

Ngai Tamarangi Nga Tikanga Whakahaere Taonga Environmental Management Plan



*Ko Tirotiro Whetu raua KO Otukoiro nga maunga
Tohia o Te Rangi Te tangata
KO Te Wai-U-o- Tuwharetoa Te awa
KO Te Paepae o Rarotonga Te waka
KO Ngai Tamarangi Te hapu
KO Ngati Tuwharetoa Te iwi*

Colleen Skerrett-White BA Maori Development
[2016]

Introduction

<u>Te Tirohanga/Vision</u>	Pg 2
<u>Ngai Tamarangi</u>	Pg 3/4/5
<u>Chapter 1 Mana Atua,</u>	Pg 6
<u>Chapter 2 Mana Tangata,</u>	Pg 9
<u>Chapter 3 Mana Whenua</u>	Pg 10
<u>Chapter 4 Marae</u>	Pg 11

Papatūānuku/Land Blocks

Ngawha/Geothermal

Waipuna Ariki/Waterways

Ngā Whenua Wāhi Tapu/Wahi Rahui

History and relationship of the A8D Block

10. Waitangi Tribunal Claim WAI 21 (a)

A holistic approach to Geothermal Development

Ngai Tamarangi Policy

Legal Framework

Financial Contributions and Reserves

Consultation Indigenous Cultural and Intellectual Property Rights

Developing Partnership

Principles of Consultation

Consultation Contracts

Hui

Notification, Monitoring & Enforcement

Monitoring

Enforcement

Bibliography

Glossary

Appendices

Introduction

Te Tirohanaga (Vision)

To preserve, use and practice *Kaitiakitanga* in accordance with the *Kawa* and *Tikanga* of Ngai Tamarangi.

“Kei Te tiaki, kei Te manaaki hoki i Te mauri o ngā tāonga o Ngai Tamarangi
Mō
Ngā uri whakatipu”

Thus enable and empower ourselves to be the decision makers over the management and control of our tāonga.

The *Ngai Tamarangi Environment Strategic Management Statement* is a statement of our regard for our taonga and our responsibility for these resources, whether they are still in our possession or not. The plan is a basic strategy or tool that will enable the Hāpu of Ngai Tamarangi to discuss and identify the most appropriate way we can exercise ‘kaitiakitanga’ over our taonga for the benefit of our people and those generations as yet unborn. It will assist in developing long term strategies that will meet the future demands of our social, cultural, spiritual and economic needs.

This Statement will be a **‘living document’** and will be subject to constant review. It is no way intended to interfere with the operation of our Land Trusts and Incorporations.



NGAI TAMARANGI me era atu Hapu o Ngati Tuwharetoa

Ngati Tuwharetoa Hapu, Kaikino, Peehi, Tiki, Umutahi, Turangituku and Ngai Tamarangi to name a few, are the descendants of our Tupuna Tuwharetoa and his four wives and 16 tamariki:

Tuwharetoa			
Te Paekitawhiti	Hinemotu	Te Uira	Rangiuru
Maniawhaerepu	Hinewharerangi	Rakeimarama	Tutanekai
Rongomaitengangana	Rakeipoho	Rakeiuekaha	
	Rakeihopukia	Manuwhare	
	Taniwha	Mawakehore	
	Turangiawe	Karihiawa	
	Poukopa		
	Poutomuri		
	Aotahi		

Ngai Tamarangi, today, are the descendants of the tupuna Tamarangi, and we principally belong to the Iwi group commonly referred to as Tuwharetoa Te Atua Reretahi or Tuwharetoa ki Kawerau. We have strong geneological links to Te Arawa, Ngati Awa and many other Iwi of the Bay of Plenty area.

Ngai Tamarangi were badly affected by the 'land confiscation regime' of the Settler Government in the late 1800's, and are one of the hapu included in the recent Waitangi Tribunal settlement for Tuwharetoa ki Kawerau.

Our ancestral land is situated in and around the town of Kawerau, Bay of Plenty, and has been adversely affected by the 'environmental' impact of the establishment, in 1952, of the Tasman Pulp and Paper mill near Kawerau.

We wish to share with you some insight into our History as 'Tangata Whenua' of *Te Kete Poutama o Kawerau*, the traditional term for the area we belong to through our hapu *Ngai Tamarangi*

Ngai Tamarangi is a hapu of Ngati Tuwharetoa Te Atua Reretahi, also referred to as Ngati Tuwharetoa Te Aupouri.

We are direct descendants of both *Ngatoroirangi* and *Tuwharetoa* of *Te Arawa Waka*.

Through the marriage of *Hahuru*, mother of Tuwharetoa, we are also descendants of the original inhabitants of this land, *Te Hapu Oneone*. This area is reveered as the '*cradle of Tuwharetoa*' that is Ngati Tuwharetoa katoa and Ngai Tuoi an ancient hapu of Waitaha Ariki Kore from the Waka "*Te Paepae o Rarotonga*."

Our tupuna have lived continuously on these lands since time immemorial more than a thousand years, and our connection to the whenua has many dimensions, both physical and spiritual.

W.A.O.P.H.M.T.ae

As Tangata Whenua for *the Fox* whanau - it is now seven generations from the time the koroua/great/great grandfather Te Raimona and his brother Wharepapa, were granted this land then known as Matata 39A3B now known as Kawerau A8D.

On these lands stands our ancient maunga Tirotirowhetu and Otukoiro, the spring Te Wai U o Tuwharetoa and the ngawha, waiariki that have always warmed and sustained our tupuna.

Our marae Tohia o Te Rangi and our whanau Urupa are situated on the Block, Kawerau A8C.

Many of the waahi tapu of my people are situated on A8D and surrounding lands.as referred to in the Whakatauki we begun with.



Henare Fox Matata 39A3B 1940 (Kawerau *A8D)

W.A.O.P.H.M.T.ae

Toi Te Huatahi

Ue

Rongomai

Tiki Tiki o Te Rangi

Te Hape Tumunui o Te Rangi

Tamarau-Rawaho

Tamamutu

Te Pipirangi

Te Iki o Te Rangi

Te Koata

Te Rangikaitipuanuku

Te Kahotuanui

Takanui

Wheturoa

Hine te Ariki

Ka Moe a

Huhuru

Ngai Tuoi

Papawheoro

Ngarara Whakawa

Rakau Pango

Te Korenui o Tawa

Rakau Pepuka

Te Huruhuru Manu o Puketapu

Tinikura

Koutu

Te papa tururangi

Waitaha Ariki Kore

Ka Moe IA

Te Arawa Waka

NGATOROIRANGI

Tangihia

Tangimoana

Kahukura

Mawake Nui

Mawake Roa

Mawake Taupo

Manaia - TUWHARETOA-TE-AUPOURI =Te Paekitawhiti (2nd wife)

Mania-Wharepu Rongomai-te ngangana

Tutapiriao

Rongo Te Ahu

**Tamarangi*

Te Puhi

Tukaimarama

Te Reinga

Te Ngutu

Te Whakaahu

Ngawai Whakapu

Te Waikura

Te Whao = Wahine Rora

Hinehui 1

Te Wharekaihua

Maria

Te Raimona

Maramena

Ruru Peata

Haki Peata (John Henry Fox)

Tapuika

Hamiora Pio = Te Whakahoro

Huhana

Wikitoria

Te Mae

Hohipera Isobel Fox (nee Kirimana)

Tomairangi Fox

Mana Atua, Mana Tangata, Mana Whenua

I

Mana Atua

The **Maori world-view** consists of a holistic approach to Resource Management. All the aspects of the resources – the physical, mental and spiritual are inextricably linked.

Ngai Tamarangi identify strongly with the physical elements of our environment, our land, mountain, streams and lake.

The domains of the **Atua** (gods) provide the linkages across resources giving this holistic approach to our total environment

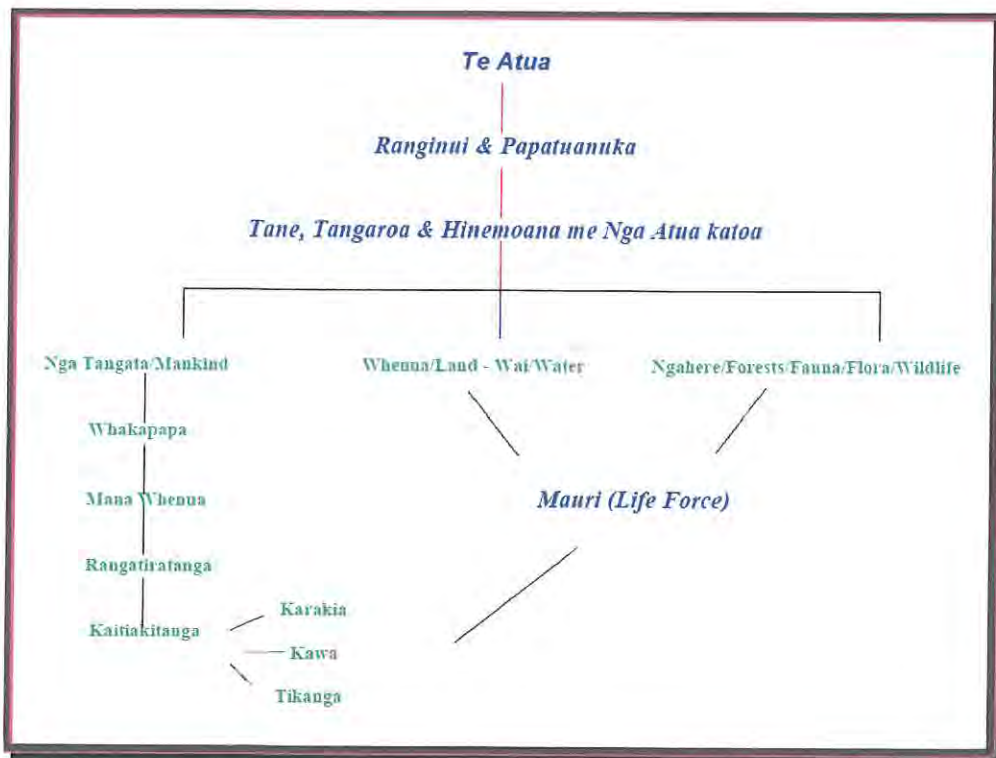
Whakapapa (genealogy) demonstrates the non-dualistic approach to the environment, because Whakapapa establishes **Tangata** (mankind) as an inseparable part of nature.

This holistic approach demonstrates that no delineation exists between the spiritual and physical aspects of the environment.

The concept of the '**Mauri**' (life-force) of resources reinforces these spiritual aspects.

The recognition of Atua is achieved through the practice of '**Karakia**' (prayer), '**Kawa**' (protocol) and '**Tikanga**' (practices).

This regime of social controls maintains the integrity of our society in the practice of a sensitive environmental management system.



1. A 'Mauri'

The key to this is the concept of Mauri. Through the creation process, diving forces descended into the domains of the Atua, giving them a life force principle or mauri. Mauri is the binding force that relates resources to each other (including people) and to the spirituality of the gods.

This system provides a series of formal relationships, which ensure physical and spiritual integrity of the environment for future generations.



Waitahanui Urupa & Rotoitipaku Lake

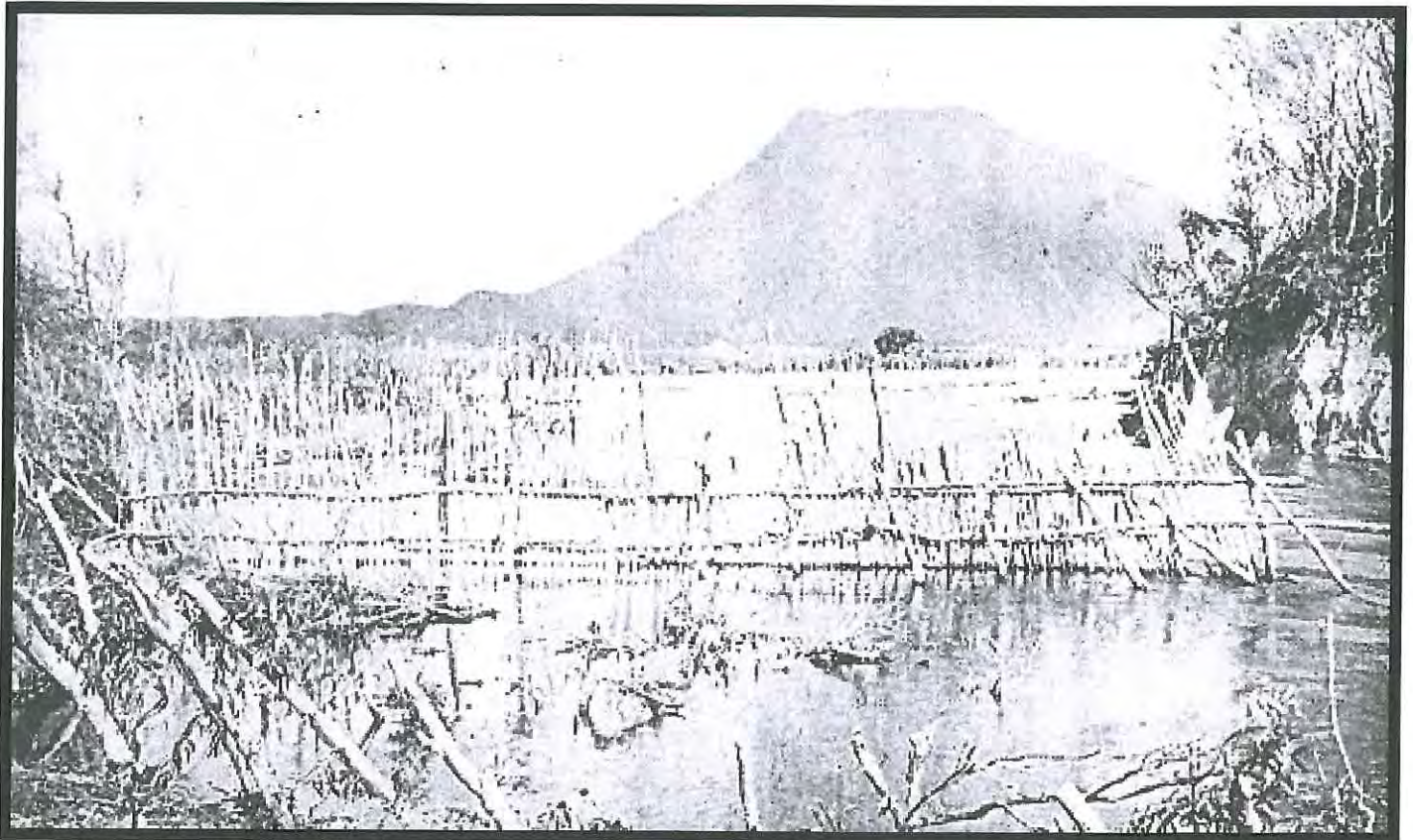
I.B. Kaitiakitanga & Tikanga

‘Tikanga’ (practices) were developed and are observed to maintain the mauri of the many parts of the natural world. Observation of these tikanga evolved into ‘**Kaitiakitanga**’ (guardianship) establishing protection of the mauri as the fundamental function of kaitiakitanga. The **Tikanga** (policies and practices) of kaitiakitanga have always been acknowledged and practiced through the generations and are now developed through full discussion on the Marae to achieve consensus

Kaitiakitanga ensures the obligation to manage into rangatiratanga wisely for the benefit of present and future generations.

Kaupapa Tuatahi (Policy I)

Only Ngāi Tamarangi Hapu and Whanau, as the ‘Tangata Whenua’ (people of the land) within our rohe (traditional tribal area), can exercise ‘kaitiakitanga’ in relation to our interests and resource management concerns.



Rotoitipaku

2

Mana Tangata

2. a. **Tino Rangatiratanga**

Mana whenua is maintained through '**Tino Rangatiratanga**' (recognized authority to manage resources). '**Rangatiratanga**' can be held collectively by Iwi, Hapu and Whanau or individually depending upon the type of resource involved and the context in which it is used.

2...b. **Matauranga**

Ngai Tamarangi is committed to providing support for the education for our people, Both traditional and contemporary. Ngai Tamarangi fully support the 'Kaupapa' of:

Kohanga Reo (Pre-school language nests)

Kura Kaupapa Maori (Primary Education)

Whare Kura (Secondary Education)

Whare Wānanga (Tertiary/Adult Education)

2...c. **Te Oranga**

Ngai Tamarangi is committed to providing support for any initiatives that will provide for the good health and wellbeing of our people. These include:

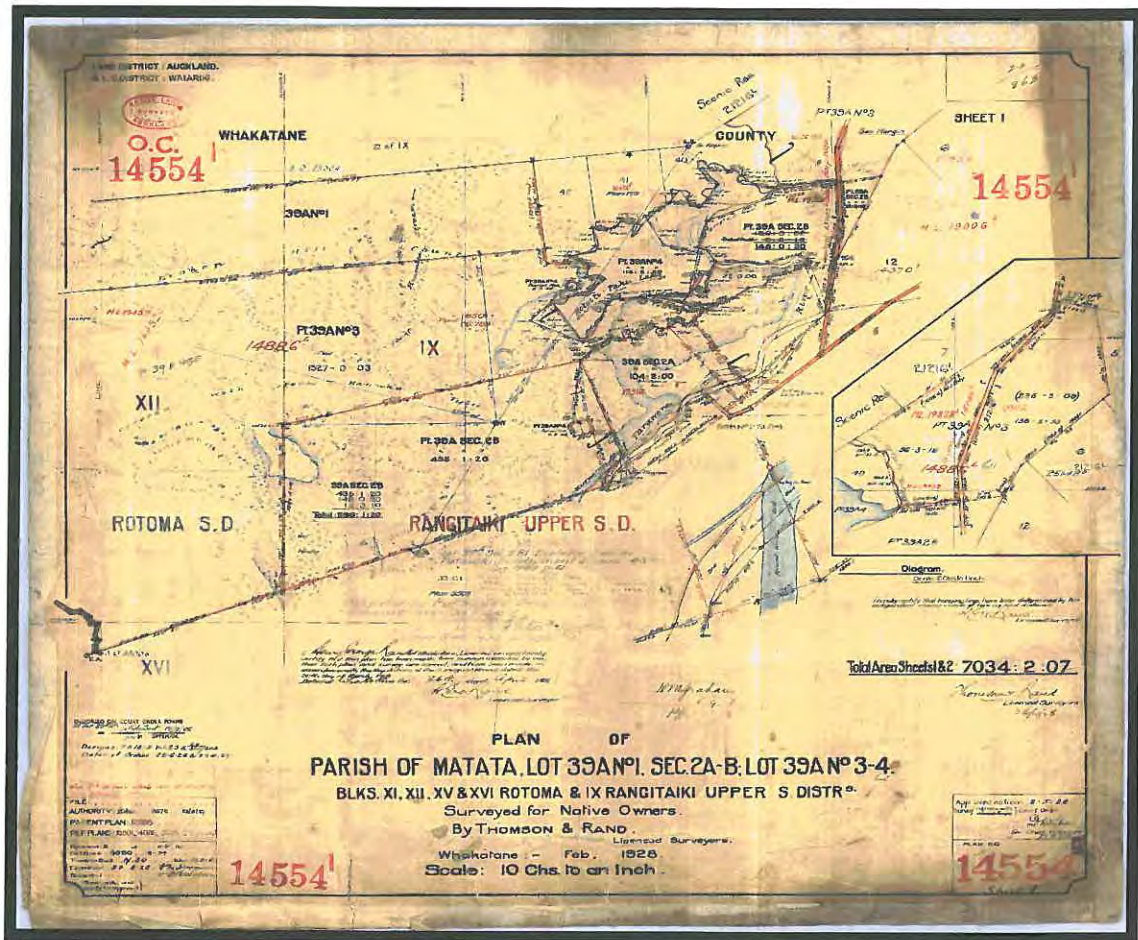
- A. **Retention and maintenance** of our traditional harvesting and fishing rights
- B. **Health and Welfare programs** as provided through Crown Agencies and Iwi organizations:
Tuwharetoa ki Kawerau Hauora Trust
- C. **Papa Kainga** (housing)

3. **Mana Whenua**

Ngai Tamarangi exercise 'Mana Whenua' over our resources through 'Take Whenua' (right of occupation), an essential element to provide for the sustenance of our people.

Ngai Tamarangi were greatly affected by the introduction of the Maori Land Court process and legislation introduced by the early settler government. The portioning of land and the consequent further 'Crown' alienation, facilitated the loss of a large portion of the whenua of Tuwharetoa Iwi and Ngai Tamarangi.

The following marae, land blocks, waterways, reservations and lakes are situated within the traditional 'rohe potae' (domain) of Ngai Tamarangi:



4. **Marae**

Marae are the traditional gathering for the Iwi and Ngai Tamarangi have three such Marae.

They are used for Tangi (funeral), Hui (meetings) and important occasions.

The focal point of the complex is the Whare Puni/Runanga/Nui (carved meeting house), which represents an important ancestor, and the 'marae atea' (ground in front of the house where all the speaking is done).

Post-european times have seen the advent of the building of Whare-kai (dining rooms), which are named for the wives of the tupuna house. The whare-kai is important to tribal protocol because 'tikanga' customary process dictates that 'manuhiri' (visitors) and our people must be given sustenance.

Ablutions must also be catered for and most marae now have toilet and shower facilities.

All marae are 'Maori Reservations, under the Ture Whenua Act 1991

Our Marae also have 'Urupa' (cemeteries) in close vicinity to them.



Tohia O Te Rangi Marae

Kawerau A8C was partitioned out of A8D lands in 1981 and the Marae, Tohia o Te Rangi

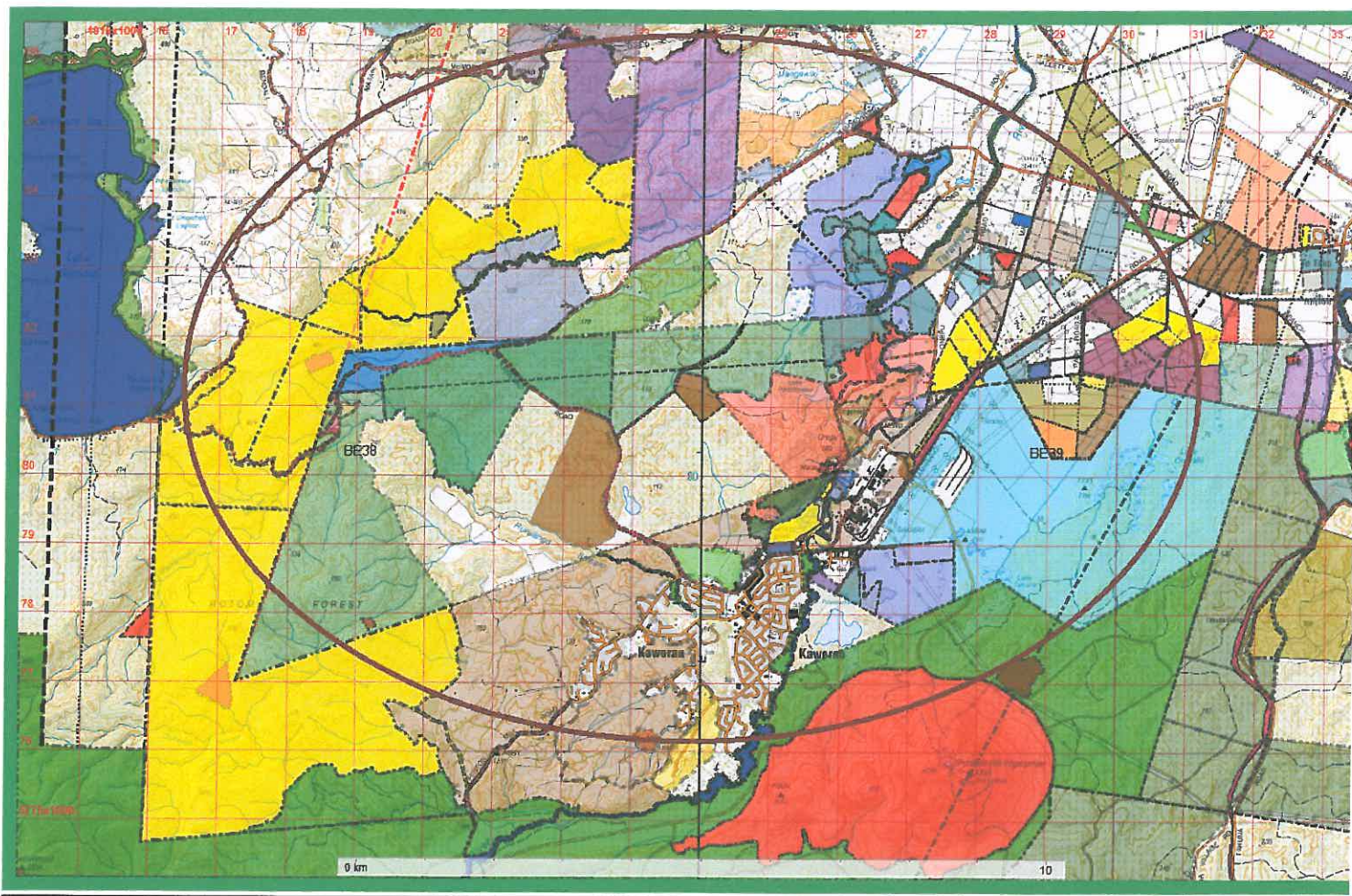
and Te Arepa II - Whare Whakamoemiti of the Ratana Church are all located on this block as is our papakainga area and whanau urupa.

The Marae facilities were built by late Haki Peata and Hohipera Isobel Fox.

5. Papatūānuku/Land Blocks

Matata 39A4, Kawerau A5 & 5B, A8D & C, A9, A11, Matata 39A2B2B & Rangitaiki 59B2C

Kawerau A Blocks



6.

Ngawha/Geothermal

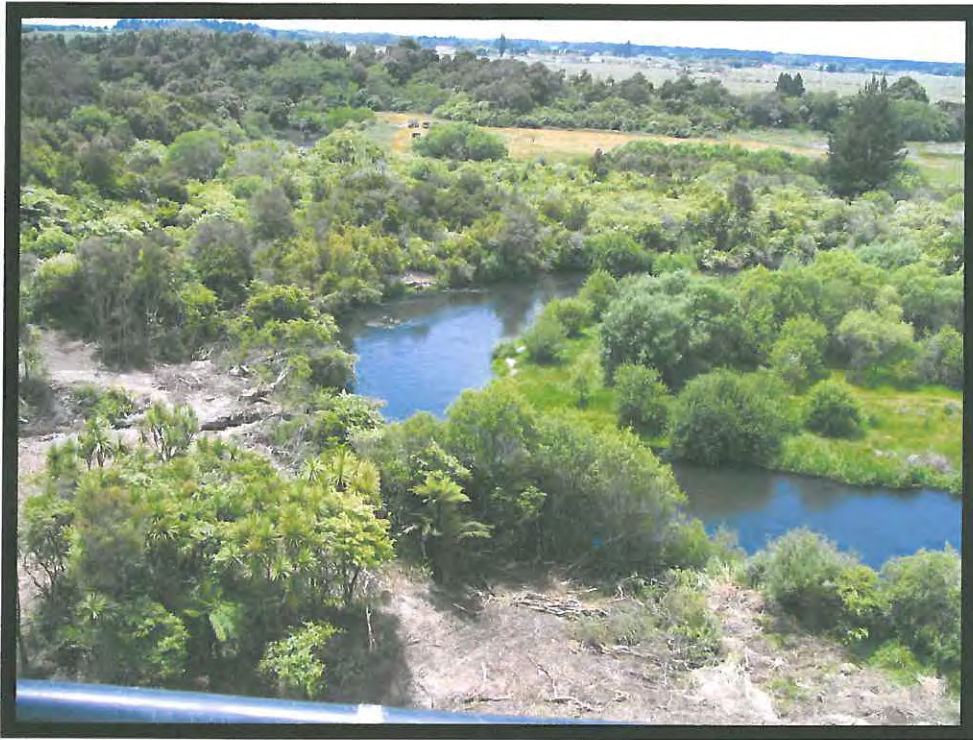
The geothermal interests of Ngai Tamarangi are contained in the Kawerau area within the geothermal field

Rotoitipaku, A11 & A8



7.

Waipuna Ariki/Waterways



Te Awa Tarawera

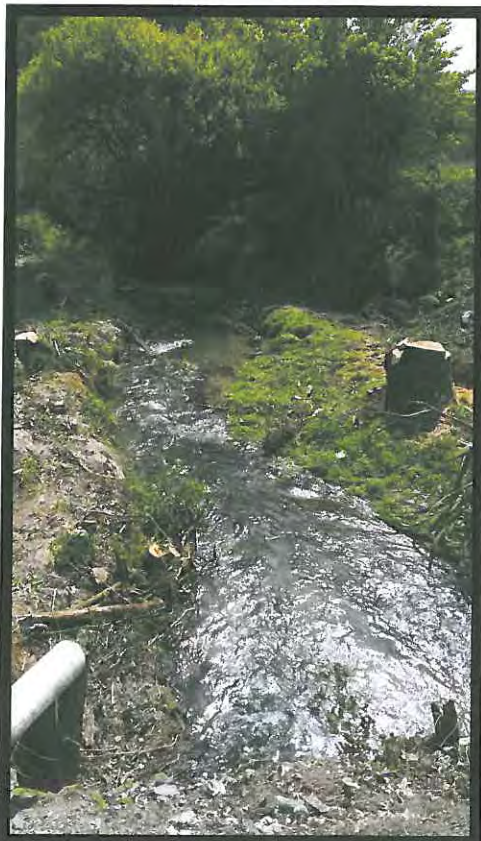


Wharikitoetoe

Te Wai U o Tuwharetoa



Ruruanga

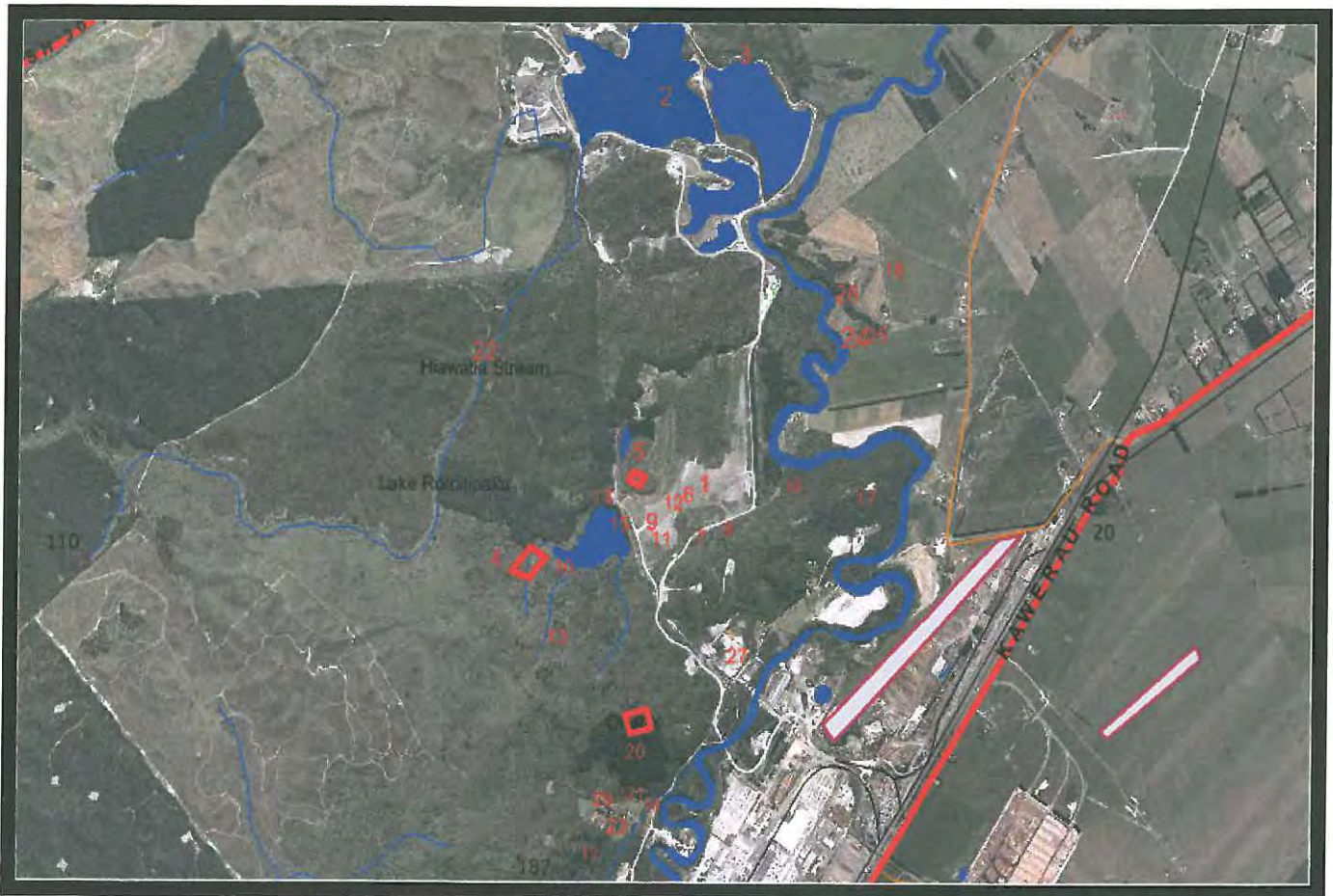


Kaiawatea



8. Ngā Whenua Wāhi Tapu/Wahi Rahui

The location of 'Nga Wāhi Tapu o Ngai Tamarangi' will remain in silent files and the intellectual property of the hapu/iwi. The only exceptions being the Urupa (cemeteries) that are in use today.



Appendage 1 & 2
Ian Lawlor - Historic Sites & Sacred Places: Waitahanui Urupa & Rotoritipaku Lake 1997
Buddy Mikaere – CIA Te Ahi o Maui 2013

The most significant sites located within the affected area, are

1. Lake Rotoitipaku
2. Lake Rotoroa
3. Otangi Pa (Turangitukua)
4. Te Wai U o Tuwharetoa (Kawerau A8 E)
5. Waitahanui Pa/Urupa
6. Moturoa (Island Lake Rotoitipaku - Kura Wananga)
7. Tungarere
8. Parahia
9. Waahi Ngawha
10. Otakaora
11. Okakaru
12. Koropupu
13. Te Ana o Tohia Te Rangi
14. Ngeri Ngeri
15. Whariki Toetoe
16. Lake Rotokakahi
17. Puketapu
18. Awatapu
19. Tirotiro Whetu
20. Otukoiro
21. Kohatu Whakataka
22. Hiawatea (Kaiawatea) Stream
23. Tohia o Te Rangi Marae and Kainga
24. Te Awamate
25. Te Matatu (Waka landing)
26. Te Kopua
27. Te Uma Pokapoka
28. Te Whakawhitinga (Crossing/stepping stones)
29. Te Wharepuni o Hine Te Ariki

9. History and relationship of the A8D Block

Kawerau A8D is Maori Freehold land and is a constituted Ahu Whenua Trust.

The Kawerau A Blocks were partitioned out of the Matata 39A1, 39A3E, 39A2B2 & 3 in 1955, under a utilization plan developed by Maori Affairs, to principally cater for the needs of the Crown's Tasman Pulp & Paper Mills.

We have, at the present time, 100 registered owners and many beneficiaries, the majority of whom are the descendants of Te Raimona Petera and his brother Wharepapa Petera, the only two original owners of the Matata 39A2B2 & 3 Land Blocks.



10. Waitangi Tribunal Claim WAI 21 (a)

1. This is a claim brought to the attention of the Tribunal by claimants of Tuwharetoa Te Atua Reretahi, Ngai Tamarangi with regard to crown actions that have consequentially led to:
 - i. a generational degradation of a peoples physical and spiritual obligations to Papatuanuki;
 - ii. the erosion of a peoples inherent right to fulfill the roles and obligations of kaitiakitanga and manaakitanga over the whenua that nurtured their tupuna;
 - iii. the soulless destruction of waahi tapu; the purposive destruction of natural Taonga and;
 - iv. The economic genocide that has left severe implications to the tangata and to the whenua that has in many ways benefited the Crown whilst eroding the micro fibers that once wove the lands and the peoples of Tuwharetoa Te Atua Reretahi, Ngai Tamarangi together, away.

2. The original named claimants to the first amended statement of Claim included the late Jack Fox and his Wahine rangatira Isobel Hohipera Fox; whose spirit imbues the matters even today notwithstanding that they now form the veil that is the Whariki Toetoe.

3. Their warrior spirit is maintained within the claimants who are forced to hold the flame that is their Tino rangatiratanga:
 - i. Tomairangi Fox;
 - ii. Robert Fox;
 - iii. Colleen Skerrett-White;
 - iv. Te Haukakawa Te Rire;
 - v. Paora Hunia
 - vi. Anthony William Olsen and;
 - vii. **Barbara Olsen.**

Appendage 4

**Opening Submission of Counsel for
Ngati Tuwharetoa Te Atua Reretahi,
Ngai Tamarangi
Dated 26th January 2005**

Appendage 5 Presentation OTS July 2015

11. A holistic approach to Geothermal Development

The Te Ahi O Maui project, in Kawerau New Zealand, aims to develop the resource beneath the lands of the Kawerau A8D Ahu Whenua Trust.

As part of the Te Ahi O Maui geothermal project we have combined a conventional optional selection process with the Mauri Assessment Model.

The Mauri model is a decision-support tool that has been developed to address contemporary practices in a manner inclusive of indigenous (New Zealand) Maori world views and values.

It recognises the parallels between New Zealand legislation on sustainable development and Maori values of kaitiakitanga (guardianship and conservation).

The four key pillars of the model are: wellbeing; economic; environmental; social and cultural.

Under this model a geothermal development has to have a net positive impact across these pillars to be Considered sustainable.

The inclusion of the Mauri model provides a holistic option selection framework, and has allowed the Cultural impacts of power plant cycles to be compared and assessed in a structured way alongside Engineering and economic factors.

It has particular application for future geothermal projects in New Zealand developed in conjunction with Maori partners.

In addition the principles here can be readily applied globally to achieve sustainable geothermal projects With indigenous communities.



12 Ngai Tamarangi Policy

The Declaration of Independence & the Treaty of Waitangi

The Declaration of Independence (1835 & 1839) and **Article III of the Treaty of Waitangi (1840)** reaffirms our **Rangatiratanga** over our Taonga (resources) The Treaty of Waitangi is the foundation document of New Zealand society, the basis on which the partnership between Māori and the Crown was established. The Treaty therefore should not be viewed as only guaranteeing rights to iwi Māori, for it is from this document that the Crown and its Agents derive the right to govern in New Zealand.

The Treaty of Waitangi 1840 Article II

The Crown guaranteed to Māori

“Te tino rangatiratanga o ratou whenua o ratou kainga me o ratou taonga katoa”

“The unqualified exercise of their chieftainship over their lands, villages and all their treasures” (Māori Text)

“The full, exclusive and undisputed possession of their lands and estates, forests, fisheries and other properties which they may collectively or individually possess.” (English Text)

13 Legal Framework

Natural Resources Legislation

The current role of Iwi resource management (tino rangatiratanga) derives from the Treaty, however there are very few statutory mechanisms for giving effect to these rights at the present time.

The Resource Management Act 1991 has consolidated much of the law concerned with the management of natural and physical resources however there are still many other pieces of legislation in effect which impact on the use and management of various types of resources.

These include:

The Treaty of Waitangi Act 1975
Building Act 1991
Biosecurities Act 1993
Public Works Legislation
Reserves Act 1977
Fisheries Legislation
Forestry Amendment Act 1993
Health Act 1956
Scenic Reserves Act

Local Government Act 1974
Land Act 1948
Crown Minerals Act 1991
Environment Act 1986
Conservation Act
Te Ture Whenua Māori Act 1993
Transit New Zealand Act 1989
Wildlife Act 1953
Historic Places Act 1980

Local Government Official Information and Meeting Act 1987

13. A. Conservation Act 1987

The Conservation Act impacts on the management of some of the whenua of Ngai Tamarangi hapu, as it is now a part of the Conservation Estate.

Section 4 of the Act provides “This Act shall be interpreted and administered as to **give effect** to the principles of the Treaty of Waitangi”. This is the strongest legislative statement of Treaty responsibility in the whole field of natural resource law.

Kaupapa Tuarua (Policy II)

Section 25ZH provides that nothing in that Part of the Conservation Act which deals with freshwater fisheries is to affect any Māori fishing rights.

Kaupapa Tuatoru (Policy III)

Section 27A provides that Nga Whenua Rahui Kawenata (ban on use) can be created over any Māori land or Crown land leased by Māori , where the Director-General is satisfied the land should be managed for conservation purposes so as to protect:

- (i) its natural and historic values; or
- (ii) its spiritual and cultural values to Māori

Where a ‘Kawenata’ is created, the provisions of the Conservation Act generally apply as if the whenua were a conservation area, subject to the terms of the covenant.

13. B. The Historic Places Act 1993

13. B.1 Protection

The Historic Places Act (Sec 4) is for protection of “archaeological sites” and other historic places, including waahi tapu, by the Historic Places Trust. In achieving the purpose of the Act, all persons exercising functions and powers under it are to recognize the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga

The Historic Places Trust protects sites through Heritage Orders, Heritage Covenants and the maintenance of Historic Places Register.

13. B.2 Penalties for Destruction

Kaupapa Tuawha (Policy IV)

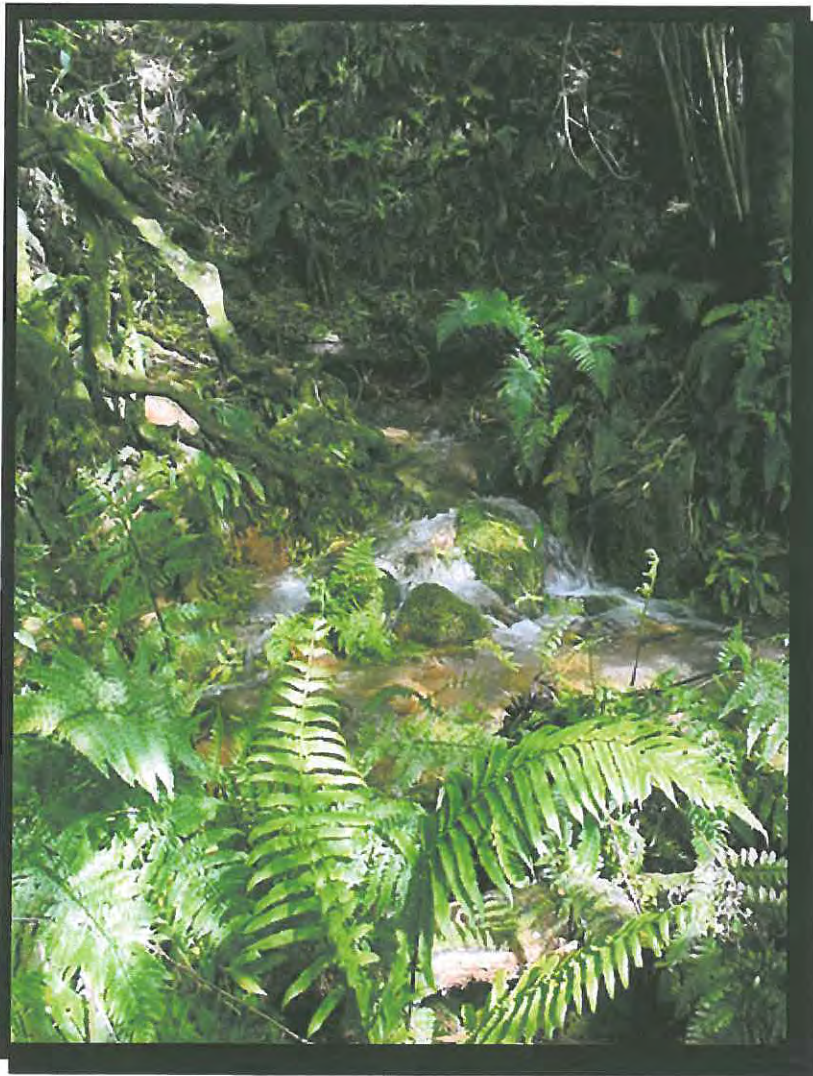
The Act makes it unlawful without the authorization of the Trust to destroy, damage, or modify any archaeological site, knowing or having reasonable cause to suspect that it is an archaeological site – whether or not it is entered on the Historic Places Register. The maximum penalty for destroying such a site is \$100.000, and for damaging a site, \$40.000.

An application to the Trust to destroy, damage, or modify an archaeological site must include information as to consultation with ‘Tangata Whenua’ and where the site is considered to be of interest to Māori, the application is referred to the Māori Heritage Council, which may consult and then make such recommendations as it thinks fit.

13. B3 Investigations

Kaupapa Tuarima (Policy V)

Heritage New Zealand may also authorize or carry out archaeological investigations. These must be carried out with the consent of the landowner and, where the Māori Heritage Council considers it appropriate, consent of the appropriate Iwi/Hapu Authority or other body.



Te Wai U o Tuwharetoa

13. C the Resource Management Act 1991

The Resource Management Act is considered to be the most wide-ranging legislation in relation to the management of natural and physical resources, and the one, which is likely to have the greatest impact on the day-to-day resource management decisions at the local level. It is, therefore, in relation to the provisions of the Act that this Iwi Resource Management Plan will make its strongest impact.

13. D Policy Statement & Plans

The Resource Management Act makes specific references to “planning documents recognized by an Iwi Authority” – requiring that local authorities must have regard to such documents in preparing their policy statements and plans.

13. E Purposes & Principles

Kaupapa Tuaono (Policy VI)

The Act requires local authorities to consult with Iwi Authorities and Tribal Runanga in the preparation of such policy statements and plans. Therefore, any local authority policy statement or plan, which includes the traditional territory of Ngai Tamarangi Hapu, which does not show evidence of such consultation will be open to challenge under those provisions.

Kaupapa Tuawhitu (Policy VII)

This Iwi Environmental Strategic Management Plan is to assist those acting pursuant to the Act fulfill the following duties:

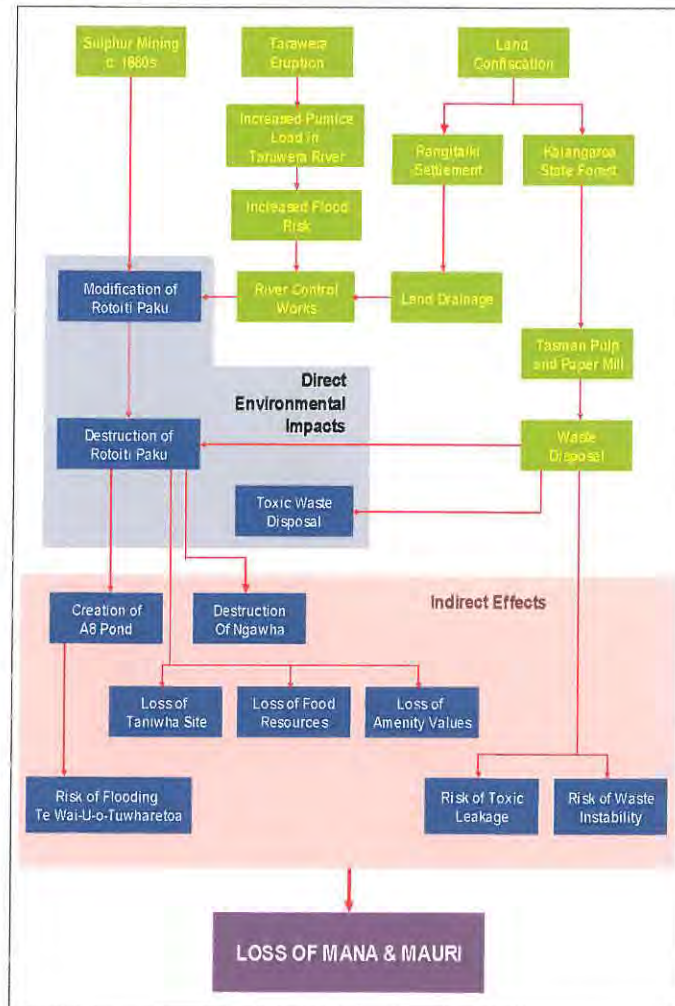
- Recognise and provide for the relationship of Ngai Tamarangi Hapu and our culture and traditions with our ancestral lands, waters, sites, waahi tapu and other taonga (s.6(e);
- Have particular regard to ‘kaitiakitanga’. (s7(a);
- Take into account the principles of the Treaty of Waitangi (s.8).

13. F Transfer of Powers

Section 33 provides that local authorities may transfer any of their powers (except the power to approve policy statements and plans, and changes to those documents and the power to issue or make recommendations on a designation or heritage order) to other public authorities – this includes Iwi/Hapu Authorities.

Section 42A provides that a local authority may employ persons to prepare a report on a matter which is to come to a hearing.

These sections could be used to ensure Ngai Tamarangi Hapu has active involvement in monitoring, planning decisions and processes that affect our taonga.



Flow chart showing some of the key processes that led to the destruction of Lake Rotoitipaku and the disposal of toxic waste nearby. The pink box encloses the indirect environmental, social and cultural effects of these actions.

14. Financial Contributions and Reserves

Provision is made within the Act for financial contributions and bonds to be required for specific purposes as a condition of resource consent, and for esplanade strips and reserves to be required as a condition of a sub division consent.

Section 36 Local authorities are also empowered to impose charges on resource users to recover actual and reasonable costs, which would include cost of carrying out monitoring responsibilities. These are provisions, which are of particular interest to Ngai Tamarangi in addressing the effects of land-use and water-use activities and developments on our lakes, waterways and significant landscape features.

15. Consultation

Section 8 Treaty Principles of informed decision making and consultation are principles, which must be taken into account.

Regional and District Councils are clearly under an obligation to consult with local Iwi (c1.3, First Schedule).

Kaupapa Tuawaru (Policy VIII)

Regional and Local Authorities must consult with Ngai Tamarangi Hapu Authority/Trustees when making a decision on a resource consent application within our tribal area to ensure we are fully informed of any issues involved.

16. **Indigenous Cultural and Intellectual Property Rights**

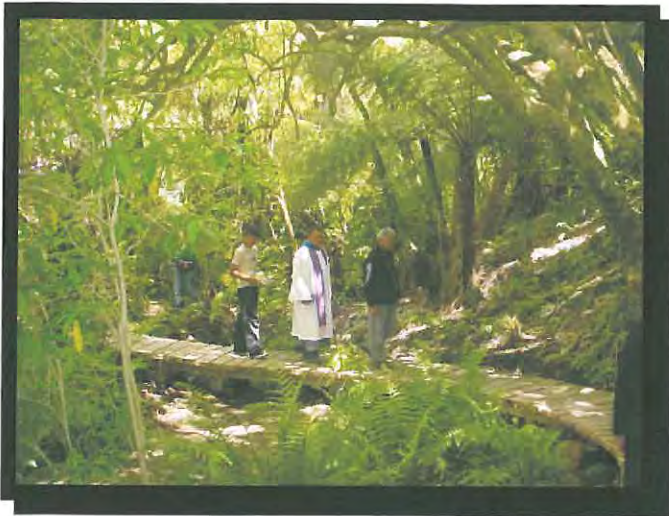
Kaupapa Tuaiwa (Policy IX)

Te Pukenga o Ngai Tamarangi is the guardians of our customary knowledge and have the right to protect and control dissemination of this knowledge.



17 Developing Partnership

Ngai Tamarangi holds a special place in the use, management and protection of the natural and physical resources within our rohe. This must be recognized appropriately, consistent with the principles of the Treaty of Waitangi, by the Crown and its Agencies. The Iwi Resource Management Statement is designed to provide a sound basis from which consultation with Ngai Tamarangi can commence. The Plan provides identification of our traditional area of occupation, guidance on issues, values and our iwi organizational structures at broad level.



18 **Principles of Consultation**

Key requisites for consultation include:

18. A **“Kanohi ki te kanohi”** (Eye to eye contact)

Ngai Tamarangi values the form of communication as written or telephone communication, suitable on some occasions, is less effective.

Respect and understanding of issues amongst people is enhanced through communication person to person.

18. B **Early Consultation**

Consultation must occur at an early stage in any plan change, development, or resource consent process. Ngai Tamarangi interests in matters of resource management are fundamental and relate strongly to the protection of the natural resources of Indigenous flora, fauna and habitat. It is not appropriate to consult with iwi at a late stage of any process where decision-making has already occurred, or where position are already fixed.

18. C **Quality Information**

The provision of quality and sufficient information ensures a clear understanding of all facets of any proposal and is an important feature of good consultation.

18. D **Sufficient Time**

It is important to allow sufficient time for information to be disseminated absorbed and discussed by iwi in order that a position can be established in response to consultation before any decision is made. Iwi/Hapu decision-making is by consensus, therefore Iwi/Hapu representatives must convey, through the consultation process, what all iwi members are feeling. To facilitate attendance at Pukenga or Iwi/Hapu Hui it is very often necessary to meet in the evenings or at weekends generally on a monthly basis.

18. E **Openness of Intent**

It is essential that both Iwi/Hapu and affected parties approach the consultant process with an open mind and genuine intent. A transparent process with the free flow of information between the parties is a key component for quality consultation.

18. F Responsiveness

Responsiveness to information gained through consultation with Ngai Tamarangi must be demonstrated in the way decisions are made.

18. G Methods of Consultation

Consultation needs to be dynamic, meaningful and effective to sustain ongoing iwi participation and this is particularly important for authorities/industry with a statutory responsibility to consult.

18. H Identifying Matters requiring Consultation

It is important to establish with Ngai Tamarangi how consultation is to proceed, in order that issues identified by iwi are addressed and that the appropriate protocol is observed. Iwi input into Policy and Plan development will define matters of interest to iwi for which 'tikanga' (process & practice) can be fixed to establish a standard which will address our concerns.

18. I Memoranda of Understanding

For authorities requiring ongoing consultation with iwi the establishment of a 'memorandum of understanding' is a useful tool through which consultation can be managed. Such memoranda can outline the parties to the agreement, the way in which communication will be managed, and the underlying principles or legislation that drives the formal relationship.

18. J Cultural Awareness

Effective two-way communication is always enhanced when those required to conduct and participate in consultation have empathy with the values and culture of iwi.

The acknowledgement and acceptance of views of Ngai Tamarangi and the recognition of our culture and history are essential for the achievement of effective consultation and participation.

18. K Resourcing

Participation in consultation for Ngai Tamarangi or our representatives has a cost. Administration, time and commitment and travel are all required to maintain a role in the management of natural resources and are a cost of consultation.

19 **Consultation Contracts**

A Consultation Contract with Crown Agencies or Industry can achieve Ngai Tamarangi participation and input into policy/plan development and consent processes. Contracts generally relate to statutory functions which authorities are required to fulfill within given timeframes. **Contracts provide iwi/hapu with the opportunity to adopt methods of internal consultation most suited to achieving outcomes that reflect cultural values.**

Contract may include:

- **The identification of parties to the contract;**
- **The setting of clear objectives;**
- **The development of process through which contracts are completed (marae hui, committee hui, research, documentation and reports);**
- **A level of ongoing liaison between parties during the contract;**
- **Setting timeframes for the contract' and**
- **Agreed costs.**

The resourcing of consultation through contracts and Hui, are all methods that can advance the ability of Ngai Tamarangi to cope with the demands on our times and resources.

The ultimate outcome of consultation is the direct involvement of iwi/hapu in the decision-making process, in a manner that reflects 'tino rangatiratanga' being exercised in balance with 'kawanatanga'.

Otukoiro



20. Hui

Hui are a traditional form of consultation and are often used strategically to increase awareness of issues and initiate feedback from a wider circle of iwi that might normally be achieved through committee structures. **Hui** can provide:

- **A medium with a strong cultural base;**
- **An opportunity to address a large number of people in person;**
- **Useful forum for flagging key issues;**
- **An information disseminating process, not normally a decision-making process;**
- **A forum to strengthen understanding between the parties involved; and**
- **Demonstrate a commitment to consult through iwi/hapu processes.**



21. Notification, Monitoring & Enforcement

Pursuant to S.88 of the Resource Management Act 1991 applicants seeking resource consent need to consult with iwi, applicants should be guided by the following information requirements:

VII.8.1 Notification

a. The Description of the Proposed Activity

- Details of services that need to be provided, in particular water supply and the proposed methods of storm water and effluent disposal;
- Details of any site works which include earthworks and/or the removal of vegetation; and
- Details of any hazardous materials including transportation, storage and disposal.
- Details of the quality of discharges to water, land or air, and the maximum concentration of contaminants in the discharge.

b. The Description of the Existing Environment

- The location of any areas of indigenous vegetation, wetlands, watercourses and/or drainage system; and
- The location of any protected site/item
- The native flora and fauna found in the existing site; and
- The degree of rarity of the native flora and fauna

c. Assessment of Impacts

The impacts of the activity in relation to the above points should be identified.

d. Mitigation Measures

Any measures the applicant believe will mitigate the adverse effects of the proposal should be identified, for example, an alternative wetland may be created.

21. A Monitoring

This plan is a living document and will promote a pro-active approach to ensure:

- **That Iwi/Hapu will be able to work closely with Councils, Crown Agencies, and Industry and resource users.**
- **Information collected through the monitoring activities of such organization is sufficient to enable the effectiveness of the management strategies to be assessed.**
- **That resource consent conditions and management strategies set out in planning documents take cognizance of Ngai Tamarangi provisions as outlined in this plan.**
- **Iwi obtain information that is collected for site-specific monitoring programmes.**
 - **Waste management**
 - **Recording of surface and groundwater hydrology**
 - **Information regarding the characteristics of fresh water**
 - **Monitoring of Water Quality changes**
 - **Monitoring water quality changes that may result from the adoption of riparian management strategies**
 - **Resource consent conditions attached to meet Iwi concerns are complied with**
 - **To provide opportunities for Iwi to participate in the design of monitoring programmes and seek to contract their involvement in monitoring**

22. Enforcement

Councils, Crown Agencies and Industry resource users will need to actively address iwi interest when:

- **Formulating plans:**
- **Processing consents, permits or concessions**
- **Developing environmental management systems, and**
- **Exercising their rights to use and develop resources.**

Failure to recognise, accommodate and comply with the requirements of this plan will need to be addressed by Ngai Tamarangi.

Redress will be sought through resource management legislation;

- **Conservation Act 1987 s.4**
- **Resource Management Act 1991 s 6(e), 7(a) & s.8**
- **Resource Management Act 1991 General Provisions s 311 & 316**
- **Historic Places Trust 1993 relating to the protection of Wāhi Tapu and all other archeological sites.**

When adverse affects arising from any activity, whether or not permitted by a plan or a resource consent or under s.10 and s.20 existing use rights, is of significant concern to iwi, the use of the enforcement procedures of the Resource Management Act 1991 will be considered.

Kaore taku whiwhi, taku raru, i taku mokopuna,

I tangi hoka hoka ake nei kite kai

Heoi ano, whakainuhia ki Te wai o Tarawera ka puhaia mai

E tu, e tama, hikio to waewae, nga tahora, ka takato, ko nga hokinga ra tena a to tupuna

”Te Rama Apakura”

I haere ai ki Te hunga Te tangata

To whakawhitinga kei raro i

“Te kohatu whakataka Hine-te-Ariki”

O pea mai ki muri

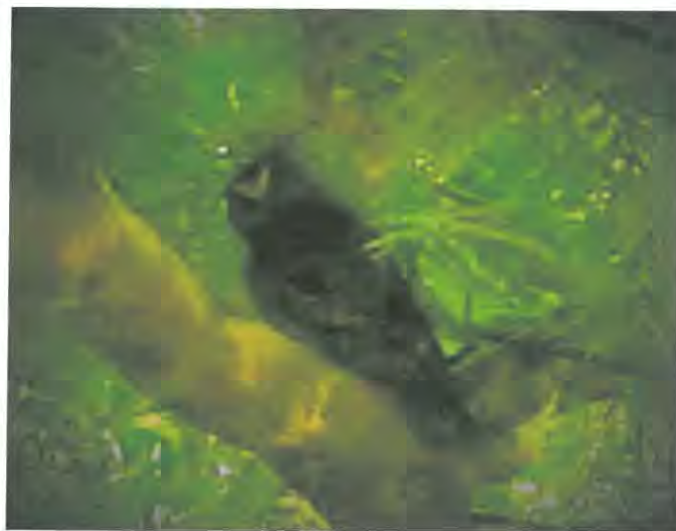
E whai to kanohi whakaroto ki “Otakaora”

KO Te Parekura ra tena ,

I riro ai, to tupuna “Tohia ote Rangi,” he aha Te koa i riro ai”

E rua nga takatoranga, KO Paraweranui, KO Maniatutu,

Ka ea to mate e hika e



Bibliography

- **The Resource Management Act 1991**
- **The Declaration of Independence 1835**
- **The Treaty of Waitangi 1840**
- **Environment 2010 Strategy Submission**
Ngati Pikiao Runanga 1996
- **Te Pukenga Nui a Ngai Tamarangi**
- **Ngati Tuwharetoa Maori Trust Board Environmental Strategy 2000**
- **Ngati Pikiao Iwi Resource Management Plan**
Ngati Pikiao Runanga 1997

Sources of Information/Assistance

Maori Land Court Rotorua, Land Block Information

N Z Valuation Department, Map Information

Photographs

Research Team Ngai Tamarangi & Te Ahi o Maui Geothermal Development

Glossary

Aotearoa	New Zealand
Atua	Deities
Awa	river/streams
Hapu	Sub-tribe/clan
Hui	gathering/meeting
Iwi	people/tribe
Kaitiakitanga	guardianship
Kawa	etiquette/protocol
Kawanatanga	to govern/governance/government
Kawenata	ban on use
Karakia	prayer
Kaumatua	elder
Kaupapa	subject/purpose/reason/plan/scheme/proposal
Mahinga kai	food resource/growing/gathering area
Mahinga mataitai	fisheries gathering area
Mana	dignity & integrity of a person/prestige/authority
Mana Atua	spiritual authority
Mana Whenua	land authority
Mana Tangata	people authority
Maori	indigenous people of Aotearoa
Marae	open courtyard in front of meeting house
Moana	lake/sea
Mauri	life-force/energy/ethos
Ngahere	bush/forest

Ngawha/Waiariki	geothermal activity
Pa	village/marae
Papakainga	housing area
Papatuanuku	earth mother
Pukenga	specialist
Rahui	ban of use of taonga
Take Whenua	right of occupation
Tangata Whenua	indigenous people of the land
Tangi	funeral
Taonga	important/sacred items or resources
Tauwi	non-maori people
Te Reo	language
Te Tiriti o Waitangi	Treaty of Waitangi
Tikanga	appropriate procedure or practice
Tino Rangatira	self determination/authority
Tupuna	ancestors
Rangatira	chief/elder of special status
Rohe Potae	area/domain of tribe
Urupa	cemetery
Waahi Tapu	restricted/sacred/prohibited area
Whare Kai	dining room
Whare Nui/Runanga	carved meeting house
Wharekarakia	church
Whakapapa	genealogy
Whanau	family/extended family
Whenua	land

APPENDICES:

1 & 2 Archeological Reports:

Ian Lawlor – Historic Sites & Sacred Places: Waitahanui Urupa & Rotoritipaku Lake 1997

Buddy Mikaere – Te Ahi o Maui Cultural Impact Assessment 2013

3. Ecological Report Gerry Kessals Te Ahi o Maui Geothermal Development

4. Waitangi Tribunal WAI 21 (a) Opening Submission 2005

5. Power Point – Office of Treaty Settlements WAI 21 (a) 2014

6. Power Point - Resource Consent Submission Te Ahi o Maui Geothermal Development 2014

7. Nga Whenua Rahui Report 2004