TW – Tangata Whenua

Ngā Tangata Whenua o Tamatea

Tēnei au te tū nei i te tihi o te Atua o Mahuru i Ruahine
Here I stand at the peak, Te Atua Mahuru, in the Ruahine ranges

ka titiro whakararo ki ngā waiora o Tukituki,
looking down at the life-giving waters of Tukituki,

e koropiko ana, e haehae ana i te māni a Ruataniwha, e horo rā.
twisting, turning, cutting across the Ruataniwha plains spread out before me.

Ka haere taku tiro ki ngā whare pā o Tamatea,
My focus moves to the settlements of Tamatea,

Tamatea Ariki nui, Tamatea Pōkaiwhenua, Pōkaimoana,
Tamatea the supreme chief, Tamatea who traversed the lands and the oceans,

Ko Pukehou, ko Whatuiapiti, ko Tapairu ko Mataweka ki te raki.
Pukehou, Whatuiapiti, Tapairu and Mataweka are the marae to the North.

Ka titiro atū ke te takutaimoana, mai Kairakau, ki Whangaehu,
I look along the coastline from Kairakau ki Whangaehu,

ko Hikatoa, ko Kere, Ko Manuhiri, ko Pīhere e noho tonu ra.
where Ngāti Hikatoa, Kere, Manuhiri and Pihere (hapū of the coastal areas) still reside.

Ka hoki taku tiro ki Waipukurau a Ruakuha,
I look back towards Waipukurau,

ki ngā pā tūwatawata, ki Pukekaihau, ki Kaimananawa, e tū mokemoke ai.
to the fighting pa, Pukekaihau and Kaimanawa, standing solitary and without people.

Ka whakatitonga taku tiro ki Rakautātahi,
My gaze turns south to Rakautātahi,

kei reira Te Poho o Whatuiapiti e tū whakahīhī mai.
where Te Poho o Whatuiapiti (the marae) stands proudly.

A, ka tae ki te Takapau, ki te Rangitapu-a-Whata,
Finally, I arrive at Takapau to te Rangitapu-a-Whata,
(The hill overlooking Takapau on which the pā Horehore stood)

Ko Puera kei runga, ko Whatumā kai raro.
Puera stands above and Whatumā lies below.
(Lake Hatuma and Puera [the hill to the south of te Rangitapu-a-Whata],
are both important mahinga kai, food gathering sites)

Tihei Tamatea!

Written by Dr Roger Maaka

Ngā Take: Issues

The following provides a summary list of resource management issues currently facing Ngā Tangata Whenua o Tamatea. This is by no means an exhaustive list, but gives an indication of the primary issues to be taken into account and addressed, where appropriate and practicable:

TW-I1 **The modification and degradation of lakes, rivers, springs and wetlands and traditional food gathering places (mahinga kai) that are central to the well-being of the hapū of Heretaunga Tamatea.**

TW-I2 **The modification and degradation of the environment due to the introduction of weeds and pests, farm run-off, industrial pollution, and drainage works have severely damaged traditional food sources and mahinga kai.**

TW-I3 **The loss and alienation of ancestral lands has limited the ability of tangata whenua to access traditional sites and food gathering areas, and to meet their social and economic aspirations.**

Providing for and enabling reasonable ongoing access to remaining sites of cultural significance and mahinga kai is important to tangata whenua – consideration of access to these sites needs to be included in any decisions affecting paper roads, stock routes, culverts and other developments.

With the loss and alienation from ancestral lands, the provision/enabling of papakāinga housing, kaumātua flats, marae-based development is important to enable tangata whenua to use their land in a way that is consistent with their culture and traditions and their social and economic aspirations.

TW-I4 **Sites of cultural significance have been modified and lost due to disturbance – for example through earthworks, vegetation clearance and land disturbance activities e.g. harvesting etc.**

TW-I5 **Some activities in the vicinity of sacred/sensitive places of significance to tangata whenua, e.g. burial sites/urupā can cause significant offence.**

Consideration of the segregation of food production activities, effluent and solid waste storage or disposal activities or outfalls, storage and use of hazardous substances, and earthworks activities from these sacred places is required.

TW-I6 **Lack of and misuse of traditional place names has further alienated tangata whenua from their ancestral lands, water and sites of significance.**

Objectives

TW-O1 **The role of tangata whenua as kaitiaki in the protection and management of the natural and physical resources of an area is acknowledged and provided for.**

TW-O2 **Enable the active participation of tangata whenua in all aspects of the implementation of the Central Hawke's Bay District Plan.**

TW-O3 **Wāhi taonga and sites of significance to tangata whenua are managed and protected.**

TW-O4 **Tangata whenua are able to protect, develop and use Whenua Māori in a way that is consistent with their culture and traditions and their social and economic aspirations.**

Policies

TW-P1 **To provide for timely, effective and meaningful engagement with tangata whenua in resource management decision-making and implementation where tangata whenua are interested and/or affected.**

TW-P2 **To recognise that only tangata whenua can identify their relationship with their culture, traditions, ancestral lands, waterbodies, wāhi tapu and other taonga.**

TW-P3 **To acknowledge and recognise iwi/hapū management plans as a mutually appropriate means of achieving sustainable environmental outcomes.**

TW-P4 **To encourage and support the recognition and use of traditional place names and the use of interpretive material.**

TW-P5 **To recognise and provide for development of, and a range of activities on, Māori Land to meet the needs and aspirations of tangata whenua, while ensuring that actual or potentially adverse effects of activities are avoided, remedied or mitigated.**

TW-P6 **To identify those areas where there was traditional and customary Māori use of lands and waterways within the District and implement procedures for tangata whenua involvement regarding proposals to disturb ground in and around the identified areas where such activities may have significant adverse effects.**

TW-P7 **Where there is no agreed procedure between tangata whenua and the resource user, to implement procedures in conjunction with the tangata whenua when any burial sites or Māori artefacts are unearthed or disturbed.**

TW-P8 **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.**

TW-P9 **To control land development, subdivision, earthworks or other disturbance activities so as to avoid, remedy or mitigate any adverse effects on wāhi tapu and other taonga.**

Methods

Methods for implementing the policies:

TW-M1 **Tūhono mai Tūhono atū**

Te Taiwhenua o Tamatea and the Council have an active and ongoing relationship to advance areas of mutual interest. This is evident by the first Māori Engagement Strategy *(‘Tūhono mai Tūhono atū’)*, adopted in August 2020 by the Central Hawke’s Bay District Council.

Tūhono mai Tūhono atū, developed with the support of Te Taiwhenua o Tamatea, recognizes the special status of mana whenua and takes into account the Te Tiriti o Waitangi in resource management making processes as well as increasing cultural capacity and capability of Council to effectively engage with Tangata Whenua.

The appointment of the Pou Whatuia, a Māori Engagement Manager, for Council to focus relationship-building between the Council and Tangata Whenua, is another progressive step in consolidating this partnership.

TW-M2 **The Heretaunga Tamatea Claims Settlement Act 2018**

As a consequence of the settlement, hapū have certain conservation estate rights and responsibilities. These rights and responsibilities managed by the Heretaunga Tamatea Treaty Settlement Trust or its successor, are listed under the following categories:

1. Fee simple sites.
2. Sites administered as Recreation Reserves.
3. Overlay Areas, which recognise the cultural, spiritual and historical association of Tamatea and Heretaunga sites of significance and requires the New Zealand conservation authority to have particular regard to Heretaunga Tamatea values and protection principles.
4. Statutory Acknowledgement Areas, which acknowledge Heretaunga Tamatea cultural, historical and spiritual values under the RMA and Heritage New Zealand *Pouhere Taonga* Act 2014. These statutory acknowledgement areas are scheduled in TW-SCHED1 – Schedule of Statutory Acknowledgement Areas and shown on the Planning Maps.
5. Deed of Recognition Areas, which require the Crown to consult with Heretaunga Tamatea in the management of lands administered by the Department of Conservation or the Commissioner of Crown Lands.

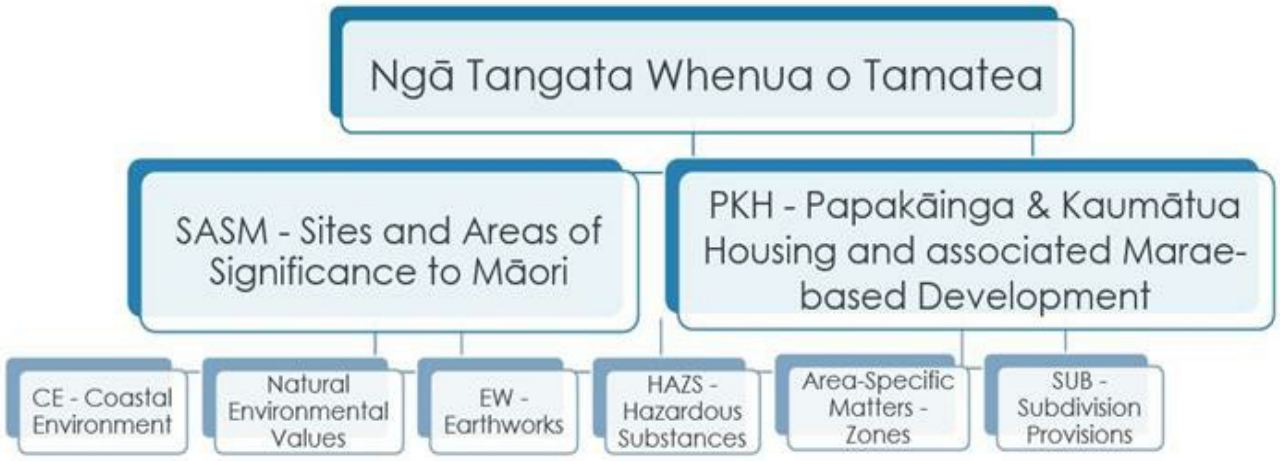
TW-M3 Mana Whakahono ā Rohe

Central Hawke's Bay District Council welcomes the opportunities provided by the Mana Whakahono ā Rohe provisions introduced through the 2017 Amendments to the RMA, and believes that reaching an agreement with iwi relating to consultation required under the Act, including giving effect to relevant Treaty settlements, will mark a significant and important development in the relationship between tangata whenua and the Council.

At the time of the production of this District Plan, the Council has not yet received an application from iwi to develop a Mana Whakahono ā Rohe. It is anticipated during the life of this District Plan (10 years from adoption) that iwi may wish to invite Council to form a Mana Whakahono ā Rohe to provide an agreed approach on the ways tangata whenua can participate in RMA decision making and assist Council with its statutory obligation to tangata whenua under the RMA.

TW-M4 District Plan

Tangata whenua matters are addressed throughout the chapters of the Plan, as summarised below.



1. Wāhi Tapu, Wāhi Taonga and Sites of Significance: All matters concerning sites of cultural, historical and spiritual significance to Ngā Tangata Whenua o Tamatea are addressed in the SASM – Sites and Areas of Significance to Māori and HH – Historical Heritage sections of this District Plan. Sites are contained in SASM-SCHED3 – Schedule of Sites and Areas of Significance to Māori and HH-SCHED2 – Schedule of Heritage Items, and are mapped on the Planning Maps.
   In addition, the Heritage New Zealand *Pouhere Taonga* Act 2014 specifically deals with archaeological sites.

Recorded archaeological sites in the District as at the date of notification of this District Plan are mapped on the Planning Maps (current up-to-date records can be found on the New Zealand Archaeological Association's Archaeological Site Recording Scheme website (www.archsite.org.nz). Under that Act, it is an offence to modify or destroy an archaeological site without an Authority from Heritage New Zealand Pouhere Taonga.

2. Papakāinga and Kaumātua Housing, and associated Marae-based Development: All matters concerning provision for papakāinga & kaumātua housing and marae-based development are addressed in the PKH - Papakāinga and Kaumātua Housing and Associated Marae-Based Development section of this District Plan.
3. Other District Plan Rules and Standards: Earthworks, land-use activities and setback standards, outstanding natural features and landscapes provisions, significant natural area provisions, coastal environment provisions and general zone provisions, all collectively assist in addressing issues of concern for Ngā Tangata Whenua o Tamatea.
4. District Plan Assessment Matters and Conditions on Resource Consents: To ensure the adverse effects of land use, subdivision or development on sites and areas of cultural and spiritual significance are avoided, remedied or mitigated, as well as in recognising and providing for the relationship of tangata whenua with their culture and traditions (including mauri), ancestral lands, water, sites and areas of cultural and spiritual significance, wāhi tapu and other taonga in all decision-making.

TW-M5 Hawke's Bay Regional Council Functions

Hawke's Bay Regional Council has various statutory functions and responsibilities including for regional pest management purposes (Hawke's Bay Regional Pest Management Plan), and management of activities affecting the quality of air and water (Hawke's Bay Regional Resource Management Plan and Regional Coastal Environment Plan), which specifically address issues such as introduction of weeds and pests, farm run-off, industrial pollution, and drainage works.

TW-M6 Engagement with Neighbouring Hapū and Local Authorities

The Council will liaise with neighbouring hapū and councils in ensuring hapū in the neighbouring Hastings and Tararua Districts are considered, where their interests overlap.

TW-M7 Iwi/Hapū Management Plans

The Council will encourage the preparation and lodgement of Iwi/Hapū Management Plans. Where the plans have been lodged with the Council, Council will be guided by their contents to the extent that they are relevant to the resource management issues of the District.

TW-M8 Information

The following are sources of further information:

1. Ngāti Kahungunu Iwi Inc. website (www.kahungunu.iwi.nz): This website provides information relating to the various hapū comprising Ngāti Kahungunu, including those in the Tamatea rohe;
2. Māori Land Online (www.maorilandonline.govt.nz): This website provides a snapshot of current ownership, trustee, memorial and block information for land that falls within the jurisdiction of the MāoriLand Court under Te Ture Whenua Māori Act 1993 and other legislation. This is primarily Māori Customary and Māori Freehold Land, but also includes General Land Owned by Māori, Crown Land Reserved for Māori and some Treaty settlement reserves, mahinga kai and fishing rights areas.
3. Pātaka (Māori Resource Management Mapping Tool): This tool uses digital mapping to show the location and extent of iwi and hapū resources in Hawke's Bay developed by Hawke's Bay Local Authority Shared Services Ltd (HBLASS) and accessed from the Hawke's Bay Regional Council website (www.hbrc.govt.nz). Pātaka brings together information held by local and regional councils and gives tangata whenua a resource to assist with their roles as this region's kaitiaki. It includes the location and contact information for each local marae, customary marine titles, protected customary rights and any iwi/hapū management plans that are available.

Principal Reasons

The principal reasons for adopting the policies and methods:

An effective partnership between the Council and tangata whenua relating to resource management is now in place and continues to grow and develop with strong communication and commitment. Māori cultural development is a priority for Council and Tūhono mai Tūhono atū ensures that Council continues to consider and promote current and future opportunities for Māori wellbeing.

There is a desire by tangata whenua to maintain and enhance their traditional relationship with their ancestral lands, water, sites, wāhi tapu and other taonga, both in terms of the current economic and social context and the traditional setting. Only tangata whenua can identify those relationships.

Proposals may be of interest or concern to tangata whenua where their relationship, culture and traditions with land, water, sites and areas of cultural and spiritual significance, wāhi tapu and other taonga, may be adversely affected. The specific issues that may be of interest or concern to tangata whenua have been outlined above.

The protection of the values of sites and areas of cultural and spiritual significance to tangata whenua requires both identification and an understanding of the sites and areas. If the community is not aware of the sites, or values associated with these sites and areas, then it can become difficult for the impact that any proposed development may have on these sites and areas to be included in the assessment process.

Further research, evaluation and engagement between Council and tangata whenua is necessary to accurately identify, understand, document and map sites of significance to tangata whenua. It is also recognised that information about some sites and areas will be sensitive and tangata whenua may choose to limit the amount of information made publicly available. SASM-SCHED3 is not currently representative of the sites of significance to tangata whenua, therefore effective engagement with tangata whenua is necessary to ensure the ongoing protection and security of sites of significance that are not listed in the District Plan. A plan change or variation may be required in future to include additional sites and areas to the District Plan.

Where sites or areas of significance are not formally included in the District Plan it is recognised that the role that tangata whenua can play within the planning process is more limited and is likely to be as an affected party for certain activities or activities in the coastal environment, near waterbodies, near marae or urupā, or as a submitter when a resource consent application is notified. It is also noted that sites where archaeological evidence is uncovered will be protected by the Heritage New Zealand *Pouhere Taonga* Act 2014 which makes it unlawful for any person to modify or destroy, or cause to be modified or destroyed, the whole or any part of an archaeological site without the prior authority from Heritage New Zealand *Pouhere Taonga*.

Furthermore, the Council is obliged to include statutory acknowledgements arising from Treaty of Waitangi settlements in its District Plan. In Central Hawke's Bay, the Heretaunga Tamatea Treaty Settlement Act 2018 identifies sites and areas within the District. These are scheduled in the District Plan and shown on the Planning Maps and will further inform identification of persons who may be affected by proposals to protect, use and/or develop land in these areas.

Iwi and hapū seek to provide for and maintain their traditional political structures, such as marae and papakāinga housing, which foster retention of the customs and traditions of Māori. The District Plan provides for these facilities while ensuring the effects arising from this type of development do not adversely impact on the surrounding environment.

Access to mahinga kai (traditional food sources) is also of importance to tangata whenua. Over time, these resources have been increasingly degraded, or access has become more restricted.

The acknowledgement and retention of traditional place names recognises the District's heritage and the relationship of tangata whenua with the resources, lands and places of the District. Failure to recognise traditional place names can cause offense, in light of the values and importance of these places for tangata whenua.

The use and management of land has a direct influence on water quantity and quality in the District. The

management of riparian margins and catchments will require the maintenance and enhancement of undisturbed vegetation to act as filters 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 ensures the well-being of the person'*. Land management and water quality are managed primarily by the Hawke's Bay Regional Council.

Earthworks will be controlled in order to facilitate the protection of wāhi tapu and other taonga in the District. These controls apply to sites and areas of significance to Māori listed in SASM-SCHED3 – Schedule of Sites and Areas of Significance to Māori in the District Plan.