

HURUNUI DISTRICT COUNCIL

POLICY

MĀORI CONTRIBUTION TO DECISION MAKING



Approved: June 2015

Introduction

The Hurunui District lies within the traditional boundaries of Ngāi Tahu. Ngāi Tahu is the largest iwi in Te Waipounamu (the South Island) and comprises of hundreds of whānau who descend from the tribe's five primary hapū (Ngāti Kurī, Ngāti Irakehu, Kāti Huirapa, Ngāi Tūāhuriri and Ngāi Te Ruahikihiki) as well as earlier Ngāti Mamoe and Waitaha ancestors. The collective of all of these genealogies is known today as Ngāi Tahu Whānui.

Te Rūnanga o Ngāi Tahu (TRoNT) is the mandated Iwi Authority for Ngāi Tahu Whānui and was established by the Te Rūnanga o Ngāi Tahu Act 1996. While TRoNT accepts its statutory responsibilities as the representative voice of Ngāi Tahu Whānui "for all purposes" it also respects the rights of local Ngāi Tahu whānau and hapū to represent and express their own respective rights, values, and interests as mana whenua (i.e., those that hold traditional authority within their recognised takiwā) via their local papatupu rūnanga.

The hapū who have mana whenua over the Hurunui District are Ngāti Kurī and Ngāi Tūāhuriri. Their respective rūnanga are Te Rūnanga o Kaikōura and Te Ngāi Tuahuriri Rūnanga. The takiwā of Te Rūnanga o Kaikōura centres on Takahanga Marae in Kaikōura and extends from Te Pari-nui-o-Whiti (White Bluffs) in the north to the Hurunui River in the south, inland to the main divide and seawards. The takiwā of the Ngāi Tūāhuriri Rūnanga centres on Tuahiwi Marae in Tuahiwi and extends from the Hurunui River in the north to the Hakatere/Ashburton River in the south, inland to the main divide and seawards.

Purpose

The Hurunui District Council, as a legal representative of the Crown, seeks to engage meaningfully with Ngāi Tahu in the spirit of the partnership established under Te Tiriti o Waitangi. The Council recognises that Ngāti Kurī and Ngāi Tūāhuriri have rights and responsibilities as mana whenua (e.g., kaitiakitanga) and has worked with their representatives to enter into a Memorandum of Understanding to record and help guide this partnership.

It is important that Māori perspectives are heard when it comes to Council decision making and that we have procedures in place to make sure this is the case. In addition, both the Local Government Act and the Resource Management Act include certain requirements for councils to work alongside Māori.

The Local Government Act, section 81 requires councils to:

- a) establish and maintain processes to provide opportunities for Māori to contribute to the decision-making processes of the local authority; and
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- b) consider ways in which it may foster the development of Māori capacity to contribute to the decision-making processes of the local authority; and
 - c) provide relevant information to Māori for the purposes of paragraphs (a) and (b).

The Resource Management Act 1991, sections 58L to 58U sets out the requirement for Mana Whakahono a Rohe: Iwi Participation Arrangements. The intent of this Part of the Act is to improve working relationships between iwi and councils and enhance Māori participation in resource management processes. This is a relatively new requirement under the Act, the Council is keen to enhance its relationship with iwi and to work together to discuss and agree how this would work for us all.

An important relationship has been fostered through having representatives from Te Rūnanga o Kaikōura and Te Ngāi Tuahuriri Rūnanga on the Hurunui Waiau Zone Committee. Working together on water issues for the future of the district under the wider Canterbury Water Management Strategy is an important area of mutual concern.

Ngāi Tahu and the Hurunui District

Ngāi Tahu's historic relationship with the Hurunui district is reflected by the numerous pā (fortified settlements), mahinga kai, taurangawaka (canoe landing sites), nohoanga (seasonal camps associated with mahinga kai), tuhinga-o-nehe (rock art), ara-tawhito (highways) and urupā (burial sites) found throughout the District. Today, Ngāi Tahu maintain a relationship with a number of these sites (particularly remnant mahinga kai) and are becoming more active in discussions and decisions that relate to the management of sites of significance to them.

Protocol

The Council has with Te Ngāi Tūāhuriri Rūnanga, Te Rūnanga o Kaikōura and Te Rūnanga o Ngāi Tahu, a Memorandum of Understanding. The purpose of this is to recognise the role that local Rūnanga has in environmental resource management matters dealt with by our Council, and to provide an opportunity for a working relationship to be enhanced and improved.

The Council and representatives of the local Rūnanga have agreed to meet from time to time to review this protocol and explore ways of extending it to ensure that it remains consistent with meeting the wider objectives and mandate of the Local Government Act.

Iwi Management Plans

In order to facilitate the expression of their kaitiaki responsibilities and the understanding of their values, issues, objectives, and policies; Ngāti Kurī and Ngāi Tūāhuriri have their own respective environmental management plans, namely:

- Te Poha o Tohu Raumati 2005 (Ngāti Kurī)
- Maha-a-nui 2013 (Ngāi Tūāhuriri)

The Resource Management Act 1991 (section 74(2A)) requires territorial authorities to take into account planning documents recognised by iwi and lodged with the territorial authority. The content of the Iwi Management Plans has a bearing on District resource management issues under the Resource Management Act 1991. Each Plan provides guidance on specific

issues and locations within the Hurunui District.

These are vital resources for the Council and consent applicants to understand how to recognise and provide for the relationship of each hapū with their ancestral lands, water, sites of significance and other taonga (Section 6 of the Resource Management Act 1991).

Statutory Acknowledgments

The Ngāi Tahu Claims Settlement Act 1998 created Statutory Acknowledgement areas as a mechanism to recognise the special relationship Ngāi Tahu has with a given site. The purpose of Statutory Acknowledgments is to improve both the effectiveness of Ngāi Tahu participation within resource management processes, as well as the protection that each such site receives under the Resource Management Act.

The Statutory Acknowledgement areas in the Hurunui District are:

- Waipara River
- Lake Sumner/Hoka Kura
- Kōwai River
- Hurunui River/Huruhurunui Awa
- Conway River/Tūtāe Putaputa

Reference: Proposed Hurunui District Plan Chapter 2 Schedule 2.1 map SA

The Council must send copies of resource consent applications to Ngāi Tahu and consider whether Ngāi Tahu is an affected party for all activities within, adjacent to, or impacting directly on a statutory Acknowledgement area.

Archaeological Sites

In addition to the Statutory Acknowledgement areas, there are over 100 Māori archaeological sites throughout the District recorded by the New Zealand Archaeological Association (NZAA). Ngāi Tahu regards these recorded sites as indicators of the existence of other sites that have not been publicly recorded or identified. All archaeological sites, whether recorded or unrecorded, are protected by the Historic Places Act 1993. Māori archaeological sites include pā sites, cultivation areas, gardens, terraces, pits, middens, and rock art sites. Ngāi Tahu considers all archaeological sites related to Māori occupation and activity to be culturally significant regardless of site type. All of these sites are wāhi taonga and some are wāhi tapu – all are significant on account of their association with tipuna (ancestors).

While the primary legislation protecting archaeological sites in New Zealand is the Historic Places Act 1993, the Resource Management Act 1991 also plays an important role. The Council has responsibilities under Sections 5, 6, 7 and 8 of the Act to sustainably manage archaeological sites. Therefore, engagement with Ngāi Tahu when decisions are made on resource management in the vicinity of archaeological sites is required.

Integration with archaeological authority processes under the Historic Places Act 1993 is also an important consideration when assessing effects involving places and areas of significance to Māori under the Resource Management Act 1991. Heritage New Zealand Pouhere Taonga should be contacted in the early stages of a proposal as an archaeological authority from the Heritage New Zealand Pouhere Taonga may be required.

Nohoanga Sites

Nohoanga are temporary dwelling sites that are used in the seasonal pursuit of food and other natural resources. Nohoanga have been recognised within the Ngāi Tahu Claim Settlement Act 1998 and provision made for them so that Ngāi Tahu are able to occupy and use these sites for a defined period within any given year to pursue mahinga kai traditions. The nohoanga within in the Hurunui District are located on:

- Hurunui River/Huruhurunui Awa
- Lake Sumner/Hoka Kura
- Waiau River/Waiiau Au
- Waipara River and Waipara Rivermouth

As with Statutory Acknowledgements, the Council undertakes to send copies of resource consent applications to Ngāi Tahu and consider whether Ngāi Tahu is an affected party for all activities within, adjacent to, or impacting directly upon a nohoanga site.

END OF POLICY