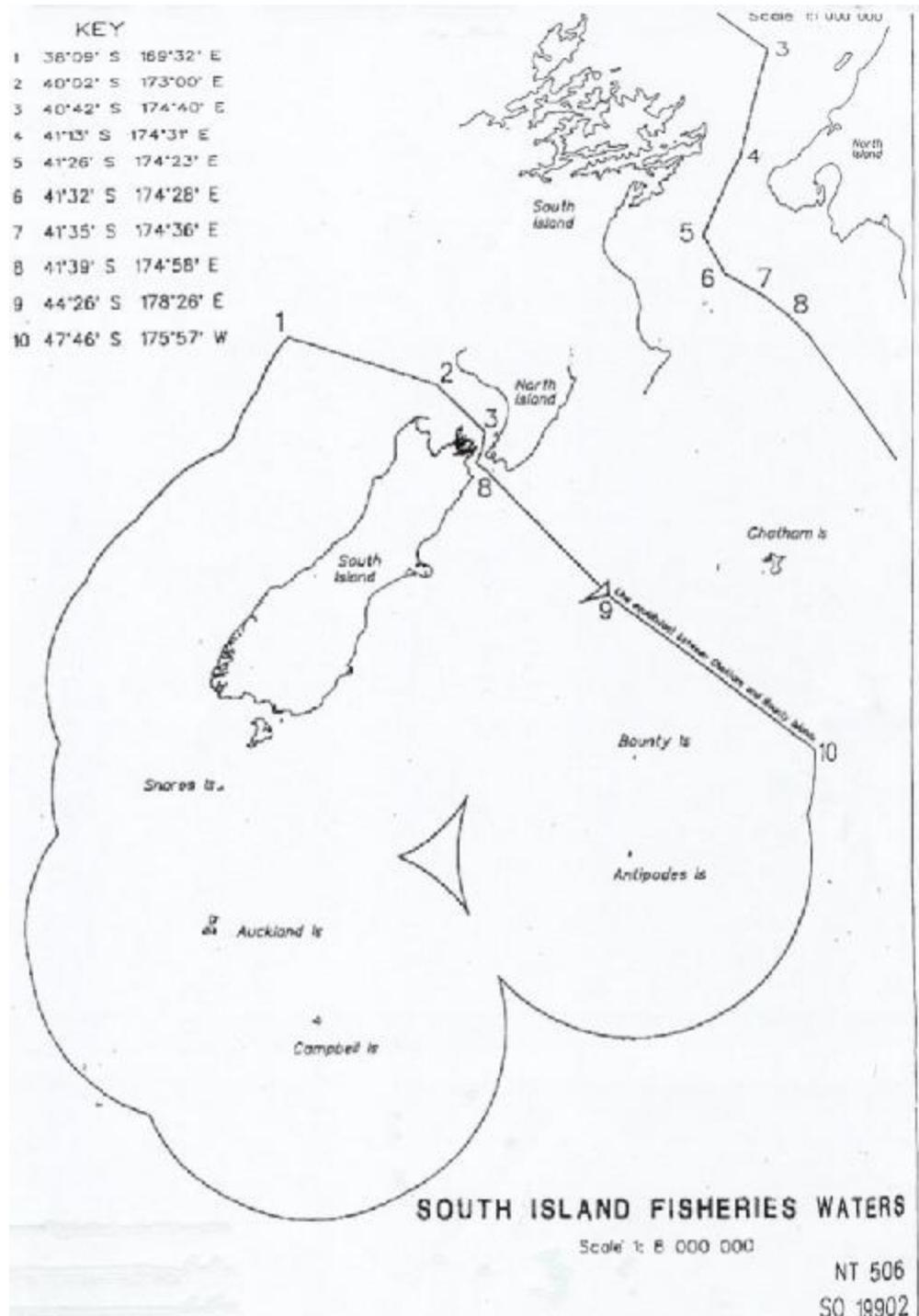
Then it is a non stop flight across the vast ocean back to the old rockeries at Rangitoto Ki Te Tonga. Arriving here about the middle of September.



Mutton Birds. Courtesy of Harold Ashwel.

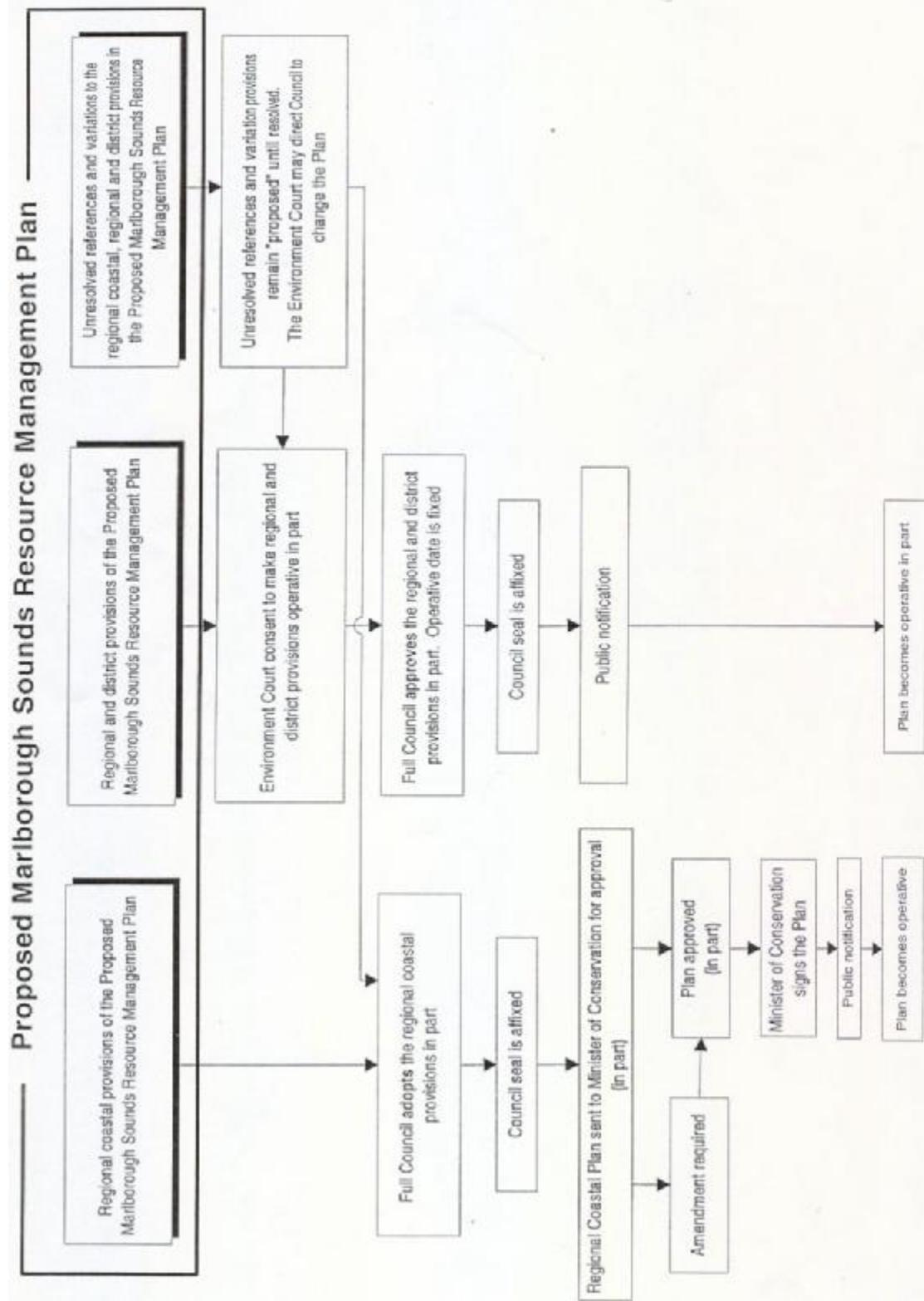
Appendix 3

South Island Customary Fishing Boundary



Appendix 4

28



This is the **base charge** and is the normal cost of processing a standard notified resource consent application. It provides for:

- (a) Setting up the file and logging into the Consents Database
- (b) Assessing an application for notification purposes
- (c) Advertising and calling for submissions
- (d) Assessment of submissions
- (e) Production of draft consent conditions
- (f) Full assessment of the application and report to Hearing Committee
- (g) Disbursements, as required
- (h) Hearing costs
- (i) Administrative assistance in the hearings process
- (j) Release of subdivision plan
- (k) Updating Consents Database and distributing decision

For some notified consent applications, however, the cost of processing may vary from the base charge. This depends upon the circumstances of the consent (see section 3.2.7). Some additional factors influencing the possibility of additional costs are:

- (a) Pre-hearing meeting (when these are called)
- (b) Iwi consultation
- (c) Reports commissioned to deal with matters arising out of submissions or pre-hearing meetings
- (d) Inputs from specialist advisers

These additional charges are the **variable charge**.

3.2.7 Variations from the Standard Application Charge

The actual cost of processing a resource consent application, particularly a notified one, can change if it is complex, contentious, or arouses public interest. The full cost implications of an application are not always apparent at the outset.

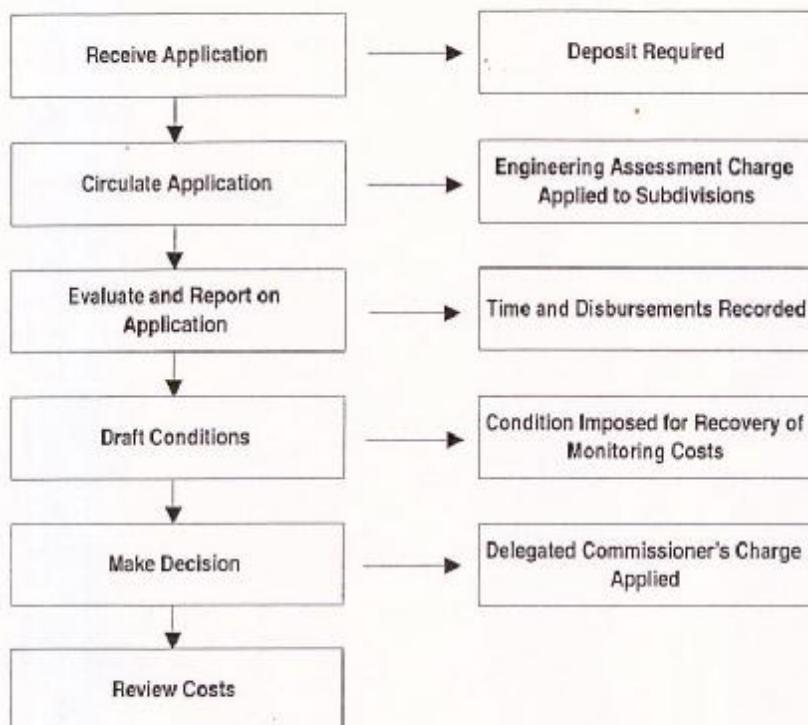
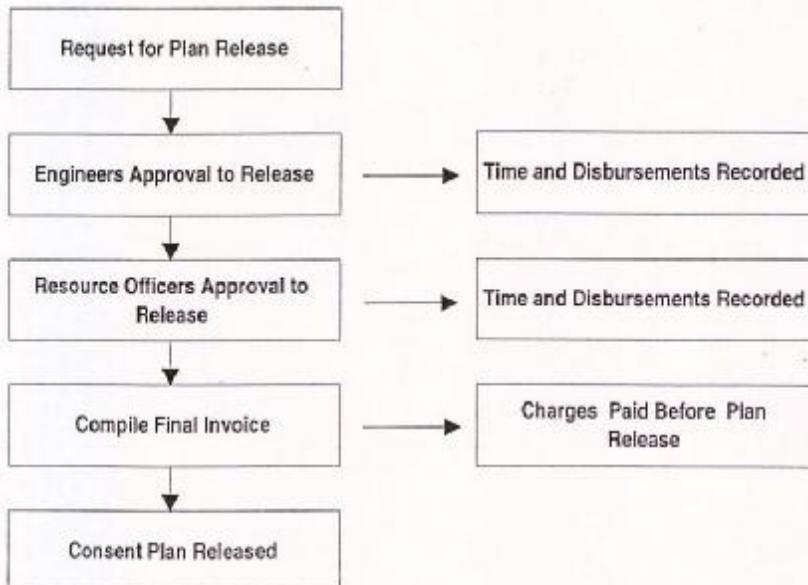
If the characteristics of the consent for which you have applied leads to work or expense by the Council over and above these charges, Council may seek to recover the actual and reasonable costs of processing the consent. The Act allows Council to impose an additional charge in these circumstances (under section 36(3)). As noted previously, costs may be incurred where the application requires specialist inputs and these are recovered as disbursements.

However, Council will advise you as soon as possible where it considers your application may lead to extra charges.

Council may require further payment if the actual and reasonable cost of processing the application exceeds the **trigger** level set in the Schedule.

In some cases, the cost of processing your consent may be less than that calculated from the Schedule. If the actual and reasonable cost of processing your consent differs more than that calculated by the application of the **trigger**, Council will refund the difference.

Refer to the Interpretation (see section 4) for an explanation of the terms describing charges.

Figure 2**Figure 3**

3.2.10 Payment

Flat and base charges for applications are due at the time of lodging of documentation. Variable charges will be invoiced at pertinent phases, for example -

The Steps in Processing a Consent Application -

