



AOTŪROA FRAMEWORK
SECTION 3: TE TAU IHU IWI WHAKAMAHERE WHAKATU



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KEY TERMS¹

Aotūroa	This world, the physical representation of the environments, earth and sky and the environs represented within.
Iwi	For the purposes of this document refers to the eight iwi of Te Tau Ihu. The word iwi refers to an extended tribal group, large natural tribal grouping of people who descend from a common ancestor and associated with a distinct geographical location and environment.
Kawa	Ceremonial rites, enactment of specific rites for protection and or removal of tapu. Rites required and acted upon according to the situation and custom.
Kaitiakitanga	To care for the physical environs to nurture, protect and manage for sustainable utilisation. An active role to provide for the guardianship, stewardship, trusteeship, of a specific taonga, environment, building, people and location.
Kawanatanga	Government, dominion, rule, authority, governorship, province.
Mahinga kai	A specific area where iwi grew and harvested kai (food). Garden, cultivation, food gathering place.
Mana whenua	Territorial rights, power from the land, authority over land or territory, jurisdiction over land or territory - power associated with possession and occupation of tribal land. The tribe's history and legends are based in the lands they have occupied over generations and the land provides the sustenance for the people and to provide hospitality for guests.
Manaakitanga	Hospitality, kindness, generosity, support - the process of showing respect, generosity and care for others. The act of providing for and caring and reciprocity.
Mauri	Life principle, vital essence, special nature, a material symbol of a life principle, source of emotions - the essential quality and vitality of a being or entity. Also used for a physical object, individual, ecosystem or social group in which this essence is located.
Rangatiratanga	Chieftainship, right to exercise authority, chiefly autonomy, chiefly authority, ownership, leadership of a social group, domain of the <i>rangatira</i> , noble birth, attributes of a chief.
Te Taiao	Natural environment, pertaining to all environs, flora, fauna, aquatic- marine, estuarine, freshwater, air, lands, mountains, glacial, snow, foreshore, seabed, riverbeds, lakes streams, rivers.
Tangata whenua	Local people, hosts, indigenous people - people born of the whenua, i.e. of the placenta and of the land where the people's ancestors have lived and where their placenta are buried.
Te Tiriti o Waitangi	The Treaty of Waitangi.
Tikanga	Rule, plan, method, custom, habit, according to Māori custom, to be applied correctly and with truth.
Whakatu	Nelson.

¹ Key terms have been taken from document A1321530, with a few additions taken from H W Williams, *Dictionary of the Māori Language*.

***Note:** for the purpose of this paper iwi are identified as all iwi associated with the Statutory Acknowledgements (tangata whenua / Mana whenua) for Te Tau Ihu, and taurahere (Māori residing in Te Tau Ihu but who are not from Te Tau Ihu) groups that reside in Te Tau Ihu.

1. PURPOSE STATEMENT

1.1 The purpose of this document is to develop a Māori framework to assist the Nelson City Council in their decision making in regards to the Whakamahere Whakatu- Nelson Management Plan. The Aotūroa framework has been developed alongside the iwi working group to inform the implementation for planning processes in the Nelson City region. An Aotūroa framework is an explanation of the physical expression of attributes of the environment which are representative of a Māori cosmogony. Te Aotūroa framework is designed to assist and support planning decision making for implementation based on values that are important to iwi kaitakitanga. Te Aotūroa as a framework provides for iwi to engage and inform decisions regarding environmental planning, incorporating iwi management practices consistent with iwi tikanga² and kawa³.

2.1 A first draft of section 3 has been completed by Nelson City Council titled '*Tangata Whenua Iwi Resource Management Issues Discussion Paper for Te Te Tau Ihu Iwi Working Group Meeting No. 2: Doc A1321530*'. The contents of this discussion paper has been integrated into this report.

3.1 Whakataukī³

‘Te toto o te tangata, he kai, te oranga o te tangata, he whenua’

A persons’ blood is obtained from the food eaten, and it is from the land that sustenance is derived.

This whakataukī reflects how iwi recognise the importance of te taiao- the environment representative of all natural resource and to ensure the care, protection, management and maintenance as it sustains future and present generations.

2. BACKGROUND INFORMATION

1.1 Whakatu-Nelson region consists of eight iwi who reside within the rohe of Te Tau Ihu. They are represented in the Whakatu-Nelson City Council boundaries by the following iwi authorities who are the mana whenua and have mana moana;

- (i). Ngāti Apa ki Te Ra To Trust;
- (ii). Ngāti Koata Iwi Trust;
- (iii). Ngāti Kuia Iwi Trust;
- (iv). Ngāti Rarua Iwi Trust;
- (v). Ngāti Tama ki Te Wai Pounamu Trust;
- (vi). Te Ātiawa ki Te Waka a Maui Trust represented by Te Ātiawa Manawhenua ki Te Tau Ihu;
- (vii). Te Runanga a Rangitane o Wairau; and
- (viii). Te Runanga o Toa Rangatira.

2.1 These entities are represented by iwi members who provide guidance, comments and are key contributors to this section of the Whakamahere Whakatu. Te Tau Ihu iwi are also Treaty partners to the Crown, and work with the Nelson City Council to meet Treaty settlement obligations under the Deeds of Settlement for each iwi.

² H. W Williams, *Dictionary of the Māori Language pgs 416-417*³

Ibid Williams, pgs 109-110.

³ A proverb cited in Te Tau Ihu Waitangi Tribunal report, Chapter 11, pg 1042

3.1 Te Tau Ihu iwi are instilling their right of Tino Rangatiratanga- to provide for decision making under their authority on behalf of their iwi. Their rights of Tino Rangatiratanga as guaranteed to iwi under Te Tiriti o Waitangi. Tino Rangatiratanga provided that iwi authority remained undisturbed and with regard to their possession of their taonga tuku iho- treasures passed down that related to te taiao and all lands and rights therein. This meant that iwi is governed and protected by their lore and rights in accordance with their tikanga and kawa under the mantle of to their rangatira. The proposals within this report is an expression of Tino Rangatiratanga by the iwi members on behalf of their iwi.

3. TE TIRITI O WAITANGI

1.1 Te Tiriti o Waitangi- the Treaty of Waitangi,⁴ was signed in 1840 by Maori Chiefs and Governor Hobson representing Queen Victoria of the British Empire. It would be several years later that Te Tiriti would arrive in Te Tau Ihu rohe where it would be signed by different Rangatira of that time.

2.1 The Maori text has a different emphasis. It suggests that the Queen's main promises to Māori were to:

- i. secure tribal rangatiratanga; and
- ii. secure Māori land ownership.

3.1 The three Articles in Māori state;

1) Ko te Tuatahi

Ko nga Rangatira o te Wakaminenga me nga Rangatira katoa hoki ki hai i uru ki taua wakaminenga ka tuku rawa atu ki te Kuini o Ingarani ake tonu atu-te Kawanatanga katoa o o ratou wenua.

2) Ko te Tuarua

Ko te Kuini o Ingarani ka wakarite ka wakaae ki nga Rangatira ki nga hapu-ki nga tangata katoa o Nu Tirani te tino rangatiratanga o o ratou wenua o ratou kainga me o ratou taonga katoa. Otiia ko nga Rangatira o te Wakaminenga me nga Rangatira katoa atu ka tuku ki te Kuini te hokonga o era wahi wenua e pai ai te tangata nona te Wenua-ki te ritenga o te utu e wakaritea ai e ratou ko te kai hoko e meatia nei e te Kuini hei kai hoko mona.

3) Ko te Tuatoru

Hei wakaritenga mai hoki tenei mo te wakaaetanga ki te Kawanatanga o te Kuini-Ka tiakina e te Kuini o Ingarani nga tangata maori katoa o Nu Tirani ka tukua ki a ratou nga tikanga katoa rite tahi ki ana mea ki nga tangata o Ingarani.

4.1 The three Articles in English state;

1) Article the First

The Chiefs of the Confederation of the United Tribes of New Zealand and the separate and independent Chiefs who have not become members of the Confederation cede to Her Majesty the Queen of England absolutely and without reservation all the rights and powers of Sovereignty which they said Confederation or Individual Chiefs respectively exercise or possess, or may be supposed to exercise or to possess over their respective Territories as the sole Sovereigns thereof.

⁴ The information in this section is sourced from Office of Treaty settlements and Waitangi Tribunal.

2) Article the Second

Her Majesty the Queen of England confirms and guarantees to the Chiefs and Tribes of New Zealand and to the respective families and individuals thereof the full exclusive and undisturbed possession of their Lands and Estates Forests Fisheries and other properties which they may collectively or individually possess so long as it is their wish and desire to retain the same in their possession; but the Chiefs of the United Tribes and the individual Chiefs yield to Her Majesty the exclusive right of Preemption over such lands as the proprietors thereof may be disposed to alienate at such prices as may be agreed upon between the respective Proprietors and persons appointed by Her Majesty to treat with them in that behalf.

3) Article the Third

In consideration thereof Her Majesty the Queen of England extends to the Natives of New Zealand Her royal protection and imparts to them all the Rights and Privileges of British Subjects.

- 5.1 The preamble to Te Tiriti is important because it sets out the intentions that both parties act in a manner that is binding and enduring. According to The Waitangi Tribunal there are three components of the English version setting out British intentions they are to:
- a. protect Māori interests from the encroaching British settlement;
 - b. provide for British settlement; and
 - c. establish a government to maintain peace and order.

6.1 It is important that the consideration of Te Tiriti and the importance of the relationship and Treaty partnership is pivotal and will be instrumental in achieving unity between local authorities and iwi. The future offers an opportunity for both Treaty partners to work together for greater outcomes that will benefit Māori and the wider community.

7.1 AS the entity responsible for managing natural resources the Nelson City have the ability to enable a durable Treaty partnership based on good will, good faith and active protection.

4. PRINCIPLES OF TE TIRITI

1.1 The Treaty principles allow for the following;

- 1) The tribal right to self-regulation;
- 2) The right of redress for past breaches; and
- 3) The duty to consult.

The recognition and adherence to these principles ensure the 'active protection' of Māori language and culture.⁵

2.1 There are also additions to this defined in 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 the first principle 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.

⁵ Waitangi Tribunal: <http://www.justice.govt.nz/tribunals/waitangi-tribunal/treaty-of-waitangi/the-principles-of-the-treaty>

3.1 The Whakamahere Whakatu must be cognisant and actively promote a Treaty partnership that will encourage a shared management approach to Te Taiao. This will enable iwi and the Council to meet their obligations and promote unity amongst the wider community.

4.1 Iwi as Treaty partners to the Whakamahere Whakatu provides significant Rangatiranga support. This will demonstrate good will, trust and ensure that Māori traditions and customs are been actively protected within the plan.

5. DEEDS OF SETTLEMENTS OF TE TAU IHU IWI

- 1.1** The settlement of historical Te Tiriti o Waitangi claims were negotiated under several settlements with iwi in Te Tau Tau. The iwi groupings for negotiations were;
- a. Kurahaupo Waka Trust- consisted of Ngāti Apa ki Te Waipounamu, Ngāti Kuia Iwi and Te Rūnanga a Rangitane o Wairau;
 - b. Tainui- Taranaki - consisted of Ngāti Koata Iwi Trust, Ngāti Tama Manawhenua ki Te Tau Ihu, Ngāti Rārua Iwi and Te Ātiawa Manawhenua ki Te Tau Ihu; and
 - c. Te Rūnanga o Ngāti Toa Rangatira.

The settlements are detailed in a document known as a Deed of Settlement. Legislation was passed in 2014, known as Te Tau Ihu Settlement Bill by Parliament⁶ and came into effect to fully implement all Deeds of Settlement for Te Tau Ihu iwi.

2.1 Treaty settlements⁸

A Treaty settlement is an agreement between the Crown and a Maori claimant group to settle all of that claimant group's historical claims against the Crown. Historical claims usually relate to actions or omissions by the Crown in relation to the claimant group during the 19th and early 20th centuries, but they may include such actions or omissions up to 21 September 1992, (the date of the “Sealord” Fisheries Settlement).

3.1 A Treaty settlement is usually made up of the following

1. Historical Account, Acknowledgements and Crown Apology.
2. Cultural Redress
3. Financial and Commercial Redress.

4.1 Settlements are Final

As part of the settlement, the claimant group accepts that the settlement is fair and final and settles all of the historical claims of the claimant group, whether they have been lodged at the Waitangi Tribunal or not.

6. STATUTORY ACKNOWLEDGEMENTS⁷

1.1 A Statutory Acknowledgement recognises the particular cultural, spiritual, historical and traditional association of an iwi with the identified site/area. This type of redress enhances the ability of the iwi to participate in specified Resource Management Act 1991 processes. When a claimant group and the Crown reach agreement on a final settlement offer they enter into a Deed of Settlement setting out the

⁶ http://www.parliament.nz/en-nz/pb/legislation/bills/00DBHOH_BILL12235_1/te-tau-ihu-claims-settlement-bill

⁸ Office of Treaty Settlements: www.ots.govt.nz

⁷ Nelson City Council; Whakamahere Whakatu.

terms of that settlement. Legislation is required to give effect to some elements of a Treaty settlement including Statutory Acknowledgements. A Statutory Acknowledgement involves:

- The settling iwi provide a statement of their association with the site/area of significance.
- This statement is recorded in the Deed of Settlement.
- The identification and description of the area over which the redress will apply. This is referred to in the legislation as the 'statutory area'.
- The Crown then acknowledges the statement from the iwi in statute (the settlement legislation).
- The statutory acknowledgements and areas relate to the eight iwi of Te Tau Ihu.

2.1 Statutory acknowledgements enhance the ability of iwi to participate in Resource Management Act 1991 processes. A statutory area can have more than one statutory acknowledgment from more than one iwi associated with it, and the statutory acknowledgements of each of the eight iwi of Te Tau Ihu should be checked in relation to any statutory area.

3.1 Ensure that Treaty of Waitangi Settlement Act (2014) provisions for freshwater advisory groups can be included in the decision making process.

7. A MĀORI WORLD VIEW: A TE TAU IHU PERSPECTIVE.

1.1 A Māori world view addresses the cosmogony of the evolution of the universe and the creation of the world and all living things contained in the world. As set out in the table below is a truncated version of the events that occurred. With the primordial parents, Ranginui and Papatūānuku who gave birth to ngā Atua. There are 70 Atua⁸ associated with the establishment of the natural world and this may vary from tribe to tribe. The Atua named inside the table below are associated with key natural resources and environments within Te Tau Ihu. This is not a definitive list.

2.1 There are several reports from Te Tau Ihu iwi, namely the report of 'Nga Taonga tuku iho'⁹ and 'A Tangata whenua world view statement'¹⁰, they identified key Atua and the environments, taonga and management practices that are important and recognised as Ngā Atua kaitiaki. Kurahaupo waka identified their customary rights as being the 'original peoples' of Te Tau Ihu. Their whakapapa with the Wairau bar and those tupuna buried there, the moa, and moana give rise to their whakapapa links to the moana, whenua and birds. Their histories are as entwined with te taiao as are the other iwi of Te Tau Ihu. Ngā Atua identified in Table 1, are those that have been recognised as important to the management of natural resources for the iwi of Te Tau Ihu. This is not an exclusive list and there maybe others that iwi will clarify in the future. Ngā Atua kaitiaki are identified below as;

- Tawhirimatea- guardian of winds, air and clouds;
- Tangaroa- guardian of all fish, seas, oceans and rivers and waterways
- Tūmataurangiā- guardian of war, conflict, negotiation and guardian of people;
- Rongomaraeroa or Rongomātane¹¹- guardian of peace and cultivated foods, such as kumara;
- Tāne Mahuta- guardian of Ngahere (forests), birds, and creator of light and people;
- Tutewehiwehi- guardian of reptiles, and amphibians; and
- Haumiatiketike- guardian of uncultivated foods and fern roots.

⁸ A W Reed, 'Treasury of Maori Folklore' pp18-21.

⁹ U Passl, *Nga Taonga tuku iho ki Whakatu Management Plan.2004*

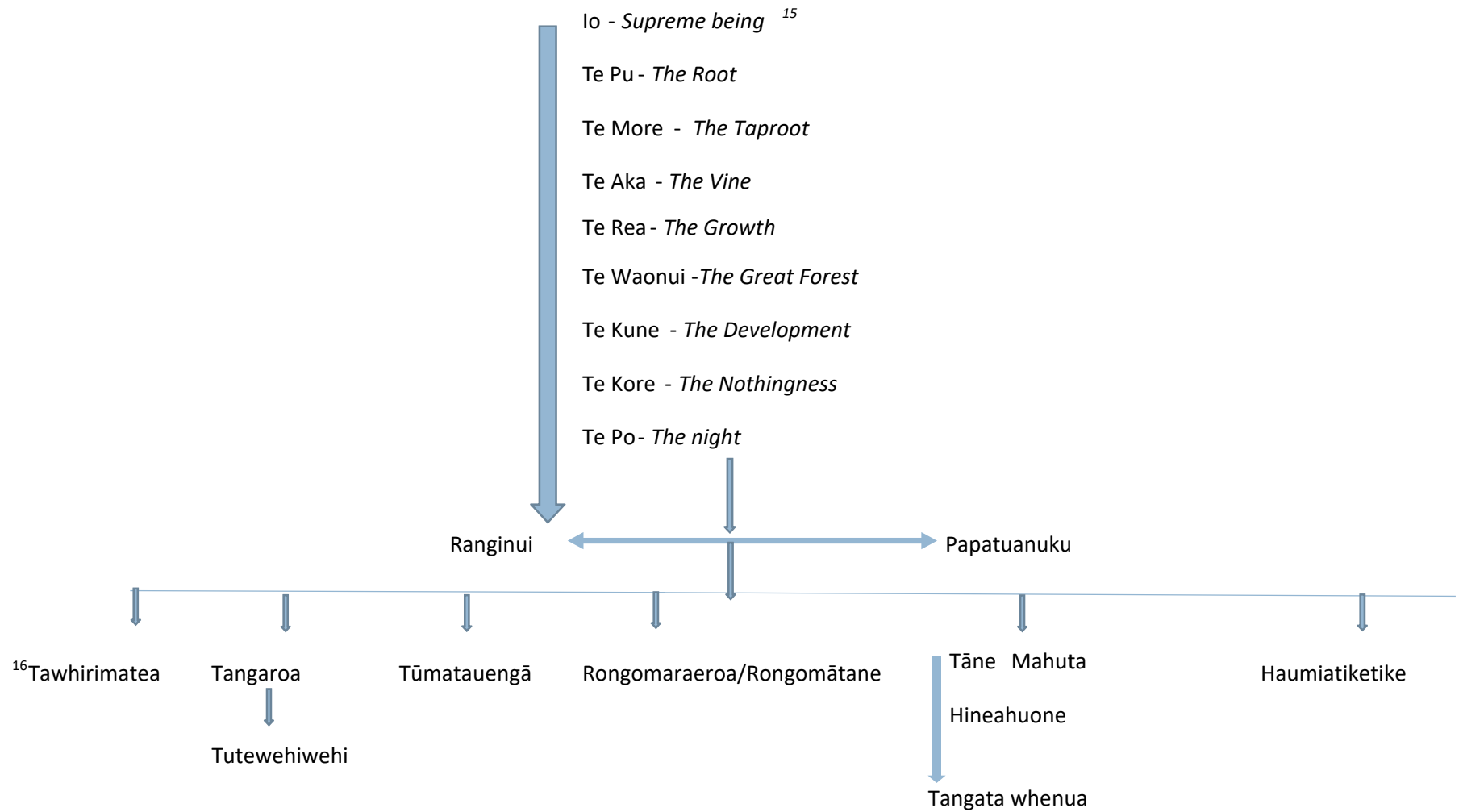
¹⁰ U Passl, *A Tangata whenua world view statement. 2003*

¹¹ 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 H Reed.

- 3.1 The history of ngā Atua kaitiaki is complex and in-depth and requires learning and understanding of the Māori world view. This report touches briefly on the understanding of Māori cosmogony and is not a full interpretation of Māori cosmogony. The report 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 fertilisers¹², and creators of the environments – Te Taiao of which they are guardians.
- 4.1 Tangata whenua are responsible for the care of Te Taiao, of the physical representation of ngā Atua kaitiaki. Iwi as tangata whenua therefore, become the kaitiaki, and apply the principles of kaitiakitanga to Te Taiao.
- 5.1 Whakapapa connections between ngā Atua kaitiaki stems from Ranginui and Papatuanuku and 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 Papatuanuku.
- 6.1 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 coexisting 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, against developments and impacts of pollution and natural disasters.

¹² Elsdon Best, *Some aspects of Maori Myth and Religion*, pg 15, refers to Tāne Mahuta as the fertiliser.

TABLE 1: MĀORI COSMOGONY



¹⁵ Reed, 1963, pg 19-20 refers to top of table from Io to Rangi and Papa

¹⁶ Passl, A tangata whenua world view statement, 2003 refers to bottom of table from Tawhirimatea to Haumiatiketike

8. TE TAI AO VALUES¹³

1.1 Taiao values are provided for planning decisions in particular in the assessment of environmental impacts to provide for kaitiakitanga and iwi values. They are set out in Table 2 below.

TABLE 2: TE TAI AO VALUES

<p>Rangatiratanga- the chiefly right to determine use and management of the natural environment and resources, by imposing rāhui – prohibition, provision and protection of customary rights and traditions of iwi.</p>	<p>Kaitiakitanga- provision of active conservation, protection, preservation, maintenance, utilisation and management, and cultivation of the natural environment.</p>	<p>Mauri- protection of the life force and sustaining the natural environment.</p>	<p>Mana- authority, control, influence, prestige, and power to make decisions. Effective and binding authoritative</p>
<p>Whakapapa- 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>Maramatanga- 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>Karakia- recital of rites for taking and harvesting of natural environments and acknowledgement of ngā Atua kaitiaki.</p>	<p>Manaakitanga- harvesting of the natural environment to provide for whanau, hapu, iwi and manuwhiri. The act of reciprocity of the natural resources to be shared with others.</p>
<p>Whanaungatanga- kinship ties and relationships. The importance of acknowledging shared resources and areas of interest. Iwi relationships to shared areas, access to mahinga kai and Kaimoana.</p>	<p>Mōhiotanga- known, intelligent, recognise, wise. The foresight to make an informed decision, with intelligence and wisdom.</p>	<p>Wairuatanga- protection of the spiritual force of the natural environment;</p>	<p>Tapu- under religion or superstitious restriction, sacred, ceremonial restriction, quality or condition of being subject to restriction</p>
<p>Kōtahitanga- Collective iwi, unity and strength of whanau, hapū and iwi.</p>	<p>Pono- true, truth, genuinely true to the principles of Māoritanga -culture</p>	<p>Tika- to be right, correct, direct straight, just, fair.</p>	<p>Noa- free from tapu and any other restrictions. Denoting absence of limitations or conditions. Without restrictions.</p>

¹³ The translation of these values are taken from various sources such as Buck, Mead, Ngata, Reed, and Williams.

2.1 Below are 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;

- Whenua- land
- Wai Maori -Freshwater
- Awa- rivers
- Moana- oceans and seas
- Ngahere- forests and bush
- Kaimoana- all seafood
- Rongoā- all medicinal plants
- Hau- air
- Hauora- health and wellbeing
- Te Reo- the Māori language

9. TE TAU IHU IWI, WAI MAORI- FRESHWATER AND THE NATIONAL POLICY STATEMENT ON FRESHWATER

3.1 Te Tau Ihu Iwi are participating at the Iwi Leaders Group (ILG) on Freshwater. The ILG on WAI Maori is tasked to do the following roles;

- a. Engage directly with senior government Ministers;
- b. Protocol signed by ILG and senior Ministers (including Prime Minister);
- c. Ensure ILG views are represented in Cabinet and policy development process;
- d. ILG will not usurp the mana of individual iwi to engage directly regarding their own water bodies;
- e. Any decisions will require consultation with all iwi; and
- f. Participation in Land and Water Forum (LaWF).

4.1 The 5 key principles guiding the ILG are based on the model, *Ngā Mātapono ki te Wai are;*

- a. Ko Te Tiriti o Waitangi te tāhuhu o te kaupapa o te wai;
- b. Te Mana o Te Wai
- c. Te Mana Motuhake o ia wai o ia iwi ki te iwi
- d. Te kaitiakitanga o ngā hapū me ngā iwi i te wai
- e. Te mana whakahaere o ngā iwi me ngā hapū ki te wai.

The key principles set out how iwi desire to engage on matters related to Freshwater. Currently there are case studies undertaken to assist iwi in their decision making on the management and allocation of freshwater. Te Tau Ihu iwi recognise that key objectives as set out under Ngā Mātapono ki te Wai:

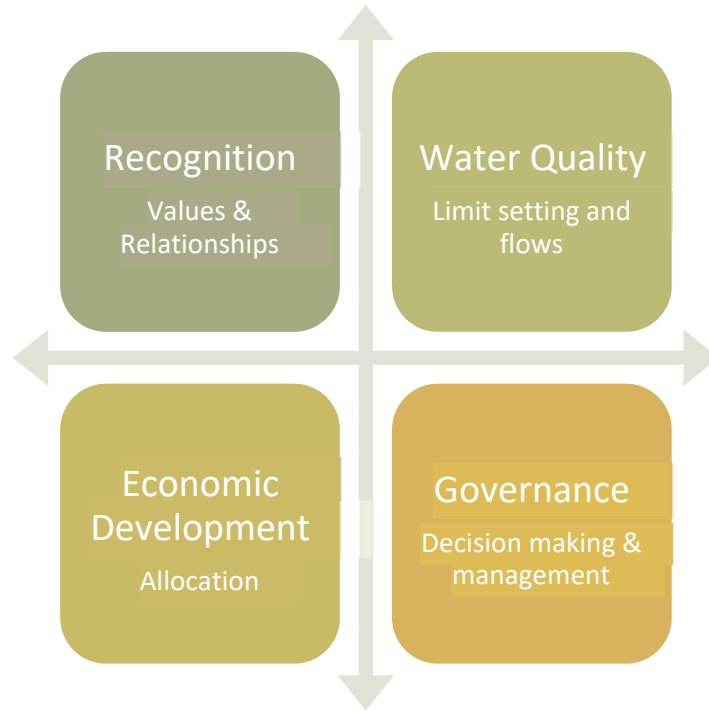
- i) improved water quality- mana o te wai;
- ii) realise value of freshwater (including economic)
and,
- iii) enduring future iwi relationships with water
bodies.

These are key objectives to work alongside Nelson City Council to enable and enhance iwi ability to participate in the management and allocation of freshwater.

5.1 Ngā Mātāpono ki te Wai is critical to the engagement of council and other stakeholders with iwi in managing freshwater. Te Tau Ihu have yet to consider how the framework for water allocation, management, and future use should occur. Conversations occurring at the ILG Hui sets out an approach that maintains the mana of each iwi.

6.1 A work programme has been developed by the ILG technical advisory team and is set out below.

DIAGRAM 1 WORK PROGRAMME.¹⁴



The diagram illustrates a pathway forward for Councils and other stakeholders to engage with iwi o Te Tau Ihu on freshwater. This could be implemented through the planning process while ensuring that the NPS is being met. Iwi Chairs of Te Tau Ihu would need to meet with Council to discuss how this would occur within the Nelson City Catchment.

Ongoing work continues under the ILG with research underway, frameworks and development of the National Policy Statement on freshwater. The National Policy Statement for freshwater management sets out key processes for management.

¹⁴ Freshwater Hui, 3 August 2015, Chateau Marlborough, Wairau-Blenheim.

10. KEY PRINCIPLES

- 1.1 There are key overarching principles that need to be considered when making decisions regarding an Aotūroa framework. These key principles are;
- 1) Mauri – the life force, principle is protected that includes tapu and wairua.
 - 2) Kaitiakitanga –provide active protection, management and utilisation of Te Taiao. Local iwi representatives are participating in the decision process.
 - 3) Rangatiratanga – iwi are engaged as Treaty partners and statutory acknowledgements and Treaty obligations are being met.
 - 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 Whakatu.
- 2.1 They are pivotal to how successful the framework will be implemented and enabled to inform the Whakamahere Whakatu. These key principles must be the starting point in considering planning decisions regarding how iwi are engaged and are considered in the decision process.
- 3.1 Cultural monitoring and assessments for significant sites, traditional customary areas, mahinga kai, maunga and wāhi tapu that maybe affected by any form of development, action or pollutant.
- 4.1 In practice when making a decision these principles must be considered first and applied, as part of an AEE (Assessment of Environmental Effects).

11. TE AOTŪROA FRAMEWORK

- 1.1 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.
- 2.1 This framework addresses how best to engage and implement a framework that considers and applies iwi principles and how iwi view Te Taiao. The principle role of kaitiaki and application of kaitiakitanga in providing a pathway forward for the care protection, utilisation and management of Te Taiao.
- 3.1 The framework is a new and innovative approach to address implementation of Māori traditional understanding of Te Taiao within a resource management process. It provides an opportunity for fresh thinking and new processes in local government approaches working with iwi Treaty partners.
- 4.1 There are key outcomes that are applied across Te Taiao and they are;
- a. Increase opportunities for tangata whenua to practice customs and traditions associated with their natural environments;
 - b. A holistic approach to management needs to be considered when assessing decisions for planning. This means the mauri principle is the pinnacle achievement, and needs to be protected, maintained when considering any utilisation and impact on that environment.
 - c. Tangata whenua have access to culturally important mahinga kai and areas of historical and special significance.

- d. Policy is consistent with other regional authorities regarding environmental management and standards for Te Taiao.
- e. Council apply a consistent approach to all statutory acknowledgements by establishing terms of engagement with iwi.
- f. Engagement between Nelson City Council and Rangatira of Te Tau Ihu meet once a year to set strategic outcomes against settlement obligations and statutory acknowledgements.
- g. Cultural monitoring and assessments are carried out for significant sites, traditional customary areas, mahinga kai, maunga and wāhi tapu that maybe affected by any form of development, action or pollutant.

TABLE 3: TE AOTŪROA ASSESSMENT PROCESS FRAMEWORK

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<i>Values (includes)</i>	<i>Atua (includes)</i>	<i>Aotūroa- Te Taiao</i>	<i>Planning implications</i>	<i>Criteria Assessment</i>	<i>Outcomes</i>
<p>Rangatiratanga- the chiefly right to determine use and management of the natural environment and resources, by imposing rāhui – prohibition, provision and protection of customary rights and traditions of iwi;</p> <p>Kaitiakitanga- provision of active conservation, protection, preservation, maintenance, utilisation and management, and cultivation of the natural environment.</p> <p>Mauri- protection of the life force and sustaining the natural environment.</p> <p>Mana- authority, control, influence, prestige, and power to make decisions. Effective and binding authoritative.</p>	<p>Papatūānuku</p> <p>The Earth, mother earth, <i>terraferma</i>. Progenitor and nurturer of all land based environments and resources, on land and subterranean environments that include oils and minerals.</p>	<p>Earth, land, soils, mountains, seabed, lakes, river beds, subterranean lands, minerals, caves, and quarries.</p>	<p>Developments rural, urban, commercial lands, quarrying, mining, and seabed structures. Pollutions, contaminants and foreign organisms from all types of, spills, and managed releases of waste onto lands and waterways.</p>	<p>Aotūroa has been measured against key principles, and has met requirements of AEE. Iwi customs and traditions associated is healthy, clean, and managed and utilised sustainably. Iwi cultural and spiritual values and customs and traditions are maintained for present and future generations. Mahinga kai and mataitai are protected and maintained for present and future generations. Implementation of iwi values and aspirations concerning the management of earth, geothermal, minerals and oils.</p>	<p><i>Increase in tangata whenua to practice customs and traditions associated with their natural environments;</i></p> <p><i>Protection of mauri when considering any utilisation and impact on the environment.</i></p> <p><i>Access to culturally important mahinga kai and areas of special significance and historical importance for tangata whenua.</i></p> <p><i>Policy is consistent with values for Te Taiao.</i></p> <p><i>Statutory acknowledgements are provided for by Council.</i></p> <p><i>Nelson City Council and Rangatira of Te</i></p>
	<p>Tāwhirimātea</p> <p>Atmosphere. Wind, fresh air, circulation, keeper of winds, important to bring rain, wind currents that are required to moved seas,</p>	<p>Air, winds, tornado, whirlwinds, clouds. Air waves.</p>	<p>Utilisation of air for wind mills, turbine use, radio hertz, air space for telecommunications, flights, drones, rockets, changes to</p>	<p>Air is clean and safe for consumption. Use of Aotūroa has been measured against key principles, and has met requirements of AEE.</p>	

Values (includes)	Atua (includes)	Aotūroa- Te Taiao	Planning implications	Criteria Assessment	Outcomes
Apply all values from Te Taiao values table.	lands, migrations of birds and mammals, movement of seeds. Indicator of change in seasons, bearer of when the environment changes. Controls temperature in the atmosphere.		quality of air, manipulation of wind, and discharge of contaminants and pollutants into the air.	Implementation of iwi values and aspirations concerning the management of the atmosphere. Protection and use of air and atmosphere.	<i>Tau Ihu meet once a year to set strategic outcomes against settlement obligations and statutory acknowledgements.</i> <i>Cultural monitoring and assessments are carried out for significant sites, traditional customary areas, mahinga kai, maunga and wāhi tapu that maybe affected by any form of development, action or pollutant.</i>
	<p>Tangaroa Also known as Tangaroamātua Tangaroawhakamautai Tangaroaamua.</p> <p>Keeper of tides and all animals and mammals within the oceans and freshwater. Important for sustenance and voyaging. Determines and provides for tidal changes that impacts on animal and human migrations. Important for land based animals and humans, water a key contributor to life.</p>	Aquatic environs- marine and freshwater, aquifers, ice, snow, all marine and freshwater animals and mammals including reptiles –progeny of Tūtewehiwehi.	Developments around and use of aquatic environs, aquifers, icebergs and snow, water stratum. This includes allocation, use and management of all aquatic environs, building of structures and diversions. Pollutions, contaminants and foreign organisms from vessels, spills, and managed releases. Consideration of the National Policy Statement on Freshwater must be taken into account for all decisions.	Use of Aotūroa has been measured against key principles, and has met requirements of AEE. Aquatic environs are clean, healthy, safe, and managed and utilised sustainably. Iwi cultural and spiritual values and customs and traditions are maintained for present and future generations. Mahinga kai and mataitai are protected and maintained for present and future generations. Implementation of iwi values and aspirations concerning the management of freshwater, coastal and marine environment, use of birds, reptiles,	<i>Te Taiao is maintained to a provide the following; a) clean and healthy for human use and where applicable for consumption; b) maintenance of te taiao that provides for a</i>

<i>Values (includes)</i>	<i>Atua (includes)</i>	<i>Aotūroa- Te Taiao</i>	<i>Planning implications</i>	<i>Criteria Assessment</i>	<i>Outcomes</i>
<i>Apply all values from Te Taiao values table</i>				mammals, all sea flora and fauna, and amphibians.	<i>healthy, clean and sustainable environment; protection of sites of significant and cultural importance.</i>
	Rongomaraeroa or Rongomatane (Reed, 1963 pp 76-77) The art of peace and negotiation. The art of agriculture and cultivation. Important to agriculture and cultivated foods and planting of gardens. Kumara, taro and yam were highly valued as it sustained Māori on long voyages and gourds were used to carry water. Korau and ari were used for shelter and sleeping.	Peace, cultivated foods, kumara, taro, yam, gourd, ari and korau, and agriculture.	Development that impacts on native cultivated foods, traditional mahinga kai and historical sites where kumara and cultivated foods grew. Protection for traditional mara-gardens, and development of mara-gardens within the City. Working relationships with iwi are done with respect and care and willingness to work together.	Traditional foods are available for harvest and planting. They are abundant and healthy and mahinga kai are made available for use. Te Aotūroa has been measured against key principles, and has met requirements of AEE. Iwi customs and traditions associated with uncultivated foods. A peaceful and harmonious working relationship is achieved. Implementation of iwi values and aspirations concerning the management of cultivated foods and peaceful relationships.	
	Tāne Mahuta The supply of trees, plants and vegetation, as well as birds and berries. Forests provide building materials for settlements, pa, marae,	Indigenous flora and fauna, birds and animals. Apply key principles against required use.	Development that impacts on traditional mahinga kai, and historical harvest areas for rongoā (traditional medicinal use) and dietary use.	Indigenous plants, birds, animals and forests are healthy, abundant and managed sustainably. Use of Aotūroa has been measured against key principles, and has met	

<i>Values (includes)</i>	<i>Atua (includes)</i>	<i>Aotūroa- Te Taiao</i>	<i>Planning implications</i>	<i>Criteria Assessment</i>	<i>Outcomes</i>
<i>Apply all values from Te Taiao values table</i>	waka, -travel, weaponry, heating, and rongoā. Birds provide sustenance, feathers for cloaks, and adornment of marae, use for medicinal purposes. Berries and plant for sustenance and use in rongoā.		Pollutions, contaminants, erosion, and managed fires, deforestation, and exotic plants. Urban development, deforestation, and use of flora and fauna for non- traditional purposes. Hunting, trapping and transfers of flora and fauna.	requirements of AEE. Iwi customs and traditions associated with indigenous flora and fauna are sustained for present and future generations.	<i>Apply all outcome to these two sections.</i>
	Haumiatiketike (Reed, 1963 pp77-78). Edible tubers for long distance travel, koromiko for medicinal herb, harakek-flax for weaving of clothes, shelter, lining of whare, kete, whāriki. Ponga for pallislades, nikau for housing, weaving edible core, and rongoā., and heating.	Fern root, koromiko, nikau, flax, ponga and aruhe-rhizomes and uncultivated foods. Apply key principles against required use	Development that impacts on traditional mahinga kai, and historical harvest areas for rongoā (traditional medicinal use) and dietary use. Pollutions, contaminants, erosion, and managed fires.	Fern roots, uncultivated foods and rhizomes are healthy, abundant and managed sustainably. Use of Aotūroa has been measured against key principles, and has met requirements of AEE. Iwi customs and traditions associated has been measured against key principles, and has met requirements of AEE. Implementation of iwi values and aspirations concerning the management uncultivated foods, flax, nikau, ponga, fern root and bracken.	

REFERENCES

- Best, E. (1973). *Some Aspects of Māori Myth and Religion. Dominion Museum Monograph No.1: Some Aspects of Māori Myth And Religion*. Wellington, New Zealand: A. R. Shearer, Government Printer.
- Council, N. C. (2014). *Te Tau Ihu Statutory Acknowledgements 2014*. Retrieved from Nelson City Council:
<http://nelson.govt.nz/environment/nelson-resource-management-plan/nelson-resource-management-plan-2/statutory-acknowledgements/>
- Council, N. C. (2015, March 24). *Tangata whenua Iwi Resource Management Issues Discussion Paper for Te Tau Ihu Working Group Meeting No.2. Whakamahere Whakatu Management Plan*. Nelson, New Zealand: Nelson City Council, Doc: A1321530.
- Environment., M. f. (2014, August). *Guidance for implementing the National Policy Statement for Freshwater*. Retrieved from Ministry for the Environment:
<http://www.mfe.govt.nz/freshwater/national-policy-statement/about-nps>
- M.Ngata, H. (1993). *English-Maori Dictionary*. Wellington-Te Whanganui o Tara: Learning Media Limited- Te Pou Taki Kōrero mo te Tāhuhu o te Mātauranga.
- Mead, H. M. (2003). *Tikanga Māori: Living by Māori Values*. Wellington: Huia Publishers.
- Office, P. (2014). *Legislations*. Retrieved from Parliament. NZ:
http://www.parliament.nz/enz/pb/legislation/bills/00DBHOH_BILL12235_1/te-tau-ihu-claims-settlement-bill
- Passl, U. (2003). *A tangata whenua world view statement*. Whakatu.
- Passl, U. (2004). *Ngā Taonga Tuku Iho ki Whakatu Management Plan*. Whakatu- Nelson.
- Reed, A. W. (1963). *Treasury of Maori Folklore*. Wellington, Auckland: A. H. & A. W. Reed.
- Settlements, O. o. (2015). *Treaty settlements*. Retrieved from Office of Treaty Settlements: Office of Treaty Settlements: www.ots.govt.nz
- Tribunal, T. W. (2015). *The Principals of the Treaty*. Retrieved from Waitangi Tribunal:
<http://www.justice.govt.nz/tribunals/waitangi-tribunal/treaty-of-waitangi/the-principles-of-the-treaty>
- Tribunal, W. (2008). *Te Tau Ihu o Te Waka a Maui: Report on Northern South Island Claims. Wai 795: Vol 3* Wellington: Waitangi Tribunal, Ministry of Justice.
- Williams, H. W. (1991). *A Dictionary of the Māori Language 7th Edition*. Wellington: GP Publications Limited.