

3 ISSUES, OBJECTIVES AND POLICIES THAT APPLY TO THE WHOLE DISTRICT

3.1 TANGATA WHENUA VALUES

3.1.1 INTRODUCTION

Statement of Tangata Whenua Identity with Central Hawke's Bay District

Ko Ranginui te Ure Tarewa
Ko Papatuanuku te Whare Tangata
Ka puta mai te Ira Tangata
Nga Kaitiaki mo te mauri o nga rawa whenua
Nga tihi maunga - Oneone tapu
Parae - Mania - Onepu - Akau
Moana waipu Paerangi
Oranga Tinana Oranga Wairua
Tihei Mauri Ora!

Treaty of Waitangi

The Treaty of Waitangi guarantees Maori retain Tino Rangatiratanga. Tino Rangatiratanga is the mana which has been handed down through the Creator to Ranginui (Sky Father) and Papatuanuku (Mother Earth) to the ancestors. The ancestors have passed this mana on to the living descendants through the protection of genealogy and land so that in turn there is also a guarantee of the same protection for the children and grandchildren. Hence, the relationship with Papatuanuku, Mother Earth, and the land is one of Kaitiakitanga, i.e. a protector/caretaker role.

In relation to the District Plan, the principles of partnership, protection and participation are very significant. An integral aspect of partnership is the Council's obligation to consult with local hapu to achieve an ongoing working relationship between local government and the Tangata Whenua.

The Council must also take into account the Treaty principle of active protection of local hapu in the use of their traditional resources. The Council therefore recognises the hapu's mana to be Kaitiaki over its whenua in Tamatea.

The principle of participation will be reflected by Tangata Whenua involvement in decision making and policy making regarding the natural resource and other taonga important to them.

Ongoing information sharing between the Tangata Whenua and Council representatives will ensure the principles of the Treaty of Waitangi are clarified and given the recognition they require under the Resource Management Act.

Resource Management Act 1991

The Resource Management Act contains specific obligations in relation to the Treaty of Waitangi and Maori interests. The Act identifies, as a matter of national importance, the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, mahinga kai and other taonga. Because the Council recognises the local hapu's Kaitiakitanga over its whenua in Tamatea, Council is giving effect to the principle of partnership and this is in accordance with the Resource Management Act. The Act also states that the principles of the Treaty of Waitangi must be taken into account when managing the use, development and protection of natural and physical resources. Consultation by the Council with Tangata Whenua in the preparation of the District Plan is also required by the Act.

Areas of Concern to Tangata Whenua

Areas of concern to Tangata Whenua have been identified in consultation with Tangata Whenua as:

- effective protection and maintenance of those natural and physical resources of importance, such as coastal and inland waterways, areas of indigenous vegetation.
- protection of traditional food gathering sites (mahinga kai) from any use or development which may threaten the sustainability and natural characteristics of these areas.
- effective protection and, where necessary, restoration of continued public access to mahinga kai.
- effective protection of culturally significant sites and areas, such as burial sites, occupancy sites.
- recognition of the right of Tangata Whenua to be involved in all aspects of natural and resource management in the District, including ongoing involvement beyond the District Plan preparation process.
- recognition of traditional Tangata Whenua place names within the District.

Many of the issues identified in relation to Tangata Whenua overlap with general concerns regarding the quality of the environment, especially in relation to water quality and public access to waterways. These concerns show that there is much common ground shared between Maori and many non-Maori in the District. Where issues overlap and do not relate solely to Tangata Whenua interests they will be dealt with in the appropriate sections of the District Plan.

3.1.2 Objectives

- 1. Recognition of a partnership between the Council and the Tangata Whenua in the management of the District's natural and physical resources.**
- 2. Recognition of the importance of the relationship of the Tangata Whenua, their culture and traditions, with their ancestral lands, waters and sites, in the management of these resources within the District.**

3.1.3 Policies

- 1. To develop a system of on-going consultation with the Tangata Whenua regarding all resource management responsibilities of the Council which are of interest to the Tangata Whenua.*
- 2. To enable Tangata Whenua involvement in decision-making regarding resource management issues within the District through appropriate representation on the Council.*
- 3. To promote, through education and information, public awareness of Tangata Whenua interests and concerns within the District.*
- 4. To identify those areas where there was traditional and customary Maori use of lands and waterways within the District and implement procedures for Tangata Whenua involvement regarding any proposal to disturb ground in and around the identified areas.*
- 5. To implement procedures in conjunction with the Tangata Whenua when any burial sites or Maori artifacts are unearthed or disturbed; where there is not an agreed procedure between Tangata Whenua and the resource user.*
- 6. To maintain and enhance public access to the District's public forests and significant waterways, wetlands and coastal areas, having regard to their traditional importance as mahinga kai.*

7. *To discourage inappropriate development in areas identified as having rare, endangered, or vulnerable species of plants or animals of national significance, or indigenous plant or animal communities that are of significance to the nation*
8. *To control earthworks so as to avoid, remedy or mitigate any adverse effects on the waahi tapu and other taonga.*
9. *To encourage land uses being carried out in a manner that avoids, remedies or mitigates adverse effects on the quality of water within the District.*
10. *To give recognition to traditional Tangata Whenua place names within the District.*

3.1.4 Explanation and Reasons

The Resource Management Act contains specific obligations in relation to the Treaty of Waitangi and Maori interests, which require the Council to recognise the Treaty of Waitangi partnership between the Council and the Tangata Whenua and to recognise the relationship of the Tangata Whenua with the District's natural resources. An explanation of these relationships in the District Plan will aid general understanding with the District, which can be further enhanced through ongoing information and education.

Consultation procedures can be developed between the Council and the appropriate runanga to ensure that hapu values are recognised and provided for appropriately as policies are being developed relating to natural and physical resources. Through the use of continuing dialogue between hapu and the Council, a system of consultation will be achieved that meets the needs of both partners.

Through information in the District Plan and consultation procedures, the protection of waahi tapu can be achieved. The approximate site of known waahi tapu can be registered in the District Plan and provide an early warning system to the Council and landowners. Council or landowners should be aware of the appropriate procedures to follow in the event of for example the unearthing or discovery of burial sites.

Mahinga kai was an essential element of survival for the early Maori, who survived on resources that were entirely indigenous. Modification and restricted access to this resource over time has occurred. The current health of this resource can be measured by the range of stocks of native biota that exist.

The recognition and retention of traditional Tangata Whenua place names is an ongoing recognition of the District's heritage and the relationship of Tangata Whenua with the resources, lands and places of the District. Inappropriate use of Maori place names can be offensive to the values and importance of places recorded through Tangata Whenua names.

The use and management of the land resource has a direct influence on the quantity and quality of the waterbodies in the District. The management of the riparian margins and catchments will require the maintenance and enhancement of undisturbed vegetation to act as purifiers of the water resource. The avoidance of direct discharges of effluent into waterbodies is central to the culture of the Tangata Whenua and the concept of manaaki whenua, manaaki tangata - "care for the land ensure the well being of the person".

Earthworks will be controlled in order to facilitate the protection of waahi tapu and other taonga in the District. These controls apply to the sites of 'Cultural Significance to Tangata Whenua' listed in Appendix C to the District Plan. The Council will initiate a programme that ensures all the sites in Appendix C are accurately identified.

The Council recognises that the long-term protection of sites or areas of 'Cultural Significance to Tangata Whenua' will involve a range of methods acceptable to the Tangata Whenua, landowners, and the wider community. The Council will investigate with the Tangata Whenua and interested parties, the best long-term methods to protect the sites listed in Appendix C. These methods, for example, may involve assistance to landowners to protect sites. In addition, the Council recognises that other sites, or areas, of special significance to the Tangata Whenua may yet need to be identified in the District Plan.