

Tangata whenua [000047, 000055, 000078]

Overview

Te Tiriti o Waitangi recognises rangatiratanga and the importance of lands, waterways and other taonga of iwi and hapuu. The plan adopts an innovative approach to resource management intended to reflect partnership as envisaged by Te Tiriti. Partnership is approached through the stronger recognition of iwi plans and ongoing engagement with iwi and hapuu. To strengthen the presence of tangata whenua throughout the plan, this approach is supported by specific objectives, policies, rules, and methods that align to kaitiakitanga. From a tangata whenua perspective, kaitiakitanga is a broad concept that includes balanced use and development in ways that respect and protect lands, waterways and other taonga for future generations. The purpose of this chapter is to provide context to assist decision makers and users of the plan.

Tangata whenua

- (1) Maaori are tangata whenua of Aotearoa New Zealand. Tangata whenua literally means 'people of the land' from tangata, 'people' and whenua, 'land'. In the context of this plan, tangata whenua include iwi, hapuu, and marae that are recognised as holding mana whenua over a particular area on the basis of an association to that area in accordance with whakapapa and tikanga such as ahi kaa roa. 'Mana whenua' means the collective authority to act, or speak, on issues that affect iwi, hapuu or marae, and their taonga. Te Whakakitenga o Waikato is the recognised Iwi Governance Authority representative of tangata whenua. There are 68 marae and 33 hapuu in the Waikato rohe who affiliate to the Waikato-Tainui. 41 of those marae are within Waikato District. The 33 hapuu are listed below. As of 2021, there are more than 75,000 registered beneficiaries. Council recognises that, as Treaty claims are settled, there may be other iwi authorities who wish to be recognised within the Waikato District. The importance of tangata whenua is also recognised in a number of legislative provisions. Council also recognises that there are many Maaori from other tribal areas who choose to 'live, work and play' in the Waikato District.
- (2) A brief account of the rich history relevant to the Waikato District has been provided to support this chapter. ("Engaging the Waikato" (Ormsby, 2016)). Some of the key aspects of that history are set out below.
- (3) At least since 1300AD descendants of the Tainui waka have settled in the Waikato District. The distinctive landscapes, harbours and waterways in the district demonstrate the rich resources that have sustained whaanau, hapuu and iwi for centuries.
- (4) Today there are 33 iwi/hapuu listed in the Waikato-Tainui Deed of Settlement:
 - (a) Ngaati Maahanga
 - (b) Ngaati Mahuta
 - (c) Ngaati Makirangi
 - (d) Ngaati Naho
 - (e) Ngaati Ngutu
 - (f) Ngaati Paretauaa
 - (g) Ngaati Paretekawa

- (h) Ngaati Pou
- (i) Ngaati Aamaru
- (j) Ngaati Aapakura
- (k) Ngaati Hauaa
- (l) Ngaati Hikairo
- (m) Ngaati Hine
- (n) Ngaati Koheriki
- (o) Ngaati Korokii
- (p) Ngaati Kuaarangi
- (q) Ngaati Puhiawe
- (r) Ngaati Raukawa ki Panehakua
- (s) Ngaati Ruru
- (t) Ngaati Tahinga
- (u) Ngaati Tamainupo
- (v) Ngaati Tamaoho
- (w) Ngaati Taratikitiki
- (x) Ngaati Te Ata
- (y) Ngaati Te Wehi
- (z) Ngaati Tai
- (aa) Ngaati Tiipaa
- (bb) Ngaati Wairere
- (cc) Ngaati Werokoko
- (dd) Ngaati Whaawhaakia
- (ee) Ngaitai
- (ff) Tainui
- (gg) Te Aakitai

Kiingitanga

- (5) The Kiingitanga was founded in 1858 with the aim of uniting Maaori under a single sovereignty in the face of increasing demand for land by incoming settlers. Waikato is the seat of the Kiingitanga (King movement). The appointment of Pootatau Te Wherowhero as the first Maaori King was not only based on his whakapapa, his exceptional skills as a warrior, and knowledge of te Ao Maaori (the Maaori World). It also recognised the rich resources he could access from the surrounding environment. Today the Kiingitanga an important and enduring expression of strength in unity and holds an established place in New Zealand society.

Waikato River

Part I: Introduction and general provisions / Tangata whenua

- (6) The Waikato River is the tuupuna (ancestor) of the Waikato peoples, with whom they share their name and therefore is at the heart of their identity. The following pepeha (tribal saying) expresses this relationship:

Ko Tainui te waka (Tainui is the canoe)

Ko Waikato te awa (Waikato is the river)

Ko Te Wherowhero te tangata (Te Wherowhero is the person)

- (7) The following whakatauaakii (proverb) expresses the strategic importance and intergenerational connection of the Waikato River to Waikato-Tainui:

Waikato Taniwharau (Waikato of a hundred taniwha)

He piko he taniwha, he piko he taniwha (At every bend there is a taniwha)

- (8) Taniwha refer to the metaphysical aspects of the River, and to chiefs, signifying the leadership in paa and villages that existed at every bend of the Waikato River. The River continues to be their source of physical and spiritual sustenance. The special relationship that mana whenua have with their ancestral river cannot be overstated. Demonstrating the importance of the River, Waikato-Tainui negotiated a settlement which is enshrined in the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010, and which created Te Ture Whaimana (the Vision and Strategy) and the Joint Management Agreement between Waikato-Tainui and Waikato District Council. Te Ture Whaimana is the primary direction setting document for decisions that relate to or affect the Waikato River. The overarching purpose of the settlement is to restore and protect the health and wellbeing of the Waikato River for current and future generations. Other hapuu and iwi have also developed relationships with Waikato District Council.

Iwi and the environment

- (9) Tangata whenua have rights and responsibilities as kaitiaki of lands and waterways and other taonga. Tangata whenua have consistently advocated for a change in the relationship that humans have with the environment that is more respectful. Council has certain obligations in terms of the Resource Management Act 1991 (RMA 1991) in managing the district's resources to ensure that tangata whenua's rights are recognised and provided for. Part of Council's responsibility is to look for ways to recognise and provide for, as a matter of national importance, the relationship of Maaori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga. Council can do this by ensuring that objectives, policies, rules, and methods are provided to enable tangata whenua to live, work and play throughout the district in ways that align to kaitiakitanga.
- (10) For tangata whenua within the Waikato District, the impact of raupatu (wholesale confiscation) following the establishment of the Kiingitanga and the ensuing land wars, has been devastating.
- (11) In 1995 Waikato-Tainui was the first major iwi to settle their comprehensive historical land claims. To provide redress for Crown omissions and actions such as confiscation, the settlement resulted in the return of lands and the subsequent creation of a significant economic base that enables Waikato-Tainui to make positive contributions to the district in multiple ways.
- (12) Enabling tangata whenua to establish and maintain their relationship, cultures and traditions with their ancestral lands is a matter of national importance. It is important that this is consistent with the environmental capacity of the area for sustainable use that will promote holistic health and wellbeing. In this regard, Council supports tangata whenua in the development of good

quality papakaainga housing on multiple-owned land, which is reflected through the policies in the ML – Maaori Land chapter.

Iwi authorities

- (13) Te Whakakitenga o Waikato Incorporated Society (Waikato-Tainui) is the iwi authority that represents 33 hapuu, 68 marae and supporters of the Kiingitanga. The name Te Whakakitenga o Waikato represents the vision for Waikato-Tainui's holistic wellbeing.
- (14) Waikato District Council has boundary relationships with the following iwi authorities:
- (a) Hauraki Collective
 - (b) Maniapoto Maaori Trust Board
 - (c) Raukawa Settlement Trust

Tangata whenua – local authority relationships

Joint Management Agreement (Waikato-Tainui) 2010

- (15) As a result of the Waikato-Tainui Raupatu Claims (Waikato River) Act 2010, a Joint Management Agreement (JMA) between Waikato-Tainui and Council was signed in March 2010. The JMA affirms commitment between Waikato-Tainui and Council to co-manage the Waikato River, to restore and protect the health and wellbeing of the river for current and future generations and also to provide an enhanced relationship between the parties on areas of common interest.

Joint Management Agreement (Maniapoto) 2012

- (16) The Nga Wai o Maniapoto (Waipa River) Act 2012 came into effect on 5 April 2012. Under this Act, Waikato District Council, Waipa District Council, Waitomo District Council, Otorohanga District Council and Waikato Regional Council signed the Waipa River Joint Management Agreement with the Maniapoto Maaori Trust Board on 3 April 2013.
- (17) The overarching purpose of this agreement is restoring and maintaining the quality and integrity of the waters that flow into and form part of the Waipa River for present and future generations.

Memoranda of Understanding or Memoranda of Agreement

- (18) Council has Memoranda of Understanding or Memoranda of Agreement with the following to provide for an enhanced relationship between the parties on areas of common interest:
- (a) Ngaa Uri aa Maahanga;
 - (b) Ngaati Hauaa Iwi Trust; and
 - (c) Ngaati Hounuku as represented by Te Whaanga 2B3B2 & 2BI Ahu Whenua Trust).

Hapuu and iwi planning documents

Iwi Management Plans

(19) Iwi management plans provide both the Council and the community with a greater understanding of the environmental issues that are of concern to tangata whenua. Under section 74(2A) of the RMA, Council has taken into account planning documents in the district recognised by iwi authorities. These documents are also considered under section 104(1)(c) of the RMA when making decisions on resource consent applications.

The following iwi management plans currently apply in the Waikato District:

- (a) Tai Tumu Tai Pari Tai Ao - Waikato-Tainui Environmental Plan;
- (b) Ko Ta Maniapoto Mahere Taiao - Maniapoto Environmental Management Plan; and
- (c) Te Rautaki Ki Taamata Ao Turoa o Hauaa – Ngaati Hauaa Environmental Management Plan.

Several other iwi management plans are also in the process of being prepared.

Appeals Version