



CULTURAL IMPACT ASSESSMENT

Queen's Gardens Pipeline Diversion

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Prepared for Nelson City Council by Thirdspace Projects Aotearoa on behalf of:

Ngāti Koata Trust, Te Rūnanga o Toa Rangatira, Ngāti Tama ki te Waipounamu Trust

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1.0 Executive Summary

This Cultural Impact Assessment (CIA) has been prepared in relation to Nelson City Council's proposal to upgrade stormwater infrastructure at Te Aratuna | Queen's Gardens, within central Whakatū, as part of broader flood-mitigation works in the Maitai | Mahitahi catchment. The assessment reflects the cultural values, interests, and responsibilities of Ngāti Koata, Ngāti Tama ki Te Waipounamu, and Ngāti Toa Rangatira, and is grounded in mātauranga Māori, iwi planning instruments, statutory acknowledgements, and Te Tiriti o Waitangi obligations.

1.1 Te Aratuna as a Taonga

Te Aratuna is a taonga and cultural landscape of enduring significance. Historically recognised as an important mahinga kai, particularly for tuna, it forms part of a wider network of interconnected freshwater systems within Whakatū and Te Tauihu o Te Waka-a-Māui. Its current degraded condition reflects the cumulative and intergenerational effects of land alienation, hydrological modification, and its long-standing use as stormwater infrastructure.

This degradation does not diminish the cultural value of Te Aratuna; rather, it heightens iwi concern regarding further impact and the ongoing normalisation of harm. Of particular concern is the absence of any agreed cultural health or ecological monitoring framework, which limits understanding of the current state of mauri, obscures cumulative effects, and constrains informed decision-making about future management and restoration.

The continued treatment of Te Aratuna as a stormwater receiving environment is inconsistent with iwi values and aspirations for freshwater protection and restoration, and with Council's own strategic commitments to water sensitive urban design, restoration of waterways, and cultural partnerships.

1.2 Process and Partnership

The process that led to the identification and advancement of Option 1A does not meet iwi expectations for partnership, early engagement, or shared problem definition. Iwi were engaged after the problem and preferred solution had already been framed, with limited opportunity to participate in optioneering, design, or assessment of alternatives.

The scope provided for this CIA excluded consideration of restoration, ecological enhancement, long-term management pathways, and the establishment of cultural and

ecological monitoring. These exclusions are inconsistent with iwi planning documents and with Council's own strategic commitments, and they limit the ability of this assessment to fully address the long-term implications of ongoing stormwater management at Te Aratuna.

1.3 Findings on Option 1A

Option 1A is a narrow, hard-engineered intervention intended to address a specific flood risk issue associated with the Maitai | Mahitahi catchment. It does not restore or enhance Te Aratuna and does not address the underlying causes of ecological or cultural degradation at the site.

Ecological input indicates that Option 1A is unlikely to significantly worsen existing conditions; however, it also provides no improvement to tuna habitat, water quality, hydrological connectivity, or mauri. In the absence of baseline cultural and ecological health monitoring, there is limited ability to verify effects over time or to detect incremental and cumulative impacts. There is a significant risk that, if implemented without explicit constraints and commitments, Option 1A will be treated as a "job done" solution, entrenching existing problems and foreclosing future restoration or alternative management approaches.

Overall Position - Opposed Unless

Ngāti Tama, Ngāti Koata, and Ngāti Toa Rangatira oppose Option 1A unless it is assessed and progressed within a broader, iwi-partnered options framework and it is clearly demonstrated and formally committed that:

- **Option 1A will not further diminish the cultural, ecological, or spiritual values of Te Aratuna;**
- **it will not constrain or lock in future restoration, reconnection, or alternative catchment-scale solutions;**
- **it is explicitly acknowledged as a partial and interim measure, not a final solution; and**
- **it is accompanied by clear commitments to a separate, iwi-partnered pathway for the long-term restoration and management of Te Aratuna, including the establishment of cultural and ecological health monitoring.**

Directions and Pathway Forward

This CIA provides a clear pathway forward. Council is expected to reset engagement practices, commit to early and strategic iwi partnership, and align operational decision-making with stated cultural, ecological, and Tiriti-based commitments. A dedicated, iwi-partnered process is required to address the future of Te Aratuna as a taonga, beyond the immediate scope of Option 1A.

This CIA is intended not as an endpoint, but as a foundation for achieving better outcomes and a more constructive, enduring relationship in the management of culturally significant freshwater environments in Whakatū.

2.0 Mātauranga Māori Intellectual Property

The contents of this report contain culturally sensitive information and are considered tapu, especially the mātauranga Māori intellectual property disclosed within. Specific protocols govern the dissemination and publication of this information. It is shared in utmost good faith, solely for this project, and must not be distributed or reproduced for any other person, organisation, or third party unless expressly agreed upon in writing by the mandated Iwi Authorities: Ngāti Koata, Ngāti Tama ki te Waipounamu, and Te Rūnanga o Ngāti Toa Rangatira.

Any individuals, organisations, or third parties receiving access to this information are bound by the strict confidentiality provisions outlined here, and this obligation must be explicitly communicated to them.

3.0 Introduction and Context

3.1 Introduction

This Cultural Impact Assessment (CIA) has been prepared in response to the Nelson City Council proposal to upgrade stormwater infrastructure associated with Te Aratuna | Queen's Gardens (hereinafter referred to as Te Aratuna) in central Whakatū, as part of broader flood-mitigation works within the Maitai | Mahitahi catchment. The activity sits within the rohe of Te Tauihu o Te Waka-a-Māui and this assessment reflects the cultural values, interests, and responsibilities of Ngāti Koata, Ngāti Tama ki Te Waipounamu, and Ngāti Toa Rangatira in relation to Te Aratuna, its hydrological connections, and the culturally significant landscapes within which it is located.

3.2 Purpose of the Cultural Impact Assessment

The purpose of this Cultural Impact Assessment (CIA) is to provide a culturally-located, **values-based, iwi-led assessment** of the proposed stormwater upgrade at Te Aratuna, reflecting iwi responsibilities as kaitiaki and rights-holders, and drawing on iwi environmental planning instruments, mātauranga Māori, and statutory obligations relevant to freshwater and cultural heritage.

Consistent with best practice, a CIA is intended to:

- **Identify cultural values and relationships** associated with the site and its wider environmental context.
- **Assess the effects** of the proposed activity on those values, including cumulative, legacy, and system-wide effects.
- **Direct how adverse effects must be avoided, remedied, or mitigated**, guided by iwi planning provisions and applicable council strategies (Nelson City Council, 2024a; Nelson City Council, 2024b).
- **Identify opportunities for restoration and partnership**, including measures to enhance tuna passage, water quality, sediment management, ecological function, and mauri (Te Tau Ihu Mahi Tuna, 2000; Nelson City Council, 2024c).

The scope of this CIA has been substantially constrained by the process adopted for this project. Council has requested iwi feedback on a single, predetermined option - Option 1A, a stormwater upgrade designed to increase conveyance through a larger pipeline at Ngaire Place (Tonkin & Taylor, 2025). Key decisions, including problem definition and the selection of Option 1A as the preferred solution, were taken prior to iwi involvement. This limits iwi ability to interrogate assumptions, consider alternative approaches, or assess whether Option 1A represents the best practicable option when cultural, ecological, and historical values are properly considered.

Despite these constraints, iwi represented in this CIA have chosen to undertake a **culturally located assessment** that:

- **centres whakapapa**, ki uta ki tai, mahinga kai, mana, mauri, and the cultural integrity of Te Aratuna;
- **places the project** within the ongoing context of land alienation and hydrological modification at the site;
- **evaluates the proposal** in relation to Council's own strategic commitments, including Water Sensitive Urban Design (WSUD) principles, freshwater quality improvement,

ecological restoration, and heritage protection (Nelson City Council, 2022; Nelson City Council, 2024a; Nelson City Council, 2024b); and

- **articulates a pathway** for restoration, partnership, and long-term improvement of Te Aratuna and its connected environments.

Through this approach, the CIA seeks not only to assess the cultural effects of Option 1A, but also to signal a more appropriate standard for future engagement and infrastructure planning; one that reflects Te Tiriti o Waitangi, Te Mana o te Wai, and iwi aspirations for resilient, restorative, and culturally sustaining urban water systems.

3.3 Council Defined Scope

Nelson City Council has defined the scope of this project as the upgrade of stormwater conveyance infrastructure associated with Te Aratuna. The activity centres on **Option 1A**, identified by Tonkin & Taylor (2025) as the preferred engineering solution for improving stormwater outflow capacity and reducing backflow during high river levels in the Maitai | Mahitahi Awa.

At present, Te Aratuna receives stormwater from the surrounding urban catchment but is unable to discharge effectively during heavy rainfall or when the Maitai | Mahitahi Awa is elevated. The two existing outlets are undersized and operate poorly under high tailwater conditions, resulting in ponding, surcharging, and flooding within Queen's Gardens and adjacent properties, including backflow from the river during major events (Tonkin & Taylor, 2025).

Option 1A has been developed to address this hydraulic bottleneck by providing a larger, deeper, and more efficient outlet from the pond to the river. The new pipeline is intended to increase conveyance capacity, lower flood levels within the pond, and reduce the likelihood of backflow during extreme weather events such as ponding and surcharging within Queen's Gardens during extreme rainfall events.

The preferred option (1A) consists of installing a new 1050 mm diameter stormwater pipeline running beneath Halifax Street and through Ngaire Place and discharging to the Maitai | Mahitahi River at a lower tailwater location than the existing outfall. It includes decommissioning two existing smaller-diameter stormwater pipelines (Tonkin & Taylor, 2025).

The scope defined by Council **excludes** several matters that are essential to understanding cultural and environmental effects at Te Aratuna. These exclusions include:

- **Restoration of the ecological function**, including identifying the goals of managing the waterbodies within Aratua, their inflows, management of high and low outflows, habitat values and enhancement, riparian rehabilitation, naturalisation techniques and public uses and values.
- **Water quality improvements**, despite known contamination and sedimentation issues in the pond and the obligations under the global stormwater discharge consent RM075499 to monitor and reduce pollutants entering freshwater (Nelson City Council, 2024c, p. 77).
- **Sediment management**, including assessment of the sources, volumes, and cumulative impacts of sediment deposited via stormwater inflows, and how, where, and when the site could be better managed to appropriately respond to sediment influx and removal.
- **Broader catchment hydrology**, including the relationship between Te Aratuna and the original channel of the Maitai | Mahitahi River, as well as upstream contributions from the urban stormwater network.
- **Cultural landscape, heritage, and historical context**, despite the site's recognition as a former mahinga kai and its classification as a historic reserve (Heritage New Zealand, 2012; Queens Gardens Landscape Conservation Plan, 2012).
- **Cumulative cultural and ecological effects**, including the intergenerational impacts of land alienation, disconnection from the river, and long-term stormwater use of the pond.

In the Activity Management Plans (AMPs) governing stormwater, parks, and environmental assets, no record was found of **Te Aratuna identified as a stormwater detention pond**, and the authorisation of its current sedimentation role could not be ascertained, including how it is monitored or assessed (Nelson City Council, 2024a; Nelson City Council, 2024b). Yet in practice, the pond functions as a sediment and stormwater receiving environment, contrary to council's stated commitments to Water Sensitive Urban Design (WSUD), ecological restoration, and freshwater improvement (Nelson Tasman Land Development Manual, 2022; Nelson City Council, 2024b).

By defining the scope around a single engineering solution and excluding the broader ecological, cultural, and hydrological issues that shape Te Aratuna, the council-defined scope

of the CIA has been limited to commenting on the **effects of Option 1A**, rather than assessing whether the option, and the planning framework that produced it, is appropriate when iwi values, historic obligations, and statutory directions are properly considered.

This technically narrow scope has been found to be inconsistent with Council's own planning instruments, including commitments under the Stormwater AMP, Parks and Facilities AMP, Environment AMP, the Te Tau Ihu Mahi Tuna plan, and the Queens Gardens Landscape Conservation Plan.

3.4 Iwi-Defined Scope and Expectations

From the perspective of Ngāti Koata, Ngāti Tama ki Te Waipounamu, and Ngāti Toa Rangatira, the scope of assessment for activities affecting Te Aratuna cannot be confined to the hydraulic performance of a single engineering option. Iwi understand Te Aratuna as part of a living cultural landscape, shaped by whakapapa, sustained by mauri, and interconnected with wider ecological, historical, and social systems. Accordingly, the iwi-defined scope of this CIA reflects an integrated, relational, and systems-based view grounded in Te Ao Māori, mātauranga, and iwi environmental planning instruments.

Whakapapa: Te Aratuna sits within a wider network of ancestral trails, seasonal food-gathering grounds, and settlement areas that pre-date colonial occupation. Its whakapapa is intrinsically linked to the Maitai | Mahitahi Awa and the broader ecological systems of Whakatū, despite being physically and hydrologically dislocated from the awa through subsequent modification. This whakapapa relationship means that the health of Te Aratuna is inseparable from the health of its tributaries, catchment, wider ecosystem, and associated taonga species.

Mauri: The assessment of impacts on mauri is fundamental to iwi environmental practice. Mauri is diminished by sedimentation, low flows, reduced water quality, loss of habitat, and disconnection from the river; conditions that currently characterise Te Aratuna. Any assessment of effects must therefore encompass not only physical changes associated with Option 1A, but also cumulative impacts arising from decades of modification and stormwater use.

Wāhi Taonga | Mahinga Kai: Te Aratuna was historically a significant **aratuna**, supporting tuna breeding, migration, and harvest. The ongoing degradation of habitat, barriers to fish passage, and use of the pond as a sediment basin directly affect the sustainability of tuna populations - values expressly recognised in Te Tau Ihu Mahi Tuna (2000). Iwi therefore

require that any activity affecting Te Aratuna address impacts on tuna habitat, movement, and long-term ecological function.

Hydrology and Ecological Connections: From a Te Ao Māori perspective, water systems operate as interconnected whakapapa networks. The hydrological disconnection of Te Aratuna from the Maitai | Mahitahi Awa, the diversion of upstream flows, and the reconfiguration of the pond as stormwater infrastructure have all contributed to ecological decline. The assessment must therefore consider both upstream and downstream effects, stormwater quality, sediment transport, and cumulative impacts.

Cultural Landscapes and Land Loss: Te Aratuna is part of a wider landscape shaped by land alienation, reclamation, and the removal or repurposing of culturally significant places. These legacies influence how iwi experience new proposals and the degree to which activities either perpetuate or repair historical harm. As such, the scope of iwi assessment includes the cultural, historical, and intergenerational dimensions of place, not just present-day infrastructure needs.

In Te Ao Māori, the environment is an interdependent whole and is not viewed nor treated in discrete parts. Therefore, iwi define the scope of this CIA as encompassing:

- cultural values and relationships,
- hydrological and ecological systems,
- water quality and sediment dynamics,
- mahinga kai and taonga species,
- historical and contemporary land use patterns,
- cumulative effects and long-term environmental resilience, and
- opportunities for restoration, partnership, and improved practice.

Kaitiakitanga is an exercise that requires iwi to consider the full range of effects on the health, identity, and wellbeing of Te Ao Tūroa | The Natural World, Te Aratuna, and its connected systems. This integrative lens ensures that assessments align with statutory and legislative responsibilities, including Iwi Environmental Management Plans. This ultimately ensures that the responsibilities of mana whenua as kaitiaki are upheld in both a whakapapa and statutory framework.

The scope and expectations articulated by iwi therefore require this CIA to consider not only the proposed stormwater upgrade, but also the cultural landscape of Te Aratuna, the process by which the proposal has been developed, and the implications for future restoration and partnership.

4.0 Cultural and Historical Context

This section outlines the cultural, historical, and environmental context of Te Aratuna within Whakatū and Te Taihū o Te Waka-a-Māui. It situates the site within enduring iwi relationships to whenua and wai, the atua domains that underpin Māori environmental values, and the layered histories of occupation, use, and modification that have shaped the area over time.

By tracing the transition from a living cultural landscape and mahinga kai to its current form as a highly modified urban reserve and stormwater receiving environment, this section provides essential context for understanding the significance of Te Aratuna, the cumulative effects of past actions, and the basis upon which the proposed activity is assessed in subsequent sections of this Cultural Impact Assessment.

4.1 Ngā Atua

In te ao Māori, the natural environment is understood through interconnected atua domains that articulate relationships between people, whenua, wai, and all living things. These domains provide the foundation for Māori environmental values and inform how impacts on land and water are understood, assessed, and responded to.

Te Aratuna sits at the intersection of several atua domains, most notably those associated with freshwater systems, wetlands, and the life they sustain. Atua such as Tāne Mahuta, Tangaroa, and Tāwhirimātea are central to understanding the relationships between forests, waterways, weather systems, and the ecological balance that supports mahinga kai and biodiversity. The presence and wellbeing of tuna, in particular, reflect the health of these interconnected domains and the obligations of kaitiakitanga held by iwi.

Under this worldview, water bodies are not inert infrastructure or passive receivers of discharge, but living entities with mauri that can be sustained, diminished, or restored. Alterations to hydrology, water quality, and connectivity therefore have implications that extend beyond physical effects, impacting spiritual, cultural, and intergenerational relationships with place.

Recognising atua domains within this assessment is essential to understanding why the condition of Te Aratuna matters, why cumulative modification is of concern, and why future decision-making must consider more than functional or engineering outcomes alone. These domains provide a values-based framework that informs iwi expectations for the protection, restoration, and appropriate management of Te Aratuna and its connected waterways.

4.3 Te Taihu o Te Waka-a-Māui

Te Taihu o Te Waka-a-Māui refers to the northern reaches of Te Waipounamu and is recognised as the prow of the waka of Māui. Ngā iwi o Te Taihu maintain deep whakapapa connections to the lands, waters, and coastal environments of the region. These relationships pre-date colonial settlement and continue to inform contemporary expressions of kaitiakitanga, rangatiratanga, and manaakitanga. Rivers, streams, wetlands, lakes, springs, and estuaries across Te Taihu are understood not as isolated features, but as interconnected systems that sustain life and identity, linking inland mountains to the coast and binding generations through whakapapa and customary practice.

The waterways of Te Taihu, including major ancestral awa such as the Maitai | Mahitahi have sustained whānau, hapū, and iwi for generations as sources of mahinga kai, transport routes, and places of spiritual significance. These freshwater systems supported abundant indigenous flora and fauna and were integral to seasonal patterns of use, settlement, and movement throughout Whakatū and the wider rohe.

Over time, and particularly since the onset of colonial settlement, the landscapes and waterways of Te Taihu have undergone significant modification. Land use change, urban development, infrastructure construction, and environmental modification have altered hydrological processes and diminished the health and accessibility of many freshwater systems. Despite these changes, the mana and kaitiaki responsibilities of iwi have not been extinguished. The relationships between tangata whenua and their ancestral waters remain active, intergenerational, and future-focused.

In the contemporary context, Te Taihu includes urban centres such as Whakatū (Nelson), alongside smaller settlements and rural catchments. Nelson City Council is one of three unitary authorities in Te Taihu that exercise delegated Crown responsibilities for environmental and resource management across the rohe. These responsibilities must sit alongside, rather than displace, the obligations of partnership, participation, and active protection afforded through Te Tiriti o Waitangi.

The broader Te Taihu context is essential for understanding the significance of Te Aratuna within Whakatū. The cultural values, environmental expectations, and concerns expressed in relation to Te Aratuna reflect not only site-specific issues, but also wider patterns of waterway modification and the cumulative effects experienced across the rohe. Decisions affecting Te Aratuna therefore carry implications beyond the immediate project area, engaging enduring iwi relationships with wai and the responsibilities of kaitiakitanga held across Te Taihu o Te Waka-a-Māui (Ngā iwi o Te Taihu, 2021).

4.4 Whakatū

Whakatū is a significant place of settlement, exchange, and movement within Te Taihū o Te Waka-a-Māui, located at the confluence of land, river, and coastal environments. The area has long been valued by iwi for its fertile soils, abundant freshwater systems, sheltered harbour, and access to diverse mahinga kai resources. Rivers and wetlands within Whakatū, including the Maitai | Mahitahi River and its associated tributaries and wetlands, have played a central role in sustaining communities, enabling travel, and supporting cultural practice over generations.

The Maitai | Mahitahi River is recognised as an ancestral awa of high cultural significance within Whakatū. It forms part of a wider network of waterways that connect inland catchments to the coast and has historically supported a range of customary uses, including food gathering, transport, and settlement. Statutory acknowledgements under Tiriti settlement legislation recognise the cultural, spiritual, historic, and traditional associations of iwi with the Maitai | Mahitahi River and its tributaries, affirming its ongoing significance within the rohe (Te Taihū Claims Settlement Act 2014).

Colonial settlement fundamentally altered the physical and cultural landscape of Whakatū. The establishment of the Nelson settlement by the New Zealand Company in the 1840s resulted in widespread land alienation, modification of waterways, and the reconfiguration of wetlands and river margins to support urban development. These changes were accompanied by the creation of reserves, road networks, and infrastructure that reshaped the natural hydrology of the area and constrained customary access to and use of freshwater systems.

Within this evolving urban context, Whakatū has continued to expand around its waterways, with rivers and streams increasingly managed as infrastructure corridors rather than living systems. Stormwater networks, flood protection works, and channel modifications have been introduced to manage urban growth and flood risk, often without fully accounting for the cumulative cultural and ecological effects on ancestral waterways. As a result, many water bodies within Whakatū now reflect layered histories of use and modification, and cultural values persist despite significant physical change.

Understanding Whakatū as both an urban centre and a cultural landscape is essential to assessing effects on Te Aratuna. Decisions made within the city continue to shape the health, accessibility, and cultural integrity of its waterways. The Whakatū context therefore provides an important lens through which to consider the significance of Te Aratuna, the legacy of past actions, and the expectations iwi hold for future management that recognises and responds to enduring relationships with whenua and wai.

4.5 Te Aratuna - a Cultural Landscape

Queen's Gardens – known as Te Aratuna | Ara Tuna, was also known as the Eel Pond Reserve. Today it stands as a designed Victorian-era public park which was established over part of an historic oxbow of the Maitai | Mahitahi River. It is recognised as a Category 2 historic place, reflecting layered cultural and ecological values and a long history of occupation, food gathering, and movement across this part of Whakatū (Heritage New Zealand, 2012).

Prior to colonisation and subsequent land alienation, Te Aratuna functioned as an important mahinga kai, particularly for tuna harvesting. Its significant cultural and historic value has not diminished over time.

Today, Te Aratuna is a site that holds cultural, recreational, ecological and infrastructural importance. Although not formally described as such in council planning documents, the pond functions in practice as a stormwater receiving environment, detention space, and sediment basin, receiving piped inflows from the surrounding urban catchment (Tonkin & Taylor, 2025). Its condition is therefore shaped not only by park management but also by stormwater operations, levels of urban pollution, and historic disconnection from the Maitai | Mahitahi Awa.

4.6 Colonial Settlement and the Tenth

Colonial settlement in Whakatū was initiated through the activities of the New Zealand Company in the early 1840s and was characterised by rapid land acquisition, large-scale survey, and the imposition of British systems of land tenure. These processes occurred despite the absence of legitimate purchase agreements that reflected tikanga Māori or upheld the rangatiratanga of iwi. As a result, iwi across Te Taihū o Te Waka-a-Māui experienced widespread alienation from their whenua, waterways, and associated resources within a short period of time (Te Taihū Claims Settlement Act, 2014).

A central feature of the New Zealand Company's settlement scheme was the promise that one-tenth of all lands acquired would be reserved for the benefit of Māori. These lands, commonly referred to as the Nelson Tenth, were intended to provide an enduring economic base for iwi and hapū while settlement proceeded. In practice, however, the Tenth system

failed to operate as promised. Reserves were often poorly located, fragmented, or retained under Crown or trustee control, limiting hapū and whānau authority over their use and management (Wakatū Incorporation, n.d.).

In Whakatū, land designated as Tenthhs and other reserves frequently included areas of high cultural and ecological value, such as river margins, wetlands, and low-lying areas associated with mahinga kai. Over time, many of these areas were repurposed for public works, urban development, or infrastructure, further diminishing their ability to sustain customary practices or support iwi wellbeing. The alienation and subsequent use of these lands occurred without meaningful iwi consent or involvement in decision-making, resulting in long-term disconnection from places of cultural significance (Te Here-ā-Nuku, n.d.).

Te Aratuna and the surrounding area formed part of this broader pattern of land selection and alienation. Sections 203, 205, and 344 were identified as original Native Tenthhs selections made by Thompson in 1842. Under the Spain Award of 1845, these lands should have been set aside as Occupation Areas, reflecting their importance to Māori use, occupation, and ongoing relationship with whenua.



Fig.2 - Native Reserve Sections and historical land parcels in proximity to Te Aratuna (Sections 203, 205, 344). Supplied by Wakatū Inc

The alienation of Native Reserve lands occurred through a series of legislative and administrative actions that did not involve consultation with, or approval from, the Māori owners. For example, Section 344, located adjacent to the Maitai | Mahitahi River was partially alienated in 1864 by the Commissioner of Native Reserves under the Native Reserves Acts of 1856 and 1862, extinguishing Native Title without owner consent.

Subsequent alienations and land takings further reduced Māori control over this area. Portions of Section 344 were taken for roading in **1903**, while other parts were alienated under later Māori Affairs legislation. Sections **203** and **205** were removed from the Tenth estate through Crown actions for judicial and educational purposes and have remained under Crown or delegated public control since the nineteenth century.

The original intent of the Native Tenth was clearly articulated by Crown officials of the time. In 1873, Native Commissioner Alexander Mackay observed:

“These reserves of land were looked on as far more important to the Natives than anything that could be paid to them in the shape of purchase-money, as, however high they were paid, the consideration given would only afford but a brief enjoyment... while these lands would remain with them as a lasting possession.”

(Mackay, 1873, *A Compendium of Official Documents relative to the Native Affairs in the South Island*, Vol II, p.263).

This history provides essential context for understanding the present condition of Te Aratuna. The transformation of culturally significant wetlands and waterways into urban reserves and stormwater receiving environments did not occur in isolation, but as part of a broader pattern of land alienation, environmental modification, and exclusion of iwi from decision-making across Whakatū and Te Taihū o Te Waka-a-Māui.

4.7 Stormwater Infrastructure and Waterway Modification

The modification of waterways within Whakatū must be understood as part of the broader transformation of the landscape following colonial settlement. As land was progressively alienated and repurposed for urban development, natural water systems were increasingly altered to support roads, buildings, and public reserves. Wetlands were drained, river courses straightened or confined, and natural floodplains constrained to accommodate the emerging town and its infrastructure.

Within this context, Te Aratuna transitioned from a functioning wetland and mahinga kai into a designed urban reserve with an altered hydrological role. Its location within a former oxbow of the Maitai | Mahitahi River made it both attractive for park development and vulnerable to modification as surrounding catchments were urbanised. Over time, Te Aratuna became incorporated into the city's stormwater network, receiving runoff from surrounding roads, buildings, and hard-surfaced areas.

The use of culturally significant waterways and wetlands as stormwater receiving environments reflects historical approaches to water management that prioritised functional drainage and flood control over cultural and ecological values. Decisions to pipe, divert, and discharge stormwater into low-lying areas such as Te Aratuna were made with scant recognition of Māori relationships with wai, or of the cumulative effects such practices would have on mahinga kai, water quality, and ecological connectivity.

Iwi have noted that, given the known significance of this area as an important mahinga kai and occupation landscape, its selection as a location for piped stormwater runoff illustrates a fundamental lack of understanding by early colonial authorities of Māori values associated with whenua and wai. These early decisions set a trajectory that has continued through successive generations of urban infrastructure development.

In the contemporary setting, stormwater infrastructure within Whakatū continues to play a critical role in managing flood risk and urban runoff. However, the legacy of earlier waterway modification remains evident in the constrained form and degraded function of many urban water bodies. The current role of Te Aratuna within the stormwater network must therefore be understood not as an isolated or recent choice, but as part of a longer pattern of waterway management that has progressively separated cultural landscapes from their natural hydrological processes.

This historical trajectory is an important context for assessing current and proposed stormwater works affecting Te Aratuna. Understanding how and why the site came to function as stormwater infrastructure is essential to evaluating whether contemporary interventions perpetuate historical patterns of impact or contribute to a different approach that better recognises cultural values and the potential for restoration.

4.8 Legacy and Cumulative Effects

The present condition of Te Aratuna reflects the cumulative legacy of historical land alienation, waterway modification, and successive infrastructure decisions made over more than a century. These effects have accrued incrementally, with each phase of development

further altering the physical, ecological, and cultural character of the site. As a result, Te Aratuna now exists as a highly modified remnant of what was once an interconnected wetland and mahinga kai system.

Cumulative effects at Te Aratuna are evident not only in the physical form of the landscape, but also in the loss of hydrological connectivity, diminished water quality, and constrained ecological function. The progressive transformation of waterways into stormwater conveyance and receiving environments has reduced habitat availability for tuna and other freshwater species and limited the capacity of the site to sustain customary practices associated with mahinga kai.

The cultural effects of these changes are inseparable from their physical manifestations. The alienation of land, the redirection of water flows, and the treatment of culturally significant sites as infrastructure assets have collectively disrupted relationships between iwi and this place. These impacts are intergenerational, affecting not only past and present use, but also the ability of future generations to exercise kaitiakitanga and maintain cultural connections with Te Aratuna.

Archaeological assessments undertaken within and around Te Aratuna have at times characterised the site as having limited or low archaeological value, often reflecting its use as a dumping ground or heavily modified area in the past. Iwi contributing to this CIA maintain that such assessments do not adequately recognise the cultural values of the site, nor the historical processes that led to its degradation. From this perspective, the absence of intact archaeological features does not equate to an absence of cultural significance, but rather highlights the cumulative effects of past disturbance and disregard for Māori values.

Iwi contributing to this CIA have noted that these legacy effects continue to shape contemporary decision-making environments, where degraded condition is sometimes treated as a baseline against which further modification is assessed. This approach risks normalising historical harm and overlooking the obligation to avoid further diminishment while enabling opportunities for restoration and reconnection.

Understanding Te Aratuna through the lens of legacy and cumulative effects is therefore essential to any assessment of proposed activities. It situates current proposals within a longer trajectory of change, underscores why iwi concerns extend beyond the immediate footprint of works, and explains why expectations for future management are informed by the need to break from historical patterns and support outcomes that recognise cultural values, ecological function, and intergenerational responsibility.

5.0 Ngā Iwi Associations, Values and Planning Frameworks

5.0 Introduction

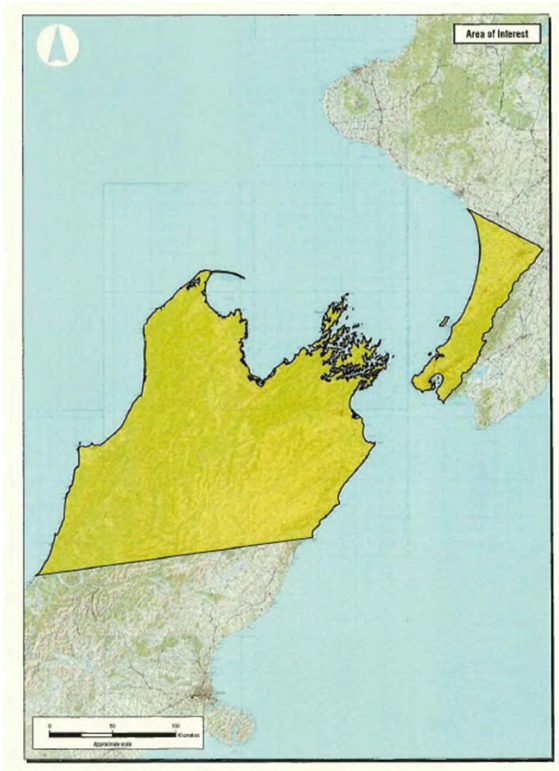
Ngā iwi of Te Taihū o Te Waka-a-Māui hold enduring relationships with Whakatū and Te Aratuna that are grounded in whakapapa, tikanga, and responsibilities of kaitiakitanga passed down through generations. These relationships are not historical or symbolic in nature, but living, active, and future-focused, informing how iwi understand, engage with, and assess activities affecting whenua and wai.

This section outlines the specific associations of Ngāti Toa Rangatira, Ngāti Koata, and Ngāti Tama ki Te Waipounamu with Te Aratuna and the wider Whakatū landscape. It also identifies the cultural values and planning frameworks that guide iwi expectations for the protection, management, and restoration of culturally significant sites and waterways.

The values and aspirations articulated in this section form the basis for assessing the effects of the proposed activity in subsequent sections of this Cultural Impact Assessment. They are drawn from iwi kōrero, planning documents, and established cultural frameworks, and are presented here to ensure that assessment is grounded in iwi-defined perspectives rather than externally imposed criteria.

5.1 Ngāti Toa Rangatira

Ngāti Toa Rangatira are a Tainui iwi descended from the eponymous ancestor Toa Rangatira. Originally from Kāwhia, Ngāti Toa Rangatira migrated south under the leadership of Te Rauparaha, Te Pēhi Kupe, Te Rangihaeata, Te Whatarauhi Nohorua and other chiefs to establish customary rights in the region of Te Moana o Raukawa in the 1820s. Ngāti Toa Rangatira quickly established themselves on Kapiti Island and extended their influence and authority over both sides of Te Moana o Raukawa. The iwi exercises customary rights within an area of interest which stretches from the Whangaehu River in the north to Arahura and Kaikoura in the south. In addition to Kapiti Island, the primary Ngāti Toa



Rangatira settlements and strongholds included Te Awarua o Porirua (Porirua Harbour), Wainui (Paekākāriki), Te Mana o Kupe (Mana Island), Te Hoiere (Pelorus Sound), Whakatū (Nelson), Arapaoa Island, Te Whanganui (Port Underwood) and the Wairau. The boundaries of the rohe are encapsulated within the pepeha: Mai i Miria te Kakara ki Whitireia, whakawhiti te moana Raukawa, ki Wairau, ki Whakatū (Ngāti Toa Iwi website). A complex network of iwi alliances and customary relationships established ahikā across the rohe. The Ngāti Toa Rangatira Claims Settlement Act 2014 (settlement legislation) and associated Deed of Settlement provides statutory recognition to the rights and interests of Ngāti Toa Rangatira.

In relation to Te Ao Tūroa, the objective of Ngāti Toa Rangatira is to nurture a resilient environment to sustain future generations through reclaimed connection and mātauranga to natural resources, empowering kaitiaki who are leaders and co-managers of our natural environment, our commitment to environmental sustainability and our ability to adapt to the impacts of climate change.

Ngāti Toa Rangatira holds statutory acknowledgements over the Mahitahi | Maitai River and the coastal and estuarine environment of Te Tauihu, including Saltwater Creek. These acknowledgements confirm the historical and cultural connections to land and water in the area and affirm the role of Ngāti Toa as kaitiaki.

The Maitai River (Mahitahi) holds significant cultural, historical, and spiritual importance to Ngāti Toa Rangatira. This relationship is formally recognised through the Ngāti Toa Rangatira Deed of Settlement 2012, which includes a Statement of Association for the Maitai River (Ngāti Toa Rangatira Deed of Settlement 2012).

Although there was a rāhui put in place over the Mahitahi in the 1830's (and the area was deemed tapu), the river remained an active mahinga kai, particularly for eel harvesting. Ngāti Toa Rangatira maintained settlements nearby, including at Whakatū, Whakapuaka, and Waimea, and occupied local pā such as Bishop Peninsula Pā, Ataata Point Pā, and Māori Beach Pā. The river was also a valued source of argillite, used in the production of toki and tools (Te Tau Ihu Statutory Acknowledgements, 2014, pp. 149–150).

For Ngāti Toa, the marine and estuarine environments hold associations as places of resource use, travel, and cultural identity. Ongoing presence in the region is maintained through engagement with environmental planning processes and the protection of areas such as Paru Paru and Matangi Āwhio (Te Tau Ihu Statutory Acknowledgements, 2014, pp. 153–154).

5.2 Ngāti Koata



E rau rangatira mā, e te tini, e te mano, tēnei te tuku mihi ki a kōutou katoa i raro i ngā tini āhuatanga o te wā.
 Ki ngā tini mate o ia marae, o ia maunga, haere, haere, whakangaro atu rā.
 Ko te akaaka o te rangi ki a rātou mā, kei a tātou ngā purapura ora, ko te akaaka o te whenua.
 Tihei Mauriora!

Mai te awa Te Hoiere
 Ki Kurupongi
 Ki Ngā Kiore
 Ki Takapourewa
 Whiti atu ki Te Matau
 Koata taonga
 Koatatanga
 Koata mana e!

Ngāti Koata whakapapa traces back to the great navigator Kupe, who arrived in Aotearoa from Hawaiki around 925 AD. While Kupe's arrival predates the establishment of Ngāti Koata, his stories and place names form an integral part of Ngāti Koata rohe.

Ngāti Koata originate from the Tainui waka, captained by Hoturoa, which arrived in Aotearoa around 1400 AD and came to rest at Kāwhia. Ngāti Koata takes its name from the ancestress Koata, born around 1617. She lived in Kāwhia and had two sons, Kāwharu and Te Wehi, who established the iwi's whakapapa links with Ngāti Toa and other Tainui iwi.

During the early 19th century, population pressures, land disputes, and intermarriages in Kāwhia led to migrations. Ngāti Koata joined their relations, Ngāti Toa and Ngāti Rārua, in the great migration known as Te Heke Whirinui. This journey, led by their military-strength tūpuna, took them down the western coast of the North Island and into the Kāpiti region.

Following conflict with Kurahaupō iwi, Ngāti Koata secured a tuku whenua from the Kurahaupō rangatira Tūtepourangi, in exchange for the safety of his people. This agreement granted Ngāti Koata land extending from Clay Point to Farewell Spit, encompassing significant landmarks such as Takapourewa (Stephens Island).

Ngāti Koata were among the first of the northern iwi to establish themselves as mana whenua in Te Taihu. Settlement included intermarriage with Kurahaupō peoples, and enduring connections to the land and waterways have sustained across generations (Ngāti Koata Trust, n.d.).

Ngāti Koata Rangatira hold a recognised statutory relationship with the Maitahi | Maitai River and associated waterways through their Deed of Settlement and Te Taihu statutory acknowledgements. The Maitahi Awa is a taonga, reflecting its importance as a source of mahinga kai, a travel route, and a cultural landscape that sustains Ngāti Koata identity, mana, and wellbeing (p. 61, Te Taihu Statutory Acknowledgements, 2014). Te Aratuna forms part of this wider freshwater system and is understood by Ngāti Koata as an integral component of the cultural and ecological health of the Maitahi Awa.

Ngāti Koata are also significant landowners in the catchment and are actively engaged with the Council in both managing the lands jointly with the Council and engaging with the private sector to support housing development upstream. A key priority of this is ensuring that iwi environmental and cultural objectives are supported. To conclude, any and all activities affecting Te Aratuna therefore engage Ngāti Koata statutory interests and responsibilities as both mana whenua and landowners.

5.3 Ngāti Tama ki Te Waipounamu



Ngāti Tama trace their roots to the Tokomaru waka from Hawaiki, and take their name from Tamaariki, one of the five co-captains aboard the vessel. Whakapapa of these rangatira and others aboard, the sagas of their journey and eventual establishment in northern Taranaki are preserved in tribal traditions. Inter marriages between the senior lines of Ngāti Tama and other Taranaki and coastal Tainui tribes forged close relations between these groups.

Around 1820 an alliance of Tainui and Taranaki tribes, including some Ngāti Tama under their paramount chief Te Pūoho ki te Rangi, participated in a raid to Te Upoko o Te Ika (southern North Island). By the mid-1820s, these tribes had established themselves at Kāpiti Island and on the mainland east and south of Cook Strait. Relationships based on trade, service provision, and marriage, were established with whalers.

Eventually, the Tainui and Taranaki alliance crossed Cook Strait to Te Taihū o te Waka a Maui. Te Pūoho ki Te Rangi, other Ngāti Tama chiefs, and rangatira from other iwi led the conquest of western Te Taihū. After the conquest, members of the Tainui and Taranaki alliance, including Ngāti Tama, established permanent communities in the northern South Island.

Ngāti Tama ki Te Waipounamu have a recognised statutory association with the Maitahi | Maitai River and its tributaries through their Deed of Settlement and Te Taihū statutory acknowledgements. The Maitahi Awa is acknowledged as a taonga of enduring cultural

significance, supporting customary practices, mahinga kai, and the exercise of kaitiakitanga (p.91, Te Taihū Statutory Acknowledgements, 2014). Te Aratuna, as a remnant and modified waterway within the Maitahi system, remains culturally significant to Ngāti Tama, and its ongoing degradation is understood as contributing to cumulative cultural and ecological effects across the wider catchment.

5.4 Iwi Values Relevant to Te Aratuna

Across the iwi in Te Taihū, there are shared cultural values and principles that inform expectations for the management of Te Aratuna and its connected waterways. While each iwi maintains distinct histories and relationships with place, common themes emerge in relation to the protection of wai, the maintenance of mahinga kai, and the exercise of kaitiakitanga.

These values include, but are not limited to:

- The recognition of wai as a taonga with its own mauri
- The protection and restoration of mahinga kai, particularly tuna
- The maintenance of ecological and cultural connectivity across catchments
- The responsibility of kaitiakitanga held by iwi for present and future generations
- The expectation of meaningful partnership and early engagement in decision-making

5.5 Iwi Planning Documents and Statutory Instruments

The assessment of effects in this Cultural Impact Assessment is informed by relevant iwi planning documents, statutory acknowledgements, and Tiriti settlement instruments that articulate iwi aspirations, responsibilities, and expectations in relation to freshwater management, cultural landscapes, and engagement with local authorities.

Key iwi planning documents that inform this assessment include:

- **Ngāti Koata Environmental Management Plan**
- **Ngāti Tama ki Te Waipounamu Environmental Management Plan**
- **Ngā Taonga Tuku Iho Iwi Environmental Management Plan**

These documents collectively emphasise the protection and restoration of freshwater systems, the maintenance of water quality, the protection of culturally significant sites and landscapes, and the safeguarding of habitats for tuna and other taonga species. They also

consistently reinforce the expectation of early, genuine, and ongoing partnership with local authorities in planning and decision-making processes.

In addition to iwi planning instruments, statutory acknowledgements and Tiriti settlement legislation applicable within Te Taihū o Te Waka-a-Māui recognise the enduring cultural, spiritual, historical, and traditional associations of iwi with rivers, wetlands, and associated landscapes within Whakatū. These instruments affirm iwi authority and interests in freshwater environments and provide an important statutory context for assessing effects on Te Aratuna.

Together, these iwi planning documents and statutory instruments provide a mandated foundation for the assessment undertaken in this CIA. They establish the values, priorities, and expectations against which the potential effects of the proposed activity are considered and inform the identification of appropriate pathways to avoid further diminishment of cultural values.

6.0 Assessment Framework and Methodology

6.1 Te Ao Māori and Kaupapa Māori Methodological Approach

This Cultural Impact Assessment has been prepared using a **Te Ao Māori methodological framework**, grounded in the cultural values, responsibilities, and epistemologies of Ngāti Koata, Ngāti Tama ki Te Waipounamu, and Ngāti Toa Rangatira. The methodology reflects iwi authority as kaitiaki and rights-holders and is informed by mātauranga Māori, iwi Environmental Management Plans, statutory acknowledgements, national policy direction for freshwater and cultural heritage, and Council's own commitments to the integration of Te Ao Māori in planning and decision-making.

The approach taken centres on **relationships**: relationships between people and place, between water and land, between mahinga kai species and their habitats, and between past, present, and future generations. This relational ontology sits at the core of Te Ao Māori and guides both the structure of this CIA and the interpretation of effects.

Kaupapa Māori methodology underpins this assessment. This approach:

- is grounded in Māori worldviews and ways of knowing;
- foregrounds mana whenua authority and perspectives;
- centres collective wellbeing and intergenerational responsibilities;

- resists deficit framings of Māori–environment relationships; and
- positions cultural identity, mana, and mauri as primary determinants of environmental effects.

This ensures that cultural effects are not treated as secondary to technical considerations, but as essential components of environmental assessment.

6.2 Mātauranga Māori as an Analytical Framework

Mātauranga Māori provides the conceptual and interpretive foundation for assessing effects on Te Aratuna and the wider cultural landscape. It includes traditional ecological knowledge, oral histories, whakapapa, tikanga, and contemporary iwi experience.

Within this CIA, mātauranga Māori informs:

- understanding hydrological and ecological systems as interconnected whakapapa networks;
- interpretation of effects on tuna, other taonga species, and habitat function;
- assessment of mauri, including indicators of decline or restoration;
- recognition of cumulative and intergenerational effects; and
- expectations for restoration and the exercise of kaitiakitanga.

The application of mātauranga Māori ensures that the assessment considers both measurable biophysical effects and the less visible, but equally significant, cultural, spiritual, and relational dimensions of environmental change.

6.3 Cultural Values Assessment Framework

The assessment is anchored in a **cultural values framework**, which provides the criteria against which all options are assessed. This framework includes, but is not limited to, the following interrelated concepts:

- **Whakapapa:** Understanding Te Aratuna as a relational being with genealogical connections to the Maitai | Mahitahi Awa, wider ecosystems, and iwi histories.
- **Mauri:** Evaluating the condition of Te Aratuna through indicators of ecological function, water quality, sediment dynamics, and cultural integrity.
- **Kaitiakitanga:** Assessing how the proposed activity supports or undermines iwi responsibilities to sustain and protect lands, waters, and taonga species (Te Tau Ihu Mahi Tuna, 2000).

- **Mahinga Kai and Taonga Species:** Considering impacts on tuna habitat, migratory pathways, and cultural relationships associated with food gathering and species protection.
- **Wairua and Wāhi Taonga:** Acknowledging the intangible dimensions of place, including spiritual values, cultural memory, and wellbeing.
- **Ahi Kā / Mana Whenua:** Recognising historical occupation, ongoing connection, and obligations arising from inherited stewardship.

6.4 Iwi-Derived Values and Planning Foundations

The following values are drawn from iwi Environmental Management Plans, statutory acknowledgements, and iwi Pou Taiao frameworks as being particularly relevant to Whakatū and Te Aratuna. These values underpin the assessment and guide cultural design, mitigation, monitoring, and restoration considerations. This is not an exhaustive list.

- **Ahi Kā** – continuous presence affirming mana and rights through occupation
- **Kaitiakitanga** – guardianship and stewardship for future generations
- **Rangatiratanga** – iwi authority and self-determination
- **Tikanga and Kawa** – correct cultural practices and protocols
- **Wāhi Tapu, Wāhi Taonga, Wāhi Maumahara, Wāhi Whakarite** – sacred, treasured, memorial, and ritual places
- **Manaakitanga and Hauora** – care for people and holistic wellbeing
- **Rongoā** – plants and practices for healing
- **Mauri (o te Wai, o te Taiao)** – life force of water and the environment
- **Wairua** – spiritual dimensions present in places, waters, and species
- **Ki Uta ki Tai** – integrated catchment perspective from mountains to sea
- **Wairepō / Estuarine Receiving Environments** – wetlands, lagoons, estuaries supporting taonga species
- **Wai Māori** – freshwater as a living ancestor
- **Āhua Whenua, Āhua Moana** – natural character of landscapes and seascapes
- **Mahinga Kai, Mahinga Ika, Te Mahi Mātaitai, Kaimoana** – customary food systems
- **Te Mana o Te Wai** – primacy of the wellbeing of wai
- **Biodiversity / Taonga Species** – culturally significant flora and fauna
- **Ngā mahi o ngā tūpuna / Ngā Tohu o te Moana** – ancestral practices and markers
- **Te Takutai Moana / Te Tai o Aorere** – coastal and estuarine environments

6.5 Iwi Planning Instruments

The methodology is informed by iwi planning provisions, including:

- Ngāti Koata Environmental Management Plan
- Ngāti Tama ki Te Waipounamu Environmental Management Plan
- Ngā Taonga Tuku Iho Iwi Environmental Management Plan

These documents consistently emphasise:

- protection and restoration of freshwater systems;
- reduction of pollutants and enhancement of water quality;
- protection of culturally significant sites and landscapes;
- sustainable habitat for tuna and other taonga species; and
- early, genuine, and ongoing partnership in planning.

Together, they provide a mandated foundation for evaluating effects and articulating iwi expectations.

6.6 Alignment with Statutory and Strategic Frameworks

The CIA methodology incorporates analysis of relevant statutory and strategic instruments, including:

- Nelson City Council Activity Management Plans, including the Stormwater AMP (2024), Parks and Facilities AMP (2024), and Environment AMP (2024);
- The Nelson Tasman Land Development Manual (2022), which embeds Water Sensitive Urban Design and protection of receiving environments; and
- Global Stormwater Consent RM075499, which includes pollutant monitoring and reduction requirements (Nelson City Council, 2024c).
- Statutory obligations under the Resource Management Act 1991, including sections 6(e), 7(a), and 8, and by the principles of Te Tiriti o Waitangi, including partnership, active protection, participation, mutual benefit, and redress.
- The Heritage New Zealand Pouhere Taonga Act 2014 is also relevant, given the cumulative modification of Te Aratuna. Any land disturbance or development within Te

Aratuna also engages the Heritage New Zealand Pouhere Taonga Act 2014 where archaeological sites may be present or suspected.

The Queen's Gardens Landscape Conservation Plan (Nelson City Council, 2012) is also a relevant strategic instrument that provides the framework for managing Queen's Gardens as a historic designed landscape layered over an earlier wetland system. The Plan establishes clear expectations that change within the Gardens be carefully managed to protect heritage values, mature vegetation, hydrological features, and overall landscape integrity. Collectively, the conservation principles and definitions (pp. 4–6), Section 6: Management (pp. 116–123), and Section 6.3: Setting and Layout (pp. 120–122) position infrastructure as subordinate to landscape and heritage values, requiring that works involving land disturbance or changes to water flows avoid cumulative degradation and align with long-term protection and enhancement objectives.

In addition, the Nelson Resource Management Plan (NRMP) is a relevant statutory planning instrument, including heritage provisions relating to Queen's Gardens. The Gardens are currently identified as a heritage place, with values primarily framed in relation to historic, aesthetic, and recreational significance. While these values are important, the existing heritage listing does not explicitly recognise Te Aratuna as a waterway of cultural significance to iwi, nor its historical role as a mahinga kai and living cultural landscape.

This omission has implications for how effects on Te Aratuna are identified, assessed, and weighted in planning and infrastructure decision-making. The absence of explicit recognition of waterways as cultural heritage reflects a broader limitation within the NRMP, particularly in relation to sites where cultural values are inseparable from hydrological systems.

(Note: evaluation of alignment with these obligations occurs in the findings sections that follow.)

6.7 Effects Assessment Approach

The CIA uses an effects-based approach consistent with Māori environmental practice, which includes consideration of:

- direct effects (e.g., changes to hydrology, fish passage, habitat conditions);
- indirect effects (e.g., water quality decline, sedimentation, ecological connectivity);
- cumulative effects (e.g., long-term use of Te Aratuna as stormwater infrastructure and historic alienation);
- intergenerational effects; and
- opportunities for enhancement and restoration.

By incorporating cumulative and intergenerational considerations, the CIA reflects the principle that environmental decisions must account for impacts on future generations, not solely present-day engineering outcomes.

6.8 Assessment of Cultural Effects

To ensure the assessment remains grounded in mana whenua authority and consistent with Te Tiriti o Waitangi and best practice for cultural assessments, this methodology gives paramount consideration to:

- the cultural significance of Te Aratuna;
- the nature and scale of cultural effects;
- the appropriateness of mitigation or restoration actions; and
- alignment of proposed activities with iwi values, rights, and obligations.

6.9 Cultural and Ecological Values Evaluation

This section demonstrates how the cultural values framework outlined in Sections 6.1–6.4 has been applied to evaluate the effects of the proposed activity. The evaluation considers impacts on cultural and ecological values across three interrelated domains:

- (1) Te Aratuna as a taonga and cultural landscape;
- (2) process and partnership; and
- (3) Option 1A.

The tables below provide a summary-level evaluation. They do not replace iwi kōrero or detailed assessment, but make explicit how values such as mauri, ki uta ki tai, kaitiakitanga, and mahinga kai have informed the findings that follow.

6.9.1 Evaluation: Te Aratuna as a Taonga and Cultural Landscape

Cultural / Ecological Value	Evaluation of Current State	Impact
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Mauri	Mauri is significantly diminished as a result of cumulative sediment loading, altered hydrology, stormwater inputs, and historic modification. All of which has an adverse impact on water and habitat quality. Mauri is at present compromised. No cultural health or ecological monitoring.	Ongoing use as stormwater infrastructure risks normalising degradation and further diminishing mauri. Unable to ascertain cultural and ecological health.
Ki uta ki tai Whakapapa	Te Aratuna is hydrologically and ecologically constrained from the wider Maitai Mahitahi catchment. No evidence that the proposed change will improve these connections and improve habitats, water quality, or fish habitats.	Fragmentation undermines system integrity and limits restoration potential.
Mahinga kai Ara Tuna	Historical mahinga kai function has been severely degraded; cultural relationship and significance remain.	Degradation does not negate cultural value and increases sensitivity to further impact.
Wairua Wāhi Taonga	Cultural and spiritual integrity has been compromised through land alienation and environmental modification.	Further intervention carries disproportionate cultural impact due to cumulative effects.
Ahi kā Mana whenua	Ongoing iwi responsibilities remain, despite reduced control and decision-making authority.	Current management arrangements limit the exercise of kaitiakitanga.

6.9.2 Evaluation: Process and Partnership

Value / Principle	Evaluation of Process	Impact
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Rangatiratanga	Iwi were not involved in problem definition or optioneering stages.	Undermines iwi authority and shared decision-making.
Kaitiakitanga	Limited opportunity for iwi to shape outcomes consistent with responsibilities to protect taonga. No ecological or cultural health monitoring data available.	Constrains ability to exercise kaitiakitanga.
Tikanga / Kawa	Engagement occurred late and within a constrained scope that does not account for integrated/wider system purpose and outcome.	Engagement does not align with tikanga-based expectations for partnership.
Partnership (Te Tiriti)	Process does not reflect partnership, active protection, or participation.	Contributes to mistrust and reinforces historical patterns of exclusion.
Intergenerational responsibility	Short-term problem framing dominated.	Future impacts and restoration opportunities insufficiently considered.

6.9.3 Evaluation: Option 1A

Value	Effect of Option 1A	Evaluation
Mauri	No improvement to water quality, ecological function, or cultural integrity. No monitoring data (cultural or ecological) available.	Neutral at best Risk of further diminishment if treated as final solution. Unable to measure cumulative impacts.
Ki uta ki tai Whakapapa	Does not reconnect Te Aratuna to wider catchment processes.	Inconsistent with integrated catchment values.
Mahinga kai Ara tuna Roto tuna	Fish passage not significantly worsened, but no enhancement provided.	Does not support restoration of mahinga kai values.
Kaitiakitanga	Option developed without iwi involvement in optioneering.	Undermines iwi responsibilities and expectations.
Future restoration potential	Risk of physical and decision-making lock-in.	Adverse if not explicitly constrained and contextualised as interim.

6.9.4 Summary of Evaluation

The evaluation demonstrates that the key cultural and ecological values associated with Te Aratuna are already under significant pressure as a result of cumulative and intergenerational impacts. While Option 1A may address a discrete flood risk issue, it does not contribute to the restoration of these values and carries a material risk of entrenching existing degradation if progressed in isolation. This evaluation directly informs the findings set out in **Section 7** and the directions provided in **Section 8**.

7.0 Findings

7.1 Te Aratuna as a Taonga

Te Aratuna is a taonga and a cultural landscape of enduring significance to Ngāti Koata, Ngāti Tama ki Te Waipounamu, and Ngāti Toa Rangatira. It is historically and culturally recognised as an important mahinga kai, particularly for tuna, and forms part of a wider network of interconnected freshwater systems within Whakatū and Te Taihū o Te Waka-a-Māui.

The current condition of Te Aratuna reflects the cumulative effects of colonial land alienation, hydrological modification, and its long-standing use as stormwater infrastructure. These effects are intergenerational in nature and have progressively diminished the mauri, ecological function, and cultural integrity of the site. The degraded state of Te Aratuna does not diminish its cultural value; rather, it heightens iwi concern regarding ongoing and future impacts.

A further compounding issue is the absence of any formal cultural health or ecological monitoring framework for Te Aratuna. Despite its recognised cultural significance and long-standing use as stormwater infrastructure, there is no agreed baseline, no regular assessment of mauri or cultural health, and no iwi-led monitoring to inform management decisions. This absence limits the ability to understand the full extent of degradation, to assess ongoing impacts, or to identify whether conditions are stabilising, worsening, or improving over time.

The continued use of Te Aratuna as a stormwater receiving environment, including for sediment detention and discharge, is inconsistent with iwi values and aspirations for the protection and restoration of culturally significant waterways. Iwi do not accept the framing of Te Aratuna as a low-value or expendable asset on the basis of its current condition. Such framing risks normalising historical harm and perpetuating patterns of further diminishment.

This Cultural Impact Assessment further identifies a material gap in the statutory recognition of Te Aratuna as a taonga. While Queen's Gardens is included as a heritage place within the Nelson Resource Management Plan, the existing heritage listing primarily reflects historic, aesthetic, and recreational values, and does not explicitly recognise the cultural significance of Te Aratuna as a waterway, mahinga kai, and living cultural landscape for iwi. This omission has consequences for how cultural effects are understood and weighted in infrastructure planning and decision-making, and contributes to the ongoing treatment of Te Aratuna as degraded stormwater infrastructure rather than as a taonga requiring active protection. This CIA finds this to be a significant deficiency in the current planning framework, which should be addressed through a collaborative process with Te Taihū iwi to ensure the cultural values of waterways are appropriately recognised and provided for.

7.1 Finding

Te Aratuna cannot be appropriately assessed or managed solely as stormwater infrastructure. Any activity affecting the site - including planning, regulatory, and physical works - must recognise its status as a taonga and ensure that actions do not further diminish its cultural, spiritual, or ecological values, nor foreclose future opportunities for restoration. This includes the need for planning frameworks, such as the Nelson Resource Management Plan (NRMP) and Activity Management Plans (AMPs), to appropriately recognise Te Aratuna as a cultural landscape and waterway, and for the establishment of cultural and ecological health monitoring to inform decision-making over time.

7.2 Process and Partnership

The process that led to the identification and advancement of Option 1A does not meet iwi expectations for partnership, early engagement, or shared problem definition. Iwi involvement occurred after the problem and preferred solution had already been framed, limiting the opportunity for meaningful input into optioneering, design, or consideration of alternative approaches.

The scope provided for this CIA explicitly excluded ecological enhancement, pond restoration, sediment management alternatives, and cultural rehabilitation. These exclusions are inconsistent with iwi planning documents and with Council's own strategic commitments to freshwater restoration, water sensitive urban design, and cultural partnerships as articulated in relevant Activity Management Plans and policy frameworks.

The approach taken reflects a broader pattern of fragmented decision-making, where engineering, parks, stormwater, and environmental strategies are not coherently aligned. As a result, Te Aratuna continues to be managed operationally in ways that contradict stated strategic objectives and Tiriti-based responsibilities.

The absence of cultural health and ecological monitoring also impedes tika process and partnership. Decisions relating to Te Aratuna have proceeded without iwi-defined indicators of cultural health, without shared monitoring frameworks, and without mechanisms for iwi to meaningfully participate in assessing outcomes over time. This limits informed decision-making and undermines the exercise of kaitiakitanga, as iwi are unable to assess whether management approaches are aligning with cultural values or Tiriti-based commitments.

7.2 Finding:

The process underpinning Option 1A does not satisfy the principles of partnership, active protection, or participation required under Te Tiriti o Waitangi, nor does it meet iwi expectations for engagement. This approach must not be repeated. Any future work affecting Te Aratuna or related waterways requires early, strategic, and ongoing iwi partnership at the problem-definition and optioneering stages, and the co-development of cultural and ecological monitoring frameworks to support informed decision-making.

7.3 Option 1A

Option 1A is a narrow, hard-engineered intervention intended to address a specific flood risk issue associated with the Maitai | Mahitahi catchment. It does not constitute a restoration or enhancement measure for Te Aratuna and does not address the underlying causes of ecological or cultural degradation at the site.

Ecological input indicates that Option 1A is unlikely to significantly worsen fish passage or existing ecological conditions. However, it also provides no improvement to tuna habitat, water quality, hydrological connectivity, or mauri. The proposal continues the treatment of Te Aratuna as stormwater infrastructure and sediment management space, which iwi consider culturally inappropriate.

Assessment of Option 1A is further constrained by the absence of baseline cultural health and ecological monitoring for Te Aratuna. While ecological advice indicates that Option 1A is unlikely to significantly worsen existing conditions, the lack of agreed cultural and ecological indicators means there is no robust mechanism to verify this over time, nor to detect

incremental or cumulative impacts. In this context, assertions of neutrality carry inherent uncertainty and risk.

Iwi contributing to this CIA are not objecting to the simple purpose of Option 1A, which is to allow for better outflows when required), however this objective alone is insufficient and must be included amongst wider, planned improvements.

The development of Option 1A occurred without a broader, iwi-partnered assessment of alternative options or a comprehensive evaluation of future impacts. As a result, there is a significant risk that, if implemented without explicit constraints and commitments, Option 1A will be treated as a “job done” solution. This would entrench existing problems, constrain future restoration or alternative management approaches, and perpetuate the use of Te Aratuna as a stormwater receiving environment. This risk is heightened by the absence of an agreed, iwi-partnered strategy for the future management and restoration of Te Aratuna and its contributing catchment.

7.3 Finding

*Iwi **oppose Option 1A unless** it can be clearly demonstrated and formally committed that:*

- *the works will not further diminish the cultural, ecological, or spiritual values of Te Aratuna and that any works contribute to objectives of restoration; and,*
- *Option 1A will not constrain, lock in, or preclude future restoration, reconnection, enhancement, or alternative management approaches;*
- *Option 1A is explicitly acknowledged as a **partial and interim measure**, rather than a final or holistic solution; and*
- *its consideration and implementation occur within a broader, iwi-partnered framework that addresses the long-term management, restoration, and cultural integrity of Te Aratuna and its contributing catchment.*
- *cultural and ecological health monitoring, including iwi-defined cultural indicators, is established to provide baseline data and enable ongoing assessment of effects over time.*

8.0 Directions and Next Steps

This section sets out the actions required to respond appropriately to the findings of this Cultural Impact Assessment. These directions are intended to support improved outcomes for Te Aratuna, to reset expectations for partnership, and to provide Council with a clear and workable pathway forward. They are framed to enable progress while ensuring that iwi values, responsibilities, and Te Tiriti o Waitangi-based obligations are upheld.

8.1 Immediate Direction - Option 1A and Options Assessment

Given the findings of this CIA, **Option 1A is opposed unless** it is assessed and progressed within a broader, iwi-partnered options framework and the conditions set out below are met.

If Council seeks to proceed with Option 1A, it must first demonstrate that:

- Option 1A has been assessed alongside other reasonable options, developed in collaboration with Ngāti Koata, Ngāti Tama ki Te Waipounamu, and Ngāti Toa Rangatira, rather than being treated as a predetermined or sole solution;
- the assessment of Option 1A has explicitly considered whether the proposed works constrain, lock in, or foreclose future restoration, alternative management approaches, or catchment-scale solutions for Te Aratuna and the wider Maitai | Mahitahi catchment;
- the assessment of Option 1A extends beyond capital cost and engineering efficiency to include the total cost of impact, including:
 - cultural impacts and effects on iwi relationships with whenua and wai;
 - ecological impacts, including cumulative and intergenerational effects;
 - implications for future monitoring, restoration, management flexibility, and governance;
 - the long-term costs of entrenching degraded systems versus enabling recovery; and
 - transparent optioneering of nature-based, soft-engineering solutions for Option 1A (or most appropriate option).

- Option 1A is explicitly acknowledged as a **partial and interim measure**, and not a final or comprehensive solution for Te Aratuna; and
- the design, construction, and operation of Option 1A will **not further diminish** the cultural, ecological, or spiritual values of Te Aratuna.

Any approvals, communications, or reporting associated with Option 1A must clearly reflect these constraints and acknowledgements.

Absent satisfaction of these requirements, iwi opposition to Option 1A remains.

8.2 Establishment of an Iwi-Partnered Pathway for Te Aratuna

Irrespective of the outcome of Option 1A, this CIA identifies an urgent need for a **separate, iwi-partnered process** focused on the future of Te Aratuna as a taonga and cultural landscape.

Council is directed to commit to the establishment of a dedicated, iwi-partnered process - developed in partnership with Ngāti Koata, Ngāti Tama ki Te Waipounamu, and Ngāti Toa Rangatira - to give effect to a long-term, holistic approach to Te Aratuna that extends beyond its current function as stormwater infrastructure. This process must be resourced appropriately and initiated at a strategic level, rather than through project-specific or reactive engagement, and must contribute positively to achieving wider cultural, ecological, and catchment-scale objectives.

The process is to address:

- the long-term vision and objectives for Te Aratuna as a taonga and cultural landscape;
- opportunities for the monitoring, restoration, and active enhancement of mauri, ecological function, and cultural values;
- options to progressively reduce, reconfigure, or eliminate the use of Te Aratuna as a stormwater and sediment receiving environment, while ensuring that any interim infrastructure functions supports, rather than undermines, these wider objectives;
- reconnection of Te Aratuna within the wider Maitai | Mahitahi catchment, including hydrological, ecological, and cultural relationships; and
- mechanisms for enduring iwi involvement in monitoring, governance, design, and implementation.

In parallel, Council is directed to broaden the Queen's Gardens heritage provisions within the Nelson Resource Management Plan to explicitly recognise Te Aratuna as a waterway of cultural significance, a former mahinga kai, and a living cultural landscape, and to require that design, management, and future interventions actively protect, restore, and enhance these values, rather than merely acknowledging them.

8.3 Resetting Engagement and Partnership Expectations

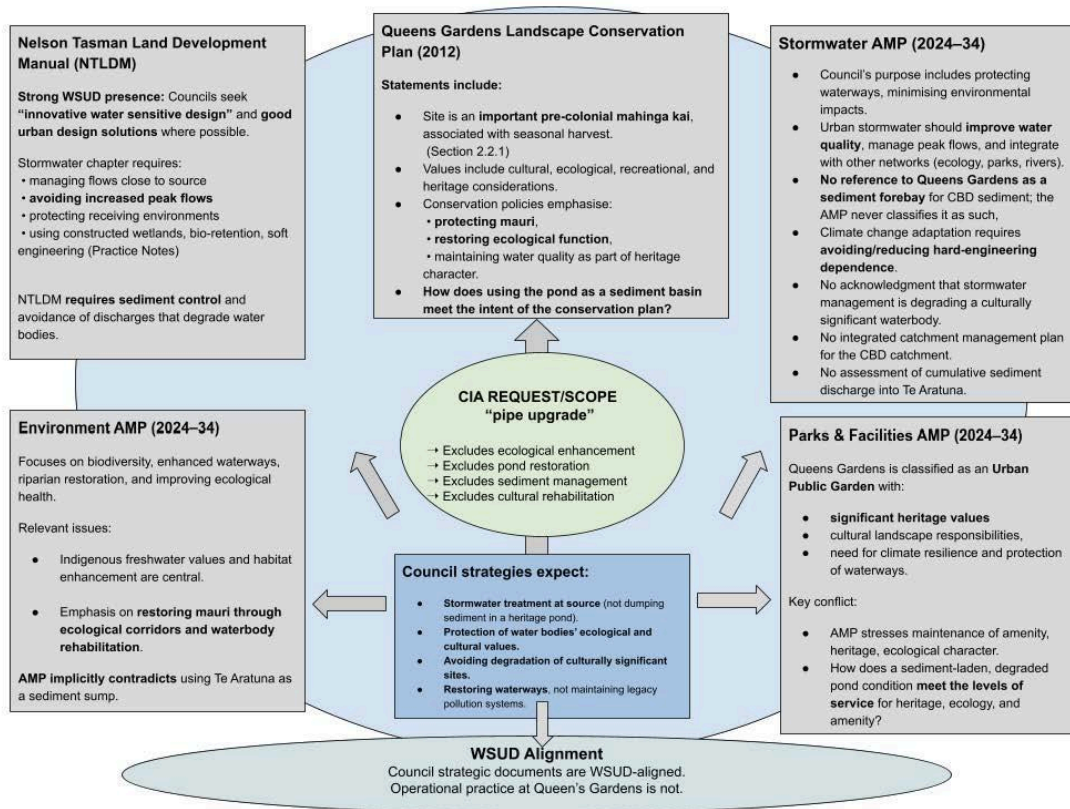
The findings of this CIA highlight the need for a reset in how Council engages with iwi in relation to freshwater, stormwater, and culturally significant landscapes.

Council is expected to:

- engage iwi early and at the outset of problem definition and optioneering, rather than after preferred solutions are identified;
- ensure iwi involvement occurs at a strategic planning level, including through any related Activity Management Plans, catchment planning, and long-term investment decisions;
- align internal Council functions (engineering, stormwater, parks, environment, planning) to ensure coherent and consistent application of cultural, ecological, and Tiriti-based commitments; and
- avoid reliance on Cultural Impact Assessments as a late-stage validation tool, instead using them as part of an integrated, iterative partnership approach.

8.4 Alignment of Operational Practice with Strategic Commitments

Council's own strategies and plans articulate commitments to water sensitive urban design, restoration of waterways, protection of receiving environments, and cultural partnerships. This CIA identifies a disconnect between these strategic commitments and current operational practice at Te Aratuna.



Council is expected to:

- review the treatment of Te Aratuna within relevant Activity Management Plans and operational frameworks;
- ensure that stormwater management approaches prioritise treatment at source and avoid ongoing reliance on culturally significant receiving environments;
- assess cumulative sediment and contaminant inputs to Te Aratuna as part of catchment-wide management; and
- ensure that future works align with both iwi planning instruments and Council’s stated environmental and cultural objectives.

8.5 Commitment to Ongoing Relationship and Accountability

This CIA is not intended to conclude engagement in relation to Te Aratuna. Rather, it is intended to serve as a foundation for a more constructive, transparent, and enduring relationship between Council and iwi.

Council is expected to:

- formally and directly respond to the findings and directions of this CIA to the nominated representatives of iwi contributing to this CIA;
- identify and communicate how and when the expectations outlined above will be implemented; and
- maintain ongoing communication with iwi regarding progress, decisions, and opportunities for involvement.

The protection and restoration of Te Aratuna, and the rebuilding of trust in decision-making processes, will require sustained commitment and accountability over time. Iwi contributing to this CIA commit to this in good faith in the spirit of mutual responsibility.

8.6 Cultural and Ecological Health Monitoring

The findings of this CIA identify the absence of cultural health and ecological monitoring as a significant limitation in the current management of Te Aratuna. To address this gap, Council is directed to work in partnership with Ngāti Koata, Ngāti Tama ki Te Waipounamu, and Ngāti Toa Rangatira to co-develop and implement a cultural and ecological health monitoring framework for Te Aratuna and its contributing catchment.

This framework must:

- include iwi-defined cultural health indicators, including mauri and cultural integrity;
- integrate ecological monitoring relevant to tuna habitat, water quality, sediment dynamics, and hydrological function;
- establish baseline conditions prior to further works where possible;
- inform both operational decision-making and long-term restoration planning; and
- provide for ongoing iwi involvement in monitoring, interpretation, and reporting.

Monitoring is required to support informed decision-making, accountability, and the avoidance of further cumulative and intergenerational harm.

9.0 Conclusion

This Cultural Impact Assessment affirms the long-held, intergenerational view that Te Aratuna is a taonga and cultural landscape of enduring significance. Its current degraded condition reflects cumulative and intergenerational impacts of modification and alienation, rather than any loss of cultural value or relevance.

The assessment finds that the process leading to Option 1A does not meet iwi expectations for partnership, early engagement, or shared decision-making. It further finds that Option 1A, as proposed, does not respond to the underlying cultural, ecological, or historical issues affecting Te Aratuna, and risks perpetuating a narrow infrastructure-led framing of the site.

Iwi therefore oppose Option 1A unless it is assessed and progressed within a broader, iwi-partnered framework that situates any stormwater function as one element within a wider, long-term vision for Te Aratuna. Any interim or future infrastructure must contribute positively to that vision, prevent further diminishment, and actively enable restoration and enhancement of cultural, ecological, and hydrological values.

This CIA provides a clear and constructive pathway forward, grounded in Te Tiriti o Waitangi, iwi planning instruments, Kia Kotahi Te Tauihu (Together Te Tauihu Partnership Agreement), and Council's own statutory and strategic commitments. Its intent is not to halt progress, but to redirect it away from project-by-project responses and toward a strategic, partnered approach that recognises Te Aratuna as a living cultural landscape.

By responding to the findings and directions outlined in this assessment, Nelson City Council has an opportunity to achieve better outcomes for Te Aratuna and to improve its relationship with iwi on a more enduring, respectful, and constructive footing.

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