

# 3 Objectives and Policies for Managing the District's Tangata Whenua Values

## 3.1 Introduction

Unlike the situation in many other places, the whole of the South Waikato District falls within the Raukawa rohe. Raukawa and the Te Arawa River Iwi are Tangata Whenua in the district, and the district plan uses these terms interchangeably. Due to the District's central location, there are some boundary areas with shared interests with other iwi and hapū. It is recognised that activities within the district may affect these other iwi and hapū. Council recognises that Raukawa have Memoranda of Understanding or other agreements with these iwi and hapū and supports Raukawa in their implementation of these agreements.

As outlined below, Council's responsibilities under the Resource Management Act 1991 (RMA) are in respect of **Māori** in the District, and so extend to include a significant number of people who belong to iwi other than Raukawa or the Te Arawa River Iwi (Nga hau e wha) who reside within the District. Tangata Whenua believe they have responsibilities (through the principle of Manaakitanga) towards Nga hau e wha, as they do toward all residents of the South Waikato.

## 3.2 Tangata Whenua Background

### 3.2.1 Raukawa

Raukawa are named after their ancestor Raukawa who is connected to the Tainui waka through his father Turongo, who was in turn descended from Hoturoa, the captain of the Tainui waka. His parents were Turongo and Māhinaarangi of Ngāti Kahungunu. He was born near Māhina-a-rangi Stream on the western side of the Kaimai range near Tirau, as Māhinaarangi journeyed towards the Waikato to join her husband.

In due course he married Turongoihi, who was descended from Tia of Te Arawa waka, and they had four children, Rereahu, Whakatere, Kurawari and Takihiku. From these four are descended the iwi known as Raukawa. The Raukawa rohe is represented by four pou whenua: Te Pae o Raukawa, Wharepuhunga, Maungatautari and Te Kaokaoroa o Patetere.

According to the evidence of kaumatua Haki Thompson the rohe of Raukawa is as follows:

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*"It [begins] at Te Wairere, from Te Wairere to Tarukenga along Mount Ngongotaha, Tarukenga to Horohoro, from Horohoro to Nukuhau, Nukuhau to Karangahape, from here to Titiraupenga, Titiraupenga to Wharepuhunga, Wharepuhanga to Maungatautari and from Maungatautari back to Te Wairere".*

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Raukawa is an iwi of the Tainui waka and have always had and still maintain close links with the Kingitanga movement. Being such a large group it is natural that various hapū on the periphery will overlap with other groups, including Te Arawa, Ngāti Tūwharetoa and Ngāti Maniapoto, and there are also connections with the people of Tauranga.

The rohe of Raukawa is given shape by both the Waikato and Te Waihou Rivers. The upper Waikato River flows through the centre of the Raukawa rohe and the river was used for many purposes, including navigation along at least some reaches.

Raukawa continue to exercise mana, along with customary rights and aboriginal title, and exert the rights and responsibilities of kaitiakitanga within their rohe. In accordance with the principles of ahi kā roa Tangata Whenua still reside next to and live everyday with the resources provided within the Southern Waikato region, particularly the important awa (or rivers). The Waikato and Te Waihou Rivers in particular provide a source of spiritual, cultural, social, and physical sustenance for Raukawa, and in turn the Raukawa role as kaitiaki embraces respect and an inter-generational responsibility for the rivers. For this reason, Raukawa have been involved with establishing and implementing the Co-Management Framework for the Waikato River.

The Raukawa Waikato River Co-management Framework is not part of a Treaty of Waitangi settlement. The tribe's outstanding Treaty Claims, including historical Waikato River claims, take account of both the wider rohe and wider issues faced by the Raukawa Iwi.

The Raukawa Settlement Trust (the Trust) is the post settlement governance entity established in 2009. The Trust has its origins in the Raukawa Trust Board which was established in 1987, and which represented Nga Uri O Raukawa (the descendents of Raukawa) from 1987 through until 2009. The Trust's headquarters are based in Tokoroa, and as the recognised Iwi Governing Body, the Trust is required to act in the best interests of the whanau and hapū of Raukawa.

The iwi has a long and enduring history of social, economic and environmental activity within the Waikato Region. The nature of political relationships, the management of economic resources and the workings of customary law have always been closely integrated. Richard Boast, (in "Facing Maungatautari; A report for the Crown Forest Rental Trust" 2010), put it as follows:

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*"As was typical in Polynesian societies, the landscape itself was densely culturally loaded; place names recalled events and people and indeed an entire history which was everywhere around, and which was central to identity and politics. Within this elaborate cultural landscape groups were actually very mobile, and moved from site to site, often on a seasonal basis, to take advantage of different resources around their rohe to organise exchanges. Iwi did not live in isolation; on the contrary, interaction was constant. Different parts of the Central North Island "became well-known for supplying prized resources". Reflecting the cultural density of the landscape, individual resource gathering sites down to particular fresh-water mussel beds, bird-catching sites (including specific trees), timber-gathering places were all named and known. Bird-catching places were also differentiated by technique. What may have struck early European visitors as an empty landscape, of undifferentiated streams and forests and lakes, was not perceived by Raukawa in that way at all".*

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In a contemporary sense, and inclusive of the role Raukawa have as mana whenua, Raukawa are also farmers, foresters, geothermal developers, investors, and providers of a wide range of services to the community. As kaitiaki within their rohe, Raukawa hold a unique and special responsibility under tikanga to preserve, protect and sustainably manage natural, physical and historical resources. The tribal aspiration is a future where cultural, social, environmental and economic objectives are balanced, not only for tribal members but those people living within the tribal rohe. The Waikato and Te Waihou Rivers are particular taonga of Raukawa, and are central to their identity.

### **3.2.2 Te Arawa River Iwi - Ngāti Kearoa Ngāti Tuara**

The traditional rohe of Ngāti Kearoa Ngāti Tuara falls partly within the Waikato River catchment. Within that catchment, the relevant land blocks that Ngāti Kearoa Ngāti Tuara hold traditional interests include Patetere South, Tikorangi, Horohoro and part of the Tokoroa Block eastward of a line from the western tip of the Patetere South Block to the point Te Uraura on the boundary of the Tokoroa and Maungaiti-Whakamaru Blocks. This was the boundary agreed upon by their leaders and the leaders of Ngāti Raukawa back in 1880. To the east of that line lay the rohe of Ngāti Kearoa Ngāti Tuara, a hapū of Te Arawa.

"According to our traditions the first of our ancestors to arrive at Horohoro was Te Aokawhai, six generations after Kearoa and Ngatoroirangi. Two generations later, when their leader was Haukapuanui, Ngāti Kea was joined by Tangiharuru and his people, Ngāti Manawa. When he and most of his people left, some remained and intermarried with the other two. When Ngāti Tuara first joined Ngāti Kea is something we do not know for certain. Many years later Ngāti Manawa as a hapū was recorded in the Land Court records alongside the other two hapū as having ownership rights with them.

In the time of Haukapuanui and Tangiharuru our hapū occupied the Horohoro Mountain and some land at its foot. Our traditions relate the story of how Haukapuanui and Tangiharuru visited their neighboring hapū to the west, Ngāti Haumia, and envied the natural resources they had. The two men devised a plan to enable their people to share in those resources. A marriage was arranged between Uruhakirangi of Ngāti Kearoa and Huimanuka of Ngāti Haumia and then an excuse was hatched up to start a quarrel between the two groups. Our hapū and their

combined forces attacked and defeated Ngāti Haumia, drove them away and took over their lands which much later became the Patetere South Block, the Tikorangi Block and part of the Tokoroa Block. They occupied all that area for many generations, building their pa and kainga at several places, cultivating the land for their mahinga kai and burying their dead there. This continued up until the activities of the Land Purchase Agents and the Native Land Court, starting around 1875 and then gradually being forced to sell the land bit by bit, very reluctantly and under pressure.

While Ngāti Kearoa Ngāti Tuara and Ngāti Manawa have always regarded the Horohoro Mountain as their citadel and place of refuge, the land to the west of Horohoro was also highly prized as a source of food and other resources. The people gradually spread right across the area which later became the Patetere South block and part of the Tokoroa Block. The kainga at Omaruapu near the western boundary of Patetere South became the principal settlement of Ngāti Kea. We have located it on early surveyor sketch maps. It was south of the point known as Moana and not far to the west of it was the Ngāti Raukawa kainga of Te Whetu in what became the Te Whetu Block. Today, the only part of that entire block we still own is one acre, Patetere South 1B1, at Waimaruru, set aside as an urupa for our people in 1895.

The hapū rohe contained areas of land between Rotorua, Tokoroa and Atiamuri. To the north of Horohoro the principal hapū was Ngāti Whakaue and its own hapū. In among the various areas where Ngāti Whakaue held sway were other areas used by our hapū which were later recognised by the Land Court as theirs.

To the east of the Pokaitu Stream lay the lands of Tuhourangi, Ngāti Wahiao and Ngāti Tama. To the south of Horohoro was the Tikorangi Block of 2550 acres which had been awarded to Ngāti Kearoa Ngāti Tuara by the Land Court in Cambridge in 1880. An award (it should be noted) which had not been disputed by Ngāti Raukawa or any other Hapū, and south of that again was the huge Whakamaru-Maungaiti Block.

Over the years since the Land Court began its land taking work our hapū has steadily lost a lot of its traditional land and our tupuna gradually dispersed to wherever they could find work. In 1919 Horohoro was virtually deserted and so our tupuna whare, Kearoa, built in the 1880s was dis-assembled and taken to our land at Tarewa in Rotorua whjere it was re-erected.

1930 saw the start of the very first Land Development Scheme when our leaders agreed to undertake the development of what was idle land at Horohoro which soon became a hive of activity. 19 farms were created for willing would-be farmers. The Native Affairs Department (as it was called then) brought in some farmers mainly from Ngāti Kahungunu and they were placed on land already owned by the government. They created their own marae, Rongomaipapa, on an area offered to them by our people.

Our tupuna whare, Kearoa was taken apart once more and returned to Horohoro and erected near the new school which had become a necessity because of the sudden growth of the local population.

Some of the local farmers have won the Bledisloe Cup (the forerunner of the Ahuwhenua Trophy) for their high quality farming. Farmland still owned by the hapū is farmed by a very active farm trust, the Te Paiaka Lands Trust.

Now, only a relatively small proportion live at the base of Horohoro maunga farming the land there, and others are at or near Rotorua. However, Horohoro is still our base and our marae, also named Kearoa, is still the centre of our hapū activities. Meetings are held there regularly, and are well attended.

In 1995 we entered a claim with the Waitangi Tribunal for the land in the Patetere South block, land which had been occupied by our tupuna for many generations. The block was awarded to our tupuna in 1883 at the Rotorua-Patetere-Paeroa Block Hearing at Ohinemutu, and, as mentioned above, the only part we still own is the urupa at Waimaru. Since we joined Nga Kaihatu o Te Arawa and entered Direct Negotiations with the Crown, our claim to that block has been set aside by the Tribunal. Now we are affiliated to Te Pumautanga o Te Arawa and we are awaiting the outcome of the Mana Whenua process. We look forward confidently to that outcome.

Today the people of our hapū are ready and keen to play their part in the restoration of the Waikato River to a state of good health as members of the Te Arawa River Iwi Trust.

## **3.3 Objectives for Tangata Whenua Values**

### **3.3.1 The Health and Wellbeing of the Waikato River**

To restore and protect the health and wellbeing of the Waikato River and to ensure that the objectives of the Vision and Strategy for the Waikato River are achieved.

### **3.3.2 Waikato River Vision and Strategy – Co-management**

To achieve co-management with Tangata Whenua of the Waikato River and its catchment, to give effect to the Vision and Strategy for the Waikato River.

### **3.3.3 Papatuanuku/ Integrated and holistic resource management/Cumulative effects**

To manage the use, development and protection of natural and physical resources in a way that recognises the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga and by enabling appropriate use of, and access to, them.

### **3.3.4 Cultural heritage**

To recognise and provide for the cultural, spiritual, economic and social values of tangata whenua when managing the District's natural and physical resources.

### **3.3.5 Marae and Papakāinga**

To ensure that Māori land is developed in a way that recognises the significance of the location to Māori and is consistent with traditional, cultural relationships and ownership arrangements, while appropriate health, safety and environmental standards are maintained.

### **3.3.6 Kaitiakitanga**

To acknowledge and provide for the kaitiaki role of tangata whenua when assessing proposals for subdivision, use and development.

### **3.3.7 Treaty of Waitangi**

To ensure that the principles of the Treaty of Waitangi are taken into account in all aspects of resource management within the South Waikato District.

### **3.3.8 Public Access**

To improve public access to the Waikato River, Te Waihou and other waterways within the District to better enable recreational and cultural opportunities.

## **3.4 Policies**

**3.4.1** Recognise and provide in decision-making for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu (sacred sites), and other taonga (treasures), including by improving public access to rivers and other waterways.

**3.4.2** To achieve the objectives of the Waikato River Vision and Strategy within the catchment area identified on the planning maps by plan provisions relating to:

- a) building setbacks adjacent to waterways
- b) managing the effects of large scale land use change
- c) earthworks and silt control
- d) activities on the surface of water
- e) esplanade reserves/strips
- f) landscape protection
- g) preservation of natural character
- h) bonus lot provisions for Significant Natural Areas and in some cases riparian areas.
- i) *managing the demand for the supply and discharge of water to keep within consented limits.*

- 3.4.3** Give effect to the Vision and Strategy for the Waikato River when considering resource consent applications and in reviewing, changing and administering the district plan.
- 3.4.4** Provide for marae and papakāinga development on Māori land subject to compliance with health, safety and environmental standards and ensure such development occurs in a way which allows for potential future requirements, including infrastructure provision and by enabling Māori to provide for their economic self-sufficiency.
- 3.4.5** Give effect to co-management through establishing processes for engagement and early involvement in key processes, including RMA policy and plan making and resource consent processes, to ensure matters of significance to Māori are fully considered.
- 3.4.6** Have regard to relevant planning documents such as the Raukawa Environmental Management Plan when considering resource consent applications and in reviewing, changing and administering the district plan.
- 3.4.7** Identify sites of cultural, traditional, and spiritual significance to Māori, including cultural landscapes and ensure appropriate protection is provided to them through agreed plan making and resource consenting processes.
- 3.4.8** Improve public access to and along the Waikato River, Te Waihou and other waterways by requiring esplanade reserves or esplanade strips at sites identified on the planning maps at the time of subdivision and by keeping options open for future public use of the river edge through enforcing building setbacks.

## **3.5 Methods to Achieve Objectives and Policies**

The objectives and policies in 3.3 and 3.4 above will be implemented through the following methods:

### **3.5.1 District Plan Methods**

- Providing for papakāinga housing, marae and supporting infrastructure development in both rural and urban parts of the District, subject to performance standards. The definition of “papakāinga” recognises that it includes some related health, education and economic activities necessary to promote marae-related communities.
- Performance standards to ensure that the environmental impact of marae-based economic initiatives is fully considered
- Providing for appropriate public access to and along the Waikato River, Te Waihou and other waterways
- Rural zone rules (including Rules 28.4.8 and 28.4.2) to help minimise the impact of land use change upon the health and wellbeing of the Waikato River

- Provisions requiring the creation of esplanade strips and reserves adjacent to lakes and rivers identified as being 'high priority areas for water quality, conservation and public access in Chapter 10 Subdivision
- Recognition and protection of a progressively updated list of Cultural Heritage Sites contained in Appendix D
- Methods for the protection and enhancement of wetlands and other high value biodiversity areas for their intrinsic values, ecological values (e.g. kidneys of the landscape) as well as the cultural and economic value they can provide (e.g. rongoa māori (traditional medicine) and potential eco-tourism opportunities).

### 3.5.2 Other Methods

- Development of an agreed process (information protocol) for sharing and updating information between Council and Raukawa on registered archaeological sites information, wāhi tapu and wāhi taonga. Sites are not currently shown on the planning maps, and instead are kept in a register outside the plan which includes "silent file" procedures for sensitive information.
- An information protocol that clearly identifies how and what information layers can be shared with the public to give effect to the district plan, and who will pay for the costs associated with the information collation, quality assurance, provision and upkeep
- Recognise and provide for the Raukawa intention to move toward sustainable marae development. This involves provision for adequate growth of housing, infrastructure, health services and the growth of marae as an economic base, e.g. tourism, education, urupa protection and growth, access to health and other services.
- Development of a Cultural Landscape Plan, including the consideration of a cultural landscape protection plan for the hills north of Tirau and along the Waikato River
- The development of a Te Waihou /Blue Spring Co-Management Plan involving Raukawa and the Waikato Regional Council
- A monitoring programme for biodiversity and ecological health and wellbeing of the Waikato River and the district as a whole, including mātauranga Māori (Māori knowledge) as a key aspect
- Collaboration with the Regional Council and Tangata Whenua in developing programmes for improving the health and wellbeing of the Waikato River, supporting and in accordance with:
  - The Vision and Strategy for the Waikato River
  - The Waikato River Clean Up Trust
  - Raukawa Objectives for the Waikato River
  - The Upper River Integrated Management Plan
  - The Raukawa Environmental Management Plan
  - Joint Management Agreements between Iwi and Council
  - Joint Management Agreements between Iwi and the Regional Council
  - Accords with Central Government (e.g. Ministries of Fisheries, Conservation etc.)
  - Fisheries Regulations, and
  - Customary Activities exemptions
- Actively promote and foster public knowledge and understanding of the health and wellbeing of the Waikato and Te Waihou Rivers among all sectors of the District.

## 3.6 Reasons

Local government in New Zealand operates under a range of pieces of legislation, but most notably the RMA, and the Local Government Act 2002. Both statutes require local government to work with Tangata Whenua. Local government is monitored and audited on a range of functions enabled through these pieces of legislation.

Increasingly local government is recognising that positive outcomes for the community are achieved through proactive and positive relationships, better understanding and collaborative effort. This is often referred to as 'best practice'. The South Waikato District Council supports this approach, not only with Tangata Whenua but with the wider community. Council and Tangata Whenua and other agencies will explore a range of options whereby we can work together through the district plan, using best practice methods. Council wants to be proactive and enabling of papākainga and marae development, including helping Raukawa to resolve current infrastructure constraints in rural areas. This approach is likely to more effectively provide for the future social, cultural and economic needs of the Tangata Whenua than a district plan that only focuses on wharenui (meeting houses) and kaumatua flats.

In many cases it is inappropriate for the precise location of wāhi tapu and other cultural sites to be publicly identified, due to the risk of interference with them. This sensitivity is why Council will hold only the information that Tangata Whenua release, and then will only be able to use that information in a manner approved by Tangata Whenua.

The change in management regime for the Waikato River is a legislative fact, and Council has a number of new duties as a result. Greater Tangata Whenua involvement in a partnership role with Council is however important for wider reasons. Co-operation in terms of consent processes, and information sharing about sensitive sites, for example, has the potential to deliver better environmental results for all involved, and for the District as a whole.