Mana Whenua

Recognition of iwi and hapū

Kāi Tahu

Waitaki District lies within the traditional iwi boundaries of Kāi Tahu. The rohe (tribal area) of Kāi Tahu is much broader than the Waitaki District. The Kāi Tahu rohe occupies most of Te Wai Pounamu (the South Island). The area ranges from Rakiura (Stewart Island) in the south to Te Parinuiowhiti (White Cliffs, Blenheim) in the north and Kahurangi Point on Te Tai o Poutini (The West Coast).

Kāi Tahu comprises of people who descend from the tribe's five primary hapū (Ngāti Kurī, Ngāti Irakehu, Kāti Huirapa, Ngāi Tūāhuriri and Ngāi Te Ruahikihiki) and their ancestral binding to their Waitaha, Rapuwai, Hawea and Kāti Māmoe ancestors. They are collectively known today as Kāi Tahu whānui.

Te Rūnanga o Ngāi Tahu, is the mandated iwi authority for Kāi Tahu whānui and was established by the Te Rūnanga o Ngāi Tahu Act 1996. Within Kāi Tahu whānui, Papatipu Rūnaka are representative bodies of the whānau and hapū of traditional marae-based communities. While Te Rūnanga o Ngāi Tahu accepts its statutory responsibilities as the representative voice of Kāi Tahu whānui, it also respects the rights of local Kāi Tahu whānau and hapū to represent and express their own respective rights, values and interests as mana whenua through their local Papatipu Rūnaka.

Papatipu Rūnaka

Kāi Tahu is made up of 18 papatipu rūnaka. Located predominantly in traditional coastal settlements, papatipu rūnaka are a focus for whānau and hapū (extended family groups) who have mana whenua status within their area (they uphold the mana of the whenua). Mana whenua hold traditional customary authority and maintain contemporary relationships within an area determined by whakapapa (genealogical ties), resource use and ahikāroa (the long burning fires of occupation).

The kaitiaki rūnaka who hold mana whenua for the Waitaki District are Te Rūnanga o Moeraki, Te Rūnanga o Waihao, Te Rūnanga o Arowhenua and Te Rūnanga o Kāti Huirapa ki Puketeraki. All of these ultimately whakapapa to the ancestral mauka (mountain) of Aoraki and the awa (river) Waitaki ka roimata a Aoraki, as well as awa and mauka that are local to, and provide the sustenance for, the various marae and their people.

Where mana whenua areas of interest overlap in any activity and the need is recognised to require working with its Treaty partners, the WDC will first consult with Te Rūnanga o Moeraki who will manaaki (support) the process of consultation with other Papatipu Marae directly.

The WDC also has an obligation to engage with all Māori (including non-Kāi Tahu) on occasions where their interests may be affected, and Te Rūnanga o Moeraki wish to support and assist in this process to ensure the essence of manaakitaka ā kā Mātāwaka (hospitality towards Māori residing here that don't have ancestral ties to Kāi Tahu) is correctly upheld.

Te Rūnanga o Moeraki

The takiwā of Te Rūnanga o Moeraki centres on Moeraki and extends from the Waitaki River to the Waihemo (Shag) River and inland to the Main Divide, kā Tiritiri Moana. The interests of Te Rūnanga o

Moeraki are concentrated in the Moeraki Peninsula area and surrounds, including Te Rakahineatea Pā, Onekākara, Koekohe, and Te Kai Hīnaki. In addition, the interests of the rūnaka within the Waitaki District extend inland to the food baskets of Te Ao Mārama and Te Manahuna (Mackenzie Country) and both north and south of the Moeraki Peninsula, within their takiwā. Moeraki whānau connect to the mauka Te Kohurau, the awa Kākaunui and the waka Uruao.

Te Rūnanga o Waihao

The takiwā of Te Rūnanga o Waihao centres on Wainono, sharing interests with Te Rūnanga o Arowhenua to Waitaki, and extends inland to Te Ao Mārama and kā Tiritiri Moana, here also sharing interests with Moeraki. Mana whenua within the Waihao rohe whakapapa to Waitaha, Kāti Māmoe and Kāi Tahu. To these people, Waihao is their tūrakawaewae - their home. Waihao whānau connect to the mauka Te Tari a Te Kaumira, the awa Waihao and the waka Uruao, Āraiteuru and Takitimu.

Te Rūnanga o Arowhenua

The takiwā of Te Rūnanga o Arowhenua centres on Arowhenua and extends from Rakaia to Waitaki, sharing interests with Ngāi Tuahuriri ki Kaiapoi between Hakatere and Rakaia, and inland to Aoraki and kā Tiritiri Moana. Arowhenua marae is located near Te Umu Kaha (Temuka) and is situated near the historic Kāi Tahu kāika of Te Waiateruati and the well-known Arowhenua bush that sustained local Kāi Tahu. Arowhenua whānau connect to the mauka Tarahoua, the awa Ōpihi and the waka Takitimu and Āraiteuru.

Te Rūnanga o Kati Huirapa ki Puketeraki

The takiwā of Kāti Huirapa Rūnaka ki Puketeraki centres on Karitāne and extends from the Waihemo (Shag) River to Pūrehurehu (Heyward Point) and includes an interest in Ōtepoti and the greater harbour of Ōtākou. The takiwā extends inland to the Main Divide, sharing an interest in the lakes and mountains to Whakatipu Waitai with rūnaka to the south. Puketeraki whānau connect to the mauka Hikaroroa, the awa Waikouaiti and the waka Takitimu, Uruao and Āraiteuru.

Relationship to ancestral lands

The Waitaki District encompasses the landscape from Kā Tiritiri Moana, the Southern Alps, with the Waitaki River, the tears of Aoraki, flowing through the lakes and plains of Te Ao Mārama, before descending to reach Te Tai o Ārai te Uru, the North Otago coastline, and Te Moana nui a Kiwa, the Pacific Ocean. To the south, it encompasses the Kākaunui, Waianakārua and Waihemo (Shag) rivers, the vast plateau of Ōtī (Macraes Flat) and the coastal areas of Moeraki and Matakaea to Te Hakapupu (Pleasant River). Important settlements were found at Moeraki, Matakaea, Korotuaheka, Te Puna ō Maru and Te Ao Mārama and other kāika were occupied both permanently for periods and seasonally. The entire district was of significance for the provision of resources. Kāi Tahu whānui had a vast knowledge of these resources and were highly adept at moving throughout the rohe on a seasonal basis to obtain resources for provisions and trade. The ability to move throughout the landscape with unrestricted access to their resources not only contributed to their wealth and well-being as a people but was essential to their survival in the southern climate.

The relationship of mana whenua with the land goes back to the time of creation which centres around two recognised narratives that bind Kāi Tahu Whānui to the land. The first narrative tells of the arrival of Te Waka o Aoraki from heaven, following the separation of Raki and Papatūānuku. The spiritual waka that carried Aoraki and his brothers became the South Island, and the brothers became the

ancestral mountains that form the centre of Te Waipounamu. Aoraki's son, Tū te Rakiwhānoa, then sculpted the land to make the landscape habitable for the future generations.

The history of Āraiteuru is also of great significance in the landforms of the District. This waka atua travelled the coast supplying kumara, hue (gourds) and other foods. Upon reaching the North Otago coast, it came into trouble in rough seas, eventually capsizing off Matakaea, where it remains today. Its cargo was lost and today is still visible as the Kaihinaki, or food baskets, found at Koekohe (Moeraki) beach and the kumara and hue found at Katiki. The passengers of Āraiteuru came ashore to explore the new land. They needed to return to the waka before daylight, but most failed and were turned into stone and mountain. The names of these ancestors remain throughout the Waitaki landscape as mountains and hills to denote their significance.

Then, 70 generations ago, Rākaihautū arrived on Te Waipounamu from Hawaiki in the canoe Uruao. The canoe landed at Te Pokohiwi (the boulder bank) at Whakatū (Nelson). While his son Te Rakihouia took some of the crew down the east coast, Rākaihautū led the remainder through the interior of Te Waipounamu to Te Ara a Kiwa (Foveaux Strait). With his kō (digging stick) 'Tu-whakaroria', Rākaihautū dug Kā Puna Kari Kari O Rākaihautū, the southern lakes (including Ōhau, within the Waitaki District). From Te Ara a Kiwa, they returned up the eastern coastline until re-uniting with Te Rakihouia at Waihao, before settling near modern-day Akaroa. The Uruao lies as part of the Waitaki riverbed near Waikākahi (near Glenavy). All Kāi Tahu whānui descend from Rākaihautū.

Of great significance in local history is the journey and re-settlement of Te Ao Mārama by the rakatira Te Maiharoa and his whānau. As a response to the effects on the people through dispossession of lands by the Government via the Kemp Purchase, Te Maiharoa led a group to re-occupy the important food-providing lands which had been assigned to runholders in the upper Waitaki and set up a kaika near present-day Ōmārama to sustain themselves with the local resources. The run-holders detested this and petitioned the Government to remove the whānau from these lands. The Government responded and the armed constabulary was mobilised alongside the local runholders. Consequently, the whānau was forcibly driven to return to Korotuaheka, at the Waitaki River mouth. This was during a harsh winter and great suffering ensued.

Great significance is also accorded by mana whenua at Moeraki, and indeed the wider Kāi Tahu Whānui, to Tiramōrehu, who led the re-occupation of the whenua at Moeraki. Here, they lived near the European whalers and relations were friendly but formal, as his community avoided the dissolute way of life common among whalers. Tiramōrehu was well trained in mātauraka or traditional knowledge of Kāi Tahu and was highly regarded for his knowledge of whakapapa. When Henry Tacy Kemp negotiated the Canterbury purchase at Akaroa in June 1848, Tiramōrehu signed the deed with his name Matiaha. By 22 October 1849, a disheartened Matiaha Tiramōrehu wrote a letter to Eyre, the lieutenant governor of New Munster (Te Waipounamu). The letter was the first formal statement of Kāi Tahu grievances about South Island land purchases. Kāi Tahu had been promised that reserves would be allocated to Māori to ensure the needs of present and future generations. While European settlers had often been provided over 2,500 acres, at Moeraki he had allowed Māori only 500 acres for 87 people, one of the lowest proportions of land to population among Kāi Tahu settlements. This set the foundation for the longest-standing claims against grievances caused by the Crown through the New Zealand Government. These complaints were put forth only nine years after the Government was mandated through the Treaty of Waitangi, and just one year after a sale agreement was made. It took until 1 October 1998, almost 150 years later, for these grievances to be properly addressed by the Crown, through the enactment of the Ngāi Tahu Claims Settlement Act 1998. Tiramōrehu

selflessly guided his people to survive through despair and set the foundation for the mana that Kāi Tahu holds today. The traditional relationship between Kāi Tahu and the landscape of Waitaki District was based on co-existence, the people relied on the environment for resources, mahika kai, and were able to exercise kaitiakitaka and rakatirataka to sustain these resources for the generations to come.

Sites and areas of significance are tangible reminders of the long-term connections of Kāi Tahu within the landscape and have been identified in this Plan as Wāhi Tūpuna. They represent Kāi Tahu's historical association and on-going relationship with the Waitaki District. Wāhi tūpuna are associated with people, historical events, geographical features, and natural flora and fauna.

Environmental management perspectives and values of Kāi Tahu

Overview

Kāi Tahu's guiding principle in resource management is that of intergenerational sustainability: 'Mō tātou, ā, mō kā uri ā muri ake nei' (for us, and all of our children after us).

Kāi Tahu do not see their existence as separate from te ao tūroa (the natural world) but as an integral part of it. Through whakapapa, all people and life forms descend from a common source. Whakapapa binds Kāi Tahu to the mountains, forests, waters and the life supported by them, and this is reflected in traditional attitudes towards the natural world and resource management. Whanaukataka (the process of maintaining relationships) embraces whakapapa, through the relationship between people, and between people and the environment. The nature of these relationships determines people's rights and responsibilities in relation to the use and management of taoka of the natural world.

All things have the qualities of wairua (spiritual dimension) and mauri (life force) and have a genealogical relationship with each other. Mauri provides a common connection between the natural resources (taoka), the people or guardians who care for the taoka (the kaitiaki), and the management framework (tikaka) of how taoka are to be managed by the kaitiaki. It is through kawa (protocol) that the relationship between taoka, tikaka and kaitiakitaka is realised.

The authority exercised by those holding mana whenua over an area encompasses kaitiakitaka and rakatirataka. Integral to this is the recognition that Kāi Tahu have their own traditional means of managing and maintaining resources and the environment. This system of rights and responsibilities is inherited from previous generations and has evolved over time. The resources in any given area are representative of the people who reside there and are a statement of identity. Traditionally, the abundance or lack of resources directly determines the welfare of whanau and hapū, as well as their ability to display manaakitaka, and so affects their mana.

Ki uta ki tai is a philosophy that has become synonymous with the way Kāi Tahu think about natural resource management. Ki uta ki tai is the concept used to describe the overall approach to integrated natural resource management by Kāi Tahu - from the mountains to the sea and describes the importance of understanding that all elements of the natural world are intimately connected. It has at its heart a holistic view of natural resource management - it is the Kāi Tahu way of understanding the natural environment, including how it functions, how people relate to it and how it can be looked after appropriately.

Mauri

For Kāi Tahu, mauri is the life force that comes from wairua – the spirit, or source of existence and all life. Mauri is the life force in the physical world. As a life principle, mauri implies health and spirit and can be a measure or an expression of the health and vitality of a place or being. Mauri can be both harmed and restored by the actions of humans and also by natural processes, such as natural disasters.

The overall purpose of resource management for Kāi Tahu is the maintenance of the mauri of natural and physical resources, and to enhance mauri where it has been degraded by the actions of humans. The preservation of the mauri of natural resources is paramount to Kāi Tahu to ensure that resources may be used sustainably by present and future generations.

Traditionally, rules were established to govern the use of natural and physical resources, and to ensure that the mauri was protected from human actions. These rules form part of kawa and tikaka (Māori protocol) and have been passed on through the generations.

Every resource has both a tapu (spiritual) and a noa (physical) aspect. When the health of the resource is adversely affected, its mauri is diminished. A rāhui or restriction may be imposed to replenish the noa and the mauri. When the mauri has been restored, the rāhui will be lifted.

There are indicators within the environment, both physical and spiritual, that Kāi Tahu use to reflect the status of mauri. Physical indicators of the health of mauri include, but are not limited to, the presence and abundance of healthy mahika kai and other indigenous flora and fauna, the presence of resources fit for cultural use, and the aesthetic qualities of resources, such as the visibility of important landmarks. Spiritual indicators are those from the atua (gods), which can take many forms and are recalled in the kōrero pūrākau (traditional stories) telling the whakapapa of whānau and hapū.

Rakatirataka

Rakatirataka is the mana or authority to give effect to Kāi Tahu culture and traditions in the management of the natural world. Recognition of the relationship of Kāi Tahu and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taoka are embedded in the Resource Management Act (RMA) and the Treaty of Waitangi.

The Crown apology to Kāi Tahu, recorded in the Ngāi Tahu Claims Settlement Act 1998, explicitly recognises the rakatirataka of Kāi Tahu within its rohe. Consistent with this recognition, Kāi Tahu aspire to develop a true partnership with local government regarding resource management, rather than merely a stakeholder relationship.

In the context of the Resource Management Act, rakatirataka underpins the active involvement of mana whenua in resource management decision-making processes. Rakatirataka is also recognised through a planning framework that enables Kāi Tahu to maintain customary practices and to use their ancestral land in a way that supports their identity and well-being. This would, for example, include enabling development of papakāika and supporting the development and enhancement of mahika kai.

Kaitiakitaka

Kaitiakitaka entails the active protection and responsibility for natural and physical resources by mana whenua. To give effect to kaitiakitaka, it is important to engage meaningfully with the appropriate papatipu rūnaka. The RMA definition of kaitiakitaka is, ‘the exercise of guardianship by the tākata

whenua of an area in accordance with tikaka Māori in relation to natural and physical resources; and includes the ethic of stewardship'. This definition is, however, only a starting point for Kāi Tahu, as kaitiakitaka is a much wider cultural concept than pure guardianship.

Kaitiakitaka is fundamental to the relationship between Kāi Tahu and the environment. The responsibility of kaitiakitaka is twofold: firstly, there is the ultimate aim of protecting life supporting capacity and, secondly, there is the duty to pass the environment to future generations in a state that is as good as, or better than, the current state. To Kāi Tahu, kaitiakitaka is not passive custodianship, nor is it simply the exercise of traditional property rights, but it entails an active exercise of rights and responsibilities in a manner beneficial to the resource. In managing the use, development, and protection of natural and physical resources, decision makers must have regard to kaitiakitaka. The responsibility of kaitiakitaka is felt deeply by Kāi Tahu whānau and hapū because the whenua and its resources are an inheritance from tupuna to be left for future generations.

Tikaka

Tikaka Māori encompasses the beliefs, values, practices and procedures that guide appropriate codes of conduct, or ways of behaving. It seeks to unify the three planes of reality in a holistic way: te taha tinana (the physical plane), te taha hinengaro (the intellectual plane), and te taha wairua (the spiritual plane).

In the context of natural resource management, observing tikaka is part of the ethic and exercise of kaitiakitaka. It is underpinned by a body of Mātauraka Māori (Māori knowledge) and is based on a general understanding that people come from the land, belong to the land, return to the land, and therefore have a responsibility to care for and manage the land. It incorporates forms of social control to manage the relationship of people and the environment, including concepts such as tapu, noa and rāhui.

Tikaka is based on traditional practices but is dynamic and continues to evolve in response to different situations. One example of tikaka is the concept of kanohi ki te kanohi, or meeting face-to-face. For consultation on natural resource management issues, kanohi ki te kanohi may be the appropriate tikaka. Tikaka may also limit public access to wāhi tapu sites or require that certain protocols are observed before entering a site.

Taoka

In the management of natural resources, it is important that the habitats and wider needs of taoka are protected, sustainably managed and enhanced. Taoka are treasures, things highly prized and important to Kāi Tahu, derived from the atua (gods) and left by the tūpuna (ancestors) to provide and sustain life. Taoka include sites and resources, such as wāhi tapu, tauraka waka and kai mātaitai, other sites for gathering food and cultural resources, tribally significant landforms, features and cultural landscapes (wāhi tūpuna). Taoka may also be intangible, such as tikaka and te reo (Māori language). All taoka are part of the cultural and tribal identity of an iwi.

The protection of the relationship of mana whenua and their taoka is included in Article II of the Treaty of Waitangi, section 6(e) of the RMA, and more recently, the Ngāi Tahu Claims Settlement Act 1998. To ensure taoka are available for future generations, resource management decision-making processes need to recognise tikaka (Māori protocol and customs) and have the conservation and sustainability of resources as their focus.

Mahika Kai

Mahika kai is one of the cornerstones of Kāi Tahu cultural identity. Mahika kai is a term that literally means "food workings" and refers to the customary gathering of food and natural materials and the places where those resources are gathered or produced. The term embodies the traditions, customs and collection methods, and the gathering of natural resources for cultural use, including raraka (weaving) and rokoā (traditional medicines). Maintaining mahika kai sites, gathering resources, and continuing to practice the tikaka that governs each resource, is an important means of passing on cultural values and mātauraka Māori (traditional knowledge) to the next generation. Manaakitaka, which is the custom of being aware of and caring for the needs of your guests, is a fundamental part of this cultural identity, and the ability to provide food for guests is crucial to the mana of Kai Tahu whānui and the marae.

The importance of mahika kai to Kāi Tahu is reflected in the Ngāi Tahu Claims Settlement Act, which contains a range of mahika kai related elements, including statutory acknowledgements, nohoaka (temporary campsites), fishing easements, taoka species and customary fisheries management.

Wāhi Tapu and Wāhi Tūpuna

Wāhi tapu are sacred sites or areas held in reverence according to whakapapa. Wāhi tapu may be associated with creation stories of mana whenua, particular events, such as battles or ceremonies, sacred locations, such as where whenua or placenta are buried, or sites where a particular valued resource is found.

Kāi Tahu use the term wāhi tūpuna to describe landscapes that embody the ancestral, spiritual and religious traditions of previous generations. Waitaha, Kāti Māmoe and Kāi Tahu whakapapa is closely interwoven in Te Wai Pounamu. The use of the term wāhi tūpuna is intended to encompass and respect these separate strands of whakapapa and tradition. It is important to understand this concept in the context of the distinctive seasonal lifestyle that Kāi Tahu evolved in the south.

These sites used by Kāi Tahu are spread throughout the Waitaki District. These places did not function in isolation from one another but were part of a wider cultural setting and pattern of seasonal resource use. The glossary includes descriptions of wāhi tapu and wāhi tūpuna.

It is important to mana whenua that wāhi tapu sites and wāhi tūpuna areas are protected from inappropriate activity and that there is continued access to such sites for Kāi Tahu whānui. Where sites are of special significance, mana whenua may wish to protect them by restricting certain activities, access and information about their location. Wāhi tapu are often not confined to specific sites and management of the wider cultural landscape may be needed to protect their values, consistent with the ki uta ki tai philosophy.

Significant resources to Kāi Tahu

The Waitaki District is rich in natural resources. The diverse range of resources were key to sustaining the people and provided the means to grow and trade. Historically, many coastal areas or places near the District's waterbodies were rich in mahika kai resources and attracted substantial settlements, contributing to a rich cultural history.

Coastal settlement and the use of te wai tai, coastal areas and resources, largely influenced the way of life for Kāi Tahu. The estuarine environment is important for spawning and juvenile fish, such as

īnaka and pātiki, waterfowl and shellfish. The coastlines provide more variety of shellfish, including pāua and koura. The coastlines and some estuaries still support customary fishing practices. Development of land along this coast has had adverse impacts on cultural and ecological values over time. Good management of future activities is crucial to avoid further degradation and to enable restoration of degraded values.

Te Wai Māori, the freshwater environment, including kā puna (springs), kā roto (lakes), kā awa (rivers) and kā repo (wetlands) is habitat for fish, including tuna and kōkopu, vegetation and invertebrate species that are harvested for kai. The water itself is also a resource of obvious importance for drinking and rituals. Water is essential for life and the waters of the Waitaki District have been severely degraded in the process of land development, to the detriment of the well-being of mana whenua.

Te Whenua, the land, provides a wide range of vegetation which supports animal life and produces resources. Native vegetation is significant to mana whenua because of its versatile uses, including rākau rokoā (medicinal plants) and harakeke (flax) for raraka (weaving). Traditional resources of the whenua also include tī kouka (cabbage tree) for sugar, from the scrublands, raupō (bulrush) for housing and mokihi (raft), from the repo (swamp), kareao (supplejack) for nets, from the forests, and taramea (speargrass), from the pākihi (tussocklands), for adornment. Birds were also important and the seasonal migrations to the upper Waitaki from coastal settlements to harvest weka, ducks and eggs of many varieties were of great importance to the well-being of the people.

Ongoing access to traditional resources for mahika kai, including raraka, rokoā and whakāiro (traditional carving) is important to Kāi Tahu whānui.

As well as allowing access, there are some areas where Kāi Tahu want to limit access due to the significance of the site. Wāhi tapu and wāhi tūpuna are areas that have history that Kāi Tahu would like preserved.

Among the matters of concern in relation to management of natural resources are the following:

- The effects of vegetation clearance, earthworks, stormwater runoff and waste generation, particularly from industrial activities, on the quality of water and aquatic life in lakes, streams, estuarine and coastal waters;
- The effects of land use near waterways on riparian habitats and maintenance of fish passage to and from the sea;
- Maintenance of the ability for whānau to obtain access for fishing and other activities associated with mahika kai. This can be hindered, for example, by the stopping of “paper roads” that may be associated with land development;
- The effects of regulatory restrictions on the ability of whānau to undertake customary harvest of natural resources;
- The effects of vegetation clearance, land disturbance, noise and light pollution on habitats of indigenous species;
- The degradation and loss of wetlands through land development;
- The effects of land use intensification on the health of mahika kai;
- Maintenance of the integrity of highly valued natural systems. For example, intertidal environments are adversely affected by accelerated coastal erosion arising from both land use changes and climate change processes;

- Loss of significant sites through exacerbation of coastal erosion, or change in coastal processes, as a result of land use and development;
- The effects of past zoning restrictions on the ability to establish residential settlements on ancestral lands;
- The effects of land disturbance on wāhi tapu, wāhi taoka and archaeological sites;
- Adverse effects on the values of culturally significant sites from establishment of inappropriate activities (for example, development or redevelopment of roads or railways, or construction of a wastewater treatment plant) in close proximity;
- The effects of nearby land use activities on the integrity of the limestone features that support rock art;
- Loss of wāhi tūpuna associations through inappropriate activities (such as location of structures) or obstruction of connections through the landscape; and
- Use of incorrect te reo Māori place names that do not properly reflect and respect the tīpuna associations with the place.

Treaty settlement requirements

Te Tiriti o Waitangi/Treaty of Waitangi

Te Tiriti o Waitangi/the Treaty of Waitangi is the founding legal document for Aotearoa/New Zealand. The Crown is the primary Treaty partner responsible for the Treaty relationship. However, in delegating responsibilities to local authorities, Parliament acknowledges the need to ensure local authorities give appropriate consideration to the principles of the Treaty as part of their statutory obligations. Kāi Tahu is the Crown's Treaty partner in the Waitaki District. The Resource Management Act 1991 (RMA) and Local Government Act 2002 (LGA) provide a clear direction on the Waitaki District Council's responsibilities in terms of Te Tiriti o Waitangi/the Treaty of Waitangi. This Plan has been developed in consultation with Kāi Tahu mana whenua and identifies the matters that have the potential to affect cultural values and well-being, along with enabling mana whenua to actively participate in resource management processes.

Ngai Tahu Claims Settlement Act 1998

The Ngāi Tahu Claims Settlement Act 1998 (NTCSA 1998) includes a number of mechanisms that are to be implemented through the RMA to recognise the rakatirataka of Kāi Tahu in its rohe. These mechanisms provide for the exercise of rakatirataka and kaitiakitaka of mana whenua in relation to areas and species of particular importance to Kāi Tahu. They include rights in relation to the management of specified significant areas (statutory acknowledgements, tōpuni, nohoaka) and significant species (taoka species, especially in relation to mahika kai, and customary fisheries).

Statutory acknowledgements

Statutory acknowledgements are an acknowledgement by the Crown of cultural, spiritual, historical, and traditional associations Kāi Tahu has with specified areas.

The requirements relating to statutory acknowledgements (sections 205 to 220, NTCSA 1998) are intended to provide for improved participation of Kāi Tahu in resource management decision-making for areas with significant cultural, spiritual, historic and traditional associations. The particular values and associations are described in schedules to the NCTSA 1998.

Statutory acknowledgements recognised in the Waitaki District are:

- Lake Ōhau (Schedule 14);
- Matakaea – Shag Point (Schedule 40);
- Kākaunui River (Schedule 41);
- Waitaki River (Schedule 42);
- Mahi Tīkumu - Lake Aviemore (Schedule 45); and
- Te Ao Mārama – Lake Benmore (Schedule 46).

Sections 208 of the NTCSA 1998 and 95B of the Resource Management Act 1991 recognise the interests of Kāi Tahu in statutory acknowledgement areas regarding notification of resource consent applications for activities that may affect these areas. The WDC will forward advice of all resource consent applications which may affect a statutory acknowledgement to Te Rūnanga o Ngāi Tahu and to Aukaha Consultancy, as the resource management agent of Te Rūnanga o Waihao, Te Rūnanga o Moeraki and Kāti Huirapa Rūnaka ki Puketeraki, as well as Aoraki Environmental Consultancy on behalf of Arowhenua. It must have regard to effects on Kāi Tahu when considering the need for notification of such resource consents and in making decisions on resource consent applications.

The statutory acknowledgements are also recognised in this Plan as Sites and Areas of Significance to Māori (wāhi tūpuna), and their values are protected through the provisions relating to those sites.

Tōpuni

The concept of tōpuni comes from the traditional Kāi Tahu custom of rakatira extending their mana over areas and people by placing their cloak over them. Tōpuni are a public symbol of Kāi Tahu Mana whenua and rakatirataka over some of the most prominent landscape features and conservation areas in Te Wai Pounamu. Tōpuni have been laid over 14 areas of public conservation land of significance to Kāi Tahu, including Aoraki/ Mt Cook. There is one tōpuni identified within the Waitaki District at Matakaea.

Nohoaka

The term ‘nohoaka’ means ‘a place to sit’. Nohoaka traditionally refers to the seasonal occupation sites which were an integral part of the mobile lifestyle of Kāi Tahu.

Contemporary nohoaka are identified seasonal or temporary campsites established adjacent to lakes and rivers to facilitate customary fishing and the gathering of other natural resources. They provide Kāi Tahu with a means of experiencing the landscape as their tūpuna did, and promoting customary practices associated with mahika kai. They are intended as providing partial redress for the loss of mahika kai through the alienation of land.

Nohoaka entitlements provide a right of seasonal occupation and use for Kāi Tahu whānui of specified areas of Crown-owned land near water bodies for harvest of natural resources (sections 255 to 268, NTCSA 1998).

There are numerous nohoaka associated with the Waitaki River and the Waitaki Valley because of the long history of use of the river and valley as both a route into the interior of the island and as a source of mahika kai.

Contemporary nohoaka within the Waitaki District include:

- Lake Ōhau
- Lake Ōhau River
- Ahuriri River
- Lake Benmore (Ōtematapaio)
- Lake Aviemore (Ōtematata)
- Waitaki River (Waitaki River Mouth)
- Waianakārua River (Glencoe Reserve)

In recognition of the interests held by iwi and hapu in these sites, the WDC will have regard to effects on Kāi Tahu when making decisions relating to affected parties, under section 95E of the Resource Management Act 1991, for any resource consent application that may affect the values of the identified nohoaka.

Taoka species

Kāi Tahu has many taoka species that are recognised to have a cultural, spiritual, historic and traditional relationship with mana whenua. The species are integral to mahika kai and the use of nohoaka, and can be also used as tohu (indicators) of environmental health and Kāi Tahu values, uses and associations. Some, but not all, of these species are listed in the NTCSA 1998.

Hapū and iwi planning documents

Under section 74(2A) of the Resource Management Act, territorial authorities, in preparing or changing a district plan, must consider planning documents recognised by iwi. These documents are also relevant to consider, under section 104(1)(c), in making decisions on resource consents that could affect the values and interests described in this Chapter. These plans can also be used to guide consultation with rūnaka but are not a substitute for direct communication with rūnaka. There are two iwi management plans relevant to the Waitaki District, as follows:

1. The Kāi Tahu ki Otago Natural Resource Management Plan 2005 which is the principal resource management planning document for Kāi Tahu ki Otago and recognises and provides for Kāi Tahu values. The kaupapa of the plan is 'Ki Uta ki Tai' (from the mountains to the sea), which reflects the holistic Kāi Tahu philosophy of integrated resource management.
2. The Waitaki Iwi Management Plan 2019 which was developed by Te Rūnanga o Arowhenua, Te Rūnanga o Waihao and Te Rūnanga o Moeraki (Kā Papatipu Rūnaka) as an expression of rakatirataka and in fulfilment of their kāitiaki responsibilities within the Waitaki Catchment.

Participation of mana whenua in RMA processes

Waitaki District Council partnership acknowledgement

The WDC seeks to work in partnership with Kāi Tahu and will engage with the iwi authority, Te Rūnanga o Ngāi Tahu, via the Papatipu Rūnaka for this District. WDC is committed to meeting its responsibilities under Te Tiriti o Waitangi/the Treaty of Waitangi and statutory obligations under the RMA.

The Waitaki District Council recognises the mana whenua and tino rakatirataka of Kāi Tahu over their resources and taoka and the Waitaki District Council's commitment to its Treaty responsibilities is reflected throughout this Plan. The Council and Te Rūnanga o Moeraki have signed a Memorandum of Understanding (2016) which outlines the shared commitment to partnership. WDC will work to

ensure that its policies and actions recognise and protect mana whenua rights and interests within Waitaki District.

The WDC will consult Te Rūnanga o Moeraki, Te Rūnanga o Waihao, Te Rūnanga o Arowhenua and Te Rūnanga o Kati Huirapa ki Puketeraki, through Aukaha, on all matters related to the mana whenua values and interests identified in this Plan and will maintain regular and open communication with Aukaha on resource management matters and processes.

Mana whenua consultancy services

The four local papatipu rūnaka (Te Rūnanga o Moeraki, Te Rūnanga o Waihao, Te Rūnanga o Arowhenua and Te Rūnanga o Kati Huirapa ki Puketeraki) manage local government relationships and resource management matters on behalf of Kāi Tahu.

Aukaha is a consultancy established by these local rūnaka (excluding Arowhenua), with one of its functions to help streamline the resource consent process for applications requiring consultation with Kāi Tahu in Otago. Aoraki Environmental Consultants carry out this function for Te Rūnanga o Arowhenua.

Mana whenua values, concerns and interests have been considered in the preparation of the Plan. Aukaha staff have worked with WDC and rūnaka in the development and drafting of the Waitaki District Plan. Te Rūnanga o Arowhenua have granted Aukaha approval to work with Waitaki District in the development and drafting of the Plan on their behalf.

Consultation with mana whenua

The Plan aims to identify where mana whenua may be affected by a proposal. If this is the case, applicants for resource consent are encouraged to contact Aukaha prior to lodging their application. Aukaha can then advise whether consultation with rūnaka is required.

Where consultation is required, work is done on a cost-recovery basis and applicants may be charged a fee. Aukaha sends a summary and recommendation for each resource consent application to the rūnaka that are kaitiaki of the area the application is located in. As there are many areas of shared interest, details of the application may be sent to more than one rūnaka. A letter detailing the rūnaka position on the application is then sent to the applicant.

For large applications with extensive cultural effects, a Cultural Impact Assessment may be required as part of the Assessment of Environmental Effects.

Please Note: Resource consent applicants should consult early with Aukaha, particularly on any matters where the District Plan identifies that cultural values need to be considered.

Note[1] In the south of the South Island, the local Māori dialect can use a 'k' in place of the 'ng' so southern Māori are known as Kāi Tahu, as well as Ngāi Tahu. The 'ng' and 'k' are used interchangeably. In this Plan, 'k' is generally used.

MANA-APP1: Types of sites of significance to mana whenua include those described in the table below:

TYPE OF WĀHI TAPU AND WĀHI TŪPUNA	EXPLANATION
ARA TAWHITO	Ancient trails. A network of trails crossed the region linking the permanent villages with seasonal inland campsites and the coast, providing access to a range of mahika kai resources and inland stone resources, including pounamu and silcrete.
KĀIKA	Permanent settlements or occupation sites. These occurred throughout Waitaki, particularly in coastal areas.
KĀIKA NOHOAKA	A network of seasonal settlements. Kāi Tahu were based largely on the coast in permanent settlements and ranged inland on a seasonal basis. Iwi history shows, through place names and whakapapa, continuous occupation of a network of seasonal settlements which were distributed along the main river systems, from the source lakes to the sea.
KAI MOANA	Food obtained from the sea. Seafood occupies a key role in Kāi Tahu culture; it plays a part in many tribal histories and forms a part of cultural identity. The ability to provide kai moana as a part of manaakitaka (hospitality) responsibilities reflects on a tribe's mana.
MAHIKA KAI	The customary gathering of food or natural materials and the places where those resources are gathered. Mahika kai remains one of the cornerstones of Kāi Tahu culture.
MAUKA	Important mountains. Mountains are of great cultural importance to Kāi Tahu. Many are places of spiritual presence, and prominent peaks in the District are linked to Kāi Tahu creation stories, identity and mana.
PAPATIPU MARAE	The marae ātea and the buildings around it, including the wharenui, wharekai, church and urupā. The sheltering havens of Kāi Tahu cultural expression, a place to gather, kōrero and to welcome visitors. Expressions of Kāi Tahu past and present.
REPO RAUPŌ	Wetlands or swamps. These provide valuable habitat for taoka species and mahika kāi resources.
TAURAKA WAKA	Canoe mooring site. These were important for transport and gathering kai.
TŪĀHU	Places of importance to Māori identity. These are generally sacred ground and marked by an

	object, or a place used for purposes of divination.
TAUMANU	Fishing sites. These are traditional fishing easements which have been gazetted by the South Island Māori Land Court.
UMU, UMU-TĪ	Earth ovens. Used for cooking tī-kōuka (cabbage tree), these are found in a diversity of areas, including old stream banks and ancient river terraces, on low spurs or ridges, and in association with other features, such as kāika nohoaka.
URUPĀ	Human burial sites. These include historic burial sites associated with kāika, and contemporary sites.
WĀHI KOHĀTU	Rock outcrops. Rocky outcrops provided excellent shelters and were intensively occupied by Māori from the moa-hunter period into early European settlement during seasonal hikoi (travels). Tuhituhi neherā (rock art) may be present due to the occupation of such places by the tūpuna (ancestors).
WĀHI PAKAKA	Battle sites.
WĀHI PARIPARI	Cliff areas.
WĀHI TAOKA	Resources, places and sites treasured by Manawhenua. These valued places reflect the long history and association of Kāi Tahu with the Waitaki District.
WĀHI TAPU	Places sacred to the tākata whenua. These occur throughout the Waitaki District and include urupā (human burial sites).
WĀHI TOHU	Features used as location markers within the landscape. Prominent landforms formed part of the network of trails along the coast and inland. These acted as fixed reference points in the landscape for travellers and are imbued with history.
WAI MĀORI	Freshwater areas important to Māori. These include wai puna (springs), roto (lakes) and awa (rivers).