

# MANA AKE

Ngā Hapū o Heretaunga

An Expression of Kaitiakitanga

#### MIHI

Ko te hā o lo hei pūtake hei whakatipu a Ranginui rāua ko Papa-tū-ā-nuku. Whakapupū ana te uru o te whenua, ka tū ki tipua, ka tū ki tawhito, ka tū ki māneanea ki ngā tihi maunga, oneone tapu, pārae, mania, onepu, awa, waiū, waipuna, wai Māori, ākau moana waipu paerangi.

> Nō te here o te rangi ki te whenua i takea te ira tangata. Tīkina atu i tuawhakarere, ngā mōhio o rātou mā.

Wānangahia, tuakina hei mātauranga.

Rangahaua kia Mahara, manakohia kia whiwhia te mātauranga motuhake, kia kī ai te puna mātauranga i te waiora, hei painga mō te tangata hei mana ake ki Heretaunga te hāro o te kāhu.

> Kia puta ki te whaiao ki te ao Mārama Tihei mauri ora

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Ngā Marae Hapū o Te Taiwhenua o Heretaunga Te Haaro — Te Poari o Te Taiwhenua o Heretaunga Ngāti Kahungunu Iwi Incorporated Te Ao Marama Inc, Michael Skerrett Te Runaka o Ngai Tahu Hawke's Bay Regional Council Hastings District Council

#### **TE MANAAKI TAIAO**

Marei Apatu Dale Moffatt Donna Whitiwhiti

## TE RŪNANGANUI O HERETAUNGA KOMITI *MARAE*

Ruahapia

. Matahiwi

Houngarea

noungui c

Mihiroa

Kahuranaki

Waimarama

Omahu

Mangaroa

Waitangi

Waipatu

#### **LAND TRUSTS**

Owhaoko Lands Trust Kairakau Lands Trust

#### KAUMĀTUA

Owen Hapūku Peter Paku Ripia Waaka

Tom Mulligan

## **RARANGI UPOKO**

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### KŌRERO WHAKARĀPOPOTO

## **Executive Summary**

In 2008, Te Taiwhenua o Heretaunga undertook to deliver hapū management plans for marae hapū and stakeholders. During a long process, involving consultation with Te Rūnanganui o Heretaunga member marae and other stakeholders, it was directed that a united plan would be the appropriate vehicle to best represent the collective whakaaro.

To achieve *Mana Ake* marae and hapū understand and embrace the fundamentals of manaakitanga. Mana refers to the binding of and commitment towards the kaupapa and most importantly, to upholding the integrity of the collective; **aki** refers to the encouragement of each other no matter how difficult the task may be at hand; **tanga** is the action taken to ensure a positive out come for all. *Mana Ake* represents ngā hapū o Heretaunga values, knowledge and perspectives on whānau ora, wairuatanga, whakapapa, taonga, kaitiakitanga and mātauranga, shared by marae hapū.

Mana Ake, An Expression of Kaitiakitanga is formatted as a basic plan that strives to enhance Te Ao Māori, protect and sustainably utilise natural taonga, uphold the mana of whānau, marae and hapū, and to have tikanga and kawa inform decisions on issues affecting us all. Mana Ake also seeks to link to Ngāti Kahungunu strategy where possible, to provide consistancy and continuity between hapū and iwi.

Mana Ake, An Expression of Kaitiakitanga has been compiled at the behest of stakeholders, and hapū consensus is demonstrated through ratification by Te Rūnanganui o Heretaunga, Te Taiwhenua o Heretaunga and Ngāti Kahungunu Iwi Incorporated.

#### Rationale

As directed by hapū, the collective plan was to ensure that the following rationale was its foundation:

In order to keep healthy that which is important hapū tikanga (best practice) is holistic, incorporating Māori aspects of health; wairuatanga; whakapapa; taonga; kaitiakitanga; and mātauranga.

Healthy whenua and wai is of great importance to hapū because they are irrevocably linked to healthy life ultimately for whānau, hapū and marae.

Development of hapū and whānau is essential for progression of hapū and whānau aspirations. The starting point for development is communication.

#### Intended use of document

Mana Ake, An Expression of Kaitiakitanga is a living document; an expression of kaitiakitanga and hapū best practice, designed to assist marae and hapū to manage their natural resources, and to assist others in understanding tangata whenua values and policies in this regard.

It is also to provide clarity to plan users and decision-makers on what the Treaty principles are that need to be taken into account pursuant to Section 8 of the Resource Management Act (RMA) 1991.

It is the expectation of hapū that *Mana Ake, An Expression of Kaitiakitanga* be incorporated into local and regional strategic and annual plans. Key to its success will be an effective relationship with local, regional, and national agencies.

Of particular importance will be that ngā whāinga o ngā hapū (goals and objectives), are being worked towards, and that stakeholders understand the need to progress the aspirations and values held by ngā hapū o Heretaunga.

#### HE KUPU WHAKATAKI

#### Rei kura, rei ora, rei ora te mauri e Bound by the essence of life

#### Structure outline

In order to provide an effective tool as a hapū resource, the structure has been kept simple and relatively generic.

After the introductory section, Mana Ake, An Expression of Kaitiakitanga (Mana Ake) is divided into four parts:

## Ko wai, nō wai, mā wai Heretaunga whakapapa and marae pepeha

#### 2. Ngā take me ona tikanga

Positional statements and Policies on generic issues for Heretaunga hapū

#### 3. Mahia te mahi

Summary of potential co-governance tool, for hapū and stakeholder use.

#### Te Puna

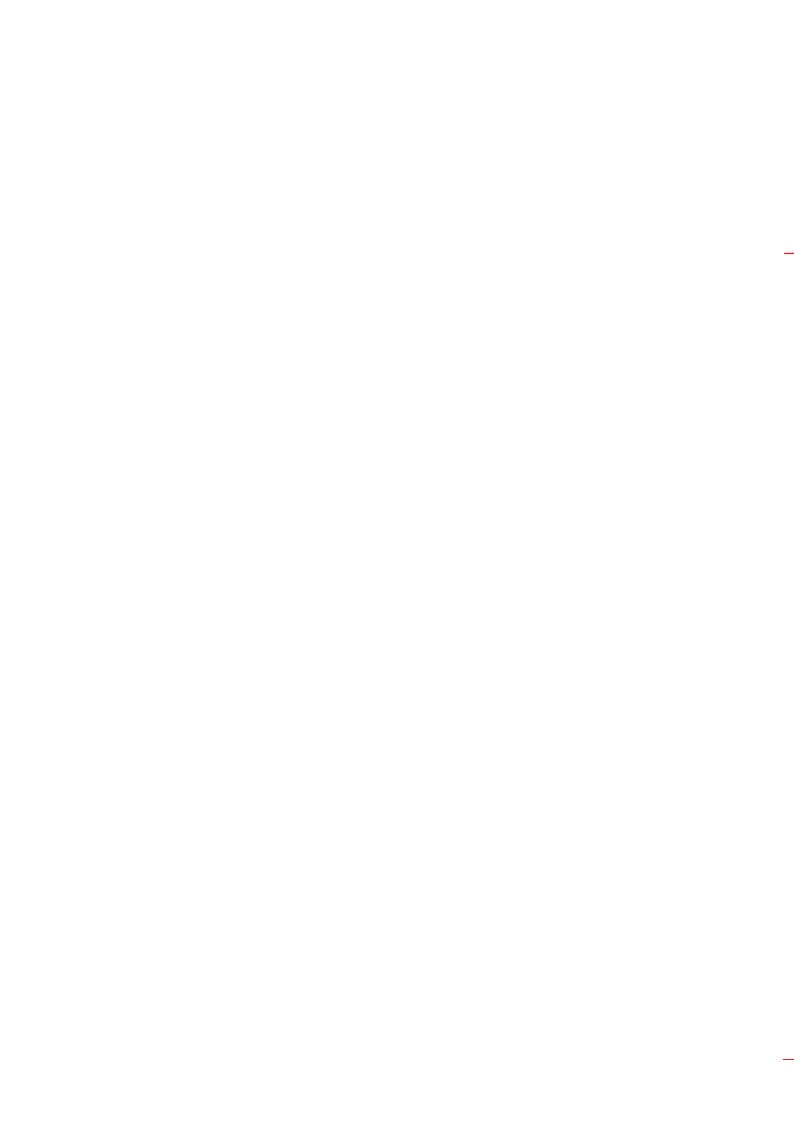
Context and Background information for Mana Ake, including marae hapū contact details.

#### Content

Below are listed environmental issues affecting Heretaunga hapū. These lists are not definitive and further issues that arise will be added to the document.

Hapū reserve the right to decide if an issue or policy belongs in Mana Ake.

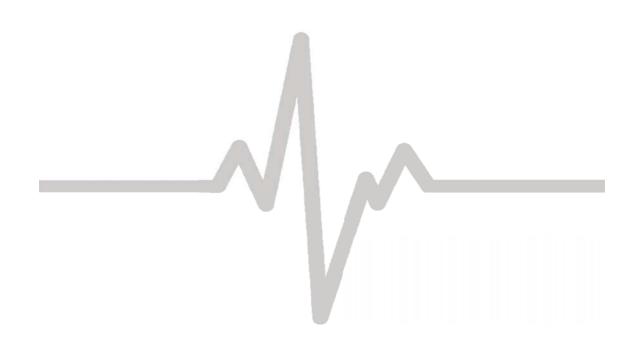
WHENUA	WAI	HĀ	TANGAROA	WHĀNAU
<ul> <li>Pastoral</li> <li>Horticultural</li> <li>Forestry</li> <li>Habitats/ Ecosystems</li> <li>Species Conservation</li> <li>Marae/ Reserves</li> <li>Roading</li> <li>Housing</li> <li>Mining</li> <li>Sewage/ effluent disposal</li> <li>Mahinga kai</li> <li>Urban development</li> <li>Papakainga</li> </ul>	<ul> <li>Underground/ Aquifer</li> <li>Surface</li> <li>Lakes and beds</li> <li>Rivers and beds</li> <li>Shingle removal</li> <li>Swamps</li> <li>Rāhui</li> <li>Drains</li> <li>Mahinga kai/ fish spawning grounds</li> <li>Discharge</li> <li>Degradation</li> </ul>	<ul> <li>Pollution</li> <li>Emissions</li> <li>Spraying</li> <li>Noise</li> <li>Wind power</li> <li>Electricity</li> <li>Cell towers</li> </ul>	<ul> <li>Mahinga kai</li> <li>Mahinga mataitai</li> <li>Estuaries</li> <li>Commercial fishing</li> <li>Rāhui/ Taiapure</li> <li>Settlement/ development</li> <li>Sewage/ effluent/ discharge</li> <li>Reserves</li> </ul>	<ul> <li>Whānau ora</li> <li>By Māori, for Māori, as Māori</li> <li>Kaitiakitanga</li> <li>Manaakitanga</li> <li>Marae</li> <li>Wāhi tapu</li> <li>Community</li> <li>Well being</li> <li>Housing</li> <li>Education</li> <li>Employment</li> <li>Access to services</li> </ul>



## 1. TE WĀHANGA TUATAHI

## Ko wai, nō wai, mā wai?

Who we are, where we are from, who we are doing this for?



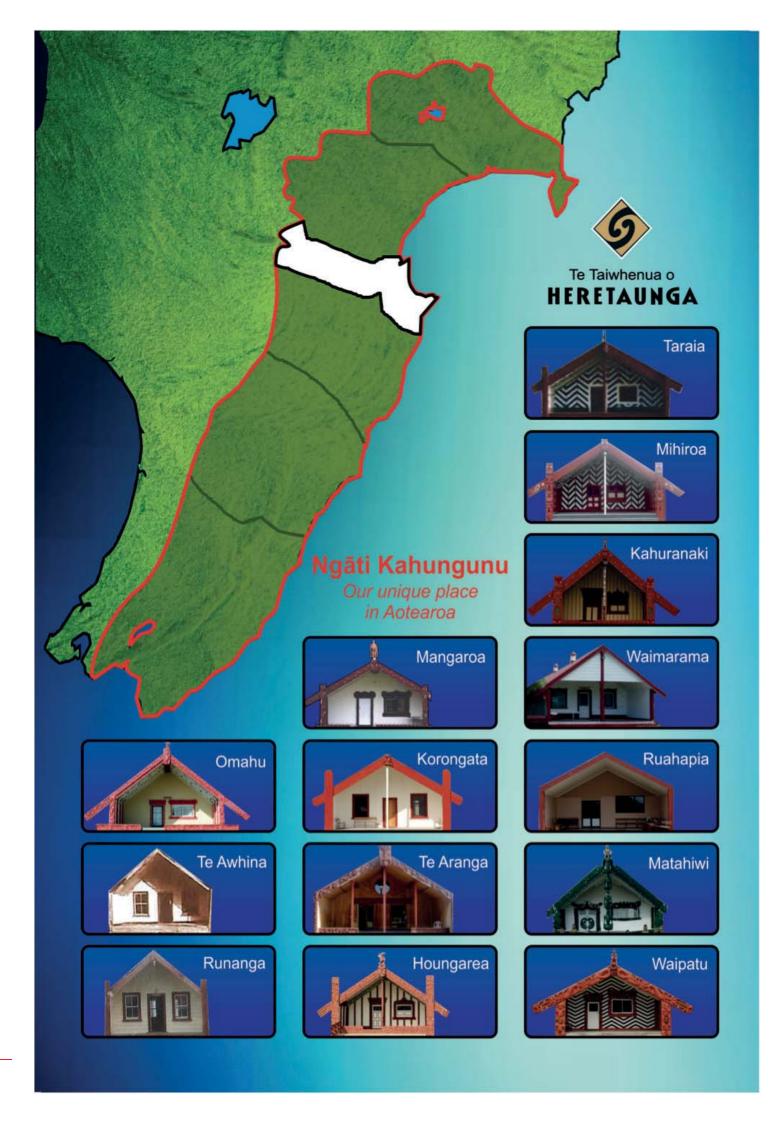
#### HERETAUNGA: WHAKAPAPA MAI IO KI KAHUNGUNU

- Io-Matua
- Te Kore
- Te Po
- Te Ao Marama
- Ko Ranginui = Papatuanuku
- Rangi
- Tane Nui A Rangi
- Hine Ahu One
- Hine Ahu A Rangi
- Hine Titama
- Muri Ranga Whenua
- Hine Taranga = Tangaroa-i-te Rupetu
- Maui Tiki A Taranga
- Te Papa Titi Rau Maewa
- Tiwakawaka
- Taranui
- Tararoa
- Ranginui
- Rangiroa
- Ngai Whare Kiki
- Ngai Whare Kaka
- Ngai Roki
- Ngai Reka
- Ngai Peha
- Ngai Taketake
- Ngai Te Hurumanu
- Toi Kairakau
- Rauru
- Whatonga = Hotuwaipara
- Tahatiti
- Uenuku
- Ruatapu
- Rakeiora
- Tama Ki Te Hau
- Tama Ki Te Ra
- Tama Ki Te Matangi
- Tama Ki Te Rei Rei Ma Hawaiki
- Te Kahu Arero
- Pito
- Rere
- Tangi
- Maika
- Toto = Tamatea Arikinui mai Tawhiti o te Waka Takitimu
- Rongokako = Muriwhenua
- Tamatea Pokai Whenua Pokai Moana = Iwi Pupu Te Kura
- Kahungunu

Ko wai te waka = Takitimu

Ko wai te tangata = Tamatea Arikinui

Ko wai ngāTohunga = Ruawharo, Tupai, Te Rongopatahi Putahi



#### **OMAHU MARAE**

Ko Takitimu te waka

Ko Puketapu te maunga

Ko Ngaruroro Mokotuararo ki Rangatira te awa

Ko Kahukuranui te wharetipuna

Ko Ruatapuwahine te wharekai

Ko Ngāti Hinemanu, Ngāi Te Upokoiri ngā hapū

#### TE ĀWHINA MARAE

Ko Takitimu te waka

Ko Tamatea Arikinui te tangata

Ko Ngāti Hinemanu, Ngāi Te Upokoiri, Ngāti Mahuika,

Ngāti Honomokai ngā hapū

Ko Puketapu te maunga

Ko Ngaruroro moko tuararo ki rangatira te awa

Ko Taraia Ruawhare te wharetipuna

#### **RUNANGA MARAE**

Ko Takitimu te waka

Ko Tamatea Arikinui te tangata

Ko Ngāti Hinemanu, Ngāi Te Upokoiri, Ngāti Mahuika

nga napu Ko Te Horo ko Pukekoutuku ngā maunga

Ko Runanga te roto

Ko Te Aroha te wharetipuna

#### MANGAROA MARAE

Ko Takitimu te waka

Ko Tamatea Arikinui te tangata

Ko Ngāti Rahunga-i-te-Rangi, Ngāti Poporo ngā hapū

Ko Kahuranaki te maunga

Ko Ngaruroro te awa

Ko Hikawera (Tuarua) te wharenui

#### KORONGATA MARAE

Ko Takitimu te waka

Ko Tamatea Arikinui te tangata

Ko Ngāti Poporo te hapū

Ko Kahuranaki te maunga

Ko Ngaruroro, ko Tukituki ngā awa

Ko Nukanoa te wharenui

Ko Matariki te wharekai

#### TE ARANGA MARAE

Ko ngā mātāwaka, ngā hau e whā te tangata

Ko Te Mata o Rongokako te maunga

Ko Ngaruroro te awa

Ko Rongokako te tangata

Ko Te Muka Tangata te wharenui

Ko Ngā Whitau te wharekai

Ko Naumai te waharoa

#### **HOUNGAREA MARAE**

Ko Takitimu te waka

Ko Tamatea Arikinui te tangata

Ko Ngāti Papatuamaro, Ngāti Tamatera, Ngāti

Ngarengare,

Ngāti Te Rehunga ngā hapū

Ko Kahuranaki te maunga

Ko Ngaruroro, ko Tukituki ngā awa

Ko Houngarea te whare

Ko Rakaihikuroa te tekoteko

Ko Tawirirangi te wharekai

#### TARAIA MARAE

Ko Takitimu te waka

Ko Tamatea Arikinui te tangata

Ko Ngāti Hotoa te hapū

Ko Kahuranaki te maunga

Ko Ngaruroro,ko Tukituki ngā awa

Ko Taraia te whare

Ko Kaakirawa te wharekaumātua

#### MIHIROA MARAE

Ko Takitimu te waka

Ko Tamatea Arikinui te tangata

Ko Ngāti Mihiroa te hapū

Ko Kahuranaki te maunga

Ko Ngaruroro ko Tukituki ngā awa

Ko Mihiroa te whare

Ko Pukepuke Tangiora te wharekai

#### KAHURANAKI MARAE

Ko Takitimu te waka

Ko Tamatea Arikinui te tangata

Ko Ngāi Te Rangikoianake te hapū

Ko Kahuranaki te maunga

Ko Ngaruroro, ko Tukituki ngā awa

Ko Poukawa te waiū

Ko Te Hapuku te tangata

#### WAIMĀRAMA MARAE

Ko Takitimu te waka

Ko Te Whanganui-a-Tara te maunga

Ko Waingongoro te awa

Ko Waimārama te marae

Ko Taupunga te whare

Ko Ngāti Kurukuru, Ngāti Whakaiti, Ngāti Hikatoa,

Ngāti Urakiterangi ngā hapū

Ko Mōrehu Te Amohāere te wharekai

Ko Tiakitai te tangata

#### **RUAHAPIA MARAE**

Ko Takitimu te waka

Ko Tamatea Arikinui te tangata

Ko Ngāti Hawea te hapū

Ko Kahuranaki te maunga

Ko Ngaruroro te awa

Ko Karaitiana Takamoana te wharenui

Ko Winipere te wharekai

#### MATAHIWI MARAE

Ko Takitimu te waka

Ko Tamatea Arikinui te tangata

Ko Ngāti Hawea, Ngāti Kautere, Ngāti Hinemoa ngā hapū

Ko Kahuranaki te maunga

Ko Tukituki te awa

Ko Maui Tikitiki a Taranga te tekoteko

Ko Te Matau ā Maui te wharenui

Ko Hina Taranga te wharekai

#### WAIPATU MARAE

Ko Takitimu te waka

Ko Tamatea Arikinui te tangata

Ko Ngāti Hori, Ngāti Hawea, Ngāti Hinemoa ngā hapū

Ko Kahuranaki te maunga

Ko Ngaruroro, ko Tukituki ngā awa

Ko Heretaunga (Tuatoru) te whare

Ko Tamatea Arikinui te tekoteko

#### KAIRĀKAU LANDS TRUST INCORPORATED

Kairākau Lands Trust Incorporated Ko Mangakuri, Manawatakau, Tukituki nga awa Ko Te Apiti te maunga Ko Ngati Oatua, Ngati Hikatoa, Ngati Tama te ra Ko Ngati Kahungunu te iwi



#### **OWHAOKO CLANDS TRUST INCORPORATED**

Ko Ngaruroro, Tararua, Waiamaru nga awa Ko Tahuhunui, Te Iringa nga maunga Ko Ngai Te Upokoiri, Ngati Hinemanu, Ngai Honomokai, Ngati Whiti nga hapu Ko Ngati Kahungunu te iwi



#### 1.1 TE KAUPAPA NUI

#### 1.1.1 OVERARCHING GOALS OF MANA AKE

- Whānau ora (wellbeing), whānau to be the best they can be.
- Marae will continue to be the bastion of hapū life; safe and secure. It takes a village to grow a child.
- Hapū will prosper and hold Mana Motuhake (authority and influence) over their resource.
- Taonga will be protected for future generations.
- Mauri ora where all things are bound by the essence of life.
- Set clear expectations and guidelines towards effective processes of engagement and consultation which are sustainable.

#### 1.1.2 OBJECTIVES

- Provide support for hapū whānau in their traditional kaitiaki role:
  - To establish hapū guidelines for management of resources.
- Provide hapū, marae and iwi with a sense of security and continuity for the future:
  - To advocate policies based on mana whenua and Mātauranga.
- To assist marae and hapū in developing kaitiakitanga capability.
  - Promote whānau ora and sustainable whānau wellbeing.

#### 1.1.3 DESIRED OUTCOMES

- The principle of Tino Rangatiratanga, and Mana Motuhake is enhanced and partnerships formed and extended.
- The role of kaitiaki is understood properly to be trustee, minder, guard, custodian, guardian, and keeper of all taonga, not only the environment.
- It becomes the norm for ngā hapū o Heretaunga values to become embedded in planning documents and management practices used by all agencies working with natural and physical resources and community development policies.
- Territorial, regional and central government authorities foster the development of Ngāti Kahungunu ki Heretaunga capacity to contribute to decision making processes, including involvement in long term community strategies across Hawke's Bay.
- The level of trust and collaboration that is identified between Hawke's Bay councils and Ngāti Kahungunu ki Heretaunga continues as part of normal daily business.
- Ngāti Kahungunu ki Heretaunga are involved at a level that allows for effective and proactive management of natural resources, wāhi tapu and wāhi taonga, in a manner that upholds the kaupapa of this document.
- There is mutual understanding of iwi and local authority values and responsibilities with respect to the
  environment, effective management of resources by councils, and effective performance of kaitiaki by Ngāti
  Kahungunu ki Heretaunga.
- Stakeholders understand the principles of the Treaty of Waitangi, and that the interests and values of ngā hapū o Heretaunga are protected and enhanced. This includes the safe guarding of all cultural heritage and significant sites and places.
- *Mana Ake* is used in a consistent manner in respect to ngā hapū o Heretaunga responses to natural resource, environmental management, and community development policy and consent applications.

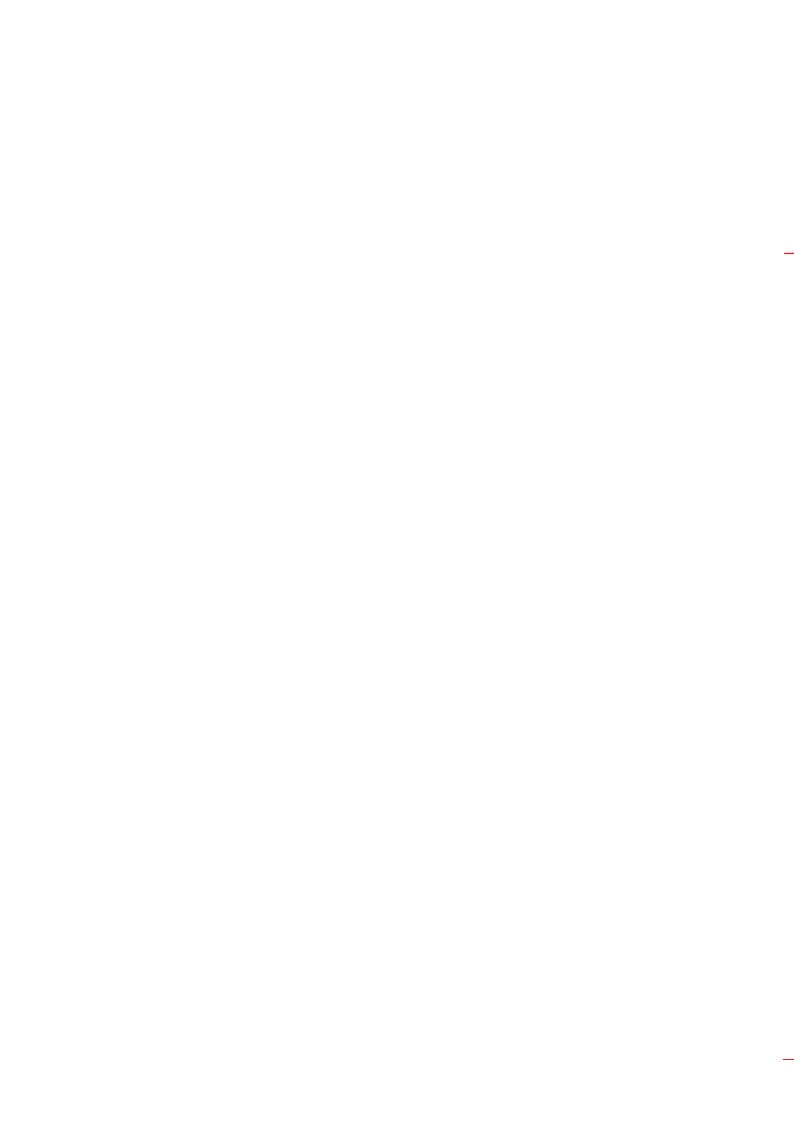
#### 1.1.4 ENVIRONMENTAL OUTCOMES

- Environmental outcomes accommodate for cultural and traditional spiritual values held by ngā hapū o Heretaunga.
- Integrated management of natural and physical resources is encouraged and that existing relationships with and between local agencies are maintained and enhanced to ensure collaborative goals are set and worked toward.
- Protection, restoration and enhancement of the productivity and life supporting capacity of mahinga kai, indigenous biodiversity, air, water, land, natural habitats and ecosystems, and all other natural resources valued by ngā hapū o Heretaunga.
- Ngāti Kahungunu ki Heretaunga are actively involved in the delivery and awareness of the kaupapa of
   *Mana Ake* with respect to protection and enhancement of the natural environment. This includes the
   delivery of programmes that promote awareness and provide education regarding the environment to
   achieve environmental outcomes.
- Ngā hapū o Heretaunga capacity is enhanced to become more involved in "on the ground" monitoring of environmental ecosystems.

#### 1.1.5 SOCIAL, ECONOMIC, CULTURAL, HEALTH AND WELLBEING OUTCOMES

- Planning and delivery of council's regulatory roles in achieving outcomes will recognise, and take into account, the potential positive or negative effects that such actions may have on the health and wellbeing of the Hawke's Bay community.
- A sense of belonging and social responsibility, with respect to the surrounding environments, is encouraged. This includes supporting activities and events that engage communities within their local environments.
- Agencies with a statutory role representing our communities recognise Ngāti Kahungunu ki Heretaunga relationships, and act in a manner whereby processes and the decisions affecting social wellbeing, are transparent and open.
- The diversity of our communities is represented in forums and elected bodies to ensure awareness and understanding of differing views and values.
- Information presented to the community with respect to all aspects of community life, including social, economic, environmental and cultural wellbeing, is carried out in a format that is understood by its intended audience, including actions and/or decisions that may result.
- Economic development and growth do not have implications for ngā hapū o Heretaunga in exercising kaitiakitanga, or have adverse impacts on the environment and communities.
- Māori authorities and their agencies are supported through succession to maintain partnerships between local authorities, and to assist in the understanding and appreciation of Tikanga Māori throughout Hawke's Bay communities.
- These outcomes provide a benchmark through which progress can be measured and reviewed.

**Note**: Central government political, policy and regulatory changes impact on mana whenua rights and interests. While there are changes occurring to the Resource Management Act 1991, the values, interests, and desired outcomes in *Mana Ake* take a long-term outlook which will remain relevant and unaffected by any such changes.



## 2. TE WĀHANGA TUARUA

## Ngā take me ōna tikanga

**Issues and Policies** 



### NGĀ TAKE (ISSUES)

#### **Governance and Management**

It must be noted that it would be in partnership with the Crown that hapū kaitiaki exercise their right to participate at all levels of management and governance. The following policies underline that expectation.

#### **TIKANGA (POLICIES)**

Kaitiakitanga focuses on improving quality of life; social, economic, cultural and environmental wellbeing; meeting the needs and aspirations of both present and future generations on justice and equity in terms of recognition, process, procedure and outcome.

- In 2012 Ngāti Kahungunu Iwi Incorporated initiated a Statement of Claim on the Waitangi Tribunal to protect whānau, hapū and marae interests in freshwater<sup>1</sup>.
- Examples of excerpts from the 'Kahungunu 2026' <sup>2</sup> resource management strategy are as follows:

#### **Protecting our Environment**

Our natural environment provides our physical sustenance as well as being a reminder of tipuna and the spiritual aspect of our existence. The health of our environment has a direct influence on the health of our people. We are charged to preserve and protect our air, water and lands and the resources within for the benefit and survival of our mokopuna.

- Protecting cultural landmarks Wāhi Tipuna, Wāhi Tapu, Wāhi Tohi, Rua kōiwi
- Education / training tamariki in the protection and management of the environment
- Restocking, reseeding, re-vegetation of native flora, fauna & fisheries
- Set regulatory standards and environmental clean up strategies in place for waterways, land management, contaminated land sites

The review of the NKII 25 vision and subsequent fisheries and fresh water strategy *Kahungunu ki Uta, Kahungunu ki Tai – Marine and Freshwater Strategic Plan*<sup>3</sup>, saw the Kahungunu 2013-2014 Annual Plan include the following:

- Develop natural resource information system(s) and database(s). Use databases to inform decisions and research needs.
- Develop a training and development strategy that builds skill, expertise and capacity of hapū and iwi resource managers and rangatahi.
- Develop policy that supports hapū engagement with natural resource users across all sectors. Assist hapū development of rohe moana and hapū management plans to support local management of natural resources.

The Ngāti Kahungunu 25 year vision provides substance and direction for ngā marae hapū o Heretaunga management of their resources and it is acknowledged that the overarching Ngāti Kahungunu vision, strategies and plans underly the policies in Mana Ake.

<sup>&</sup>lt;sup>1</sup> Media release statement; 3 September 2012

<sup>&</sup>lt;sup>2</sup> Ngati Kahungunu Iwi Incorporated website

<sup>&</sup>lt;sup>3</sup> Ngati Kahungunu Iwi Incorporated website

### 2.1 WHENUA; TE UKAIPO O PAPA-TU-A-NUKU

WHĀINGA: Mauri Ora ki te Mana Whenua o Heretaunga.

#### 2.1.1 MAHINGA KAI

- Encourage the use of Mātauranga Māori in governance, management, scientific research, monitoring and frameworks for species recovery, habitat restoration, ecosystem management and resourcing of natural taonga.
- Protect existing customary use rights from erosion by central and local government policy.
- Promote the management of whole ecosystems and landscapes, in addition to single species.
- The cultural, spiritual, historic and traditional association of Heretaunga marae hapū with taonga species must be recognised and provided for within all management and/or recovery plans associated with those species.
- Avoid compromising the habitat, diversity and abundance of native bird species at risk as a result of inappropriate land use, development or subdivision and consider the potential effects (positive and adverse) on native birds when assessing any resource consent or concession application.

#### 2.1.2 NOHOANGA

- Ensure the protection of all sites identified as nohoanga under any Ngāti Kahungunu Claims Settlement Act and otherwise, as a means of providing tangata whenua with an opportunity to reconnect to the natural environment as our tūpuna did, and to promote customary practices associated with Mahinga kai.
- Identify review the locations of nohoanga to determine the nature and extent of use, and whether the location is appropriate to fulfilling nohoanga purposes.
- To work towards the restoration of key Mahinga kai areas and species, and the tikanga associated with managing those places and species.

#### 2.1.3 MINING, OIL EXPLORATION, DRILLING & EXTRACTION ACTIVITIES

- No further commercial mining, oil exploration, drilling and extraction activities in inland and coastal areas, landscapes of cultural significance, and of particular importance, in or near aquifers, in Heretaunga without the express permission of Heretaunga marae hapū.
- Any such activity within, adjacent to, or that may potentially impact on Heretaunga areas of influence or interests will require consultation with Heretaunga marae hapū, Ngāti Kahungunu iwi, and other affected iwi and marae/hapū.
- Require that the highest environmental standards are applied to any consent application involving commercial mining, oil exploration, seismic surveying, drilling and extraction activities within and bordering Heretaunga, including coastal and offshore areas. This is particularly important when recognizing cumulative and potential unknown effects of such activities.
- In the event of permitted commercial mining, oil exploration, drilling and extraction activities activity there will be continued access to areas of cultural significance by tangata whenua.
- That Accidental Discovery Protocol are established and included as a standard condition on any mining or extraction consent in inland or coastal waters.
- Ensure protection of nursery and spawning areas from mining, seismic surveying and extraction activities.

#### 2.1.4 EXPERIMENTAL SCIENCE

• There will be no GE or other scientific experiments of crops or animals, in or around marae communities, and Māori title lands.

#### 2.1.5 NATIVE BUSH AND FORESTRY

- Heretaunga marae hapū consider forests, all native stands as taonga to be protected and therefore enhanced for future generations.
- This includes all species considered taonga by Heretaunga marae hapū
- Encourage the protection and appropriate valuation of native forest ecosystems as natural capital: the water, soil and biodiversity, and the essential ecosystem services they provide.
- Ensure that the customary rights of tangata whenua to access and use the resources of native forest ecosystems are recognised and provided for.
- Make full use of the knowledge of tangata whenua with regards to indigenous biodiversity and the value of such knowledge in understanding how to protect and enhance biodiversity.
- Any selective felling and extraction of native trees should always be discouraged unless for cultural purposes should it proceed:
  - Be on a sustainable yield basis, under sustainable forest management accord
  - Include accidental discovery protocol.
- Protection of waterways.
- Support and promote efforts to control and manage pests (animals and noxious pest plants) in native forest ecosystems.

#### 2.1.6 KAITIAKITANGA

- Ngā hapū o Heretaunga are the kaitiaki of Rangi and Papa in our region of influence, and all their whakapapa, which in today's terms means the air, the lands, the waters and the wellbeing of the people
- The role of Kaitiaki of Heretaunga for Heretaunga hapū will be respected and incorporated into regional policies and no environmental policies or decisions will be made or implemented without the appropriate consultation and effective collaboration of hapū.
- The importance of *mauri* to *ngā hapū* with regards to resource management is expressed as follows, "Mauri is the life essence of nature itself on this planet. Once *mauri* is extinguished within a species, the result is extinction because the natural restorative and regenerative powers are lost".
- Of absolute importance to Heretaunga marae hapū, is the preservation and protection of *mauri*. To see to this preservation and protection is to provide for conservation of bio-diversity, the outcomes of which are the restoration and regeneration of ecosystems.
- All policies and actions by ngā hapū will reflect mauri-enhancing principles and as much as possible
  incorporate a holistic approach that benefits the wellbeing of whānau. This is the least of our collective
  community duties to future generations.
- The concept of kaitiakitanga is an integral component of resource use. Customary use comes with
  management responsibilities to care and protect natural resources, which in effect translates into carefully
  regulated access to Mahinga kai for example, and sustainable use of all resources.
- Customary use is not limited to non-commercial. Marae hapū believe that the sustainable use of native flora and fauna, for example, in and out of the conservation estate, can be the basis of future economic, social and tribal development.
- Any authority that exercises legislative jurisdiction over whenua, wai and any other natural resources should do so in conjunction with the people of the land us.
- Any significant change to the environment; modification, development, construction, extraction, or other, that is mooted, or occurs, requires the express permission of the affected marae hapū to meaningfully contribute to marae hapū development and aspirations.
- Prioritise marae hapū plans locally and lobby for inclusion in Annual Plans.
- Engage with local bodies to highlight, mitigate, remedy and advise on local environmental issues. Enable hapū Kaitiaki to build capability through practical experience where appropriate.
- Promote and assist Kaitiaki to obtain expertise through education and training opportunities.

#### 2.1.7 WĀHI TAPU

- There are over 50 wāhi tapu registered with Hastings District Council on the District Plan and hundreds more registered by the NZ Archaeological association.
- Pa sites, *kāinga*, *tauranga waka*, gardens, middens, *wāhi tapu*, *wāhi pakanga*, *urupa*, and *nohoanga* hold important memories, stories and traditions of our people and are to be recognised as important in themselves to varying degrees.
- The vast number of sites, their density throughout the *rohe* and significance to *mana whenua* makes cultural heritage a prominent feature of natural resource management.
- The land, water and coasts within our rohe are part of our history. Any interpretation or portrayal of Heretaunga marae hapū history or hapū associations with wāhi tapu or wāhi taonga is subject to policies for cultural interpretation, as per sections of this collective Hapū Management Plan.
- There will be no modification or alteration to those known wāhi tapu and cultural protocols will be adhered to upon accidental discovery of an unknown wāhi tapu.
- Avoid compromising unidentified, or unknown, sites of cultural significance.
- Applications for activities in areas of cultural significance where there are no known sites but the likelihood of finding sites is high, will require one or more of the following (at the cost of the applicant):
  - site visit
  - archaeological survey (walk over/test pitting) by an approved archaeologist
  - cultural monitoring or audit ;ie.Wānanga and or assessment by ngā Matakite
  - accidental discovery protocol agreement
  - archaeological authority
- Any site that fulfils the criteria of the Historic Places Act 1993, whether recorded or not (it just has to be suspected), is protected under the Act. This refers to unexpected sites that may be uncovered during development, even after approval by the overall project has been consented to by tangata whenua.
- There are also a number of sites on 'Silent Files' held by whānau of Heretaunga marae hapū which may or may not be disclosed at their discretion.
- Ensure that ngā hapū o Heretaunga are able to effectively exercise their role as kaitiaki over wāhi tapu and wāhi taonga.
- Actively pass on knowledge of culturally significant sites, and the pūrākau and tikanga that go with them, to our tamariki and mokopuna.
- Ensure that oral history and customary knowledge is considered equally alongside the documented evidence when assessing the Ngāti Kahungunu cultural heritage values of a region or site.
- Maintain good working relationships with regards to the protection of, and access to, cultural and historic resources.
- Where an archaeological survey is required, the archaeologist must have the mandate of the appropriate kaitiaki hapū.

#### 2.1.8 NGĀ MAUNGA

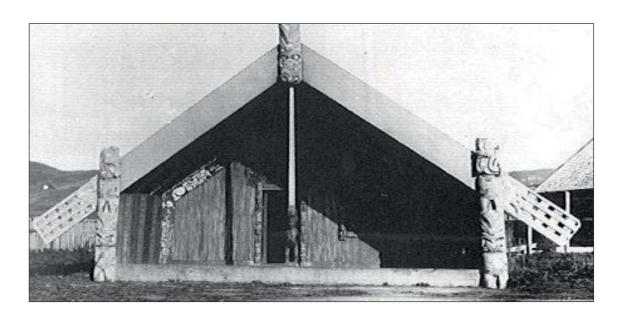
- Many Heretaunga maunga have been subjected to denuding of native bush, heavy farming practices leading to erosion, subdivision, roading, infrastructure, other public works (power pylons, cell and TV towers) etc., to the point that these landscapes are severely degraded and the cultural values of specific maunga are compromised.
- Kahuranaki is one of our esteemed mountains in Heretaunga and we are surrounded by others that various hapū acknowledge as specific to their whakapapa, such as Puketapu, Te Mata, Raukawa, Te Whanganui A Tara, Te Horo, Ko Pukekoutuku, Oueroa, Kaweka, Owhaoko, Ruahine, Kohinurākau, Kauehei and Te Matau a Maui. All these maunga or ranges are wāhi taonga.
- Sites of ancestral importance, i.e, wāhi taonga; there will be no excavation, modification, alteration to any of these sites without the permission of affected mana whenua.
- Marae hapū reserve the right to be consulted about development (including mining, wind power and housing subdivision) and to have the opportunity to assess the impact on culturally sensitive or significant taonga and recommend cultural solutions or best practice to mitigate damage.

#### **2.1.9 MARAE**

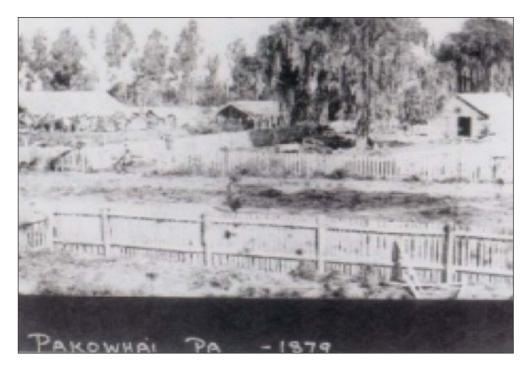
- There are 17 traditional marae and one urban marae in the Heretaunga rohe from the coast to the Taihape district, and associated hapū (which can cover more than one marae) of which there are at least 21.
- The Marae is the meeting place for Māori society traditional but versatile; the bastion for mana whenua; the current kaitiaki of tikanga and taonga developed over 1000 years of history; and need to be preserved for the next 1000.
- That marae remain the stronghold of hapū and continue to be protected as such under the Ture Whenua Act 1993 and any other legislation or statute.
- Marae are recognised by local and regional authorities and agencies as the primary contact for hapū matters in regards to the LGA and RMA.
- Marae and Hapū will be informed and participate in the governance and management of their resources and taonga.
- It is expected that local landowners, business and industry will liaise with marae, inform them of expected activity and where there are issues for marae, negotiate a solution satisfactory for both parties.
- Marae will work to implement a plan that will include aspirations for the consolidation and development of their physical community, its resources and its people.
- Marae will participate with local bodies to ensure their communities are safe, protected from external traffic issues, and their own roads and pathways are planned with their input, and maintained.
- There will be no noise pollution such as air guns, traffic and industry within marae localities without express permission of respective Marae Trustees and/or marae committees.
- Work together with local authorities, regional and relevant government agencies to ensure security of water supply and other essential services to all marae.
- Promote sustainable systems and infrastructure for marae communities.
- Target annual, strategic and commercial budgets for investment to benefit marae community services and surety of supply e.g Local territorial authorities, central government, funding agencies and corporate stakeholders, etc.



Ko Kahukuranui te whare; Ko Omahu te marae



Ko Kahuranaki te whare; Ko Kahuranaki te marae



Pakowhai Pa - 1879

## 2.2 WAI MĀORI

WHĀINGA: Ngā hapū o Heretaunga are partners in co-governance and co-management of Heretaunga waterways, surface and subsurface, that impact on Heretaunga, with the National Policy Statement for Freshwater Management being a **minimum** standard.

#### 2.2.1 WATER QUALITY AND EXTRACTION

- As there are already many wells extracting water from the aquifer there will be no hapū support for either
  further extraction of water from the aquifer and further degradation of the water quality in our streams,
  rivers and lakes without due cultural diligence; express permission of ngā hapū is a requisite to changes
  in policy, regulations, limits and consents affecting these.
- Ensure the quality of water in all waterways is protected and maintained to support biodiversity in the awa, estuarine and coastal waters.
- Mitigate the use of upstream waters as a receiving environment for point source discharge of contaminants.
- That the quality of our waterways is maintained to that of a swimmable and recreational use standard.

#### 2.2.2 WASTE MANAGEMENT

- Protection of all waterways against ngā paru and seek to influence policies and regulations in waste management.
- There will be no waste water, hazardous substance release or dumping, industrial waste emissions from any industry in any waterway or landfill and on any whenua in or around marae communities and their waterways.

#### 2.2.3 WETLANDS

• There will be no further loss or degradation of Heretaunga wetlands; and restoration of existing wetlands of high importance will be a priority. This includes restoration of native vegetation and species.

#### 2.2.4 MAHINGA KAI

- There will be no further loss of Heretaunga mahinga kai and protection for existing ones will be identified as a priority.
- All Ngāti Kahungunu whānau, current and future generations, must have the ability to access, use, monitor and protect mahinga kai resources as well as the history and traditions that are part of customary use of such resources, as guaranteed by the Treaty of Waitangi.
- Work towards the restoration of key mahinga kai areas and species, and the tikanga associated managing those places and species, including marine mammals.
- Promote joint management and co-management of key mahinga kai places and species on council and conservation land and make full use of the knowledge of tangata whenua with regards to native birds, plants and other traditional materials, its value in understanding how to protect and enhance biodiversity.
- Require the development and implementation of monitoring regimes to ensure that any adverse effects (including existing or potential loss of tuna/eel) on the health of Mahinga kai resources and/or their habitats are identified and addressed.

#### 2.2.5 MĀTAURANGA

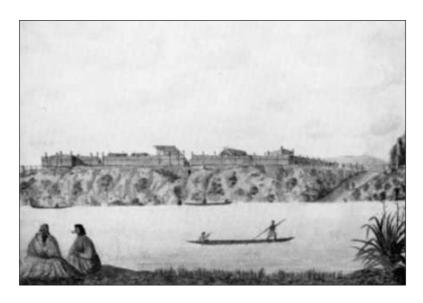
• Encourage collaborative research and monitoring projects between mana whenua and scientists using both mātauranga Māori or traditional knowledge, and mainstream science.

#### 2.2.6 WATER STORAGE AND HYDRO DEVELOPMENT

- Ensure that Ngāti Kahungunu Iwi, Marae, Hapū and Taiwhenua are involved in the setting of consent conditions during consultation associated with any and all resource consents for water storage and hydropower development activities, as it is seen as a major area of responsibility.
- Require that consideration, feasibility studies, and project management in Hawke's Bay recognises and gives effect to the principle of *ki uta ki tai* (mountains to the sea).
- Require that opportunities are provided for iwi / hapū representatives to participate in all aspects of water storage and hydropower development.
- Require that cultural monitoring provisions are present in all aspects of water storage and hydropower development scheme operations.
- Ensure that all native fish species have uninhibited passage between lakes, rivers and seas, where such passage is a natural occurrence, through ensuring continuity of flow *ki uta ki tai* and fish passageways within water storage/dam structures.

#### 2.2.7 AQUIFERS

- Support and advance rangatiratanga in respect of the Heretaunga aquifer resource under Article 2, Treaty of Waitangi.
- That we are kaitiaki of the Heretaunga aquifer resource as it is central to the mana and mauri of our marae hapū and this is not dependent upon title to the surface of land.
- Protection of the aquifer resource is paramount and mining, exploratory and/or actual drilling, fracking, industrial development or use, experimental use, or other use that puts the resource at risk, is not supported.
- Require that existing water takes are monitored and proposed future takes are not permitted without consultation with hapu, due diligence and robust scientific evidence on risk to the aquifer resource is made available to affected parties and nga hapu o Heretaunga.
- Hapū reserve the right to manage the Heretaunga aquifer resource in partnership with authorities.



Artist's impression of Tane-nui-a-Rangi Marae; lower Ngaruroro cica 1800's



Ohiti  $p\bar{a}$ , showing a redoubt within the pre-European  $p\bar{a}$ , Ngaruroro River



Lower reaches of the Ngaruroro awa; Heretaunga Plains



Ngaruroro awa meeting Tangaroa; Te Matau a Maui

### 2.3 HAU; TE MAURI O TAWHIRIMATEA

**WHĀINGA**: To support a sustainable mauri-enhancing environment with marae hapū and iwi traditional practices that also address ozone depleting and climate change issues.

#### 2.3.1 AIR POLLUTION

- To work towards there being no poisonous spray or spray regimes within or around marae communities and waterways.
- It is expected that local landowners, business and industry will liaise with marae, inform them of expected activity and, where there are issues for marae, and negotiate a solution satisfactory for both parties.
- The greatest care is to be taken by operators to minimize risk for whānau.
- The causal link between air pollution (sprays, emissions, pollens) and the high incidence of asthma amongst Māori be investigated and strategies developed to mitigate risk for whānau.

#### 2.3.2 WIND POWER

- No further development in Heretaunga (in particular erection and use of wind power technology, engineering
  or models) occurs without the express permission of ngā hapū o Heretaunga.
- Ngā hapū o Heretaunga must also be consulted in the development of wind power in regions immediately surrounding the Heretaunga rohe.
- Ngā hapū o Heretaunga reserves the right to investigate, develop and implement hapū wind power initiatives that address local marae community needs in an appropriate cultural manner.

#### 2.2.3 WETLANDS

• There will be no further loss or degradation of Heretaunga wetlands; and restoration of existing wetlands of high importance will be a priority. This includes restoration of native vegetation and species.

#### **2.3.3 OTHER**

- The erection of electricity pylons, cell towers and other similar devices is restricted to areas outside of Marae hapū primary influence areas unless express permission is given by the affected marae hapū after the appropriate consultation.
- Marae committees and whānau reserve the right to be able to set a quiet zone within the marae locality
  from time to time to conduct activities and business that require respectful abatement of noise from
  various sources, including diversion, or reduction of traffic noise through Marae communities.
- Investigate and develop local marae communities emergency response plans in regard to natural and unnatural events, windborne chemical emissions, industry spills etc
- Oppose the development of genetically modified seeds and crops that are at risk of windborne dispersion in Heretaunga.
- Encourage hapū initiatives to return natural ecosystem development through organic, biodynamic gardening and farming practices and the enhancement of bee populations.

## 2.4 MOANA; TE MAURI O TANGAROA

WHĀINGA: Ensure the concept of ki uta ki tai is considered in every area of coastal management.

#### 2.4.1 TANGAROA

- To acknowledge and align with Ngāti Kahungunu lwi Incorporated coastal and fisheries strategies as far as is practical for ngā hapū
- Respect, protect and enhance coastal areas of importance where possible and encourage protection and enhancement of the mauri of coastal waters, to ensure the ability to support cultural and customary usage.
- Have input into the regulatory processes and kaitiakitanga of Tangaroa to enhance, manage and preserve a healthy environment and resources for hapū and iwi into the future
- The restrictions on recreational fishers are relatively simple and the three main things to remember and enforce are:
  - Do not take more than the daily limit
  - Do not take under-sized fish
  - Do not sell your catch.

#### 2.4.2 COASTAL ENVIRONMENT

- Ensure that land, water, and biodiversity at the interface of the coastal environment are managed in an integrated way through careful planning and policy instruments.
- Avoid compartmentalizing the natural environment so that any impacts of mismanagement that affect the
  cultural health of the coastal environ (such as poor urban development, land use intensification and diversion
  of water) can be prioritized and remedied i.e. a whole of catchment, eco-system and habitat approach is
  utilized from the outset for planning, and for mitigation purposes.
- Recognise that the connection between the coastal and inland environments is inherent when developing robust systems to address areas of degradation and mitigation for future and potential environmental effects.
- Ensure that all fish species have uninhibited access between inland and coastal waters.
- Ensure processes are in place for coastal protection and agencies and/or developers adopt & utilise best practice when undertaking coastal work, maintenance, enhancement or development projects/ programmes.
- That best practice models be scrutinized or validated through a cultural lens.

## 2.5 TE WHĀNAU; TE PUTAKE O TE ORANGA

WHĀINGA: Whānau to be equipped to take their place in the world and maintain their kaitiaki status at home by enabling democratic decision-making and action by, and on behalf of, communities; and promoting the social, economic, environmental, and cultural wellbeing of whānau, in the present and in the future.

#### 2.5.1 SOCIAL WELLBEING

- Strengthen networks and participation of whānau in marae and hapū life.
- Enable hapū whānau to plan for the future

#### 2.5.2 ECONOMIC WELLBEING

- Assist hapū whānau to build skills
- That marae, hapū, iwi seek to be participants in economic development for their communities and region.

#### 2.5.3 ENVIRONMENTAL WELLBEING

- Provide opportunity for hapū kaitiaki to be educated, informed
- Participate in and monitor environmental best practice assist development in conjunction with authorities, developers, contractors with best practice models.

#### 2.5.4 CULTURAL WELLBEING

- Identify and nurture hapū leaders
- Work to improve capacity and capability of marae whānau and hapū
- Assist to enhance and preserve wāhi taonga



Te ihi, te wehi, te mana; Mauri ora!

#### 2.6 TE TIRITI O WAITANGI

WHĀINGA: Reclaim our values to uplift the status of mana whenua, of Kahungunutanga, and lay the foundation for managing our resources, determining our own outcomes, making and owning the consequences of our decisions.

#### 2.6.1 ADHERENCE TO ARTICLES

- Ngā hapū o Heretaunga will adhere to Article One and Two of the Tiriti o Waitangi as the basis of all interaction with local bodies and government agencies.
- We expect the reciprocal interaction in that local bodies and government agencies will adhere to the Treaty principles pursuant to section 8 of the RMA, 1991.

#### 2.6.2 WORKING WITH THE CROWN

- Heretaunga hapū agree that partnership between the Crown and hapū is required in order to provide sustainable co-governance and co-management of natural resources in Heretaunga
- We expect the Crown to work in good faith with Heretaunga hapū.

#### 2.6.3 MANA WHENUA

• Heretaunga hapū acknowledge and respect the important status of mana whenua and ahi kaa in their kaitiaki role over the whenua, wai, marae and other hapū wāhi taonga.

#### 2.6.4 KAITIAKITANGA

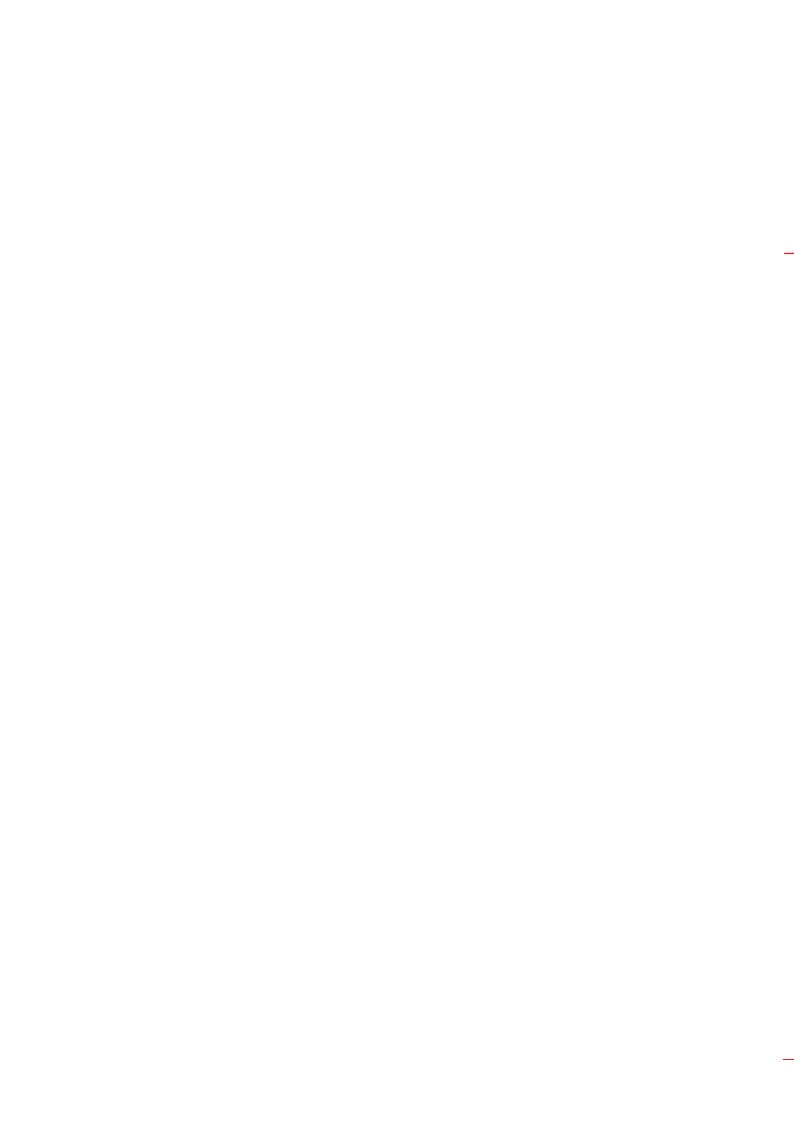
- Ngā marae hapū will work together to protect local and regional mana whenua assets and resources.
- Marae are the conduit for hapū decision-making on local issues.
- Individual marae have the authority to manage their respective marae community and immediate environment.

#### 2.6.5 CONSULTATION

- *Mana Ake* 2013 shall provide a basis, but not a substitute, for consultation on natural resource, environmental management and hapū development.
- As a Treaty partner, the position statements in *Mana Ake 2013* not only represent marae hapū views, but may also parallel those of the wider community.

#### 2.6.6 MARAE HAPŪ ENGAGEMENT

 Ngā hapū o Heretaunga advocates kanohi ki te kanohi to engage with others. It is especially important when seeking advice, disseminating information, exchanging ideas, resolving conflict and mediation. Opportunities include site visits, field trips, hui and informal meetings.



## 3. TE WĀHANGA TUATORU

## Mahia te Mahi

Implementation & Engagement



# 3.1 CULTURAL INTERPRETATION & INTELLECTUAL PROPERTY

"Retention of our cultural identity is paramount for it is our soul, what makes us unique..."

NKII 25 Year Vision

#### 3.1.1 PROTECTION AND PROPER USE

- Māori-led and permitted use of the following is vital to the survival and uniqueness of the following:
  - Ngāti Kahungunu values, customs, beliefs and history
  - Te reo and Māori symbols/graphics
  - Ancestral purākau (cultural history), as they are tribal taonga
  - Protection and proper use, Māori-led and permitted use NOT mainstream resourcing of cultural interpretation material to mainstream operations.

#### 3.1.2 USE AND RESPECT OF HERETAUNGA MĀORI CULTURE

- Interpretation and information to Heretaunga history, values, traditions or beliefs (including place names) is not to be provided to any client as part of any commercial guiding, filming or interpretation activity unless the interpretation and information is agreed to by the appropriate kaitiaki hapū as being appropriate and accurate.
- Any interpretation and information relating to Heretaunga hapū ancestors, ancestral places, history, values, traditions or beliefs associated to Heretaunga hapū is best prepared by Heretaunga hapū
- When concessions are sought to use cultural history (e.g. purākau) in any operations, it is recommended that a hapū kaitiaki representative is employed as part of the concession activity to provide and/or interpret such information.
  - In some cases, hapū may request that concession applicants prepare an interpretation panel, in consultation with Heretaunga mana whenua, explaining Māori history and cultural associations with the
  - Encourage where appropriate, respect for Ngāti Kahungunu association with culturally significant places through working with relevant departments (such as DOC) to develop educational and interpretative material (e.g. panels, signs, and visitor publications) for users of that area.
  - Such material should include Heretaunga hapū perspectives and references to the significance of the site or resources to ngā hapū where appropriate, including the use of traditional place names.

#### 3.2 PLANNING INPUT

- Ngā hapū o Heretaunga will have input into high level planning, which will be supported and appropriately resourced.
- Our expectations are that local authorities will undertake the following during the various planning processes.
- Recognise Mana Ake as a basis for Heretaunga marae hapū input to Council planning.
- "Shall take into account" the Mana Ake document during preparation of, or changes to, policy statements or plans as written under sections 61, 66, 74 of the Resource Management Act 1991. Councils are to "take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district".
- Fulfill Schedule 1 (of the Resource Management Act 1991) requirements for policy and plan development consultation. The schedule outlines a general requirement for local authorities to consult iwi. Iwi management plans are a useful tool to assist in this process (clauses 3(1)(d); 3B; 3C).
- Make provision within planning processes for the spirit and intent of any statutory acknowledgements and regulations under the yet to be completed Heretaunga-Tamatea Claims Settlement Act to become embedded throughout policy well beyond their expiry.
- Recognise and where appropriate consider the use of Section 33 of the Resource Management Act 1991 which allows local authorities the transfer of powers to an iwi authority.
- To have Heretaunga marae hapū input into the activity status, e.g. what is permitted, discretionary, or restricted in respect to rules in planning documents.
- Councils are to monitor effectiveness and use of *Mana Ake* and the relationships formed with ngā hapū o Heretaunga. This will promote accountability and determine how well *Mana Ake* has been recognised and provided for.

#### 3.3 CONSENTS MONITORING

## 3.3.1 USE OF MANAGEMENT PLAN & LEGAL REQUIREMENTS IN THE CONSENT PROCESS

- To use Mana Ake as a guide on determining affected party status.
- To use *Mana Ake* as a guide when writing consent conditions.
- Use Mana Ake to assist assessment of consent applications against Resource Management Act Part II requirements i.e conditions, particularly section 6 (e), relationship of Mäori with ancestral lands, waters and sites, section 6 (f) protection of historic (including cultural) heritage from inappropriate use and development; section 7 (a) Kaitiakitanga and section 8 Treaty of Waitangi.
- Apply policies in *Mana Ake* to consent applications as per section 104 Other Matters of the Resource Management Act.
- Ensure that as an affected party, consultation on appropriate resource consent applications by consent authorities (see Table, page 42) which outlines examples of resource consent application requirements for Hawke's Bay Regional Council.
- Ensure that cultural effects are considered as part of an Assessment of Environmental Effects.
- Utilise section 92 (request for further information in relation to the application to clarify possible effects) under the Resource Management Act when additional information is necessary to enable council to better understand the potential effects of the proposal on ngā hapū o Ngati Kahungunu values.
- Encourage use of Cultural Impact Assessments or other cultural reports when needed.
- Ensure consent hearings and issues involving significant cultural impacts should have a qualified lwi representative on hearing and application panels.
- Encourage pre application consultation with applicants to ensure applications are robust and recognise for cultural effects.
- Ensure site visits and/or archaeological assessments are undertaken where needed to ensure informed decision making.
- Ensure appropriate duration of consents that reflect Heretaunga issues.

# 3.4 PROCESSES & PROTOCOLS FOR ACHIEVING OUTCOMES

#### 3.4.1 EFFECTIVE PARTICIPATION - THE COMMON GOAL

- Maintaining and improving partnerships means involvement in local and governance decision making and
  ensures that hapū values are represented and reflected in regional and district plans, policies and statements
  and key national initiatives. It also necessitates a shared voice on planning and decision making boards and
  involvement in everyday consent and concession management processes.
- The ability to maintain effective relationships requires robust and long-term development and must recognise for changing environments with time.
- The principle of acting in good faith applies to all participants, in particular Local Territorial Authorities.

#### 3.4.2 IWI RESOURCE MANAGEMENT

- Effective relationships between Heretaunga marae hapū, iwi and agencies involved with natural resource management and environmental management issues are key to successful implementation of *Mana Ake* and other plans.
- The principle of acting in good faith applies to all participants, in particular Local Territorial Authorities.

#### 3.4.3 HERETAUNGA – TAMATEA CLAIMS SETTLEMENT

- In due course the Heretaunga-Tamatea claims settlement will be enacted to achieve full settlement of historical Ngāti Kahungunu ki Heretaunga claims against the Crown.
- The provisions, as outlined in the Act, provide tiers of representation identifying the special relationship of Ngāti Kahungunu ki Heretaunga with specific areas aimed to ensure that relevant matters in Part II of the Resource Management Act are recognised and provided for in natural resource and environmental management processes.

#### 3.4.4 HAPŪ CONSULTATION PROTOCOLS

• Consultation protocols can be used to define the process for facilitating participation in natural resource and environmental management planning and may be necessary to identify and resolve shared interest issues with other rohe and between authorities. Joint working parties or liaison groups may be necessary to ensure specific issues are addressed at all levels of decision-making.

#### 3.4.5 WĀNANGA

- Wānanga are a method to increase the awareness and capacity of agencies involved in the management
  of natural and physical resources. Such a method provides ngā hapū o Heretaunga with a purposeful way
  of ensuring that the principles and values that underpin this Plan are reflected in decision making processes
  including the development of policies. It increases awareness among agency staff with respect to cultural
  values and the interconnected nature of our environment. It provides a forum for clarification and education.
- Wānanga are also instrumental forms of communicating to and assisting developers and contractors working
  for them about issues that may arise during construction and what methods to use should there be an
  accidental discovery as outlined by ngā hapū o Heretaunga.

#### 3.4.6 THE MAUI MODEL OF ENGAGEMENT (MME)

• The whānau of Maui remind Māori of cultural systems that are still used today. Each member of the whānau represents many things – such as a process, an attribute, a protocol that has stood the test of time. The MME model demonstrates the powhiri process of karanga, whaikorero, koha, waiata, haruru, karakia, hākari.

#### 3.4.7 THE THREE-HUI PROCESS

- The most effective way to consult with māori is *kanohi ki te kanohi* (face to face) and the best way to manage shared resources is *pokohiwi* ki te pokohiwi (shoulder to shoulder, i.e co-manage).
- It is known amongst hapū that there needs to be discussion and time for people to understand and make decisions on important matters. Consultation and decision-making on an issue requires a minimum of three hui, constructed as follows:
  - Tāke on the table both sides initial view
  - Reinforce message & quality of information reinforced
  - Decision-making/considered opinion s for or against / consensus etc

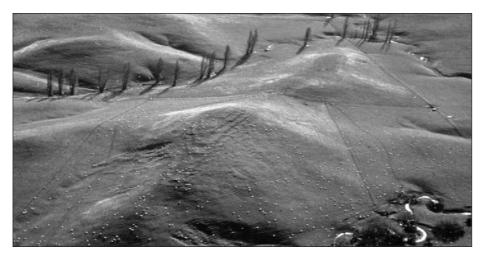
#### 3.4.8 CULTURAL IMPACT ASSESSMENT/ CULTURAL VALUES REPORTING

- A Cultural Impact Assessment (CIA) is the process of identifying the future consequences of a current or proposed action.
- A CIA is a professional report assessing the potential impacts of a given proposal on resources and values of
  importance to tangata whenua. It is a documentation of values associated with an area and should form
  part of a resource consent application's Assessment of Environmental Effects (AEE) assessing potential and
  cumulative effects.
- Reports may be requested by an applicant or developer as part of a pre resource consent consultation or alternatively may be requested by ngā hapū o Heretaunga. It provides a basis for clear recommendations on how to avoid or remedy adverse effects as a result of the activity or proposal.
- A cultural impact assessment may be required when:
  - An in-office assessment cannot be made: the cultural values associated with the site or in relation to the proposal are not easily assessed or are unknown;
  - The proposed activity is either on, adjacent to or will impact upon a site or species of cultural importance, or within an area of cultural significance;
  - The size and scale of the proposed activity is such that multiple values or multiple effects need to be considered;
  - The proposal is considered likely to have significant effects on tangata whenua values.
- Cultural Value Reports (CVRs) explain the cultural interests within a geographic area and/or specific resource. These reports do not proceed to an assessment of impacts and are often not used for development proposals.

## HE WĀHI TAPU KI HERETAUNGA

Some Heretaunga wāhi tapu







#### 3.5 CONSULTATION & DECISION MAKING

#### 3.5.1 IMPLEMENTING HAPŪ VALUES

- Work to ensure the process of traditional Māori decision making is understood and can often (but not always) be characterised by the following:
  - consensus is preferred even if it takes time;
  - emotion is expected, vented and tolerated especially when mana is challenged.
  - reconciliation is then part of the way forward to the consensus decision;
  - people may turn to Te Reo Māori and Tikanga Māori in conflict situations;
  - speakers and waiata are important.
- Whakapapa often determines the order of the speakers and often there is more than one. Reciprocated waiata are often expected;
- Silence is important and does not mean consent. What is not said is noted.
- Legislative requirements: Those parties consulting with ngā hapū o Heretaunga must recognise legislative requirements to consult, particularly under Sections 6(e), 7(a) and 8 of the Resource Management Act 1991 and Sections 14, 81 and 82 of the Local Government Act 2002, whereby specific provisions place obligations on local authorities and decision makers to incorporate tangata whenua interests into their decision making.
- Constructive consultation with ngā hapū o Heretaunga will include:
  - the development of good working relationships
  - understanding of key issues and values held
  - encouragement of early consultation during development stages of proposals, plans, and policies
  - provision of support and building on ngā hapū ki Heretaunga resource capacity
  - working toward agreement and mutual benefit/gains
  - consulting face to face and in environments where ngā hapū ki Heretaunga feel comfortable
  - flexibility and respect for cultural differences.
- Ngā hapū o Heretaunga participation should be visible at all levels of natural and environmental management planning. This includes recognition of duties by the Crown as a Treaty partner when actions are taken that may affect tangata whenua interests. The levels of consultation may vary from issue to issue.
- Ngā hapū o Heretaunga or their mandated agencies will assist agencies, applicants and members of public to determine the extent of consultation required.
- Consultation requests must include sufficient information and time to allow for comprehensive understanding and an informed decision.
- Consultation requires adequate support and resources and agencies need to provide ngā hapū o Heretaunga with technical advice to ensure informed decisions are made.
- Consultation is two way and the advice given by ngā hapū o Heretaunga with respect to cultural values and importance should be respected and inform decision makers. Information given orally should be considered equally with written information.
- Final outcomes, both written and oral should be reflective of the entire consultative process.
- Work with local authorities to have cultural values and perspectives reflected in plans and policies, best practice guidelines, rules, consent conditions and recommend notification when needed.
- Work with local authorities to link the objectives, policies, and rules in plan development to existing and future Statutory Acknowledgements, tōpuni, nohoanga, and taonga to ensure that ngā hapū o Heretaunga interests and matters in these areas are safeguarded
- Participate in planning and decision making processes and recommend consent and concession conditions that address marae hapū concerns
- Be proactive in supporting innovation and new ways of doing things that will have environmental benefits
- Work alongside other agencies to share information and promote advocacy
- Use targeted submissions to ensure cultural concerns are heard and participate in pre-hearing meetings
- Work with applicants to raise awareness of cultural issues
- Provide Cultural Impact Assessments where requested by councils or consent applicants, provide cultural advice to local authorities, participate in and raise awareness of cultural monitoring.
- Participate in regional and district council annual planning.

#### 3.5.2 IMPLEMENTATION TOOLS, METHODS AND MECHANISMS

• There is a range of tools or methods of implementation that ngā marae hapū ki Heretaunga can use to facilitate effective partnerships and consultation across many agencies and to ensure that the policies as outlined in *Mana Ake* are recognised in decision-making processes.

Example methods and tools of implementation include:

- Facilitation
- Negotiation
- Education
- Advocacy
- Arbitration / Mediation
- Promotion
- Raising Public Awareness
- Community Engagement
- Consultation protocols
- Face to face contact
- Hui and / or Wānanga
- Information Exchange
- Assistance
- Regional and District Planning
- Processes
- Technical panels, forums,
- Advisory groups

- Deed of settlement
- Implementation
- Joint Management / Advocacy
- Resource Consents
- Concession Applications
- Cultural Impact Assessments
- MOU's
- Protocols
- Accords
- Strategies
- Guidelines for action
- Monitoring
- Investigations
- Research
- Transfer of Powers

#### 3.5.3 THE VALUE OF CONSULTATION

- The value of consultation with Heretaunga marae hapū by councils and agencies responsible for the sustainable management or protection of natural and physical resources is that it:
  - helps to ensure that resource management issues of relevance to tangata whenua are identified, and options for various methods of achieving stated objectives are explored in the development of plans and strategies under legislation
  - assists in the identification of effects and recognises for Part II matters under the Resource Management Act and other legislative requirements;
  - can result in better outcomes and environmental protection; and
  - enables the exploration of opportunities for tangata whenua to be actively involved in the exercise of kaitiakitanga.
- The value of consultation for tangata whenua is that:
  - matters of cultural, spiritual or historical importance to tangata whenua can be protected, and measures put in place to avoid or remedy any adverse effects;
  - it facilitates the exercise of Kaitiakitanga; and
  - it recognises Tino Rangatiratanga and Mana Motuhake.
- The value of consultation for a consent applicant is that it:
  - assists in the identification of effects and therefore the preparation of assessment of environmental effects (AEE)
  - may lead to the resolution or narrowing of issues prior to lodgement of the application
  - can save time, cost and emotional anxiety
  - can result in better outcomes and environmental protection
  - can provide greater certainty in outcome.
- Best practice principles for consultation under the Resource Management Act can be summarised as including, but are not limited to, the following:
  - the nature and object of consultation must be related to the circumstances
  - the purpose of the consultation needs to be made clear at the outset
  - adequate information of a proposal is to be given in a timely manner so that those consulted know what
    is proposed
  - those consulted must be given a reasonable opportunity to state their views
  - consultation is never to be treated perfunctorily or as a mere formality
  - all parties must approach the consultation with an open mind
  - consultation is not merely to tell or present
  - the person consulted needs to be provided with adequate information so that they can understand how they may be affected by a proposal
  - consultation does not necessarily result in resolution by agreement or written approval, although there may be points of consensus
  - provided the person consulted has been given both the time and the opportunity to state their views, they cannot complain if they then fail to take the opportunity to do so
  - neither party is entitled to make demands; the process is to be underlaid by reasonableness and fairness
  - consultation does not give the party consulted the right to veto
  - there is no set form or duration, but neither is it be expected to go on indefinitely.

#### 3.5.4 EFFECTIVE HAWKE'S BAY AGENCY RELATIONSHIPS

- Actions which demonstrate good faith and effective working relationships and of which exist between Hawke's Bay agencies and marae hapū would include:
- the preparedness of high level management or councillors and senior staff to meet with tangata whenua to review the nature and extent of issues that affect them. This communicates the commitment of these local bodies or agencies to recognise and provide for tangata whenua involvement in the process;
- the involvement of senior staff in the facilitation of contacts to ensure expert advice is provided to tangāta whenua and in many cases may lead to mutual benefits;
- the provision of information demonstrating a willingness to share benefits;
- access to information that has already been provided by tangata whenua. This avoids the need to re-canvass issues and saves time;
- informed staff with respect to appropriate Tikanga Māori and protocol, especially in marae settings or hui.

#### 3.5.5 FACILITATION, NEGOTIATION, MEDIATION, ARBITRATION

• These processes act as informal methods to resolve differences and can be used instead of more formal intercession under legislation. An agreement using these techniques often leads to an outcome of satisfaction for the parties involved and may be an accepted practice by ngā hapū o Ngāti Kahungunu ki Heretaunga.

#### 3.5.6 EDUCATION, PUBLIC AWARENESS, COMMUNITY ENGAGEMENT

• These methods can be used to ensure understanding about the basis for policies within this Plan and the outcomes and/or benefits that may arise through their implementation and use. This includes assisting ngā hapū o Ngāti Kahungunu ki Heretaunga in raising awareness about the interconnected nature of the environment and the concept of *Ki Uta ki Tai*. Such methods will include provision of advice and distribution of information to ensure awareness and highlight particular importance of wāhi taonga and wāhi tapu.

#### 3.5.7 PROMOTION

• This supports use of methods or techniques to achieve a desired outcome. This may include use of policies to ensure innovation and best practice are used to recognise for ngā hapū o Ngāti Kahungunu ki Heretaunga values.

#### 3.5.8 INFORMATION EXCHANGE AND ASSISTANCE

- Bodies involved in natural resource and environmental management have varying levels of information and
  expertise. To achieve the best outcomes with respect to the environment, information exchange is
  imperative. The type of information, whether scientific or oral, should be assessed equally as differing
  bodies will present their views, opinions and values in various ways. Such exchange also avoids duplication of
  time, resources and finances and in many instances targets areas where key information is held.
- Assistance is reciprocal among agencies. Building capacity among ngā hapū o Heretaunga is important and
  at times agencies need to provide assistance to ensure the information held by iwi is captured and the
  necessary research, collation and documentation is supported. This may be at a financial level but also
  involves staff time, expertise and provision of facilities for meeting of people.
- In turn ngā hapū o Heretaunga are able to provide assistance to agencies to ensure basic understanding of values and assist with any training requirements to ensure appropriate channels of communication are maintained and protocol followed.

#### 3.5.9 REGIONAL AND DISTRICT PLANNING PROCESSES

- These tools represent policy that is developed by local authorities as well as regional conservation planning.
- For effective input into annual planning documents with local Government, adequate provision within budgets needs to allow for continuing consultation processes and recognition of Treaty principles.
- Continued early engagement of ngā hapū o Heretaunga by local government in annual planning and LTCCP processes is encouraged.
- Again an effective means of giving effect to Treaty principles is to ensure that ngā hapū o Heretaunga
  values are integrated into planning processes from inception. Such involvement includes participation and
  representation on planning committees, policy development involvement, joint submissions on key issues,
  and discussing capacity and capabilities to promote joint initiatives/responses.
- Ngā marae hapū o Heretaunga advocate that the values they hold should be embedded throughout policy documents as the norm. Ngā marae hapū recognise that separate chapters may be written that relate specifically to Treaty principles and tāngata whenua values and this is supported, but furthermore ngā marae hapū see the value in including policies throughout entire documents to ensure connections are made and the holistic view attributed to being part and parcel of the entire document.
- Involvement at early stages in the development of planning documents will avoid lack of understanding of how to actually apply and interpret policy with respect to customary values such as kaitikaitanga, mauri, wairua, wāhi tapu and wāhi taonga, which may have been recognised in the document, but not understood. Early involvement means that decision making processes with respect to management of the use, development and protection of natural resources is more robust and reflects the aspirations, requirements and issues of both parties. Effective and understood operative policies also help reduce time spent requesting clarification and processing resource consent applications for example.

#### 3.5.10 TECHNICAL PANELS, HEARING COMMITTEES, ADVISORY AND BOARDS

- Representation on these types of groups or forums by ngā marae hapū allows for consultation on a regular basis. It further allows for advocating of values and perspectives held by nga marae hapū to be included in higher level decision making processes which disseminates outward among agencies.
- Councils should support mana whenua working parties to meet beforehand in order to take a collective position.

#### 3.5.11 RESOURCE CONSENT, CONCESSION APPLICATIONS

- Resource consent and concession applications are a mechanism through which ngā marae hapū can
  respond and assess proposals made to district and regional councils and the Department of Conservation.
  Such assessments will be based on ngā marae hapū values and principles. As a guide, this Plan with its
  inherent policy, allows these agencies to consistently assess applications and the effects activities may have
  on ngā hapū o Heretaunga.
- Furthermore this Plan allows consent and concession applicants, when preparing applications in their early stages, to be mindful of and identify potential concerns that may be raised. It may provide varying avenues or methods to avoid potential threats and lead to positive outcomes. It will help in avoiding potentially unnecessary delay at later stages.
- Table: Examples of types of activities where ngā marae hapū o Heretaunga is likely to be an "affected party"
   Hawke's Bay Regional Council.

#### **Application Type**

#### - Whitebait Stands

#### - Gravel Extraction from rivers

- Bridges
- Dairy/Piggeries/Chickens
- Quarries/Mines
- Air Discharges
- Marine Farms
- Boatsheds/Slipways/jetties
- Discharges to water or onto land where it may enter water
- Taking surface water
- Taking ground water
- Damming/diverting
- Burning permits
- Septic tanks discharges
- Activities in beds of rivers, excluding gravel extraction

#### **Consultation required**

- New and transferred sites
- When Hawke's Bay Fish and Game requirements are not met
- All non-delegated ones
- All discharges to water
- All applications
- All notified applications
- All applications
- All new applications
- All applications
- All applications
- All notified applications
- All applications
- No need to consult (will be monitored)
- All applications
- All applications

# 3.5.12 CHARTER OF UNDERSTANDING / MEMORANDUM OF UNDERSTANDING / MEMORANDUM OF COUNSEL

• Charters or Memoranda of Understanding are statements of intention. They define the nature of the working relationship between parties. The use of such a tool can enable standards and procedure to be outlined between ngā marae hapū and/or their representatives and agencies. It can trigger consultation protocols or can be used to outline issues such as fulfilling Treaty principles.

#### 3.5.13 PROTOCOLS

• Protocols are similar in nature to memoranda of understanding. They are formal agreements between agencies as to the approach that will be adopted in dealing with particular matter or issues. Such protocols should include highlighting issues as an affected party with respect to resource consent applications.

#### **3.5.14 ACCORDS**

Accords are formal agreements with industry. They outline the standards which sectors will adopt with
respect to best practice. Such Accords may remove the need to impose controls. Often Accords are
undertaken voluntarily as a way forward outlining mutual benefits. ngā hapū o Heretaunga recognise that
such practices are beneficial and support agreements that have a positive outcome.

NB Protocols and Accords are subject to public notification and consultation prior to formalisation.

#### 3.5.15 STRATEGIES

A strategy is a useful tool in providing an overview of a particular issue or may relate to a particular area.
 Such strategies are often prepared in consultation with other agencies and in some instances may lead to joint/co-management or coordination of a resource or issue. The benefit of a strategy is that it encapsulates all affected parties and provides a basis to collectively tackle a concern or problem or promote a desired outcome.

#### 3.5.16 GUIDELINES FOR ACTION

• This tool is an important component in promoting public awareness and education among the wider community. Guidelines are an effective means of identifying the appropriate manner in which resource users should undertake activities and recognise for varying uses and significance of resources. They outline practical measures to avoid the adverse effects of activities and provide guidance on where to seek appropriate assistance should it be needed. Guidelines could outline particular farming techniques in high risk areas or may demonstrate building techniques to mitigate potential effects and provide benefits. Guidelines are not regulatory measures but resource users are encouraged to adopt the guidelines in their best interest.

#### 3.5.17 CULTURAL MONITORING

- Monitoring can be used in instances where the baseline data is lacking or there is a need to assess impact of an activity over series of time.
- For ngā hapū o Heretaunga, State of the Takiwā environmental monitoring or other such types of cultural monitoring tools are important in ensuring values and principles are recognised. Cultural environmental monitoring can be used to assess and report on the cultural health of natural resources and the environment in the takiwā.
- In its simplest form, cultural monitoring is about the gathering of information on the health, or mauri, of the environment within the takiwa, and turning the information collected into databases and reports to help inform (monitor) policy and planning. Such a system provides ngā hapū with a baseline of environmental information that can then be used to monitor the performance of resource management agencies with regards to specific environmental outcomes. Cultural monitoring and reporting is one part of a larger bundle of *Ki Uta ki Tai* Mountains to the Sea natural resource management tools being developed, including resource inventories and GIS information databases.

#### 3.5.18 INVESTIGATIONS AND RESEARCH

- Investigations and research can complement monitoring and provide factual information that enables an informed decision to be made. Involvement and the capacity to be involved in higher level research is important to ngā hapū o Heretaunga. However it is important the methods in which information is related are clearly understood and where possible, technicalities removed, so that the wider whānau can understand the concepts outlined.
- On occasions there may be times when further information is needed to recognise ngā hapū o Heretaunga values and beliefs and where appropriate information may need to be obtained from other sources.
- Furthermore ngā hapū o Heretaunga support participation of local experts where their research encapsulates both the Māori world view (i.e. Mātauranga traditional knowledge) and mainstream science and provides a robust analysis of the environment in question.

#### 3.5.19 TRANSFER OF POWERS

• The Resource Management Act enables local authorities to transfer any of their functions, powers or duties under the act to another public authority. It may be at times appropriate to use this mechanism under section 33 and 34 to delegate responsibility or transfer power to an iwi authority. An example may be an activity that may have detrimental effects on significant areas or species.

#### 3.5.20 JOINT MANAGEMENT / ADVOCACY

- Joint advocacy is a useful tool in the implementation of policies. It allows agencies to support each other in working toward common objectives through collaboration and information sharing. It may in some cases lead to joint or co management practices.
- Joint or co-management describes decision making processes where more than one party is involved. It may involve a sharing of power and decision making, sharing of responsibility, drawing on a range of knowledge systems to inform high level decision makers and may focus on ways forward through negotiation and at times possibly consensus.
- Joint management with Ngāti Kahungunu ki Heretaunga hapū could occur at a number of levels, for example:
  - a high level of control whereby hapū have the authority and control over a resource;
  - an equal local authority/agency and hapū level of control whereby the local authority/agency and hapū jointly collaborate and assist with input into a local authority/agency led process;
  - a low level of involvement whereby ngā hapū o Heretaunga are assured opportunities to input into a local authority/agency process<sup>4</sup>.
- The Resource Management Act 1991 through recent amendments now provides for public authorities and iwi authorities to enter into joint management agreements about natural and physical resources under Section 36B-E. These amendments promote collaborative projects and partnerships. The types of support that could be given by local authorities/agencies could include:
  - providing funding and staff resources to support the joint/co-management arrangement
  - administering the process aspects of the agreement e.g. arranging meetings, agendas, and recording minutes
  - meeting a portion of the costs of ngā marae hapū participation, which may include documents produced by the parties under the agreement
  - providing staff resources to facilitate between ngā marae hapū and the community
  - providing staff assistance in terms of strategic planning.
- Representation is formulated on a fair population basis through the mechanisms of Treaty Settlement post government entities.

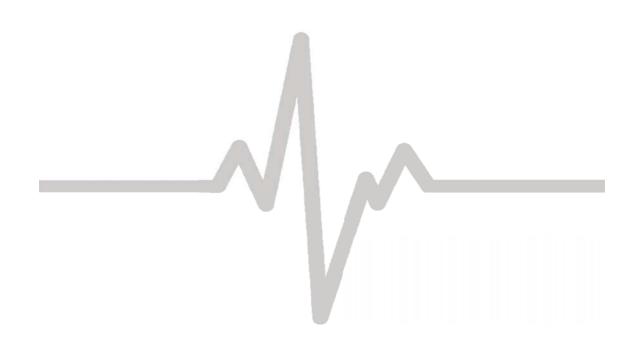
<sup>&</sup>lt;sup>4</sup> Co-Management: Case Studies involving Local Authorities and Mäori, Jan 2007, Local Government New Zealand Heretaunga.

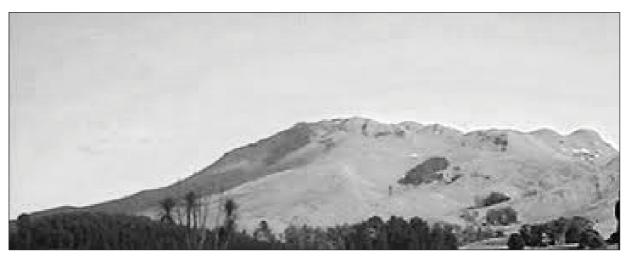
- A pre requisite to determine representation is founded upon Post Settlement Government Entity(PSGE).
- That Terms of reference to the Joint Management Advisory is developed in conjunction with PSGE representatives, not just mandated groups.
- The benefits for ngā marae hapū in having the opportunity to become involved in joint management or co-management agreements enables a continuous link with the natural and physical resource of a particular area, and particularly areas which are of spiritual and cultural importance and of which they are kaitiaki. Further benefits could include:
- building toward common goals by working together throughout development phases;
- sharing of ideas in respect to projects that are already being run and are working effectively;
- establish structure whereby ngā hapū ki Heretaunga are represented at governance, management and operational levels;
- cementing an understanding about the Māori world view by being actively involved in communicating this to the wider public including Ngāti Kahungunu ki Heretaunga whānau.

## 4. TE WĀHANGA TUAWHA

## Te Puna

Context, Content & Information Sources





Ko Kahuranaki te maunga



Ko Te Mata te maunga, ko Tukituki te awa, Ko Te Matau a Maui te moana



Heretaunga Plains in flood; circa 1935

#### 4.1 TAONGA TUKU IHO

#### 4.1.1 DEFINITIONS OF VALUES AS APPLIED IN MANA AKE

#### Wairuatanga

The relationship of Māori to wai is steeped in the genealogy and lore of Te Kauae Runga, Te Kauae Raro. The
maintenance and sustenance of the mauri of both realms today is vested in marae hapū as a divine birth
right from the Atua (gods) and manifests itself in many ways, including te reo me ona tikanga, and is evident
in phrases such as 'ko wai, no wai, mā wai'.

#### Whakapapa

• The lineage and history of the terrestrial and celestial realms, places, people and events.

#### Taonga

Those things that are cherished by Māori, whānau, hapū and iwi.

#### Kaitiakitanga

To "wisely manage" the physical world with the gifts (taonga) of MANA, WAIRUA, TIKANGA and REO.

#### Matauranga

Knowledge and understanding derived from tradition and practice.

#### Manaakitanga

• Looking after oneself, whanau and others.

#### Mana Whenua

- This term describes those hapū who connect to a particular land area through whakapapa and have territorial rights and hold power associated with possession and occupation of tribal land.
- The status of mana whenua may also apply to continuous and strong historical affiliation but not necessarily require contemporary residency if those connections are very strong.
- Mana whenua significance can apply when hapū have occupied a land area in the past or have historical
  connections resulting in the remaining presence of connected wāhi tapu in that area. Non-occupation does
  not exclude hapū from having close whakapapa, familial or wāhi tapu links to some land that is strong
  enough for them to be consulted when issues arise. This has been termed secondary influence areas.
- NB: The primary hapū<sup>5</sup> for any area is the first point of contact<sup>6</sup>. It is incumbent on primary hapū to speak to their neighbouring hapū, extended whānau and others still holding interests within modern influence areas or boundary lines.

#### Mana Motuhake

Whānau, hapū, marae determination how? To recognise and up hold the mana of whānau, hapū and marae.

<sup>&</sup>lt;sup>5</sup> It has not been attempted in this Plan to list primary areas of ownership with regard to each marae hapū in Heretaunga.

<sup>&</sup>lt;sup>6</sup> It is important for stakeholders to realise that speaking to one particular rohe does not necessarily mean that the discussion is complete.

#### Tino Rangatiratanga(Self determination)

 Collective determination / to maintain balance amongst whānau, hapū, mārae and iwi. How? working collaboratively.

#### Ahi Kaa / Ahi Kaa Roa

• Literally, the burning fires of occupation, this term means title to land through occupation by a group, generally over a long period of time. The term is attributable to the endurance of those that continue to hold onto ownership of their lands against modern-day economic and social challenges. Ahi kaa are seen as kaitiaki of the whenua.

#### Mauri

• The life-giving principle of all things/ essence, life-force.

#### State of the Takiwā

 The state of wellbeing, culture and customs of local whānau, marae and hapū as measured with cultural tools.

#### Mahinga Kai

Mahinga kai is the customary gathering of food and natural materials, and the places where those resources
are gathered, the way resources are gathered and the work involved in doing so.

#### Wai

Heretaunga hapū beliefs, values and mātauranga such as weather systems, moon cycles and natural
elements such as ngā roimata aroha, are the guidelines by which ngā hapū o Ngāti Kahungunu ki Heretaunga
live and conduct their relationship with freshwater resources; rivers, lakes, springs, creeks, wetlands and
aquifers of and affecting Heretaunga.

#### Ki uta ki tai

• The mountains to the sea - the interconnectedness of inland environments and the coastal environment.

#### Wāhi Tapu

• Culturally significant sites defined by tangata whenua; caves, ancient trails, occupation sites, gardens, mountains, canoe landing sites, fishing grounds, burial areas, resource/food gathering areas, mineral use sites, battle sites and other places associated with the history and identity of Ngāti Kahungunu hapū.

#### Whenua

• The physical embodiment of ātua - the topography of the whenua often being explained in terms of the actions of ancestors and therefore hapū today.

#### Maunga

• The anchors to ancestral land - landmarks that define whenua areas.

#### Nohoanga

Nohoanga are seasonal or temporary campsites, established adjacent to lakes, rivers and forests to facilitate
customary fishing and the gathering of other natural resources.

#### **Ngahere and Other natural Habitats**

• Forests are the lungs of the land; the filtration system, providing natural capital, invaluable ecosystem services for the land, water, air, biodiversity and people



Lower Tukituki awa



Waipureku; Te waharoa o te Tukituki

## 4.2 WĀHI TAPU ACCIDENTAL DISCOVERY PROTOCOL

Standard consent conditions expected by ngā hapū o Heretaunga for activities involving any type of disturbance, take or clearance on or of land.

Protocol in the event of a discovery, or suspected discovery, of a site of cultural importance (wāhi tapu/taonga).

#### 4.2.1 KŌIWI ACCIDENTAL DISCOVERY

• If Kōiwi (human skeletal remains) are discovered in Heretaunga, then work shall stop immediately and Te Taiwhenua o Heretaunga will be advised.

Te Taiwhenua o Heretaunga:

718 Orchard Road PO Box 821 HASTINGS HASTINGS

Phone: (06) 871 5350

- Te Taiwhenua o Heretaunga will arrange a site inspection by the appropriate Tangata Whenua and their advisers, including statutory agencies, who will determine whether the discovery is likely to be extensive and whether a thorough site investigation is required.
- In recognition of Section 6 of the Resource Management Act (1991) and legal requirements under the Historic Places Act (1993) there is a requirement to consult the New Zealand Historical Places Trust when archaeological sites are disturbed without authorisation previously obtained. The New Zealand Police also need to be consulted if the discovery includes Kōiwi or human remains.

Materials discovered will be handled and removed by iwi responsible for the tikanga appropriate to their removal or preservation.

#### 4.2.2 TAONGA OR ARTEFACT ACCIDENTAL DISCOVERY

• Taonga or artifact material (e.g. pounamu/greenstone artefacts) other than Kōiwi will be treated in a similar manner so that their importance can be determined and the environment recorded by qualified archaeologists alongside the appropriate Tangata whenua.

#### 4.2.3 IN-SITU (NATURAL STATE) ARTEFACT ACCIDENTAL DISCOVERY

- All indigenous artefacts found in the Heretaunga tribal area is owned by Ngāti Kahungunu ki Heretaunga. The Mana Ake document provides for the following measure:
- Any indigenous artefact accidentally discovered should be reported to the Ngāti Kahungunu iwi office as soon
  as is reasonably practicable. The Ngāti Kahungunu office will in turn contact the appropriate kaitiaki marae
  hapū.
- In the event that the finder considers the artefact is at immediate risk of loss such as erosion, animal damage to the site or theft, the artefact should be carefully covered over and/or relocated to the nearest safe ground. The find should then be notified immediately to the Ngāti Kahungunu iwi office.

#### 4.3 STATUTORY OBLIGATIONS

Under various national statutory obligations and policies, local and regional authorities are obliged to accommodate tangata whenua/ mana whenua involvement and input. These are currently interpreted into local authorities Regional Policy Statements, Regional Plans and District Plans.

#### 4.3.1 TREATY OF WAITANGI

- Protection of hapū rights were pre-empted in the Declaration of Independence signed by Māori leaders in 1835. Hapū were at the time interacting on an international trade level and the declaration was a response to imminent global threats of loss of hapū rights and values.
- The Treaty of Waitangi was signed by Heretaunga leaders on 16 June 1840 and it was regarded that Article 2 was a re-iteration of hapū rights as that signed by Māori leaders in the Declaration of Independence.
- Article Two says, in exchange for governance (government) Ngāti Kahungunu will retain the undisturbed authority and possession over their lands, rivers, forestry, fisheries and other special things.
- Article One of the Treaty says that Ngāti Kahungunu ceded governorship (government) to the Crown.
- At the time of the Treaty the modern day 'iwi' did not exist however 'Ngāti Kahungunu' did mean the collective hapū and the treaty was signed on behalf of Heretaunga-Tamatea hapū. Locally and regionally, hapū did not cede their "authority and possession" over their environment and have full right to be governing and managing those resources. Therefore, mana whenua reserve their right to exercise mana motuhake and tino rangatiratanga over their resources, individually and collectively.
- Much is debated about the interpretation of the Treaty of Waitangi however there is no denying that it exists. Pages 18 and 19 of Ngāti Kahungunu Kaitiakitanga Mo Ngā Taonga Tuku Iho<sup>7</sup> clearly states the cultural perspective and partnership position of Ngāti Kahungunu on Treaty of Waitangi matters and this is the position of the marae hapū of Heretaunga that have signed off this plan.
- Ngā hapū o Heretaunga have never relinquished their right to be kaitiaki over the natural domain; their traditional influence areas where their duty has always been to sustainably manage and protect taonga: natural resources, biodiversity, fauna and flora, ecosystems, wild life, birds, fish, plants and wāhi tapu, cultural landscapes and sites of special importance, as guaranteed in the Treaty of Waitangi.

<sup>7</sup> Hodges, 1992

#### 4.3.2 RESOURCE MANAGEMENT ACT 1991

- The Resource Management Act 1991 (RMA) is New Zealand's primary piece of legislation for sustainably managing natural and physical resources. The RMA contains various provisions that incorporate Māori values into the management of natural resources.
- While there are changes occurring in this legislation, key provisions currently include the requirement in the RMA for all persons exercising functions and powers (including policy/plan making and resource consent processes) to:
  - recognise and provide for, as a matter of National Importance
  - the relationship of Māori and their culture and traditions with their
  - ancestral lands, water, sites, wāhi tapu, and other Taonga
  - the protection of historic heritage from inappropriate subdivision, use, and development
  - the protection of recognised customary activities
  - have particular regard to Kaitiakitanga
  - take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).
- The RMA makes specific provisions for iwi management plans. In relation to iwi management plans, regional councils and territorial authorities are required to "...take into account any relevant planning document recognised by an iwi authority and lodged with a local authority...", under the provisions of Sections 61(2A) (a), 66(2A)(a), 74(2A)(a) of the RMA. This is relevant to local authorities preparing a Regional Policy Statement, Regional Plans and District Plans.

#### TREATY PRINCIPLES PURSUANT TO SECTION 8; RMA 1991

- Te tino rangatiratanga (full chiefly authority) over resources including lands, forests, fisheries and other taonga were guaranteed to Māori under Article II of the Treaty. Tino rangatiratanga includes tribal self-regulation of resources in accordance with their own customary preferences. Tino rangatiratanga was not, nor was it ever intended to be, relinquished or given away by Māori to the Crown.
- The Treaty signified a **partnership** between Māori tribes and the Crown. The exchange of promises under Articles I and II of the Treaty is seen as an exchange of gifts. The gift of the right to make laws and the promise to do so, and to accord the Māori interest an appropriate priority. Utmost good faith, reasonable cooperation and compromise are fundamental to this concept of a partnership.
- **Kawanatanga,** as ceded by Māori under Article I of the Treaty, gave the Crown the right to govern and to make laws applying to everyone. The delegation of resource management powers by the Crown to local authorities under the Act means that those authorities can make policies, set objectives and make rules affecting the management of natural and physical resources, subject to the guarantee of tino rangatiratanga to Māori and recognition of the partnership between Māori and the Crown.
- Active Partnership and Consultation: The spirit of the Treaty calls for Māori to have a much greater say in the management of the environment. Effective, early and meaningful consultation is an integral and necessary component and forerunner to greater participation by Māori in resource management decision-making.

- Active Protection: The guarantee of te tino rangatiratanga given in Article II is consistent with an obligation to actively protect Māori people in the use of their lands, water and other taonga, to the fullest extent practicable. In the context of resource management, the various elements which underlie and are fundamental to a spiritual association with the environment (including mauri, tapu, mana, tikanga and wairua) may all fairly be described as taonga that have been retained by Māori in accordance with Article II of the Treaty. The principle of active protection therefore extends to the spiritual values and beliefs of Māori.
- Hapū/ Iwi Resource Development: 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 hapū/iwi resources is a very important principle of the Treaty in the context of resource management under the Act. Ngāti Kahungunu seeks restoration of their tribal resources in accordance with their own needs and aspirations. In pursuing development, Māori may choose to pursue non-traditional uses of their resources instead of or as complementary to, their traditional practices. Recognition of the ability and need for hapū/iwi to develop their resources in a manner which achieves the purposes of the Act is a fundamental principle embodied in the Treaty.

#### 4.3.3 LOCAL GOVERNMENT ACT 2002

- The Local Government Act 2002 (LGA) provides for local authorities to promote the social, economic, environmental, and cultural wellbeing of their communities, taking a sustainable development approach.
- The LGA requires persons exercising functions and powers under it to:
  - recognise and respect the Crowns responsibility to take account of the Treaty of Waitangi
  - maintain and improve opportunities for Mäori to contribute to local government decision-making processes (including Section 81 of the LGA ).
- Amongst other things, the special consultative procedure, and preparation of Long Term Council Community/ Annual Plans are relevant LGA processes.
- Section 77 of the LGA also requires that a local authority must, in the course of the decision-making process, take into account the relationship of Māori, and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga.

#### 4.3.4 CONSERVATION ACT 1987

- The Department of Conservation (DOC) is responsible under the Conservation Act 1987 for the management
  of protected species and ecosystems, providing for public enjoyment of public conservation lands, conserving
  historic resources in protected areas and promoting the conservation of natural and historic resources
  generally.
- Section 4 of the Conservation Act 1987 requires that the Act be interpreted and administered as to give effect to the principles of the Treaty of Waitangi.

#### 4.3.5 THE HISTORIC PLACES ACT 1993

- The Historic Places Act is administered by the New Zealand Historic Places Trust, and empowers the Trust to operate a national register of historic places, historic areas, wāhi tapu (a place sacred to Māori in the traditional, spiritual, religious, ritual or mythological sense) and wāhi tapu areas. The NZ Historic Places Trust is also the consenting authority for activities that may destroy damage or modify an archaeological site.
- An archaeological site (under Section 2 of the Historic Places Act) means any place in New Zealand that either:
  - was associated with human activity before 1900, or
  - is the site of the wreck of any vessel where that wreck occurred before 1900; and is, or may be, able, through investigation by archaeological methods, to provide evidence relating to the history of New Zealand.
- The Historic Places Act also establishes the provision for the Māori Heritage Council. The core function of this council is to ensure that, in the protection of wāhi tapu, wāhi tapu areas, and historic places and historic areas of Māori interest, the trust meets the needs of Māori in a culturally sensitive manner;
  - to develop Māori programmes for the identification and conservation
  - to inform the Board of all activities, needs and developments relating to Māori issues in such areas and places
  - to make recommendations to the Trust on applications for resource consents under Section 33 of this Act
  - to advocate the interest of the Trust and the Council so far as they relate to matters of Māori heritage at any public or Māori forum.
- Furthermore, the proposed registration or registration of wāhi tapu or wāhi tapu areas are options to better identify (hence flag for protection in regional coastal plans and/or district plans) areas of 7416 cultural significance.

#### 4.3.6 OTHER MATTERS

- The preceding list is not exhaustive and there will be various other statutes, regulations, policies, and associated legal mechanisms of relevance to Ngāti Kahungunu ki Heretaunga resource management under the pending claims settlement.
- The **National Policy Statement for Freshwater Management 2011** is also instrumental in governance and management of natural resources, with authorities expected to work towards national standards based on sustainability.
- To this end Hawke's Bay regional Council has developed strategies such as the Hawke's Bay Land and Water
   Management Strategy with the following objectives:
  - Planning and Governance; Working together towards the goal of sustainable land and water management.
  - Sustainable Land Use; Viability and resilience of land are enhanced and water quality is improved through appropriate management and practices.
  - Sustainable Water Use; prosperity is enhanced through efficient water use, maintenance and improvement of freshwater ecosystems for agreed management objectives.
  - Information and Communication; Relevant and timely resource information is collected and communicated in a transparent manner to all interested parties.
- The above objectives require the will of authorities to make meaningful changes to plans, process and policies with the means for mana whenua to participate.

### 4.3.7 REGIONAL RESOURCE MANAGEMENT PLAN (RRMP)

- Schedule 1 of the Hawke's Bay Regional Council Resource Management Plan acknowledges the following core values:
  - Wairuatanga
  - Whakapapa
  - Taonga
  - Kaitiakitanga
  - Mātauranga
  - Manaakitanga



Omahaki; upper Ngaruroro awa

## 4.3.8 TYPES OF CONSULTATION & PARTICIPATION; TE MANAAKI TAIAO / TE RŪNANGANUI O HERETAUNGA

AGENCY	TYPE OF CONSULTATION AND PARTICIPATION
Hawke's Bay Regional Council	<ul> <li>Resource Management Act obligations:         <ul> <li>resource consents,</li> <li>regional policy statements</li> <li>regional planning documents</li> <li>recognition of Treaty principles</li> </ul> </li> <li>Local Government Act obligations</li> <li>Biosecurity Act obligations</li> <li>Pest management strategies</li> <li>Review boards, liaison groups</li> <li>Civil Defence/emergency management</li> </ul>
Hastings District Council	<ul> <li>Resource Management Act obligations:         <ul> <li>resource consents,</li> <li>district planning documents</li> </ul> </li> <li>Local Government Act</li> <li>The three waters</li> <li>Waste management</li> <li>Civil Defence/emergency management</li> </ul>
Te Taiwhenua o Heretaunga and Te Haaro Board of Trustees	<ul> <li>Joint advocacy</li> <li>Collaboration on shared issues</li> <li>Support and capacity building</li> <li>Technical advice</li> <li>Tribal leadership/direction</li> </ul>
Neighbouring Taiwhenua	<ul> <li>Shared boundary interests/issue</li> <li>Joint advocacy</li> <li>Collaborations on shared interests/ issues</li> </ul>
Te Rūnanganui o Heretaunga and Heretaunga marae hapū	<ul> <li>Joint advocacy</li> <li>Collaboration on shared issues</li> <li>Support and cultural advice</li> <li>Technical advice</li> <li>Tribal leadership/direction</li> </ul>
Department of Conservation	<ul> <li>Conservation Act responsibilities</li> <li>National Park Act responsibilities</li> <li>Reserves Act responsibilities</li> <li>Wildlife Act responsibilities</li> <li>Wildlife Control Act responsibilities</li> <li>Marine Mammals Protection Act responsibilities</li> <li>Concessions and permits</li> <li>Historic and cultural resources</li> <li>Visitor management</li> <li>Coastal management</li> <li>Pest control operations</li> <li>Conservation boards and advisory committees</li> <li>Joint advocacy</li> </ul>

Historic Places Trust Pouhere Taonga	<ul> <li>Historic places Act obligations</li> <li>Protection of significant sites, wāhi tapu</li> </ul>
Landowners, developers, public	<ul> <li>Resource Management Act: pre-application, consultation,         Cultural Impact Assessments</li> <li>Accidental Discovery Protocol</li> <li>Marae/general protocols</li> <li>Information about tāngata whenua and links with the environment</li> <li>Protection of significant sites</li> <li>Advocacy and education</li> </ul>
Fish and Game	<ul> <li>Conservation Act responsibilities</li> <li>Joint advocacy on common issues/objectives</li> </ul>
Ministry of Fisheries (MFish) Te Tautiaki i ngä tina a tangaroa	<ul> <li>Working relationship with tangata whenua in terms of:         <ul> <li>Fisheries Act</li> <li>Treaty of Waitangi (Fisheries Claim) Settlement Act</li> <li>North Island Customary Fishing Regulations</li> </ul> </li> <li>Sustainability measures</li> <li>Research planning</li> <li>Biosecurity</li> <li>Marine protection</li> </ul>

**Note**: The information in this table is to be used as a guide only. It is not intended to be a definitive or comprehensive summary of all agencies with whom consultation occurs, or the kinds of consultation that do occur.

## 4.4 TE RŪNANGANUI O HERETAUNGA

- Te Rūnanganui o Heretaunga is a collaborative political structure put in place for the purpose of giving effect to Marae Agreements with Te Taiwhenua o Heretaunga and Te Manaaki Taiao and the obligations of the parties to the Agreements.
- Currently Te Rūnanganui o Heretaunga comprises representation from ten Heretaunga marae and two Māori land trusts; a member of Te Haaro (Te Taiwhenua o Heretaunga Board of Trustees) also sits on the Rūnanganui. Te Rūnanganui o Heretaunga meets several times a year and negotiates, and adopts protocols for marae hapū input into submissions, plans, policies and consents.

#### 4.4.1 TE MANAAKI TAIAO

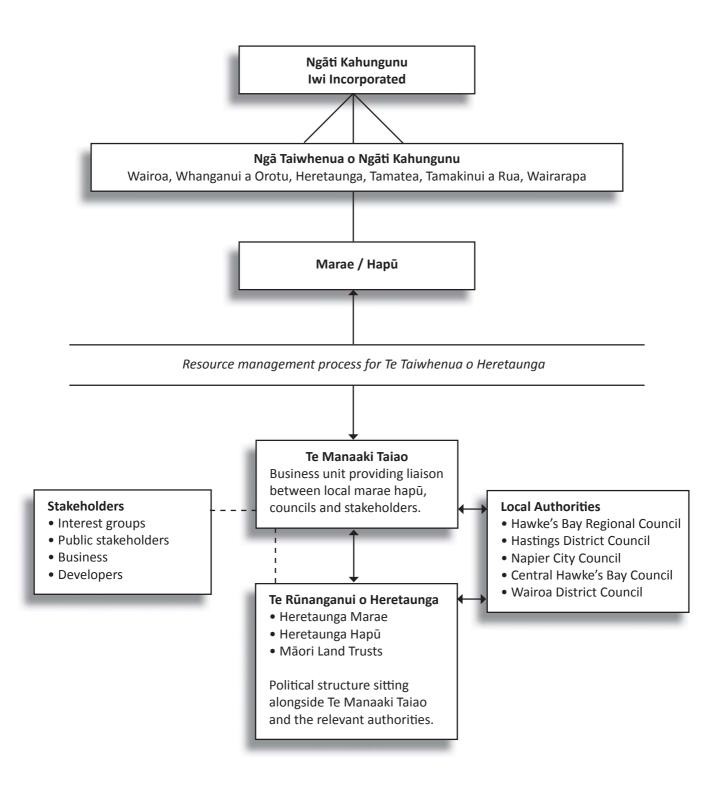
- Te Manaaki Taiao was established in 2010 under the umbrella of Te Taiwhenua o Heretaunga, advocates for Te Rūnanganui o Heretaunga interests through a Marae Agreement for resource management and community development purposes. Under the Marae Agreement, consultation can occur between local, national and government authorities and Te Manaaki Taiao.
- Te Manaaki Taiao employs a kaupapa Taiao Manager and other staff, and is essentially a direct link between marae hapū consent applicants, local authorities, Te Taiwhenua o Heretaunga and Ngāti Kahungunu Iwi Incorporated.
- Stakeholders, resource consent applicants, and others can contact Te Manaaki Taiao for consultation with the appropriate marae hapū or corporate body.

#### 4.4.2 SAMPLE OF CURRENT & PLANNED PROJECTS

- The next ten years:
  - Development of consultation processes and services available by and for Heretaunga marae hapū
  - Individual marae hapū management/ development plans
  - Marae and hapū asset planning and development
  - Marae hapū emergency response management
  - Cultural monitoring programmes and research for Hawke's Bay
  - Environmental resources to provide information about the environment from the perspective of Ngāti Kahungunu ki Heretaunga.

NB: The list above is not exhaustive and may change in the future. Projects to be developed (and their scope) may change throughout the life of this Plan.

# 4.5 CURRENT IWI MANAGEMENT STRUCTURE & TE TAIWHENUA O HERETAUNGA RESOURCE MANAGEMENT PROCESS



## 4.6 MARAE/ TRUSTS/ CONTACTS

MARAE / TRUST	CONTACT	HAPŪ CLUSTERS
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	272 Lawn Road R D 2	Ngāti Hori
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	Mayfair	
	HASTINGS 4159	
	Ph: 06 8765811	
Ruahapia	Chair: Peter Paku	
06-8768021	P O Box 2136	
	Stortford Lodge	
	HASTINGS 4153	
	Ph: 06-8794911	
Houngarea	Chair: Makere Phillips	Ngāti Papatuamaro
06-8782806	Ph: 06-8796056	Ngāti Tamatera
	Jill Munro:	Ngati Ngārengare
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	Pourerere.maori@xtra.co.nz	Ngāti Mihiroa
Mihiroa	Chair: Kenneth Jones	Ngāti Hotoa
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	Flaxmere	
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06-8784998	Ph: 06-876 5052	
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## TE HAARO O TE KAAHU TRUSTEES -2014

TE HAARO O TE KAAHU TRUSTEES – 2014			
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further contact details:	Ph: 06-8715350



Te Kauae ā Maui; Te Iho ō te Rei



11 Poutu-te-rangi (March) 2015

Marei Apatu Te Taiwhenua o Heretaunga PO Box 718 HASTINGS 4156

Tēnā koe Marei

RE: ENDORSEMENT OF THE "MANA AKE: NGA HAPŪ O HERETAUNGA - AN EXPRESSION OF KAITIAKITANGA" DOCUMENT

This letter is to formally advise that Ngāti Kahungunu lwi Incorporated support and endorse the document entitled, "Mana Ake: Nga Hapū o Heretaunga - An Expression of Kaitiakitanga" as the landmark document for hapū and marae striving to uphold Kahungunu values.

Nāku noa Nā

Ngāhiwi Tomoana TUMUAKI/CHAIR

304 FITZROY AVENUE, PO BOX 2406, HASTINGS, 4153 HAWKE'S BAY, NEW ZEALAND

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Mana Ake was compiled by Te Taiwhenua o Heretaunga

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