

1 OBJECTIVES/POLICIES: Matters of Importance to Tāngata Whenua

1. Matters of Importance to Tāngata Whenua

The function of this section is to provide a statement of how the issues of resource management concern to Tāngata Whenua are to be addressed through the District Plan.

This section recognises that the Council exercises its functions within the tribal boundaries of the following Iwi.

- Muaūpoko
- Ngāti Apa
- Ngāti Raukawa
- Rangitāne

Each of these Iwi has their own identity, values and associations within Horowhenua. In some instances these values and associations may be the same or similar between Iwi. In other instances these values and associations may be quite distinct and unique to a particular Iwi. This section of the District Plan seeks to address the matters of importance to Tāngata Whenua in Horowhenua at both a generic level which is applicable to all Iwi, and also at an Iwi specific level providing for the situations where an Iwi may prefer to address a resource management issue in a manner which is relevant to them. This approach also recognises that differences exist between each Iwi with respect to relationship agreements with Council, progress made on Treaty of Waitangi claims, progress made in developing Iwi management plans, areas of interest, resourcing and expertise.

The RMA defines 'Tāngata Whenua' in relation to a particular area, as meaning the Iwi, or hapū that holds mana whenua over that area. The term Tāngata Whenua is used throughout this section of the District Plan in this context, including both Iwi and hapū. The term Iwi authority is used to refer to the authority which represents an Iwi and is recognised by that Iwi as having authority to do so.

TĀNGATA WHENUA OF THE HOROWHENUA DISTRICT

The following statements have been prepared by representatives from the Iwi authority for each Iwi.

Statement of Muaūpoko

Muaūpoko are the descendants of the original people who first occupied the Horowhenua District. The Muaūpoko whakapapa (genealogy) includes all the former people known by various names, such as Ngai Tara, since the time of Kupe. They named all the places in the District and Muaūpoko have an unbroken connection to these places, waterways, wetlands, coastlines, fisheries, forestry's and ancestral lands.

Muaūpoko have many traditional hapū. Those currently active are: ~~Ngati Pariri, Ngati Hine, Ngati Tamarangi, Ngati Whanokirangi, Ngai Te Ao, Te Ngarue and Punahau.~~

- Ngai te Ngarue
- Ngai te Ao
- Ngati Tamarangi

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- Ngati Hine
- Ngati Pariri
- Ngati Whanokirangi
- Punahau.

The Muaūpoko Marae are Kohuturoa and Kawiu.

Muaūpoko acknowledges its neighbouring Iwi, Ngāti Apa, Rangitāne and Ngāti Raukawa. All of which have a shared history including whakapapa, alliances and even conflicts. This has provided a rich and diverse cultural landscape for all Iwi.

When the Council is making a decision involving land or a body of water, it must take into account the relationship of Muaūpoko and its culture and traditions with its ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga.

At the time of preparing this Proposed District Plan the Muaūpoko Tribal Authority Incorporated ~~was listed by Te Puni Koriri under "Te Kotaha o nga Ropu Mangai Iwi/Māori" as an Iwi authority is the recognised Mandated Iwi Authority~~ representing Muaūpoko for the purposes of the RMA. The Muaūpoko Tribal Authority encourages and invites consultation should people wish to know its views and obtain information regarding sites and areas of cultural significance to Muaūpoko.

Tāngata Whenua ki Horowhenua – Māori Land and Reserve Land

In 1873 Muaūpoko were confined to what is now known as the Horowhenua Block by the Native Land Court. The land was later subdivided and alienated from Iwi ownership to individual ownership. The remaining Māori Land in the Horowhenua Block is now Private Land, governed by the Te Ture Whenua Act. Muaūpoko Tribal Authority encourages consultation with these private owners and land block administrators should people wish to know their views. Some of the land is now in Reserve status; some of these contain the remaining endemic fauna and flora.

~~Please note the Punahau (Horowhenua) Lake Bed and Hokio Stream including specific land adjacent to them are owned by the Lake Horowhenua Trust.~~

The status of Waipunahau (Lake Horowhenua) and the Hokio Stream is described under the Reserves and Other Lands Disposal Act 1956 as follows:

"Notwithstanding anything to the contrary in any Act or rule of law, the bed of the lake, the islands therein, the dewatered area, and the strip of land 1 chain and with around the original margin of the lake (as more particularly secondly described in subsection (13)) are hereby declared to be and have always been owned by the Māori owners, and the said lake, islands, dewatered area, and strip of land are hereby vested in the trustees appointed by Order of the Māori Land Court dated 8 August 1951 in trust for the said Māori owners.

Notwithstanding anything to the contrary in any Act or rule of law, the bed of the Hokio Stream and the strip of land 1 chain in width along portion of the north bank of the said stream (being the land more particularly thirdly described in subsection (13)), excepting thereout such parts of the said bed of the stream as may have at any time been legally alienated or disposed of by the Māori owners or any of them, are hereby declared to be and have always been owned by the Māori owners, in the said bed of the stream and the said

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strip of land are hereby vested in the trustees appointed by Order of the Māori Land Court dated 8 August 1951 in trust for the said Māori owners".

This Lake is also a Muaūpoko Fisheries Reserve and there are prohibitions associated with fishing in these areas. Muaūpoko Tribal Authority encourages consultation with this Trust should people wish to know their views.

Statement of Ngāti Apa

The Ngāti Apa rohe extends into the North Western corner of the Horowhenua District as far as Omarupapako (Rounds Bush). This is the domain of the Ngāti Kauae and Ngāti Taurira hapū who also have close connections to Rangitāne and Muaūpoko. This area was utilised historically for seasonal fishing in dune lakes, gathering of kiekie and cultivating cleared areas in around the indigenous forest. Waka were also launched from the Rangitīkei River to fish along the coast extending into the Horowhenua District area.

Subsequent migrations of Ngāti Toa, Te Atiawa, and Ngāti Raukawa have led to a change in settlement patterns. The arrival of European settlers and land transactions that occurred at that time have resulted in areas being reserved to Ngāti Apa, Rangitāne and Ngāti Raukawa whereby our interests are almost side by side. These interests are acknowledged and respected by Ngāti Apa.

As Ngāti Apa develops its capacity, it looks forward to a time when it can fully uphold its responsibilities in regard to the practice of kaitiakitanga within the Horowhenua District.

Schedule 11 of this Plan contains the Statutory Acknowledgements from the Ngāti Apa (North Island) Claims Settlement Act 2010. The Statutory Areas within the Horowhenua that these acknowledgements relate to are:

- Omarupapako/Round Bush Reserve.
- Ngāti Apa (North Island) Coastal Marine Area.

Statements of Association for these Statutory Areas are also included in Schedule 11 of this Plan.

Statement of Ngāti Raukawa

Mai i Waitapu ki Rangataua, Miria Te Kakara ki Kukutauaki

Ngāti Raukawa and affiliates (like Kauwhata (Feilding), Tukorehe (Kuku), Wehiwehi, (Waikawa and Manakau)) descend from the Tainui waka traditions and tribal bases. There has been a complex Māori history of warfare and conquest over land and resources in Horowhenua, which began circa 1819 with the migrations from Kāwhia Harbour by Ngāti Toa Rangātira, led by Te Rauparaha. The legacies set down by ancestral Māori land tenure activities during Te Rauparaha and his allies' time for Ngāti Raukawa and affiliates, continue to this day.

Such complexities cannot be described in detail for the District Plan, but will be present in future Iwi Management Plans, as they are developed across the region. There are also other Iwi within Horowhenua area, and Ngāti Raukawa acknowledges their interests.

It is relevant to mention that Ngāti Raukawa have two traditional homelands. The first, in the southern Waikato and northern Taupō districts, centres on Maungatautari - the ancestral

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mountain of Ngāti Raukawa. Many important sites, such as birthplaces of ancestors, related urupā (cemeteries), pā sites, battle sites, marae of origin, houses of learning, and more, are found here. In Ngāti Raukawa tradition, this northern region has four traditional districts. They are referred to as: Ngāti Raukawa ki Wharepūhanga – south and east of Te Awamutu between Maungatautari and Waipapa. Ngāti Raukawa ki Maungatautari, is centred around the ancestral mountain for the Iwi, Maungatautari then extending north east to Cambridge. Ngāti Raukawa ki Te Kaokaoroa-o-Pātetere includes the mountain ranges stretching north of Tokoroa towards the Kaimai Range, west of Tauranga. Ngāti Raukawa ki Te Pae o Raukawa from Tokoroa, is located south along the Waikato River to Waihaha on the westside of Lake Taupō.

The second region is Ngāti Raukawa-ki-te-tonga – Ngāti Raukawa of the south, which is of relevance to Horowhenua District. This region stretches from the Rangitīkei River, west of Manawatū, to Kūkūtauaki Stream just north of Waikanae. A large group of Ngāti Raukawa migrated there from the first region in the early decades of the 19th century, and to this day their occupation and settlement is reflected in the large number of Ngāti Raukawa marae between northern Waikanae, stretching to the Rangitīkei region. Historic (and more contemporary) meeting houses stand on land blocks within different environments that result from the actions of Ngāti Raukawa ancestors. Of importance too are the whakapapa (genealogical) and on-going relationships that have been retained between the two Ngāti Raukawa regions, to this day.

Ngāti Raukawa, and other politically affiliated Iwi, gained rights to land, resources and water bodies according to tikanga Māori and Māori customary land “laws” such as take raupatu, the right by conquest, and take tuku for land allocations that arose from support of Te Rauparaha. Some other customary and descriptive ways in which our people and affiliates identify their rights to land, resources and environments in Horowhenua are listed as follows:

- Tuku Whenua - Gifting land;
- Take tupuna - Ancestral right, by reason of ancestry;
- Take taunaha - Bespeak, right through oral claim;
- Take noho - Occupation rights;
- Take rahui - Reason of reservation;
- Ahi kā - Right of occupation, and
- Ahi kā roa - Describes occupation over a long period of time.

In the wider tribal region, there are 21 functioning marae reserves of Ngāti Raukawa interest. In the Horowhenua District there are 11 such complexes between Waitohu and Himatangi that define the identities of key hapū and their relationships to local environments:

- Te Au, Himatangi;
- Paranui, Himatangi;
- Motuiti, Himatangi;
- Whakawehi, Shannon;
- Kereru, Kōptāraoa;
- Matau, Kōptāraoa;

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- Huia, Poroutawhao;
- Ngātokowaru; Hōkio
- Kikopiri, Muhunua;
- Tukorehe, Kuku;
- Wehiwehi, Manakau.

Despite land tenure changes over time, Ngāti Raukawa and their affiliates have held onto tracts of ancestral lands. Embedded cultural markers, whether urupā, burial grounds, cemeteries, wāhi tapu, pā sites, former papa kainga, wāhi tūpuna, coastal, peat and wet land middens; important eel weirs at dune lakes, boundary markers, important foothills and mountain ranges, freshwater springs, marker trees, kauwhanga-a-riri (battlegrounds), cultivation sites, and many other sites of historic and ongoing significance across the Horowhenua region, still persist. There are also cross-iwi interests over various areas and natural systems in Horowhenua. In particular, Council needs to note that customary interests in certain areas such as Omarupapako, Round Bush Reserve will be referred back to Crown for further consideration, and if need be, for amendment of the Ngāti Apa legislation. The Ngāti Raukawa Treaty Claims team flag with Council that the Ngāti Apa claim will be challenged before the Waitangi Tribunal. Council need note too that Ngāti Raukawa and affiliates are determining their customary interests and mana tuku iho, exercised by Iwi, hapū and whanau as Tāngata Whenua to certain areas of the marine and coastal region of Horowhenua. Whanau, hapū or Iwi groups have until March 2017 to seek customary marine title or claims to the common marine and coastal area. This can be done through specific negotiations with the Crown or through an application to the High Court.

Today too, there are a range of major environmental rehabilitation projects within this cultural and historic landscape underway, where kaitiaki interests and responsibilities to the ecological and biodiversity decline issues for freshwater rivers and streams, long tracts of coastal land to sea, dune wetlands and remnant forests, are being addressed in a collaborative, solutions-focused fashion.

Statement of Rangitāne

“Tini Whetu ki te Rangī ko nga Uri O Rangitāne ki te Whenua”

“As numerous as the stars in the sky so are the people of great Rangitāne upon the land”

Kurahaupo Waka

Rangitāne came to Aotearoa in the great migration on board the Kurahaupo Waka which was one of the principal waka that brought our ancestors from Hawaiki.

Whātonga

Rangitāne predominantly trace their origins to Kupe, discoverer of Aotearoa and Whātonga, one of the Principal Chiefs of the Kurahaupo Waka. Whātonga’s grandson, Rangitāne, became the eponymous ancestor of the Rangitāne tribe. Rangitāne was also known as Rangitānenui, Tanenui-a-rangi and Rangitānenui-a-rangi. Te Waewae Kapiti o Tara Raua ko Rangitāne (Kapiti Island) has an extremely significant place in the culture and history of

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Rangitāne. The Island was named by Whatonga's sons, Tara and Tautoki to mark the boundary between Ngai Tara and Tautoki's son and Tanenuiarangi people's, Rangitāne.

Rangitāne Settlement

Whātonga was a great explorer and travelled from Heretaunga down the Wairarapa Coast to Wellington and then across the Cook Strait to the South Island. He then came up the West Coast to the Manawatū River up to the great forests in the heart of the Manawatū, which he called Te Tapere nui o Whātonga, the great district of Whātonga.

Through Whātonga's great explorations Rangitāne eventually settled in Tāmakinui-a-rua (Dannevirke), Wairarapa, Te Whanganui-a-Tara (Wellington), Wairau in the South and on the West Coast in the Manawatū areas. Rangitāne's descendants began their full occupation in the Manawatū which endures to the present day. Rangitāne settled around the Manawatū River with settlements all along the River. Numerous settlements also existed around the mouth of the Manawatū River and coast due to the abundant supply of resources. Many of the pā and kainga were still occupied when the first Europeans travelled through the area.

Rangitāne hapū in Manawatū

The Rangitāne people have occupied the Manawatū and lower North Island for ~800 years and during this unbroken association with the land developed whanau based hapū descended from Tanenuiarangi and the Kurahaupo waka. The hapū were also responsible for certain geographical areas and natural resources. These hapū are outlined below;

- Ngāti Hineaute
- Ngāti Kapuarangi
- Ngāti Rangitepaia
- Ngāti Mairehau (Also known as Ngāti Tuahuriri)
- Ngāti Rangiaranaki
- Ngāti Tauria

Each hapū had its own sphere of influence but reciprocity also existed as relationships were based around whakapapa. By the 1800's, Rangitāne had firmly established themselves on the ground with associated control over the resources within their rohe. Rangitāne O Manawatū prior to Crown purchasing in the Manawatū were a self-sufficient and economically prosperous Iwi. Rangitāne leaders fought tirelessly for the ongoing survival of Rangitāne O Manawatū with the advent of settlers and tried to maintain a tribal base through encounters with the Crown and other Iwi who eventually migrated to the Manawatū. The establishment of the Waitangi Tribunal provided an opportunity for Rangitāne O Manawatū to formally register grievances against the Crown whilst the direct negotiations process has afforded Rangitāne O Manawatū the chance to finally settle these grievances. Upon settlement Rangitāne O Manawatū look forward to strengthening and growing their longstanding tribal base as kaitiaki for the future generations of Rangitāne O Manawatū. Rangitāne O Manawatū look forward to continuing to contribute to the economic, social, political and cultural development of the District.

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In 2008, Rangitāne O Manawatū as represented by Tanenuiarangi Manawatū Inc signed a Memorandum of Partnership with Council allowing the groups to develop a foundation to work together in the future.

Manawatū River

Rangitāne tribal domain comprised almost the entire drainage basin of the Manawatū River, including its tributaries on both sides of the Tararua and Ruahine mountain Ranges.

The name Manawatū was bestowed on the River by the Rangitāne Tohunga Hau-nui-a-Nanaia, whilst searching for his wife, Waireka. Hau travelled down the West Coast of the North Island crossing and naming many waterways. When he reached a turbulent flowing river which caused his heart to sink as he thought he may not be able to cross it and continue his search, he called the River Manawatū.

The Manawatū River itself however was created through the spirit of Okatia, who gave life to a Totara growing on the slopes of the Puketoi Range in the Hawkes Bay. The totara made his way to the Mountain Ranges of the Ruahine and Tararua, and as it forced its way through the Ranges, it created the Manawatū Gorge and the Manawatū River as it made its way out to sea. For Rangitāne O Manawatū traditions such as this, represent the significant links between the cosmological world and the modern world, which have shaped Rangitāne O Manawatū. Rangitāne hold the Manawatū River in great reverence as the Mauri of the people are carried by the River, which has sustained and nourished the land and Rangitāne for centuries.

Rangitāne O Manawatū Rohe

The Rangitāne O Manawatū Rohe extends from the Southbank of the Rangitikei River from its mouth at the Tasman Sea to Orangipongo in the Northeast. From Orangipongo in a straight line to Te Hekenga in the Ruahine Ranges. From Te Hekenga southeast to the headwaters of the Manawatū River following and including the Riverbed of the Manawatū River to its mouth on the West Coast of the North Island of New Zealand. From the mouth of the Manawatū River in a straight line east to the Eastern side of the Tararua Ranges at Aotea following the line of the Tararua Ranges to the Manawatū Gorge.

Statutory Duties and Responsibilities under the RMA

Tāngata Whenua acknowledge that the Council is entrusted by Parliament with statutory duties and responsibilities under the RMA to promote the sustainable management of the natural and physical resources of the District.

Council for its part recognises the special status of the Tāngata Whenua as separate and distinct from interest groups or affected parties. Council further recognises the need for active protection of Tāngata Whenua interests in dealing with other parties and in administering this plan.

The RMA includes the following relevant requirements:

- Shall recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga. (Section 6(e)).

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- Shall have particular regard to Kaitiakitanga. (Section 7(a)).
- Shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). (Section 8).
- During the preparation of a proposed policy statement or plan, the local authority concerned shall consult the Tāngata Whenua of the area who may be so affected, through Iwi authorities. (Clause 3 of the First Schedule).
- When preparing or changing the District Plan, to have regard to any regulations relating to ensuring sustainability of fisheries resources (including regulations or by laws relating to taiapure, mahinga mataitai, or other non-commercial Māori customary fishing to the extent that their content has a bearing on resource management issues of the district.” (Section 74(2)).
- A territorial authority, when preparing or changing a District Plan, must take into account any relevant planning document recognised by an Iwi authority and lodged with the territorial authority, to the extent that their content has a bearing on resource management issues of the district. (Section 74(2A)) Such documents may be in the form of Iwi Management Plans.
- When considering an application for resource consent the consenting authority must have regard to any other matter the consent authority considers relevant (the content of Iwi Management Plans are considered under this section). (Section 104(1)(c)).
- The RMA enables the Council to receive written or spoken evidence in Māori (Section 39(2)(b)) and to hold hearings with the public excluded in order to avoid serious offence to Tikanga Māori or to avoid the disclosure of the location of wāhi tapu. (Section 42(1)(a)).

The Treaty of Waitangi principles are continually evolving as an understanding of the Treaty relationship develops. There is however some well recognised principles that are widely acknowledged in the New Zealand planning framework. For the Horowhenua context the following five principles are recognised:

- Tino Rangatiratanga
- Active Protection
- Shared Decision Making
- Iwi/Hapū Development and Resourcing
- Partnership (Mutually Beneficial Relationship)

Each of these principles is explained in more detail later in this section of the District Plan.

Issue 1.1 ACTIVE PARTICIPATION BY TĀNGATA WHENUA

How to provide for Tāngata Whenua to more actively participate in resource management planning processes and be involved in the decision making process.

ISSUE DISCUSSION

For a variety of reasons local Iwi have felt that there have been barriers to their involvement in resource management matters during the life of the first District Plan. The limited involvement of Iwi in the resource management processes and decision making has

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contributed to the view held by Iwi that their cultural heritage and values have not been satisfactorily considered and addressed.

The challenge for both Council and Iwi is to find ways in which Iwi can actively participate in resource management matters that potentially impact on their cultural values or aspirations. The opportunities for Iwi to participate should not be limited to the roles of an affected party or submitter but should also extend to decision making roles where cultural values are a key component of the decision.

There is a general reluctance by some Iwi to provide Council with information regarding areas and sites of significance due to a concern that Council may then limit the involvement of Iwi in the planning process. It is acknowledged that in some situations Iwi will have a much better understanding of how a particular resource may need to be managed. It is therefore vital that Tāngata Whenua play an active role in the planning process.

Tāngata Whenua values and aspirations have potential to be affected by the outcome of both resource consent applications and changes to the District Plan

The challenge for Council and Iwi lies in the reducing some of the barriers that have existed in the past. These have typically included:

- Cost to Iwi of involvement in planning processes.
- Limited resources, capacity and planning expertise by Iwi.
- The tight legislative timeframes around planning processes which have made it difficult to achieve meaningful engagement.
- Lack of recognition of the status of Iwi and hapū as Treaty partners.
- Lack of visibility for Iwi and their values within the community and the planning sphere, meaning that they have been overlooked.
- Internal Iwi conflicts over mandates and responsibilities.
- Difficulties in identifying who should be involved and the appropriate process(es) for involvement.
- Lack of understanding by Council and developers over cultural values and how these may be impacted directly or indirectly by proposals.
- Difficulty in translating Māori values and customary concepts into technical planning documents.
- Absence of any Iwi Management Plans within Horowhenua.
- Limited levels of trust/respect between Council and Iwi.
- Lack of Council processes for dealing with sensitive information.

Objectives & Policies

Objective 1.1.1 Active Participation

To provide Tāngata Whenua with opportunities to actively participate in resource management processes (including decision making) on matters that have the potential to affect their cultural values and well-being.

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Policy 1.1.2

Ensure that Council actively recognise the following principles of the Treaty of Waitangi in exercising its functions and duties under the RMA:

- Tino Rangatiratanga
- Active Protection
- Shared Decision Making
- Iwi/Hapū Development and Resourcing
- Partnership (Mutually Beneficial Relationship)

Policy 1.1.3

Ensure that where relevant, the interests of Tāngata Whenua are taken into account when considering the sustainable use and development of the land, waterways, coastal areas, resources and other taonga.

Policy 1.1.4

Encourage on-going engagement between the Council and Tāngata Whenua over resource management issues of concern.

Policy 1.1.5

Recognise the authorised and mandated Iwi representatives for the purpose of resource management engagement.

Policy 1.1.6

Provide for the involvement of Tāngata Whenua in the resource management decision-making and planning process of the District through the provision of agreed resources.

Policy 1.1.7

Promote an understanding within Council and the Horowhenua community of the Treaty of Waitangi including the application of its principles to Horowhenua and the Tāngata Whenua environmental management system (Kaitiakitanga).

Explanation and Principal Reasons

The objective and policies seek to provide a basis for providing Tāngata Whenua with greater opportunities to participate in the planning process for resource management matters that potentially impact on their cultural values. This increased involvement will be largely dependent on the relationship between Council and Tāngata Whenua. The Treaty of Waitangi provides the basis for this partnership relationship.

Upholding the principles of the Treaty of Waitangi through the District Plan is considered to be critical in ensuring that Tāngata Whenua are provided with appropriate opportunities to participate in all aspects of the resource management planning processes. The principles reflect the underlying importance of the Treaty as being the guiding document in the relationship between Māori and the Crown. The Council has statutory responsibilities in its

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role as an agent of the Crown to take into account the principles of the Treaty when managing the natural and physical resources of the District.

The “principles of the Treaty” referred to in Section 8 of the RMA are not defined, in the RMA. Some important principles have emerged from decisions of the Court of Appeal, the Environment Court and from the recommendations of the Waitangi Tribunal. The principles are continually evolving as an understanding of the Treaty relationship develops.

In the Horowhenua context the following five principles are considered to be relevant to the District Plan and Council’s role in achieving the purpose of the RMA, sustainable management of natural and physical resources.

Principle of Tino Rangatiratanga

This principle recognises the rights of the Tāngata Whenua to have control over the resources they own. The preservation of a resource base restoration of Iwi self-management, and the active protection of taonga, both material and cultural are necessary elements of the Crown’s policy of recognising rangatiratanga. Rangatiratanga also includes elements of management, control and Iwi self-regulation of selected resources in accordance with their own customary preferences. These resources would be identified by Tāngata Whenua in consultation with the Council and may include the management of wāhi tapu and wāhi tūpuna sites and advice on the appropriate form of management and planning for adjacent areas.

Principle of Active Protection

The principle of active protection has been identified by the courts to ensure that Māori participation in resource management is not a passive role but an active one. This principle extends to the cultural and traditional values and beliefs of Māori.

Active protection includes, for example, recognition and protection of wāhi tapu sites as well as pro-active policies that allow for the development of marae and papakaiaanga.

Principle of Shared Decision Making

This principle originates from the requirement to balance the kawanatanga or governance role of Article I of the Treaty with the rangatiratanga role of Article II of the Treaty. This could include Council allowing Tāngata Whenua to be a full party in the decision-making process.

Principle of Iwi/hapū development and resourcing

Article III of the Treaty gave to Māori the same rights and duties as other New Zealand citizens. The Treaty guaranteed to Māori retention of their property rights under Article II, and the choice of developing those rights under Article III. To Māori, the efficient use and development of what are in many ways currently under-utilised Iwi/hapū resources is a very important principle of the Treaty in the context of the RMA. The Treaty recognises the right of Māori to develop those resources in accordance with their own needs and aspirations. Recognition of the ability and need for Iwi/hapū to develop their resources in a manner which achieves the purposes of the RMA is a fundamental principle embodied in the Treaty.

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The Principle of Partnership (Mutually Beneficial Relationship)

This principle includes the duties to act reasonably and in good faith. Both Tāngata Whenua and the Council have a duty to interact in the best possible way with reason and respect. This principle underscores the nature of the relationship between the Council and the Tāngata Whenua of Horowhenua. Reasonable co-operation and compromise through effective early and meaningful consultation by both partners is fundamental to this concept of partnership.

The policies promote, in appropriate cases, the Council's duty of active protection of Māori interests and of informed decision making where relevant. They seek to ensure that Māori rights and interests over use and development of their resources, will be taken into account in the overall context of sustainable management of those resources while ensuring that the Tāngata Whenua are engaged with, in the resource management process where Māori interests are potentially affected.

The expression "kaitiakitanga" is defined in the RMA as "*the exercise of guardianship by the Tāngata Whenua of an area in accordance with tikanga Māori in relation to natural and physical resources; and includes the ethic of stewardship*". The expression concept is not one that is readily translated into English. A helpful interpretation of the expression is provided in the "Report and Recommendation of the Board of Inquiry on the New Zealand Coastal Policy Statement" published by the Department of Conservation:

"Kaitiakitanga is the role played by kaitiaki. Traditionally, kaitiaki are the many spiritual assistants of the gods, including the spirits of deceased ancestors, who are the spiritual minders of the elements of the natural world. All the elements of the natural world, the sky father and earth mother and their offspring; the seas, sky, forests and birds, food crops, winds, rain and storms, volcanic activity, as well as people and wars are descended from a common ancestor, Io-Matua-Kore, the supreme god. These elements, which are the world's natural resources, are often referred to as taonga, that is, items which are greatly treasured and respected. In Māori cultural terms, all natural, and physical elements of the world are related to each other, and each is controlled and directed by the numerous spiritual assistants of the gods.

Māoridom is very careful to preserve the many forms of mana it holds, and in particular is very careful to ensure that the mana of kaitiaki is preserved. In this respect Māori become one and the same as kaitiaki, becoming the minders for their relations, that is, the other physical elements of the world.

In specific terms, each whanau or hapū is kaitiaki for the area over which they hold mana whenua, that is, their ancestral lands and seas.

An interpretation of kaitiakitanga based on this explanation must, of necessity, incorporate the spiritual as well as physical responsibilities of Tāngata Whenua, and relate to the mana not only of the Tāngata Whenua, but also of the gods, the land and the sea."

"Kaitiakitanga" will need to be interpreted in the context of individual resource use issues with guidance from the appropriate Tāngata Whenua who are the kaitiaki in different parts of the District.

1 OBJECTIVES/POLICIES: Matters of Importance to Tāngata Whenua

The Council appreciates and is committed to ensuring that Tāngata Whenua's views concerning the management of natural and physical resources are taken into account. These concerns must be weighed and be shown to be weighed with other matters of relevance in the course of the decision-making process and the overall context of the central purpose of the RMA of promoting sustainable management. The involvement of Tāngata Whenua is necessary to ensure that their views are raised and can be incorporated into the process.

The RMA makes varying references to "Māori", "Tāngata Whenua", and "Iwi Authorities" and "tribal Runanga". The Council recognises that, as individual resource management issues arise, it is important to have dialogue with the people who have the closest interest in the issue. ~~This may be an Iwi Authority but may also be an individual hapū.~~ The Council will, in accordance with the relevant provisions of the RMA, consult with Tāngata Whenua ~~seek the guidance of the mandated Iwi Authorities~~ to understand the most appropriate point of contact for such dialogue, which may include Iwi or hapū. In the preparation and change of district plans it will undertake consultation nga hapū and nga Iwi, including with Iwi authorities (MIO's) in accordance with Clauses 3 and 3B of the First Schedule of the RMA, and also and to take into account identify any Iwi Management Plans recognised by Iwi authorities and lodged with the Council, pursuant to section 74(2A) of the RMA.

Methods for Issue 1.1 & Objective 1.1.1

District Plan

- Rules which provide for the occupation and development of marae and papakainga.
- Rules which provide for the occupation, use and development of Māori land.
- Identify areas and sites of cultural significance where Iwi have requested their inclusion in the District Plan on the Planning Maps.
- Commence within 12 months of the date of the plan notification a comprehensive district wide cultural landscape survey for the purpose of identifying areas or sites of cultural significance for inclusion in the District Plan. The survey should be undertaken in consultation with Tāngata Whenua ~~Iwi authorities~~ and potentially affected landowners. It will be necessary for the Council to discuss with Tāngata Whenua ~~each Iwi authority~~ how sites of cultural significance are to be identified on the Planning Maps, and evaluate the appropriate methods to protect the identified sites and their associated values.
- Where a resource consent application involves activities or development that the Council considers may adversely affect sites or areas of cultural significance Council will encourage applicants to engage with Tāngata Whenua ~~the relevant Iwi authority~~ early in the process, including making available to the Iwi authority a copy of the application and any other relevant information.
- The Council will, when processing applications for resource consent, consider the need to request that applicants provide further information, under Section 92 of the RMA, or to commission a report, under Section 42A of the RMA, where it is considered that adverse effects on cultural values may arise.
- Council will consider using independent accredited Māori Commissioners to sit on the Council Hearing Committee for notified consent applications or plan change hearings.

1 OBJECTIVES/POLICIES: Matters of Importance to Tāngata Whenua

- Statutory acknowledgements that arise from Treaty settlements will be attached to the District Plan.

Monitoring

- Council in developing its District Plan Monitoring Strategy will liaise with Iwi authorities to ensure that the effectiveness and efficiency of the District Plan provisions in relation to Tāngata Whenua issues are monitored and reported.

Other Council Initiatives

- Council will encourage the preparation and lodgement of Iwi Management Plans by Iwi authorities. Where the Plans have been lodged with Council, Council will be guided by their contents to the extent that they are relevant to the resource management issues of the District. The Council contribution to Iwi Management Plans may include making available information, expertise and resources to assist with the preparation process
- Individual relationship agreements such as Memoranda of Partnerships are seen as an important tool to facilitate on-going dialogue and engagement between Tāngata Whenua and Council. The relationship agreements will consider opportunities for Council to foster developing capacity and capability within Tāngata Whenua for dealing with resource management matters. Council will work with Tāngata Whenua ~~through Iwi authorities~~ to encourage, develop and enter into such agreements where these do not already exist. The Council will work to ensure that the existing Memorandum of Partnership between Council and Iwi are recognised, implemented and used to provide the foundation for ongoing engagement and dialogue.
- Council will facilitate the establishment of a forum for the discussion of resource management issues of mutual concern to Tāngata Whenua and Council. This forum will be developed through relationship agreements between Council and Tāngata Whenua ~~Iwi authorities~~.
- Council will consider opportunities identified by Tāngata Whenua where it may be appropriate to transfer one or more of its functions, powers or duties under the RMA to Iwi authorities, where this is necessary to give full effect to kaitiakitanga.
- Council will work with Iwi authorities to develop and agree operational procedures for processing proposed plans, plan changes, and resource consent applications for proposals that may adversely affect identified areas and sites of cultural significance. These procedures describe how the Council and Tāngata Whenua ~~Iwi authorities~~ can effectively interact, and would recognise that knowledge of these areas and sites is held by Iwi, sharing of information can assist in better decision-making, and that some information is culturally sensitive. In addition, the agreements would acknowledge the varying capacity levels of Iwi.
- Council will work together with Tāngata Whenua ~~Iwi authorities~~ to develop an Iwi Consultation Guide to assist consent applicants understand the, who, how, why and when to consult with Tāngata Whenua.
- Council will support representatives from local Iwi becoming accredited Commissioners.

1 OBJECTIVES/POLICIES: Matters of Importance to Tāngata Whenua

Issue 1.2 RELATIONSHIP OF TĀNGATA WHENUA WITH ANCESTRAL LANDS

The lack of recognition and provision of the relationship of Tāngata Whenua and their culture and traditions (including mauri) with their ancestral lands. This includes coastal areas, waterways, heritage landscapes, cultural sites of significance, wāhi tapu, wāhi tūpuna and other taonga.

ISSUE DISCUSSION

Māori and Pākehā (or non-Māori) do not necessarily always share the same outlook and values in resource management matters, even though many of the sustainable management concepts are common to both. The cultural and spiritual relationship of Māori with their ancestral lands is recognised as a matter of national importance in achieving sustainable management.

Māori acknowledge the environment and objects within the environment, as having not only a physical presence but also as having spiritual and metaphysical values. Every living thing is recognised as having a mana, wairua and mauri of its own. The spiritual values are considered as important as the physical, with Māori believing that the physical and spiritual aspects of a person or thing are joined by mauri to make a complete whole.

Through the creation process, divine forces visited the domains of the atua (gods/deities), giving them a life force principle or mauri. This life essence, which is found in both animate and inanimate resources, is important to Māori for two reasons: firstly it holds a binding force that is able to inter-relate one resource to every other element in the natural order (including people), and secondly it binds the resource to the spirituality of the gods. Despite the diversity of all forms of life and the natural world, it is unified through mauri.

Tikanga/practices were observed to maintain the mauri of parts of the natural world. These tikanga evolved into the ethic of kaitiakitanga. Complex sets of tikanga were developed in relation to resources. These are largely based on spiritual notions such as tapu (sacredness) and rahui (temporary restriction), both of which imply some form of prohibition.

They were grouped by their sphere of significance.

- *taha wairua* - spiritual significance
- *taha hinengaro* - intellectual significance
- *taha tinana* - physical and economic significance
- *taha whanaunga* - social and cultural significance

The major objective of the Māori resource management system is to sustain the mauri of resources.

The relationship of Tāngata Whenua and their culture and traditions with their ancestral lands, coastal areas, waterways, heritage landscapes, cultural sites of significance, wāhi tapu, and other taonga encompasses such matters as:

- The spiritual importance of ancestral lands, waterways, forests, and other resources;
- The cultural and traditional values and uses of indigenous plants (e.g. pingao and harakeke or other local species);

1 OBJECTIVES/POLICIES: Matters of Importance to Tāngata Whenua

- The importance of harvesting certain foods or resources and the cultural, spiritual, as well as food values of these;
- The particular importance of individual sites or areas such as wāhi tapu;
- The importance of respecting and maintaining the spiritual (Mauri) qualities of resources such as water and the offence caused by pollution of waterways;
- The importance of occupying and developing ancestral lands and marae;
- The particular importance of the coast and of the resources, lakes, rivers, wetlands, and other habitat found there;
- The importance of being able to gain access to traditional sites and along ancestral pathways;

Where the mauri or the relationship of Tāngata Whenua and their culture and traditions with their ancestral lands is not recognised, protected or provided for, the Māori resource management system is compromised.

Objectives & Policies

Objective 1.2.1 Relationship of Tāngata Whenua

To recognise and provide for the relationship of the Tāngata Whenua of Horowhenua, and their culture and traditions (including mauri), with their ancestral lands, coastal areas, waterways, heritage landscapes and cultural sites, wāhi tapu, wāhi tūpuna and other taonga.

Policy 1.2.2

The Council shall recognise and provide for the relationship of Tāngata Whenua and their culture and traditions (including mauri) with their ancestral lands, coastal areas, waterways, heritage landscapes and cultural sites of significance, wāhi tapu, wāhi tūpuna and other taonga in a manner that is consistent with the principles of active protection and sustainable management.

Policy 1.2.3

Recognise the spiritual and cultural values held by Māori and their traditional practices in the management of natural and physical resources.

Policy 1.2.4

Recognise and protect the cultural and spiritual values and characteristics of the coastal environment and waterways of special value to Tāngata Whenua.

Policy 1.2.5

Recognise the desire of Tāngata Whenua to maintain and enhance their traditional relationship with the natural environment.

1 OBJECTIVES/POLICIES: Matters of Importance to Tāngata Whenua

Explanation and Principal Reasons

The objective and policies seek to make provision for the matters that are important to the relationship between Māori and their environment. Recognition is given to the interrelatedness of the physical and metaphysical inherent in the Māori worldview.

Although it is recognised that the relationship of Tāngata Whenua with their ancestral lands is typically a historic relationship that is not necessarily evident today, there is a desire by Tāngata Whenua to maintain and enhance this traditional relationship.

Council will be largely dependent on Tāngata Whenua, ~~through Iwi authorities~~, identifying opportunities for how their traditional relationship can be maintained or enhanced.

Given the strong relationship that Tāngata Whenua have with the environment and particular resources, it will be important for Tāngata Whenua to be consulted or involved where activities or development have the potential to impact on these resources.

It is acknowledged that Tāngata Whenua place special value on the waterways, water bodies, and coastal areas of the District. These resources are recognised as being very important to Tāngata Whenua by virtue of being a source of food, a means of transport, part of their identity and an important link to their spiritual and physical well-being. In addition, water is recognised as the basis of life and in its purest form it gives and sustains life. For Māori the importance of water is both physical and spiritual and the two are very much entwined. Māori view rivers as veins and water as the blood of Papatūānuku (the earth mother). The river carries impurities away and this keeps the land healthy. This is important for food (kai) collection and production. Pollution of waterways and water bodies may be perceived as synonymous with food contamination and poor health.

Recognising and providing for the traditional relationship of Tāngata Whenua will help ensure that this holistic view of the environment and the resource management practices of Tāngata Whenua are used to help achieve sustainable management of the District's natural and physical resources.

Methods for Issue 1.2 & Objective 1.2.1

District Plan

- Rules provide for the occupation and development by Tāngata Whenua of marae and papakainga.
- The District Plan will include policies, standards and processes which recognise and actively protect the cultural and spiritual character of the coastal environment, waterways, outstanding natural features and landscapes, areas of significant indigenous flora and significant habitats of indigenous fauna of the District.
- Identify areas and individual sites of cultural significance on Planning Maps. The location of sites of cultural significance will be identified either specifically or generally on the Planning Maps (as requested by Iwi). Information regarding these sites would be provided to Council. Council will provide the opportunity for information regarding wāhi tapu sites to be held on silent files.
- Commence within 12 months of the date of the plan notification a comprehensive district wide cultural landscape survey for the purpose of identifying areas or sites of cultural significance for inclusion in the District Plan. The survey should be

1 OBJECTIVES/POLICIES: Matters of Importance to Tāngata Whenua

undertaken in consultation with Iwi authorities and potentially affected landowners. It will be necessary for the Council to discuss with each Iwi authority how their respective sites of cultural significance are to be identified on the Planning Maps.

- The Council will, when processing applications for resource consent, consider the need to request that applicants provide further information, under Section 92 of the RMA, or to commission a report, under Section 42A of the RMA, where it is considered that adverse effects on cultural values may arise.

(The Council has a commitment to giving, in good faith, consideration to the values of importance to Tāngata Whenua. The Council will, from time to time, need assistance in recognising and understanding these values and will seek guidance, in these cases from Tāngata Whenua).

Other Initiatives

- The Council will continue to welcome engagement with Tāngata Whenua, ~~through Iwi authorities~~, about other methods that will enhance the relationship of Tāngata Whenua with their environment.
- Council acknowledges the Kaitiaki role of Tāngata Whenua over certain special areas and sites and will work co-operatively with Tāngata Whenua ~~Iwi authorities~~ to achieve the appropriate level of protection.
- Council will work with Iwi authorities to develop and agree operational procedures for processing proposed plans, plan changes, and resource consent applications for proposals that may adversely affect identified areas and sites of cultural significance. These procedures describe how the Council and Tāngata Whenua ~~Iwi authorities~~ can effectively interact, and would recognise that knowledge of these areas and sites is held by Iwi, sharing of information can assist in better decision-making, and that some information is culturally sensitive. In addition, the agreements would acknowledge the varying capacity levels of Iwi.

Issue 1.3 PROTECTION OF SITES OF CULTURAL SIGNIFICANCE

The detriment and degradation that can be caused to sites of cultural significance, wāhi tapu, wāhi tūpuna and other taonga through damage, destruction or modification resulting from inappropriate subdivision, use and development of land resources.

ISSUE DISCUSSION

While Issue 1.2 is concerned with recognising the inherent importance of certain Tāngata Whenua values and relationships, Issue 1.3 is concerned with protecting those actual sites and features and their cultural values from the potentially adverse effects of inappropriate subdivision, use and land development. These forms of development can typically include:

- activities which, even inadvertently, damage or desecrate significant sites or burial sites, or
- practices which offend the spiritual values of resources.

1 OBJECTIVES/POLICIES: Matters of Importance to Tāngata Whenua

The Council intends to work with Tāngata Whenua, ~~through Iwi authorities,~~ to better understand the types of effects that compromise the values these areas or sites of cultural significance, wāhi tapu, wāhi tūpuna and other taonga. In achieving a better understanding of both the general location and values of these sites and areas, Council and the community will be in a better position to prevent any compromise to these values.

Degradation of cultural sites can also occur where an activity or development has “downstream” effects that impact beyond the site of the activity. It is therefore important that these “downstream” effects are identified and considered even though a site of cultural significance may not be directly involved.

Fundamental to this issue is knowledge of the location of the areas or sites that are of cultural significance. Where sites have not been formally identified in the District Plan it may lead to Iwi and Council needing to be reactionary in responding once a development has already been proposed. In some circumstances cultural values may only be discovered once the development has commenced.

Objectives & Policies

Objective 1.3.1 Sites of Cultural Significance

To protect areas and sites of cultural significance, wāhi tapu, wāhi tūpuna and other taonga from the adverse effects of inappropriate subdivision, use, and development of resources.

Policy 1.3.2

Identify areas and sites of cultural significance that contribute to an understanding and appreciation of the culture and history of Horowhenua District, the region and/or New Zealand.

Policy 1.3.3

Avoid or appropriately mitigate any adverse effects of activities that could destroy or damage the cultural values associated with an area or site of cultural significance identified in the District Plan.

Policy 1.3.4

Discourage subdivision that could destroy or degrade the cultural values associated with an area or site of cultural significance identified in the District Plan.

Policy 1.3.5

Recognise and take into account any adverse effects which would degrade the cultural values of areas and sites of cultural significance, wāhi tapu, wāhi tūpuna and other taonga when assessing proposals for the subdivision, use and development of resources.

1 OBJECTIVES/POLICIES: Matters of Importance to Tāngata Whenua

Explanation and Principal Reasons

The objective and policies seek to protect the values of areas and sites of cultural significance to Māori. Protection of areas or sites of cultural significance requires both identification and an understanding of the sites.

As the information regarding these sites is held by Iwi there needs to be appropriate processes in place to ensure that this information is made available in a timely fashion where a development has potential to adversely impact on these sites. If Council is not aware of the sites or values of these sites then it becomes very difficult for the impact that any development may have to be included in the assessment process.

Historically where sites have not been identified formally in the District Plan the process for managing the effects on the site has generally not been well handled. Council has not been able to take a pro-active approach and encourage applicants early in the process to consult with Tāngata Whenua who may be affected or to ensure appropriate mitigation measures are incorporated into the development design. Identification of areas or sites of cultural significance on the Planning Maps is seen as an important step in moving towards a pro-active approach. It is however recognised that some sites and information will be sensitive and Iwi may choose to limit the amount of information it makes publicly available.

Where sites are not formally included in the District Plan it is recognised that the role that Tāngata Whenua can expect to play within the planning process is more limited and is likely to be as submitter when a consent application is notified.

Methods for Issue 1.3 & Objective 1.3.1

District Plan

- Identify areas and individual sites of cultural significance on Planning Maps. The location of sites of cultural significance will be identified specifically on the Planning Maps or generally, with the Council holding silent files of wāhi tapu, as requested by Tāngata Whenua ~~Iwi authorities~~.
- Where a resource consent application involves activities or development that the Council considers may adversely affect sites or areas of cultural significance Council will encourage applicants to engage with Tāngata Whenua ~~the relevant Iwi authority~~ early in the process, including making available to the Iwi authority a copy of the application and any other relevant information.
- Where the Council considers that a resource consent application may adversely affect sites or areas of cultural significance the Council will make available, on request or by prior arrangement, a copy of the application to Tāngata Whenua as relevant and appropriate ~~the relevant Iwi authority~~, in the event that the applicant does not do so. Despite this the merits of individual resource consent applications will be considered in terms of the effects of the proposal on the area or sites of cultural significance. Conditions of consent may be imposed where mitigation measures are necessary.
- Council will consider using independent accredited Māori Commissioners to sit on the Council Hearing Committee for notified consent applications or plan change hearings.

1 OBJECTIVES/POLICIES: Matters of Importance to Tāngata Whenua

- Council will work together with Tāngata Whenua ~~Iwi authorities~~ to develop an ~~Iwi~~ Consultation Guide for consent applicants to assist in understanding the, who, how, why and when to consult with Iwi and hapū.

(The methods propose that the Council will, with guidance from Tāngata Whenua, through Iwi authorities, respond to the effects of individual activities on sites and values as they occur. The Council will be constrained in its ability to respond and protect such sites and values by the extent of its knowledge about these values and sites. Some archaeological information is publicly available in the New Zealand Historic Places Trust (Pouhere Taonga) register and other sources.

The Council will engage with Tāngata Whenua to determine whether or not such information can or should be included in the Plan. It is therefore important to ensure that a workable system for accessing information is established. Continuing dialogue between Council and Tāngata Whenua is considered necessary to expand overall understanding of the issues and values).

Other Initiatives

- The Council will engage with Tāngata Whenua, ~~through Iwi authorities~~, and the owners of land where sites of cultural significance are present – with a view to recognising and providing for the relationship of Māori to those sites and for the cultural values of those sites to Tāngata Whenua.

(Discussion may not, alone, be sufficient to secure effective recognition but is a necessary first step to appreciating the importance of values and sites and providing for the relationship).

- Council will together with Tāngata Whenua ~~Iwi authorities~~ develop accidental discovery protocols within six months of the date of the plan notification.
- Council will work together with Tāngata Whenua ~~Iwi authorities~~ to develop and agree operational procedures for processing proposed plans, plan changes, and resource consent applications for proposals that may adversely affect identified areas and sites of cultural significance. These procedures describe how the Council and Iwi authorities can effectively interact, and would recognise that knowledge of these areas and sites is held by Iwi, sharing of information can assist in better decision-making, and that some information is culturally sensitive. In addition, the agreements would acknowledge the varying capacity levels of Iwi.
- Council will work with Rangitāne's Iwi authority to develop a Sites of Cultural Significance Management Plan (based on the Tanenuiarangi Manawatu Inc. GIS cultural sites database) that can be used to inform the identification of Rangitāne's sites of cultural significance and inform the assessment of effects on such sites. This work shall commence within 12 months of the date of the plan notification.
- As part of the Long Term Plan and Annual Plan process, the Council may consider specific requests for incentives or assistance for the protection of individual sites which have significant cultural, spiritual, heritage or archaeological significance.
- Council will support representatives from local Iwi becoming accredited Commissioners.

(Assistance with voluntary protection measures can be a cost-effective means of recognising and protecting areas or sites with community-wide benefits).

1 OBJECTIVES/POLICIES: Matters of Importance to Tāngata Whenua

- The Council will work with the Horizons Regional Council and the New Zealand Historic Places Trust (Pourere Taonga) who also have functions and powers in recognising and protecting significant cultural values and sites.

(The ability of Council to assess impacts and provide protection will be constrained by the extent of its knowledge about these values and sites. It is therefore important to ensure that a workable system for access information is established. Continued dialogue between the Council and Tāngata Whenua, through Iwi authorities is considered to be necessary to better understand the issues and values. The importance of respecting the confidentiality of certain information is also understood).

Issue 1.4 DEVELOPMENT BY IWI AND HAPŪ

Providing for development by Iwi and hapū that enhances their social, cultural and economic well-being while sustainably managing the environment.

ISSUE DISCUSSION

As Treaty settlements are finalised for Iwi within Horowhenua, there will be greater opportunities for Iwi and hapū to develop and provide for their social, cultural and economic well-being. Such development still needs to be balanced with the overall purpose of achieving sustainable management.

Marae and papakainga are two forms of development that do not match the typical development generally occurring across the District, yet they can play a critical role in Māori well-being. The challenge is to manage these forms of development while avoiding, remedying or mitigating adverse effects on the environment.

Objectives & Policies

Objective 1.4.1 Iwi and hapū development

To recognise and provide for development by Iwi and hapū that enhances their social, cultural and economic well-being in a way that achieves sustainable management of the environment.

Policy 1.4.2

Recognise that marae and papakainga are the focus of, and an essential part of the development of Māori culture, traditions, society and economy

Policy 1.4.3

The Council shall provide for the development of marae, papakainga and Māori land where adverse effects on the environment are avoided, remedied or mitigated.

1 OBJECTIVES/POLICIES: Matters of Importance to Tāngata Whenua

Explanation and Principal Reasons

The objective and policies recognise that the way in which the District Plan permits natural and physical resources to be used can directly impact on the social, cultural and economic well-being of Tāngata Whenua.

The effects arising from the development of marae and papakainga have potential to adversely impact on the surrounding properties. Historically in Horowhenua these forms of development have been located in the rural environment and often on Māori Land. The District Plan will make provision for this to continue to occur with development controls to manage the impact on the surrounding properties.

It is acknowledged that under the Te Ture Whenua (Māori Land) Act, Māori Land is able to be owned, occupied and partitioned in ways very different to General Land. No distinction has been made in the District Plan zoning between Māori Land and General Land. The land would be subject to the same District Plan controls (based on the applicable zone) regardless of the land classification. The exception to this would be that the District Plan subdivision controls would not apply to Māori land being subdivided under Te Ture Whenua Act.

The policies above do not limit the introduction of a new zone for Māori Land or specifically for marae related development. As Iwi aspirations become clear and particularly as Treaty settlements are finalised it may be appropriate to further investigate whether the current zoning arrangement is adequately providing for Iwi and hapū development. It is also noted that Treaty settlement land is unlikely to be returned to Iwi with a Māori Land classification. This may become a consideration in determining the scope of any new zone intended to provide for Iwi and hapū development.

Methods for Issue 1.4 & Objective 1.4.1

District Plan

- Rules provide for the occupation and development of marae and papakainga
- Rules provide for the occupation, use and development of Māori land.
- Council will work with Tāngata Whenua Iwi authorities to investigate the appropriateness of identifying and including a Māori Land or Marae Development Zone in the District Plan, to facilitate the development of Iwi and hapū and to potentially provide for the development of Treaty Settlement land.

Other Council Initiatives

- Council will encourage the preparation and lodgement of Iwi Management Plans by Iwi authorities. Where the Plans have been lodged with Council, Council will be guided by their contents to the extent that they are relevant to the resource management issues of the District. The Council contribution to Iwi Management Plans may include making available information, expertise and resources to assist with the preparation process.
- Council will facilitate the establishment of a forum for the discussion of resource management issues of mutual concern to Tāngata Whenua and Council. This forum will be developed through relationship agreements between Council and Tāngata Whenua Iwi authorities.

1 OBJECTIVES/POLICIES: Matters of Importance to Tāngata Whenua

ANTICIPATED ENVIRONMENTAL RESULTS

The environmental results for matters of importance to Tāngata Whenua which are anticipated to result from the combined implementation of the above policies and methods are as follows:

- 1(a) Council meets its obligations in terms of Sections 6, 7 and 8 of the RMA in relation to Tāngata Whenua. In particular Council will recognise the special role of the Tāngata Whenua who have the kaitiakitanga relationship and mana whenua to the physical and natural resources within the Horowhenua District.
- 1(b) Identify areas and individual sites of cultural significance on Planning Maps. The location of sites of cultural significance will be identified specifically on the Planning Maps or generally, with the Council holding silent files of wāhi tapu, as requested by Tāngata Whenua iwi authorities.
- 1(c) Involvement and active participation of Tāngata Whenua in resource management processes.
- 1(d) The interests of Tāngata Whenua are taken into account in resource management decisions and the adverse effects of subdivision, use and development on areas or sites of cultural significance are avoided, remedied or mitigated.
- 1(e) Tāngata Whenua are involved in environmental monitoring of matters of resource management significance to them.
- 1(f) Tāngata Whenua values are incorporated, where appropriate, into sustainable management.
- 1(g) Greater public awareness of Tāngata Whenua and their customary rights and relationships with taonga, including but not limited to lands, coastlines, waterways, foothills and mountain ranges.
- 1(h) Māori land, marae and papakainga are developed within the District in a way that sustainably manages the environment.