

# Method 44 Developing Mauri Models Report

Prepared for Toi Moana (Bay of Plenty Regional Council)








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Boffa Miskell



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## 1.0 HE KUPU WHAKATAKI / Introduction

Toi Moana (the Bay of Plenty Regional Council) engaged Boffa Miskell Ltd (BML) to undertake an assessment of Method 44 of the Regional Policy Statement: “Developing Mauri Models”. This assessment was undertaken in consultation with tangata whenua, in terms of investigating the mauri of natural resources in the spectrum of environmental management, within the regional regulatory framework. This report collates and summarises the responses from 13 hui held with representatives from Iwi, hapū, land trusts or collective entities to discuss the opportunity to implement Method 44 across the Bay of Plenty Region. The tangata whenua groups all shared a common understanding of mauri.

The intention of the project was to interview tangata whenua to seek their response to the concept of developing a framework or model to assess the effects on the mauri of their natural resources that will contribute to the local and regional management decisions of these resources.

The development of a mauri framework / model within the Regional Policy Statement (RPS) provides a platform for engagement with other RPS methods and Iwi resource management policy issues and objectives. This includes resource consent activities, the monitoring of consented activities, state of the environment reports and the opportunity to measure the efficiency and effectiveness of plan provisions on matters of significance to Māori / tangata whenua.

The other considerations for developing an assessment tool revolve around the particular focus on the level of tangata whenua leadership and expertise required to develop the mauri framework or model. Would this option be taken up by local iwi or practitioners themselves working in the environment space or other Māori consultancies?

The other option is to utilise an existing tool, adapting/refining that tool and/or creating an entirely new tool. In all cases, the involvement of mana whenua, and their ownership of the process is fundamental and will require a structured approach to achieve. This can include developing clear relationship agreements and/or agreed work programmes, along with appropriate resourcing.

This project focuses on understanding the views of mana whenua in relation to mauri and undertaking assessments, including preferences for particular methods as well as how assessments should be undertaken and managed.

To reiterate, discussions during the consultations are in regards to mauri of natural resources and not of mauri of anything else.

### 1.1 Ngā whakaaro rangatira / Acknowledgments

Tēnā koutou katoa e ngā rangatira, e ngā kuia, e ngā kaumātua, e ngā kaiwhakahaere, e ngā pūkenga me ngā kaitiaki o ngā taonga tuku iho o a tātou mātua tūpuna. Tēnei te mihi ki a koutou katoa Te Komiti Nui o Ngāti Whakaeu; Ngāti Makino Iwi Authority; Ngāti Whakahemo; Te Mana o Ngāti Rangitahi Trust; Te Rūnanga o Ngāti Pikiao; Motiti Rohe Moana Trust; Ngāti Whakaeu ki Maketu; Tapuika Iwi Authority; Whakatōhea Māori Trust Board; Ngāti Ranginui Inc Society; Te Rūnanga o Ngāi Te Rangi; Ngāti Te Wai; Ngā Kaitiaki o Ngāti Whakaeu; Te Rūnanga o Ngāti Manawa; A collective of Rūātoki Lands Trust Including: Tawa Kaiti Lands Trust, Te Manawa o Tūhoe A Trust and Te Pae o Tūhoe; Ngāti Tawhaki; Ngāti Kea Ngāti Tuarā; Te Patuwai ki Motiti; Te Rūnanga o Ngāti Awa; Ngāti Pukeko; Te Pahipoto; Ngāti

Hokopu ki te Whare o Toroa; Ngāi Tamawera rātou ko Ngāti Maumoana, i huihui ai tātou ki te whakawhiti kōrero e pā ana ki te aromatawai mō te mauri o te taiao, me ōnā tikanga kei roto ki tēnā whānau, ki tēnā hapū arā me ngā tini iwi o te motu. Kei roto i a tāua ringa ngā whakanekeneke o te kaupapa nei me ngā korero kei roto i ngā mahere o te Kaunihera o te Toi Moana. Nō reirā, ki a koutou katoa, tēnā koutou, tēnā koutou, tēnā koutou katoa.

The Te Hīhiri team acknowledges the time, effort, energy and hospitality extended by all of the iwi, hapū, whanau and land trusts entities we met with from May in Rotorua through to June 2017 in Maketu. The interviews and discussions were held at various venues and locations that were practical and suitable to the tangata whenua participants.

As many of you expressed during the interviews that this is but the starting point for a greater discussion to occur with Toi Moana on the collective management of the regions physical and natural resources, where the assessment of mauri is but one of those conversations.

We also acknowledge the assistance and support given to by the Toi Moana policy and consents staff with background material and operational experiences in working with tangata whenua groups. In particular, Nassah Steed and Esta Farquhar for contacting and organising the consultation meetings dates and times with the tangata whenua participants. We also thank the Maketu Voluntary Fire Brigade for the use of their facilities for three consultation meetings.

Ka mutu, “e kore te kūmara e kōrero mō tōna ake reka” engari, me mihi ka tika ki ōku tuahine, ki ōku tuakana o Te Hīhiri i tautoko i tēnei kaupapa whakahirahira mō tātou te iwi Māori.

## 1.2 Tāhuhu Kōrero / Background

### 1.2.1 Regional Policy Statement

The Bay of Plenty Regional Policy Statement (RPS) promotes sustainable management of the natural and physical resources within the Bay of Plenty. The policies and methods within the RPS are set to achieve the integrated sustainable management of these resources. The RPS is the leading document for the management of natural and physical resources throughout the Bay of Plenty Region, and identifies the significant issues we are facing in the environment. Tangata Whenua as the constituent iwi, hapū, marae and land trusts are taking a more visible and proactive role in the environmental management spectrum at a local and regional level.

The RPS is implicitly aligned with the key provisions of the Resource Management Act (RMA) 1991 and National Policy Statements. Part 2 of the RMA requires all persons exercising functions and powers under the Act to recognise and provide for various matters; this includes:

- [Section 6\(e\)](#) requires persons to recognise and provide for the relationships that Māori and their culture and traditions have with their ancestral lands, water, sites, waahi tapu, and other taonga.
- [Subsection 6\(g\)](#) also requires the “protection of protect customary rights” under the marine and Coastal Area (Takutai Moana) Act 2011.
- [Section 7\(a\) kaitiakitanga](#) and [\(aa\) the ethic of stewardship](#) requires that where the effects on kaitiakitanga exercised by tangata whenua are relevant, they should be considered and evaluated in the decision making process.
- [Section 8](#) further requires council to take into account the principles of the Treaty of Waitangi.

Māori / tangata whenua can also relate to all of the other matters identified in sections 6 and 7. However, the above matters relate specifically with the effects on Māori relationships with the environment, taonga, protected customary rights and the exercise of stewardship / kaitiakitanga.

These RMA provisions have been incorporated into Part two of the RPS and are reflected in specific sections. Section 2.6, Iwi resource management, outlines the issues of significance to Iwi authorities within the Region regarding Iwi resource management. From this, a number of objectives are set to address these issues with corresponding methods to achieve such objectives.

Method 44 is one of core Iwi guidance methods developed to implement the relevant policies, and address the objectives and issues which effect Iwi in the management of natural resources (Figure 1). The purpose of Method 44 is to develop robust methodology for assessing the mauri of natural resources for inclusion in future regional plan changes and regulatory frameworks (i.e. policy, methods and rules).

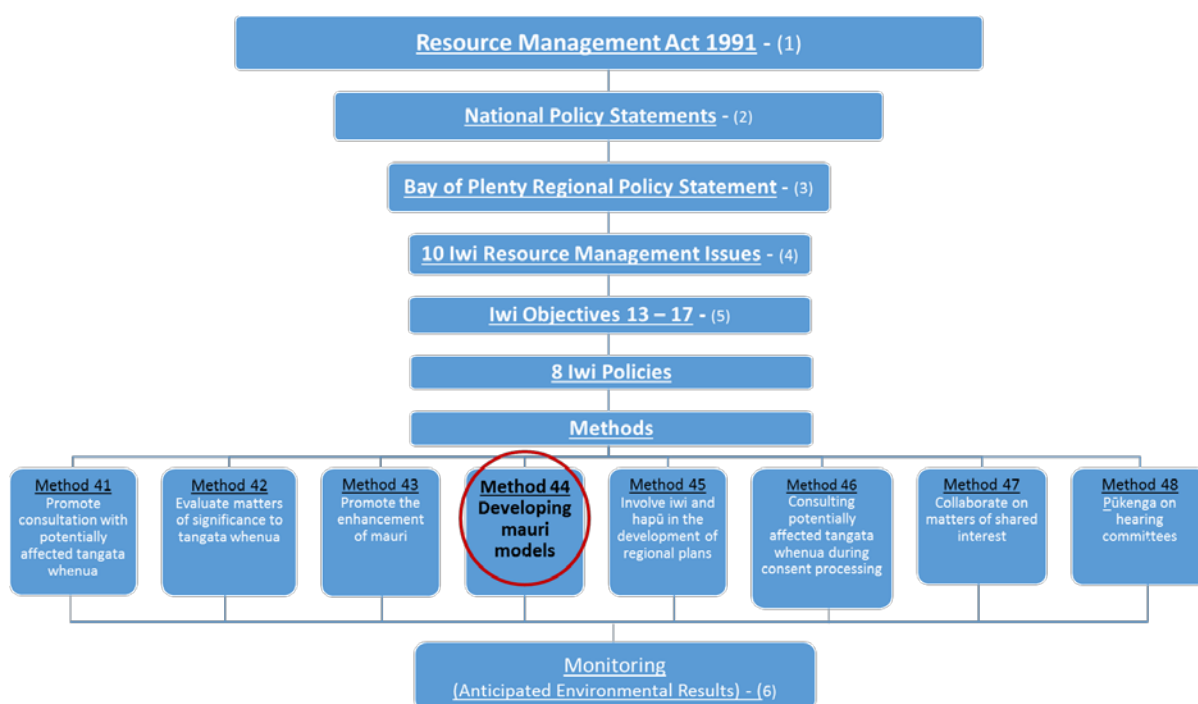


Figure 1 provides the context for Method 44 and the other Iwi resource management methods.

Notes relating to Figure 1 above:

1. Resource Management Act 1991, is New Zealand's principal legislation platform which sets out how we should sustainably manage our environment based on an effects approach.
2. National Policy Statements provide crown objectives and policies on matters of national significance to be implemented by regional and local authorities'.
3. BOP RPS provides direction to the development of regional and district plans, resource consents and other regulations in the RMA and NPS.
4. The Operative RPS identified 10 regionally significant iwi resource management issues, with an additional 8 specific matters relating to Iwi authorities.
5. Objectives 13 to 17 in Table 6, seek to address the significant iwi resource management issues through all policies including 8 specific Iwi resource management policies and 8 methods / actions.
6. Monitoring provisions to ensure that the methods are achieving the objectives.

The implementation of Method 44 aims to help achieve the following objectives shown in the flowchart below in Figure 2.

- Objective 10: Cumulative effects of existing and new activities are appropriately managed.
- Objective 12: The timely exchange, consideration of and response to relevant information by all parties with an interest in the resolution of a resource management issue.
- Objective 17: The mauri of water, land, air and geothermal resources is safeguarded and where it is degraded, where appropriate, it is enhanced over time.
- Objective 21: Recognition of, and provision for, the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.
- Objective 30: The quantity of available water: (a) provides for a range of uses and values; (b) is allocated and used efficiently; (c) safeguards the mauri and life supporting capacity of water bodies; and (d) meets the reasonably foreseeable needs of future

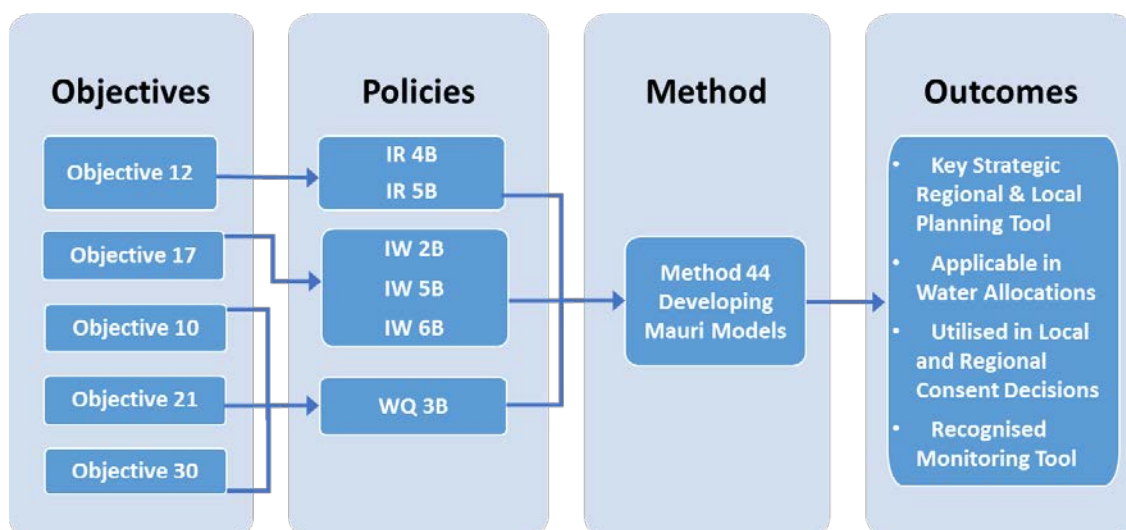


Figure 2 Shows the RPS objectives, policies that Method 44 was created to achieve (see Appendix C for further descriptions of policies and objectives).

generations.

At a regional planning level, the objectives, policies and methods included in the RPS are given effect by the corresponding provisions within the Bay of Plenty Regional Plans. Consideration of effects on mauri is required in the provisions of the Regional Plans, most notably the On-site Effluent Treatment Regional Plan, the Regional Air Plan, the Operative and Proposed Regional Coastal Environment Plans, the Regional River Gravel Management Plan, the Regional Water and Land Plan, the Rotorua Geothermal Regional Plan and the Tarawera River Catchment Plan. Generally speaking, the assessment of mauri is not dealt with in a consistent manner across these planning documents.



## 1.2.2 Mauri and kaitiaki / kaitiakitanga

From a Māori world view, ancestral knowledge, or mātauranga Māori, advocates that all living creatures and natural resources are infused with their own mauri and co-exist in a collaborative state.

The maintenance of mauri is a traditional practice of ensuring that the relationship between all parts within the environment, including between people and the environment, is preserved. This practice forms a fundamental role of kaitiaki (guardian) and kaitiakitanga (guardianship). These practices are based on a natural order and inter-dependency of the cosmology traditions of Ranginui, Papatūānuku and their children as the guardians / gods of their respective domains.

The personification of Atua and natural resources (maunga, awa etc.) reinforces the relationships and connections between people and the environment through the use of whakapapa (genealogy) as human relationships. Through transferring these human characteristics and values, indigenous cultures like Māori have developed a nurturing, caring and often territorial relationship with their maunga, awa and lands. Tangata whenua have seen these as ancestral relationships with their environment because Māori are connected to the land. “Ko au te awa, ko te awa au” - I am the river and the river is me.

Kaitiaki, refers to the people who hold the mana whenua (territorial authority over that area) as rangatiratanga. Mana whenua / ahi ka must exercise its authority and leadership in accordance with the values of kaitiakitanga, to act unselfishly, with right mind and heart, and with proper procedure.

Kaitiakitanga is a concept of collective obligations and responsibilities on the hapū to maintain and preserve the mauri of the environment or resource to sustain life.

In addition to this, the definition of mauri and how it is perceived varies throughout Te Ao Māori (The Māori World) and can vary from Iwi to Iwi and internally between hapū and whanau; yet all definitions are true and correct for each kin group.

This variation between hapū requires a series of individual assessments to be conducted between a range of Iwi and hapū representatives - with the intention of these assessments/interviews being to understand the individual's definition of mauri and allow them to provide an authentic representation of the state of mauri in their rohe (territory).

The ability to understand the traditional perspectives, values, customary practices, associations and principles that underpin the essence and energy that manifests itself within the concept of mauri is an empowering and enlightening journey for all.

The RPS describes mauri as a key element required to sustain life in all living things in nature which must co-exist together:

*“the essential life force, energy or principle that tangata whenua believe exists in all things in the natural world, including people. Tangata whenua believe it is the vital essence or life force by which all things cohere in nature.”*

The second part of the definition prescribes to the belief and notion that mauri ebbs and flows and can be restored or lost over time by the actions of kaitiaki and is a reflection of maintaining the cohesion and balance on the environment. Kaitiakitanga is a divine relationship from the Atua that can be transferred to inanimate objects.

*“When Mauri is absent there is no life. When Mauri is degraded, or absent, tangata whenua believe this can mean that they have been remiss in their kaitiakitanga*

*responsibilities and this affects their relationship with the Atua (Māori gods). Mauri can also be imbued within manmade or physical objects.”*

The Waitangi Tribunal in Wai 262 claims described mauri as the:

*“life principle or living essence contained in all things, animate and inanimate. All things are infused with mauri (a living essence or spirit) that we are all related through a common whakapapa.”*

The Tribunal discusses the principle values of mauri in the context of mātauranga Māori, whakapapa, whanaungatanga (kinship relationships) kaitiaki in a physical form with kaitiakitanga providing a system of law. Kaitiakitanga is seen as an obligation, arising from the kinship (whakapapa), to nurture and care for the physical well-being of people and the spiritual essence of the natural resources and feature.

Mātauranga Māori is an essential element in assessing mauri. Traditional knowledge and observations of changes in the seasons, tides and weather patterns, maramataka or local planting or fishing calendars are examples of mātauranga Māori. This knowledge has been handed down through generations to those that reside in the area (ahi kā, haukāinga, kaitiaki).

### 1.3 Tangata whenua engagement

Toi Moana canvassed those Iwi, hapū and other Māori entities on their Iwi Authorities Contact List from the Māori Contacts Database about the opportunity to participate in the development of the Method 44 Mauri model project. A total of 26 tangata whenua groups (Iwi, hapū and trusts) agreed to participate in the project and be interviewed by BML.

Engagement with tangata whenua was undertaken by BML with hui held without Toi Moana staff to allow for focused discussion. Consultation hui generally ranged from one-and-a-half to three hours and where requested, were held with multiple groups resulting in a total of 14 interviews.

Prior to the interviews BML provided participants with a literature review that summarised current mauri models and other indigenous monitoring tools and examples relative to the implementation of Method 44 across a range of environments and scales. The Literature Review Report also included a summary of the hapū and Iwi management plans lodged with Toi Moana and focussing on the significant issues for the participating Iwi and hapū. At the time of preparing the review, an electronic copy of the Whakatohea Māori Trust Board management plan was not available for inclusion into the report. A copy of “Tāwharau O Ngā Hapū, Whakatohea Resource Management Plan, July 1993; was presented to BML at the interview held on 15 May 2017.

Participants also thought that the literature review could have included information on the significance of mauri from the Waitangi Tribunal Report WAI 262 “Ko Aotearoa Tēnei - A Report into Claims Concerning New Zealand Law and Policy Affecting Māori Culture and Identity; Te Taumata Tuarua Volume 1 and 2” and Environment Court 2015 NZEnvC 90 Sustainable Matata v Bay of Plenty Regional Council & Whakatane District Council.

The review of existing assessment tools highlights a diversity of approaches. These approaches either focus on questionnaire/site assessment based systems, or process/decision support

systems, as well as tools that are either focussed on a single environment (e.g. freshwater) or that can be applied across the range of environments, scales and issues.

BML also provided a questionnaire which was developed to guide the interviews (Appendix B).

## 2.0 KUPU WHAKAHOKI / Response

The discussion in the consultation sessions with each tangata whenua group were different in content and their experiences that reflected the physical nature of the rohe and the locations for each hui. However, during the discussions the same core values of mana whenua, haukāinga, hapū, mātauranga Māori, kaitiaki, kaitiakitanga, whakapapa and the historical accounts (korero) were raised that linked the people from these places to the mauri of the resources that have sustained them for generations. Mauri is a key element that is important to Māori environmental management.

The other matter that has influenced the responses and opinions of tangata whenua were their past experiences in working with local and or regional councils on resource consent applications.

The following sections are the main themes from our consultation interviews with the 13 groups with specific quotes from the interviews to emphasise each theme.

### 2.1 Mana whenua, ahi kā / ahikāroa

The first principle that all tangata whenua groups agreed on was, that the first point of engagement for the assessment of mauri of any natural resource must be with the kaitiaki who are the mana whenua or ahi kā of that area. These are the people that have the mātauranga Māori (traditional knowledge), observations, experience and relationships with specific sites and the wider cultural landscape. It is the kaumātua, kuia and kaitiaki of the mana whenua that will be able to provide a historical account of their sites and areas of significance (e.g. marae, papakāinga, pa, urupā, waahi tapu), mahinga areas, an indication of previous land use activities, predominant physical features, local events and the people that occupied the area. This is all useful information in determining the effects of proposed activities on the cultural relationships tangata whenua have with their lands, waters and other natural resources.

The development of a mauri assessment framework or tool must be developed with the support, assistance and guidance of mana whenua.

A framework around mauri will provide a structured approach that will assist some kaitiaki and other whanau members on the ground. In gaining an appreciation of the customary relationships that a specific site has in the context of that area with the wider catchment and district we are empowering our people through the transfer of traditional knowledge that builds a foundation of respect, understanding and responsibility. This reinforces the collective responsibility of whanau and hapū with the exercise of kaitiakitanga.

*“Mauri is intergenerational and looks at all aspects of life and the environment.” - Ngāti Kea and Ngāti Tuarā.*

*“Tangata whenua need to be the ones that measure any environmental elements. Need to be living within the environment to feel Mauri. Ngāti Manawa are an integral part of their environment and have significant roles and responsibilities as kaitiaki over their rohe” - Ngāti Manawa.*

## 2.2 Mauri

Mauri was immediately identified by all tangata whenua participants as a key cultural value for their respective entities and their roles and responsibilities as mana whenua, kaitiaki, trustee, hunter and harvester. The interviews produced a broad range of responses to the questions of ‘what is your Iwi / hapū view on the mauri of your natural resources and how would you make such as assessment?’ Further comments in regards to the description of mauri included;

*“Spiritual and historical connection to the land and water.” – Rūātoki.*

*“Mauri is embedded in everything and it’s the glue that binds us all together” - Makino Cluster Interview.*

*“Mauri is interconnected not isolated.” - Ngāti Manawa.*

*“Mauri is alive in all places and is exciting.” - Whakatohea.*

*“you are a living descendent of your tupuna carrying out the traditional and customary activities of your tupuna to ensure the mauri of the land, moana or river is enhanced and not degraded.” - Ngāi Te Rangi.*

*“Geographical features could also encompass mauri” - Rūātoki.*

*“Mauri is about our historical references what we know have seen” - Ngāti Whakaue ki Maketu.*

The high level of confirmation of the importance of mauri by the respondents aligns with the results from the 2016 Iwi perceptions survey that the primary role of kaitiaki is to protect the mauri of natural resources in their rohe. 89% of the respondents considered that the mauri of the natural resources in their rohe had degraded in the past 5 years.

### 2.2.1 Te Mātāpuna o Mauri

All of the tangata whenua participants acknowledged and recognised that their traditional association with the principle of mauri in the environment is based on the common traditions and understanding that we are all connected through whakapapa from Papatūānuku and Ranginui and their children.

*“Mauri has a whakapapa” - Tapūika.*

*“Mauri and wairua are all linked by whakapapa. Traditional relationship of whakapapa is based on the holistic approach of our Iwi Management plan.” - Whakatohea.*

*“Ko te whakapapa te mea i hono mātou ki te mauri. This can be interpreted to describe our traditional expressions of our genealogy that shows our ancestral descent from our Atua and the creation legends of Ranginui and Papatūānuku. Hence, our Atua transferred and gave mauri (the essence of life) to mankind, animals, plants and all natural resources.” - Rūātoki.*

*“Although mauri directly translates to ‘life essence’ it still means so much more to our people. This was expressed by the chairman in terms of a traditional values, principle and relationship with Papatūānuku, Ranginui and their children.” – Patuwai.*

*“The whakapapa behind mauri highlights the depth of relationship and responsibility tangata whenua have with mauri... although mauri directly translates to ‘life essence’ it still means so much more to our people.” - Ngāti Awa.*

### 2.2.2 Diversity of views

There was a diverse range of Iwi groups (settled, mandated, in negotiations and Deed of settlement); hapū / marae entities and land trusts with ranging levels of experience in the environment management matters and processes.

Throughout the interviews the definition of mauri varied between each group and in some hui between individuals within the same group. While these differences of opinion were noted they were also accepted as being correct.

Ngāti Whakaue recognise and believe that the people within their rohe have their own specific definition of mauri, which in some cases it is believed that mauri “can’t be defined in words because it is infinite”. Mauri also ranged from being defined as purely the physical aspect of a resource, to a broader definition of including everything; that mauri is the life force and everything has a life force.

### 2.2.3 Holistic approach

Mauri includes physical sensory attributes and well-being of the environment (i.e. what it looks like, what are the associated sounds and smells / odours in the area and tastes) but also includes our cultural traditions and knowledge with our individual and collective spiritual welfare. This is a reflection of our holistic Māori world view.

*“Mauri is not viewed as an individual attribute/value, but needs to be taken into account with other Māori values” – Makino.*

*“Kaitiakitanga, mauri, mana, mahinga kai and māra kai are viewed as being connected. Mauri is one component of mātauranga Māori.” - Tapūika*

The Ngāi Te Rangi representative divided “mauri ora” into three parts to demonstrate the relationship principles of kaitiaki and mauri:

- “Ma” represents the spiritual relationship / connection with the environment / place;
- “Uri” represents your whakapapa that you are a descendent of your tupuna; and
- “Ora” represents that you are the living and physical connection with the environment.

Tangata whenua also recognise that the actions of other people in the community, as well as commercial and industrial land and water users, all impact on the mauri of the same environment. Therefore, they must acknowledge and manage their effects on the environment in order to protect the mauri of that environment/natural resource.

## 2.3 Regional Fresh Water

All tangata whenua groups raised the significance of water (in particular freshwater) to their people from a critical existence perspective, customary use, historical observations in catchments, current and future practices in their respective rohe. The nature of water is to flow

or transpire through different environments. The values, properties and uses of water are different when it comes from the sky, flows through the land, river, lake or sea.

Water is essential to sustain life, if there is no water, there is no life. This is the same defining characteristic of mauri itself. This was expressed at the Rūātoki hui as “*water is the most significant natural resource to all living things i.e. te mauri o te wai; he mauri te wai, kāre, ko te mauri i roto te wai i.e. water is the mauri, the life force that exists within all living things.*”

Once again these interviews confirm the results from the 2016 Iwi Perceptions Survey that tangata whenua seek tangible opportunities to discuss their involvement in the regional decision making processes on water rights and interests with Toi Moana.

## 2.4 Mauri Framework

The prospect of developing a mauri assessment framework was seen as a positive opportunity by four participants we interviewed with the majority of six participants requiring more discussion (hui) and information to make a considered response and three seeking further internal discussions with kaitiaki and kaumatua.

Some tangata whenua felt that measuring mauri in a precise quantitative way is not the nature of mauri and therefore, attempting to measure and express mauri using a model can only provide an indication to the state or effects on mauri and not a true reflection.

*“An important component of mauri is the spiritual well-being, feeling and the effects on the wairua of people. This is difficult to describe in words so it is hard to understand how it can be captured in a framework or model” - Ngāti Awa.*

Although, with this in mind, no participants considered the project was futile, several participants were sceptical about the outcomes of the framework assisting Iwi or not. The assessment of mauri is only one issue Iwi / hapū need to be considering along side other aspects of their cultural impact assessment report as well as other local subregional environmental and or economic issues.

However, the consultation process did identify two tangata whenua assessment frameworks which could be developed into a regional method with further discussion with other Iwi and hapū groups.

The other suggestion from Iwi participants was to develop a toolbox of options that mana whenua, hapū and Iwi could use to assist with an assessment of mauri as part of an existing cultural impact assessment report or a separate framework.

### 2.4.1 Tikanga Whakahaere framework

Ngāti Makino decided to meet collectively with representatives from Ngāti Whakahemo, Ngāti Rangitahi, Ngāti Pikiao and the Motiti Rohe Moana Trust on 11 May in Maketu. This meeting was attend by 10 representatives.

The meeting participants were clear that the development of Method 44 and the essence of mauri had been raised in previous submissions to Toi Moana and evidence presented by tangata whenua during the appeals against the decision to grant consent to dump remains of the MV Rena, equipment, cargo and debris field on Otaiti Astrolabe Reef. Iwi noted that Method 44 needed to be seen in the context of the other Iwi Methods (i.e. Methods 41, 42, 43, 45, 46, 47 & 48) and Iwi Resource Management Policies (IW 2B, 4B, 5B & 6B) in the RPS. They are a

collective suit of tools for Iwi / hapū and Toi Moana to address Māori resource management issues. Toi Moana need to understand how these methods and rules can be applied to work together to recognise and provide for the environmental values and principles of whanau, hapū and Iwi.

The hui strongly expressed that “only whanau, hapū and Iwi with the relationships with the natural resources can assess the effects of any proposed consent activity on the mauri of that resource.” This recognises Policy IW 2B: Recognising matters of significance to Māori; Proposals which may affect the relationship of Māori and their culture and traditions must: (b) Recognise that only tangata whenua can identify and evidentially substantiate their relationship and that of their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

*“BOPRC cannot assess the mauri of the environment without the engagement with the appropriate tangata whenua / mana whenua group(s).”*

*“Mauri is not viewed as an individual attribute or value but needs to be taken into account with other Māori values. Mauri is the glue, the binding of many things to create existence.”*

The meeting proposed the following recommendations:

1. *“This collaboration of Ngāti Makino, Ngāti Pikiao, Ngāti Whakahemo, Ngāti Rangitahi and Motiti Rohe Moana Trust is continued and resources by BOPRC and the Boffa Miskell team to complete a Mauri Tikanga Whakahaere framework model.*
2. *The next stages of the framework are planned together in a group workshop.*
3. *BOPRC be invited to participate in the workshop.”*

These recommendations were accepted by Toi Moana as a one off for the project and a tikanga whakahaere workshop was held on 14 June 2017 in Maketu.

Dr Kepa Morgan the General Manager of the Ngāti Makino Iwi Authority and Carlton Bidios of Ngāti Ranginui Inc. Society attended the workshop as well as three staff from Toi Moana; Nassah Steed, Esta Farquhar and Clarke Koopu.

The purpose of the workshop was to develop the concept of a tikanga whakahaere framework for mauri as a best practise model as a Māori kaupapa framework. The meeting discussed the difference between a mauri framework and a mauri model. The meeting concluded that a “**framework**” sets out the process, considerations and how tangata whenua, mana whenua, ahi ka or haukāinga are empowered to carry out their “tikanga” (the principles and values of mauri) “whakahaere” (in an agreed process). The framework ensures that the findings from the mauri assessment are binding on parties involved in the resource consent process and that the mauri assessment can’t be avoided or disregarded in making the final decision. Other points included:

- The integrity of the frame work is maintained through transparent decisions about what the priorities are for the mauri of that site and its environment.
- The framework should recognise the Treaty of Waitangi, best practice models, international conventions and other RPS methods and Iwi policy provisions.
- The framework is used by all users Māori and non-Māori.
- The framework needs to be defendable in hearings and the environment court and a tool that is supported and promoted by Iwi, hapū and whanau in Te Moana o Toi. Being

inclusive and addressing the matters that non Māori would consider important i.e. what are the economic, social, environmental and cultural benefits of assessing mauri.

A “**mauri model**” is a tool that simulates environmental conditions prior to the effects of the activity. This takes into account the environmental conditions that are being assessed at the time and then considering the effects on the site from new activities. The model is subjective and measures what is happening in the simulation and the effects on mauri indicators.

Dr Kepa Morgan introduced the Aashukan Declaration from an indigenous conference he attended in March 2017 as an international framework the workshop could review. The framework includes the following 4 components:

1. **‘Indigenous Peoples’ Rights** are the foundation upon which all discussions must be initiated. Following international best practices, this includes territorial Rights, the Right to self-determination and the Indigenous Right to say YES or NO.
2. **Relationships** must have integrity and be based on humility, respect, reciprocity, community empowerment, sharing, mutual learning, and sustained and long-term engagement. Our timelines are based on our values, processes and social organization, and should be respected.
3. **Processes** must achieve clear communication, transparent decision making, be inclusive and be founded on the worldview of the Indigenous Peoples that are impacted.
4. **Outcomes** must be multi-faceted and oriented towards mutual benefits, a commitment towards the prevention of harm, and the enhancement of the well-being of Indigenous Peoples based on their own definitions and criteria.”

These principles were discussed and compared with Iwi and hapū co-governance / co-management framework used by Carlton Bidois and the Department of Conservation to produce the following “tikanga whakahaere framework” in the table below:

Table 1 Four principles of the “tikanga whakahaere framework” suggested by the Ngāti Makino cluster with relevant actions and comments.

Mana Tuku Iho – (Indigenous Values and Rights)	Mana Whakahono (Relationships)	Mana Whakahaere (Engagement Process)	Mana Motuhake (Assessment Outcomes)
Empowers the mana whenua or ahikāroa to undertake the assessment of mauri.	Whanaungatanga, Iwi working with Iwi, hapū and local and Toi Moana.	Collaboration, mutually beneficial for all parties.	Mana Motuhake / Rangatiratanga (self-determination).
Māori world view of Te Taiao. Physical, observations.	Manaakitanga (the process of respect, generosity and care for others)	Kanohi ki te kanohi engagement at the marae.	Active protection and restoration of the mauri of natural resources.
Pūkenga, kaumātua and kuia are involved.	Tau utuutu (reciprocal relationships)	Transparent, accountable and robust.	Enhancement of mauri of natural resources.
Mātauranga Māori (traditional Māori knowledge).	Hapū wānanga on proposal, issues and response.	Responses to process to mana whenua issues	Training and development for Iwi / hapū and Toi Moana.
Taonga tūturu, sites of significance and other resources.	Rangatiratanga for Iwi and hapū	Genuine engagement with Iwi and hapū.	Sustainability of natural resources.
Whakapapa and	Mutual sharing of Iwi /	Clear communication	Reinforces those



<b>Mana Tuku Iho – (Indigenous Values and Rights)</b>	<b>Mana Whakahono (Relationships)</b>	<b>Mana Whakahaere (Engagement Process)</b>	<b>Mana Motuhake (Assessment Outcomes)</b>
whakawhanaungatanga. Kaitiaki roles and kaitiakitanga responsibilities.	Māori learnings and knowledge with Toi Moana and others.	between parties. Founded on the world view of indigenous peoples.	principles and values expressed in the in mana tuku iho column.
If it needs to be monitored, it needs to be assessed.	Strengthens the relationship between Iwi / hapū & Toi Moana.	Holistic / uses all information available.	Prevention of harm.
Tapu and noa principles.	Takoha (gift, pledge, or donation).	Responsive and respectful.	GIS compatible and kaitiaki apps?
Opportunity to meet on site as well as the marae.	Mutual respect.	Inclusive and binding on all parties. Accurately reflects different understandings.	Monitoring against previous forecasts and cumulative effects.

The proposed framework can also be represented in the flow chart below.

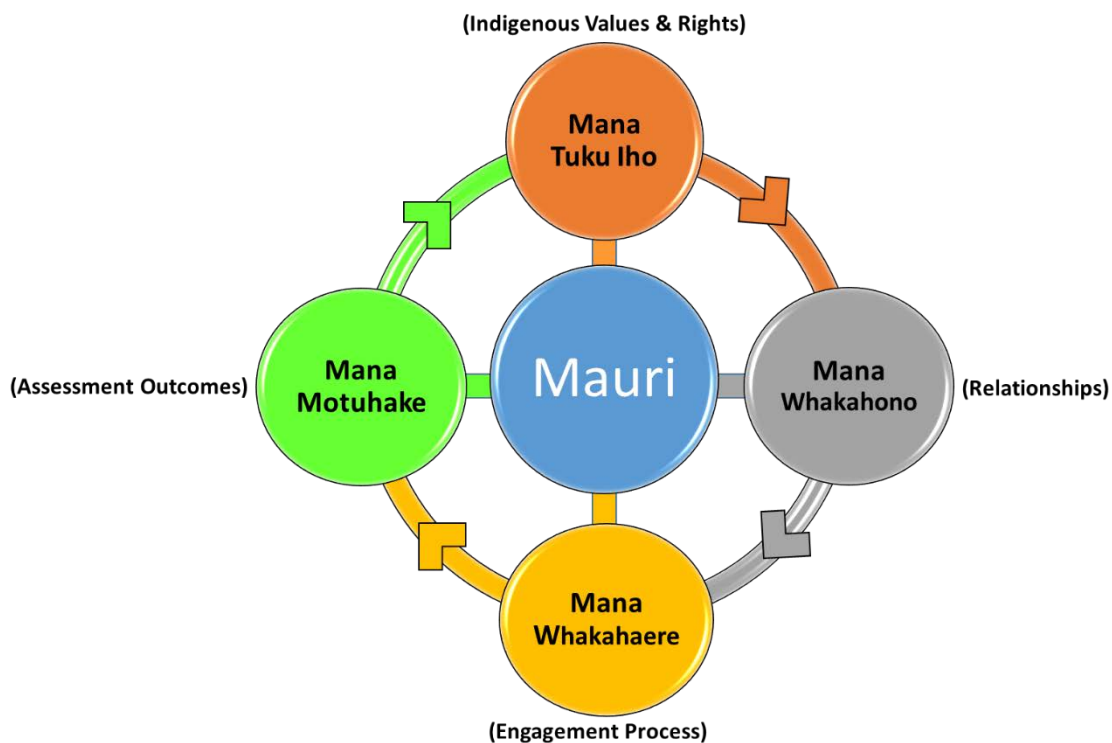


Figure 3 Describes the relationships between the four components of the mauri assessment framework.

The Makino Collective developed an initial tikanga whakahaere framework based on their collective understanding of mauri as iwi and hapū practitioners. The proposed framework comprises four core components that follow a sequence of stages as detailed in the table and summarised in the flowchart above.

The framework seeks to empower and resource mana whenua in the assessment process by providing the applicant and the Toi Moana with a detailed overview of the traditional information and relationships mana whenua use in the assessment process.

“Mana tuku iho” describes the foundation of indigenous knowledge (mātauranga Māori) and cultural expertise that is inherent with the mana whenua tikanga and kawa (traditions, customs and protocols) associated with their observations and practices of kaitiakitanga over the land and other natural resources in the area. Mana whenua can be represented by land owners, / trusts, marae, hapū and or Iwi entities.

The relationship principles of whanaungatanga, manakitanga, tau utuutu and rangatiratanga occur under “mana whakahono” at three primary levels. The first level are those relationships between mana whenua and those natural resources in the rohe. Secondly relationships are with overlapping interests with neighbouring kin groups in the area. The third tier of relationships with the wider community including applicants and Toi Moana. These relationship principles are integrated across the other three components of the framework.

The mana tuku iho and mana whakahono components both contribute to the “mana whakahaere” engagement process. Mana whenua meet collaboratively with applicants and or Toi Moana to reach agreement on the mauri assessment process.

The outcomes from the mauri assessment framework will be recognised and incorporated into the outcomes of the mana motuhake process. The mana whenua groups or groups that will be incorporated into outcomes phase outlined as “mana motuhake.”

However, the key trigger for the framework is the ability of Regional, District and City Council’s to identify the hapū and Iwi group or groups who have the mana whenua interests in the area to participate in the process. Without this direction from Toi Moana in identifying the most appropriate tangata whenua groups with these relationships to meet with applicants the mauri framework is unlikely to succeed. Hence, Toi Moana have a significant responsibility in implementing the current Iwi resource management provisions in the Regional Policy Statement to give effect to this mauri engagement framework.

Section 35A in RMA requires all territorial authorities to maintain their respective Iwi and hapū contact information data base to ensure they can identify the appropriate mana whenua entities.

Further development of this framework is required with the members of the Makino collective workshop to confirm the discussion and consider how this approach could be further refined and discussed across the region with the Komiti Māori.

The Makino Collective were also considering the option to develop the mauri framework independently of the Toi Moana and not go through the RMA Schedule 1 notification process as a separate plan change.

#### 2.4.2 Whakatohea kaitiakitanga framework

Whakatohea Māori Trust Board use their original Iwi Management Plan “Tāwharau o ngā Hapū o Whakatohea” from 1993 and are currently updating the plan with Toi Moana. The kaitiakitanga principles and values recognised in the 1993 Tāwharau Plan are still applicable today. The principles of kaitiakitanga that are practised by Whakatohea are based on a system of

traditional tikanga values undertaken by kaitiaki to care and manage their taonga (natural resources) in a holistic approach. These traditions, philosophies, concepts and values of the natural world originate from the origins of Ranginui and Papatūānuku to create:

- Te taha tinana (the physical reality – i.e. body)
- Te taha hinengaro (the intellectual plane – i.e. mind)
- Te taha wairua (the spiritual realm – i.e. spirit)

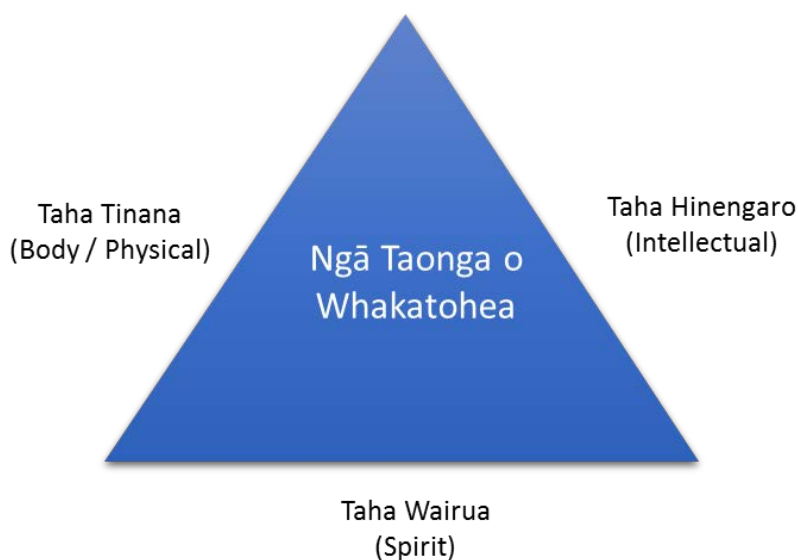


Figure 4 The three guiding principles of Whakatohea; Te taha tinana (the physical reality), Te taha hinengaro (the intellectual plane), Te taha wairua (the spiritual realm).

The children of Ranginui and Papatūānuku created, settled and maintained different domains from the sky, to the mountains, rivers lakes and the sea; passing the mana to their children and breathing the mauri or life force which emanates from Io to each Atua. These traditions recount and recognise how all things in the natural world are interrelated and interconnected through whakapapa (genealogy). The transfer of mauri (the essence of life) and mana (authority) from Io Matua to Ranginui and Papatūānuku and on to their children, the Atua; Tangaroa, Tāwhirimātea Tāne-mahuta, and eventually down to people through Hineahuone.

Ngā Taonga o Whakatohea refers to all tangible or intangible taonga (property, resources, people, tribal treasures etc.) that contributes to the tribes intellectual, physical and spiritual wellbeing.

*With the passing of mana are also the responsibilities of kaitiakitanga to one creators, Whakatohea as Tangata Whenua with mana whenua belong to the land and have kaitiaki responsibilities to it and maintaining the balance between the three elements of tinana, hinengaro and wairua.”*

*“Mauri generates, regenerates and upholds creation, binding physical and spiritual elements of all things together. When something dies, the mauri is no longer able to bind those elements together and thereby giving life. Without mauri nothing can survive.”*

This framework has stood the test of time from their 1993 Iwi management plan as these three elements are still being assessed by the Whakatohea Board in 2017.

#### 2.4.3 Effectiveness of Method 44

Concerns were raised that the 'weight' behind these assessments would not be sufficient to make an impact on decision making. Tangata whenua feel that often it is the economic aspect that takes precedence over any other (i.e. environmental and cultural).

Another concern raised is whether the acceptable quality and standards of the environment are lower than the expectations of tangata whenua. If so, the issue then arises if the scientific standards override the cultural/mauri standards.

Ngāti Whakaue ki Maketu commented that the development of a mauri assessment framework is a good opportunity for Māori but the implementation success is a concern. Ngāti Makino also mentioned that they hope that the process doesn't stop at producing a report and that this project continues to develop into something meaningful.

#### 2.4.4 Lack of capacity

A few tangata whenua groups mentioned that the increased growth and development is increasing direct, indirect and cumulative effects on the environment, and with the increasing activity hapū are finding it harder to engage effectively due to their level of capacity.

As well as this, tangata whenua are being asked to engage on a number of small projects whilst they are attending to other priorities of higher levels (e.g. national policy and NPS submissions) further exceeding their level of capacity.

Furthermore, the lack of capacity and resources that the tangata whenua groups hold have often left them providing a reactive approach to the initiatives of council and consent applications which stretch their capability. Tangata whenua strive to develop a proactive approach by developing up to date and well informed hapū management plans to avoid repetition and unnecessary work.

#### 2.4.5 Request for further discussion

The request for further discussions with Iwi regarding this project was one of the most common issues raised. This was twofold;

1. Iwi considered that restricting the number of meetings to one per iwi for the development of a new framework was unrealistic and not a good process that builds trust and understanding between Iwi and Toi Moana. Some Iwi also thought that the discussion of mauri would have been time in the context of the mātauranga Māori strategy and Te Mana o Te Wai.
2. Participants also agreed that this discussion and any framework must be progressed with the wider Iwi, hapū and kaitiaki across the whole region i.e. Komiti Māori.

*"The Rūātoki Lands Trust thought it was a good approach however, it was recognised as only the beginning and would require further workshops with hapū or collective wānanga to confirm the framework."*

## 2.5 The Role of Toi Moana

As outlined above, tangata whenua and mana whenua support the opportunity to develop, implement and monitor a mauri assessment tool. An iwi developed assessment tool will provide structure for tangata whenua to engage with council at a regional and local level.

The role for Toi Moana is to implement the effective use of the RPS objectives, policies and methods that will give effect to the environmental issues raised by tangata whenua, including Method 44. Key themes regarding the role of Toi Moana revolved around strengthening tangata whenua relationships and where appropriate providing adequate resources for engagement.

### 2.5.1 Relationships with Iwi

Working together is key to efficient and constructive progress. Tapūika highlighted that it is essential to build positive working relationships with Toi Moana to progress a mauri model. Tangata whenua considered their relationships with Toi Moana in the past have not always met their requirements and expectations to address current and future matters of significance to tangata whenua i.e. water allocation, mātauranga Māori and mauri.

Toi Moana have a wide spectrum of relationships with Iwi including Treaty Settlements arrangements (i.e. co-governance and co-management agreements) in managing natural resources. The recently announced Mana Whakahono a Rohe agreements will provide opportunities for Iwi and hapū to develop formal relationships with Toi Moana.

Iwi raised the issue of staff turnover at Toi Moana has contributed to some of the relationships issues with Toi Moana. Often the relationship is with the person within the council role and once they leave the relationship is lost and has to be rebuilt with a new staff member. This takes a lot of time and can become repetitive, tiring and inefficient to respective parties.

### 2.5.2 Communication with Iwi

Communication is expected to be made with the right people with the relationships, in a clear way which they understand and with a sufficient time to be able to develop an effective response. Communication is seen as a key to maintaining effective working relationship, with most of the participants agreeing that the current standard of communication could be improved to address a lack of information and late notification.

The resource consents process was identified as one of those areas of concern for tangata whenua where they have insufficient amount of time to provide an effective input into the process. The ability to require consultation with affected tangata whenua in the pre application phase of the process would assist with this situation.

Given the importance of the kaupapa some participants felt that Toi Moana staff should have been present at the meetings and a few were unclear on what was required of participants at the meeting.

*“Ngāi Te Rangi has a kaitiaki forum and they mentioned that it would have been more effective to have been informed about the hui and the project earlier to be able to notify the forum of this project. They suggest that BOPRC could ensure that their point of contact is up to date and that enough time and information is providing to adequately disperse information.”*

### 2.5.3 Resourcing engagement with Iwi

The engagement for kaitiaki to prepare an assessment on mauri on a natural resource should be prescribed in the assessment framework. This assessment on the effect of Mauri can be incorporated into the preparation of a cultural impact assessment report that provides the holistic context. Kaitiaki will also be involved in the monitoring and reporting for any mauri conditions for the consent.

*“In addition to funding and supporting Iwi and hapū to undertake mauri assessments etc. is to create roles for Iwi at the same level of authority as the CEO to deal with various matters at an Iwi executive level. Māori staff need to be throughout whole structure and process to avoid the conflict and Environment Court processes.”*

## 3.0 MATAPAKI / Discussion

### 3.1 Regional Policy Statement

The RPS manages a series of multiple layers of actions, responses and policies to balance the community growth and development aspirations with the social and cultural environmental imperatives that challenge conservative financial business models. This is a complex relationship matrix that tangata whenua must navigate and understand to participate effectively in the management of all natural resources and in particular those taonga within their rohe.

The RPS provides for Iwi resource management policies where 6 are specific directive policies for resource consents, regional and district plans, and notices of requirement and a noted with “B” after the policy number. These 6 Iwi policies (i.e. IW 1B; IW 2B; IW 3B; IW 4B; IW 5B AND IW 6B):

- must be given effect by regional or district plans;
- consent authorities must have regard to where relevant and considering consent and any submissions received; and
- territorial authorities must have particular regard to, where relevant, when considering requirements for designations or heritage orders and any submissions received.

Iwi policy 7D and 8D are identified as guiding policies that outline actions to help achieve the policy objectives.

While a lot of good work has gone into the Iwi resource management issues, objectives, policies and methods in the operative RPS. The implementation of the methods such as Method 44 need to support the aspirations of Iwi and hapū to be involved in local and regional decisions without challenges in the Environment Court.

The RPS provides directive and guidance methods / actions to implement the policies and objectives. The four directive methods associated with the Iwi resource management policies include:

- *“Method 8, to identify areas or sites in the coastal environment of significance or special value to Māori;*

- *Method 11, recognise statutory acknowledgement areas (e.g. within Treaty settlements, added for this report)*
- *Method 12 Take into account Iwi and hapū management plans in the assessment of environmental effects and,*
- *Matakana Island plan.”*

These methods must be given effect by regional and district plans.

The majority of the methods associated with the Iwi resource management policies are guidance in nature and seek to advance, enhance and promote the implementation of those policies. For some of the tangata whenua participants we spoke with, the directive of method 3 falls short in practice on the ground on the methods identified in this report.

For example, elevating Methods 41 and 42 as directives to promote consultation with potentially affected tangata whenua reinforces the requirement of early engagement based on tikanga Māori with mana whenua groups at the pre application phase.

Method 45 provides for the engagement of tangata whenua in the development of regional plans, provides the opportunity for tangata whenua involvement at a strategic regional development level of planning across the region. Iwi and hapū practitioners know that relying on the resource consent process to protect their cultural resources and relationships is not a solution it is merely business as usual and facilitates the continued loss of these relationships.

It is noted that Method 3 gives effect to a range of policies including the Iwi resource management policies with respect to “*resource consents, notices of requirement and when changing, varying, reviewing or replacing plans*” are important to tangata whenua. However, Method 44 also refers to additional RMA processes of:

- state of the environment monitoring, and
- monitoring the efficiency and effectiveness of plan provisions

To achieve the successful implementation of Method 44, it must be in the context of other methods and not addressed in isolation. All Iwi resource management methods and policies should be applied to work together to recognise and provide for the environmental values and principles of whanau, hapū and Iwi needs to be understood by all councils.

### 3.1.1 Mātauranga Māori

Tangata whenua are clear that mauri plays a significant role and is a core principle in the Māori management of natural resource. As many of the participants articulated the essence of mauri from its divine original from the Atua to their children and then on all living things including people.

Some participants were concerned around how mātauranga Māori and intellectual property associated with mauri provided by kaitiaki / mana whenua would be used by Toi Moana. Iwi wanted to ensure that mātauranga remains with the original sources and not Toi Moana.

It would seem that these valid concern and queries raised by participants may have been addressed through the outcomes and direction from the mātauranga Māori project due for completion in December 2017. It is important that the implementation of Method 44 Developing Mauri Models aligns and is progressed with the Mātauranga Māori project.

The Waitangi Tribunal Report “Ko Aotearoa Tēnei” Wai 262 Volume 1 and 2 (2011) provides public access to detailed explanations on the origins of mauri in the natural environment and inanimate taonga, art forms and building. This report would have been part of the literature review for the Mātauranga Māori project.

Tangata whenua raised the concern that they may need to provide evidence to justify outcomes of assessments which may require tangata whenua to provide more information than they are comfortable providing. There were concerns that a framework may not be effective for tangata whenua and therefore it may not be worth investing time into the project.

## 3.2 Mauri Frameworks

### 3.2.1 Recognition of Mana Whenua

The strongest points raised by tangata whenua in respect to the development of any framework was that it must be initiated and developed with mana whenua group or groups who are associated with the site, area and or resource.

The frame work must also resource and empower mana whenua to be engaged and work with applicants and or Toi Moana. This gives effect to Policy IW 2B: Recognising matters of significance to Māori; Proposals which may affect the relationship of Māori and their culture and traditions must:

- (a) *“Recognise and provide for:*
  - (i) *Traditional Māori uses and practices relating to natural and physical resources such as mahinga, mātaimai, waahi tapu, papakāinga and taonga raranga;*
  - (ii) *The role of tangata whenua as kaitiaki of the mauri of their resources;*
  - (iii) *The mana whenua relationship of tangata whenua with, and their role as kaitiaki of, the mauri of natural resources;*
  - (iv) *Sites of cultural significance identified in iwi and hapū resource management plans; and*
- (b) *Recognise that only tangata whenua can identify and evidentially substantiate their relationship and that of their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.”*

The ownership of the mātauranga Māori associated with the project will always remain with the mana whenua.

### 3.2.2 Whakatohea Framework

The kaitiakitanga framework developed by Whakatohea provides a concise approach that allows their kaitiaki to describe the essential components of tinana, hinengaro and wairua that form the mauri of their natural resources in a traditional context. The framework is easily understood by all age groups and levels of engagement including whanau, hapū, Iwi and land trusts. The framework can be easily applied to all natural resources types from the mountains to the sea and is owned and controlled by Whakatohea kaitiaki.



The engagement with local authorities, Toi Moana and wider Whakatohea community will be initiated by Iwi or in response to resource consent applications or other RMA requests.

### 3.2.3 Ngāti Makino Cluster

The Ngāti Makino Collective framework includes the 3 core values identified in the Whakatohea model and incorporates strengthen relationships with engagement protocols and outcomes process. The initial details of each of the four principles have been raised for discussion and debate with the original architects and the wider the tangata whenua participants across the Bay of Plenty region. The framework seeks to break new ground by going beyond the boundaries of just an assessment tool for mauri but seeking the opportunity to address the gaps in the existing resource consent process and the participation in the decisions making process.

There are challenges for both Iwi and Toi Moana in this framework. The process will rationalise the working relationships between Iwi, hapū, mana whenua and land trusts in the engagement, administration and communications roles and functions for the framework. While the Toi Moana will have its own challenges on giving effect to the RPS provisions to resource and engage tangata whenua in implementation of the Iwi resource management policies and methods.

Further refinement of this framework between Toi Moana and Iwi is required before it is circulated to a wider Iwi / hapū forum for consideration.

### 3.2.4 Benefits to Tangata Whenua

Tangata whenua agree that mauri is continually being degraded over time by the cumulative impacts of population growth and the rate development required to keep pace with the rate of growth. It is clear that the greatest opportunities to effect change on the environment are at the high strategic level of growth and development. A mauri assessment framework that is applied at this strategic level will have greater environmental effects and benefits for Iwi/hapū, and the whole Toi Moana region.

The implementation of Method 44 framework will require the support of other methods and policies identified in figure 3 as well as an effective Iwi engagement, capacity building and communication framework will also assist the resource consent and monitoring process for tangata whenua. The resource consent process is shown in the chart below (Figure 5) including the RPS provisions in the pre-application phase, consultation triggers, mauri assessment toolbox and monitoring options in the council decision.

Equally, the same framework could be incorporated into state of the environment reports. This application can be used to determine the potential adverse effects from a proposed activity on the mauri of the environment and identify ways to avoid, remedy, or mitigate these effects.

Some Iwi have also suggested the development of a regional toolkit of existing assessment frameworks and models that could assist tangata whenua with their assessments of effects on the mauri of natural resources. A mauri assessment toolkit with current frameworks and models would provide tangata whenua with a repository of current tangata whenua practise tools as working examples. Key aspects of a toolkit are:

- Repository of mātauranga Māori practise models from around the Country will encourage others to participate in the process.

- Iwi and hapū don't have to "reinvent assessment models/frameworks" for similar environmental scenarios or consents that have already been develop by other Iwi groups from around the country.
- A toolkit would assist in providing a timely and costs effective response.
- Hapū/iwi can lead the development of new of assessments models and frameworks.
- Encourages/promotes Iwi/hapū diversification.
- Toolkits will assist hapū/iwi and council staff.

# Mauri Assessment Framework Flowchart

For the Resource Consent Application Process.

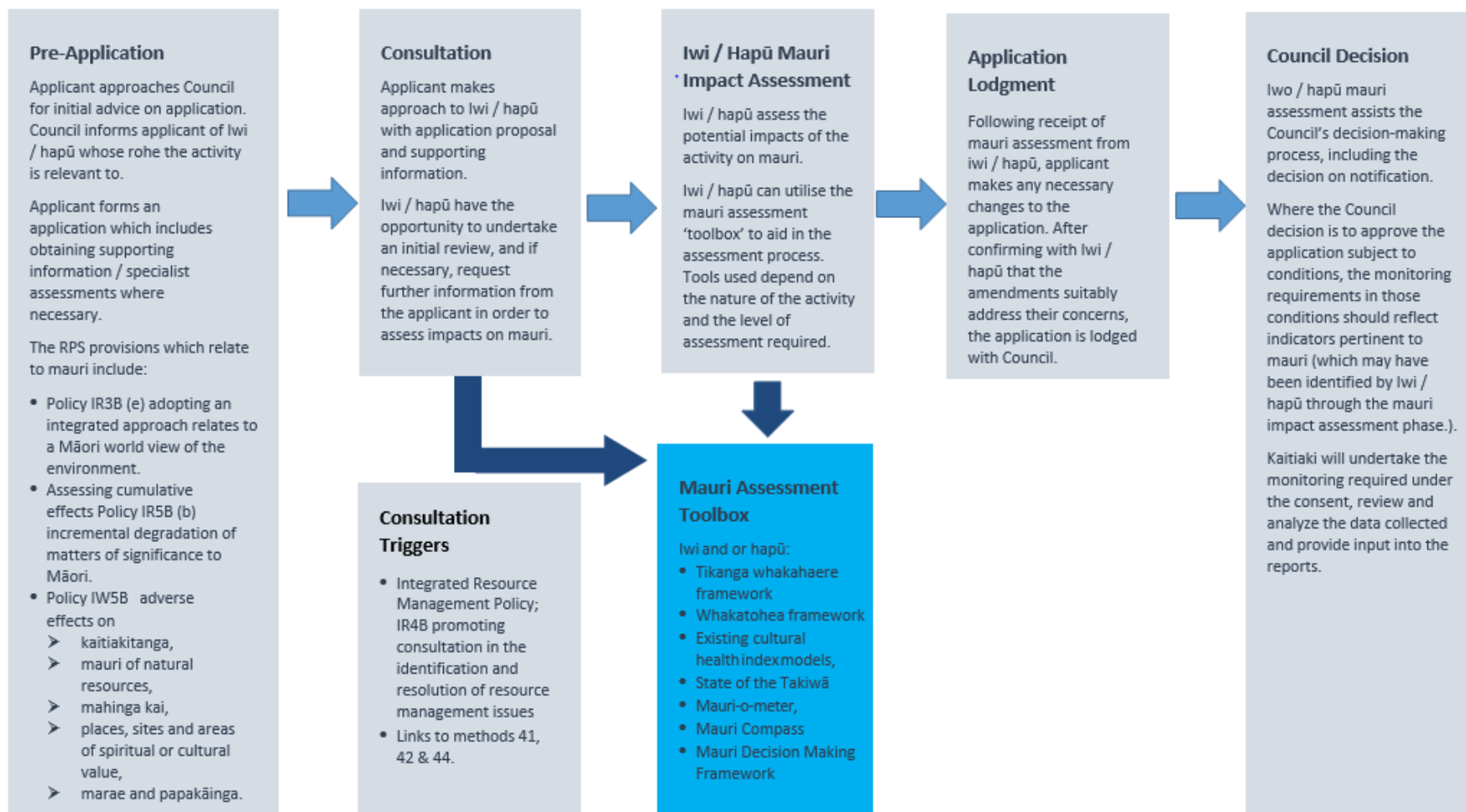


Figure 5 Flow chart of where a mauri assessment will sit within the resource consent application.

## 4.0 TE WHAKAMUTUNGA / Conclusion

The purpose of this report was to inform Toi Moana on the possible frameworks, tools or models Iwi and hapū use to measure the effects on the mauri of their natural resources. The report is based on the outcomes from consultation meetings or interviews organised by the Toi Moana between Iwi representatives and Boffa Miskell Ltd. It was envisaged that Iwi would be prepared to share this type of information and their preferred methods.

All of the participants agreed that mauri was an important value and principle to tangata whenua in the management of the whole environment and natural resources. Kaitiakitanga revolves around the maintenance and management of the mauri of individual and collective environments and natural resources.

Two mauri frameworks have been suggested from the consultation interviews and are promoted by BML in this report. The proposed frameworks have not been discussed with the other tangata whenua participants or exchanged between Whakatohea and the Ngāti Makino collective group.

The Whakatohea kaitiakitanga framework focussed on the three core values of mauri being te taha tinana, te taha hinengaro and te taha wairua that exists within all of their taonga and the natural resources. The framework is controlled by Iwi, is easily applied and determined by hapū and mana whenua to any natural resource.

The Ngāti Makino tikanga whakahaere framework was developed from a specific workshop during the interviews and is based on their collective understanding of mauri as iwi and hapū practitioners. The framework seeks to empower and resource mana whenua in the assessment process through the implementation of the provisions in the RPS to ensure tangata whenua are engaged and in particular Policy IW 2B: Recognising matters of significance to Māori, and IW 5B adverse effects on matters of significance to Māori.

Some Iwi participants also expressed the idea of developing a regional toolkit or toolbox of assessment frameworks and models that tangata whenua could utilise as part of the assessment process. This would assist Iwi in identifying the key components for an assessment framework or model and learning from their experiences.

The majority of tangata whenua interviewed could see the positive opportunities of developing a framework that was supported by Toi Moana regional policies tools and resources. At the same time some tangata whenua were sceptical of the framework being supported by large land developers and the private business sector and would require further consultation.

Some tangata whenua interviews revealed that Iwi were not prepared to share their processes and were unable to develop a specific assessment framework from a single consultation meeting. Tangata whenua have requested further meetings with additional mana whenua representatives at marae to collate a wider view on a framework.

In conclusion, the interviews have for the most part indicated a positive interest in developing ways to assess mauri. It's believed that by addressing the issues outlined by tangata whenua in this report that the initial scepticism and relationship issues raised against the project can be alleviated to provide positive progress towards developing ways to measure mauri. We believe that methods for assessing mauri can be achieved and would be better developed through investing more time and integration with the Mātauranga Māori project.

## 5.0 TŪTOHUNGA / Recommendations

Based on the consultations undertaken with tangata whenua and our assessment, we make the following recommendations:

The following recommendations have been developed by the BML team based on the initial consultation undertaken with tangata whenua and our experience and expertise in working with Iwi and hapū practitioners and territorial authorities' on the environmental management processes. We did not have the opportunity to workshop the proposed mauri assessment framework with the original tangata whenua participants.

The following represents an option for continued discussion between Iwi / hapū and Toi Moana.

### **Mauri Assessment Framework**

A mauri assessment framework could be used for assessing applications for resource consent, monitoring consented activities, monitoring the state of the environment, and monitoring the efficiency and effectiveness of plan provisions, where these involve matters of significance to Māori.

Important notes that support and enhance the framework:

- Recognition that the people who have the traditional cultural relationships with an area, site or natural resources, and maintain the mana whenua (recognised local authority), are the first point of contact for the assessment of mauri under the mauri assessment framework.
- To facilitate the identification of the mana whenua groups, Toi Moana and other local councils must maintain and provide access to accurate information on the rohe (boundary/areas) for each Iwi across the Bay of Plenty region for the general public/potential applicants to identify who they need to consult with to carry out the assessment. Not all local authorities provide this information to the applicants. However, this information can be obtained from various sources including Te Puni Kokiri, Te Kahui Māngai website, Treaty of Waitangi Settlement legislation deeds and also Iwi/hapū environmental management plans
- The mauri assessment framework requires the collaboration between mana whenua, applicants in the consent process and Toi Moana with the state of the environment reports and the efficiency and effectiveness of plan provisions on matters of significance to Māori.
- Once the applicants has identify who the mana whenua groups are to engage; they can request a meeting to introduce the proposed activity/project with the appropriate entity or entities and to determine their initial information and process requirements.

1) An assessment framework could include the following stages:

- a) Mana Tuku Iho (indigenous values and rights) and Mana Whakahono Relationships Principles

Mana whenua review their traditional repository of cultural information and knowledge to identify what information is required to undertake an investigation of effects on the

mauri of the natural resources within their rohe based upon the receipt of an invitation to meet and discuss a proposal affecting their rohe.

The following information be provided to mana whenua including: site and location maps, archaeological survey and report; ecological report, location of any cultural sites of significance recorded in the regional and district plans, an indication of proposed earthworks, and effects on any waterways.

b) Mana Whakahaere

Mana whenua meet the applicant and/or Toi Moana to discuss the initial assessment of effects based on the initial information provided on the proposed activity. Both parties will determine the assessment process, timeframes, costs, required to undertake the final mauri assessment report.

c) Mana Motuhake

Mana whenua present the final report to the applicant and/or Toi Moana and agree on how the recommendations will be implemented.

Toi Moana should provide a series of information, awareness and guidance workshops and handouts on the final mauri assessment framework, internally with the consents team and presented at an appropriate the Komiti Māori meeting.

2) Mauri framework development

- a) Toi Moana work with the Makino Collective and the Whakatohea Māori Trust Board to progress the development of their respective frameworks.
- b) Develop a toolbox of cultural environmental assessment tools for use by kaitiaki across the region (Appendix F provides a suggested toolbox approach).
- c) A review and alignment of the mauri assessment framework and the internal Mātauranga Māori Framework will be undertaken by the Māori Policy Team.

3) Toi Moana to consider:

- a) As part of the 5 yearly monitoring of the effectiveness of the RPS the extent to which the iwi resource management provisions are achieving collaborate and involved engagement of iwi, hapū and kaitiaki in the resource management decision making process and how this aligns with the IAP2 levels of public engagement.
- b) Consider developing a pool of Iwi technical advisors to assist Toi Moana in developing responses to the significant resource management issues facing tangata whenua across the region including for example: mauri, freshwater, climate change.
  - i) The Māori Policy staff to develop the scope and terms of reference for Iwi technical advisory group to assist Council on matters of significance to tangata whenua such as mauri of natural resources, how to incorporate “te mana o te wai” in the water management and allocation processes, and strengthening Council and Iwi relationships.
- c) Invest time and resources into developing at least three mauri pilot projects to test and assess the mauri framework.

- d) Staff to actively promote the inclusion of mauri assessment framework when hapū/iwi are in developing or revising their environmental management plans under the RMA.

## 6.0 KŌHINGA KŌRERO / References

Boffa Miskell Limited (2017). Method 44 Developing Mauri Models: Literature Review Report prepared by Boffa Miskell Limited for Toi Moana.

An electronic version of the Whakatohea Māori Trust Board Iwi management plan: Tāwharau o ngā Hapū o Whakatohea (1993) is not available on the Toi Moana website link below:

<https://www.boprc.govt.nz/council/kaupapa-maori/hapūlwi-resource-management-plans/>





## Appendix A: Glossary

**Ahi kā / ahikāroa:** burning fires of occupation, continuous occupation - title to land through occupation by a group, generally over a long period of time (Māori Dictionary).

**Atua:** A god or gods (Māori) (RPS).

**haukāinga** home, true home, local people of a marae, home people (Māori Dictionary).

**hinengaro** mind, thought, intellect, consciousness, awareness (Māori Dictionary).

**kaitiaki** trustee, minder, guard, custodian, guardian, caregiver, keeper, steward (Māori Dictionary).

**kanohi ki te kanohi** face to face, in person, in the flesh (Māori Dictionary).

**karakia:** prayer (RPS).

**kaumātua:** Elder (RPS).

**kaupapa Māori:** Māori way or method (RPS).

**kōrero:** Narrative (RPS).

**mana motuhake:** separate identity, autonomy, self-government, self-determination, independence, sovereignty, authority - mana through self-determination and control over one's own destiny (Māori Dictionary).

**mana tuku iho:** inherited authority (Māori Dictionary).

**mana whakahaere:** governance, authority, jurisdiction, management, mandate, power (Māori Dictionary).

**mana whakahono** – agreement

**mana whenua:** territorial rights, power from the land, authority over land or territory, jurisdiction over land or territory - power associated with possession and occupation of tribal land. The tribe's history and legends are based in the lands they have occupied over generations and the land provides the sustenance for the people and to provide hospitality for guests. (Māori Dictionary)

**manaakitanga:** hospitality, kindness, generosity, support - the process of showing respect, generosity and care for others (Māori Dictionary).

**mana whakahono a rohe:** a legal agreement between Iwi and/or hapū and councils under the Section 58O of the RMA.

**mātauranga:** knowledge, wisdom, understanding, skill (Māori Dictionary).

**mauri:** The essential life force, energy or principle that tangata whenua believe exists in all things in the natural world, including people. Tangata whenua believe it is the vital essence or life force by which all things cohere in nature. When Mauri is absent there is no life. When Mauri is degraded, or absent, tangata whenua believe this can mean that they have been remiss in their kaitiakitanga responsibilities and this affects their relationship with the Atua (Māori gods). Mauri can also be imbued within manmade or physical objects (RPS).

**noa:** to be free from the extensions of tapu, ordinary (Māori Dictionary).

**pūkenga:** Tangata whenua persons acknowledged by their Iwi, hapū or whānau as having the appropriate knowledge, expertise and genealogical linkages to allow them to assist kaitiaki to determine and express the group's relationships and their culture and traditions with their ancestral lands, water, wāhi tapu, special sites and other taonga (RPS).

**rangatiratanga/Tino rangatiratanga:** Chiefly authority, chieftainship, full tribal authority to tribal self-management. In the context of resource management this means the right of Iwi and hapū to manage and control their resources in accord with their customary preference (RPS).

**Rauemi:** resource, material (Māori Dictionary).

**koha:** to gift, present, offering, donation, contribution (Māori Dictionary).

**tangata whenua:** local people, hosts, indigenous people - people born of the whenua, i.e. of the placenta and of the land where the people's ancestors have lived and where their placenta are buried (Māori Dictionary).

**taonga:** Treasure, property; taonga are prized and protected as sacred possessions of the tribe. The term carries a deep spiritual meaning and taonga may be things that cannot be seen or touched. Included for example are te reo Māori (Māori language), Waahi Tapu, waterways, fishing grounds and mountains (RPS).

**tapu:** Sacredness or beyond common usage (RPS).

**tau utuutu:** speaking procedure where local and visiting speakers alternate (Māori Dictionary).

**taiao:** world, Earth, natural world, environment, nature, country (Māori Dictionary).

**tikanga Māori:** Māori customary values and practices (RPS).

**tikanga whakahaere:** management practices (Māori Dictionary).

**Tinana:** body (Māori Dictionary).

**waahi tapu:** A place sacred to Māori in the traditional, spiritual, religious, ritual or mythological sense. (Section 2, Historic Places Act 1993.) (RPS).

**wairua:** Spirit (RPS).

**wānanga:** to meet and discuss, deliberate, consider (Māori Dictionary).

**whakapapa:** genealogy, genealogical table, lineage, descent (Māori Dictionary).

**whakawhanaungatanga:** process of establishing relationships, relating well to others (Māori Dictionary).

**whānau:** The extended family, i.e. grandparents, parents, and children, sharing a mutual existence (RPS).

**whenua:** Land, placenta (RPS).

## Appendix B: Interview questionnaire

1. What is your Iwi / hapū view on the mauri of your natural resources?
2. How and when do Iwi make these assessments / observations?
3. Who assess the mauri in your Iwi, hapū and or whanau?
  - a. Individual or collective assessments?
  - b. When do Iwi hapū assessments occur?
  - c. Kaitiaki, kaumātua / kuia, pākeke, pūkenga?
4. What are that values and attributes that define Mauri for your Iwi / hapū? Examples of these are identified in the literature review report.
5. Is mauri constantly changing or moving each day and constant over time?
  - a. What determines the changes in the mauri?
6. Is the mauri difference for a river, lake, coastline and land?
  - a. For example, the different sounds, smells, look and flow associated with each area / place?
  - b. What kai was harvested from each area and traditional quantities? What kai and quantities are collected today?
  - c. What traditions and practises were used to enter each domain / area to harvest kai and other resources?
  - d. What conditions or signs were seen to be favourable to harvest kai or resources from the area i.e. maramataka, seasons, tides etc.?
  - e. Are these customs and traditions continued today?
  - f. What is the state of mahinga kai resources today?
7. How can Iwi and hapū assist BOPRC in understanding the use and significance of mauri as an environmental measurement tool for Te Moana o Toi?
8. What role should BOPRC play in the assessment of mauri?
9. What information from BOPRC would assist Iwi and hapū in the assessment process?
10. How should mauri be recognised and provided for in the regional plan?



## Appendix C: RPS Iwi Resource Management Policies, Objectives and Methods

Issues / Topic	Objective:	Policy:	Method:	Responsible:	Monitoring:
<b>Water Quantity</b>	<b>10</b> - Cumulative effects of existing and new activities are appropriately managed	<ul style="list-style-type: none"> <li>• <b>Policy WQ 3B:</b> Allocating water</li> </ul>	<b>44</b>	Toi Moana	Objective 10; AER, P220.
<b>Integrated Resource Management</b>	<b>12</b> The timely exchange, consideration of and response to, relevant information by all parties with an interest in the resolution of a resource management issue	<ul style="list-style-type: none"> <li>• <b>Policy IR 4B:</b> Using consultation in the identification and resolution of resource management issues.</li> <li>• <b>Policy IR 5B:</b> Assessing cumulative effects – (b) Incremental degradation of matters of significance to Māori including cultural effects (in accordance IW5B)</li> </ul>	<b>44</b>  <b>44</b>	Toi Moana	Objective 12; AER, P221.
<b>Iwi Resource Management Objectives:</b>	<b>17</b> - The mauri of water, land, air and geothermal resources is safeguarded and where it is degraded, where appropriate, it is enhanced over time	<ul style="list-style-type: none"> <li>• <b>Policy IW 2B:</b> Recognising matters of significance to Māori.</li> <li>• <b>Policy IW 5B:</b> Adverse effects on matters of significance to Māori.</li> <li>• <b>Policy IW 6B:</b> Encouraging tangata whenua to identify measures to avoid, remedy or mitigate adverse cultural effects</li> <li>• <b>Policy WQ 3B:</b> Allocating</li> </ul>	<b>44</b>	Toi Moana	Objective 17; AER, P223.

Issues / Topic	Objective:	Policy:	Method:	Responsible:	Monitoring:
		water			
<b>Water Quantity</b>	<b>21</b> - Recognition of and provision for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga	<ul style="list-style-type: none"> <li><b>Policy WQ 3B:</b> Allocating water</li> </ul>	<b>44</b>	Toi Moana	Objective 21; AER, P224.
<b>Water Quantity</b> Table 10	<b>30</b> - The quantity of available water: (a) Provides for a range of uses and values; (b) is allocated and used efficiently; (c) safeguards the mauri and life supporting capacity of water bodies; and (d) meets the reasonably foreseeable needs of future generations.	<ul style="list-style-type: none"> <li><b>Policy WQ 3B:</b> Allocating water</li> </ul>	<b>44</b>	Toi Moana	Objective 30; AER, P228.

#### Integrated Resource Management Objective 10

- AER - Cumulative and precedent effects are assessed in resource management decision making processes.
- AER - Resource use and allocation is within their design parameters or natural and physical carrying capacity.

Monitoring Indicators include:

- > High compliance levels with consent conditions and reduction of incidence of illegal activities requiring enforcement action.
- > State of the environment reports show a positive trend towards environmental improvement for the region's natural resources.

#### Integrated Resource Management Objective 12

- Stakeholders and iwi authorities are satisfied with their involvement in resource management decision making.

Monitoring Indicators include:

- > Regular iwi and stakeholder perceptions surveys show high levels of satisfaction with the provision of opportunities for their involvement in resource management decision making processes.

#### Iwi Resource Management Objective 17

- Improvement in the state of the region's water, air, land and geothermal resources where their mauri has been degraded.

Monitoring Indicators include:

- > Regular perception surveys show iwi authorities agree the mauri of water, land, air and geothermal resources within their rohe has been sustained or improved.

#### Water Quantity Objective's 21

- Resource management decisions consistently recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.

Monitoring Indicators include:

- > The region's iwi and hapū agree that local authorities promote a range of means by which relationships with tangata whenua are formalised and implemented.
- > Regular iwi perception surveys
- > Five yearly section 35 monitoring reports identify extent to which the use of criteria consistent with those in Regional Policy Statement Appendix F Set 4 (Māori culture and traditions) are used in relevant resource consents and plan change processes.
- > Positive trend shown from undertaking a regional baseline survey and regular reviews to compare state of regions' cultural historic heritage resources, including those identified in district plans, regional plans, iwi and hapū resource management planning documents.

#### Water Quantity Objective's 30

- The ecological, cultural, recreational and amenity values of water bodies are maintained.
- The health of aquatic ecosystems is safeguarded.
- The quantity of available water meets the reasonably foreseeable needs of future generations.

Monitoring Indicators include:

- > Positive trend shown from undertaking a regional baseline survey and regular reviews to compare state of regions' cultural historic heritage resources, including those identified in district plans, regional plans, iwi and hapū resource management planning documents.

# Appendix D: The Aashukan Declaration

## The Aashukan Declaration

We, the participants of *Aashukan*, have gathered over four days in Waskaganish, Eeyou Istchee, the traditional territory of the James Bay (Qc) Crees, in March 2017. Our experiences and the guidance passed on from our respected elders, past and present, have taught us to be responsible for our ecosystems of origin; our peoples have flourished based on these principles for hundreds of generations. The geographic specificity of Indigenous Knowledge is the fundamental way of knowing our ecosystems of origin. We wish to continue to engage in all efforts to live more harmoniously with the Earth for the benefit of all of humanity.

In Waskaganish, we have shared story with regards to our origins and identities, and our experiences in protecting and enhancing our land and culture, which are intimately intertwined. Development has affected and altered all our lives in profound and lasting ways. As such, we address the following message to the Impact Assessment community. Impact Assessment must meet the following principles regarding

Indigenous Peoples' rights, relationships, processes, and outcomes.

- **Indigenous Peoples' Rights** are the foundation upon which all discussions must be initiated. Following international best practices, this includes territorial Rights, the Right to self-determination and the Indigenous Right to say YES or NO.
- **Relationships** must have integrity and be based on humility, respect, reciprocity, community empowerment, sharing, mutual learning, and sustained and long-term engagement. Our timelines are based on our values, processes and social organization, and should be respected.
- **Processes** must achieve clear communication, transparent decision making, be inclusive and be founded on the worldview of the Indigenous Peoples that are impacted.
- **Outcomes** must be multi-faceted and oriented towards mutual benefits, a commitment towards the prevention of harm, and the enhancement of the well-being of Indigenous Peoples based on their own definitions and criteria.

We believe that Impact Assessment is a pedagogical process that involves mutual learning and can be tremendously rewarding for all parties involved. We invite the Impact Assessment community to apply these principles in their work with Indigenous communities to achieve the unrealised potential of fully participatory processes.

**We may support development, but not at any price!**

**We welcome Impact Assessment, but not of any kind!**

We represent the Eeyou, Anishinaabe, Sauteaux, Secwepemc (North America), Aymara (North Chile), Ainu (Hokkaido), Karipuna and Tiryio Kaxuyana (Amazonia, Brasil), Masahua (Sierra Norte de Puebla, Mexico), Saami (Swedish part of Sápmi), Nuudelch Malchid (Mongolia), Tangata Whenua (Aotearoa New Zealand), Kalinago Carib (Trinidad Tobago and Dominica), Nganguruku (First Peoples of the River Murray Mallee) and Ikwerre (Niger Delta) Nations.

The declaration was signed at the International Association for Impact Assessment Annual Conference following the Opening Plenary in Drummond West, Le Centre Sheraton, Montreal, Canada on April 4, 2017.

Key learnings from the IAIA17 conference are that Indigenous Peoples and their knowledge systems have a yet to be realised contribution to make to Global Efforts to Address Climate Change. The



Aashukan Declaration is a best practice guide to more effectively realising this contribution. The Aashukan Declaration communicates the expectations of Indigenous Peoples with regard to best practice in Impact Assessment.

## Appendix E: RPS Appendix F, Set 4 Māori culture and traditions criteria

### Set 4 Māori culture and traditions

Policies EI 5B, IW 2B, IW 5B, MN 1B, MN 3B, MN 7B and MN 8B

Methods 1, 2, 3, 11, 12 and 70

#### Mauri

4.1 Ko te mauri me te mana o te waahi, te taonga rānei, e ngākaunuitia ana e te Māori.

The mauri (for example life force and life supporting capacity) and mana (for example integrity) of the place or resource holds special significance to Māori.

#### Waahi Tapu

4.2 Ko tērā waahi, taonga rānei he waahi tapu, arā, he tino whakahirahira ki ngā tikanga Māori, ki ngā puri mahara, me ngā wairua ā te Māori.

The place or resource is a waahi tapu of special, cultural, historic and or spiritual importance to Māori.

#### Kōrero Tūturu/Historical

4.3 Ko tērā waahi e ngākaunuitia ana e te Māori ki roto i ōnā kōrero tūturu.

The place has special historical and cultural significance to Māori.

#### Rawa Tūturu/Customary resources

4.4 He waahi tērā e kawea ai ngā rawa tūturu ā te Māori.

The place provides important customary resources for Māori.

#### Hiahiatanga Tūturu/Customary needs

4.5 He waahi tērā e eke ai ngā hiahia hinengaro tūturu a te Māori.

The place or resource is a venue or repository for Māori cultural and spiritual values.

#### Whakaaronui o te Wā/Contemporary Esteem

4.6 He waahi rongonui tērā ki ngā Māori, arā, he whakāhuru, he whakawaihanga, me te tuku mātauranga.

The place has special amenity, architectural or educational significance to Māori.

## Appendix F: Suggestion for a Mauri Model Toolkit

The purpose of the mauri model tool kit is to provide mana whenua with options, guidance and ideas to assist in assessing mauri. The tool kit contains models which have been developed and used to assess mauri of various environments.

The tool kit will sit outside of the RPS as a resource for mana whenua and applicants and will be flexible for change to include any future developed models or improvements to existing models. It is suggested that the tool kit remains in a repository under the Māori Policy team.

It is up to mana whenua whether they decide to use models/tools within the tool kit.

The tool kit is provided in two parts;

1. Summarised within the literature review by Boffa Miskell Limited (2017) and,
2. As an index of tools along with key references/links provided below;

### 1) Freshwater

- a) Cultural Health Index (CHI)  
Key Reference/Link: <http://www.mfe.govt.nz/publications/fresh-water/using-cultural-health-index-how-assess-health-streams-and-waterways/why-0>
- b) Mauri Compass  
Key Reference/Link: <http://www.mauricompass.com/>

### 2) Wetlands

- a) Māori Environmental Performance Indicators for Wetland Condition and Trend  
Key Reference/Link:  
[http://www.landcareresearch.co.nz/publications/researchpubs/harmsworth\\_monitoring\\_wetlands.pdf](http://www.landcareresearch.co.nz/publications/researchpubs/harmsworth_monitoring_wetlands.pdf)

### 3) Coastal

- a) Tauranga Moana, Tauranga Tāngata: Coastal Cultural Health Index for Te Awanui, Tauranga Harbour  
Key Reference/Link: <http://www.mtm.ac.nz/cchi/>

### 4) All environments

- a) State of the Takiwā (SoT)  
Key Reference/Link: <https://www.takiwa.org.nz/>
- b) Mauri Model Decision Making Framework  
Key Reference/Link: <http://www.mauriometer.com/>
- c) COMAR (Cultural Opportunity Mapping, Assessment and Response)  
Key Reference/Link: <http://comar.co.nz/>