



Mahaanui Kurataiao Ltd

**Cultural Impact
Assessment for Akaroa
Wharf**

June 2025

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Tangata whenua statement

1.1 Rangatiratanga

Ngāi Tahu holds and exercises rangatiratanga within the Ngāi Tahu Takiwā and has done so since before the arrival of the Crown. The rangatiratanga of Ngāi Tahu resides within the papatipu rūnanga. The Crown and Parliament have recognised the enduring nature of that rangatiratanga through:

- Article II of Te Tiriti o Waitangi (Te Tiriti);
- the 1997 Deed of Settlement (Deed of Settlement) between Ngāi Tahu and the Crown; and
- the 1998 Ngāi Tahu Claims Settlement Act (NTCSA) in which Parliament endorsed and implemented the Deed of Settlement.

As recorded in the Crown Apology to Ngāi Tahu in the NTCSA, the Ngāi Tahu Settlement marked a turning point, and the beginning of a “new age of co-operation”. The Crown apologised for its “past failures to acknowledge Ngāi Tahu rangatiratanga and mana over the South Island lands within its boundaries” and confirmed that it “recognises Ngāi Tahu as the tāngata whenua of, and as holding rangatiratanga within, the Takiwā of Ngāi Tahu Whānui”. Ōnuku Rūnanga hold rangatiratanga over Akaroa Harbour.

Accordingly, Ōnuku Rūnanga have a unique and abiding interest in the sustainable management of te taiao – the environment. Wai māori (freshwater) is a taonga of Ngāi Tahu, governed under the domain of rangatiratanga and defined by Ngāi Tahu tikanga and ritenga.

This report is provided without prejudice to the High Court freshwater claim¹.

In terms of this response, Mahaanui Kurataiao has taken a targeted approach and only addresses matters of fundamental concern to Ōnuku Rūnanga. The fact that Mahaanui Kurataiao has not commented on any particular matter should not be taken as support thereof and Ōnuku Rūnanga reserves the right to comment on additional matters at a hearing or in the future.

¹ Tau & Ors v Attorney-General, HC Christchurch CIV 2020-409-534

1.2 Mana whenua

Mana whenua represents the ability to influence and exercise control over a particular area or region and act as its kaitiaki. Mana whenua is derived from whakapapa, and it is protected and secured through continued occupation of ancestral lands (ahi kā roa), the continued use of resources (e.g. mahinga kai) and the protection of the mauri of resources and the environment mō tātou, ā, mō kā uri ā muri ake nei.

The six Papatipu Rūnanga that prepared the Mahaanui Iwi Management Plan 2013 are the representative bodies of the tāngata whenua who hold mana whenua in their traditional takiwā.

Ōnuku Rūnanga is the modern-day representative of the hapū Ngāi Tarewa and Ngāti Irakēhu. Irakēhu was the mother of many of the hapū and pā in the Te Pātaka o Rākaihautū (Banks Peninsula).

Ōnuku is located on the shores of Akaroa Harbour. The takiwā of Ōnuku Rūnanga, as defined by the Ngāi Tahu Claims Settlement Act 1998, is centred on Ōnuku and the hills and coasts of Akaroa Harbour to the adjoining takiwā of Te Rūnanga o Koukourārata and Wairewa Rūnanga. Karaweko, a rangatira of the Ngāi Tarewa people of Ōnuku, set out the takiwā of Ōnuku as from the hilltop of Pōhatu to the hilltop of Te Ruahine (point at the entrance of Akaroa Harbour) then to Timutimu Head on the west - but that the roadways between the inner and outer bays should always be left open, so other hapū could come and go for mahinga kai and hui.

Ōnuku is home to generations of whānau. It is also of immense significance to Ngāi Tahu as an iwi. It was at Ōnuku, in Akaroa Harbour, that the treaty was signed by Iwikau and Piuraki Tikao (John Love) on 30th May 1840, putting Canterbury and the various hapū of Canterbury Ngāi Tahu, generally, in a unique position within the nationally significant history related to the Treaty of Waitangi, and Māori–Pākehā relations.

1.3 Cultural landscape

For Māori, the foundation of identity arises from the natural world; whakapapa demonstrates a continuous thread from the primordial parents - Ranginui (Sky Farther) and Papatūānuku (Earth Mother) – down through more than 40 generations to the people that now reside on the Ngāi Tahu tribal lands across Te Waipounamu / the South Island. Whakapapa is embedded within the landscape through the naming of landscape features, places, waiata (songs),

ancestral feats, myths and legends. Myths and legends hold fundamental knowledge and are remembered because they tell of protocols as well as practical and ethical ways to care for places and people.²

The ecologically diverse natural landscape of the Canterbury Plains and wealth of natural resources found within the densely forested environment and sheltered rocky harbours of Te Pātaka-a-Rākaihautū set the scene for a sustained way of life that revolved around the concept of mahinga kai, trade and kinship.

Akaroa Harbour is the largest harbour on the southern coast of Te Pātaka-a-Rākaihautū. Whakaroa is another spelling of Akaroa which means long harbour.³ The harbour provided an abundance of kaimoana, such as pāua, kūtai, pipi, tuaki, tio, kina, shark, pātiki, hāpuka, mākā, pākirikiri, hoka, kōura and many other fish species. The surrounding bush provided a variety of native birds; building, weaving and rongoā resources; and the plentiful streams provided īnaka, tuna, freshwater mussels and kōura to name but a few.

Akaroa Wharf as an isolated element, is more closely associated with the Pākehā history of Akaroa. However, this built structure is a prominent form within a cultural landscape embedded with whakapapa. The wharf extends into the heart of Ngāi Tārewa and Ngāti Irakehu identity and way of life which was centred around mahinga kai. The abutment to Akaroa Main Wharf also interfaces with Britomart Reserve, an area which for Ngāi Tahu holds significance as the place where approximately 500 Ngāi Tahu gathered in 1848 to discuss the sale of land which would later be known as Kems Deed. This event also marked the beginning of land alienation and a multi-generational battle to have the principles of Kems Deed honoured.

The United Nations Declaration of the Rights of Indigenous Peoples as endorsed by Aotearoa/New Zealand Government has provisions relevant to this proposal as follows:

- Under Article 25 indigenous people have the right to keep and strengthen their spiritual relationship with their land, waters and other resources, and carry out their responsibilities to protect these for future generations.

² Kawharu, M., (n.d.), *Ancestral landscapes and world heritage from a Māori viewpoint*. Auckland University, unpublished paper.

³ <http://www.kahurumanu.co.nz/atlas>

- Under Article 29 of the United Nations Declaration on the Rights of Indigenous Peoples, indigenous people have the right to the conservation and protection of the environment, and their lands and resources.

Project

2.1 Overview of the project

The Christchurch City Council is seeking to replace the existing Akaroa Wharf with a new wharf in the existing wharf's location, in French Bay. The need for a replacement wharf comes from the existing wharf reaching the end of its life. The new wharf structure needs to accommodate the modern needs of both commercial and recreational wharf users and will incorporate floating pontoons on both the northern and southern faces to meet the demand for additional berth space.

The existing wharf will be demolished to make place for the new one. The existing commercial buildings that are attached to the wharf will be left in situ. The new wharf will follow a similar form, scale and shape to the existing wharf but with the wharf deck raised.

The proposed wharf will be shifted north by 1.5 m. The dimensions are 185 metres long and 8 metres wide. It will be elevated by 500-600 mm above the height of the existing deck.

Concrete piles are required for the wharf structure into the underlying basalt, with an additional 14-16 steel piles required for the pontoons. During construction up to 20 piles will be required and will be removed at the cessation of construction activities.

New floating pontoons will be arranged on the northern and southern faces of the main wharf. The pontoon on the southern face will include infrastructure for diesel refueling.

Services, including a new crane lighting, electricity and water will be embedded into the wharf. Limited sewer connections will be provided to service Black Cat (as is currently provided).

Wharf materials will include reinforced concrete decking, steel-encased concrete piles, timber fender piles and timber deck elements along with various wharf fittings.

3.1 Cultural values and considerations

This section covers the cultural considerations for elements of the proposal that will have cultural impacts on Ōnuku Rūnanga.

Marine Environment

As emphasized in the New Zealand Coastal Policy Statement (2010), tāngata whenua have a traditional and continuing cultural relationship with areas of the coastal environment, including places where we have fished and lived for generations. Coastal water quality is an important issue with regard to protecting the mauri of the coastal environment and the ability of tāngata whenua to harvest kaimoana. Akaroa Harbour is an immensely significant area for mahinga kai. All coastal areas are of high cultural and ecological value to Ngāi Tahu and should be protected and enhanced. The coastal environment will be impacted by the construction of the wharf as works will be occurring within the coastal environment.

Mahaanui Iwi Management Plan policy:

5.6 TANGAROA

COASTAL WATER QUALITY

Standards

TAN2.1 To require that coastal water quality is consistent with protecting and enhancing customary fisheries, and with enabling tāngata whenua to exercise customary rights to safely harvest kaimoana.

COASTAL LAND USE AND DEVELOPMENT

TAN7.2 To require that local authorities recognise those coastal areas identified by tāngata whenua as Ngāi Tahu cultural landscapes of particular importance, and protect such landscapes from inappropriate coastal land use and development.

6.8 AKAROA HARBOUR

STRUCTURES IN THE COASTAL MARINE AREA

A8.1 To consider structures in the coastal marine area on a case by case basis, considering:

- (a) Purpose of the structure (e.g. private or community);

- (b) Effects on mahinga kai;
- (c) Effects on the marine environment; and
- (d) Cumulative effects.

Works that occur within the coastal environment are acknowledged as being necessary for this project. However, the increasing pressure, ecological vulnerability, and cultural significance of these landscapes necessitates the careful consideration of coastal development activity, and especially cumulative effects associated with overlapping projects and discharges into the coastal marine area. While the wharf is not considered a large project, the cumulative effects of all coastal development will have negative impacts on the mauri of the coastal environment and therefore, it is these cumulative effects on cultural impacts that are significant.

Construction Processes

Demolition and construction works are to be undertaken in an area where coastal erosion processes occur and where there is a high risk for sedimentation into the coastal marine environment. This level of sedimentation is then increased during high tides and extreme weather events.

This site is within an area with an ancient history of Māori occupation. While works have already been conducted on the same site in the past, there is still a likelihood of archaeological discovery.

Mahaanui Iwi Management Plan policy:

PAPATŪĀNUKU

P1.1 To approach land management in the takiwā based on the following basic principles:

- (a) Ki Uta Ki Tai;
- (b) Mō tātou, ā, mō kā uri ā muri ake nei; and
- (c) The need for land use to recognise and provide for natural resource capacity, capability, availability, and limits, the assimilative capacity of catchments.

As a means to:

- (a) Protect eco-cultural systems (see Section 5.3 Issue WM6 for an explanation);

- (b) Promote catchment based management and a holistic approach to managing resources;
- (c) Identify and resolve issues of significance to tāngata whenua, including recognising the relationship between land use and water quality and water quantity;
- (d) Provide a sound cultural and ecological basis for assessments of effects of particular activities; and
- (e) Recognise and provide for the relationship between healthy land, air and water and cultural well-being.

5.8 NGĀ TŪTOHU WHENUA

WĀHI TAPU ME WĀHI TAONGA

CL3.8 To require, where a proposal is assessed by tāngata whenua as having the potential to affect wāhi tapu or wāhi taonga, one or more of the following:

- (a) Low risk to sites:
 - (i) Accidental discovery protocol (ADP)
- (b) High risk to sites:
 - (i) Cultural Impact Assessment (CIA);
 - (ii) Site visit;
 - (iii) Archaeological assessment, by a person nominated by the Papatipu Rūnanga;
 - (iv) Cultural monitoring to oversee excavation activity, record sites or information that may be revealed, and direct tikanga for handling cultural materials;
 - (v) Inductions for contractors undertaking earthworks;
 - (vi) Accidental discovery protocol agreements (ADP); and/or
 - (vii) Archaeological Authority from the New Zealand Historic Places Trust.

As kaitiaki, Ngāi Tahu have a responsibility to advocate for and ensure the sustainable use and management of natural resources and the environment. Kaitiakitanga is the basis for tāngata whenua perspectives on land management and is expressed through a number of key principles, or cultural reference points. The principles enable an approach to land management that recognises the relationships and connections between land, water, biodiversity and the sea (Ki Uta Ki Tai), the need for long term intergenerational thinking (mō

tātou, ā, mō kā uri ā muri ake nei), and the importance of working with the land and recognising natural limits and boundaries.

Appropriate measures must be in place to ensure that sedimentation from the proposal is contained and dealt with accordingly. A stringent dust, erosion, and sediment control measures must be place at all times during construction and until such time as all exposed soils have been stabilised.

Any activity that involves ground disturbance has the potential to uncover cultural material or wāhi tapu. An accidental discovery protocol (ADP) must be in place during all works to deal with archaeological finds and protect the interests of mana whenua. This condition does not constitute a response under the Heritage New Zealand Pouhere Taonga Act (HNZPT 2014).

Discharges

There are no formal stormwater collection systems for the existing wharf. Any stormwater generated from the wharf and the abutment discharge directly into the harbour based on the drainage patterns on the wharf.

The proposed wharf will also generate construction and operational phase stormwater discharges. During the development, there will be potential for contaminants to be generated from spills, vehicles and machinery, stockpiles, and buildings. Insufficient management of these exposure pathways may allow contaminated stormwater to enter Akaroa Harbour, this goes against mana whenua values and actively undermines kaitiakitanga perspectives. The Applicant states that the proposed discharges are expected to comply with permitted activity rules under the Regional Coastal Environment Plan, however, the effects of an activity on mana whenua values may be significant despite the activity having been assessed as having only minor ecological effects. Sufficient measures need to be developed in partnership with tāngata whenua to mitigate these impacts on mana whenua values.

The Applicant has proposed to mitigate the potential risks for contamination through the implementation of an Environmental Management Plan and a Specific Erosion and Sediment Control Plan. To encourage sustainable stormwater management, the Applicant has identified key areas such as controlling point source pollution; additionally wharf maintenance and monitoring areas such as the refuelling site are proposed.

Mahaanui Iwi Management Plan policy:

CHANGING THE WAY WATER IS VALUED

WM2.2 To require that water is recognised as essential to all life and is respected for its taonga value ahead of all other values.

WM2.3 To require that decision making is based on intergenerational interests and outcomes, mō tātou, ā, mō kā uri ā muri ake nei.

WATER QUALITY

Controls on land use activities to protect water quality

WM6.16 To require, in the first instance, that all potential contaminants that may enter water (e.g. nutrients, sediments and chemicals) are managed on site and at source rather than discharged off site. This applies to both rural and urban activities.

Discharges to coastal waters

TAN2.2 To require the elimination of all direct wastewater, industrial, stormwater and agricultural discharges into the coastal waters as a matter of priority in the takiwā.

Coastal water quality is an important issue with regard to protecting the mauri of the coastal environment and the ability of tāngata whenua to harvest kaimoana.

There are minimal areas on site to discharge water (dewatered water or stormwater) to land, and anywhere that it can be discharged to has a high likely of intercepting groundwater. The use of Te Tai o Mahaanui to treat and dispose of wastewater is goes against tāngata whenua values.

Noise Impacts

Works are to be undertaken within Akaroa Harbour. This marine environment is home to a vast array of marine life that are sensitive to underwater noise effects. Marine life that can be found within Akaroa Harbour includes species such as Hector's dolphins, other dolphin species, New Zealand fur seals, and fish, these faunae are all taonga and mahinga kai. To produce sound and acoustics that will put the marine at risk of injury or deter them from the harbour is culturally unacceptable. The marine life within Akaroa Harbour will be impacted by the sounds and acoustics produced by the construction of the Akaroa Wharf.

The effects that activities have on Ranginui are often only seen when there are discharges of contaminants to air. Ranginui is usually seen only as the air around us and that we breathe. However, Ranginui also includes amenity values. Amenity values are those natural or physical

qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence and cultural and recreational attributes. Noise impacts from the construction works will also affect cultural amenity values.

Mahaanui Iwi Management Plan policy:

5.2 RANGINUI

CULTURAL AMENITY VALUES

R2.3 To require that local authorities recognise that some discharge to air activities may have particular adverse effects on Ngāi Tahu cultural values, including marae and wāhi tapu.

5.5 TĀNE MAHUTA

MAHINGA KAI

TM1.1 Ngāi Tahu whānui, both current and future generations, must be able to access, use and protect mahinga kai resources, as guaranteed by Te Tiriti o Waitangi.

TM1.6 To continue to advocate for the protection of indigenous fish species over and above the protection of habitat for salmon and trout. The protection of significant habitats of indigenous fauna is a matter of national importance (RMA s.6).

Tāngata whenua have a long and enduring relationship with the coastal and marine environment. It is part of the cultural heritage of Ngāi Tahu. Kaimoana is one of the most important values associated with the marine environment and the relationship of Ngāi Tahu to the sea is often expressed through this value. The food supplies of the ocean were regarded as a continuation of mahinga kai on land. It is crucial that noise created in the coastal marine area do not adversely affect mahinga kai resources.

It is important that there are sufficient mitigation measures in place to moderate the effects of noise created during construction works. Ōnuku Rūnanga advocate for early engagement with the community for the best ways to mitigate impacts of noise.

Summary of cultural assessment

The issues have been categorised into three main categories as set out in the table below. The table also provides a summary of concerns and whether the category is deemed culturally acceptable or not.

Category of issues	Summary of concerns	Culturally acceptable (Yes/No)
Site selection	Within Akaroa Harbour. Risk of Sea Level Rise, Erosion and sediment discharge.	Yes
Sound Impacts	Ōnuku Rūnanga understand that noise is necessary as a part of the proposal and are only temporary. A higher understanding of the potential effects of noise on mahinga kai/taonga species needs to be achieved. Sufficient mitigation measures to ensure that sounds do not negatively impact the marine life and mahinga kai/indigenous species. Ōnuku Rūnanga do not wish to comment on whether this issue is culturally acceptable or not.	N/A
Discharging contaminants into the Harbour	Ōnuku Rūnanga aim to eliminate discharges into Akaroa Harbour. Discharging contaminants to the Harbour where contaminants may negatively impact taonga/indigenous species; and cause a decline in the mauri of Akaroa Harbour.	No

	This is a walking wharf where contaminants are going to be generated from all types of sources. It is crucial that there are measures in place to appropriately deal with contaminants generated by the wharf.	
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Discussion and Recommendations

Discussion

It is acknowledged that the community requires a new wharf as the existing one comes to the end of its life.

Along with their responsibility to ensure they protect and enhance the mauri of the moana and whenua for future generations, Ngāti Irakehu and Ngāi Tārewa also have clear aspirations for their stories and their identity to be a visible part of the fabric of Akaroa township. The cultural landscape of Akaroa Harbour is rich in narrative, but the depth of these stories and the events which occurred that shaped our nation are known by very few. When you walk through the quaint French township of Akaroa, there are no signs, no visual representation of this nation's treaty partner. There is nothing informing visitors that they are standing in a landscape steeped in cultural significance.

Ōnuku Rūnanga has been engaged by Christchurch City Council to be part of the design team, to contribute to the wharf design and develop opportunities to bring their stories of place to life through art and design, and to share their stories with the community of Akaroa and visitors to this area.

Ōnuku Rūnanga has also provided written approval for the proposal.

Akaroa Harbour faces many existing constraints from a wide range of practices that occur in and around the harbour. Discharges into the harbour have been and continue to be a major issue. Ensuring that discharges into the coastal marine area and the sea are eliminated is a key goal for mana whenua, and without sufficient mitigation measures in place, the

construction and operation of the wharf will affect the mauri of the harbour and impact taonga/indigenous species.

Ōnuku Rūnanga seeks a future where enabling tino rangatiratanga mō tātou, ā, mō kā uri ā muri ake nei (the ability to create and control our destiny for generations to come) is achieved. This specifically involves decisions that affect water, the harbour, taonga/indigenous species.

Recommendations

Recommendations are provided on the basis that Christchurch City Council are to replace and construct the wharf at Beach Road, Akaroa. They are not provided as mitigating measures for the cultural impacts where effects have been assessed as not culturally acceptable.

- There should be a Management Plan in place to reduce the contaminants generated from the wharf from entering Akaroa Harbour.
 - The applicant should refer to the Te Pātaka o Rākaihautū Banks Peninsula Stormwater Management Plan for guidance on how to effectively manage stormwater.
- All demolition timber and materials must be prevented from entering the water where possible. If demolition material is dropped into the water, it must be retrieved and should be disposed of offsite at an appropriate facility.
- A stringent dust, erosion and sediment control plan must be place at all times during construction and until exposed soils and seabed have been stabilized.
- An accidental discovery protocol (ADP) must be in place during all works to deal with archaeological finds and protect the interests of mana whenua. This condition does not constitute a response under the Heritage New Zealand Pouhere Taonga Act (HNZPT 2014).
- All practicable measures must be taken to avoid spills of fuel or any other hazardous substances within the site.
 - An accidental spill protocol must be in place during all works.
 - Any machinery located next to or on a barge within the water must have the fuel tank secured to prevent any leakage of fuel into the coastal marine area.
- Mahinga kai values and taonga species within the vicinity of the site need to be understood and protected.

- Ōnuku Rūnanga encourages the Applicant to engage early with the community to find the best ways to mitigate the impacts of construction works.
- Construction works should be undertaken in consultation and under supervision with Ōnuku Rūnanga to ensure that impacts on mana whenua values are minimised

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Appendices

Appendix A: Site location plan

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Appendix A



Figure 1: Site location plan (indicated by red circle)

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