

He Mahere Pūtahitanga:

A pan-tribal Iwi Planning Document
on behalf of the Central North Island
Forests Iwi Collective
2018



Foreword

Kaore hoki taku māharahara, taku mānukanuka

Ki aku tini mahara e putake i roto i te Hinengaro

Kaore hoki e taea te peehi ki roto ra

Me pānui atu ki te tini, ki te mano, ki te rau e pae e, e oa ma kei te haere tonu ngā mihi ki te kāhui whakangaro, moe mai ra koutou i te okiokinga tuturū mo taua te tangata, ko tātau tenei ngā mahuetanga mai. Tihe mauri ora ki a tātau e panui ana ngā kupu korero kei raro iho nei.

Ahakoia te rahi o ngā kupu me āta whiriwhiri, me nanao hoki e tātau kia noho pūmau ēnei kupu hei tohu mo te huarahi e whai ake nei tātau. Ko te mutunga iho, kei a tātau hoki te tikanga. Kia kaha tātau ngā iwi e whai paanga ana ki ngā whenua kei raro i te ngahere o Kaingaroa.

Ngā manaakitanga o te Wahi Ngaro.

He Mahere Pūtahitanga is recognised and endorsed by:

- Raukawa Settlement Trust
- Te Komiti Nui O Ngāti Whakaue Trust
- Te Mana O Ngāti Rangitahi Trust
- Te Pumautanga O Te Arawa
- Te Rūnanga O Ngāti Manawa Trust
- Te Rūnanga O Ngāti Whare Trust
- Tuwharetoa Settlement Trust

who represent the interests of the Central North Island Forests Iwi Collective on behalf of Ngāi Tūhoe, Ngāti Tuwharetoa, Ngāti Whakaue, Ngāti Whare, Ngāti Manawa, Ngāti Rangitahi, Raukawa, Affiliate Te Arawa Iwi and Hapū.

As such, this Plan has statutory weight under sections 5-8, 61, 66, 74 and 108 of the Resource Management Act.

He Mahere Pūtahitanga relates specifically to land identified in Schedule 1 of the Central North Island Forests Land Collective Settlement Act 2008 (refer p5 of this Plan).

This Plan **does not**:

- attempt to articulate values, interests, aspirations or policy position(s) of individual affiliate Iwi.
- supersede or replace any planning document prepared by individual affiliate Iwi.
- alleviate any obligation to consult with individual affiliate Iwi.
- preclude any individual affiliate Iwi from adopting alternative policy positions in areas outside of our Treaty Settlement Lands.

K. Bedelle



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the Central North Island Forests Iwi Collective

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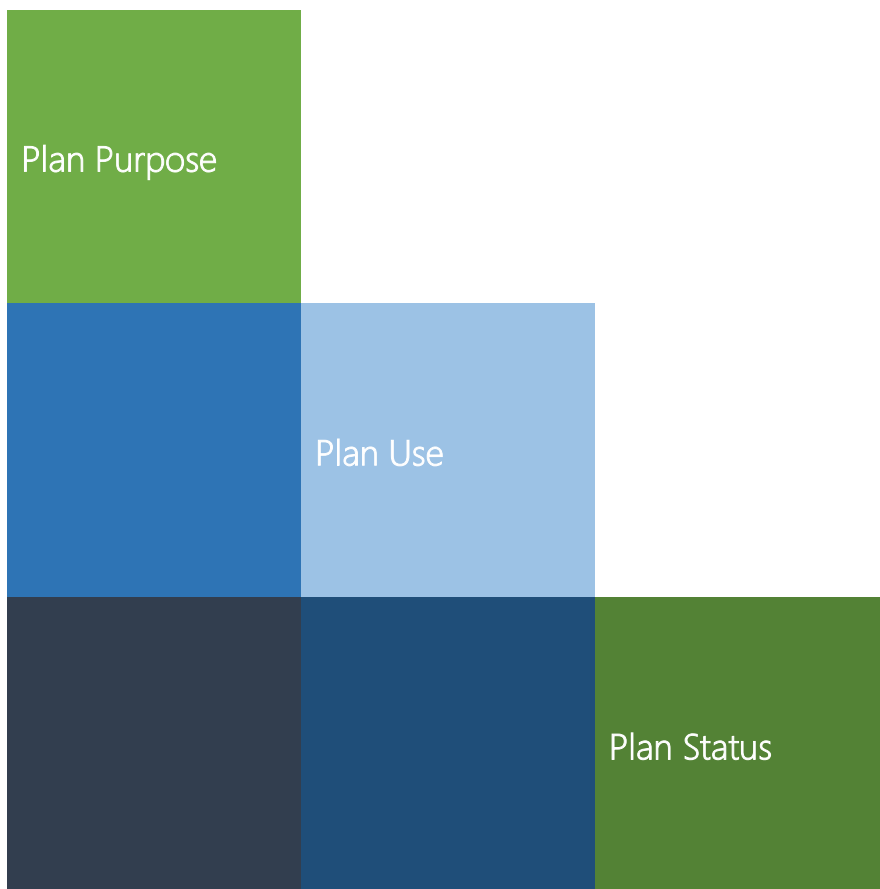
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Wāhanga Tuatahi – He Kupu Whakataki (Part 1 Introduction)



1.1 Plan Purpose

Our Treaty Settlement Lands are our connection to our past, our present and our future.

We - the Central North Island Forests Iwi Collective ('CNI') - have developed this Pan-tribal Iwi Planning Document ('Plan') to outline our collective voice for our Treaty Settlement Lands.

We want to reconnect, restore balance and find better ways to live with the land - for ourselves and our tamariki and mokopuna. Therefore, we want to ensure that:

- we are visible; we are heard; and we are influential;
- our relationship with our Treaty settlement lands is recognised.
- the principles of the Treaty of Waitangi are recognised and provided for in all resource management decisions and actions relating to our Treaty settlement lands.
- we collectively have the right to develop our Treaty Settlement lands in a manner consistent with our principles of kaitiakitanga.

We exercise kaitiakitanga in accordance with the kawa and tikanga of each iwi and their hapu.

This Plan is a living, working document. It is modular which means that further chapters will be added to this Plan.

The Central North Island Forests Iwi Collective

We are:

- Ngāi Tūhoe
- Ngāti Tuwharetoa
- Ngāti Whakaue
- Ngāti Whare
- Ngāti Manawa
- Ngāti Rangitīhi
- Raukawa
- Affiliate Te Arawa Iwi and Hapū.

We represent more than 110,000 registered whānau members.

Treaty Settlement Lands

Relates specifically to land identified in Schedule 1 of the Central North Island Forests Land Collective Settlement Act 2008.

This represents 176,000 hectares of land located within the Central North Island that was historically confiscated or acquired by the Crown, in a manner inconsistent with the Treaty of Waitangi.

Refer to Wāhanga Tuarua (Part 2) for further details.

1.2 Plan Use

This Plan will assert and support our relationship with our Treaty Settlement Lands. In particular, this Plan will:

ARTICULATE

Our collective aspirations, principles, challenges, objectives and policies in relation to our Treaty Settlement Lands.

INFLUENCE

Decisions relating to, or affecting, our Treaty Settlement Lands.

SUPPORT

Planning documents and submissions prepared by affiliate Iwi.

ACKNOWLEDGE

The mana of each affiliate Iwi within their respective rohe.
The rights of rūnanga, hapū and whānau to speak on matters that affect them.

This Plan **does not**:

- attempt to articulate values, interests, aspirations or policy position(s) of individual affiliate Iwi.
- supersede or replace any planning document prepared by individual affiliate Iwi.
- alleviate any obligation to consult with individual affiliate Iwi.
- preclude any individual affiliate iwi from adopting alternative policy positions in areas outside of our Treaty Settlement Lands.

1.3 Plan Status

Iwi planning documents must be taken into account when Councils are preparing or changing regional policy statements, regional plans and district plans.

This Plan has statutory weight under sections 5-8, 61, 66, 74 and 108 of the Resource Management Act (RMA) as the following criteria is met:

It is recognised by an iwi authority

An Iwi Authority is defined within the RMA as 'the authority which represents an iwi and which is recognised by that iwi as having authority to do so'.

CNI is an Iwi Authority for the purposes of the RMA. The representatives who have signed this document recognise CNI as the representative of the iwi collectively, for matters relating to their Treaty Settlement Lands.

It is relevant to the resource management issues of the region/district/rohe

The policies within this Plan are relevant to resource management issues for Regional and District Councils pertaining to land (s9 RMA) and resource use (s14 & 15 RMA).

It is lodged with the relevant local authority.

This Plan will be lodged with the following authorities:

Regional Councils	District Councils
Bay of Plenty	Hastings
Hawke's Bay	Rotorua
Horizons	Ruapehu
Waikato	South Waikato
	Taupō
	Whakatāne

Wāhanga Tuarua – Ko Wai Mātou (Part 2 About Us)



2.1 Who we are

CNI is made up of Ngāi Tūhoe, Ngāti Tuwharetoa, Ngāti Whakaue, Ngāti Whare, Ngāti Manawa, Ngāti Rangitihī, Raukawa, and the Affiliate Te Arawa Iwi and Hapū. Together these groups have more than 100,000 members.

CNI Iwi Holdings Limited is the corporate trustee for CNI. It was established to receive the settlement assets; distribute the assets and revenue and safeguard the land.

CNI Iwi Land Management Ltd oversees the day-to-day management and operations.

2.2 Where we are

This Plan relates specifically to land identified in Schedule 1 of the Central North Island Forests Land Collective Settlement Act 2008: 176,000 hectares of land located within the Central North Island. This is land that was historically confiscated or acquired by the Crown, in a manner inconsistent with the Treaty of Waitangi.

Our Treaty Settlement Lands are illustrated overleaf.

Iwi Collective Entities	Iwi
Raukawa Settlement Trust	Raukawa
Te Komiti Nui O Ngāti Whakaue Trust	Ngāti Whakaue
Te Mana O Ngāti Rangitihī Trust	Ngāti Rangitihī
Te Pumautanga O Te Arawa	Ngāti Ngārarānui (including Ngāti Tamahika and Ngāti Tuteaiti), Ngāti Tura, Ngāti Te Ngākau, Ngāti Kearoa/Ngāti Tuara, Ngāti Te Roro o te Rangī, Ngāti Uenukukopako, Ngāti Tuteniu, Ngāti Pikiāo, Ngāti Tarāwhai, Ngāti Rongomai, Tuhourangi Ngāti Wāhiao, Ngāti Tahu- Ngāti Whāoa.
Te Rūnanga O Ngāti Manawa Trust	Ngāti Manawa
Te Rūnanga O Ngāti Whare Trust	Ngāti Whare
Tuhoe Te Uru Taumatua	Ngai Tuhoe
Tuwharetoa Settlement Trust	Ngāti Tuwharetoa



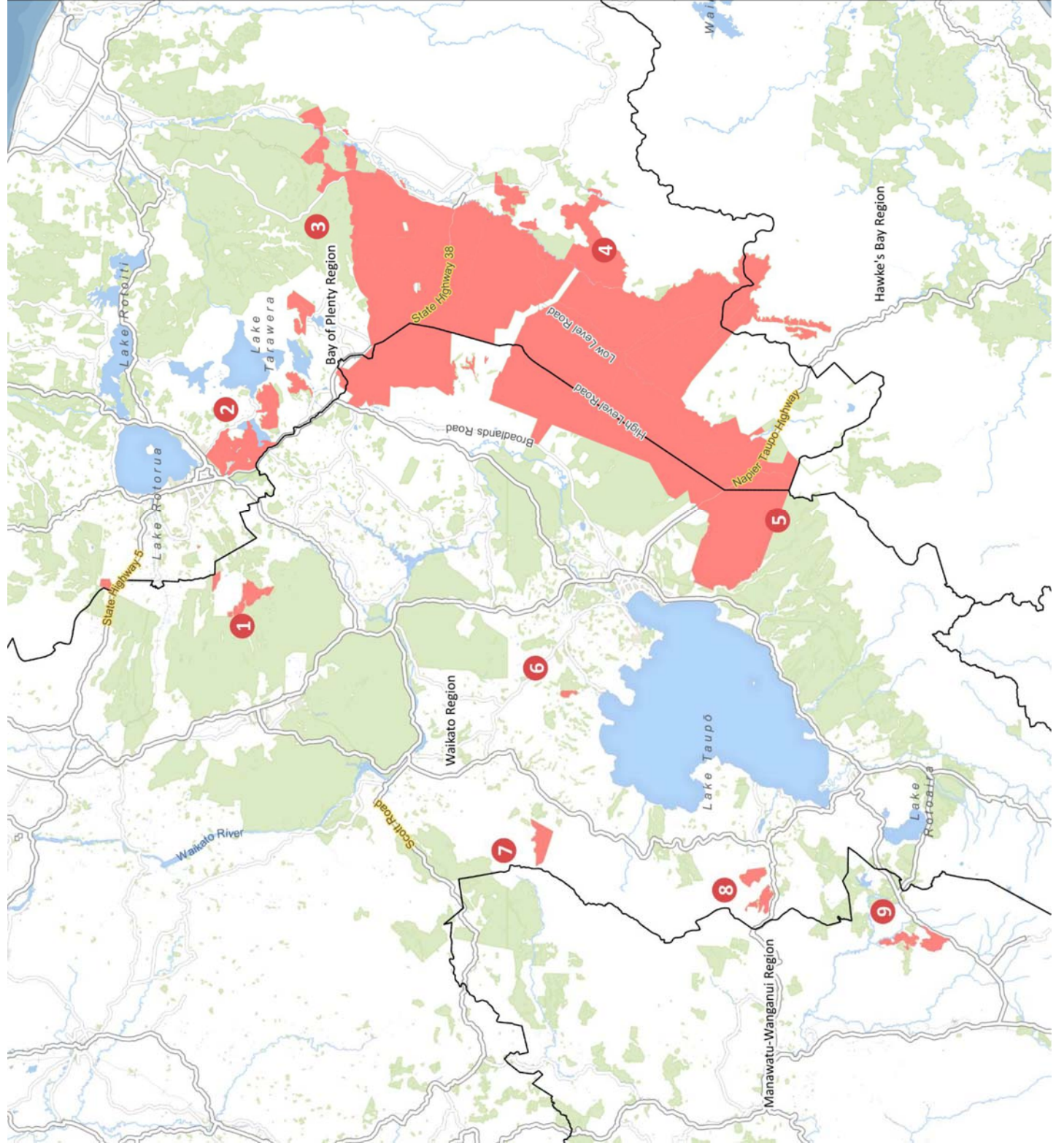
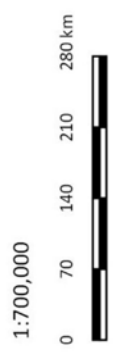
CNI IWI COLLECTIVE LAND

- 1. HOROHORO
- 2. WHAKAREWAREWA
- 3. CRATER
- 4. KAINGAROA
- 5. WAIMIHIA
- 6. MAROTIRI
- 7. PUREORA
- 8. WAITUHI
- 9. TAUREWA

LEGEND

- CNI Land
- Regional Council Boundary
- Water
- Forest
- Highway

SCALE



Wāhanga Tuatoru – Ngā Kaupapa Here (Part 3 Policy)



3.1 Treaty Settlement Land

We have a long history of association and connection with our Treaty Settlement Lands.

Following Crown confiscation and acquisition, our occupation and use of these lands was severed. This in turn resulted in the loss of physical connection of our people to these lands. It also meant lost opportunities to provide for our people over several generations.

After decades of discussions and negotiations, the Central North Island Forests Iwi Collective Settlement Act became legislation in 2008. It included the return of 176,000 hectares of land to CNI. It was part of a commercial and financial redress package to settle our historical claims relating to licensed Crown forest land in the region. This redress is intended to provide us the resources to provide for our economic, social and cultural development and wellbeing.

Our Treaty Settlement Lands are our connection to our past, our present and our future.

We want to reconnect, restore balance and find better ways to live with the land - for ourselves and our tamariki and mokopuna.

Ngā Wawata / Our Aspirations

The following are our aspirations relating to our Treaty Settlement Lands – We want to:

- Collectively have the right to develop our Treaty Settlement lands in a manner consistent with our principles of kaitiakitanga.
- Create a future for our people, where opportunities are abundant and we have a thriving, happy, prosperous community.
- Grow and build a prosperous future for our mokopuna.
- Achieve best practice in all our dealings and relationships.
- Work with long term partners who can add value.

Ngā Mātāpono/ Our Principles

The following are our principles relating to our Treaty Settlement Lands:

1. Provide for our people, those living and those yet to come. This ensures that decisions consider current and future generations.
2. Operate on a 'mai nga maunga ki te moana' basis. This takes a holistic approach, recognising that the health of the people relies on the health of the environment.
3. Seek opportunities for land use that:
 - a) reflects the capability of the land for use. This recognises the natural limits of our lands and waters.
 - b) strengthens the mauri of the land. This acknowledges reciprocity and enhances our spiritual and cultural wellbeing.

Ngā Whakatara / Our Challenges

1. **Inadequate recognition by Crown agencies of our relationship with our Treaty settlement lands.** This means that:
 - a) We are often treated as stakeholders rather than Treaty partners.
 - b) We are not heard or listened to within Council planning processes, even though we are significantly affected by any proposals involving nutrient or water allocation.

2. **We do not have fair access to development opportunities for our land due to resource and planning constraints.** This means that:
 - a) We have limited ability and/or flexibility to develop land in a way that promotes sustainable management (e.g. pursue more appropriate and sustainable land uses that reflect land use capability and enhance indigenous biodiversity).
 - b) We are unfairly disadvantaged - there is no level playing field with other landowners who have already developed their lands (e.g. already have a higher nutrient discharge allowance and/or access to water).
 - c) We face significant risk through restrictions on development and diversification of Treaty Settlement Lands. Being limited to plantation forestry leaves us open to economic risk, biological risk (e.g. pest, disease) and risk associated with natural events (e.g. fire, wind)

For example:

NUTRIENTS

allocation of nitrogen discharge allowances through grandparenting favours land with historically high levels of nitrogen discharges. It also penalises those, such as CNI, with land that has been used for low nitrogen leaching activities e.g. plantation forestry.

WATER

Under the Resource Management Act, the allocation of water occurs on a first in, first served basis. Within our area of interest, some surface water and groundwater catchments are approaching (and in some cases, exceeding) allocation limits.

Please note:

While the direct obligation to redress grievance sits with the Crown, Councils have an important role in implementing the principle of redress at the regional and local level, particularly where the redress includes resources within the region.

Ngā Whāinga / Our Objectives

1. Our relationship with our Treaty Settlement Lands (that are ancestral lands) is recognised and provided for, as a matter of national importance. This includes:
 - a) recognising our values and interests within resource management documents, processes and decisions.
 - b) establishing and/or maintaining a relationship with us to understand our views and involve us early in resource management discussions and processes.
2. Our Treaty Settlement Lands are recognised and provided for in ways that give effect to the intended outcomes associated with commercial redress. In particular, recognising:
 - a) that our Treaty settlement provides redress associated with the confiscation and/or acquisition of land by the Crown.
 - b) the loss of our lands has had intergenerational impacts on our people.
 - c) the purpose of commercial redress is to restore and provide our economic, social and cultural development and wellbeing.
 - d) the need for fair access to development opportunities of our Treaty Settlement lands.
 - e) that the actions of land alienation and return have put us at significant disadvantage for land use in a 21st century resource-constrained environment.

Ngā Kaupapa Here / Our Policies

Development opportunities and equity

1. Pursue opportunities for better use of our Treaty Settlement Lands which:
 - a) Aligns with our Principles for Treaty Settlement Lands (p7).
 - b) Creates opportunities for our people, including training and employment.
 - c) Reduces risk (e.g. economic risk; biological risk; risk associated with natural events).
 - d) Promotes the use of Mātauranga Māori, innovation and/or technology.
2. Support and advocate for nutrient management using a natural capital approach, based on the productive capacity of the land, rather than using methods that favour those who have already developed.
3. Oppose nutrient discharge allocations based on grandparenting of historical nutrient discharges to land.
4. Pursue opportunities for environmental offsetting.
5. Regional Councils to include provisions within Regional Policy Statements to confirm how Treaty legislation should be addressed within resource management documents and processes. This includes enabling the outcomes that Treaty settlement redress is intended to achieve.

Recognition

6. Councils to ensure that we are included in their Iwi contacts database, in accordance with s35A of the Resource Management Act, given that we are an Iwi Authority that was established via Treaty Settlement.
7. Councils to ensure that the engagement principals and protocols outlined in Part Four of this Plan is followed.
8. When preparing or changing a regional policy statement, regional plan or district plan, Council is to:
 - a) articulate in writing how this Iwi Planning Document has been taken into account.
 - b) provide a feedback loop with regard to our advice (e.g. feedback, submission) including changes made (or not), as a result of our advice.

Please note:

- That this Plan does not preclude any individual affiliate iwi from adopting alternative policy positions in areas outside of our Treaty Settlement Lands.
- This Plan acknowledges Te Ture Whaimana o Te Awa o Waikato as a key guiding document for the Waikato River catchment.

Relationships

9. Councils to work with CNI to develop a shared understanding and pathway forward to strong working relationships. This may include, but not be limited to:
 - a) Memorandum of Understanding
 - a) Formal relationship agreement e.g. Mana Whakahono-ā-Rohe.

Councils referred to, within this Plan	
Regional Councils	District Councils
Bay of Plenty	Hastings
Hawke's Bay	Rotorua
Horizons	Ruapehu
Waikato	South Waikato
	Taupō
	Whakatāne

Wāhanga Tuawha – Whakatinanatanga (Part 4 Implementation)



4.1 Engagement Principles

Engagement is valued as it facilitates the awareness and understanding. It also builds relationships.

The essential elements of engagement with CNI are as follows:

Engage with us early - So the right people are involved and there is sufficient time to respond / participate.

Engage with us kanohi ki te kanohi - This builds relationships and trust.

Provide sufficient and clear information - So we can understand the implications on us, both as kaitiaki and land owners / land managers.

Keep us informed regularly about plan changes - Not just when feedback is needed.

Impacts on CNI are not limited to 'cultural matters' – As significant landowners, economic, environmental and social impacts & benefits are equally important.

Provide a 'feedback loop' - So that we know what has happened to our feedback.

Please note:

Section 4.2 outlines when consultation is required with CNI. Consultation may also be required with affiliate Iwi. If uncertain, contact CNI for further guidance.

4.2 When consultation is required

CNI considers itself an affected party and should therefore be consulted on any proposal that affects, or potentially affects, our Treaty Settlement Lands.

CNI requires to be consulted **on proposed policy statements or plans** (including plan changes, both draft and proposed). CNI requires to be provided with no less than 1 month to provide its input on any draft policy statement or plan. This timeframe can be amended upon agreement between CNI and Council.

CNI requires to be consulted for **all plan development modalities** e.g. the standard track, collaborative process, and streamlined process.

CNI requires that **any information or advice provided by CNI** on a proposal will be **acknowledged in the section 32 report** for that proposal in recognition of CNI's position as an Iwi Authority.

CNI requires consultation on whether it is appropriate to **appoint commissioners or persons who understand tikanga and the perspective of the local iwi and hapū to a hearing panel**, collaborative group or review panel. If it is determined it is appropriate, then CNI requires to be consulted on who an appropriate commissioner might be. Best practice as to whether CNI will be the entity consulted on these matters or whether an individual CNI iwi member should be consulted will be determined between CNI and the relevant iwi. CNI requires this consultation in all RMA planning processes.

4.3 Consultation Process

Clause 3B, Schedule 1 of the RMA outlines specific criteria that must be met as to show that consultation with Iwi Authorities has been carried out in respect to a proposed policy statement or plan. CNI considers that these are the minimum standards that should be adopted by local authorities when consulting with CNI.

In addition to the process set out in Clause 3B, Schedule 1 of the RMA, CNI requires – at a minimum – the following with respect to consultation:

- CNI will be notified as soon as a private plan change that affects our Treaty Settlement Lands is requested.
- CNI will be involved on any steering group that is established by a local authority to oversee a proposed policy statement or plan change;
- CNI will be remunerated for its services provided during consultation.

As a reminder, this Plan does not:

- attempt to articulate values, interests and aspirations of individual affiliate Iwi.
- supersede or replace any planning document prepared individual affiliate Iwi.
- alleviate any obligation to consult with individual affiliate Iwi.

4.4 Mana Whakahono-ā-Rohe

The presence of this Plan does not negate our desire to enter into a Mana Whakahono-ā-Rohe with local authorities, individually or collectively. This Plan is intended to set the foundation for constructive discussions associated with a Mana Whakahono-ā-Rohe.

CNI is interested in formalising an agreement with Councils via a Mana Whakahono-ā-Rohe in relation to our Treaty Settlement Lands. A formal invitation, prepared in accordance with s58O of the RMA, will be sent to Councils in due course.

4.5 Plan monitoring and review

CNI will monitor and report on the implementation of this Plan to ensure that it is achieving the identified objectives and policies (Wahanga Tuatoru - Part Three).

This Plan will be reviewed every three years. This is to assess the extent to which the Plan has made a tangible difference to CNI in relation to Treaty Settlement Lands.

This Plan is modular which means that further chapters will be added, as necessary. Accordingly, any revisions to this Plan will be lodged with Councils to ensure that staff are using the most up-to-date version.