

10 TANGATA WHENUA

“Toitu te whenua he whakangarongaro te tangata.”

“The people may perish but the land will remain.”

10.1 STATEMENT OF IDENTITY

Tangata Whenua (Poutini Ngai Tahu) are those Iwi, or Hapu that hold mana whenua (customary authority) over the area of the Grey District.

10.2 TANGATA WHENUA AND THE RESOURCE MANAGEMENT ACT

The [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 and other taonga. 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.

In relation to the Plan, the most significant principle of the Treaty of Waitangi is that of partnership. An integral aspect of this is the [Council’s](#) obligation to consult with local Maori to achieve an ongoing working relationship with the Tangata Whenua. The [Council](#) must also have regard to the Treaty principle of active protection of Maori people in the use of their traditional resources. This could be reflected by Tangata Whenua involvement in decision making, regarding those natural resources important to them.

10.3 ISSUES

1. There are many places throughout the District which have been used, occupied and are of value to Tangata Whenua, including places where people have been buried. Accordingly, the District remains spiritually and culturally important to Tangata Whenua, who have a general concern for the natural integrity of the District’s environment.

Areas of concern to Tangata Whenua may include:

- a) Natural and physical resources such as coastal areas, inland waterways and indigenous vegetation have an importance to Tangata Whenua which has not in the past been adequately recognised.
- b) Tangata Whenua view the overall integrity of the District’s natural environment as in need of retention and in some places restoration.
- c) There have been past and present threats to traditional food gathering sites (mahinga kai) which have precluded Maori from having sufficient access to this resource.
- d) Public access to mahinga kai is an important cultural consideration.
- e) Protection of burial grounds, tapu sites and other taonga is considered by Tangata Whenua as an important requirement in the District.
- f) The Resource Management Act and Treaty of Waitangi make provision for Tangata Whenua to have involvement in resource management in the District.
- g) 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 they should be dealt with in the appropriate sections of the Plan.

10.4 STATUTORY ACKNOWLEDGEMENT AREAS

The Settlement between Ngai Tahu and the Crown resulted in the creation of a number of instruments to recognise Ngai Tahu's relationship to a range of sites and areas, and provide for this to be reflected in the future management of those sites.

The aim of the Statutory Acknowledgement 'instrument' is to improve the effectiveness of Ngai Tahu's participation under the Resource Management Act (RMA).

To achieve this recognition Statutory Acknowledgements are shown on the Planning maps. This then ensures that Ngai Tahu are notified whenever an application is received which relates to or impacts on a Statutory Acknowledgement Area.

There are two Statutory Acknowledgement Areas in the Grey District, these being

- Kotuku - Whakaoho (Lake Brunner/ Moana)
- Taramakau River.

The traditional concept of mobile camping sites for use in seasonal food gathering has been given effect in the Ngai Tahu Settlement Act whereby a number of nohoanga sites have been provided, a total of five in Grey District. Nohoanga are temporary campsites adjacent to lakes and rivers, to facilitate customary fishing and the gathering of other natural resources.

The sites with the Grey District are:

- Kotuku Whakaoho (Lake Brunner/Moana)
- Taramakau River
- Lake Haupiri
- Punakaiki River
- Lady Lake.

The concept of nohoanga is shown in Appendix 11.

10.5 OBJECTIVES

1. To recognise and provide for the identification and management of those natural and physical resources which are considered important to Tangata Whenua, including Statutory Acknowledgement Areas and nohoanga sites.
2. To recognise and provide for Tangata Whenua access to their traditional food gathering sites and the adequate protection of these from any use or development that may threaten such resources.
3. To protect culturally significant sites, such as burial grounds, tapu sites and other taonga throughout the District.
4. To encourage Tangata Whenua to participate in the development and implementation of resource management decisions in the District.

10.6 POLICIES

1. Natural and physical resources that are important to Tangata Whenua including Statutory Acknowledgement Areas and nohoanga sites, will be identified and managed to avoid, remedy or mitigate adverse effects that could affect such resources.

2. Where landuse activities have the potential to adversely affect the natural environment, Council will look to ensure the restoration and retention of the natural environment as a condition of Council consent.
3. The protection of Maori food-gathering sites (mahinga kai) and access to such sites, will be a consideration in the resource consent process.
4. Council will endeavour to provide for the protection of all culturally significant sites.
5. An on-going and active relationship between Tangata Whenua and Council will be sought to further Iwi input into resource management decisions.

10.6.1 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 relationship of the Tangata Whenua with the District's natural resources.

Ongoing consultation 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 Act. It will allow the Council to make informed management decisions over natural and physical resources of the District.

The Ngai Tahu Settlement also has resource management implications in recognising and providing for management of significant areas.

10.7 IMPLEMENTATION METHODS

1. To develop a system for consultation with the Tangata Whenua regarding all resource management issues which are of interest to Tangata Whenua.
2. To develop procedures to be implemented in consultation with Tangata Whenua should there be any request to build a marae in the District.
3. To promote, through education and information, public awareness of Tangata Whenua interests and concerns within the District.
4. To identify these 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, where any burial sites or Maori artifacts are unearthed or disturbed.
6. To maintain and enhance, where able, 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 provide for Statutory Acknowledgement Areas and nohoanga sites in the Resource Management processes.

10.7.1 REASONS

There are a variety of methods which will be implemented, many of which will depend on a series of protocols and consultative procedures to be developed between the Tangata Whenua and Council.

10.8 ENVIRONMENTAL RESULTS ANTICIPATED AND MONITORING

Anticipated Environmental Results	Monitoring and Review Data
<ul style="list-style-type: none"> • Recognition of the importance of Tangata Whenua as a Treaty partner having input into resource management decision making. 	<ul style="list-style-type: none"> • Increased consultation with Tangata Whenua as a part of resource consent applications.
<ul style="list-style-type: none"> • Development of a partnership between the Council and Tangata Whenua in resource management decision making for sustainable development. 	<ul style="list-style-type: none"> • Active on-going consultation between the Council and local Iwi. • Increased recognition and protection of culturally significant sites.