

TE WHĀNAU A TE HARAAWAKA HAPŪ
RESOURCE MANAGEMENT PLAN
2017 - 2027



Prepared by:


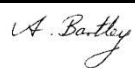

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Ka tohi au ki te tohi a Nuku
Ka tohi au ki te tohi a Rangi
I tupu iho ko ngā Pū
Ngā Weu, ngā More, ngā Pūkenga
Ngā Wānanga, ngā Taura, ngā Tauira
Tēnei te kimi noa, te rapu noa i te taketake,
I te ahuru mai nō ngā rangi tūhaha
Whakaea kia rite
Uhi, Wero, Haramai te toki
Haumi e, hui e
Taiki e!

I connect to the earth below
I connect to the sky above
Which gave birth to the original roots
Then evolved the tap roots, the ability to learn
The ability to attain knowledge
I am a student forever learning
Forever searching for enlightenment
From the far reaches of the world beyond
This is my intent, ingrained within me
Protect and inspire me
Guide and direct me
Let it be done!

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SECTION 1

1.0 Introduction

The Te Whānau a Te Haraawaka Hapū Resource Management Plan is an environmental management tool. It has been developed to assist kaitiaki in resource management activities within the rohe (traditional boundaries) of Te Whānau a Te Haraawaka.

The Plan identifies issues, objectives policies and priorities for the wise use, care and sustainable management of: taonga species (culturally important species) and their associated environments; rauemi taiao (natural resources used for practical survival tools or artistic endeavour), and sites of significance within the rohe of Te Whānau a Te Haraawaka, for present and future generations.

*Whatu ngarongaro te tangata
toitū te whenua*

*People will perish but the
land remains*



The purpose of this Plan is to identify areas of interest, pertinent natural resources, sites of significance and environmental issues including appropriate tikanga (practices) for engagement & consultation processes by local & regional government agencies and resource consent applicants.

This Hapū Resource Management Plan (HRMP) is about managing the rohe of Te Whānau a Te Haraawaka and involves the most important responsibilities and aspirations for the Hapū.

The HRMP provides a clear statement about the orientation, guidance, information and requirements of Te-Whānau a Te Haraawaka from those involved with resource management processes that affect the rohe and associated taonga.

The aim of this document is to support the management and decision-making capabilities of Te Whanau a Te Haraawaka in all aspects of resource management activities occurring in our rohe.

1.1 How to use this Plan

The HRMP is presented in two parts. Part 1, is composed of 3 sections which are supported by a series of maps, in Part 2 of this plan.

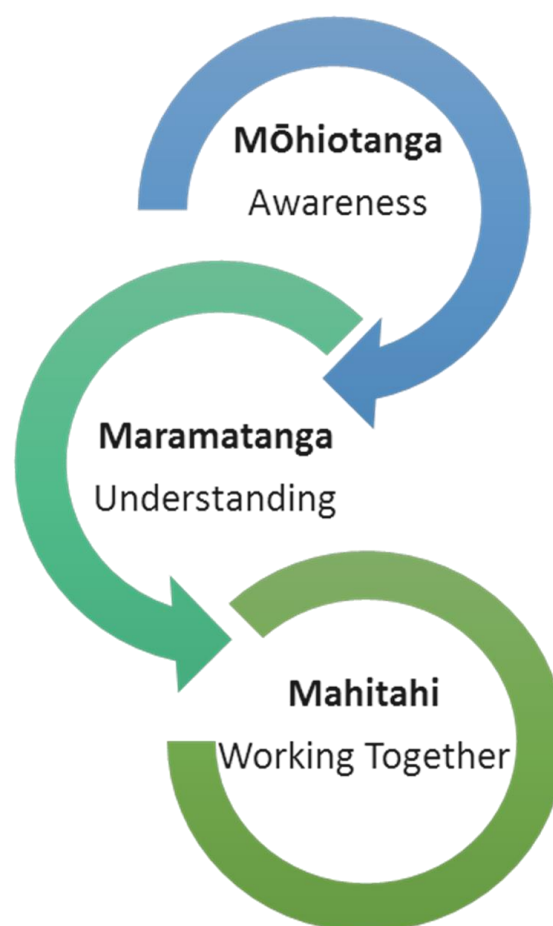
PART 1:

Section 1, Mōhiotanga – Awareness:

Provides an understanding about the nature, scope, purpose and relevance of the Hāpu Resource Management Plan, who Te Whānau a Te Haraawaka are, their environmental ethos, and aspirations for the long-term future of their rohe.

Section 2, Maramatanga – Under-standing:

Presents issues, policies and objectives for the sustainable management of the taonga species and their associated environments, natural resources and sites of significance in resource management language.



Section 3, Mahitahi – Working together:

Provides processes that have direct application to HRMP procedures on a day-to-day basis, pertinent under the RMA and other related statutes and to those who participate in those processes.

PART 2:

This section provides a series of maps identifying areas pertinent to Te Whānau a Te Haraawaka and our rohe. The maps include; rohe overview, catchments, major rivers, significant resources, archaeological sites, GridRef and corresponding information.

TE WHĀNAU A TE HARAAWAKA



Ko Ranginui te Maunga

Ko Hawai te Awa

Ko Te Whānau-a- Apanui te Iwi

Ko Te Whānau a Te Haraawaka te Hapū

Ko Tunapahore te Marae

Ko te kokoru o Hawai te kainga o Te Whānau-a-Te-Haraawaka hapū. He kainga e kōrerohia ake nei he tokomangā ki te rohe nui tonu o Te Whānau-a-Apanui. Ko ōna maunga he toka ākina tai, ākina hau, he whakamarumarū ki te iwi. Ko te moana he wai tohi mauri; ka tipu koe i te mauri, mā te mauri ka tipu. Heoi anō ēnei whakaaro.

Ki tā Te Whānau-a-Te-Haraawaka anō te kōrero e mea ake nei he hapū moroiti kē rātou. Ka nui te hiahia kia manaaki, kia puāwai ngā rauemi taiao; māi te maunga ki te moana, mō a mātou mokopuna ka haere mai.

Nā reira, i runga i ēnei tū momo whakaaro kua whakatakotohia tēnei kaupapa rauemi taiao e Te Whānau-a-Te-Haraawaka. Kia tātaia ngā mahi hei whakatū tuki, kia ea ngā wawata kia kite ai he hua i roto i ngā tau e heke tata mai nei.





Ranginui is the Mountain

Hawai is the River

Te-Whānau-a-Apanui is the Iwi

Te Whānau a Te Haraawaka is the Hapū

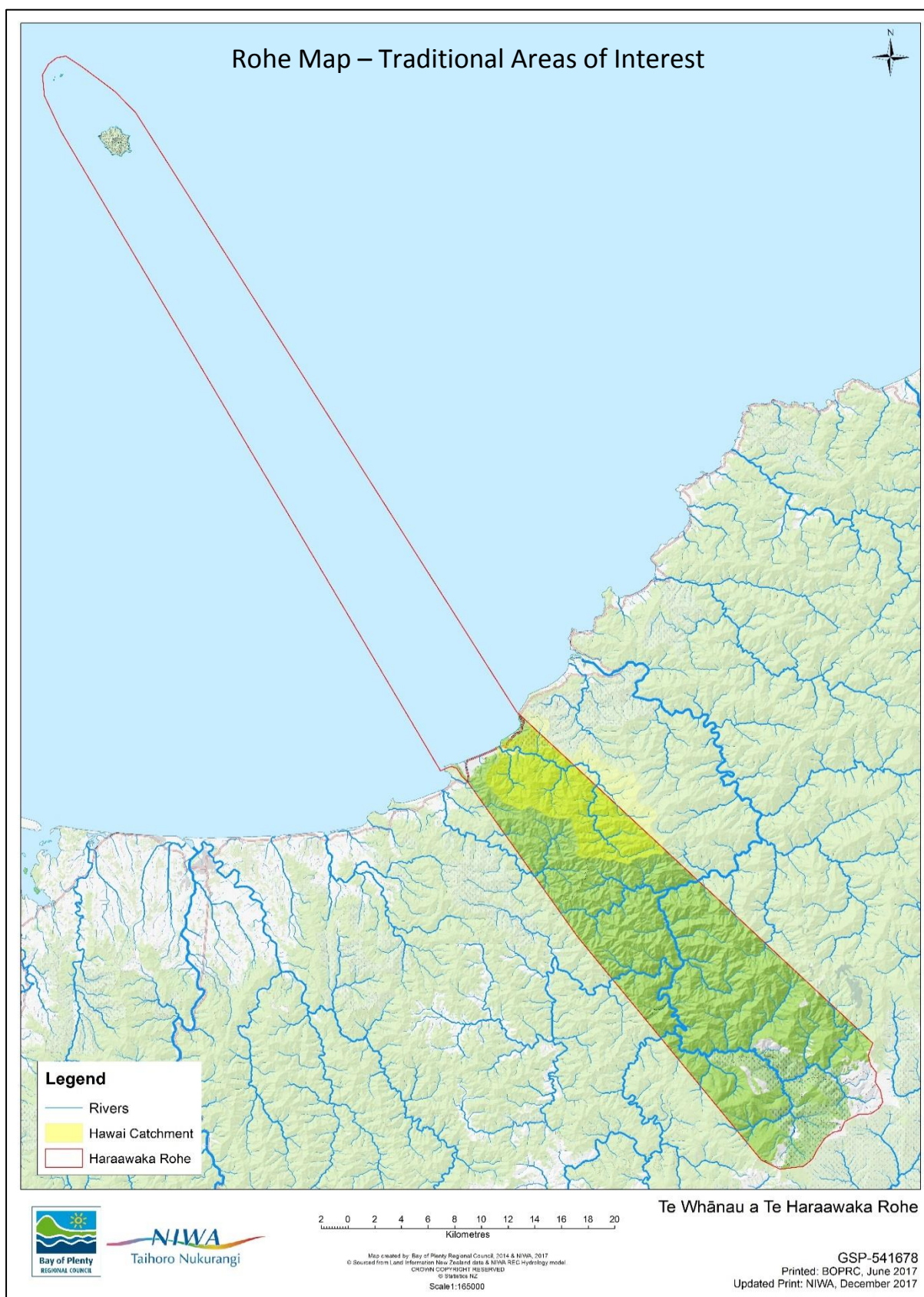
Hawai is the Marae

Hawai marae – Tunapahore is located approximately 30km east of Ōpotiki on State Highway 35. The principal hapū is Te Whānau a Te Haraawaka. The wharehau is Haraawaka. The wharekai is Tūrirangi. The marae connects ancestrally to Mataatua waka, the ancestral mountain Ranginui and the river Hawai.

Te Whānau a Te Haraawaka has occupied land in Hawai for consecutive generations. The rohe boundaries encompass Houpoto to the East, Kaikehu Stream to the West, Raukumara Ranges to the South and Whakaari (White Is.) in the North.

1.2 Resource Management & Te Whānau a Te Haraawaka

- Te Whānau a Te Haraawaka hold mana whenua across our rohe.
- Consultation on all resource management issues in the traditional geographical areas identified in this resource management plan, must occur with Te Whānau a Te Haraawaka in the first instance.
- Te Tiriti o Waitangi is the basis for the relationships between Te Whānau a Te Haraawaka and local, regional, central authorities (including water governance bodies) with regard to land, water, ocean management and governance.
- Local authorities should ensure that they have the institutional capability to appropriately recognise and provide for the principle of kaitiakitanga.
- The mātauranga of Te Whānau a Te Haraawaka is a taonga and its integrity and form is to be cared for and protected; and given equal status alongside western knowledge, with particular regard to engagement, scientific monitoring, resource consents, policy and planning documents and activities.
- Mauri, mahinga kai and indigenous biodiversity are to be recognised as key cultural and environmental indicators of the cultural health of the environment and the relationships of Te Whānau a Te Haraawaka with and to, water, land and sea.
- Taonga species that provide important cultural benefits for Te Whānau a Te Haraawaka require active, ongoing recognition, restoration and protection.
- There is a need for relevant agencies, communities, people with responsibilities and interests in the protection of natural resources and the taiao (environment) to work together.
- The importance of engaging with Te Whānau a Te Haraawaka in a timely, appropriate and meaningful manner is an issue of significance.
- Elected appointed members and senior management of local authorities must provide leadership and support for their staff regarding engagement with Te Whānau a Te Haraawaka.
- There is a continuing need to build capability within Te Whānau a Te Haraawaka to participate effectively in natural resource management and governance in our rohe.
- The exercise of kaitiakitanga and relationships with taonga species and their associated environments is vital to the continued identities, mātauranga and culture of Te Whānau a Te Haraawaka.



1.3 Ngā Uaratanga o te Ngākau – Core Values

The core values and principles identified by Te Whānau a Te Haraawaka to guide this plan include:

Mahitahi	Working together, collaboration, co-operation
Manaakitanga	Showing hospitality and being hospitable
Tikanga	Common sense, safe practices and respect
Ngākau Mahaki	Humility
Puku Mahi	Diligent and hard-working
Whakaaro Pai	Goodwill and good intentions

PRINCIPLES	WHAKAMĀRAMA
Tino Rangatiratanga – Self Determination	Acknowledging the right of hapū members to make decisions about all aspects of environmental activities occurring in our rohe.
Whakamau - Transformative	Participation in resource management is used as an active method for implementing change for the better.
Whakamarama – Acknowledgement and Awareness	Respect, due recognition and appreciation for Te Whānau a Te Haraawaka values, customs, beliefs and rights. Including an acceptance of a worldview that may not be consistent with Western ideologies.
Te Tika me te Pono – Cultural Integrity	Validating Te Whānau a Te Haraawaka ways of knowing, being and doing, and that cultural knowledges be protected from misuse and misappropriation, and preserved for present and future generations.
Whakamana – Capacity Building	Enabling and empowering Te Whānau a Te Haraawaka to participate actively in resource management decision-making, with the aim to drive our own hapū led initiatives.

1.4 Rauemi Taiao – Natural Resources



He Kaupapa Toi - Arts Strategy Plan

Natural resources are a significant taonga for Te Whānau a Te Haraawaka. They enable the retention of our cultural practices through enduring traditional and contemporary forms, thereby strengthening, uniting and upholding ourselves as Te Whānau a Te Haraawaka and contributing to the documentation of our unique art forms and histories

Natural resources are also used to create traditional survival tools (hīnaki or eel traps, tāruke or crayfish pots). Rauemi taiao are also used in mahi toi or the arts of which rāranga (weaving), whatū kākahu (intricate art of creating cloaks), tukutuku (fibrous wall panels) and whakairo (carving) are included.

The activities of mahi toi include the use of resources such as; feathers, harakeke (*Phormium tenax* – NZ flax), tane kaha (*Phyllocladus trichomanoides*, celery pine tree), manuka (*Leptospermum scoparium*); kanuka (*Kunzea ericoides*); animal hides, teeth, bones of species such as kēkeno (*Arctocephalus forsteri*, NZ Fur Seal) and tohorā (whales) among others.

The Toi Arts Strategy Plan (TASP) was developed in 2009 by Te Whānau a Te Haraawaka. The TASP highlights the significance of natural resources in the cultural identity, mātauranga -inter-generational knowledges, understandings and practices of Te Whānau a Te Haraawaka

The TASP is a complimentary management tool to the HRMP, as both seek to preserve, develop and maintain tribal resources, knowledges and practices for the betterment of the whānau, hapū and wider iwi.

1.5 Mahinga Kai

Māori customary knowledge that remains today is highly valued, in some cases, as a direct result of scarcity and loss of knowledge.

For Te Whānau a Te Haraawaka it has become essential to retain the mātauranga or knowledges associated with practices, customs and sites associated with the active act of food procurement or mahinga kai.

The term mahinga kai is commonly used to describe the activity of collecting food. Mahinga kai can also refer to the place where food resources are harvested, hunted and collected.

Gathering and obtaining food is a primary occupation in Te Whānau a Te Haraawaka society. The knowledge required for food procurement is an essential component of our people's traditional ecological knowledge and wisdom.

The gathering of kaimoana (seafood) and kai Māori (tītī, puha, tuna, pikopiko and others), both for sustenance and to provide for visitors, is an integral component of our coastal traditions and identities.

When those resources are compromised by inappropriate land development and fisheries management, our way of life is also compromised.



1.6 Kaitiakitanga

The practice of kaitiakitanga is commonly associated with an active act of guarding, protecting, nurturing, preserving, sheltering, conserving and/or keeping watch over the natural world and the resources within it. Obliging each generation to pass onto their descendants at least as good a supply of resources as they, themselves, had inherited.

The role of ira tangata (humans) is to act as kaitiaki (caretaker) with an obligation to nurture and protect the physical and spiritual well-being of the natural systems that support humankind.

Kaitiaki are agents that perform the task of active guardianship. They are charged with the responsibility to safeguard and manage natural resources for present and future generations.

For Te Whānau a Te Haraawaka, all forms of knowledge are directly or indirectly sourced from the environment.

The act of observation and information gathering is integral to the range of established sustainable management practices that govern the harvesting and use of natural resources.

The resources of the earth did not belong to man [sic] but rather, man belonged to the earth.

Man, as well as animal, bird, fish could harvest the bounty of mother earth's resources

But they did not own them.

Man had but user-rights

Rev. Maori Marsden, 2003

Kaitiakitanga is the active expression of an ongoing obligation and responsibility of Te Whānau a Te Haraawaka to ensure the vitality and health of the natural world for present and future generations.

Tikanga sets the parameters of behaviour regarding particular activities such as the wise use, care and sustainable management of food and natural resources in our rohe.

Tikanga is pivotal to our ways of knowing, being and doing. It reminds us of our place in the world and the importance of being thankful and appreciative for the resources that the world provides.



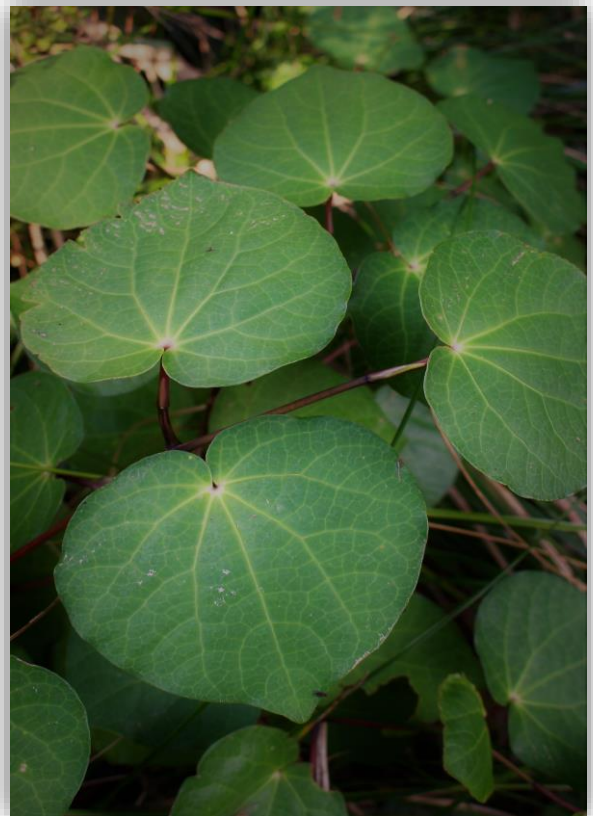
SECTION 2

In this Section

Issues, policies and objectives for the wise use, care and sustainable management of taonga species and their associated environments, natural resources, and sites of significance within the rohe of Te Whānau a Te Haraawaka are discussed.

Identified issues are presented in the following order:

- 2.1 Wai – Water
- 2.2 Whenua – Land
- 2.3 Moana – Marine
- 2.4 Hautakiwā - Air



WAI Water



2.1 Wai - Water

*Ko te wai te ora
o ngā mea katoa.*

*Water is the life giver
of all things*

All life on and within Papatūānuku (earth mother) depends on water.

For Te Whānau a Te Haraawaka, water is the essence of life.

The current state and cultural health of waterways and groundwater is evidence that water management and governance has failed to protect freshwater resources. Surface and groundwater resources are over allocated in many catchments and water quality is degraded as a result of human activities and land use.

The state of our awa (rivers, streams) and repo (wetlands) has a significant effect on the relationship of Te Whānau a Te Haraawaka with our water bodies.

Particularly, with regards to mauri (life force), mahinga kai (food procurement), rauaemi taiao (natural resources), cultural well-being and indigenous biodiversity.

The policies in this section are intended to guide freshwater management in a manner consistent with the cultural values and interests of Te Whānau a Te Haraawaka Hapū.

A significant priority in this section is to reposition the way water is valued and used, including the kind of land use that water is supporting, and the use of waterbodies as receiving environments for contaminants such as sediment and nutrients.

Māori Classification of Water

Wai-ora	Water in its purest form, potential to sustain life and well-being.
Wai-maori	Fresh or ordinary water, runs free or unrestrained, has contact with humans and is no longer sacred.
Wai-kino	Polluted, degraded, uncared for water. Mauri has been damaged.
Wai-mate	Stagnant water. Mauri has been lost and unable to sustain well-being.
Wai-tai	Salt or water from the ocean. Can refer to surf, waves or ocean tides.

WATER BODIES

ISSUES OF SIGNIFICANCE:

- The decline in water quality in the rohe as a result of point and non-point source pollution, low flows and loss of wetlands and riparian areas.
- Rivers, streams, wetlands have been dramatically altered to provide for land-use activities.
- Water bodies are unable to support living ecosystems including taonga species and their associated environments.
- Loss of wetlands, waipuna (spring), riparian margins and the cultural and environmental values associated with them.

OBJECTIVES	POLICIES
<ol style="list-style-type: none"> 1. Preserve or restore and maintain the mauri (life-force), natural form and character of water bodies including the margins and fauna. 2. Water quality and quantity in groundwater and surface water resources in the rohe enables customary use for Te Whānau a Te Haraawaka. 3. Water and land are managed as inter-related resources embracing the practice of mai te maunga ki te moana, which recognises the connection between land, groundwater, surface water and coastal waters. 4. Mauri and mahinga kai are recognised as key cultural and environmental indicators of the cultural health of waterways and the relationships of Te Whānau a Te Haraawaka with and to water. 5. Taonga species that provide important cultural and environmental benefits for Te Whānau a Te Haraawaka are actively recognised and protected. 6. Land and water use in the rohe respects catchment boundaries, and the limits of our 	<ul style="list-style-type: none"> ▪ P1. Te Whānau a Te Haraawaka have specific rights and interests in the how freshwater resources should be managed and utilised in the rohe. ▪ P2. Te Tiriti o Waitangi is the basis for the relationships between Te Whānau a Te Haraawaka and local, regional authorities (and water governance bodies) with regard to freshwater management and governance. ▪ P3. Active avoidance of channelling, diversions of rivers and streams in a way that significantly alters the natural character and mauri of that water body. ▪ P4. Support proposals and activities that restore water beds and margins. ▪ P5. Utilise catchment management planning as an important means of achieving effective integrated management. ▪ P6. Identify taonga species, their associated environments and natural resources that are of cultural significance to Te Whānau a Te Haraawaka and their special characteristics.

<p>land, freshwater, coastal and ocean resources.</p> <p>7. Wetlands and waipuna are recognised and protected as wāhi taonga, and there is an overall restoration and gain of wetlands.</p> <p>8. To recognise and protect all wetlands, waipuna and riparian areas as wāhi taonga that provide important cultural and environment benefits, including but not limited to:</p> <ul style="list-style-type: none"> ▪ Mahinga kai habitat. ▪ Provision of resources for cultural use. ▪ Cultural well-being. ▪ Maintenance and improvement of water quality. <p>9. All waterways are healthy, functioning riparian zones and are protected from inappropriate activities including stock access.</p>	<ul style="list-style-type: none"> ▪ P7. To require that waipuna are recognised as wai taonga in district and regional plans. ▪ P8. To support the establishment, enhancement and restoration of wetlands, riparian areas and waipuna as a measure to avoid, remedy or mitigate any actual or potential adverse effects of land use and development activities on cultural and environmental values. ▪ P9. To require that all river works activities, including vegetation clearance and silt removal, are undertaken in a manner that protects the bed and margins of the waterway from disturbance, and that mahinga kai and rauemi taiao values are not compromised as a result of the activity. ▪ P10. To require that any river works activity that results in the loss or damage of riparian vegetation includes measures to replace or restore vegetation, with appropriate indigenous species.
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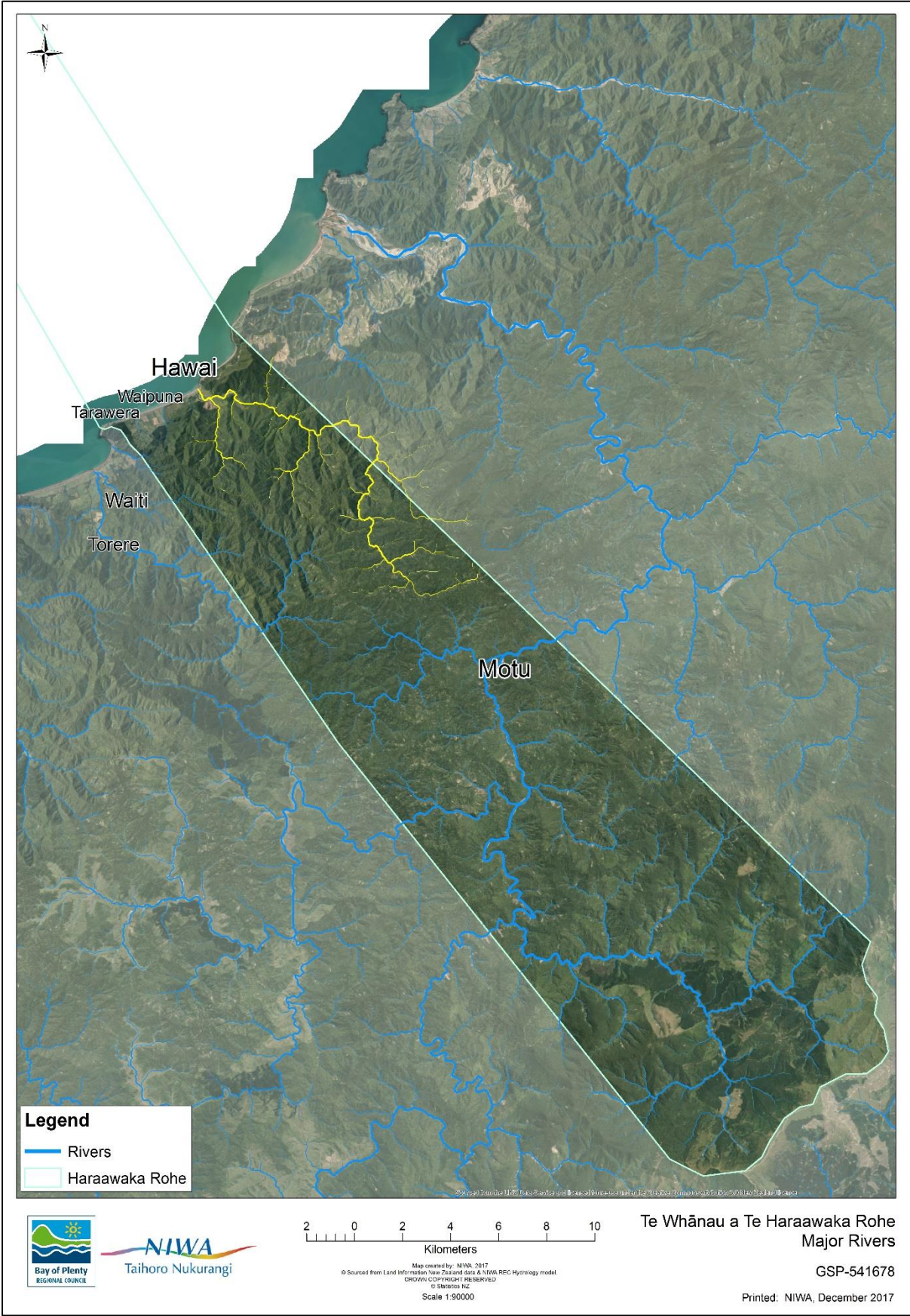
WAIMĀORI - FRESHWATER

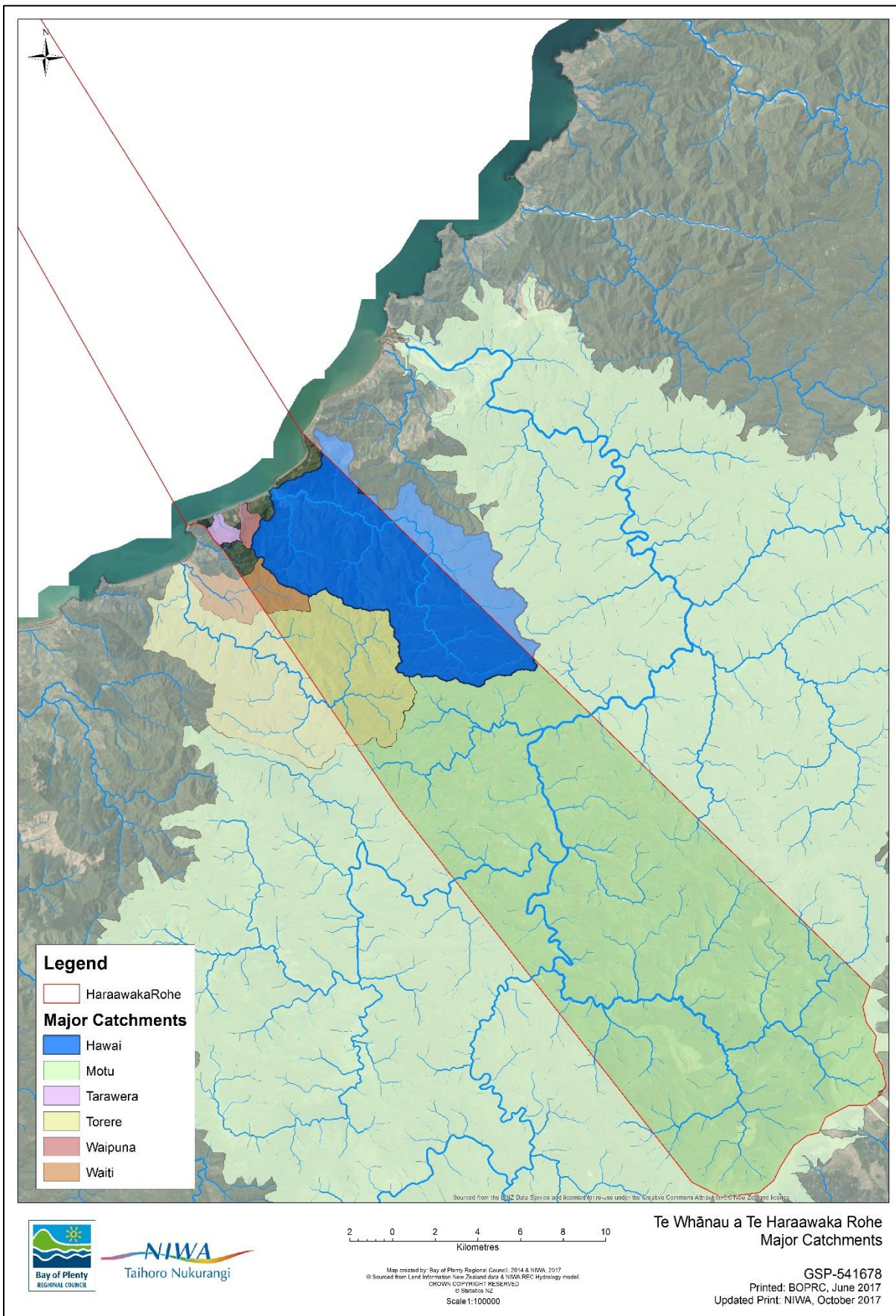
ISSUES OF SIGNIFICANCE

- Freshwater resources in the rohe are over-allocated or under increasing pressure from abstractive use, and this has resulted in significant effects on: mauri, mahinga kai, rauemi taiao habitat, abundance, diversity, connectivity between waterways and their tributaries, associated wetlands and the sea.
- Important taonga species such as tuna (eel) and their associated habitats are in an alarming state of degradation and decline.
- Intensive rural land use is having unacceptable effects on water quality, water quantity, and the relationship of Te Whānau a Te Haraawaka with freshwater.
- The discharge of contaminants including human and animal waste into freshwater.

<ul style="list-style-type: none"> ▪ The ability to transfer water permits and treat water as a tradeable commodity is inconsistent with Te Whānau a Te Haraawaka perspectives on how to achieve the sustainable management of water. ▪ Activities occurring within the beds of rivers and streams and their riparian zones can adversely affect hapū values associated with these areas. ▪ There is a need to change the way water is valued. 	
OBJECTIVES	POLICIES
<ol style="list-style-type: none"> 1. That water is recognised as essential to all life and is respected for its taonga value ahead of all other values. 2. Decision making is based on inter-generational interests and outcomes. 3. The responsibility to protect and enhance mauri is collective, and is held by all those who benefit from the use of water; and that the right to take and use water is premised on the responsibility to safeguard and enhance the mauri of that water. 4. Tuna and other important taonga species and their associated habitats are recognised, restored and protected. 5. The practice of using water as a receiving environment for the discharge of contaminants is discontinued, and all existing direct discharges of contaminations to water are eliminated. 6. That water quality in the rohe is recognised as a matter of regional and immediate importance. 7. That water quality in the rohe is of a standard that protects and provides for the relationship of Te Whānau a Te Haraawaka to freshwater. 8. The relationship between water quality and quantity is recognised and provided for in all processes and policy aimed at protecting and restoring water quality. There must be sufficient water to protect quality. 9. National Standards for mahinga kai and rauemi taiao in the rohe with immediate 	<ul style="list-style-type: none"> ▪ P.11 The mauri of freshwater resources are protected (ground and surface) and sustained in order to: <ul style="list-style-type: none"> – Protect instream values and uses (including indigenous flora and fauna). – Meet the basic health and safety, needs of humans, specifically the provision of an untreated and reliable support of drinking water to marae and other communities. – Ensure the continuation of customary in-stream values and uses. ▪ P.12 Identify and resolve issues of significance to Te Whānau a Te Haraawaka, including the recognition, protection, restoration and retention of freshwater taonga species and their habitats. ▪ P.13 Cultural monitoring tools and methods to identify flow, water quality, state and condition of taonga species that would enable the protection of Te Whānau a Te Haraawaka values. ▪ P.14 Te Whānau a Te Haraawaka require local authorities and water governance bodies to recognise: <ul style="list-style-type: none"> – The relationship of Te Whānau a Te Haraawaka to freshwater is longstanding. – The relationship to water is fundamental to identity, culture and cultural well-being.

<p>attention to lowland and coastal streams, rivers, wetlands.</p> <p>10. That gravel extraction activities maintain the natural character of the waterway, including but not limited to returning the site of extraction to its original shape and character following extraction.</p> <p>11. That rural land and water planning management and use recognises and provide for:</p> <ol style="list-style-type: none"> Catchment boundaries and water availability. Water quality and quantity thresholds and limits. Land capability, including soil type and topography. The capacity of a catchment to assimilate land use effects. <p>12. Contaminant, nutrient limit and target setting be based on the best available information and modelling, and draw from both mātauranga Māori and western science.</p> <p>13. Any water saved through efficiency gains is returned to the river to restore river health as a first priority, rather than made available for re-allocation.</p> <p>14. Mātauranga held by whānau and hapū about waterways, including flows required to sustain specific cultural values is recognised and utilised alongside mainstream methods.</p>	<ul style="list-style-type: none"> — Te Whānau a Te Haraawaka rights and responsibilities associated with freshwater bodies are inter-generational. ▪ P.15 Protect and enhance the opportunities for Te Whānau a Te Haraawaka to use freshwater resources in the future. ▪ P.16 Accord priority to ensuring the availability of sufficient quantities of water of appropriate water quality restore, maintain and protect the mauri of freshwater. ▪ P.17 Where there are water quality issues, to address the source of the problem. ▪ P.18 On-farm, forestry and horticulture measures that maximise water use efficiencies and reduce nutrient loss, and enable landowners undertaking intensive land-based activities to be responsible for the cultural and environmental costs of their activities. ▪ P.19 Monitoring of water quality and cultural health at river mouth environment, to monitor the health of the catchment and assess progress towards National water quality objectives and standards. ▪ P.20 Improving water quality and the cultural health of rivers is given priority over enabling development. ▪ P.21 To oppose the granting of water permits to take and use water from waterways where there is insufficient information about flows, including flow volume and variability. ▪ P.22 To support the use of incentives to encourage landowners to practice kaitiakitanga or active guardianship of freshwater resources. Incentives can be a powerful tool than regulatory measures such as fines or rules.
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WHENUA LAND



2.2 Whenua – Land

This section addresses the issues of significance in the rohe of Te Whānau a Te Haraawaka relating to land.

An important kaupapa of Te Whānau a Te Haraawaka resource management perspectives and practice is the protection and maintenance of the mauri of papatūānuku (earth mother), and the restoration and enhancement of mauri where it has been degraded by the actions of humans.

Land use and development activities in the rohe must be managed in ways that work with the land and not against it.

Papatūānuku sustains the people, and the people must in turn ensure their actions do not compromise the life supporting capacity of the environment. The cultural, social, ecological and economic wellbeing of people and communities is dependent on a healthy and resilient environment.

Toitū te marae a Tāne Mahuta

Toitū te marae a Tangaroa

Toitū te tangata

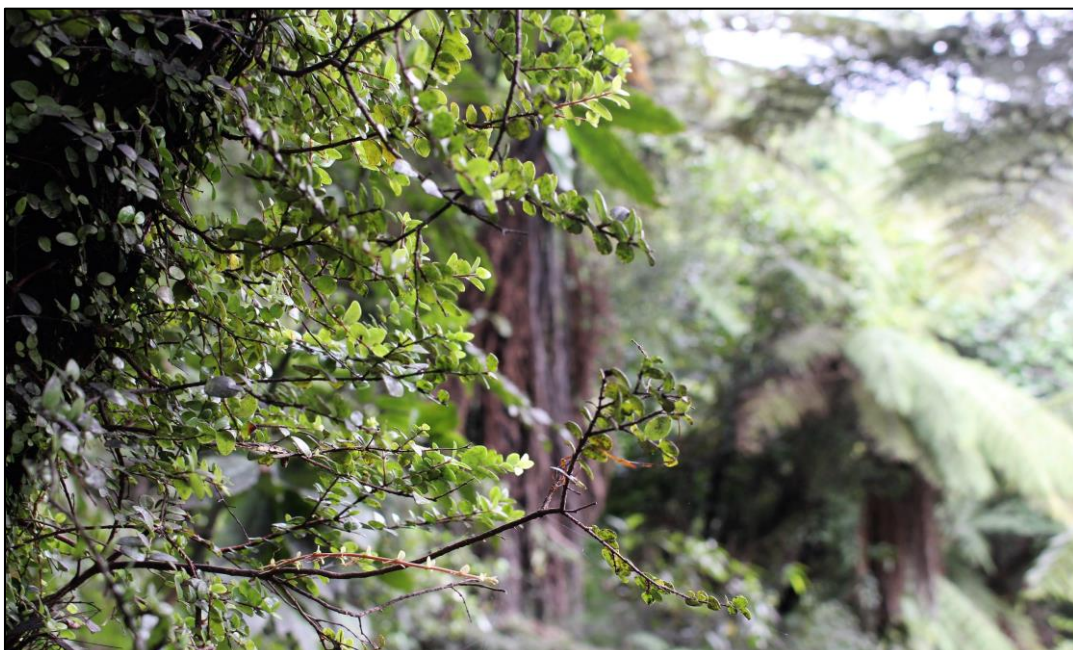
If you care for the land

and care for the sea

The people will thrive

The impact of land use development including; farming, horticulture, forestry, transport infrastructure and other such activities has a significant effect on the relationship of Te Whānau a Te Haraawaka with our whenua. Particularly, with regards to mauri, mahinga kai, rauemi taiao, cultural well-being and indigenous biodiversity.

The policies in this section are intended to guide land management in a manner consistent with the cultural values and interests of Te Whānau a Te Haraawaka.



WHENUA

ISSUES OF SIGNIFICANCE:

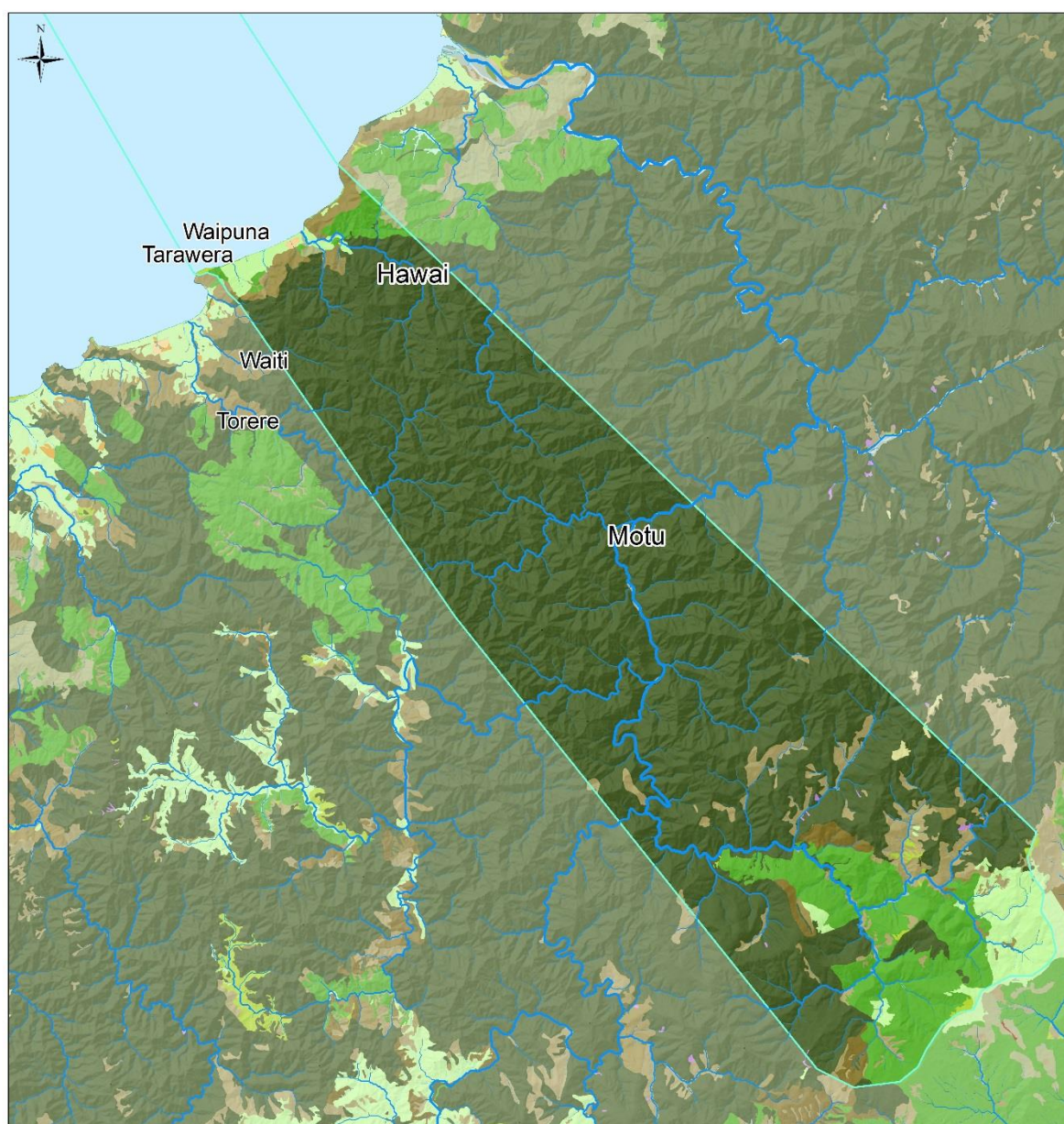
- The right of Te Whānau a Te Haraawaka to access ancestral wāhi tapu and sites of significance.
- Intensive rural land use in the rohe is having unacceptable effects on water quality and quantity, biodiversity and soil health.
- Discharge to land can utilise the natural abilities of Papatūānuku to cleanse and filter contaminants, but must be managed to avoid adverse effects on soil and water resources.
- The mauri of soil resources can be compromised by inappropriate land use and development.
- Vegetation clearance can contribute to soil erosion, sedimentation of waterways, and the loss of soil health, indigenous biodiversity values and natural character.
- Te Whānau a Te Haraawaka have concerns about the use of fracking for oil and gas exploration.
- The protection of sites of significance, indigenous biodiversity, and the potential for erosion and sedimentation are issues of importance with regard to land transport infrastructure.
- Forestry is removing the natural features and resources significant to Te Whānau a Te Haraawaka including landmarks, wetlands, river and stream beds.
- Farming practises are responsible for the discharge of animal wastes, agri-chemical and sediment into waterways.

OBJECTIVES	POLICIES
<ol style="list-style-type: none"> 1. The mauri of land and soil resources is protected. 2. The ancestral and contemporary relationships between Te Whānau a Te Haraawaka and the land is recognised and provided for in land use planning and decision making. 3. Land use planning and management in the rohe reflects the principle of mai te maunga ki te moana (mountain to sea catchment management). 	<ul style="list-style-type: none"> ▪ P.23 The need for land use to recognise and provide for actual resource capacity, capability, availability and limits, the assimilative capacity of the catchment. ▪ P.24 Promote catchment based management and a holistic approach to managing resources. ▪ P.25 Identify and resolve issues of significance to Te Whānau a Te Haraawaka, including recognising the relationship between land use and water quality and quantity.

<p>4. Inappropriate land use practices that have a significant and unacceptable effect on water quality and quantity are discontinued.</p> <p>5. Recognise and provide for the relationship between healthy land, air and water and cultural well-being.</p> <p>6. Economic gain must not have priority over the maintenance of the mauri of Papatūānuku, the provider of all things of nature.</p> <p>7. Te Whānau a Te Haraawaka heritage values, archaeological sites, including wāhi tapu and other sites of significance, are protected from damage, modification or destruction as a result of land use.</p> <p>8. There are specific cultural issues associated with the disposal and management of waste.</p> <p>9. Management of contaminated land recognises and provides for specific cultural issues including:</p> <ul style="list-style-type: none"> ▪ The location of the contaminated sites. ▪ The nature of the contamination. ▪ The potential for leaching and run-off. ▪ Proposed land use changes. ▪ Proposed remediation or mitigation work. <p>10. Earthworks associated with land use and development need to be managed to avoid damaging or destroying sites of significance, and to avoid or minimise erosion or sedimentation.</p> <p>11. Indigenous vegetation that is removed or damaged as a result of earthworks activity is replaced.</p> <p>12. Mining and quarrying can have effects on Te Whānau a Te Haraawaka values, such as water, landscapes, wāhi tapu and indigenous vegetation.</p>	<ul style="list-style-type: none"> ▪ P.26 Provide a sound cultural and ecological basis for assessment of effects of particular activities. ▪ P.27 Rural land must prioritise the protection of resources and environmental health for present and future generations. ▪ P.28 The adverse effects of intensive rural land on water, soil and biodiversity resources in the rohe be addressed as a matter of priority. ▪ P.29 To require the appropriate valuation of soil resources as taonga and as natural capital, providing essential ecosystem services. ▪ P.30 Restoration of indigenous vegetation, including the use of indigenous tree plantations as erosion control and indigenous species in shelter belts. ▪ P.31 To assess proposals for earthworks with particular regard to: <ul style="list-style-type: none"> — Potential effects on wāhi tapu and wāhi taonga, known and unknown. — Potential effects on waterways, wetlands and puna-wai. — Potential effects on indigenous biodiversity. — Potential effects on natural landforms and features, including ridge lines. — Proposed erosion and sediment control measures. — Rehabilitation and remediation plans following earthworks. ▪ P.32 Mining and quarrying can have adverse effects on Te Whānau a Te Haraawaka values, such as water, landscapes, wāhi tapu and indigenous vegetation. ▪ P.33 To require all applications for mining and quarrying activities to include: <ul style="list-style-type: none"> — Quarry management plans for earthworks, erosion and sediment control, waterway protection, on site
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<p>13. Protocols are in place to enable Te Whānau a Te Haraawaka to gain access to commercial forest lands for gathering cultural materials and visiting sites as required.</p> <p>14. Promote catchment based management and a holistic approach to managing resources.</p> <p>15. Recognise and provide for the relationship between healthy land, air, water and cultural well-being.</p>	<p>stormwater treatment and disposal and provisions for visual screening/barriers that include indigenous vegetation.</p> <ul style="list-style-type: none"> – Site rehabilitation plans that include restoration of the site using indigenous species. ▪ P.34 Commercial forestry can have significant effects on Te Whānau a Te Haraawaka values, particularly: <ul style="list-style-type: none"> ▪ Loss of cultural & natural landscape. ▪ Reduction in stream and river flows that are already at low flows. ▪ Contamination and sedimentation of waterways. ▪ Loss of indigenous biodiversity values, including mahinga kai and rauemi taiao. ▪ P.35 To oppose any application for mineral exploration or extraction in the rohe that uses fracking as a method to fracture rock for gas release, due to the inadequacy of the regulatory environment; potential to contaminate ground and surface water; the volume of water used; potential to generate earthquakes.
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Legend

Rivers	Alpine Grass/Herbfield	Low Producing Grassland	Sub Alpine Shrubland
Haraawaka Rohe	Gravel and Rock	Tall Tussock Grassland	Mixed Exotic Shrubland
Land Cover Type	Permanent Snow and Ice	Depleted Grassland	Matagouri or Grey Scrub
Artificial Surfaces	Water Bodies	Herbaceous Freshwater Vegetation	Peat Shrubland (Chatham Is)
Built-up Area (settlement)	Lake or Pond	Herbaceous Saline Vegetation	Dune Shrubland (Chatham Is)
Surface Mines and Dumps	River	Flaxland	Forest
Transport Infrastructure	Estuarine Open Water	Scrub and Shrubland	Forest - Harvested
Urban Parkland/Open Space	Cropland	Fernland	Deciduous Hardwoods
Bare or Lightly Vegetated Surfaces	Short-rotation Cropland	Gorse and/or Broom	Indigenous Forest
Sand and Gravel	Orchard Vineyard and Other Perennial Crops	Manuka and/or Kanuka	Exotic Forest
Landslide	Grassland, Sedge and Saltmarsh	Broadleaved Indigenous Hardwoods	Mangrove
	High Producing Exotic Grassland		



MOANA

Marine



2.3 Moana - Marine

*Ko au te moana
ko te moana ko au.*

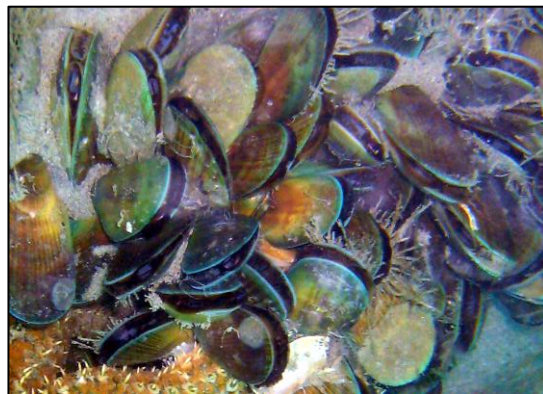
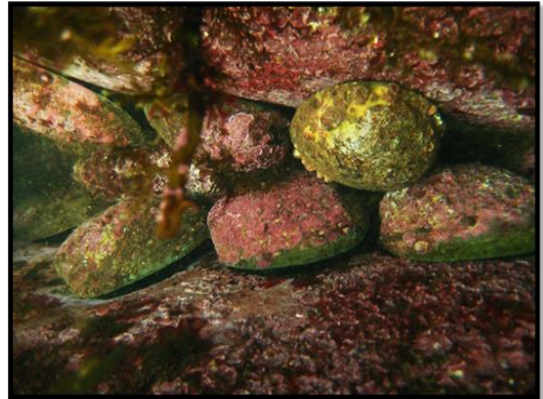
I am the sea the sea is me.

Te Whānau a Te Haraawaka are coastal people and have a long association with coasts and oceans. Which has resulted in the inter-generational development of pertinent environmental knowledge associated with fisheries, marine ecology, oceanography and marine management practices.

The degradation of coastal mahinga kai, marine ecosystems and lack of access to decision-making forums has a significant effect on the relationship of Te Whānau a Te Haraawaka with the moana.

This section includes issues and policies related to coastal and marine environments. The New Zealand Coastal Policy Statement, 2010 emphasises that tangata whenua have a traditional and continuing cultural relationship with areas of the coastal environment, including places where the hapū have fished and lived for consecutive generations.

The policies in this section are intended to guide coastal and marine management in a manner consistent with the values and interests of Te Whānau a Te Haraawaka. Local government are required to recognise the mana and intent of Te Whānau a Te Haraawaka for marine environments within traditional rohe moana boundaries.



WAI TAI – COASTAL WATERS

ISSUES OF SIGNIFICANCE:

- Coastal water quality in some areas is degraded or at risk as a result of direct discharges of contaminant and diffuse pollution from transport infrastructure and rural land use.
- Protecting the ecological and cultural values of coastal wetlands and coastal forests.
- There remain a lack of appropriate statutory recognition for customary rights and interests associated with the marine and coastal areas.
- Customary fisheries, marine taonga species and associated habitats are in a state of serious decline.
- Excess sedimentation, which accumulates over decades and can directly affect shellfish and finfish species and destroy important fish nurseries.
- Excess nutrients carried down waterways, mostly from development and agriculture, which can reduce oxygen in seawater and contribute to algal blooms exacerbated by nutrient loading.

OBJECTIVES	POLICIES
<ol style="list-style-type: none"> 1. There is a diversity and abundance of mahinga kai in coastal areas, the resources are fit for cultural use, and Te Whānau a Te Haraawaka have unhindered access to them. 2. Discharges to the coastal marine area and the sea are eliminated, and the land practices that contribute to diffuse (non-point source) pollution of the coast and sea are discontinued or altered. 3. Traditional and contemporary mahinga kai sites and species within the coastal environment, and access to those sites, are protected and enhanced. 4. Taonga species have unhindered access between rivers, coastal wetlands and the sea. 5. The wāhi taonga status of coastal wetlands and coastal forests are recognised and provided for. 	<ul style="list-style-type: none"> ▪ P.36 To require that coastal water quality is consistent with protecting and enhancing customary fisheries and enabling Te Whānau a Te Haraawaka to exercise customary rights to safely harvest kaimoana. ▪ P.37 Support the establishment of tikanga-based marine management tools and mechanisms for traditional and customary fisheries. ▪ P.38 Conduct baseline surveys to ascertain state and condition of marine taonga species and their associated environments. ▪ P.39 Develop coastal kaitiaki moana research monitoring programmes to understand ecology of fisheries and relevant management practices. ▪ P.40 To require the elimination of all direct wastewater, industrial, stormwater and agricultural discharges into the coastal waters as a matter of priority in the rohe.

<p>6. Coastal cultural landscapes and seascapes are protected from inappropriate use and development.</p> <p>7. A catchment based approach to coastal water quality issues, recognising and providing for impacts of catchment land and water use on marine taonga species, ecosystems and coastal water quality.</p> <p>8. Waterways and ocean are not used to the receiving environment for waste.</p> <p>9. Te Whānau a Te Haraawaka continue to maintain a close connection and strong relationship with the marine environment, a relationship that dates back hundreds of years.</p> <p>10. The mana of Te Whānau a Te Haraawaka is enhanced and maintained by being to access our marine resources and taonga species for ourselves and visitors.</p>	<ul style="list-style-type: none"> ▪ P.41 To ensure that economic costs are not permitted to take precedence over the cultural, environmental and intergenerational costs of discharging contaminants to the sea. ▪ P.42 To require that a catchment based approach to coastal water quality issues, recognising and providing for impacts of catchment land and water use on coastal water quality. ▪ P.43 To continue to work with the Regional Council to identify ways whereby the quality of water in the coastal environment can be improved by changing land management practices, with particular regard to: <ul style="list-style-type: none"> ▪ Nutrient, sediment and contaminant run off from farm land, horticulture and forestry. ▪ Animal effluent from stock access to coastal waterways. ▪ Seepage from septic tanks. ▪ P.44 To ensure that coastal wetlands and forests are recognised and protected as an integral part of the coastal environment, and their wāhi taonga values as mahinga kai and rauemi taiao. ▪ P.45 Customary rights regarding the harvesting of mahinga kai are recognised and reflected in relevant planning and policy documents.
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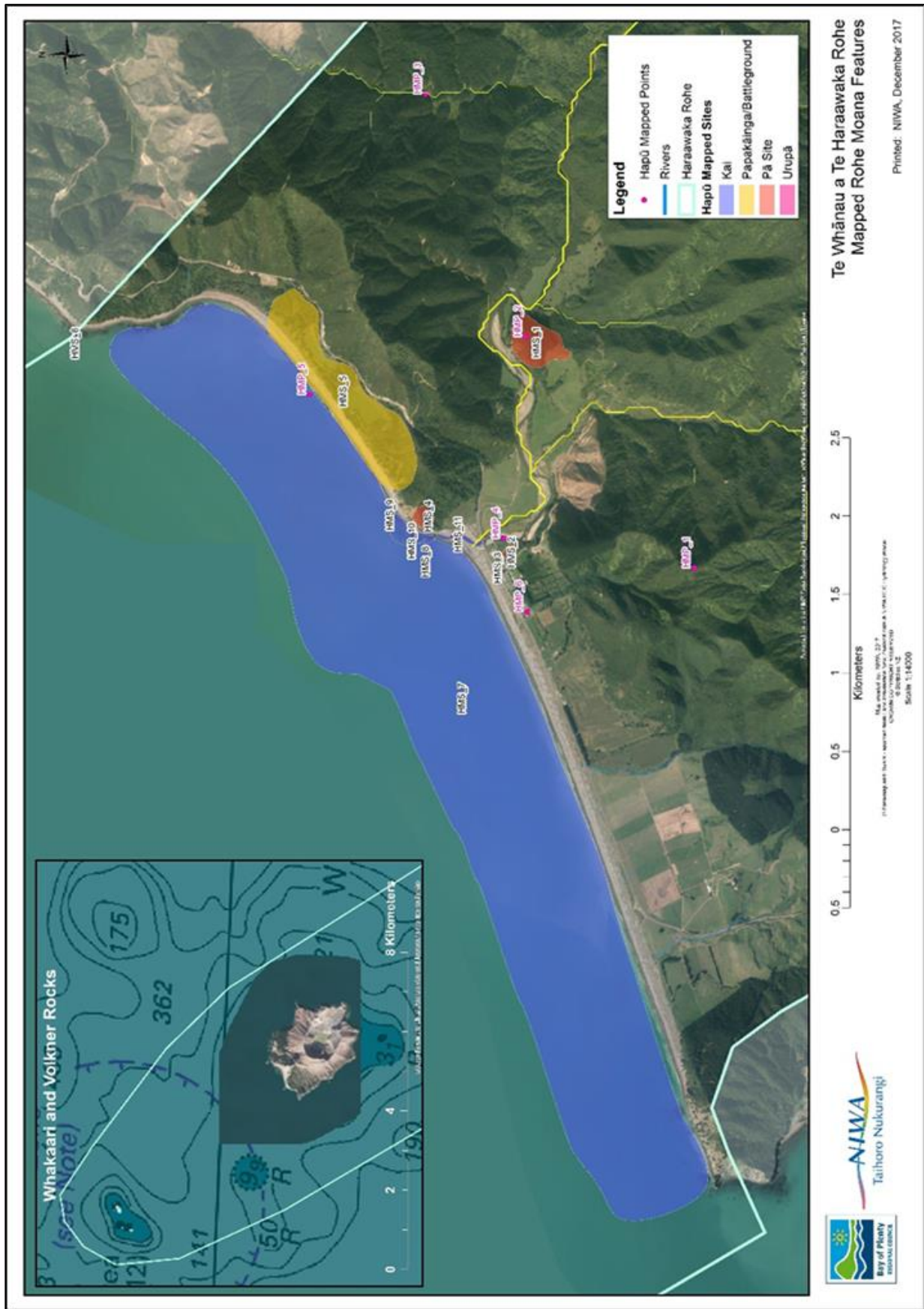
MOANA - MARINE

ISSUES OF SIGNIFICANCE:

- Fisheries stocks are depleted due to overfishing and poor fisheries management practices.
- Marine ecosystems are no longer able to sustain healthy fisheries due to changes in quality and quantity of habitat.

<ul style="list-style-type: none"> ▪ Tikanga based management tools for protecting and enhancing the marine environment and customary fisheries. ▪ Marine pests, which can alter ecosystem processes and modify natural habitats, potentially causing biodiversity loss. ▪ The protection of coastal and marine based heritage values including cultural landscapes and seascapes. ▪ There is inappropriate environmental policy in place to protect coastal and marine areas from effects with offshore petroleum, gold and minerals exploration and mining. ▪ Appropriate processes for the recovery of beached marine mammals. ▪ Global greenhouse gas emissions are causing ocean acidification and ocean warming. ▪ Climate change could have significant impacts on the relationship of Te Whānau a Te Haraawaka to ancestral land, waters and sites of significance. ▪ Native marine birds and mammals are threatened with extinction. ▪ Inappropriate and devastating effects of seabed trawling and dredging for fish and shellfish. 	
OBJECTIVES	POLICIES
<ol style="list-style-type: none"> 1. The role of Te Whānau a Te Haraawaka as kaitiaki of the coastal environment and seas is recognised and provided for. 2. The marine environment is protected by way of tikanga-based management of fisheries. 3. Te Whānau a Te Haraawaka have access to fresh and healthy kai moana from their rohe moana. 4. Te Whānau a Te Haraawaka values and interests are recognised and provided for in the exploration block tendering and mining permit application process. 5. Te Whānau a Te Haraawaka have specific rights and interests associated with where and how aquaculture takes place. 6. Regional Council recognise and give effect to the particular interest and customary right of Te Whānau a Te Haraawaka in the coastal and marine area by ensuring that Te Whānau a Te Haraawaka is involved in the 	<ul style="list-style-type: none"> ▪ P.46 The most appropriate tools to protect and enhance fisheries are tikanga-based customary fisheries tools, supported by mātauranga of Te Haraawaka and western science, this may include but is not limited to; mātaaitai, taiāpure, rāhui, tangata kaitiaki. ▪ P.47 To support the continued development of marine cultural monitoring tools. ▪ P.48 That local government and the Crown recognise and provide for the ability of Te Whānau a Te Haraawaka to identify particular coastal marine areas as significant landscapes or seascapes. ▪ P.49 To require that marine cultural heritage is recognised and provided for in the RMA as a matter in regional coastal environment planning, to protect the relationship between tangata whenua and coastal marine environments. ▪ P.50 To require that local authorities recognise and provide for the particular

<p>decision making process for the establishment of Aquaculture Areas and the provision for Te Whānau a Te Haraawaka to identify exclusion areas.</p> <p>7. Appropriate processes for the recovery of beached marine mammals.</p> <p>8. Cultural, spiritual, historic and traditional association of Te Whānau a Te Haraawaka with marine mammals, and the rights to exercise rangatiratanga and kaitiakitanga over marine mammals is guaranteed by Te Tiriti o Waitangi.</p> <p>9. The relationship between Te Whānau a Te Haraawaka and the Department of Conservation for the recovery, disposal, storage and distribution of beached marine mammals shall be guided by the principles of partnership, recognising the relationship of Te Whānau a Te Haraawaka to marine mammals.</p> <p>10. Avoid the introduction of pest species into the rohe moana.</p> <p>11. Oil pollution within coastal marine environments is avoided and significant policies are in place to efficiently and effectively manage an event.</p> <p>12. Warming of oceans and effects on marine ecosystems, including those on the sea floor are recognised and provided for.</p> <p>13. Te Whānau a Te Haraawaka cultural indicators (tohu), understandings and practices (mātauranga) is valued and included in marine management planning documents.</p>	<p>interest of Te Whānau a Te Haraawaka in coastal and marine development activities.</p> <ul style="list-style-type: none"> ▪ P.51 To require Crown and petroleum companies engage in early, and in, good faith consultation with Te Whānau a Te Haraawaka for any proposed exploration permit blocks or mining permit applications. ▪ P.52 To require that current and future regional aquaculture policy recognises and provides for the ability of Te Whānau a Te Haraawaka to develop aquaculture for customary and non-commercial purposes (i.e., to support, grow and supplement existing/depleted mahinga kai. ▪ P.53 To require that current and future policy recognises and provides for the abilities of Te Whānau a Te Haraawaka to actively participate in policy and planning development for climate-related changes to oceans including rising sea levels, threats to marine life, infrastructure, coastal communities, cultural sites and practices and marine habitats. ▪ P.54 To require restoration and protection of marine taonga species, birds and mammals. ▪ P.55 To require current and future policies recognise and provide for protection mechanisms against the threat from non-indigenous species in coastal and marine waters. ▪ P.56 To require that cultural indicators and cultural monitoring practices are included alongside western science for better understandings of marine taonga species and their associated environments.
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HAUTAKIWĀ

Air



2.4 Hautakiwa – Air

HAUTAKIWĀ - AIR	
ISSUES OF SIGNIFICANCE: <ul style="list-style-type: none"> ▪ The discharge of contaminants into air can have adverse effects on Te Whānau a Te Haraawaka values such as mauri, mahinga kai, wāhi tapu, taonga and associated environments and marae. ▪ Protection of cultural values such as celestial darkness. ▪ Climate change could have significant impacts on the relationship of Te Whānau a Te Haraawaka to ancestral land, waters and sites of significance. ▪ Te Whānau a Te Haraawaka have an interest in the right to access and allocation of radio frequencies. 	
OBJECTIVES	POLICIES
<ol style="list-style-type: none"> 1. Mauri of the air is protected from adverse effects related to the discharge of contaminants to air. 2. Te Whānau a Te Haraawaka are involved in regional decision making on air quality issues. 3. Te Whānau a Te Haraawaka are involved in and contribute to the development of policy and planning concerning climate change. 4. Local authorities recognise and provide for the potential effects of climate change on resources and values of importance to Te Whānau a Te Haraawaka, for example: <ul style="list-style-type: none"> ▪ Effects of sea level rise on coastal marae and coastal wāhi tapu, including urupā (cemetery). ▪ Changes to the habitats of indigenous flora and fauna, including taonga species. ▪ Changes to the amount of rainfall, and effects on aquifer recharge. ▪ Increased salination of rivers and streams, affecting mahinga kai resources and customary use. 	<ul style="list-style-type: none"> ▪ P.57 To protect the mauri of air from adverse effects associated with discharge to air activities. ▪ P.58 To require that Regional Council recognise and provide for the relationship of Te Whānau a Te Haraawaka with air, and the specific cultural considerations for air quality. ▪ P.59 To ensure that regional policy enables Te Whānau a Te Haraawaka to identify particular sites and places of cultural significance as sensitive environments, to protect such sites from the cultural and environment effects of the discharge activity. ▪ P.60 To support the use of indigenous plantings and restoration projects as a means to offset and mitigate industrial, agricultural, horticultural and residential discharges to air. ▪ P.61 To support the use of light suppression or limitation measures to protect celestial darkness values. ▪ P.62 Restoration planning for wetlands, rivers, coastal ecosystems and taonga species must take into account the potential for future sea level rise associated with climate change.

SECTION 3

In this Section

Guidelines for engagement in resource management processes are presented in the following order:

- 3.0 Resource Management Processes.
- 3.1 Resource Management Act 1991.
- 3.2 Assessing resource consent applications and designations.
- 3.3 What is meant by avoid, remedy or mitigate?
- 3.4 Different types of activities under sections 77A, 87A of the RMA.
- 3.5 Regional and District Plans.
- 3.6 Submitting to Regional and District Plans.
- 3.7 Making a submission to Regional or District Plans.
- 3.8 Historic Places Act 1993.
- 3.9 Registration of a historic place, historic area, wāhi tapu or wāhi tapu area.
- 3.10 Protected Objects Act 1975.
- 3.11 Te Whānau a Te Haraawaka - Accidental Discovery Protocol.
- 3.12 Contractor form requiring signage for Accidental Discovery Protocol.

3.0 Resource management processes

The following information is provided to assist Te Whānau a Te Haraawaka when engaging with external agencies and parties as part of the Resource Management Act 1991 and other environmental legislation. This section includes:

- Resource consents and designations.
- Assessing resource consents.
- Reviews of regional and district plans.
- Authorities to modify, damage or destroy an archaeological site.
- Accidental discovery of Kōiwi and other taonga.

3.1 Resource Management Act (RMA) 1991

The Resource Management Act 1991 (RMA) is the primary legislation for resource management in New Zealand.

The RMA provides several ways for Te Whānau a Te Haraawaka to become involved in decisions that affect the environment. One of the main ways is by making a written statement (a **submission**) on:

- a notified resource consent application, or
- a notice of requirement for a designation (a provision in a district plan informing the community of the intended use of land in the future for a particular project e.g., road), or
- a proposed district or regional plan or plan change.

There are also opportunities to make comments and provide feedback as well as influence the preparation of non-notified resource consent applications, draft district and regional plans.

In these instances, there may be much more scope to change or align the proposal or policies in a way that would not have been achieved through formal processes. This is because in formal processes there may already be set in concrete or a great weight of technical and expert information has supported a particular position.

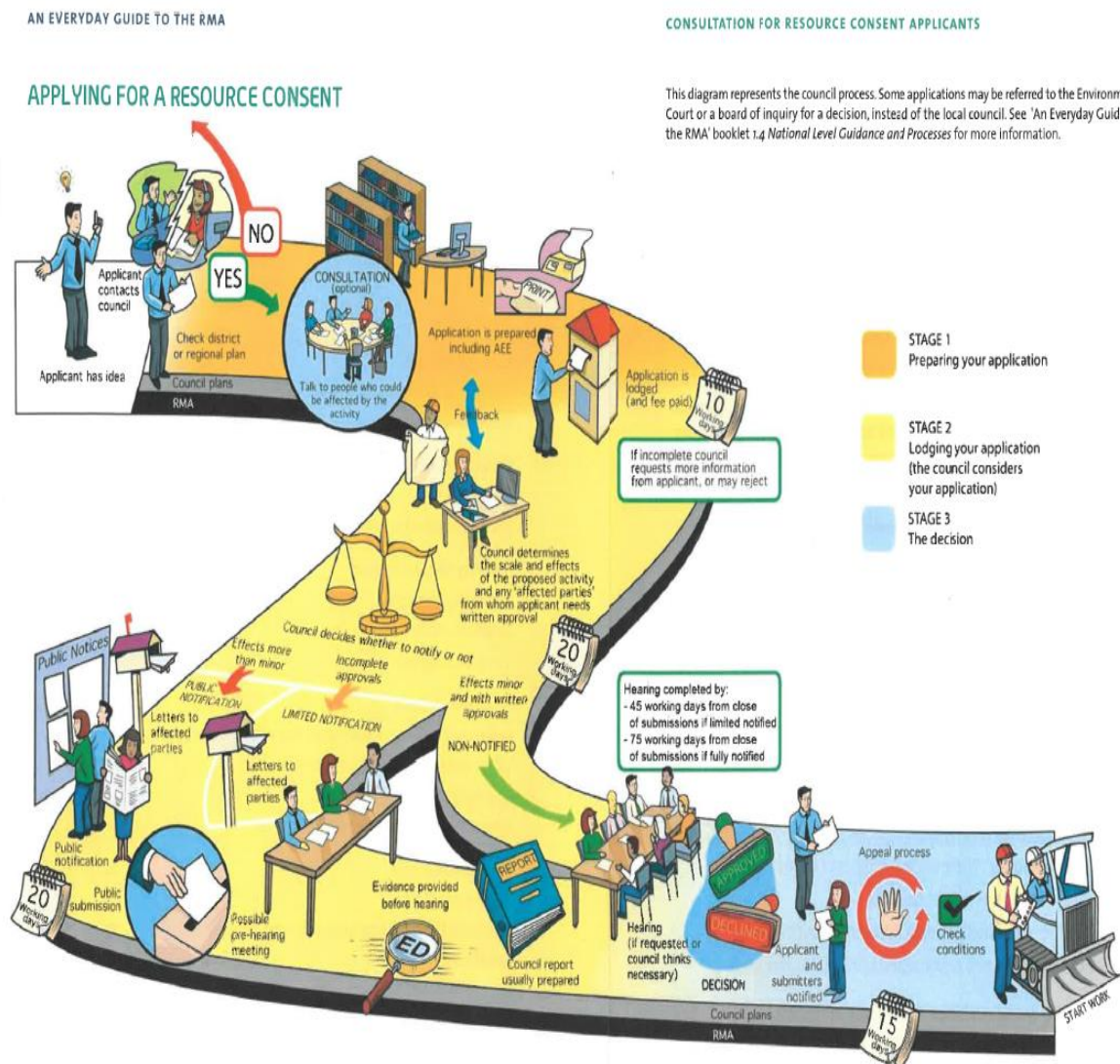
It is also in these instances that there may be greater flexibility with timeframes particularly if it is early in a decision-making process.

3.2 Assessing resource consent applications and designations

A resource consent application is dependent on the nature of the proposed activity and the rules in the plans, and can include the following activities:

- Land-use consent (applicant lodges with a district council).
- Subdivision consent (applicant lodges with a district council to subdivide land).
- Earthworks consent (applicant lodges with a district council).
- Water take or discharge consent (applicant lodges with the regional council to take water or discharge into a water body).

Below is an example of the resource consent process. (Source: Quality Planning, 2017):



3.3 What is meant by avoid, remedy or mitigate?

‘Avoid’, ‘remedy’ and ‘mitigate’ are terms used in the RMA. While they are not defined in the RMA, they are mechanisms that Te Whānau a Te Haraawka will need to consider when having identified that an application has adverse effects.

Adverse effects must be avoided, remedied or mitigated irrespective of the benefits of the proposal. Each is a different way of addressing an adverse effect so it is acceptable.

For example: a quarry has an adverse visual effect. You could ‘**avoid**’ the effect if you did not quarry or if the quarry was located where it couldn’t be seen. You could ‘**remedy**’ the effect if you filled the hole in. You could ‘**mitigate**’ the effect if you planted trees around the hole.

3.4 Different types of activities under sections 77A, 87A of the RMA

- Permitted activities.
- Controlled activities.
- Restricted discretionary activities.
- Discretionary activities.
- Non-complying activities.
- Prohibited activities.

Permitted activities

A permitted activity is one that is described in the RMA, regulations (including a national environmental standard), or a plan as permitted. A resource consent is not required for the activity if it complies with any requirements, conditions, and permissions specified for the permitted activity. It is therefore important that councils are confident that compliance with any requirements, conditions, and permissions will adequately manage the effects expected (including cumulative effects).

Controlled activities

A controlled activity is one that is described in the RMA, regulations (including a national environmental standard), or a plan as a controlled activity. The RMA, regulations or plan must specify:

- Any requirements, conditions, and permissions with which the activity must comply.
- The matters over which the consent authority has reserved control.

An application for a controlled activity cannot be declined (except if section 106 in the RMA applies). Councils need to consider whether effects of a development up to the maximum permissible under the proposed activity could be adequately managed through the matters of control and resource conditions proposed. There are two reasons for this requirement:

- To identify the total cumulative effects that may occur from resource use and development occurring as controlled activities.
- More importantly, it also refers to a need to consider whether the matters of control can be effectively addressed through resource consent conditions.

Restricted discretionary activities

A restricted discretionary activity is one that is described in the RMA, regulations (including a national environmental standard), or a plan as a restricted discretionary activity. An application for a restricted discretionary activity can be declined or granted (with or without conditions). The RMA, regulation or plan must specify both:

- Any requirements, conditions, and permissions to be complied with for the activity to be a restricted discretionary activity.
- The matters over which the council has restricted its discretion.

Note that in relation to the second point, the matters of discretion are those matters the council can consider when determining to either decline a resource consent, or to grant consent and impose conditions.

Discretionary activities

A discretionary activity is one that is described in the RMA, regulations (including a national environmental standard), or a plan as a discretionary activity. An application for a discretionary activity can be declined or granted (with or without conditions). Discretionary activities may be identified by listing and naming them explicitly (including any restrictions, conditions and permissions that have to be met to qualify for discretionary status):

- Be classified as such because of non-compliance with any restrictions, conditions and permissions for permitted, controlled, or restricted discretionary activities.
- Be discretionary by virtue of there being no plan, proposed plan, relevant rule or resource consent classification for the activity.
- Be described in a proposed plan as prohibited but that rule is not yet operative.

An application for a discretionary activity can be notified or non-notified. A rule in a plan can expressly provide that the application must be notified, or must not be notified or limited notified.

Non-complying activities

Non-complying activities are those that the RMA, regulations (including a national environmental standard), or a plan describes as non-complying.

This activity status is often reserved for those activities where the potential adverse effects are great but do not necessarily warrant prohibition.

An application for a non-complying activity can be declined or granted (with or without conditions). Councils can grant consent where an application can meet any of the following tests:

- The adverse effects on the environment will be minor (disregarding the adverse effects on those who have given their written permission, and exercising the discretion to disregard adverse effects of the type generated by activities the plan permits or is permitted by a national environmental standard.
- The application is not contrary to the objectives and policies of the plan, the proposed plan, or both.
- The activity can comply with any restrictions, conditions and permissions specified in the Act, regulations or plan.

Prohibited activities

A prohibited activity is one that the RMA, regulations or a plan specifically describe as being prohibited. Prohibited activities must expressly prohibit an activity without exceptions.

A resource consent application cannot be made for a prohibited activity and a consent cannot be granted. The prohibited activity status is the most restrictive of any activity status and therefore must be used with care. The decision to use it should be backed with strong evidence of its necessity, including justification through objectives and policies.

While prohibited status would require a plan change to allow prohibited activities to take place, the plan change process should not be used as an alternative resource consent process (source: Quality planning, 2017).

3.5 Regional and District Plans

District and regional plans set out rules for how a consent or designation will be managed. This means that some activities will be permitted by the plans, others will have some controls or conditions, some will be open to public scrutiny and submission and others are not allowed at all.

For notified applications for resource consent and designations a formal submission can be made. This is essential to protect the ability of Te Whānau a Te Haraawaka to be heard at a hearing.

3.6 Submitting to Regional and District Plans

- Regional and District Plans are reviewed every 10 years. This review process can take between 3 and 10 years.
- Preparing submissions can be laborious and of limited benefit given the amount of time each plan requires to read, understand, research, consult and respond to the various

iterations of the plan, submissions, further submissions, hearings and potential environment court proceedings.

- Te Whānau a Te Haraawaka is in a stronger position with the preparation and adoption of a relevant iwi planning document (Iwi/Hapū Resource Management Plan). This means councils will need to consider their policies of their respective regional and district plans in response to the matters raised in the iwi/hapū resource management plan.
- When regional and district councils review their plans, they must take into account hapū, iwi resource management plans. Council staff will review the iwi environmental plan and report on how the plan should respond.
- Te Whānau a Te Haraawaka needs to advocate the policies and objectives of the hapū management plan and ensure the district or regional plan under review has articulated or responded accurately the detail and outcomes sought by Te Whānau a Te Haraawaka.

A hapū, iwi resource management plan will never be able to respond to all environmental management matters and there will be new issues that arise through the years, e.g., ocean acidification, sedimentation.

In these instances, Te Whānau a Te Haraawaka should consider taking a kaitiakitanga based approach and develop a view that may be articulated in later versions of the resource management plan.

3.7 Making a submission to Regional or District Plans

Making a submission is an important way of articulating your concerns and making the decision-making body aware of who you are, what your interests are, and making your issues or opportunities clear.

A submission needs to include the following matters. Most applications will already have template forms which cover these matters and are available at council offices. Complicated and complex proposals may require a detailed submission that needs to be drafted afresh.

In any case the following matters need to be included:

1. The name of the council you're sending the submission to.
2. Your full name, address, telephone and fax numbers and email address (or the name and address of your agent if you have employed someone to act for you).
3. The name of the person or applicant applying for resource consent.
4. The type of resource consent sought, the proposed activity and location of the resource consent, the site and place to which it applies.
5. The parts of the application your submission relates to.
6. Whether you support or oppose specific parts of the application.

7. If there is any specific information you think should be considered when the decision is being made (particularly if you don't clearly support or oppose the application).
8. Why you are making a submission (e.g., you may support or oppose the application, or you may be neutral, but think that additional information needs to be considered).
9. Whether you think the application should be granted or declined.
10. What conditions you would like to see on the resource consent if it is granted.
11. Whether you want to speak at a public hearing.
12. Whether you would consider presenting a joint case at a hearing with others who have made similar submissions.

3.8 Historic Places Act 1993

Authority to modify, damage or destroy an archaeological site

The Historic Places Act 1993 defines an archaeological site as a place associated with pre-1900 human activity, where there may be evidence relating to the history of New Zealand. A place associated with post-1900 human activity may be gazetted as an archaeological site under the Act.

There are a variety of Māori archaeological sites in New Zealand. These include pa, shell midden, pits, hāngi, rua, cultivation areas and gardens and a range of specific finds such as obsidian, stone tools and weapons, fishing equipment and building materials.

The Historic Places Act 1993 makes it unlawful for any person to destroy, damage or modify the whole or any part of an archaeological site without the prior authority of the New Zealand Historic Places Trust. This is the case regardless of whether the land on which the site is located is designated, or the activity is permitted under the District or Regional Plan or a resource or building consent has been granted, the Act also provides for substantial penalties for unauthorised destruction, damage or modification.

An archaeological site is defined in the Historic Places Act 1993 as any place associated with pre-1900 human activity, including shipwrecks, where there is evidence relating to the history of New Zealand that can be investigated using archaeological methods.

Any work that may affect an archaeological site will require an authority from the NZHPT before works begin. This work could include, amongst other things:

- earthworks for forestry tracks, planting and harvesting
- earthworks for residential developments, including building platforms, topsoil stripping and accessways
- earthworks for stock races or farm tracks, fencing or landscaping
- trenching for telephone, power, and waste disposal
- road construction, and

- quarrying.

The Historic Places Act 1993 requires consultation with affected tangata whenua for all authority applications. A cultural values assessment will be prepared by Historic Places Trust staff, this assessment is likely to be informed by consultation and any cultural impact assessment commissioned by the applicant.

3.9 Registration of a historic place, historic area, wāhi tapu or wāhi tapu area

The Historic Places Trust holds and maintains a register of significant heritage to Aotearoa/New Zealand. Registration is a process that informs landowners and the public about these places, can support their protection and support applications for funding for preservation work.

Staff members of the NZ Historic Places Trust liaise closely with tangata whenua and other interested groups when preparing registration proposals for historic places, historic areas wahi tapu and wahi tapu areas.

Registration decisions for wahi tapu are made by the Maori Heritage Council. The Council needs to be satisfied that there is sufficient evidence to support such a proposal and that tangata whenua endorse it. The applications are straight forward to fill out and require some supporting traditional and research references.

3.10 Protected Objects Act 1975

Taonga found after 1975

The protected Objects Act formerly known as the Antiquities Act regulates among many things the sale, trade and ownership of taonga tūturu, including what to do if you find a taonga or Māori artefact.

Taonga tūturu is one of 9 categories of protected New Zealand objects defined in the Protected Objects Act. The Act regulates the export of all categories of protected New Zealand objects but taonga tūturu is the only category of objects to have separate regulations regarding ownership and trade.

Taonga tūturu means an object that:

- (a) relates to Māori culture, history, or society, and
- (b) was, or appears to have been
 - (i) manufactured or modified in New Zealand by Māori, or
 - (ii) brought into New Zealand by Māori, or

(iii) used by Māori, and

(c) is more than 50 years old.

Under the Act, all taonga tūturu found are in the first instance (prima facie) Crown owned to allow claims for ownership to be heard by the Māori Land Court.

The Act also regulates the sale and purchase of taonga tūturu.

The Ministry of Culture and Heritage has developed Guidelines for Taonga Tūturu which explain how sections 11 to 16 of the Protected Objects Act 1975 are applied. The guidelines are not intended to replace legal advice.

Finding taonga tūturu

Under section 11 of the Act, newly found taonga tūturu are in the first instance Crown owned until a determination on ownership is made by the Māori Land Court. In the interim, the Ministry is legally responsible for the recording, custody of the taonga tūturu, facilitating claims for ownership and any conservation treatment required.

The finder can notify the Ministry of Culture and Heritage directly or through a public museum with the expertise to identify and record a taonga tūturu. Suitably qualified archaeologists, Department of Conservation or New Zealand Historic Places Trust staff can also complete the forms on behalf of their clients or their organisation.

Notifying the Ministry of a Find

When someone finds a taonga tūturu, they should take it to the nearest public museum who will notify the Ministry of Culture and Heritage of the find, or they can contact us directly. In the case of a taonga tūturu found on Department of Conservation land, the finder should let the Ranger or DoC office staff know. The standard process is as follows:

1. Taonga tūturu found.
2. Taonga tūturu taken by finder to nearest public museum with the expertise, New Zealand Historic Places Trust or Department of Conservation Office to complete a notification form within 28 days.
3. Notification forms completed by the museum and sent to the Ministry for Culture and Heritage. The public museum advises us of any conservation the taonga tūturu may need. Any expenditure for conservation must be pre-approved by the Ministry.
4. The Ministry assigns the taonga tūturu a registration number. The notifying museum is then asked to label the taonga tūturu with the number.
5. The Ministry notifies tangata whenua and other interested parties from the area where the taonga tūturu was found about the process for claiming ownership or custody.
6. The Ministry publishes a public notice in the local newspaper and on its website calling for claims of ownership to be lodged with the Ministry within 60 working days.

Applying for ownership

Any person who may have the right, title, estate or interest in any such taonga tūturu may apply for ownership. Claims of ownership should be lodged with the Ministry within 60 working days of the Public Notice being published.

If one claim for ownership is lodged, the chief executive of the Ministry must, if satisfied that the claim is valid, apply to the Registrar of the Māori Land Court for an order that confirms the owner or owners of the taonga tūturu.

If 2 or more competing claims are lodged, the Chief Executive of the Ministry must try to resolve the competing claims. When satisfied that the competing claims have been resolved and that the resolution is valid, we will apply to the Registrar of the Māori Land Court for an order that confirms the owner or owners of the taonga tūturu.

If 2 or more competing claims are lodged, and cannot be resolved, the Chief Executive may, if requested by a claimant, facilitate the applications of any or all of the claimants to the Māori Land Court.

Claimants always have the right to independently seek a determination from the Māori Land Court on ownership of taonga tūturu.

Taonga Tūturu in Crown ownership

If you wish to apply for ownership of any taonga tūturu in Crown ownership or would like information on taonga found since 1975, please contact Liz Cotton at the Ministry for Culture and Heritage.

Section 12 of the Protected Objects Act provides for the Māori Land Court's jurisdiction over taonga tūturu and it has the power to:

- transfer ownership of newly found taonga tūturu from the Crown to a private individual or group
- resolve any claims for the ownership of Crown owned taonga tūturu
- determine who can have custody of taonga tūturu recovered from the grave of any known person(s)
- prohibit the damage or destruction of taonga tūturu, and
- issue an order prohibiting the sale of taonga tūturu.

The Māori Land Court can vest the ownership of taonga tūturu in an individual or group such as a runanga or hapu. For advice on Māori Land Court practices and procedures, please visit its website.

The Ministry publishes public notices calling for claims of ownership of taonga tūturu. Claims should be lodged with the Ministry within 60 working days of the public notice being published.

3.11 Te Whānau a Te Haraawaka - Accidental Discovery Protocol

Protocol for the Accidental Discovery of Kōiwi or other Taonga

1.0 Purpose

1. To manage and protect the integrity of 'known' and 'unknown' archaeological sites from damage and loss.
2. To maximise the opportunity to retrieve physical and archaeological evidence from disturbed sites.
3. To obtain quality information on the lives, activities food and resource use, trails and campsites of Te Whānau a Te Haraawaka ancestors from archaeological sites.
4. To ensure that the management of any Kōiwi or other Taonga discovered is appropriate and in adherence with Accidental Discovery Policy Principals of Te Whānau a Te Haraawaka Hapū.

2.0 Procedures if Kōiwi or other Taonga are Unearthed

These procedures will be adopted in the event that kōiwi or taonga are unearthed or are reasonably suspected to have been unearthed during the course of operations:

1. Immediately it becomes apparent or is suspected by workers at the site that kōiwi or taonga have been uncovered, all activity in the immediate area will cease.
2. The plant operator will shut down all machinery or activity in the area that ensures that kōiwi or taonga remain untouched as far as possible in the circumstances and shall notify the Site Manager.
3. The on-site Supervisor shall take steps immediately to secure the area and shall notify the Site Manager.
4. The Site Manager will notify Te Whānau a Te Haraawaka at Hawaii, that it is suspected that kōiwi or taonga have been uncovered at the site.
5. The Site Manager and Te Whānau a Te Haraawaka will complete and sign the Accidental Discovery Agreement Form.
6. All kōiwi and taonga are expected to come into the temporary custody of Te Whānau a Te Haraawaka who will be responsible for immediate placement.
7. Te Whānau a Te Haraawaka where necessary, will contact the appropriate kaumātua to act on their behalf in this matter in order to guide and advise Ōpotiki District Council and any other parties as to the appropriate course of action.

8. The Site Manager will notify the New Zealand Police and NZ Historic Places Trust that it is suspected that kōiwi or taonga have been uncovered at the site.
9. Te Whānau a Te Haraawaka pūkenga (cultural experts), kaumātua are vested with discretion to request the attendance of a suitably qualified and experienced archaeologist in the event that the Historic Places Trust is unable to send an officer to the site.
10. The Site Manager will ensure that relevant site staff are available to meet and guide kaumātua, Police or Historic Places Trust staff to the site, assisting with any requests that they may make (within reason and relevant to the recovery and recording of significant items and features).
11. If kaumātua are satisfied that the kōiwi or taonga are of significance to them, they will make an internal consensus decision as to how they are to be dealt with and will communicate such decision to the land owner, NZ Police and such other parties as are considered appropriate.
12. The Site Manager shall ensure that kaumātua are given the opportunity to undertake karakia (prayer) and any such other cultural ceremonies and activities at the site in accordance with tikanga Māori.
13. Activity in the relevant area will remain halted until kaumātua, the Police and Historic Places Trust (as the case may be) have given approval for operation in that area to recommence.

In the event that rua (caves), pits or other archaeological features are discovered, a comprehensive report, inclusive of photographs of the rua (caves) are to be taken and labelled by the archaeologists and copies sent to Te Whānau a Te Haraawaka, the Historic Places Trust, NZ Archaeological Association File-keeper and the Heritage Co-ordinator at the Bay of Plenty Regional Council.
14. The applicant will cover all expenses relating to the implementation of this Policy that are incurred by kaumātua and others

Definitions

Kōiwi means human remains such as skeletal material.

Taonga means cultural artefacts such as implements, weapons or decorations, traditionally and historically utilised by tangata whēnua and includes parts or the remains thereof. Archaeological features such as rua (caves) and pits are also tāōnga. People can gain a greater understanding of the way that pre-European Māori lived.

Archaeological site means any place in Aotearoa, New Zealand that:

(a) Either:

- was associated with human activity that occurred before 1900, or
- is the site of the wreck of any vessel where that wreck occurred before 1900, and

(b) is or may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand (Historic Places Act, 1993).

Archaeological features and remains can take the form of burnt and fire cracked stones, charcoal, rubbish heaps including shell, bone and/or 19th century glass and crockery, ditches, banks, pits, old building foundations, artefacts of Te Whānau a Te Haraawaka origin, or human remains.

Site means the relevant location within the land development area.

Historic Places Act and Requirements - In addition to any requirements under the RMA 1991, The Historic Places Act 1993 protects all archaeological sites whether recorded or not, and they may not be damaged or destroyed unless an Authority to modify an archaeological site has been issued by the New Zealand Historic Places Trust (NZHPT).

3.12 Te Whānau A Te Haraawaka protocol for dealing with Kōiwi or Tāōnga unearthed during formation works

FOR insert name of contractor/applicant/surveyor here

1. Background

- 1.1 The insert name of contractor/surveyor/applicant has requested a Cultural Impact Assessment to be prepared for insert title of resource consent application.
- 1.2 For the purpose of dealing with environmental and cultural matter in respect of the insert title of resource consent application, Te Whānau a Te Haraawaka has been consulted.
- 1.3 As part of the consultation, insert name of contractor/applicant/ surveyor and Te Whānau a Te Haraawaka have agreed that, in the event that **Kōiwi** or other **Tāōnga** are unearthed during the course of operations, the parties should adopt a protocol for dealing with this matter.
- 1.4 Accordingly, this protocol records those procedures that have been agreed between insert name of contractor/applicant/surveyor and Te Whānau a Te Haraawaka.

2. Definition

In this protocol, the following terms have the meanings set out herein:

- 2.1 **Kōiwi** means human remains such as skeletal material.
- 2.2 **Tāōnga** means cultural artefacts such as implements, weapons or decorations traditionally and historically utilised by tangata whēnua and included parts or the remains thereof. Archaeological features such as rua (caves) and pits are also tāōnga. People can gain a greater understanding of the way that pre-European Māori lived.
- 2.3 **Site** means the relevant location within the subdivision land.

Signed for insert name of applicant etc.

Signed for Te Whānau a Te Haraawaka.

Dated this XX day of XX 20XX

