



17 August 2023

Consents Manager
Environment Southland
Private Bag 90116,
Invercargill 9810

Tēnā Koe,

RE: Submission on Resource consent application – APP-20232992

Please find attached a submission lodged, on behalf of Awarua Rūnanga on Resource Consent application to occupy part of the coastal marine area with two moorings and the mooring of two vessels up to 40 metres in length by South West Marine Services, Craig Harpur.

We trust the information contained within the submission is sufficient; however, should you wish to discuss any aspect further, please do not hesitate to contact me.

Nāhaku noa nā,



Kamaea Wi Repa
Te Ao Marama Inc.
Kaitohutohu Taiao

To: Environment Southland
Private Bay 90116
Invercargill

1. This is a submission on the application APP-20232992 to occupy part of the coastal marine area with two moorings and the mooring of two vessels up to 40 metres in 460-600 metres north of the Island Harbour in Bluff Harbour, Awarua. The mooring blocks will be placed at about NZTM2000 1,242,214E 4,830,568N and 1,242,270E 4,830,440N.
2. Awarua Rūnanga submission relates to the applications in their entirety (Appendix A). Awarua Rūnanga is **OPPOSED** to the granting of the applications.
3. Awarua Rūnanga does wish TO BE HEARD in support of its submission.
4. Awarua Rūnanga is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.
5. A copy of this submission has been sent to the applicant.

Signed for and on behalf of AWARUA RŪNANGA.



Kamaea Wi Repa
55 Esk Street,
Invercargill
9810

16 August 2023

Introduction

1. This submission is made on behalf of Awarua Rūnanga.

Papatipu Rūnanga

2. The Te Rūnanga o Ngāi Tahu Act 1996 (the TRoNT Act) and the Ngāi Tahu Claims Settlement Act 1998 (the Settlement Act) give recognition to the status of Papatipu Rūnanga as kaitiaki and mana whenua of the natural resources within their takiwā boundaries.
3. The consent application proposals relate to a coastal permit that is within the takiwā of Awarua Rūnanga.

General Position and Reasons for the Submission

4. Te Tangi a Taurira, 2008, p. 197 states that:

The importance of Awarua, Bluff Harbour, Extract taken from Te Whakakau Kaupapa o Murihiku 1997, p60 Bluff Harbour is an expanse of water almost totally enclosed by land. As it is affected by tidal flow it is kept clean and the water clear, supporting a wide variety of fish, shellfish, and edible seaweeds. Because of this it has always been an important source of kaimoana for the local Māori people.

There was always an abundance of seafood to be gathered in and around Bluff Harbour by the tūpuna (ancestors), namely Pipi (cockles), Kūtai (mussels), Roro (similar in shape to the toheroa), Pāua, Kina (sea eggs), Pātiki (flounders), and many other fi n fi sh, and these are still in demand today. There are also Inanga (whitebait) and Tuna (eels) in all the creeks which run into the harbour.

The tangata whenua of this area have always been able to live well from the sea, and to treat manuhiri (visitors) to these delicacies, thus becoming known near and far for their hospitality. The type of kelp found at the entrance to the harbour is suitable for making pōhā, (a kelp bag in which muttonbirds were preserved and stored), and is still used by some for this purpose today. Many archaeological sites are situated in and around the Bluff harbour area. There are sites on Tiwai where stone used for weapons, tools and ornaments, was quarried, and taken to sites elsewhere for working and finishing.

There were also a number of burial sites around Tiwai and the Ōmāui area, which must be protected and undisturbed. For these reasons it is unacceptable to the tangata whenua to have the harbour or its surrounds polluted in any way. Oil spills from ships berthed at the wharves or from shore installations, burst sewage pipes, contamination from the smelter, or from shore line industries, are all potential sources of pollution and we must be continually aware of this.

5. Ngāi Tahu is supportive of development within its takiwā, provided activities are undertaken in a way that respects the environment where the activity is to be undertaken and do not adversely affect Ngāi Tahu cultural values, customs and their traditional relationship with land and water.
6. The rohe (area) that the application is within is a significant cultural landscape to Ngāi Tahu because of historical and contemporary associations. These associations include (but are not limited to) the formation of landscape, wāhi ingoa (place names), mahinga kai, kaimoana, wāhi tapū, Māori land, Mātaitai, and archaeological sites.
7. This cultural, spiritual, historic, and traditional association is recognised by the crown and are Statutory Acknowledgements (See Appendix B) under the Ngāi Tahu Claims Settlement Act, 1997.
8. Awarua Rūnanga, as kaitiaki, are responsible as kaitiaki for protecting the mana and mauri of the environment that the application is within.
9. Awarua Rūnanga **opposes** the application for the following reasons:
 - Potential adverse effects on cultural values, rights, and interests.
 - The application has failed to consider all the relevant policies within Te Tangi a Taurira, 2008.
 - There has been no consultation/engagement with mana whenua to enable understanding of the potential adverse effects on cultural values, rights, and interests.
 - The application has failed to consider for cumulative environmental, social, and cultural effects.
 - The application has failed to consider emergency contingencies ie accidental oil spill.
 - The application has failed to specify occupational time frames.

Decision Sought

10. Awarua Rūnanga seek that:
 - The proposal is declined in its entirety.

Schedule 104 Statutory acknowledgement for Rakiura/Te Ara a Kiwa (Rakiura/Foveaux Strait Coastal Marine Area)

ss 205, 312, 313

i) Statutory area

The statutory area to which this statutory acknowledgement applies is Rakiura/Te Ara a Kiwa (Rakiura/Foveaux Strait Coastal Marine Area), the Coastal Marine Area of the Hokonui and Awarua constituencies of the Southland region, as shown on SO 11505 and 11508, Southland Land District, as shown on Allocation Plan NT 505 (SO 19901).

ii) Preamble

Under section 313, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic, and traditional association to Rakiura/Te Ara a Kiwa as set out below.

iii) Ngāi Tahu association with Rakiura/Te Ara a Kiwa

Generally the formation of the coastline of Te Wai Pounamu relates to the tradition of Te Waka o Aoraki, which foundered on a submerged reef, leaving its occupants, Aoraki and his brother to turn to stone. They are manifested now in the highest peaks of the Kā Tititiri o Te Moana (the Southern Alps). The bays, inlets, estuaries and fiords which stud the coast are all the creations of Tū Te Rakiwhānoa, who took on the job of making the island suitable for human habitation.

The naming of various features along the coastline reflects the succession of explorers and iwi (tribes) who travelled around the coastline at various times. The first of these was Māui, who fished up the North Island, and is said to have circumnavigated Te Wai Pounamu. In some accounts the island is called Te Waka o Māui in recognition of his discovery of the new lands. A number of coastal place names are attributed to Māui, particularly on the southern coast. Māui is said to have sojourned at Ōmaui (at the mouth of the New River Estuary) for a year, during which time he claimed the South Island for himself. It is said that in order to keep his waka from drifting away he reached into the sea and pulled up a stone to be used as an anchor, which he named Te Puka o Te Waka o Māui (Rakiura or Stewart Island).

The great explorer Rakaihautu travelled overland along the coast, identifying the key places and resources. He also left many place names on prominent coastal features. When Rakaihautu's southward exploration of the island reached Te Ara a Kiwa, he followed the coastline eastwards before heading for the east coast of Otago.

Particular stretches of the coastline also have their own traditions. Foveaux Strait is known as Te Ara a Kiwa (the pathway of Kiwa), the name relating to the time when Kiwa became tired of having to cross the land isthmus which then joined Murihiku (Southland) with Rakiura (Stewart Island). Kiwa requested the obedient Kewa (whale) to chew through the isthmus and create a waterway so Kiwa could cross to and fro by waka. This Kewa did, and the crumbs that fell from his mouth are the islands in Foveaux Strait, Solander Island being Te Niho a Kewa, a loose tooth that fell from the mouth of Kewa.

The waka Takitimu, captained by the northern rangatira (chief) Tamatea, travelled around much of Te Wai Pounamu coast, eventually breaking its back at the mouth of the Waiau River in Murihiku. Many place names on the coast can be traced back to this voyage, including Monkey Island near Ōrepuki which is known as Te-Punga (or Puka)-a-Takitimu. While sailing past the cliffs at Ōmaui it is said that Tamatea felt a desire to go ashore and inspect the inland, and so he turned to the helmsman and gave the order "Tārere ki whenua uta" ("swing towards the mainland"), but before they got to the shore he countermanded the order and sailed on. Subsequently the whole area from Ōmaui to Bluff was given

the name of Te Takiwā o Tārere ki Whenua Uta. In olden days when people from the Bluff went visiting they were customarily welcomed on to the hosts' marae with the call, "haere mai koutou te iwi tārere ki whenua uta". One of the whare at Te Rau Aroha marae in Bluff is also named "Tārere ki Whenua uta" in memory of this event.

The Takitimu's voyage through the Strait came to an end and when the waka was overcome by three huge waves, named Ō-te-wao, Ō-roko and Ō-kaka, finally coming to rest on a reef near the mouth of the Waiau (Waimeha). According to this tradition, the three waves continued on across the low lying lands of Murihiku, ending up as permanent features of the landscape.

For Ngāi Tahu, traditions such as these represent the links between the cosmological world of the gods and present generations. These histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

Because of its attractiveness as a place to establish permanent settlements, including pā (fortified settlements), the coastal area was visited and occupied by Waitaha, Ngāti Mamoe and Ngāi Tahu in succession, who through conflict and alliance, have merged in the whakapapa (genealogy) of Ngāi Tahu Whānui. Battle sites, urupā and landscape features bearing the names of tūpuna (ancestors) record this history. Prominent headlands, in particular, were favoured for their defensive qualities and became the headquarters for a succession of rangatira and their followers.

The results of the struggles, alliances and marriages arising out of these migrations were the eventual emergence of a stable, organised and united series of hapū located at permanent or semi-permanent settlements along the coast, with an intricate network of mahinga kai (food gathering) rights and networks that relied to a large extent on coastal resources.

Mokamoka (Mokomoko or Mokemoke) was one such settlement, in a shallow inlet off the Invercargill estuary. It was here that Waitai was killed, the first Ngāi Tahu to venture this far south, well out of the range of his own people, then resident at Taumutu. This settlement was sustained by mahinga kai taken from the estuary and adjoining coastline, including shellfish and pātiki (flounder).

Ōue, at the mouth of the Ōreti River (New River Estuary), opposite Ōmaui, was one of the principal settlements in Murihiku. Honekai who was a principal chief of Murihiku in his time was resident at this settlement in the early 1820s, at the time of the sealers. In 1850 there were said to still be 40 people living at the kaik at Ōmaui under the chief Mauhe. Honekai's brother, Pukarehu, was a man who led a very quiet life, and so was little known. He is remembered, however, in the small knob in the hills above Ōmaui which bears his name. When he passed away he was interred in the sandhills at the south end of the Ōreti Beach opposite Ōmaui. Ōue is said to have got its name from a man Māui left to look after his interests there until his return. It was also here that the coastal track to Riverton began. From Ōue to the beach the track was called Te Ara Pakipaki, then, when it reached the beach, it was called Mā Te Aweawe, finally, at the Riverton end, it was known as Mate a Waewae.

After the death of Honekai, and as a consequence of inter-hapū and inter-tribal hostilities in the Canterbury region, many inhabitants of Ōue and other coastal villages on Foveaux Strait relocated to Ruapuke Island, which became the Ngāi Tahu stronghold in the south. The rangatira Pahi and Tupai were among the first to settle on the island. Pahi had previously had one of the larger and oldest pā in Murihiku at Pahi (Pahia), where 40 to 50 whare (houses) were reported in 1828. The Treaty of Waitangi was signed at Ruapuke Island by Tuhawaiki and others. No battles however occurred here, the pā Pā-raki-ao was never fully completed, due to the realisation that Te Rauparaha could not reach this far south.

Other important villages along the coast included: Te Wae Wae (Waiau), Taunoa (Ōrepuki), Kawakaputaputa (Wakaputa), Ōraka (Colac Bay), Aparima (Riverton—named Aparima after the daughter

of the noted southern rangatira Hekeia, to whom he bequeathed all of the land which his eye could see as he stood on a spot at Ōtaitai, just north of Riverton), Turangiteuaru, Awarua (Bluff), Te Whera, Toe Toe (mouth of the Maitai River) and Waikawa.

Rarotoka (Centre Island) was a safe haven at times of strife for the villages on the mainland opposite (Pahi, Ōraka and Aparima). Numerous artefacts and historical accounts attest to Rarotoka as having a significant place in the Ngāi Tahu history associated with Murihiku.

Rakiura also plays a prominent part in southern history, the “Neck” being a particularly favoured spot. Names associated with the area include: Kōrako-wahine (on the western side of the peninsula), Whare-tātara (a rock), Hupokeka (Bullers Point) and Pukuheke (the point on which the lighthouse stands). Te Wera had two pā built in the area called Kaiarohaki, the one on the mainland was called Tounoa, and across the tidal strip was Kā-Turi-o-Whako.

A permanent settlement was located at Port Pegasus, at the south-eastern end of Rakiura, where numerous middens and cave dwellings remain. Permanent settlement also occurred on the eastern side of Rakiura, from the Kaik near the Neck, south to Tikotaitahi (or Tikotatahi) Bay. A pā was also established at Port Adventure.

Mahinga kai was available through access from the coastal settlements to Te Whaka-a-te-Wera (Paterson Inlet), Lords River and, particularly for waterfowl, to Toi Toi wetland. In addition, the tītī islands off the northeastern coast of the island, and at the mouth of Kōpeka River and the sea fishery ensured a sound base for permanent and semi-permanent settlement, from which nohoanga operated.

Te Ara a Kiwa, the estuaries, beaches and reefs off the mainland and islands all offered a bounty of mahinga kai, with Rakiura and the tītī islands being renowned for their rich resources of bird life, shellfish and wet fish. The area offered a wide range of kaimoana (sea food), including tuaki (cockles), paua, mussels, toheroa, tio (oysters), pūpū (mudsnails), cod, groper, barracuda, octopus, pātiki (flounders), seaweed, kina, kōura (crayfish) and conger eel. Estuarine areas provided freshwater fisheries, including tuna (eels), inaka (whitebait), waikōura (freshwater crayfish), kōkopu and kanakana (lamprey). Marine mammals were harvested for whale meat and seal pups. Many reefs along the coast are known by name and are customary fishing grounds, many sand banks, channels, currents and depths are also known for their kaimoana.

A range of bird life in the coastal area also contributed to the diversity of mahinga kai resources available, including tītī, seabirds such as shags and gulls, sea bird eggs, waterfowl, and forest birds such as kiwi, kākā, kākāpō, weka, kukupa and tieke. A variety of plant resources were also taken in the coastal area, including raupō, fern root, tī kōuka (cabbage tree), tutu juice and kōrari juice. Harakeke (flax) was an important resource, required for the everyday tasks of carrying and cooking kai. Black mud (paru) was gathered at Ocean Beach for use as dye. Tōtara bark was important for wrapping pōhā in, to allow safe transport of the tītī harvest. Pōhā were made from bull kelp gathered around the rocky coast.

The numerous tītī islands are an important part of the Ngāi Tahu southern economy, with Taukihepa (Te Kanawera) being the largest. Tītī were and are traded as far north as the North Island. The “Hakuai” is a bird with a fearsome reputation associated with the islands. No one has ever seen this bird, which appears at night, but it once regularly signalled the end to a birding season by its appearance at night. Known for its distinctive spine-chilling call, the hakuai was a kaitiaki that could not be ignored. At the far western edge of Foveaux Strait is Solander Island (Hau-tere), an impressive rock pinnacle rising hundreds of feet out of the sea, on which fishing and tītī gathering occurred.

The coast was also a major highway and trade route, particularly in areas where travel by land was difficult. Foveaux Strait was a principal thoroughfare, with travel to and from Rakiura a regular activity. There was also regular travel between the islands Ruapuke, Rarotoka and other points.

The tītī season still involves a large movement across the Strait to the islands, in addition large flotillas of Ngāi Tahu once came south from as far afield as Kaikōura to exercise their mutton-birding rights. Whenua Hou (Codfish Island) and the Ruggedy Islands were important staging posts for the movement of birders to the tītī islands off the south-west coast of Rakiura. Whenua Hou had everything that the birders required: shelter, proximity to the tītī islands, kai moana, manu (birds) and ngahere (bush). From Whenua Hou, the birders would camp at Miniti (Ernest Island), at the end of Mason Bay, where the waka-hunua (double-hulled canoes, or canoes with outriggers) were able to moor safely, ready for the final movement to the various tītī islands. Waka-hunua were an important means of transport on the dangerous and treacherous waters of Foveaux Strait and the Rakiura coast. After dropping birders and stores on the tītī islands the waka hunua generally returned immediately to Aparima and other tauranga waka along the mainland of Foveaux Strait, due to the paucity of safe anchorages among the tītī islands.

Travel by sea between settlements and hapū was common, with a variety of different forms of waka, including the southern waka hunua (double-hulled canoe) and, post-contact, whale boats plying the waters continuously. Hence tauranga waka occur up and down the coast, including spots at Pahi, Ōraka and Aparima, and wherever a tauranga waka is located there is also likely to be a nohoanga (settlement), fishing ground, kaimoana resource, rimurapa (bull kelp - used to make the pōhā, in which tītī were and still are preserved) and the sea trail linked to a land trail or mahinga kai resource. Knowledge of these areas continues to be held by whānau and hapū and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the coast.

The New River Estuary contains wāhi tapu, as do many of the coastal dunes and estuarine complexes for the length of the Foveaux Strait. Many urupā are located on islands and prominent headlands overlooking the Strait and the surrounding lands and mountains. The rangatira Te Wera, of Huriawa fame, is buried at Taramea (Howells Point), near Riverton. There are two particularly important urupā in Colac Bay, as well as an old quarry site (Tihaka). From Colac Bay to Wakapatu, the coastal sandhills are full of middens and ovens, considered to be linked to the significant mahinga kai gathering undertaken in Lake George (Uruwera). Urupā are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. These are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected in secret locations.

The mauri of the coastal area represent the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the coastal area.

Schedule 44 Statutory acknowledgement for Motupōhue (Bluff Hill)

ss 205, 206

Statutory area

The statutory area to which this statutory acknowledgement applies is the area known as Motupōhue (Bluff Hill), as shown on Allocation Plan MS 8 (SO 12233).

Preamble

Under section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic, and traditional association to Motupōhue as set out below.

Ngāi Tahu association with Motupōhue

The name Motupōhue is an ancient one, brought south by Ngāti Mamoe and Ngāi Tahu from the Hawkes Bay region where both tribes originated. The name recalls a history unique to the Ngāi Tuhaitara and Ngāti Kurī hapū that is captured in the line, "Kei korā kei Motupōhue, he pāreka e kai ana, nā tō tūtae" ("It was there at Motupōhue that a shag stood, eating your excrement").

Oral traditions say that the Ngāti Mamoe leader, Te Rakitauneke, is buried upon this hill. Te Rakitauneke's saying was: "Kia pai ai tāku titiro ki Te Ara a Kiwa" ("Let me gaze upon Foveaux Strait"). Some traditions also place another Ngāti Mamoe leader, Tū Te Makohu, on this hill.

For Ngāi Tahu, histories such as this represent the links and continuity between past and present generations, reinforce tribal identity and solidarity, and document the events which shaped Ngāi Tahu as an iwi.

The mauri of Motupōhue represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with Motupōhue.

Te Tangi a Taurira, 2008

3.6.2 Coastal Land Use and Development

Issues

- Adverse effects on cultural landscapes regardless of whether areas are significant.
- Management of cumulative effects on natural character
- Protection of visual and amenity values and character of coastal areas from inappropriate growth and development.
- Protection and recognition of customary rights.

Policy

8. Require that an Assessment of Environmental Effects includes an assessment of cultural effects and potential cumulative effects on the natural character of the coastal environment.

16. Recognise for adverse effects on cultural landscapes regardless of whether areas are significant.

3.6.3 Structures in the Coastal Marine Area

Issues

- Access to the coastal area.
- Obstruction of view.
- Loss of natural and landscape character values
- The location and density of coastal structures.

Policy

1. Any activity within, adjacent to or that may potentially impact on Statutory Acknowledgment areas, including Te Mimi o Tū Te Rakiwhānoa (Fiordland Coastal Marine Area) and Rakiura/ Te Ara a Kiwa (Stewart Island/ Foveaux Strait Coastal Marine Area), will require consultation with both Te Rūnanga o Ngāi Tahu, Ngāi Tahu ki Murihiku and Tangata Tiaki gazetted under the South Island Customary Fishing Regulations.

2. Promote awareness among coastal users that the coastal marine area is a finite resource and the number of suitable sites for some structures is limited, therefore the utilisation of coastal space must be efficient and sustainable.

3. Promote a precautionary approach toward new proposals. Where the activities and the effects of new proposals are not known or understood. Further information will be required to determine how such activities may affect, or be affected by coastal processes.