

Iwi, Impact Assessment and the Marine Environment

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The marine environment is an integral part of the history, culture and identity of the tāngata whenua of Aotearoa/New Zealand. Iwi interests in the marine environment reflect the value of customary mahinga kai traditions, the role of iwi as kaitiaki (environmental stewards), and the importance of commercial fisheries assets.

As kaitiaki, iwi are a strong voice in planning and consenting processes involving use of the marine environment. Seabed mining, marina developments, aquaculture, shipping channel dredging, land reclamation, and the use of the coastal waters as a receiving environment for wastewater and stormwater discharges are activities that may negatively impact on areas and resources of importance to iwi. These activities can be at odds with iwi use, environmental policy and future aspirations.

Assessing the impacts of activities on iwi therefore is a key consideration for proposed projects in the marine environment. What is the best way for this assessment to happen?

Cultural impact assessment (CIA) is a planning tool used to support the involvement of iwi/hapū in impact assessment, and manage the cultural impacts of development. A CIA identifies iwi values and interests in an area, the potential effects on these as a result of a proposed activity, and how adverse effects can be avoided or mitigated.

CIA has potential to enable iwi/hapū to influence a project at the front-end of the resource consent process, rather than submitting on a completed project design and assessment of effects that has not considered iwi/hapū values and interests adequately.



Photo credit: Don Shearman

Lyttelton Port is a good case study. The port is located in Whakaraupō/ Lyttelton Harbour, in the takiwā (traditional territory) of Ngāti Wheke, a Ngāi Tahu hapū. A series of earthquake recovery and development projects are now at consenting stage, under a planning framework amended by a [Lyttelton Port Recovery Plan \(LPRP\)](#).

CIA is being used by Ngāi Tahu and Lyttelton Port Company (LPC) to manage the effects of port recovery and development projects on iwi/hapū customary rights, values, and interests. Ngāi Tahu are working to restore harbour water quality and kaimoana habitat, and assessing where and how proposed activities occur is integral to achieving this.

At a strategic plan-making level, a CIA informed the development of the LPRP by setting iwi/hapū priorities and providing guidance on how to enable port recovery in a manner that reflects the value of the Whakaraupō/Lyttelton Harbour as both a mahinga kai and a port. At a project level, CIA were used to assess the potential cultural impacts of a proposed Channel Deepening Project and a proposed 24 ha Te Awaparahi Bay Reclamation Project.

There is good evidence that the use of CIA resulted in a recovery plan and consent applications that recognise the importance of the coastal marine environment to Ngāi Tahu, and the potential effects of port development on key values such as mahinga kai. The LPRP contains provisions for a catchment management plan and policy supporting net gain to mahinga kai. Capital dredging is proposed to be managed using a monitoring and adaptive management regime that responds directly to iwi/hapū concerns about sediment-induced effects on water quality and mahinga kai, and LPC has agreed to a net gain to mahinga kai. LPC is also required to mitigate the loss of kaimoana as a result of a 24 ha reclamation, and investigate the potential for designing the reclamation seawalls as new kaimoana habitat.

In this case study, the use of CIA had a positive impact on the relationship between LPC and Ngāi Tahu, providing a basis for the parties to work together to address issues at the pre-application stage.

This is not to say that all cultural impacts were resolved through the use of CIA. Ngāi Tahu have lodged an appeal against the consents granted for the CDP Project in July 2017. Ngāi Tahu and LPC would agree that much hinges on the kōrero (discussion) to come, and the ability of these to provide confidence that Ngāi Tahu values and interests in the marine environment will be protected.



In March 2017, the Indigenous Peoples Section of the International Association for Impact Assessment (IAIA) issued the [Aashukan Declaration](#), recognising that development has affected the lives of Indigenous Peoples in profound and lasting ways, and that Impact Assessment has yet to realise the potential of fully participatory processes.

Can CIA help iwi/hapū, project proponents and government meet future challenges associated with the use of the marine environment?



CIA can result in environmental impact assessments that recognise iwi/hapū rights, values and interests in the marine environment, and decision-making that provides for all of these. Used well, CIA can empower iwi/hapū to participate in environmental impact assessment in their traditional territories, and contribute to a more Treaty-compliant resource management regime.

But to be effective, the tool needs to be supported and valued by all involved. Iwi/hapū need to have ownership over the CIA process, and be resourced to do so. Project proponents and decision-makers must give appropriate weight to the matters raised in CIA, and the kaitiakitanga and mātauranga (knowledge) that supports the assessment. One of the biggest risks to CIA is that it becomes a ‘tick the box’ exercise for consultation with iwi/hapū, or that the ‘cultural’ component of CIA is narrowly defined.