

## Part 1 – Introduction and general provisions

### Tāngata whenua

#### 1. Iwi of Te Tau Ihu

Within Te Tau Ihu, there are eight iwi who hold mana whenua. They are represented in the Whakatū rohe by the following iwi authorities:

1. Ngāti Apa ki te Rā Tō Trust;
2. Ngāti Kōata Iwi Trust;
3. Ngāti Kuia Iwi Trust;
4. Ngāti Rārua Iwi Trust;
5. Ngāti Tama ki Te Wai Pounamu Trust;
6. Te Ātiawa o Te Waka a Māui Trust;
7. Te Runanga a Rangitāne o Wairau; and
8. Te Runanga o Ngāti Toa Rangatira.

These iwi authorities are represented by iwi members who have been key contributors to the Whakamahere Whakatū (the Nelson Plan). These iwi are also treaty partners with the Crown, and work with the Nelson City Council to meet treaty settlement obligations under the Deeds of Settlement for each iwi.

#### 2. Vision of tāngata whenua

The vision of tāngata whenua o Whakatū is:

*‘To protect and nurture the mauri of our taiao, whilst utilising and maintaining our customary practices by implementing sustainable management consistent with kaitiakitanga and iwi tikanga.’*

Nelson City Council has worked in partnership with iwi of Te Tau Ihu to identify five strategic outcomes for tāngata whenua:

1. Te Tiriti o Waitangi/The Treaty of Waitangi is acknowledged and a partnership approach is taken to resource management.
2. The principles of Te Tiriti o Waitangi/The Treaty of Waitangi and the treaty settlements for Te Tau Ihu are taken into account. This includes:
  - a. enabling tāngata whenua to access and use cultural redress resources for cultural activities; and
  - b. providing for the development and use of treaty settlement land and resources, in accordance with the outcomes of the settlement.
3. A tikanga Māori approach to resource management is enabled.
4. Resource management issues are addressed by taking a Te Tau Ihu approach and identifying means of working with the adjoining local authorities.
5. Resource management issues are understood and addressed in an integrated manner.

These strategic outcomes respond to five significant resource management issues for tāngata whenua and have led to the development of four key objectives for the Regional Policy Statement.

To achieve the vision there is a need to recognise the iwi of Te Tau Ihu, Te Tiriti o Waitangi/The Treaty of Waitangi and its principles. This includes, but is not limited to, acknowledging that treaty settlements form part of the general legal context for Nelson City Council when exercising its powers as well as the requirements on Nelson City Council in relation to statutory acknowledgement and the establishment of the Freshwater and Rivers Advisory Committee arising from those settlements. This is in addition to the general obligations Nelson City Council has to tāngata whenua through the Local Government Act 2002, under treaty settlement legislation, memoranda of understanding (MOUs), iwi management plans (IMPs), and other partnership and relationship agreements.

The iwi of Te Tau Ihu have recorded their Māori worldview for Whakatū. These principles should guide all resource management decisions in Whakatū.

### **3. Environmental outcomes for tāngata whenua**

#### **a. Strategic outcome tahi: Te Tiriti o Waitangi/The Treaty of Waitangi**

The consideration of Te Tiriti o Waitangi/The Treaty of Waitangi and the recognition of the treaty principles and partnership between iwi and the Crown is a significant issue for the iwi of Te Tau Ihu.

As the entity responsible for managing natural and physical resources within Te Tau Ihu, the Nelson City Council seeks to enable an enduring Treaty relationship based on the principles outlined below.

To date, in exercising Nelson City Council functions under the RMA there has been a focus on the principles of the Treaty of Waitangi in managing the use, development and protection of natural resources. The Regional Policy Statement aims to transcend from obligations to relationships with the iwi of Te Tau Ihu.

#### **b. Strategic outcome rua: Principles of Te Tiriti o Waitangi/The Treaty of Waitangi**

The Treaty principles include the following:

- i. partnership;
- ii. active protection;
- iii. kāwanatanga;
- iv. rangatiratanga;
- v. the right to development;
- vi. redress; and
- vii. informed decision making.

The meaning and intent of the principles have been expanded in decisions of the Court of Appeal and the Waitangi Tribunal. The first principle, 'partnership', obliges both parties 'to act reasonably, honourably and in good faith'. To achieve both the first principle and informed decision-making, consultation is vital. The second principle, 'active protection', requires the Crown to protect Māori in the use of their lands and waters to the fullest extent practicable.

While Nelson City Council is not the Crown, under section 8 of the RMA, the Nelson City Council has an obligation to ensure the principles of Te Tiriti o Waitangi/The Treaty of Waitangi are taken into account. Although treaty settlements are agreements between the Crown and iwi, they form part of the general legal context for local authorities when exercising their powers.

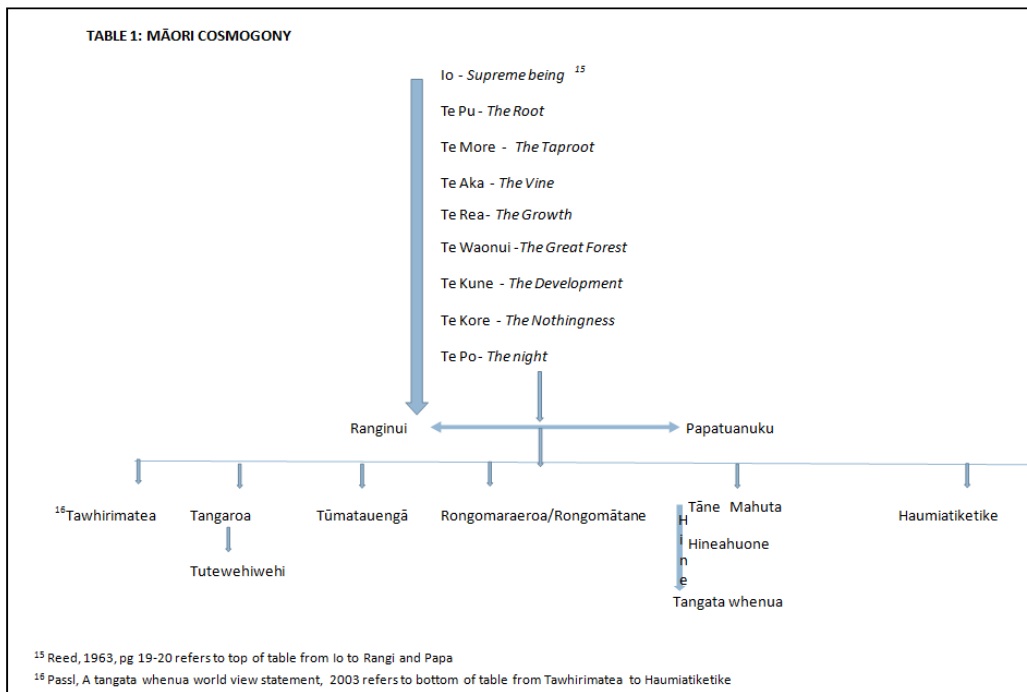
The Whakamahere Whakatū actively promotes a relationship that will encourage a shared management approach to te taiao. This will enable iwi and the Nelson City Council to meet their obligations and promote sustainable management of natural and physical resources amongst the wider community.

Iwi together with the Nelson City Council have provided significant rangatiratanga support in the development of the Whakamahere Whakatū. This demonstrates good will, trust and ensures that Māori traditions and customs are being actively protected within the Whakamahere Whakatū.

**c. Strategic outcome toru: Tikanga Māori approach to resource management**

A Māori world view addresses the evolution of the universe and the creation of the world and all living things contained in the world. Along with the primordial parents, Ranginui and Papatūānuku who gave birth to ngā atua there are many atua (*A W Reed, 'Treasury of Māori Folklore' pp18-21.*) associated with the establishment of the natural world and the number may vary from tribe to tribe. The atua listed in Tāngata whenua – Figure 1: Māori Cosmogony are associated with key natural resources and environments within Te Tau Ihu. This is not a definitive list.

**Tāngata whenua – Figure 1: Māori cosmogony**



There are several reports from Te Tau Ihu iwi, notably the report of ‘Nga Taonga tuku iho’ (*U Passl, Nga Taonga tuku iho ki Whakatū Management Plan, 2004*), which identifies key atua and the environments, taonga and management practices that are important and recognised as ngā atua kaitiaki. Ngā atua kaitiaki are identified below as:

- i. Tāwhirimātea - guardian of winds, air and clouds;

- ii. Tangaroa - guardian of all fish, seas, oceans and rivers and waterways;
- iii. Tūmatauenga - guardian of war, conflict, negotiation and guardian of people;
- iv. Rongomaraeroa or Rongomātane (*Rongomaraeroa is listed as the guardian for these (Reed and Buck) as there is available discourse on where Rongomātane sits in the whakapapa of ngā atua. See page 77 of A W Reed. ) - guardian of peace and cultivated foods, such as kumara;*
- v. Tāne Mahuta - guardian of ngahere (forests), birds, and creator of light and people;
- vi. Tutewehiwehi - guardian of reptiles, and amphibians; and
- vii. Haumiatiketike - guardian of uncultivated foods and fern roots.

The history of ngā atua kaitiaki is complex and in-depth, and requires an understanding of the Māori world view. This section touches briefly on the understanding of Māori cosmogony but is not a full interpretation. This section acknowledges the whakapapa connection to iwi of Te Tau Ihu and ngā atua kaitiaki through the progenitor Tāne Mahuta. Ngā atua kaitiaki can be explained as nurturers and creators of the environments – te taiao - of which they are guardians.

Tāngata whenua are responsible for the care of te taiao, of the physical representation of ngā atua kaitiaki. Iwi as tāngata whenua therefore, become the kaitiaki, and apply the principles of kaitiakitanga of te taiao.

Whakapapa connections between ngā atua kaitiaki stem from Ranginui and Papatūānuku and they are, therefore, siblings. They form a hierarchical relationship to each other, and among the Māori cosmogony they fought and warred against each other before and after the separation of Ranginui and Papatūānuku.

In Te Aotūroa the physical elements of ngā atua kaitiaki require the elements of each other to exist. They cannot exist in the present without each element co-existing and supporting each environment. Plants require water, water is replenished by rain and snow, and wind requires heat from the earth and thermal vapours and moistures from the oceans. The oceans require water and plankton and flora. All animals and humans require all environments to exist. Te taiao is critical to the sustenance of life. The care, protection, utilisation and management of te taiao is dependent on how the resources are managed and utilised.

#### **d. Strategic outcome whā: Addressing resource management issues adopting a Te Tau Ihu approach**

##### **i. Te taiao values**

Te taiao values are applied to resource management decisions, particularly in the assessment of environmental impacts to provide for kaitiakitanga and iwi values. They are set out in Tāngata whenua – Table 1: Te taiao values below.

Below are elements of te taiao – the natural environment to be considered in environmental management decisions that relate to ngā taonga tuku iho - sacred treasures/resources of iwi and are described below but are not limited to:

- A. Whenua – land;
- B. Wai Māori – freshwater;

- C. Awa – rivers;
- D. Moana - oceans and seas;
- E. Ngahere - forests and bush;
- F. Kaimoana - all seafood;
- G. Rongoā - all medicinal plants;
- H. Hau – air;
- I. Hauora - health and well-being; and
- J. Te Reo - the Māori language.

**Tāngata whenua – Table 1: Te taiao values**

<p><b>Rangatiratanga</b> - the chiefly right to determine use and management of the natural environment and resources, e.g. by imposing rāhui – prohibition, provision and protection of customary rights and traditions of iwi.</p>	<p><b>Kaitiakitanga</b> - provision of active conservation, protection, preservation, maintenance, utilisation and management, and cultivation of the natural environment.</p>	<p><b>Mauri</b> - the life force and sustaining the natural environment.</p>	<p><b>Mana</b> - authority, control, influence, prestige, and power to make decisions. Effective and binding, authoritative.</p>
<p><b>Whakapapa</b> - intergenerational connections to ngā atua kaitiaki, te taiao, and whānau, hapū and iwi. The value of whakapapa is important to tribal knowledge and understanding, connecting to the whenua, atua and wairua.</p>	<p><b>Maramatanga</b> - understanding, clarity and insight. The ability to make a decision based on understanding of the topic, with clarity of the subject and insight.</p>	<p><b>Karakia</b> - recital of rites for taking and harvesting of natural environments and acknowledgement of ngā atua kaitiaki.</p>	<p><b>Manaakitanga</b> - harvesting of the natural environment to provide for whānau, hapū, iwi and manuhiri. The act of reciprocity of the natural resources to be shared with others.</p>
<p><b>Whanaungatanga</b> - kinship ties and relationships. The importance of acknowledging shared resources</p>	<p><b>Mōhiotanga</b> - known, intelligent, recognise, wise. The foresight to make an informed decision,</p>	<p><b>Wairuatanga</b> - protection of the spiritual force of the natural environment.</p>	<p><b>Tapu</b> - under religion or superstitious restriction, sacred, ceremonial restriction, quality</p>

and areas of interest. Iwi relationships to shared areas, access to mahinga kai and kaimoana.	with intelligence and wisdom.		or condition of being subject to restriction.
<b>Kotahitanga</b> - Collective iwi, unity and strength of whānau, hapū and iwi.	<b>Pono</b> - true, truth, genuinely true to the principles of Māoritanga.	<b>Tika</b> - to be right, correct, direct straight, just, fair.	<b>Noa</b> - free from tapu and any other restrictions. Denoting absence of limitations or conditions. Without restrictions.

**e. Strategic outcome rima: Integrated resource management – Te Aotūroa Framework**

Te Aotūroa Framework is developed to manage te taiao - the physical environmental attributes of ngā atua kaitiaki from the Māori cosmogony. It pertains to the physical representation of ngā atua kaitiaki that iwi as kaitiaki are responsible to manage in accordance with tikanga and kawa.

This framework addresses how best to engage and implement a framework that considers and applies iwi principles and how iwi view te taiao. It outlines the principal role of kaitiaki and application of kaitiakitanga in providing a pathway forward for the care, protection, utilisation and management of te taiao.

The framework seeks to address the implementation of Māori traditional understanding of te taiao within a resource management process.

Key methods that are applied across te taiao, as outlined in the Regional Policy Statement, Part 2, RMIA – Resource management issues of significance to iwi authorities:

- i. increase opportunities for tāngata whenua to practice customs and traditions associated with their natural environments (see RMIA-P2, RMIA-P3, RMIA-P5 and RMIA-P8);
- ii. a holistic approach to management needs to be considered when assessing planning decisions. This means the mauri principle is the pinnacle achievement, and needs to be protected or maintained when considering any utilisation and impact on that environment (see RMIA-P5);
- iii. tāngata whenua have access to culturally important mahinga kai and areas of historical and special significance (see RMIA-P2 and RMIA-P5);
- iv. policy is consistent with other regional authorities regarding environmental management and standards for te taiao (see RMIA-P9);
- v. Nelson City Council apply a fair and equitable approach to engaging with all iwi (see RMIA-P9);
- vi. Nelson City Council and rangatira of Te Tau Ihu meet once a year to set strategic outcomes against settlement obligations and statutory acknowledgements (see RMIA-P9); and

- vii. cultural monitoring and assessments are carried out for significant sites, traditional customary areas, mahinga kai, maunga and wāhi tapu that may be affected by any form of development, action or pollutant (see RMIA-P2, RMIA-P3 and RMIA-P6).

#### **4. Key principles of Te Aotūroa Framework**

There are key overarching principles that need to be considered when making decisions using Te Aotūroa Framework. These key principles are:

1. Mauri - the life force principle is protected, including tapu and wairua (see RMIA-P5).
2. Kaitiakitanga - provide active protection, management and utilisation of te taiao. Local iwi representatives are participating in the decision process (see RIMA-P5).
3. Rangatiratanga - iwi are engaged as Treaty partners, and statutory acknowledgements and Treaty obligations are being met (see RMIA-P3).
4. Manaakitanga - the harvesting and cultivation of te taiao is provided for, and utilisation of te taiao for customary purposes is provided for within the Whakamahere Whakatū (see RMIA-P5).

These principles are pivotal to how successfully the framework will be implemented and enabled to inform the Whakamahere Whakatū. These key principles must be the starting point in considering planning decisions regarding how iwi are engaged and are considered in the decision process.

Te Aotūroa Framework has been developed to guide resource management decision making in relation to the Whakamahere Whakatū.