

Chapter 3: Marlborough's Tangata Whenua Iwi

Draft Marlborough Regional Policy Statement/Resource Management Plan Provisions

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Resource management issues of significance to Marlborough's tangata whenua iwi

Introduction

Resource management issues of significance to iwi authorities in Marlborough are required by Section 62(1)(b)(i) of the RMA to be identified and included in a regional policy statement. As part of the process of preparing this RPS/Resource Management Plan, a series of hui were held with Marlborough's tangata whenua iwi¹ to determine the resource management issues of significance for them. Three distinct groups of issues were identified through this process:

- Spiritual and cultural issues of fundamental importance that relate to iwi connection to and use of natural and physical resources;
- Relationship and process issues, including iwi involvement in decision making on resource consent applications and on developing policy to assist in Council's decision making; and
- Issues of significance or concern for both iwi and the wider community such as adequate waste management, transport issues, the protection of people and property from natural hazards etc.

Marlborough's tangata whenua iwi recognise that all of these issues are interconnected. They consider that Marlborough's natural and physical resources need to be managed in an integrated and holistic way in order to achieve a sustainable future.

This chapter describes the first two sets of issues and provides objectives and policies to address these issues. There is a high degree of agreement among Marlborough's tangata whenua iwi on these issues. However, it is important to note that in some cases the issue identified may not be able to be resolved through the RPS/Resource Management Plan.

To help understand the nature of the issues and to provide context for why the various issues are significant this chapter initially sets out information on: Te Tiriti o Waitangi including the settlement of claims before the Waitangi Tribunal; how environmental management systems of Marlborough's tangata whenua iwi have developed and been practised generations; the mauri of natural and physical resources; and the significance of values such as kaitiakitanga, taonga and tikanga.

Te Tiriti o Waitangi (the Treaty of Waitangi) in a Marlborough Context

The Treaty of Waitangi/Te Tiriti of Waitangi is the basis for the rights and responsibilities of the Crown and Māori. The Treaty of Waitangi/Te Tiriti of Waitangi is recognised in resource management through Section 8 of the RMA, which states that in achieving the purpose of the RMA, the principles of the Treaty shall be taken into account.

It is the position of Marlborough's tangata whenua iwi that the Council is a partner to the Te Tiriti o Waitangi. This position stems from the delegation of functions for managing natural and physical resources to local government through the RMA. It is the view of Marlborough's tangata whenua iwi that this delegation also confers Te Tiriti obligations.

In contrast, the Council's position is that the Crown alone is a partner to Te Tiriti o Waitangi. However, the Council does acknowledge that it has obligations to Māori as a result of the provisions of the RMA,

¹ As explained in the Chapter 1: Introduction, eight iwi have manawhenua in Marlborough: Ngāti Apa, Ngāti Kōata, Ngāti Kuia, Ngāti Rārua, Ngāti Toa, Ngāi Tahu, Rangitāne and Te Ātiawa. Information on an individual iwi history and the relationship of each iwi with the Marlborough environment can be found in iwi management plans and the relevant Deed of Settlement. Collectively these 8 iwi are referred to in the RPS/Resource Management Plan as 'Marlborough's tangata whenua iwi'.

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especially through Sections 6, 7 and 8. The Council and Marlborough's tangata whenua iwi have chosen to put this divergence of position to one side and focus on creating and maintaining an effective working relationship under the RMA.

Notwithstanding the above, the Council has a relationship with Marlborough's tangata whenua iwi. A consultative relationship between the Council and Marlborough's tangata whenua iwi is important in providing for the relationship of Marlborough's tangata whenua iwi with resources and in upholding the principles of the Treaty of Waitangi/Te Tiriti o Waitangi.

In order to take into account the principles of the Treaty, those principles must first be understood. There are six principles that have emerged through the Courts and Waitangi processes, which are summarised below:

- The obligation to act reasonably and in good faith;
- Rangatiratanga;
- A duty to consult;
- Active protection;
- Partnership; and
- Mutual benefit.

This list is not definitive. Neither are specific principles always directly applicable to the range of circumstances that might arise under the RMA. This means that the principles are constantly evolving as Te Tiriti is applied to particular situations and new situations. Therefore, there is a need for the Council and tangata whenua to continue to consult and negotiate with each other as to how the principles of Te Tiriti should apply to resource management in Marlborough.

The RPS/Resource Management Plan has been drafted in the spirit of the Treaty and its principles.

Deeds of Settlement

Marlborough's tangata whenua iwi have all signed Deeds of Settlement with the Crown to address breaches of Te Tiriti o Waitangi. The historic claims of Ngāi Tahu were settled in the 1990s, culminating in the Ngāi Tahu Claims Settlement Act 1998. The settlements for Ngāti Apa, Ngāti Kōata, Ngāti Kuia, Ngāti Rārua, Ngāti Toa, Rangitāne and Te Ātiawa have been more recently signed, and it is expected that they will be given effect to when the Te Tau Ihu Claims Bill passes into law.

In the Deeds of Settlement and associated legislation, the Crown acknowledges that it acted in repeated breach of the principles of Te Tiriti in its dealings with the respective iwi and it apologises for the hardship and suffering that this has caused. These documents also set out the means of redress for each iwi, including cultural redress. The Crown's acknowledgments and apologies are based on historical accounts as described in the applicable legislation/deed.

Included within each deed forming part of the Te Tau Ihu Claims Settlement Bill is provision for the establishment of a River and Freshwater Advisory Committee. The Advisory Committee will provide a foundation for the participation of iwi with interests in Te Tau Ihu in the management of rivers and freshwater in Marlborough, Tasman and Nelson. The Advisory Committee is intended to work in a collaborative manner with the common purpose of promoting the health and wellbeing of the rivers and fresh water within the jurisdiction of the relevant councils. In undertaking its work the Advisory Committee will respect and operate in a manner that recognises that while some resource management issues will be of generic interest to all iwi with interests in Te Tau Ihu, other issues may be of interest primarily to particular iwi.

Understanding the Iwi Resource Management Framework

The Māori World View

The environmental management system of Marlborough's tangata whenua iwi has been developed over many centuries and has been exercised by numerous generations. It is still practiced today and is recognised in Te Tiriti o Waitangi. Of fundamental significance to this management philosophy is the Māori view of the natural world and its origins. The underlying set of principles arising from this view guides all interaction with the environment.

Iwi/hapū traditions discuss the origins of the universe as being with Io who dwelt in Te Korekore. Io created various realms, such as the numerous Pō, which lasted for eons. Ranginui (the sky father) and Papatūānuku (the earth mother) emerged from these realms and had some 70 children, all of which were Atua (Departmental Gods). The children of Ranginui and Papatūānuku created various domains in Te Ao Mārama, the world between earth and sky. Within these domains everything in the natural world was created. Hence the tangata whenua view of reality is that it is constructed of interrelated and interconnected domains of Atua.

Iwi/hapū traditions concerning the creation of the universe recount the emergence of the physical reality (taha tinana), but also the creation of the intellectual plane (taha hinengaro), the family plane (taha whānau) and, most importantly, the spiritual realm (taha wairua), which is present in all things.

The children of Ranginui and Papatūānuku breathed life or mauri, which originated from Io into their various domains. These children of Ranginui and Papatūānuku became the Atua of these domains and created the plants and animals within. They are the original kaitiaki or guardians of the domains. The authority of the Atua (mana Atua), which allows them to be kaitiaki, is handed down through whakapapa (genealogy). Mana is passed from Io to Ranginui and Papatūānuku, and then to the Atua. All things in the universe are interconnected through whakapapa. Some of these Atua and their domains include:

- Papatūānuku (land)
- Ranginui (sky)
- Tāne Mahuta (forests)
- Tangaroa (sea)
- Rūaumoko (earthquakes)
- Tāwhirimātea (winds)

Marlborough's tangata whenua iwi do not see their existence as separate from Te Ao Tūroa (the natural world), but an integral part of it. Through whakapapa all people and life forms descend from a common source. Whakapapa binds each iwi to the mountains, forests and waters and the life supported by them, and this is reflected in traditional attitudes towards the natural world and resource management. Whanaungatanga embraces whakapapa, through the relationship between people, and between people and the environment. The nature of these relationships determines people's rights and responsibilities in relation to the use and management of the resources of the natural world.

All natural and physical elements have the qualities of wairua (spiritual dimension) and mauri (life force), and have a genealogical relationship with each other. Mauri provides the common centre between the natural resources (taonga), the people or guardians who care for the taonga (the kaitiaki), and the management framework (tikanga) of how taonga are to be managed by the kaitiaki. It is through kawa (protocol) that the relationship between taonga, tikanga and kaitiakitanga is realised.

Environmental Management Concepts

Mauri

Mauri is the life force that comes from wairua - the spirit, or source of existence and all life. Mauri is the life force in the physical world. The overall purpose of resource management for Marlborough's tangata

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whenua iwi is the maintenance of the mauri of natural and physical resources, and to enhance mauri where it has been degraded by the actions of humans.

As a life principle mauri implies health and spirit. In the environment, mauri underlies all resources and the total ecosystem. In the community, mauri is of paramount importance to the wellbeing of the people. Mauri can be harmed by the actions of humans but is unaffected by natural processes such as natural disasters.

The preservation of the mauri of natural resources is paramount to Marlborough's tangata whenua iwi to ensure that resources may be used sustainably by present and future generations. Traditionally, rules were established to govern the use of natural and physical resources, and ensure that the mauri was protected from human actions. These rules form part of kawa and tikanga (Māori protocol) and have been passed on through the generations. For example, a rāhui may be used to safeguard the mauri of a particular resource, by enforcing a temporary restriction on use of the resource to protect the overall health and availability of the resource for both present and future generations. The RMA seeks these same outcomes; to promote the sustainable management of natural and physical resources (Section 5(1)).

There are indicators within the environment that Marlborough's tangata whenua iwi use to interpret the status of mauri. These include (but are not limited to) the presence of healthy kai and other indigenous flora and fauna, the presence of resources fit for cultural use, and the aesthetic qualities of resources such as the visibility of important landmarks. Other indicators can take many forms and are recalled in the kōrero pūrākau (stories) of whānau and hapū.

Tikanga

Cultural practices, or tikanga, were developed to maintain the mauri of the domains of Atua. They are based on the general understanding that people belong to the land and have a responsibility as kaitiaki of that land. Tikanga incorporates concepts such as tapu (sacredness) and rāhui (temporary restriction). These are forms of social control, which manage the interrelationship of people and the environment.

Tikanga were developed to specifically recognise the four planes of reality:

- Te taha tinana (the physical plane)
- Te taha hinengaro (the intellectual plane)
- Te taha wairua (the spiritual plane)
- Te taha whānau (the family plane)

Tikanga seek to unify these four planes in a holistic way. Observing tikanga is part of the ethic and exercise of kaitiakitanga.

Kaitiakitanga

All persons exercising powers and functions under the RMA, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to kaitiakitanga (Section 7). The definition of kaitiakitanga given in the RMA is only a starting point for Marlborough's tangata whenua iwi, as kaitiakitanga is a much wider cultural concept than pure guardianship.

Marlborough's tangata whenua iwi have their own traditional means of managing and maintaining resources and the environment. Kaitiakitanga is the expression of Māori authority, mana, ethics and guardianship. Kaitiakitanga includes the right to access resources but also includes the responsibility to ensure that the resource is available and in a fit state to be passed onto future generations. This system of rights and responsibilities is inherited from previous generations and has evolved over time. Kaitiakitanga is fundamental to the relationship of tangata whenua and the environment. The resources in any given area are representative of the people who reside there and are a statement of identity. Traditionally, the abundance or lack of resources directly determines the welfare of every tribal group, and so affects their mana.

A kaitiaki is usually a person who has traditional knowledge that has been handed down from generation to generation to sustain the mauri in relation to resources within their rohe. Kaitiaki are empowered with the responsibility of ensuring that the spiritual and cultural aspects of natural and physical resources are maintained for future generations. Contemporary roles and responsibilities of kaitiaki are wide and varied. Today, kaitiaki are often involved in advocating for and promoting the protection of cultural values in resource management processes.

Kaitiakitanga may be practiced through, but not limited to:

- The maintenance of waahi tapu, waahi tipuna and other sites of importance;
- The management of fishing grounds (mahinga maataitai);
- Observing the maramataka (lunar calendar);
- Observing the tikanga of sowing and harvest;
- Designing settlements in keeping with the environment; and
- Securing resources for present and future uses.

Kaitiakitanga is linked inextricably to tino rangatiratanga as it may only be practiced by those iwi, hapū or whānau who possess tino rangatiratanga (customary authority) in their tribal area.

Sometime individuals, whanau or hapu, are charged with the tasks of kaitiakitanga. Kaitiaki often receive their mana or authority with respect to a particular locality, place or resource because they possess an intricate knowledge of the local environment. For example, a family or individual might be the kaitiaki for a pā or for a fishing ground.

Taonga

The term taonga is used in Section 6(e) of the RMA and in Article 2 of the Te Tiriti o Waitangi. Taonga identifies things of value to tangata whenua and also symbolises a Māori approach to environmental management.

Taonga can refer to anything that contributes to the maintenance of a tribe's intellectual, physical, family and spiritual wellbeing. Although some taonga, such as land and water in any form (including rivers, lakes, groundwater, pools, waterfalls and springs), relate directly to domains, other taonga are of a different nature. They include sites and resources such as waahi tapu, tauranga waka and mahinga maataitai, other sites for gathering food and other cultural resources, hills, mountains and caves.

Taonga can refer to the intangible as well as the tangible. Other practices and beliefs that give expression to the tino rangatiratanga and mana whenua of the iwi are also regarded as taonga. The taonga of each iwi are extensive and diverse and are important parts of the cultural and tribal identity of iwi. Information about the taonga of Marlborough's tangata whenua iwi can be found in their respective Deeds of Settlement and iwi management plans and through direct engagement with iwi.

Ngā Wai (waters)

"We are water and water is us." Water is an essential element of life. Water has the power to revive, cleanse, heal and neutralise. Consequently, it is a very significant taonga to Māori and plays a central role in both the spiritual and secular worlds. Water represents the life blood of Papatūānuku, the tears of Rangī, and is the domain of Tangaroa. The condition of water is a reflection of the state of the land, and this in turn is a reflection of the health of the tangata whenua.

The principle of Ki uta Ki Tai (from the mountains to the sea) describes the approach to natural resource management by Marlborough's tangata whenua iwi. This principle enables a holistic approach to resource management that recognises the relationships and connections between land uses, water quality and quantity, biodiversity and the sea.

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Water has been traditionally and remains an integral political, economic and spiritual resource for Marlborough's tangata whenua iwi. For these iwi there are seven central categories of water: waiora, waitapu, waitaonga, waitai, waimāori, waikino, and waimate. Water provides the connection between the past, the present and the future.

Waiora Purest form of water, not compromised either spiritually or physically.

Waitapu Water that is tapu due to its relationship to other waters, places or objects.

Waitaonga Water that has taonga status because of the particular uses the waterway supports.

Waitai Tidal waters and distinguishes seawater from freshwater.

Waimāori Water that has flowed over Papatūānuku is profane and suitable for most uses.

Waikino Water whose mauri has been compromised and can cause harm.

Waimate The water is contaminated or polluted and whose mauri has been exhausted.

Ngā Awa (rivers)

Awa have a mauri, mana and tapu of their own. They are entities, like maunga, with which iwi groups identify. Tangata whenua often refer to the river as a taonga and in doing so denote their relationship to the entire river system, not to any one part. The river mouth is particularly important during native fish spawning times. Rivers carry the life blood of the land; the well-being of a river is reflected in the well-being of the local people.

Te Moana (sea)

The domain of Tangaroa has great spiritual significance and also has a practical value. The sea is a food basket for the iwi. As such, practices and elements that defile the mauri and the mana of the coastal environment are seen as abhorrent. The discharge of contaminants, such as human sewage, into the sea is an obvious example. Te moana includes the shoreline, foreshore, estuaries and river mouths and all the species that live within these environments. River mouths and estuaries in particular are significant as these dynamic environments support important ecological processes and act as a cultural indicator of environmental health.

Ngā Maunga (mountains)

Maunga are a source of, and enhance, the mana of an iwi/hapū. The relationship of an iwi with its maunga can be affirmed and strengthened in a number of ways. Often a maunga is named directly after a tribal tipuna (ancestor), thereby establishing a clear whakapapa line or commemorating a significant event. Other maunga are named to describe the natural environment or processes within it. Often such maunga are classified as tapu to an iwi or hapū.

Ngā Whenua (lands)

The land and environment in which people live forms the foundation of their view of the world, the centre of their universe and the basis of their identity. Bonding to the land is a means of cultural identity and social solidarity. The survival and strength of iwi is dependent on the land, the wā kāinga (home base), where people live and carry out practices of an extended family.

The relationship is not about the ownership of land as a personal asset or commodity to dispose of as owners see fit; rather it is about an inheritance handed down the whakapapa line from generation to generation. Thus land is seen something that is ever lasting, to be passed on accordingly, in order to continue to affirm the total identity and existence of iwi – hence the term “tangata whenua” literally meaning “people of the land”.

Te Hau (air)

Air is a taonga, valued for its life supporting capacity for all things. The health and vitality of human life is dependent upon the air we breathe. This is captured within the term ‘te hau kāinga’ (home), which

represents the entire physical, cultural, social and spiritual wellness that one's home provides. It is this "air of home" that feeds and strengthens one's whakapapa links, cultural practices and iwi identity.

Hau is also an intrinsically individual quality. For instance in partaking of the hongī, the sharing of breath represents the encompassing merging of one person's wellness with another, in order to symbolize the joint strength this action represents.

Traditional foods

Mahinga kai is the customary gathering of food and natural materials, the places where those resources are gathered and the methods by which the resources are gathered. Mahinga kai was, and is, central to the way of life to Marlborough's tangata whenua iwi. All fauna and flora are the offspring of various deities; for example, all sea life are of Tangaroa while forests and animals are of Tāne Mahuta. For this reason they have mana atua (divine origins) and are considered tapu.

Food also has a strong social and cultural meaning. Manaaki tangata is the custom of being aware of and caring for the needs of your guests. Food is a fundamental way of expressing this ethos. In turn, the mana of the tangata whenua is both upheld and enhanced. The loss of the ability of tangata whenua to provide for guests in this way can also be seen as a loss of mana.

Kaimoana is food provided by the sea, for example, shellfish, fish and crayfish. Apart from being a major source of mana, the state of kaimoana is a reflection of an iwi, hapū or whānau duty of kaitiakitanga. Where they are no longer able to protect these resources, iwi may suffer a loss of mana in being unable to fulfill their role as kaitiaki.

Waahi Tapu and Waahi Taonga

Waahi tapu, which is specifically referred to in the RMA, covers a broad range of places. It is a status which recognises the tapu of the area. The area may be associated with creation stories of tangata whenua, a particular event (such as a battle or ceremony); it may be where the whenua (placenta) was returned to the earth or where whānau are buried (urupā), it may be a landing site for waka (tauranga waka), or where a certain type of valued resource is found. Waahi tapu are sites of great importance and/or sacredness to Marlborough's tangata whenua iwi and are to be respected. The location of some waahi tapu is not made public in order to preserve their sacredness.

Some cultural resources are regarded as waahi taonga. These comprise a broad category of resources used in cultural practices and activities of tangata whenua. Such resources include flora and fauna for rongoā (medicine), prized flora and fauna for weaving (e.g., pīngao, kiekie, pigeon feathers), and wood for carving purposes (e.g., tōtara).

Cultural Beliefs and Practices

Cultural beliefs and practices are of significance to Marlborough's tangata whenua iwi because of their relationship to tribal identity, tribal life and tribal development. They comprise the essential elements that denote mana and mātauranga (knowledge), the customary right of decision making relating to tribal rohe (boundaries). Tūrangawaewae (ancestral homes, including pā and marae), papakāinga (whānau/communal housing settlements), whare rūnanga and mahinga maataitai are some of these essential elements.

The essential working elements of tribal culture give rise to, and reaffirm, the relationship of tangata whenua with the land.

The guaranteed availability of resources has implications that extend beyond the use of a material for any one cultural activity. It extends to preserving tikanga (customary practices) associated with their use.

Marae

As an institution, a marae is a vital part of Māori culture. The land and the buildings carry the historical prowess of the iwi, with the wharenuī (meeting house) often built to symbolise an eponymous ancestor. The stories of the iwi/hapū are entwined within the wharenuī as knowledge for present generations and as lessons for the future.

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While the marae has many roles, fundamentally it's a place where tangata whenua gather to kōrero and discuss things with the whānau or with manuhiri (visitors). It is a place where the difficult issues can be presented and discussed safely and where the mana of the speaker and those spoken to, is kept intact. It is the best place for talking about cultural values as it provides the most appropriate context.

Marae provide aspects of both richness and responsibility for iwi. The intergenerational transfer of knowledge, skill and tikanga observance, along with the provision of hospitality are requirements that iwi increasingly strive to uphold.

The marae buildings and grounds are wāhi tapu, and have mana that must be respected by everybody who enters the marae grounds.

Issues of Significance to Marlborough's Tangata Whenua Iwi

As set out in the Introduction to Chapter 3, a regional policy statement must identify resource management issues of significance to iwi authorities in Marlborough [Section 62(1)(b)(i) of the RMA]. Issues 3A to 3F are the spiritual and cultural matters of fundamental importance to Marlborough's tangata whenua iwi concerning their connection to and use of natural and physical resources. Issues 3G to 3J are the relationship and process issues, which include iwi involvement in decision making processes, consultation and cross boundary matters. As stated earlier, the third set of issues, which relate to specific resources, are integrated throughout the RPS/Resource Management Plan.

SPIRITUAL AND CULTURAL ISSUES

Issue 3A – The principles of Te Tiriti o Waitangi are not taken into account.

In exercising its functions and powers under the RMA, the Council is required to take into account the principles of Te Tiriti o Waitangi. A number of Treaty principles have been defined to date through the Courts and these establish guidelines to govern the relationship between Marlborough's tangata whenua iwi and the Council.

Marlborough's tangata whenua iwi are concerned that past decision making processes under the RMA have not necessarily taken into account the principles of Te Tiriti o Waitangi. For this reason, the iwi seek to establish an effective relationship with the Council in resource management processes. This issue is reflected in a number of the other issues contained in this chapter.

Issue 3B – Regard is not given to kaitiakitanga and the ability of Marlborough's tangata whenua iwi to exercise kaitiakitanga is not enabled.

Marlborough's tangata whenua iwi have developed an environmental ethic and management system for the sustainable management of natural resources, which is embodied in kaitiakitanga. As explained earlier in the chapter the responsibility of kaitiaki is twofold: first, there is the ultimate aim of protecting mauri; and, secondly, there is the duty to pass the environment to future generations in a state which is as good as, or better than, the current state. While the RMA requires the Council to have particular regard to kaitiakitanga in Section 7(a), Marlborough's tangata whenua iwi consider that they are not always practically able to exercise kaitiakitanga.

There are a number of reasons for this including those described in the issues that follow. For example, Issue 3D identifies that because of the holistic approach of iwi to the environment they are very aware of the impact of resource use on the mauri of resources. In wanting to protect the mauri of resources, Marlborough's tangata whenua iwi believe that kaitiakitanga practices need to be recognised and implemented. In terms of Issue 3E, an inability to access and use cultural resources in traditional ways may see the mana of an iwi being impaired as they cannot fulfil their roles and responsibilities as kaitiaki.

Of considerable significance for Marlborough's tangata whenua iwi is a lack of iwi involvement and consideration of iwi values in resource management decision making processes. This is described further in Issue 3G, but essentially iwi consider that a practical expression of kaitiakitanga can only be achieved through greater involvement by iwi in decision making.

Collectively the issues that follow identify matters that impact on the ability of Marlborough's tangata whenua iwi to exercise kaitiakitanga.

Issue 3C – The threats to the cultural heritage of Marlborough's tangata whenua iwi.

The Marlborough landscape and coastline is rich in iwi heritage. This history has a present day reality, which is reflected in the many sites and features of particular significance to iwi (either individually or collectively). These are primarily sites connected to iwi histories, traditions and tikanga. Examples include mahinga mātaītai (places for gathering seafood), waahi tapu (ancestral sites), landscape features that define iwi boundaries, arawhito (significant trails), access points to rivers, wetlands and the coast, places of iwi occupation such as pā and marae, urupā (burial sites), battle grounds. Some of the sites are waahi tapu, or sacred sites as a result of past events or activities. Individual sites may collectively contribute to culturally significant landscapes. These sites, features and landscapes are collectively part of the cultural heritage of each of Marlborough's tangata whenua iwi.

This cultural heritage forms a particularly significant and unique part of Marlborough's wider heritage and is significant to all of the community, due to the link that it provides between past, present and future generations. Some of these sites and features, such as the Wairau Bar, Tuamarino (site of the Wairau Incident), Mussel Point and Horahora Kākahu Island, are of national significance.

Marlborough's tangata whenua iwi believe their ability to access areas of cultural heritage, whether these are areas of Māori owned land, mahinga mātaītai or other important sites or features, has been significantly compromised in some areas of the Marlborough Sounds by uses such as jetties, reclamations, moorings, boatsheds etc. Being able to access the features, sites or landscapes that contribute to each of Marlborough's tangata whenua iwi's cultural heritage is fundamental to their identity.

The destruction and degradation of cultural heritage sites, features and landscapes of significance to Marlborough's tangata whenua iwi has occurred in the past as a result of the use and development of Marlborough's natural and physical resources, especially land resources. The development of land for residential, commercial, industrial and rural purposes has occurred on or near significant sites or features resulting in their disturbance, and unfortunately damage and, in the worst cases, complete destruction. This has usually occurred as a result of ignorance of the significance of the site to iwi. However, in some cases artefacts from sites have been deliberately sought after and removed.

Māori place names are also part of Marlborough's cultural heritage. They provide an important link to the significance of traditional sites, historical events and spiritual associations. Many traditional place names have been lost and those that remain are under threat.

Given the sustained economic development of Marlborough, it is likely that there will be an ongoing threat to remaining sites and features of significance to Marlborough's tangata whenua iwi. Marlborough's tangata whenua iwi cannot tolerate any further loss of their cultural heritage and protection of significant sites, features and place names is critical.

Issue 3D – The impact of resource use on the mauri of natural resources.

Mauri is the life force that exists in all things in the natural world. Mauri comprises both physical and spiritual qualities. If the environment is to flourish, the mauri within all natural things must be protected and sustained.

Water bodies are particularly significant to Marlborough's tangata whenua iwi. This is because water is a "life force", both spiritually, in terms of the connection to Atua, and physically in Marlborough's dry climate. Wetlands, streams and rivers can therefore be likened to the "arteries" of the environment and the health of these water bodies is reflected in the wellbeing of the people. Wetlands are particularly important for their biodiversity to tangata whenua. In addition, Marlborough's tangata whenua iwi lament the cumulative loss of wetlands in Marlborough as a source of traditional food (such as but not limited to tuna) and believe that those wetlands that do remain are so significant that they should be given absolute protection. To ensure the mauri of streams and rivers is maintained, Marlborough's tangata whenua iwi want to ensure that there are constant supplies of good quality water flowing in them. It is particularly

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important that rivers are managed to ensure there are enough freshes/floods and flows to maintain the opening of river mouths, especially at native fish spawning times. There is therefore an ongoing concern about the volume of water that is abstracted from surface water bodies, the diversion of these water bodies, the loss of vegetated riparian margins and any discharge of contaminants into fresh or coastal water. Discharges of human sewage and stock effluent into water are a serious affront to the mauri of the water and Marlborough's tangata whenua iwi are unable to use water that is contaminated in this way.

Water bodies are not the only component of the environment over which Marlborough's tangata whenua iwi have concern about mauri. Indigenous biodiversity on land is also part of the cultural landscape in Marlborough, even if it is a landscape that has been much reduced as a result of forest clearance and the draining of wetlands. The traditional knowledge that tangata whenua have in relation to biodiversity needs to be recognised. The loss of any further indigenous vegetation is a significant concern to Marlborough's tangata whenua iwi, both in terms of the loss of the plants (some of which are taonga) and the habitat they provide to other indigenous flora and fauna.

Reflecting their holistic approach to the environment, Marlborough's tangata whenua iwi are also very conscious of the effect that land use activities does have on other natural resources, particularly the runoff of contaminants into water and the potential for reduced water quality.

Collectively these losses of habitat and species, and general degradation in resource quality has a cumulative effect on the mauri of natural resources.

Marlborough's tangata whenua iwi believe that protecting the mauri of natural resources should be the overarching goal for all resource management planning and practices in Marlborough. To this end, there is a strong desire for Māori environmental practices, such as kaitiakitanga, to be recognised and implemented. In particular, Marlborough's tangata whenua iwi would like cultural indicators, which are based upon human sensory perceptions and spiritual association, to be used alongside existing environmental indicators in state of the environment monitoring.

Issue 3E – Difficulties in accessing and using cultural resources in traditional ways.

Marlborough's tangata whenua iwi traditionally relied upon the flora and fauna of Marlborough for their survival. The sea, the coastal waters of the Marlborough Sounds, the foreshore, rivers and river mouths, the bush and wetlands all provided abundant sources of food and were valuable mahinga kai. Foods of traditional cultural importance to Marlborough's tangata whenua iwi include, but are not limited to, tītī (muttonbirds), tuna (eel), īnanga, watercress, pūhā, kōura (freshwater crayfish) and shellfish.

Natural resources are not only used for food, but were also (and still are) used in cultural practices and activities such as medicine, weaving, carving and other arts. Some plants were particularly significant in this regard, including flax and pīngao for weaving, the tōtara tree for carving, kawakawa and koromiko for medicinal purposes. Some locations are particularly significant as mahinga kai or as a source of other cultural resources, such as Te Hoiere (Pelorus Sound) for snapper breeding.

As for New Zealand at large, Marlborough's natural environment has been highly modified. Much of the land, particularly lowland areas, was cleared of forest or wetland vegetation to make way for new land uses. Freshwater and coastal water resources have also been modified through river and creek diversions, the construction of flood defences, the reclamation of the sea bed, water abstraction and the discharge of contaminants into rivers and coastal water.

The loss of ecosystems has resulted in a corresponding decrease in the number and variety of mahinga kai and a reduction in the abundance and quality of ngā kai (traditional foods) and mātaitai (seafood) within them. Marlborough's tangata whenua iwi believe that this makes those areas that do remain even more significant. They also believe that remaining mahinga kai are still being affected by resource use, especially those uses and activities in rivers, wetlands and coastal areas.

The change in land tenure that has occurred with European settlement has also created difficulties for Marlborough's tangata whenua iwi in accessing mahinga kai as well as areas that contain other cultural resources. Some areas are now privately owned or can only be accessed through private land, creating barriers to the ability of Marlborough's tangata whenua iwi to continue their cultural harvest or activities,

as they were historically able to. Legal barriers can also prevent the harvest of traditional foods kai and other cultural resources, such as the protection afforded to endangered species.

The difficulties in accessing mahinga kai and using traditional foods have an impact upon the mana of Marlborough's tangata whenua iwi as it adversely affects the ability of each iwi, and whānau within the iwi, to provide for their family members and to care for guests. It also compromises their mana by impairing their ability to fulfil their role and responsibilities to kaitiakitanga and, further, it presents barriers to the maintenance and enhancement of traditional cultural practices.

Issue 3F – The provision of papakāinga.

In Marlborough, particular iwi and/or whānau retain significant tracts of land, for example in the Marlborough Sounds and in the vicinity of Wairau Pā. This land is held in multiple ownership of iwi or whānau members and in most cases has not been developed or has only been developed in a minimal way by the owners. Even so, Māori have a special spiritual and cultural attachment to this land, which is described as Māori land in terms of the Te Ture Whenua Māori Act 1953. Additionally, some land that has been returned to iwi through settlement processes and is in freehold title is regarded by Marlborough's tangata whenua iwi as Māori land.

There are tribal or whānau aspirations to exercise rangatiratanga over Māori land to use this land resource for the betterment of whānau or iwi members. In particular, there is a strong desire among Marlborough's tangata whenua iwi to provide papakāinga. This could be the provision of a single or small number of houses for whānau or iwi members, through to small settlements involving kaumātua housing, kōhanga reo, cottage industries, places of worship and marae. Marlborough's tangata whenua iwi wish to have the freedom to establish papakāinga activities on Māori land to meet the housing and social needs of iwi members. The intention is to improve the quality of life of whānau and iwi in a manner that is consistent with their cultural values and customs.

In seeking the ability to adequately house and sustain iwi and whānau members, Marlborough's tangata whenua iwi recognise that papakāinga must be developed in a manner that is consistent with the surrounding environment. In particular, that the physical needs of the settlement, in terms of the water supply and waste disposal, should be met without adverse effects on the environment.

RELATIONSHIP AND PROCESS ISSUES

Issue 3G – Lack of representation and recognition of iwi values in decision making processes.

Marlborough's tangata whenua iwi share a collective concern that their spiritual and cultural values are not being recognised in resource management decision making and believe that this is contributing to Issues 3A to 3F. The two areas of particular concern are resource consent applications and resource management policy development where Marlborough's tangata whenua iwi believe they should have greater involvement in decision making than they currently do. They believe that such involvement would better fulfil the Council's obligations under Te Tiriti o Waitangi and, in doing so, ensure spiritual and cultural values would be given appropriate recognition.

The RMA provides opportunities for the direct involvement of tangata whenua in the sustainable management of their ancestral lands, water, sites, waahi tapu and other taonga. It also requires the Council to have particular regard to kaitiakitanga and requires the principles of Te Tiriti o Waitangi to be taken into account. Te Tiriti principles indicate the need to involve tangata whenua in decision making that affects them. There are also provisions in the RMA for iwi authorities to be consulted in the preparation of policy statements and plans. It is therefore necessary that the Council implements mechanisms and processes for Marlborough's tangata whenua iwi to be involved in resource management decision making as a practical expression of kaitiakitanga and as part of ensuring adequate identification of the effects and provision for protection of the values of iwi.

The iwi have identified barriers to full and active participation including a lack of mechanisms for participation. They seek the Council's co-operation to break down these barriers. Ideally, meaningful involvement in such processes would represent a partnership in a manner that is consistent with the Te Tiriti o Waitangi. However, the iwi recognise that there is also a capacity issue in achieving any such partnership (see Issue 3I below).

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Marlborough's tangata whenua iwi believe that they share a common goal with the Council of sustaining the environment and natural resources. They would therefore welcome the opportunity to explore ways of improving their participation in resource management decision making processes as a practical expression of kaitiakitanga.

Issue 3H – The importance of consulting with iwi.

Marlborough's tangata whenua iwi consider it is important for a resource consent/plan change applicant to consult with the relevant iwi authority where the interests of an iwi may potentially be affected by a proposal. Indicators of the matters that may affect an iwi are the matters set out in Section 6(e) and Section 7(a) of the RMA. The provisions of this chapter and other chapters in the RPS/Resource Management Plan also assist to identify these matters.

Consultation with the iwi authority allows an assessment of cultural effects to be carried out and, where necessary, the preparation of a cultural impact assessment, as part of the process of assessing environmental effects.

There are principles of good consultation that have been established over time, which should be followed in order to achieve the best possible outcome for all parties. These principles include that:

- The consultation should be undertaken prior to lodging of any application.
- All parties need to enter into consultation with an open mind.
- Reasonable time needs to be provided by the applicant to allow the consulted party to respond with queries or concerns from which the applicant can modify their proposal if appropriate.
- The consulted party needs to be adequately informed (through the provision of all relevant information and any other information reasonably requested) in order to make a useful response.
- Consultation is by its very nature a two-way process, which means that the applicant needs to take due notice of what has been said by the consulted party.

Marlborough's tangata whenua iwi accept that consultation will not necessarily guarantee an agreement with the resource consent/plan change applicant. However, they also believe that consultation is required to ensure identification and quantification of all potential effects of a proposal on the interests of an iwi authority.

Issue 3I – Capacity of iwi to be able to effectively take part in resource consent processing and policy development.

Even if mechanisms were put in place to enable greater participation in resource management decision making by Marlborough's tangata whenua iwi, the iwi believe that a significant barrier to participation remains and that is the capacity to participate. Many of Marlborough's tangata whenua iwi have limited numbers on the ground in terms of participating in resource management processes and limited financial resources. It is therefore the view of most iwi that they do not currently have the capacity to effectively take part in the two processes that they have the greatest interest in, resource consent processing and policy development.

The response of each iwi therefore varies, with some focussing on the iwi management plans, some establishing strong resources for consultation and response to applications for resource consent and others with focus on involvement in policy development. The importance of recognising these varying abilities and approaches will enable selection of the most effective method or methods of obtaining an understanding of the values of iwi and providing for their involvement in resource management procedures affecting their rohe.

Issue 3J – Cross boundary issues with an overlap in rohe of Marlborough's tangata whenua iwi.

The rohe, or tribal boundary, of each of Marlborough's tangata whenua iwi has changed over time as a result of migration and occupation. This situation has stabilised and each iwi has a good understanding of their current rohe. In many cases, the respective rohe overlap.

The overlap in rohe makes it difficult for the Council and for others (such as resource consent applicants) to establish who exercises kaitiakitanga in a particular area. This can lead to iwi not being consulted as they should be or, conversely, being consulted when they do not need to be. This can cause frustration for all involved in resource management processes, including the iwi authorities.

Rohe do not coincide with local government boundaries. This means that the rohe of a number of Marlborough's tangata whenua iwi extends beyond the boundaries of the Council. In these circumstances, the iwi must deal with more than one local authority. This can be problematic where the local authorities concerned perform RMA functions and undertake RMA processes in different ways. This can force each iwi to adjust the way in which they participate in, and provide an input into, RMA processes.

Marlborough's tangata whenua iwi seek to develop mechanisms for effectively managing these cross boundary issues.

OBJECTIVES TO ADDRESS RESOURCE MANAGEMENT ISSUES 3A TO 3J

Objective 3.1 – The principles of Te Tiriti o Waitangi are taken into account in the exercise of the functions and powers under the RMA.

Marlborough's tangata whenua iwi have developed an environmental management system over many centuries, which is practised today and is embodied within the principles of Te Tiriti o Waitangi. The RMA requires the Council to take into account the principles of Te Tiriti o Waitangi in exercising its functions and powers. The objective reflects this requirement (set out in Section 8 of the RMA) and the remaining objectives and policies of this chapter, and throughout the rest of the RPS/Resource Management Plan, set out how the principles can be achieved.

Objective 3.2 – Natural and physical resources are managed in a manner that takes into account the spiritual and cultural values of Marlborough's tangata whenua iwi and in a manner that respects and accommodates tikanga Māori.

It is important to iwi that in sustainably managing Marlborough's natural and physical resources, when taking into account the spiritual and cultural values of iwi, that appropriate recognition is given to tikanga Māori. This is important for iwi as observing tikanga is part of the ethic and exercise of kaitiakitanga.

Objective 3.3 – The cultural and traditional relationship of Marlborough's tangata whenua iwi with their ancestral lands, water, air, coastal environment, waahi tapu and other sites and taonga are recognised and provided for.

The objective reflects in part the requirements of the RMA in regard to matters of national importance – Section 6(e). It also acknowledges the special relationship that Marlborough's tangata whenua iwi share with the environment.

Objective 3.4 – Opportunities for development on Māori land that meet the needs of the landowners and respects the relationship of Marlborough's tangata whenua iwi with land, water, significant sites and waahi tapu.

Planning policies and rules within former resource management plans have potentially limited how Marlborough's tangata whenua iwi have been able to use their own land. The objective therefore aims to maintain and strengthen the traditional relationship of Marlborough's tangata whenua iwi with land, water, significant sites and waahi tapu by enabling a range of activities to occur on Māori land including papakainga, marae cultural activities, customary use, and other activities. This approach will support economic, social and cultural development for Marlborough's tangata whenua iwi. This objective also

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assists in giving effect to the principles of Te Tiriti o Waitangi and to section 6(e) of the Resource Management Act 1991.

Objective 3.5 – Resource management decision making processes that give particular consideration to the cultural and spiritual values of Marlborough’s tangata whenua iwi.

Through a number of the issues described in 3A to 3J, Marlborough’s tangata whenua iwi have clearly identified that decision making processes on resource management matters don’t always appropriately consider the cultural and spiritual values of Marlborough’s tangata whenua iwi. While there has been ongoing consultation between the Council and Marlborough’s tangata whenua iwi in the preparation of this RPS/Resource Management Plan, it is important this continues as the RPS/Resource Management Plan is implemented and monitored in the future. On-going consultation and involvement in decision making will help to ensure the cultural and spiritual values of Marlborough’s tangata whenua iwi are given recognition.

POLICIES TO ACHIEVE OBJECTIVES 3.1 TO 3.5

Policy 3.1.1 – Management of natural and physical resources in Marlborough will be carried out in a manner that:

- (a) Takes into account the principles of Te Tiriti, including kāwanatanga, rangatiratanga, partnership, active protection of natural resources and spiritual recognition.
- (b) Recognises that how the principles of Te Tiriti will be applied will continue to evolve;
- (c) Promotes awareness and understanding of the Council’s obligations under the RMA regarding the principles of Te Tiriti among Council decision makers, staff and the community;
- (d) Recognises that tangata whenua have rights protected by Te Tiriti and that consequently the RMA accords iwi a status distinct from that of interest groups and members of the public; and
- (e) Recognises the right of each iwi to define their own preferences for the sustainable management of natural and physical resources, where this is not inconsistent with the RMA.

The policy identifies Te Tiriti o Waitangi principles Marlborough’s tangata whenua iwi agree are important in terms of sustainably managing Marlborough’s natural and physical resources and that how these principles are taken into account will continue to evolve over time.

Policy 3.1.2 – An applicant will be expected to consult early in the development of a proposal (for resource consent or plan change) so that cultural values of Marlborough’s tangata whenua iwi can be taken into account.

Only Marlborough’s tangata whenua iwi can identify their relationship and that of their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga. This means that iwi are in the best position to determine whether a proposal will affect areas of significance for iwi. Because of this it is important that consultation with iwi occurs early in the planning of a development (either by resource consent or plan change) to ensure impacts are appropriately identified and addressed.

Policy 3.1.3 – Where an application for resource consent or plan change is likely to affect the relationship of Marlborough’s tangata whenua iwi and their culture and traditions, decision makers shall ensure:

- (a) The ability for tangata whenua to exercise kaitiakitanga is maintained.
- (b) Mauri is maintained or improved where degraded, particularly in relation to fresh and coastal waters, land and air.
- (c) Mahinga kai and natural resources used for customary purposes are maintained or enhanced and that these resources are healthy and accessible to tangata whenua.

- (d) For waterbodies the elements of physical health to be assessed are:
- i. Aesthetic and sensory qualities e.g. clarity, colour, natural character, smell and sustenance for indigenous flora and fauna;
 - ii. Life-supporting capacity, ecosystem robustness, and habitat richness;
 - iii. Depth and velocity of flow (reflecting the life force of the river through its changing character, flows and fluctuations);
 - iv. Continuity of flow from the sources of a river to its mouth at the sea;
 - v. Wilderness and natural character;
 - vi. Productive capacity;
 - vii. Fitness to support human use, including cultural uses.
- (e) How traditional Māori uses and practices relating to natural and physical resources such as mahinga maataitai, waahi tapu, papakāinga and taonga raranga are to be recognised and provided for.

These matters are those that must be assessed by decision makers when considering an application for resource consent or a plan change in which there is a likelihood that particular values of significance to iwi may be adversely affected. The matters to be assessed in relation to the mauri of waterbodies are particularly detailed given the significance of water resources to iwi. Dependent on the circumstances of the consent application or plan change, these matters may need to be assessed. This can only be done with the assistance of a hearings commissioner with expertise in tikanga Māori.

Policy 3.1.4 – Encourage iwi to develop iwi management plans that contain:

- (a) Specific requirements to address the management of coastal waters, land and air resources, including mauri, and in relation to Sections 6(e), 7(a) and 8 of the RMA;
- (b) Protocols to give effect to their role of kaitiaki of water and land resources;
- (c) Sites of cultural significance;
- (d) Descriptions of how the document is to be used, monitored and reviewed; and
- (e) The outcomes expected from implementing the management plan.

Encouraging Marlborough's tangata whenua iwi to develop and implement iwi management plans will help to achieve two significant outcomes. Ultimately it will help the Council to meet its requirements relating to Māori in the resource management planning process, especially when preparing new resource management policy and plans. Secondly, because the plans belong to the iwi that prepared them, they will help iwi themselves express and identify the values and relationships iwi have with their resources and how they ought to be protected, maintained or enhanced. Iwi management plans can provide a framework for consultation both for plan review but also for resource consenting processes. Including the matters identified within a) to e) of the policy and implementing an iwi management plan will build and strengthen partnerships between iwi and the Council as well building trust and good relationships.

Policy 3.1.5 – Ensure iwi management plans are taken into account in resource management decision making processes.

Having encouraged Marlborough's tangata whenua iwi to prepare iwi management plans, it is important that they are then taken into account by the Council when making decisions on resource management matters. The Council is required by the RMA to take into account iwi management plans when preparing a regional policy statement. In terms of its decision making on resource consent applications the Council must have regard to, subject to Part 2, other matters the Council considers relevant and reasonably necessary to determine an application – Section 104(1)(c). This could include having regard to iwi management plans. As more iwi management plans are prepared and lodged with the Council, it will be important they receive the appropriate recognition in decision making by the Council.

Policy 3.1.6 - Enable opportunities for marae and papakāinga development on Māori land that provides for a range of functions including living, working, cultural activities and recreation where it is of a scale, extent and intensity that is determined by the physical characteristics of the site, surrounding environment and tikanga Māori.

The policy recognises that papakāinga and marae settlements are an essential means for Māori to pursue the traditional relationship with their land. The policy encourages and strengthens this relationship by enabling development of Māori land provided it is consistent with the matters set out in the policy. Māori land includes land that is regarded as Māori land in terms of the Te Ture Whenua Māori Act 1953, including multiple owned Māori land and customary land, and other land returned to iwi through settlement processes.

Policy 3.1.7 – Foster a principle of partnership between Marlborough’s tangata whenua iwi, the Council and statutory management agencies on an ongoing basis in order to give effect to Policies 1 to 6.

This policy highlights that in order to give effect to the other policies in this chapter, that a partnership between Marlborough’s tangata whenua iwi, the Council and statutory agencies, such as the Department of Conservation, will be necessary. The partnership principle is reflective in the holistic approach of iwi to resource management in being all encompassing. Fostering partnerships with Marlborough’s tangata whenua iwi will assist in increasing capacity for iwi to add value to resource management decision making processes. Additionally, there will be times that non-statutory groups will combine with the Council and iwi in the context of community involvement in the management of natural and physical resources.

Methods of Implementation

The methods listed below are to be implemented by the Council unless otherwise specified. These methods provide the framework within which the Council will work in partnership with Marlborough’s tangata whenua iwi.

3.M.1 Developing partnerships

Developing effective partnerships with Marlborough’s tangata whenua iwi will be important in promoting resource management and taking into account the principles of Te Tiriti o Waitangi. How the partnerships will be expressed on an ongoing basis may be in the form of protocols, memorandums of understanding, strategies or the like. Regardless of what form the partnerships are expressed in, a fundamental component will be simple good faith.

3.M.2 Recognising statutory acknowledgements

The relevant trustees for an iwi must be provided with a summary of a resource consent application for an activity within, adjacent to, or directly affecting a statutory area. The Council must also have regard to the Statutory Acknowledgement relating to a statutory area when deciding whether the relevant trustees are affected persons in relation to an activity within, adjacent to, or directly affecting the statutory area and for which an application for resource consent is made. In some cases this will involve more than one iwi. The Council is also required to include information recording the statutory acknowledgements within its resource management documents.

3.M.3 Consideration of iwi management plans

Iwi management plans will be used and taken into account to:

- *Assist in the identification of issues of resource management significance to Marlborough’s tangata whenua iwi including recognition of these issues through the Council’s decision-making functions.*
- *Provide cultural context and understanding of values underpinning the relationship between iwi and the environment.*
- *Understand, acknowledge and account for the importance of local knowledge and guidance about the environment.*

- *Assist in the determination of the nature and extent of consultation that may be required over particular activities or places of importance.*
- *Assist in the development of resource management policy.*
- *Assist decision makers to make an informed decision with respect to a proposal or development of policy.*

3.M.4 Affected Party Status

In recognition of Marlborough's tangata whenua iwi as kaitiaki, Marlborough's tangata whenua iwi will be treated as an affected party in respect of any resource consent application involving a site that is within area identified in the RPS/resource management plan as having significance for one or more of the iwi.

3.M.5 Consultation

Because only Marlborough's tangata whenua iwi can identify their relationship and that of their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga, it is important that where a proposal is likely to affect the values of one or more of Marlborough's tangata whenua iwi an applicant is expected to consult early in the development of the proposal.

Where a Council officer is aware in preparing a report on a consent application or plan change, the circumstances of the application indicate that issues of cultural or spiritual significance to Māori may be present, consultation with the iwi who may be affected will occur.

Consultation may result in the iwi advising that a cultural impact assessment or cultural values report is required.

3.M.6 Cultural indicators

Environmental monitoring involves measuring the state/condition of our natural and physical resources so they can be understood and be managed in an informed way. While environmental monitoring is not new to New Zealand, to date this Council has relied upon scientific indicators to determine the health of Marlborough's natural and physical resources. However, the use of cultural indicators, which is based upon human sensory perceptions and spiritual association, has long been used by Marlborough's tangata whenua iwi to determine the health (mauri) of the natural world. Cultural indicators can be used alongside existing scientific indicators to assist in our collective understanding of the health of our environment. The Council will work with Marlborough's tangata whenua iwi to develop cultural indicators to assist in monitoring the state of Marlborough's natural and physical environment.

3.M.7 Cultural impact assessment reports and cultural value reports

A cultural impact assessment report is a professionally prepared assessment of the potential impacts of a given activity on resources and values of importance to tangata whenua. Such a report documents iwi values associated with an area, and provides appropriate measures to avoid, remedy or mitigate any adverse effects on those values.

Cultural impact assessment reports are an effective means of providing cultural and technical input, mainly with respect to resource consent applications under the RMA. Such reports should form part of a resource consent application's assessment of environmental effects. Iwi will advise an applicant or developer that a cultural impact assessment report is needed. Reports may be requested by an applicant or developer as part of pre-resource consent consultation, but it is the iwi that will advise if a cultural impact assessment report is required. The report will be prepared by the iwi or by someone that the iwi advises is appropriate to prepare the report. Iwi authorities may have protocols around the production and use of cultural impact assessments. The costs associated with preparing the report are met by the applicant.

Cultural value reports are similar to cultural impact reports, but are focused on providing information on the nature and extent of cultural interests in a given area, as opposed to assessing impacts of a specific proposal.

3.M.8 Decision making processes

Where an application for resource consent or plan change is within an area of significance to one or more of Marlborough's tangata whenua iwi and which is mapped within the Resource Management Plan, the Council will appoint a commissioner(s) with expertise in tikanga Māori to the hearing committee charged with hearing and deciding the application. Where an application for resource consent or plan change is outside a mapped area of significance but there is a likelihood that there may be an effect on the relationship of Marlborough's tangata whenua iwi and their culture and traditions, the Council will consider appointing a commissioner(s) with expertise in tikanga Māori to the hearing committee charged with hearing and deciding the application.

The Council will support iwi members becoming certified commissioners and will provide opportunities for these commissioners to participate in hearings.

3.M.9 Māori Place Names

This RPS/Resource Management Plan, and other Council documents, will utilise the Māori place names set out in Deeds of Settlements and will consider the use of dual place names for other Māori places names which are not set out in Deeds of Settlement in consultation with the appropriate Marlborough tangata whenua iwi.

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