

Section 2 District-wide Objectives, Policies, Methods and Rules

Section 2.1 Tangata Whenua

Ngāi Tahu as tangata whenua has a cultural and spiritual relationship with the land, water and resources of the District. Traditional areas such as mahinga kai sites, nohoanga, wāhi tapu and wāhi taonga, remain culturally and spiritually important and are a critical component of Ngāi Tahu identity. Ngāi Tahu maintains kaitiakitanga to ensure that mauri of these resources is maintained and enhanced for future generations.

The Resource Management Act identifies, as a matter of national importance, the relationship of Māori, including their culture and traditions with their ancestral lands, sites, water, wāhi tapu and other taonga. It also states that the principles of the Treaty of Waitangi must be taken into account when managing the use, development and protection of natural and physical resources. The Act acknowledges kaitiakitanga by ensuring that it is given particular regard in resource management decision-making.

Statutory Acknowledgements are a mechanism created under the Ngāi Tahu Claims Settlement Act as part of the Treaty of Waitangi settlement between Ngāi Tahu and the Crown. Within the District, Statutory Acknowledgements relate to land, geographic features, lakes, rivers and wetlands that have particular cultural, spiritual, historic and traditional associations with Ngāi Tahu, these are listed in Schedule 5.1 of the District Plan. Council is required to consult with Ngāi Tahu on resource consent applications which may affect a Statutory Acknowledgement Area.

Te Tangi a Tauira is an Iwi Management Plan, developed by Ngāi Tahu ki Murihiku. It is an expression of kaitiakitanga and documents values, knowledge and perspectives on resource management and broader environmental issues. It identifies Ngāi Tahu ki Murihiku's primary issues, policies and management guidelines for resource management, wāhi tapu and wāhi taonga. Te Tangi a Tauira also lists sites and areas of significance to tangata whenua. Te Tangi a Tauira can assist Council in providing for Māori interests in resource management as well as informing the assessment of resource consent applications and District Plan changes.

In addition to its statutory obligations, Council recognises the importance of maintaining a close working relationship with Ngāi Tahu, to ensure effective engagement and that its views are heard and considered. Te Roopu Taiao is a political forum made up of representatives of Ngāi Tahu and local authorities that meet regularly to discuss resource management issues in Murihiku. Te Ao Mārama Incorporated represents the Murihiku papatipu rūnanga, Waihopai Rūnanga, Te Rūnanga o Oraka-Aparima, Hokonui Rūnanga and Te Rūnanga o Awarua, in respect of the day-to-day resource management consultation process.

Tangata whenua interests are weaved through the District Plan, to reinforce the Ngāi Tahu philosophy of 'ki uta ki tai' (from the mountains to the sea) holistic resource management. Thus this chapter should be read in the context of the District Plan as a whole.

Objective TW.1

To recognise the importance of and provide for, Māori culture and traditions with ancestral lands, sites, water, wāhi tapu and other taonga.

Policy TW.1

To recognise and provide for tangata whenua to exercise kaitiakitanga in the management of and decision-making process regarding natural and physical resources, with particular regard to Iwi Management Plans.

Explanation: Tangata whenua have a cultural and spiritual relationship with natural resources and the resource management process provides opportunities for tangata whenua to exercise kaitiakitanga, or guardianship, to protect, sustain and preserve these resources. This encompasses the ethic of stewardship. Kaitiakitanga includes management of traditional Māori uses and practices relating to natural resources. It also includes maintenance of mahinga kai and access to areas of natural resources used for customary purposes, maintenance and enhancement of mauri and wairua of natural resources. Protection of places, sites and areas with significant spiritual or cultural value to tangata whenua, such as ancestral lands, sites, water, wāhi tapu and other taonga is also included. Council recognises the importance of maintaining a close working relationship with tangata whenua, to ensure Ngāi Tahu views are heard and considered and cultural and spiritual values are not compromised. This is an integral part of the principle of rangatiratanga.

The resource management process should also have particular regard to relevant Iwi Management Plans, Te Tangi a Tauira, or its equivalent.

Policy TW.2

Enable the sustainable use and development of Māori land.

Explanation: There are large areas of Māori land administered under the Māori Land Act 1993 in the District, this includes land associated with the Ngāi Tahu Claims Settlement Act 1998 and South Island Landless Natives Act 1906 (SILNA). The Māori Land Act provides for the occupation, development and utilisation of Māori land for the benefit of its owners, their whānau and their hapū, this may include the use and development of marae, papa kāinga housing or community facilities. While the Māori Land Court has jurisdiction over Māori land, Council's role under the Resource Management Act still applies. Māori land represents tūrangawaewae, however, it is traditionally held in multiple ownership which means it can be difficult to use and develop. The sustainable use and development of Māori land can enable tangata whenua to provide for their socio-economic and cultural wellbeing, support community life, cultural expression and identity. These benefits should be recognised and provided for.