

*Ngā Tikanga Whakahaere
Taonga*

O

*Ngāti Pikiao
Whānui*



Ko Matawhaura te maunga
Ko Whakahau te tangata
Ko Rotoehu te moana, he paruparu ngā kai
He taniwha ngā tāngata



MĀORI POLICY

Ngä Tikanga Whakahaere
Taonga

o

Ngäti Pikiao Whänui

Iwi Resource Management Plan

Prepared by
Te Roopu Mahi Rangahau
a
Te Rünanga o Ngäti Pikiao
1997

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Te Puni Kokiri
Environment Bay of Plenty Regional Council
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Introduction

Tēnā Koutou Katoa,

Ka nui ngā mihi kau atu ki a koutou ōtirā ki a tātou.

Ki tōku Kuia, a Raiha me ngā mate katoa, haere atu ki ngā Mātua Tūpuna.

Haere, haere, haere atu rā.

Ko ēnei ngā kōrero i tuku iho e ngā mātua tūpuna, hei waka arahi mō ngā uri tupuranga o Ngāti Pikiao Whānui. Ko ngā kōrero e pā ana ki ngā taonga a Papatūānuku rāua Ko Ranginui, arā, ngā whenua, ngā moana, ngā awa, ngā ngahere me te hau, mō te ora o tātou.

“Toitū he kāinga, whatu ngarongaro he tangata.

Tokomaha ngā āhuatanga o te whenua. Tiakina!”

The land still remains when the people have disappeared.

The land has many forms, look after it well.

The production of this document is the result of the desire of the Kaumātua of Ngāti Pikiao Whānui to formulate a strategy to deal with the issues arising out of the Resource Management Act Legislation 1991, and to clearly identify the environmental, political, cultural, spiritual and social aspirations of our Iwi.

As is often the case, once this project had begun many of the solutions we sought gave rise to many more questions, issues, soul-searching and the realisation that what was initially thought to be a very straightforward task of research, documentation, planning and strategizing, in the time frame allotted, is not realistic or achievable. This document can only represent the first step of the journey we have embarked upon.

The reclamation of the ‘Rangatiratanga & Mana Whenua’ of Ngāti Pikiao, peace, justice, the well-being and prosperity of all people, Māori and Tauīwi, residing within our rohe is achievable provided we recognise the injustice of the past and work together to resolve these matters. Future generations must be guided by the responsibility of protecting and promoting māori values and relationships, Iwi to Iwi, Hapu to Hapu, Whānau to Whānau, Māori to Tauīwi in any resource management strategies that affect our taonga.

I would like to take this opportunity to thank the Kaumātua and Kuiā of Ngāti Pikiao and the following members of our Research Team. Katie Paul, Pakitai Raharuhi, Tipene Gardiner, Manu Hohepa, Matarena Haimona, Maria Hohepa, Renee White, Nathan Timms, Tui Ranapiri-Ransfield, our Kaumātua Te Ariki Morehu and Kawana Nepia. Health and Papakāinga researchers, Mere Vercoe and Chris Whata, The Staff of Te Rūnanga o Ngāti Pikiao, Annette Sykes, Michael Smith and Te Rohe o Whakarara for their contribution and support.

Mā Te Atua tātou, e manaaki i ngā wā katoa

Nāku noa, nā Colleen Skerrett-White

Research Coordinator

**Te Pūkenga Kaumātua
o
Ngāti Pikiao**

**Ratification and Mandating of Policies and Document
Taheke Marae
19.2.1997**

Motion is as follows;

1. Te Pūkenga Kaumātua o Ngāti Pikiao Whānui mandate the document “Ngā Tikanga Whakahaere o Ngāti Pikiao” as being the Iwi Resource Management Plan of Ngāti Pikiao. (RMA 1991)
2. Te Pūkenga o Ngāti Pikiao fully ratify and mandate the policies, as written and published in the document “Ngā Tikanga Whakahaere o Ngāti Pikiao Whānui” (Iwi Resource Management of Ngāti Pikiao)
3. The document will remain the intellectual property of Ngāti Pikiao Whānui and is not available for publication or display in any other form.
4. In order to protect the integrity of the traditional knowledge of Ngāti Pikiao Whānui, all the research material (documentation, audio, video and photographic) collected pertaining to the Iwi Resource Management Plan project is to remain confidential and is the property of Te Pūkenga Kaumātua o Ngāti Pikiao.

Motion Tutewehiwehi Kingi (Chairperson)

Seconded Kawana Nepia (Vice Chairperson)

Motion carried unanimously.

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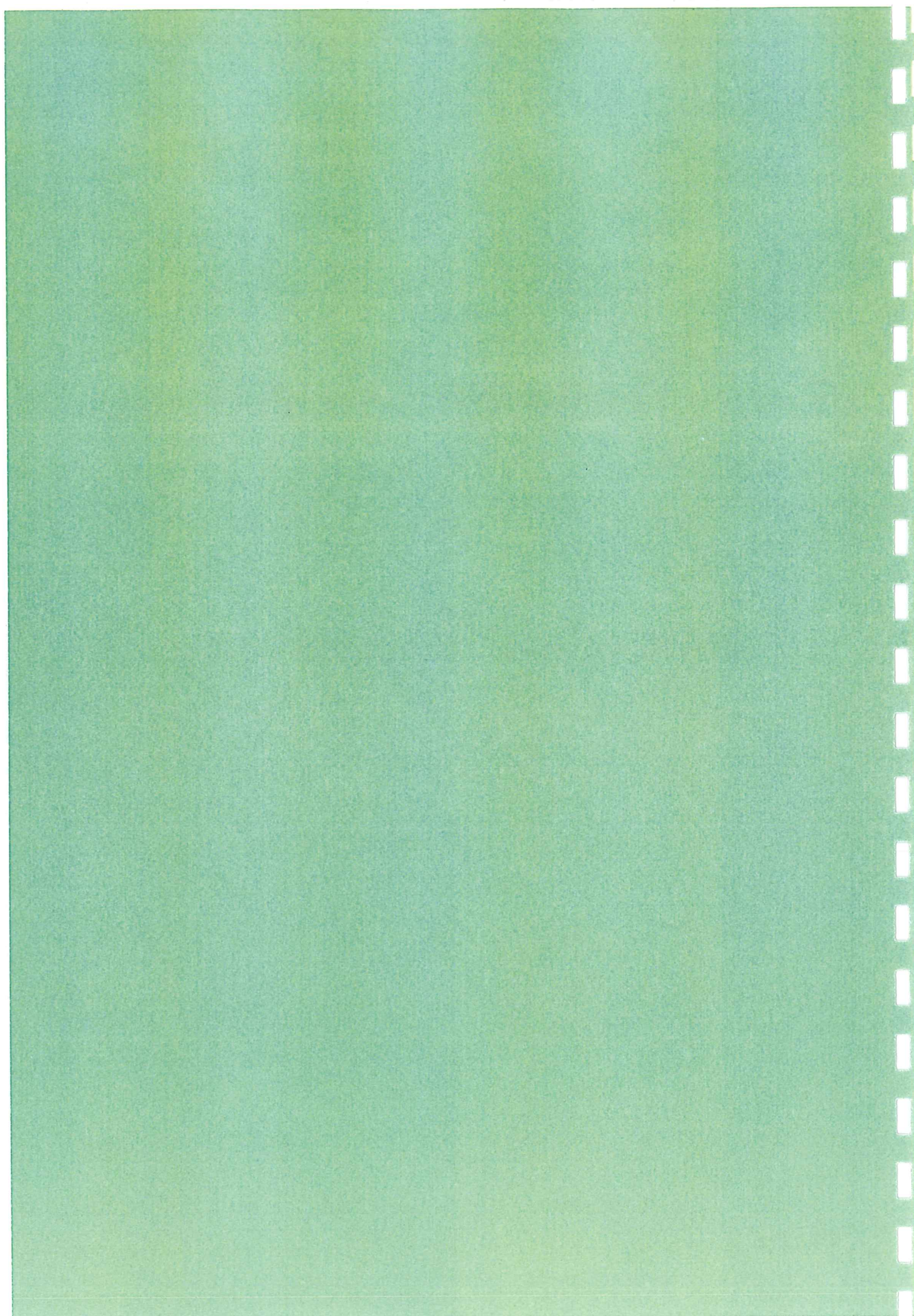
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Wähanga Tuatahi

I

Historical Background



Historical Background

Ngāti Pikiao Confederation of Iwi

The Ngāti Pikiao Confederation of Iwi belong to the Confederation of Te Arawa Waka/Iwi and are Tāngata Whenua of the land contained within the following boundaries:

"From Te Tumu in the West, stretching Eastward to Pikowai, and heading inland along the Waimimiha Stream, extending to the East of Lake Rotomā, to Lake Tarawera, then North-west, encompassing Lakes Rotomā, Rotoehu, Rotoiti, Okatāina and a section of Lake Rotorua advancing along the Hururu Stream, to the Ōkere River and down to the Kaituna Estuary, thence back along the coast to Te Tumu."

The Confederation is made up of Hapu and Iwi who can claim descent from one or more of the Tūpuna of the Te Arawa Waka but they all hold in common descent from Rangitihi and his third wife Manawakotokoto, hence the following statement;

Ko tēnei te "Rohe Pōtae" o Ngāti Pikiao Whānui,
ā, ko ngā whenua, ngā moana me ngā awa nei,
kei raro i te Mana o ngā Tokotoru a Manawakotokoto,
te Tūpuna Whakahirahira o te Iwi o Ngāti Pikiao.



Maketu

Map Index

Marae

<u>Name</u>	<u>Location</u>
1. Uruika	Tapuaeharuru
2. Hinekura	Waiiti
3. Te Rangiunuora	Taurua
4. Uenuku mai Rarotonga	Punawhakareia (Gisborne Point)
5. Tarāwhai	Waikōhatu (Ruatō)
6. Ngā Pūmanawa e Waru o Te Arawa	Ruatō
7. Rākeiao	Tapuaekura
8. Te Tākinga	Ohau
9. Kahumatamōmoe	Waiātuhi (Ohau)
10. Pāruaharanui	Waerenga (Ohau)
11. Rangitihi	Ōpatia (Tāheke)
12. Houmaitāwhiti	Otaramarae
13. Te Awhe o Te Rangi	Maketu
14. Tawakemoetahanga	Pukehina
15. Waitaha ā Hei	Ōtamarākau

Urupā

1. Wahanui	Rotoehu
2. Tapuaeharuru	Rotoiti (Church Site)
3. Ngāruru	Waiiti (Hinekura Marae Rotoiti)
4. Whenuakura	Waiiti (Rotoiti)
5. Wharetaengāmoko	Haumingi (Gisborne Point)
6. Punawhakareia	Haumingi (Uenuku Marae Gisborne Point)
7. Waikōhatu	Ruatō (Tarāwhai Marae)
8. Pukekui	Ruatō
9. Ngāparinga	Hauparu
10. Tapuaekura 1 & 2	Tapuaekura (Rākeiao Marae)

- | | | |
|-----|-----------------|------------------------------|
| 11. | Tapaniao | Tapuaekura (Rākeiao Marae) |
| 12. | Hohōwai | Ohau (Church site) |
| 13. | Waiātuhī | Kahumatamamōmoe Marae (Ohau) |
| 14. | Taupiri | Waerenga (Ohau) |
| 15. | Motu Tapu | Okawa Bay |
| 16. | Rangiwhārona | S.H. 33 Mourea |
| 17. | Unknown | Trout Pool Rd |
| 18. | Kākānui | Tāheke |
| 19. | Te Atuareretahi | Tāheke |
| 20. | Te Wehikura | Te Akau |
| 21. | Rāwāhirua | Otaramarae |
| 22. | Rāwhitiroa | Tokerau (Rotoiti) |
| 23. | Oreiwhata | Pukehina |
| 24. | Waewaeikitia | Ōtamarākau |

Kura (Schools)



- | | | |
|----|------------------------------------|------------------|
| 1. | Lake Rotomā School | Rotomā |
| 2. | Te Kura Kaupapa Māori
o Rotoiti | Rotoiti |
| 3. | Te Kura o Whangamārimo | Rotoiti |
| 4. | Maketū Primary School | Maketū |
| 5. | Rotorua Lakes High School | Rotorua (Ōwhata) |

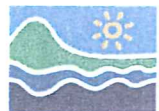
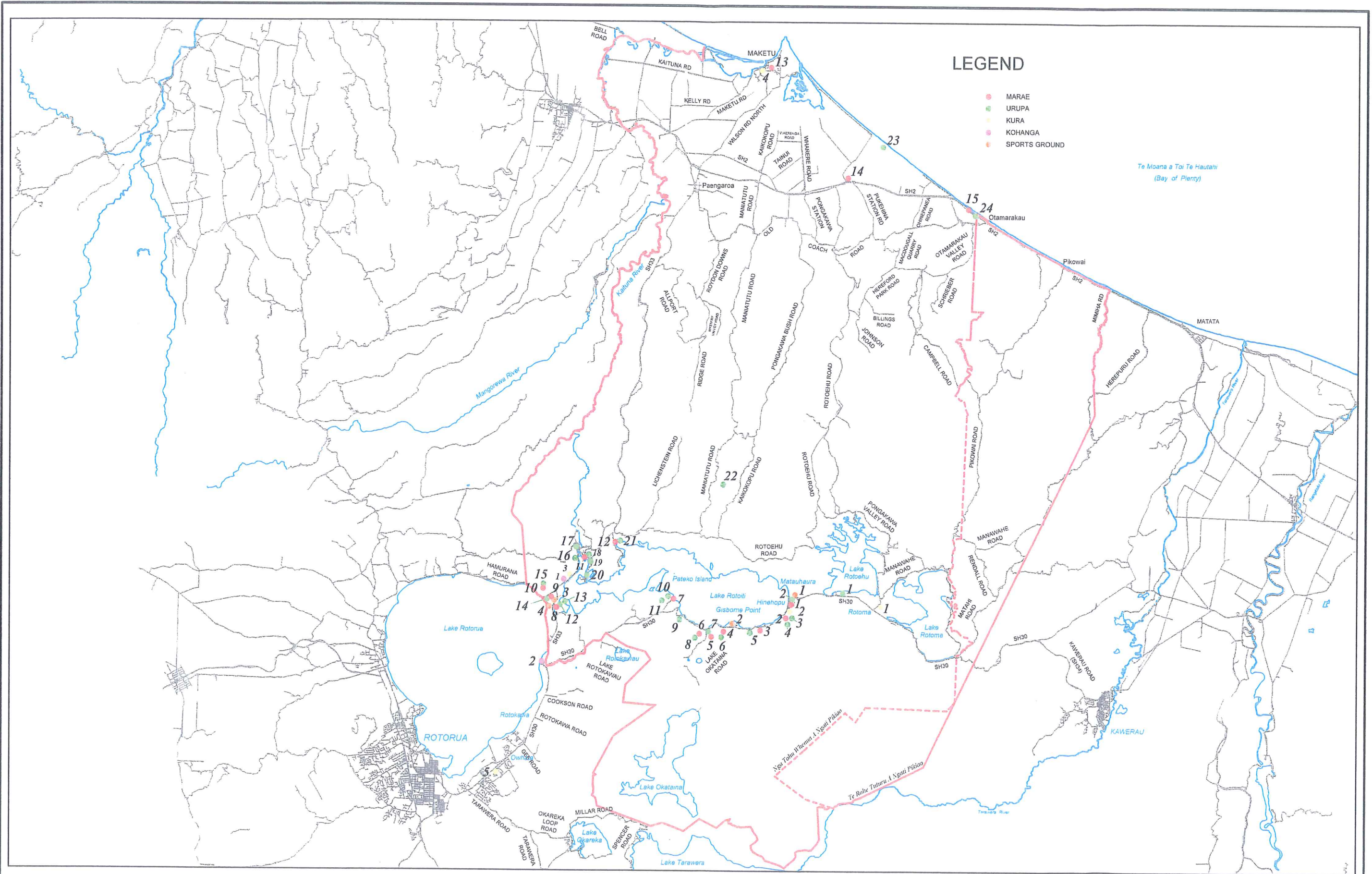
Kohanga Reo

- | | | |
|----|----------------------|-------------------------------|
| 1. | Waiōhewa Kohanga Reo | Te Ngae Junction |
| 2. | Ōhau Kohanga Reo | Whangamārimo School
Mourea |

Sports Grounds



- | | | |
|----|----------------------|------------------------|
| 1. | Hinehopu Golf Course | Hinehopu Rotoiti |
| 2. | Emery Park | Gisborne Point Rotoiti |
| 3. | Pikiao Sports Ground | Mourea |
| 4. | Tennis Courts | Ōhau Channel Mourea |



Environment
Bay of Plenty

ENVIRONMENT BAY OF PLENTY

TE ROHE TUTURU A NGATI PIKIAO

SURVEYED		
DRAWN	T.W.W	01/97
DESIGNED	GNOR	01/97
TRACED		
DESIGN CHECK	G.A.D	01/97
DR CHECK		

APPROVED

REFERENCE
MICROSTATION FILE PATH:
c:\mplan\m792\m792sh1.dgn

DATUM MOTURKI

SCALE: Graphic

0 2000 4000 6000 8000 10000m

AMENDMENTS

A		
B		
C		
D		

PLAN No.

M792

AMENDMENT:

SHEET 1 OF 2

Ahh Iwi

The Confederation of Ngāti Pikiao Iwi consists of the following Iwi and Hapū:

- | | |
|-------------------------------|------------------------------|
| * Ngāti Whakahemo <i>Hapū</i> | * Ngāti Mākino <i>Hapū</i> |
| * Ngāti Tarāwhai | * Ngāti Rongomai |
| * Ngāti Hinerangi | * Ngāti Hineora <i>Hapū</i> |
| * Ngāti Te Tākinga | * Ngāti Pāruaharanui |
| * Ngāti Hinekiri <i>Hapū</i> | * Ngāti Hinekura |
| * Ngāti Te Rangiunuora | * Ngāti Tamakari <i>Hapū</i> |
| * Ngāti Tamateatūtahi | * Ngāti Kawiti |

"Ehara taku toa i te toa takitahi engari he toa takitini"
Unity is our strength

Hapū/Iwi Marae within the Rohe

There are 15 Marae located around Lake Rotoiti and 3 located on the East Coast at Otamarākau, Pukehina and Maketu.

Marae are the most important Institutions within our tribal territory, for it is here that all formal occasions are held, and the 'Kawa', (Strict Protocol/Etiquette), and 'Tikanga' (Practises) of our Tūpuna are taught and upheld, and where the most important issues pertaining to Iwi and Hapū are debated and decided upon.

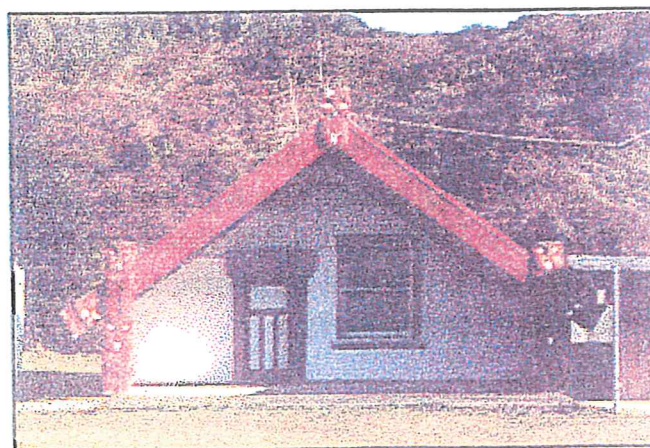
URUIKA
Tapuaeharuru Pā
Ngāti Tamateatūtahi, Ngāti Kawiti

This house Uruika stands at Tapuaeharuru on the Southern Shores of Lake Rotoiti. The house was erected by Whiti Wineti. The Master Carvers were Te Ngaru Junior and Te Nutana of Ngāti Kawiti. Uruika was opened in 1908. In 1938, the poupou were added to the porch by the Rotorua Carving School under the guidance of Master Carver Pine Taiapa. The Wharekai is named **Kauirangi**.



HINEKURA
Tāwhakarere Pā
Ngāti Hinekura, Ngāti Rongomai

This ancestral house is only partially carved and stands by the Waiiti Stream on the Haroharo Block. It dates from 1928. Hinekura is a descendant of Hatupatu who lived circa 1550. Hinekura is the second son of Pikiao II and Hinehopu. He was a renowned warrior and exponent of the weapons of warfare. Hinekura married Niniurangi of Ngāti Rongomai. Other tribal affiliations are Ngāti Pikiaorangi and Ngāti Tamateatūtahi. The Wharekai is named **Niniurangi**.

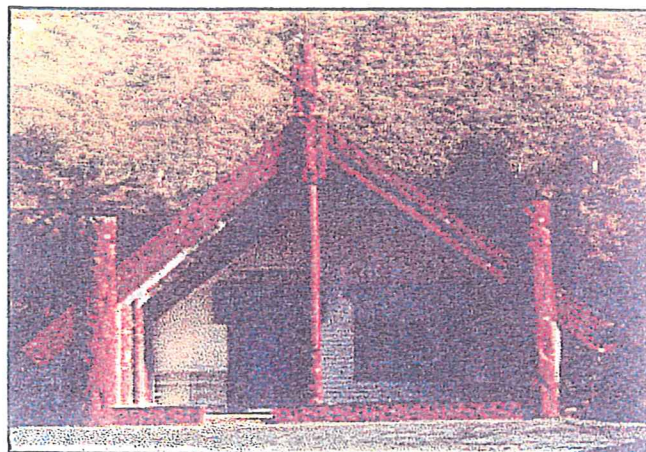


TE RANGIUNUORA

Taurua Pā

Ngāti Te Rangiunuora

The present house is the second house of this name to be erected in the Ngāti Pikiao region. The first house stood at Lake Okataina and was carved by Te Amo a Tai - Ngāti Tarāwhai Master Carver. The present Te Rangiunuora stands at Taurua, overlooking Lake Rotoiti. The Master Carvers were George Emery, Thompson Tāhuriōrangi, Kelvin Kereama, Kaka Niao and many apprentices. Work was overseen by Ruka Epapara. The Wharenui and Wharekai - Te Wetenga-a-Uru were opened 5/11/1960. Te Rangiunuora is a son of Pikiao II.



UENUKUMAIRAROTONGA

Te Punawhakareia-ā-Rākeiao Pā

Ngāti Te Rangiunuora

One of Te Arawa's older wharenui which originally stood at Maketu approximately 1880's. Many Master Carvers were involved in the erection of Uenukumairarotonga including Wero, Te Ngaru Ranapia and others from Whānau-a-Apanui. The Kuia responsible for the rebuilding at Rotoiti was Rangipawa Pōkiha, the third wife of Major Fox. The house was reopened in 1926. Renovations of the house have taken place in 1976 and the period 1991 - 1993. Uenukumairarotonga is the grandson of Kahumatamōmoe and lived circa 1400. The Wharekai is Te Aekapurangi.



TARAWHAI

Te Waikōhatu-a-Taranui Pā

Ngāti Tarāwhai, Ngāti Te Rangitakaroro

Tarāwhai site is within the eastern junction of State highway 30 and Okataina Road at Ruatō Bay, Lake Rotoiti. Tarāwhai was opened in January 1984. The Master Carvers were Kaka Niao and the New Zealand Māori Arts and Crafts Institute Carving School. The Land the present Tarāwhai stands on is known as Te Waikōhatu-a-Taranui which was gifted by Ngāti Rongomai to the hapū of Ngāti Tarāwhai known as Ngāti Te Rangitakaroro as a present for the marriage of Rongomai to his first wife Hineheru daughter of Te Rangitakaroro. Other tribal affiliations are Ngāti Tamaterā and Ngāti Iwimōkai. The Wharekai is named Rangimaikuku-a-Murimanu.



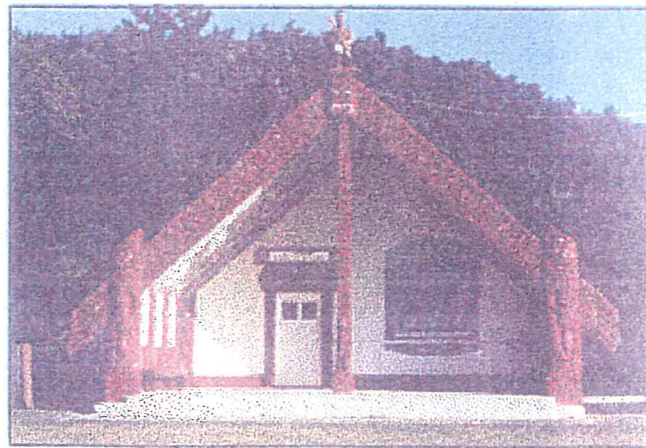
NGA PUMANAWA E WARU O TE ARAWA

Te Ruatōkia-a-Ngāmahanga te onepū ki te moana

Te Hiurangi Pā

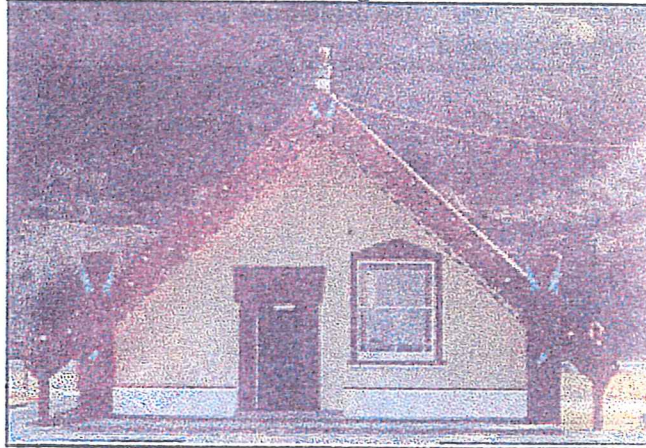
Ngāti Tūkiterangi, Ngāti Rongomai

Ngā Pūmanawa E Waru o Te Arawa was opened in 1941 by King Koroki. The house was erected under the guidance of Hori Taia. The Master Carvers were Erāmiha Kapua, Kaka Niao and Te Hūtana Charles Āpihai. Kereti of Ohinemutu designed the rafters/tūrapa and kōwhaiwhai. Hori's wife Paretoroa Ngātaiāwhio Taia and other local women completed the tūrapa/tukutuku panels. The naming of this Wharenui was generated by the eight children of Rangitīhi whom are collectively known as the "Eight Beating Hearts of Te Arawa", hence, "Ngā Pūmanawa e Waru o Te Arawa". The Wharekai is named Ko Te Awatakapuwhaia.



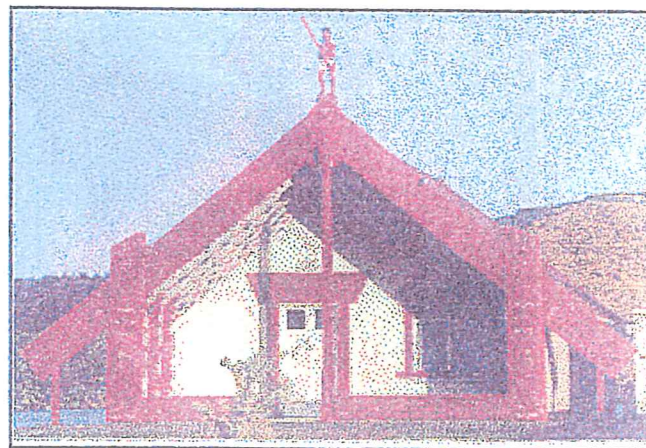
RäKEIAO
Te Tapuaekura-ä-Hatupatu Pä
Ngäti Rongomai

Räkeiao was built soon after the Mount Tarawera Eruption 10/6/1886. It was relocated from Paehinahina to the Southern shores of Lake Rotoiti. The principal Master Carvers were Te Ngaru Senior and Te Ipu Whakatarā. **Räkeiao is the fifth son of Rangitiki.** He was a warrior with supernatural powers. At his command, dragon flies would visit neighbouring marauders and wreck havoc among their domiciles. Other tribal affiliations are Ngäti Kahuupoko, Ngäti Te Pikikötuku, Ngäti Tükiterangi, Ngäti Ngämahanga and Ngäti Taramainuku. The wives of Rakeiao were Keapare & Maruahangaroa. The **Wharekai** is named **Märuahangaroa** and the **Wharekarakia** is **Te Po**



TE TAKINGA
Hohöwai Pä
Ngäti Te Tākinga

Te Tākinga as it stands is the second wharenui of that name to be situated at Hohöwai, Mourea. The original Te Tākinga was carved by Te Ngaru Senior approximately 1882. The door posts from the original Te Tākinga remain although the remaining carvings were produced and created by his son, Te Ngaru Junior, otherwise known as Ranapia Te Pakura. Te Tākinga was a renowned Te Arawa warrior who lived a very long life. Whom died around 1580. **He is the son of Pikiāo II.** New carvings have since been created by Master Carver Tuta Tūkaokao for Te Tākinga's recent renovations. Other tribal affiliations are Ngäti Kiorē, Ngäti Hikaawarua, Ngäti Pärūaharanui, Ngäti Hineora, Ngäti Awanui and Ngäti Pikiāo. The **Wharekai** is named **Hineora**.



KAHUMATAMÖMOE Waiātuhi Pā

Ngāti Rongomai, Ngāti Pāruaharanui, Ngāti Te Tākinga

Kahumatamōmoe was built in 1914, utilising some of the timber of an older Ngāti Pīkiao house. The principal carver was Te Ipu Whakatara and Te Ngaru Whakapuka for the maihi and amo outside. The tūrapa/rafter panels were designed by Tiakiawa Tāhuriōrangi. When Kahumatamōmoe was renovated the carvings were created by Minarapa Mitai-Ngātai and Peter Hēmi. Kahumatamōmoe was a member of the crew of the Arawa Waka. In his time he was a great explorer who travelled most of the North Island of Aotearoa and eventually settled at Maketu. He is a son to Tamatekapua, captain of the Arawa Waka. Other tribal affiliations are Ngāti Pīkiaorangi and Ngāti Te Pīkikōtuku. The Wharekai is named Hinetapatūrangi.



PĀRUAHARANUI Te Rāpaki-ā-Tūmātahi Pā Ngāti Pāruaharanui

Pāruaharanui was first opened around 1932 and contained some of the carvings from Te Tākinga I at Mourea which was carved by Te Ngaru Whakapuka. His son, Te Ngaru Ranapia carved the only new carvings for the house. In 1981, Pāruaharanui was destroyed by fire. The house was rebuilt with carvings by Thompson Tāhuriōrangi and two assistants. It was reopened in February 1984. Pāruaharanui is the son of Te Tākinga and Hineora and lived at Rotoehu around 1580. Other tribal affiliations are Ngāti Rangiwewehi, Ngāti Tūhourangi and Ngāti Pīkiao. The Wharekai is named Waiwaha.



RANGITIHI

Opatia-o-Hinekiri Pā

Ngāti Rangitihi, Ngāti Hinerangi, Ngāti Hinekiri

The original Rangitihi was built in 1860 and carved by Te Wero. According to Tā Maui Pōmare and James Cowan, the original carvings were given to the Museum by Te Pōkiha Taranui. The present Rangitihi was opened in 1951. Rangitihi was the fourth in descent from Tamatekapua. The children of Rangitihi are Rātorua, Tauruao, Rangiaohia, Rangiwhakaekeau, Rākeiao, Kawatapuārangi, Apumoana and Tūhourangi. Other tribal affiliations are Ngāti Te Tākinga, Ngāti Tarāwhai, Ngāti Te Iwimōkai and Ngāti Pikiao. The Wharekai is named Manawakotokoto.



HOUMAITĀWHITI

Ōtaramarae Pounamunui

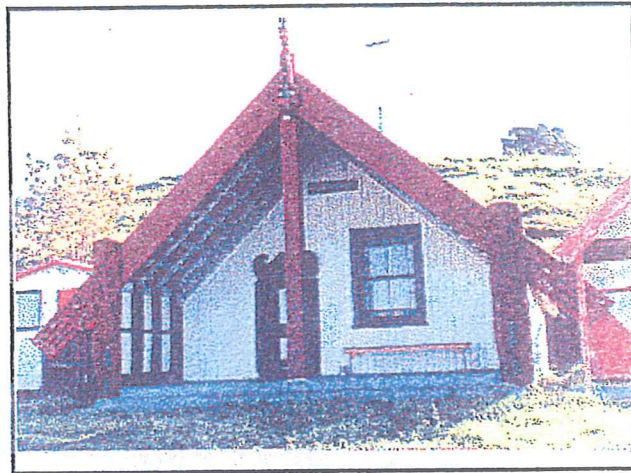
Ngāti Hinekura

Houmaitāwhiti is one of the oldest wharehau in the Te Arawa Rohe. The original house was built in the 1820's by Pūwhakaoho and Te Ahoaho. The threat of a Ngāpuhi invasion saw the wharehau dismantled and buried for safety. The present wharehau was built around 1860 and was relocated at Maketu and then returned to its original site at Ōtaramarae in 1901 by Major R Vercoe. The carvings for this second house, constructed in 1970 were created by Wero and Pita Wharetoa - the son of Pūwhakaoho, Ngāti Tarāwhai Carvers. Houmaitāwhiti is the father of Tamatekapua, captain of Te Arawa Waka. Houmaitāwhiti was a great rangatira from Hawaiiiki and remained there when Tamatekapua and others migrated to Aotearoa. The Wharekai is named Hinekukutirangi.



WAITAHA-A-HEI
Ötamarākau Pā
Ngāti Mākino

This is the second house of this name but the third house at this location, the first being Koura which was erected approximately 1870 and carved by Ngaoko, from Ngāti Hinekura and Tiweka. There have been renovations made in 1932 - 1933 and additional alterations were made in 1993 - 1994. Waitaha is the son of Hei and a cousin to Tamatekapua. He came to Aotearoa aboard the Arawa Waka. The Wharekai is named Te Ruapōtanga.



TAWAKEMOETAHANGA
Pukehina Pā

Ngāti Mākino, Ngāti Whakahemo

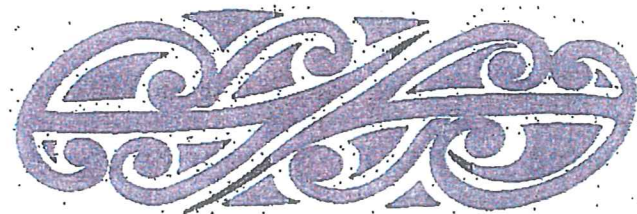
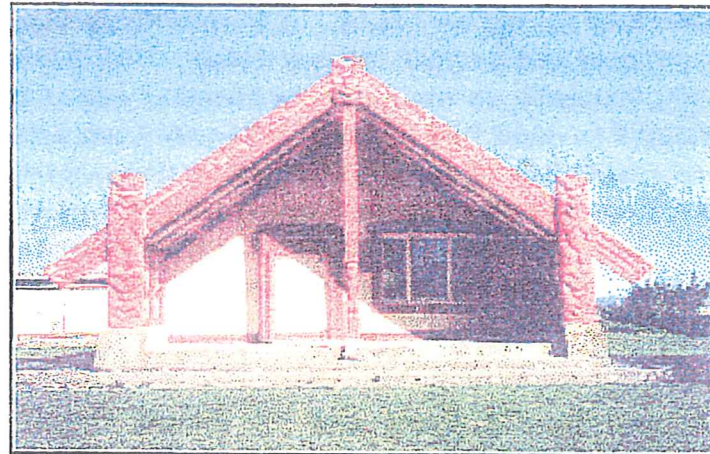
Tawakemoetahanga was opened in 1925 and was the last wharenui to be carved by the Master Ngāti Pikiao Carver Te Ngaru Junior. This house is situated at Pukehina. Tawakemoetahanga is the grandson of Tamatekapua and was wed to Hatupatu's daughter Tūparewhaitaitia. Other tribal affiliations are Waitaha-ā-Hei, Ngāti Pūkeko and Ngāti Pikiao. The Wharekai is named after her Tūparewhaitaitia.



TE AWHE O TE RANGI
Te Kūrae-o-te-ihu-ä-Tamatekapua Pā
Ngāti Whakahemo

The present Wharenui Te Awhe o te Rangi is the third of this name to be situated on the promontory overlooking Maketu, the final landing place of the Arawa Waka. A photograph of this house in Book "Te Arawa" by Don Stafford taken around 1890 shows a thatched building with plank walls, tekoteko, kōruru, blank maihi with carved raparapa, amo, pare and window edging. About 1900, this was replaced by Te Awhe II which was carved chiefly by Honatamakoro of Ngāti Awa, however, in 1939, Te Awhe o te Rangi II was destroyed by fire. The present wharenui was erected between 1945 and 1951. The principal carvers were Takuira Mitai and Kaka Niao. The Wharekai is named Te Kete-rokiroki-ä-Whakaotirangi.

Handwritten note: No longer have the house as it was destroyed.



Ngāti Pikiao Taonga (Resources)

Within our tribal territory the Confederation of Ngāti Pikiao Iwi hold the Tino Rangatiratanga and Mana Whenua for the following Taonga :

Te Tai Moana from Te Tumu to Matata, Lakes Rotoiti, Rotoehu, Rotoma, Okataina, the Okere River and all their tributaries. Ngahere (forests), Ngawha (Geothermal) and Whenua (Land).

All of these Taonga contain traditional areas of Waahi Tapu, Mahinga Kai (Food Resources) and Papakainga (House sites) founded in the whakapapa of our Tupuna.

All of the Whenua (land), still in Iwi ownership, has been partitioned into Blocks and Incorporations and most has been developed into farms, horticulture and exotic forest.

The waiariki in the Rotorua district have for a long time been regarded as a valuable and cherished taonga by Maori. In former times they were used for a wide range of purposes and so they still are today. With the social and economic climate changing constantly, so too have the forms of use of the waiariki evolved and adapted to meet this climate. We now have extensive research available to us to enable Maori to begin to explore the opportunities and avenues which for so long have been by Pakeha businesses and enterprises.

Some of the Ngawha/Waiariki are still used, as they have been traditionally, for bathing and cooking, and the remainder are currently being investigated for use in the generation of Electric Power.

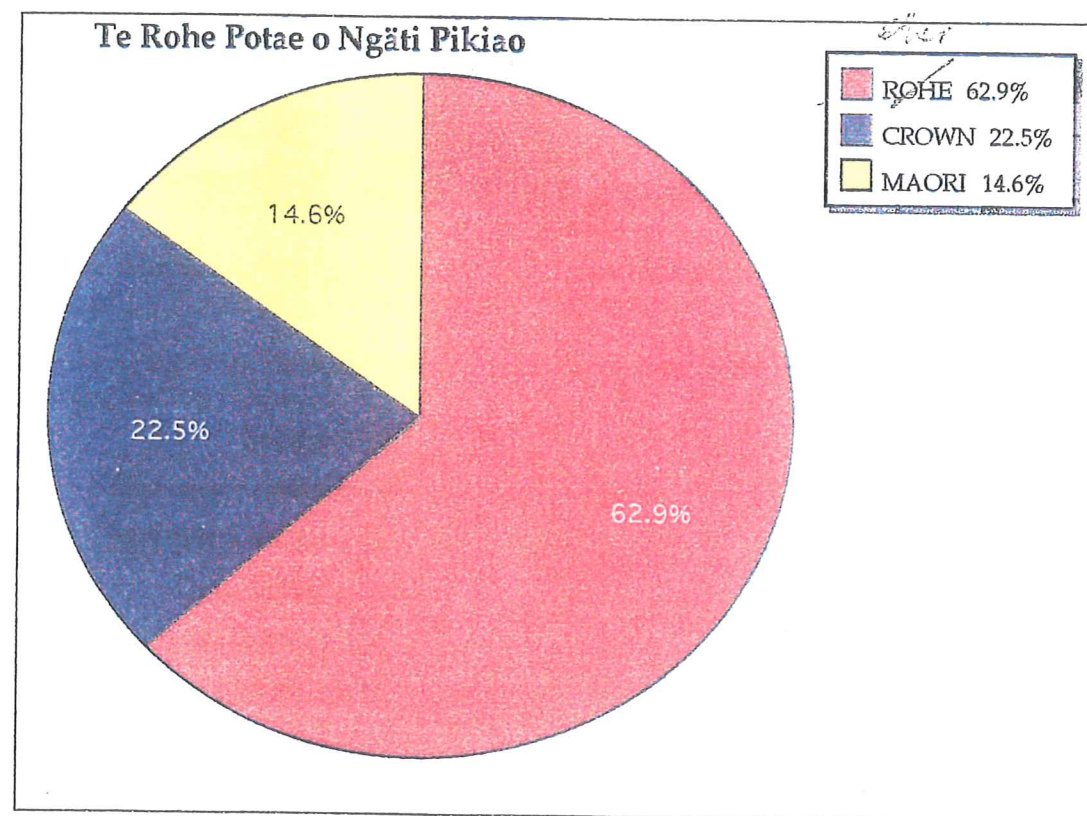
The Okataina Scenic Reserve Board and the Rotoiti Scenic Reserve Board. are two legislative Tribal Bodies formed in partnership with the Crown (DOC) to administer the Reserves in our lakes area.

Exotic Forest

No discussion on Maori resource management matters would be complete or fair without mention of land and resource grievances felt by Maori. For Ngati Pikiao (Ngati Makino hapu) who are currently negotiating over the return of the Rotoehu Forest, it is of paramount importance that they undertake planning to prepare for the development and management of such land in the event of the claim being successful.

In terms of funding, a substantial amount of money accumulated in the Crown Forest Rentals Trust and it would be a legitimate use for some of this to be used to help finance forest projects on Maori land especially in areas from which the trusts funds are derived.

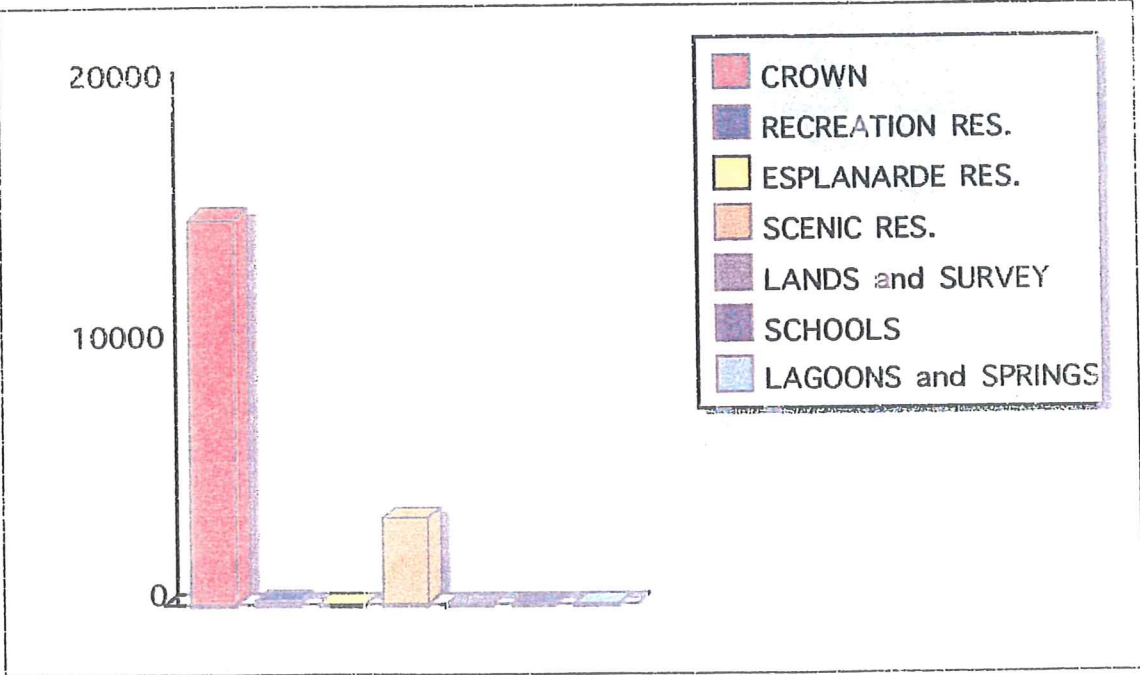
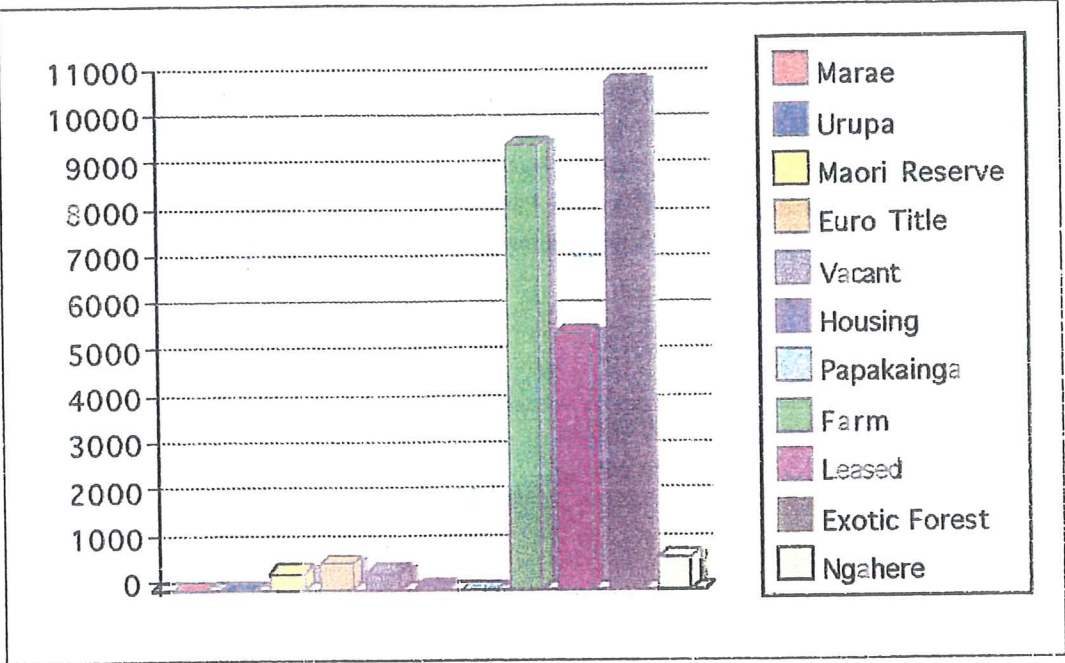
We as Maori have in the past experienced many difficulties, both tangible and intangible in developing our lands for exotic forestry. Some of these, we have managed to overcome while others have still to be conquered. Despite these obstacles, the time has arrived to effect change in the attitude and practices of the forest industry in its dealings with Maori and their resources. In so doing, growth of the forest industry will open more doors for Maori land to be involved in forestry but care is needed to ensure owners receive optimum benefit.



Total Land Mass within Te Rohe Potae o Ngāti Pikiao
78647.3693 Hectares

Māori Land	28071.5909	35.7%
Crown Land	18281.7438	23.2%
Other	32294.0346	41.1%
78647.3693		

How Māori Whenua is Utilised



Utilisation of Land held by the Crown,
Regional & Local Government

**THE CONFEDERATION OF NGÄTI PIKIAO
IWI RESOURCE MANAGEMENT STRUCTURE**

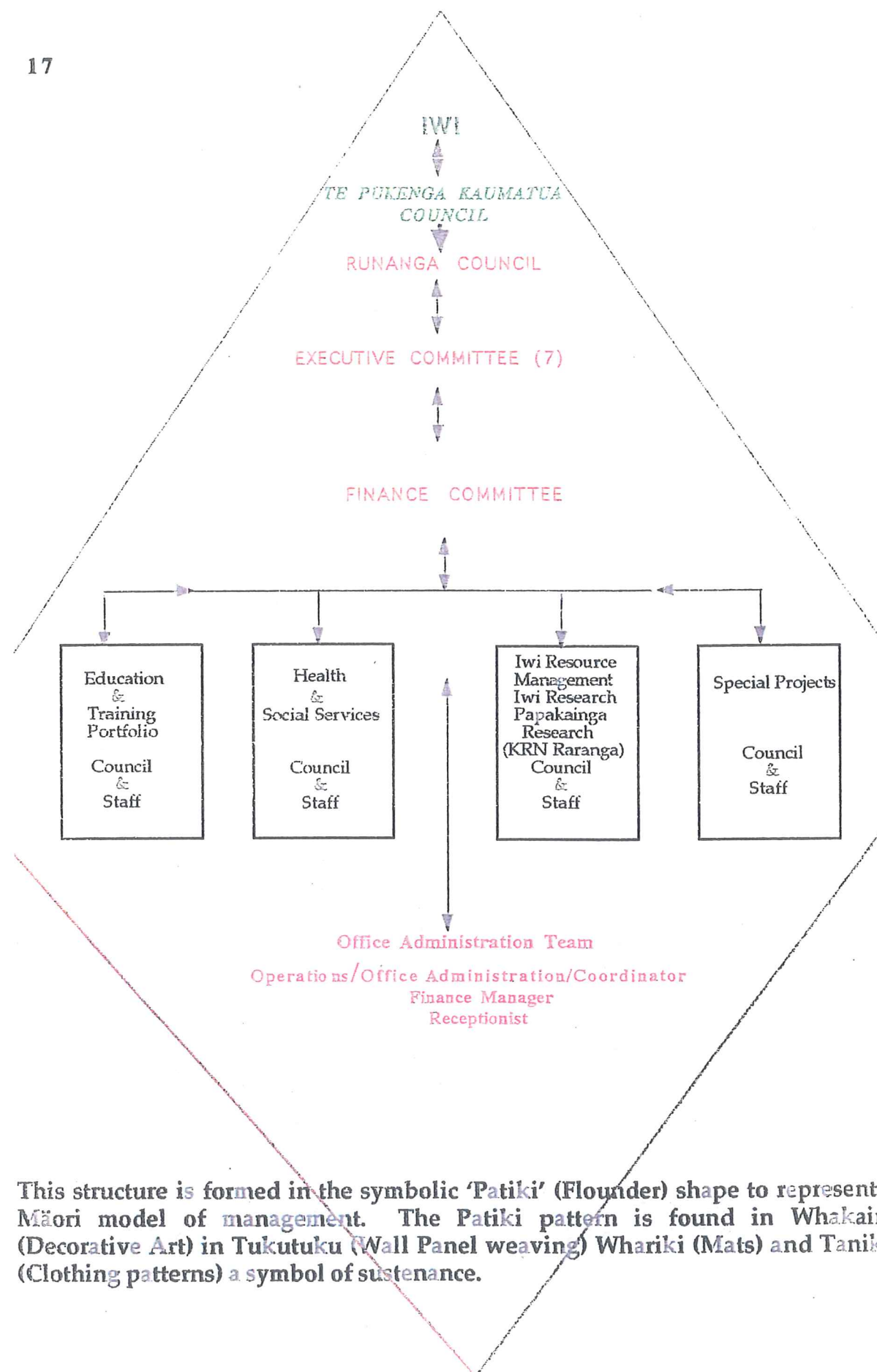
Within the structure of the Confederation of Ngāti Pikiao Iwi, the Te Pukenga Kaumātua Council is the Leadership Body of Iwi and Te Rūnanga o Ngāti Pikiao the Administrative Body. Te Rūnanga consists of annually elected, Iwi Council Members who also make up the Portfolio Committees. The Council Executive meets once a month to oversee all the business referred to the Rūnanga. The Mission Statement for Te Rūnanga o Ngāti Pikiao is as follows;

**TO FOSTER, PROMOTE AND EXPAND THE HEALTH, SPIRITUAL,
EDUCATIONAL, SOCIAL, ECONOMIC, POLITICAL,
COMMUNICATION, SPORTING AND RECREATIONAL
INTERESTS OF ALL TRIBAL MEMBERS WITHIN THE NGÄTI
PIKIAO ROHE**

The population base serviced by Te Rūnanga o Ngāti Pikiao encompasses all tribal members living within Te Rohe Potae o Ngāti Pikiao and any person of Ngāti Pikiao Whānui descent. According to the 1991 Census statistics approximately 8746 persons could identify as Ngāti Pikiao or associated Iwi. of the 30,000 people within our rohe of which 35% are of Māori descent. These figures will have increased significantly in the 5 years since the 1991 Census but the 1995 statistics are unavailable at this present time.



Rotoiti



This structure is formed in the symbolic 'Patiki' (Flounder) shape to represent a Māori model of management. The Patiki pattern is found in Whakairo (Decorative Art) in Tukutuku (Wall Panel weaving) Whariki (Mats) and Taniko (Clothing patterns) a symbol of sustenance.

NEGOTIATION/CONSULTATION PROCEDURES

The Confederation of Ngāti Pikiao negotiation/consultation procedure for any persons or organisations is as follows;

Contact Persons. **Te Rūnanga o Ngāti Pikiao**
 P.O. Box 2341
 ROTORUA
 Ph. 07 348 5384
 Fax 07 349 4993
 Te Pūkenga Kaumatua Council
 Chairperson
 Mr Tu Kingi
 Resource Management Issues
 Chairperson
 Iwi Resource Management Committee
 Te Rūnanga o Ngāti Pikiao
 Education & Training
 Chairperson
 Education & Training Committee
 Te Rūnanga o Ngāti Pikiao
 Health & Social Services
 Chairperson
 Health & Social Services Committee
 Te Rūnanga o Ngāti Pikiao

Tribal Hui

Te Pūkenga Kaumatua Council meet when required

The Rūnanga Executive Council meet the second Monday of each month

Portfolio Committees meet monthly

Trusts & Incorporations as per Trustees schedules

1. Te Rūnanga o Ngāti Pikiao is the main point of contact for external agencies, with Ngāti Pikiao Whānui, for any issues which impact on Iwi Taonga and resources.
2. Persons/Organisations wishing to discuss issues with Iwi must do so by appointment.
3. All enquiries will be referred to the appropriate/relevant Council, Portfolio, Trust/Incorporation, Hapu or Whanau

Ngāti Pikiao Kawa - Tikanga

The Kawa of Ngāti Pikiao Whānui is -Te Arawa Kawa.

All consultation/negotiation with Iwi will whenever possible take place on Ngāti Pikiao Marae.

Marae Protocol for whaikorero (Speaking) within the Rohe of Ngāti Pikiao Whānui follows the Tau utuutu format in which Manuhiri (Visitors) alternate with Tangata Whenua. Tangata Whenua Kaikorero (speakers) will begin and end the speech making part of the proceedings.

Females (for their own protection) are not permitted to speak on the 'Marae Ariari' (Open area in front of the Wharenui (Meeting House) during formal proceedings.



Otaramarae

Wāhanga Tuarua

II

**Te Iwi Māori
Resource Management**

SECTION : 2

NGA TIKANGA

The following policies are an affirmation of The Confederation of
Ngāti Pikiao Iwi sovereignty over its tribal territories.



“Te uru whakatupu ake
Te uru o Matawhaura”

Tino Rangatiratanga

All persons and organisations referred to in this document and in respect of all the policy issues outlined shall recognise and provide for the following;

(a) That The Confederation of Ngāti Pikiao Iwi as a people have always had responsibility for meeting the needs and aspirations of the Iwi in all facets of Iwi life .

(b) That this responsibility has never been relinquished

(c) That those persons and organisations referred to above are ,when within The Confederation of Ngāti Pikiao tribal territories , here by the good will of the Iwi

(d) That The Confederation of Ngāti Pikiao Iwi claims to a redistribution of resources to enable it to carry out its responsibilities are based on;

- i. Its status as 'Manawhenua' and as the only legitimate Authority to govern within its tribal territories*
- ii The fact that this Authority has never been relinquished but presumed by other agencies*
- iii. The fact that in spite of the above, the Confederation of Ngāti Pikiao Iwi citizenry has paid Taxes and Rates to those who have presumed this authority and that a redistribution of resources is therefore construed as being the just and rightful return of such accrued taxes and rates*

Mana Atua, Mana Tangata, Mana Whenua

Te Iwi Māori Resource Management

Prior to the arrival of settler immigrants to Aotearoa, Maori had lived in harmony with the land for hundreds and hundreds of years. We have our own political, social, economic, and legal systems which respects the need for reciprocity with the environment in all facets of our lives. The essence of the Maori world view derives from a clear understanding of the inter relationship that human life shares with the other life forms in the natural world. The term indigenous is not a term which we in Aotearoa (New Zealand) use ourselves - it is not a term which belongs to us. Rather it is a term which others have used to describe us. We are Tangata Whenua - we are the people of the land. We are the custodians of the land and its treasures for successive generations. The relationship that we have with the land is a reciprocal relationship. The land from which we are born and to which we will return, provides us with spiritual and physical sustenance. There is a balance in the relationship which is based on respect. This balance must be maintained to ensure our mutual well-being - to ensure a sound future for our children and the generations to follow.

Maori have a holistic approach to resource management. All the aspects of the resources - the physical, the mental and the spiritual are inextricably linked. Maori identify with the physical elements of their environment, mountains, rivers, lakes and seas.

The domains of the Atua (Gods) provide the linkages across resources giving an holistic approach to environmental management. Whakapapa demonstrates the non-dualistic approach to the environment. Whakapapa establishes Tangata as an inseparable part of nature.

This holistic approach demonstrates that no delineation exists between the Spiritual and Physical aspects of the environment. The concept, Mauri of Resources reinforces the spiritual aspects. Recognition of Atua by Maori was achieved through the practice of Karakia (prayer), Kawa (protocol) and Tikanga (practices). This regime of social controls maintained the integrity of Maori society and led to a sensitive environmental management system.

The key to this was the concept of *Mauri*. Through the creation process, divine forces descended into the domains of the *Atua*, giving them a life force principle or *Mauri*. *Mauri* is the binding force that relates resources to each other (including people), and to the spirituality of the gods, and it provides a series of formal relationships, which ensure physical and spiritual integrity of the environment for future generations.

Tikanga or practices were developed and observed to maintain the *Mauri* of parts of the natural world. Observation of these *Tikanga* evolved into *Kaitiakitanga*. Protection of *Mauri* the fundamental function of *Kaitiakitanga*.

Maori exercise *Mana* over resources as they are essential to the sustenance of the tribal populations. 'Take Whenua', (right of occupation), gave Iwi 'Mana Whenua' according to the following rights;

Toa (Conquest),

Whakapapa, (Genealogy)

Occupation, Marae, Urupa,

Mahinga Kai, (Cultivation, Fishing Grounds, Forest)

permanent or otherwise. *Mana Whenua* is maintained through *Rangatiratanga* and *Kaitiakitanga* is the obligation to manage *Tino Rangatiratanga* wisely for the benefit of present and future generations. *Tino Rangatiratanga* is the *Mana* or authority to manage resources.

The Declaration of Independence and Article II of the Treaty of Waitangi (Te Tiriti o Waitangi) reaffirmed *Tino Rangatiratanga*. The Treaty of Waitangi (Te Tiriti o Waitangi) was effectively Aotearoa New Zealand's first resource management legislation.



Rotoehu

I.

The Declaration of Independence 1835 & 1839

"All sovereign power and authority...reside(s) entirely and exclusively in the hereditary chiefs and heads of tribes... will not permit any legislative authority separate from themselves...to exist, nor any function of government to be exercised... unless by persons appointed by them and under the authority of laws regularly enacted by them."

II.

The Treaty of Waitangi 1840

In Article II and all that embodies Tino Rangatiratanga.

The Crown guaranteed to Maori;

"the full, exclusive and undisputed possession of their Lands and Estates, Forests, Fisheries and other properties which they may collectively or individually possess".

The Treaty of Waitangi (Te Tiriti o Waitangi) simply reaffirmed the rights which Maori have always had, and gave some limited rights to Pakeha to look after themselves, subject always to the rights of self determination that Maori should enjoy. The relationship between Te Iwi Māori and the environment cannot be viewed as being merely 'traditional' because Māori Society has always been subject to the dynamics of change for example trade and commerce has always been a very important aspect of Māori Society to ensure the continued survival of Iwi. Pakeha Historians and Anthropologists have in the past made the assumption that 'traditional' equates to 'pre-european contact' and Māori Society has been falsely represented both as functioning in equilibrium until European contact and shattered beyond redemption after contact took place. In a 1983 article, Anne Salmond makes the point that;

judgments of what is 'traditional' have differed for each generation of scholars and bits and pieces of information from anywhere between 1769 and 1969 have been cobbled together in accounts of 'traditional' behaviour that included practises which never would have coexisted in any given Māori community at any given time. (1)

When other people dispossessed us of our land, and our right to control our own destinies, they interfered with the spiritual relationship. When our land is taken from us, so too is our identity. The dispossession of our land, our language and our cultural resources, has left many of our people, in some respects, in limbo separated from our essential identity. This has given rise to a spiritual void in our people - an incoherent consciousness- a spiritual dislocation from Papatuanuku - our earth mother. The settler immigrants, Pakeha, who were already spiritually detached from their own roots to Mother Earth, share this incoherent consciousness.

Historically, the New Zealand colony had offered a home to Britain's surplus population and most state and commercial activities are built on land taken in breach of the Treaty. Its agricultural base, sustained by guaranteed markets, provided a high standard of living for most of the white settler population, and deep impoverishment for Māori. Since 1987 many of those resources have been corporatised and privatised, never to be returned. Maori objections were initially ignored, and subsequently bought off with promises of future redress that have seen virtually none of them returned. After a century and a half of legal, military, political and economic repression a mere 3 million of the country's 66 million acres remain in Maori hands. (2)

(1) The Study of Traditional Māori Society Anne Salmond 1983

(2) The New Zealand Experiment. Jane Kelsey 1995

Maori are the most marginal of the marginalised. Having systematically been stripped of the resources that guaranteed us economic, cultural and spiritual wellbeing, Maori are reduced to an underclass in our own land. As predominantly unskilled wage labour we depend heavily on employment by the state. In the 1950s and 1960s a number of tribes transferred resources to the Crown in return for jobs and the protection of sacred sites, on the understanding they would be returned when no longer required. Through corporatisation and privatisation successive governments sold those resources, destroyed the jobs and cast entire Maori communities on the scrap heap. Maori are more dependent on state handouts than ever before. The structural adjustment policies of devolution and decentralisation promised Maori greater control over their own lives, and an opportunity for autonomy in designing, implementing and evaluating social development programmes. In practice, some responsibility for providing services has been devolved to the tribes, while the government retained authority over the basic policy decisions and the allocation of funds. At the same time, the economic policies of the past decade continue to ravage Maori society and create greater dependency and need.

The Kaupapa (constitutional guarantees) of the Treaty have never been realised in modern Government. Until these substantive issues are dealt with in a meaningful way as intended by our ancestors then any environmental strategy will be flawed. Constitutional change to protect the inherent rights and status of the Tangata Whenua is a prerequisite to the formulation; implementation and monitoring of any strategy which purports to protect the environment.



Waitangi

The Ngati Pikiao Iwi Experience (Colonisation)

The Ngāti Pikiao 'post-european' contact history has been one of mixed fortune in our experience of the process of colonisation and the recent social experiment in restructuring of the economy has been the subject of scrutiny by our tribal research unit and has seen two claims successfully prosecuted via the Waitangi Tribunal. The Kaituna river claim was one of the first of its kind to the Tribunal. Yet despite a very positive affirmation of the Tangata Whenua status we enjoy and the responsibility of Kaitiakitanga that flows from this, the Crown and its agents have actively canvassed against Ngati Pikiao assuming jurisdictional authority over the river and its tributaries. This has manifested itself in crown opposition at every opportunity when the Confederation of Ngati Pikiao Iwi have attempted to seek legitimate recognition of our status in all levels of local and central government.

The Resource Management Act 1991 was hailed as an innovative policy and legislative initiative in the way it integrated the principles of the Treaty of Waitangi in its statutory scheme. The unique provisions which enable tribal entities to assume exclusive responsibility for the management of the environment have not been supported at all by the government or its departments where the Confederation of Ngati Pikiao Iwi has sought to have these invoked as part of our tribal management plan. The most graphic illustration, which builds on recommendations from the Kaituna claim to the Waitangi Tribunal, is our application to have the river made the subject of a **Heritage Protection Order** where Ngati Pikiao Hapu/Iwi would assume the exclusive responsibility for the management of the river. This strategy was vehemently opposed by private interests with economic aims from the use of the river irrespective of the potential erosion of the spiritual and cultural qualities that attach to the river for Ngati Pikiao Hapu/Iwi. There was no support from any agency in the government not even those that share a common commitment to a sustainable management philosophy. We witnessed political interference at all levels of local and central government with the economic ethic of exploitation winning out over the ecological ethic of conservation.

This is also evident in the Rotorua District Council, process for the development of their District Plan, and in particular the identification of Significant Natural Features to be protected in accordance with the broad aims of the Resource Management Act, which in part mirror Maori expectations of the Treaty of Waitangi. The features identified are an integral part of our interrelationship with the natural world and bear names of significant historical and cultural events for the Confederation of Ngati Pikiao Iwi, many of which predate the arrival of the immigrant settlers in the early part of the 18th century.

These facts have been ignored in the monocultural frameworks that have been adopted by the Council and its agents. Our patience with the crown, and its *treaty speak* which lacks honour and commitment, is wearing thin. The structural model of 'Resource Management within New Zealand' clearly demonstrates that 'Te Iwi Māori' do not have a legitimate 'Treaty partnership' role in the decision making processes of the Crown in regard to Resource Management.

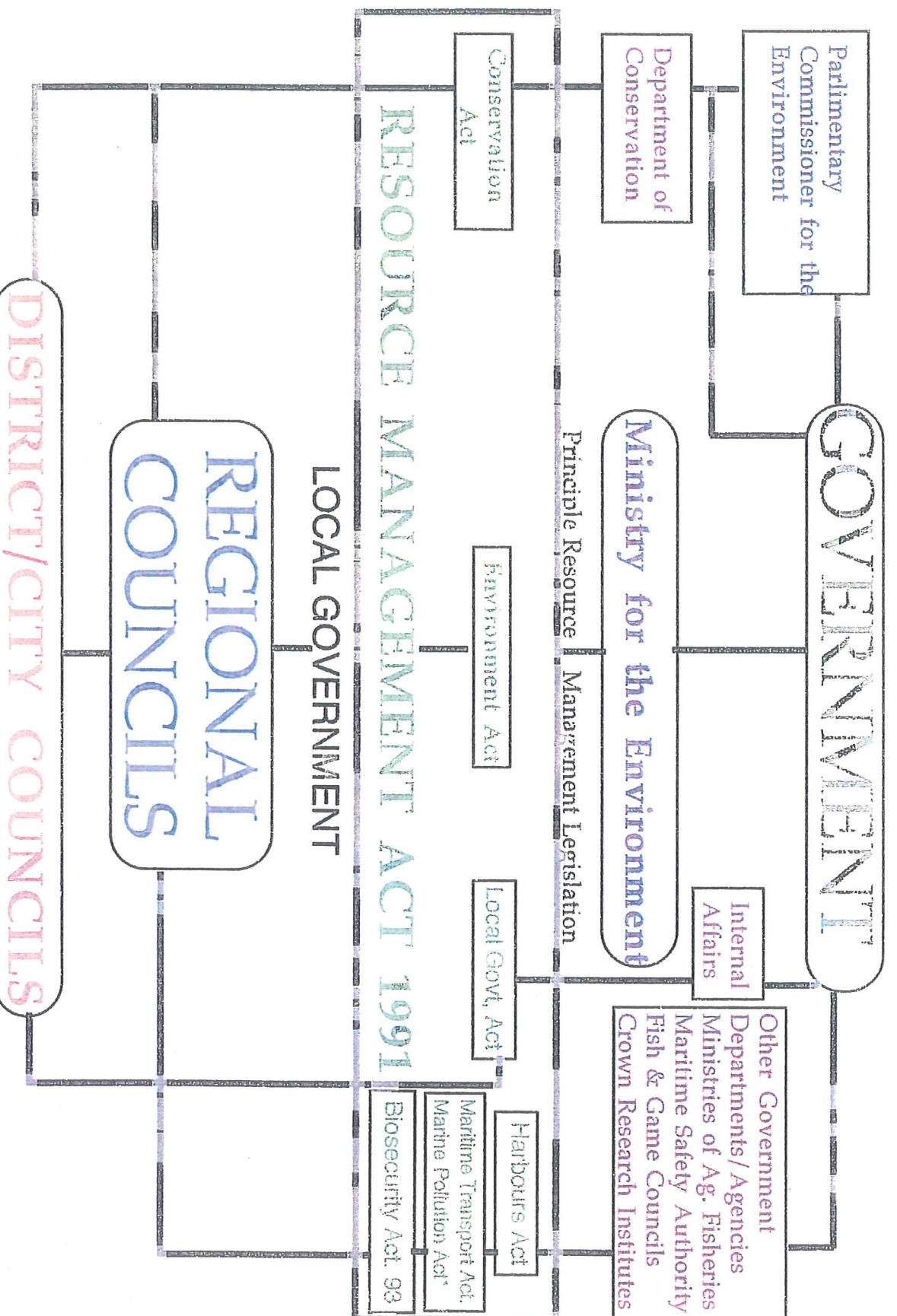
Without active participation in the proposed Government strategy to protect the environment, (R.M.A. 1991), the Confederation of Ngāti Pikiao Iwi can not support any aspect of the crown's policy documents because it places Maori in a subordinate role to the government, in all functions, contemplated in the strategy. It also has the potential to erode the Maori principles of Kaitiakitanga which are to be interpreted in a vacuum and not as an integral part of the complex matrix of development (Mana Atua; Mana Tangata; Mana Whenua) which governs a Maori world view. We can not allow Māori concepts to be redefined within a pakeha cultural framework.

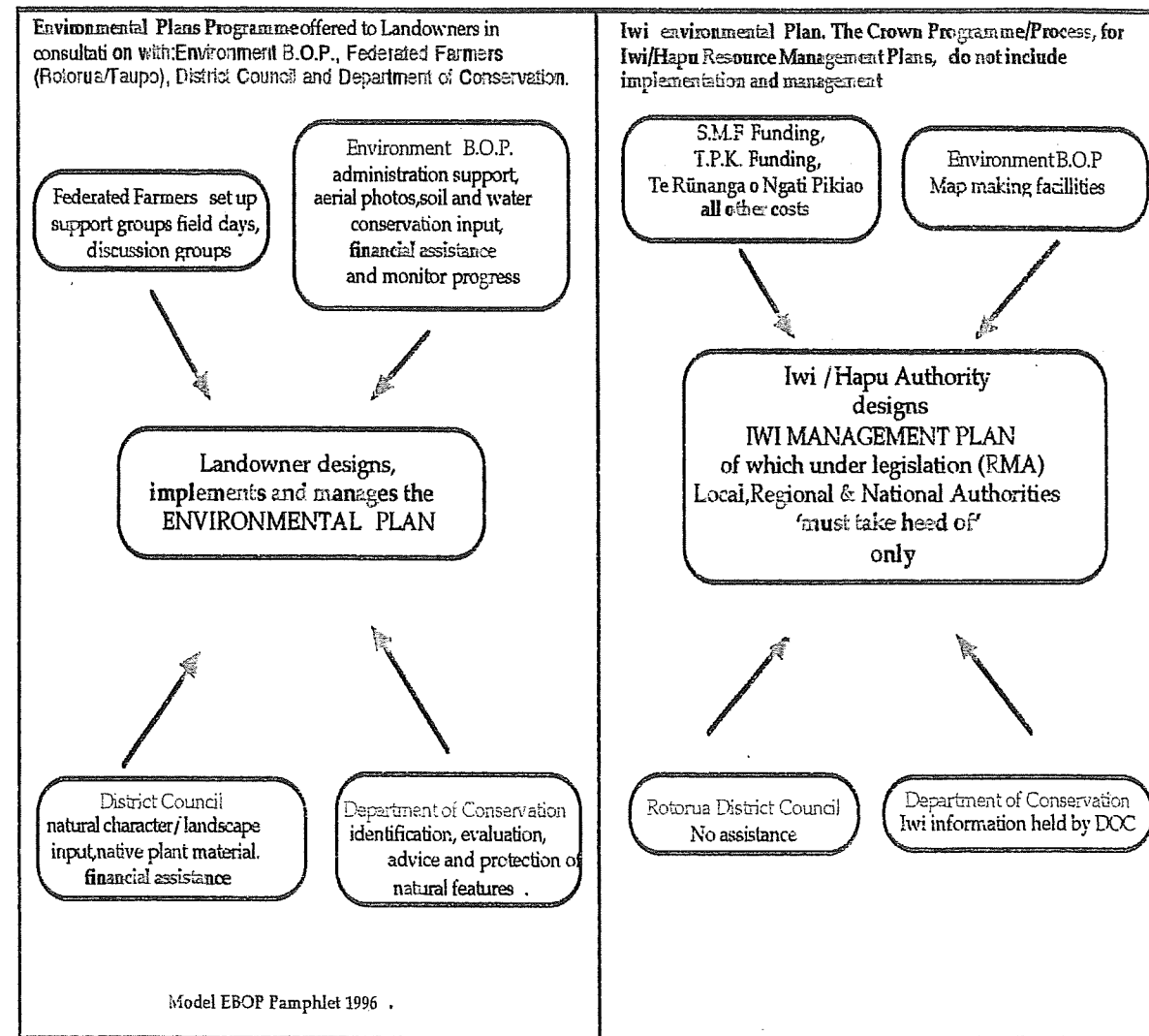
**"He kura tangata e kore e rokohanga,
He kura whenua e rokohanga"**

**People die, are killed, migrate, disappear.
not so the land, which remains forever**



Rotoma





This diagram illustrates the differences between Tangata Whenua and private Land Owners, in the process of design, implementation and management of a Resource Management Plan strategy



Demographic Data

Profile of the New Zealand Maori Population

In the 1991 Census 511,278 New Zealanders (15.1%) stated that they were of Maori descent; 433,080 (12.8%) declared themselves as belonging to the NZ Maori ethnic group and 324,000 (9.6%) specified 'NZ Maori' as the only ethnic group to which they belonged.

Population Growth Rates.

The NZ Maori population is projected to grow by 237,000 or 54% from 433,080 to 670,080 in 2031. The annual growth rate will slow down, averaging 1.1%, compared with an average of 3.0% during 1945-91.

The Maori population is projected to make up 15% of the total NZ population by 2031, compared with 13% in 1991. Although there is a slower projected Maori population growth rate, it is higher than that of the non-Maori growth rate (0.4%).

Regional Population Variations

Two thirds of the Maori population live in the northern half of the North Island. Of the total Maori population, the greatest number live within the boundaries of the Midland Regional Health Authority-144,864 (21% of regions total population)-see tables below.

Table 1

RHA POPULATIONS

	TOTAL POPULATION	MAORI POPULATION	MAORI AS A % OF TOTAL POPULATION
NORTHERN	1,078,875	140,463	13.0
MIDLAND	683,502	144,864	21.2
CENTRAL	855,885	106,932	12.5
SOUTHERN	746,049	40,746	5.5

Table 2

MAORI POPULATION OF MIDLAND RHA (By Area Health Board)

MIDLAND RHA

Waikato	60,837
Bay of Plenty	53,490
Tairāwhiti	17,778
Taranaki	12,759
TOTAL	144,864

Age Structure of the Regional Maori Populations

Tables 3 and 4 show the age structure of the Maori population of the 4 Regional Health Authorities. There is a similarity of the youthful profile of the overall Maori population.

TABLE 3

REGIONAL MAORI POPULATIONS

(Number of persons in Age band)

REGIONAL HEALTH AUTHORITY

AGE BAND	NORTH	MIDLAND	CENTRAL	SOUTH	NZ
Under 5	20,211	20,451	15,309	5,796	61,767
5-14	31,782	34,341	25,014	9,621	100,758
15-19	15,951	16,149	12,558	4,971	49,629
20-34	38,793	37,020	28,905	11,037	115,755
35-44	15,072	15,648	11,451	4,410	46,581
45-59	12,864	13,899	9,447	3,576	39,786
60-74	4,848	6,183	3,630	1,110	15,771
75+	939	1,173	612	225	2,949
TOTAL	140,460	144,864	106,926	40,746	432,996

TABLE 4

REGIONAL MAORI POPULATIONS

(% OF POPULATION IN AGE BAND)

REGIONAL HEALTH AUTHORITY

AGE BAND	NORTH	MIDLAND	CENTRAL	SOUTH	NZ
Under 5	14.4	14.1	4.3	14.2	14.3
5-14	22.6	23.7	23.4	23.6	23.3
15-19	11.4	11.1	11.7	12.2	11.5
20-34	27.6	25.5	27.0	27.1	26.7
35-44	10.7	10.8	10.7	10.8	10.8
45-59	9.2	9.6	8.8	8.8	9.2
60-74	3.4	4.3	3.4	2.7	3.6
75+	0.7	0.8	0.6	0.6	0.7
TOTAL	100%	100%	100%	100%	100%

Future projections-1991-2031

The Maori population is expected to take on an older profile in the future. Half of the population is projected to be older than 28.0 years in 2031, compared with the median age of 20.5 years in 1991.

Children Aged 0-14.

The number of Maori children will increase by 37,000 or 23% from 163,000 in 1991 to 200,000 in 2031. However, by then they will make up a smaller proportion of the total Maori population, dropping to 30% in 2031 from 37% in 1991.

Population aged 15-64

Within this broad age group, many of those aged 15-24 years are entering or preparing to enter the work force. Their number is projected to decrease over the first decade from 93,000 in 1991 to 89,000 in 2001, and then increase to peak at 116,000 around 2016.

Those aged 25-39 years are projected to increase from 100,000 in 1991 to 148,000 in 2031, a rise of 48,000 or 48 percent.

Those in the older working ages (40-64 years) are projected to increase rapidly, up 90,000 or 130 percent, from 69,000 in 1991 to 159,000 by 2031.

Elderly Population Aged 65+

The number of elderly Maori is projected to increase rapidly from 11,000 in 1991 to 59,000 in 2031, an increase of 48,000 or over 400 percent. By then they will make up 8.8 percent of the Maori population compared with 2.5 percent in 1991. The main reason for the rapid growth in this age group is the large post-World War baby boom, born mainly during the 1950's and 1960's.

There will be added pressure on the tax payer with increased numbers on old-age pensions and the provision and delivery of health care and services for the elderly.

Approximately 44% of the health budget is spent on those 60 years and older, because as people age they need proportionately more health care.

Health Status Data**Life Expectancy**

Over the past two decades, Maori life expectancy has increased significantly. On average, and on current survival rates, Maori born in the 1990's can expect to live almost ten years longer than Maori born in the early 1970's.

The gap between Maori and non-Maori life expectancy has narrowed over this period. In the early 1970's, Maori, on average, could expect about a ten year shorter lifespan than non-Maori. In the 1990's, that gap is predicted to narrow to around 5 years.

Factors affecting Maori Health

Income

Low income is linked to inadequate housing and reduced spending on food and fuel which in turn are linked to poor nutrition and cold/damp environments. Children raised in such environments have a doubled risk of infant mortality and greatly increased risk of death from infectious diseases or accidents.

Other health problems associated with low income include ear infection, anaemia, mental retardation, learning disabilities, poor school performance and increased suicide rate.

Distribution of Income

Also has consequences for health-the income of Maori men and women is on average less than their non-Maori counterparts.

Between 1986 and 1991, Maori incomes have increased less than non-Maori signifying a widening gap between incomes of the two groups.

Maori incomes on average have to support a greater number of dependents because of the age structure of the Maori population.

Unemployment

Those most at risk for ill-health effects are the long term unemployed and unemployed youth. Long term unemployed are particularly at risk of poor mental health and a subsequent decline in real income level which further exposes them to the health risks of poverty.

Unemployed youth are found to have an increase in psychological symptoms, a decrease in organised social activity, increased abuse of alcohol and drugs and increased utilisation of health care services.

The Health System

The establishment of the Department of Public Health and the passage of the Maori Councils Act occurred in the same year, 1900. Maui Pomare, the first Maori Health Officer within the Department, was quick to recognise the links between health improvements and local communities and recommended a close working relationship between the new Department and Maori Councils. In his view, improvements in Maori health required Maori leadership and Maori organisational networks if the people most in need of health services were to be reached. Current Iwi developments are a return to the past. Maori receive unequal access to and treatment by secondary (hospital) and tertiary services. A study by D Tipene Leach showed that despite the fact that Maori rates of coronary heart disease are much higher than non-Maori, the lower number of Maori coming forward for coronary bypass surgery suggests that there are barriers to access that service for Maori patients.

Currently there is no requirement for the Treaty of Waitangi to be used as the framework for health policy development, purchasing and provision of health services. There is a need for the Treaty of Waitangi to be recognised as the framework for the development of health services at all levels. There is little evidence that the current purchasing decisions of regional health authorities and the Public Health Commission show commitment in addressing the issue of equity in service delivery. Instead focus is on access for all rather than discriminating within an overall population as to whose health has the greatest need to be improved.

Conclusions

As Te Arawa age distributions are typical of other iwi groups, then Ngati Pikiao population distributions will follow similar patterns. It follows then that future Ngati Pikiao population projections will be similar to main Maori population projections.

As there will be a projected increase in the numbers entering the work force (15-24) the reality is that many will be unemployed. As there will be less income available for taxation and more receiving a benefit there will be increased pressure on the welfare system. The impact of unemployment and poverty on health will increase drastically, placing added pressure on existing health services. More and more people will not be able to pay for basic health care.

The number of Ngati Pikiao Kaumātua will increase markedly (following national trends) placing pressure on existing health services for the elderly. As whanau are placed under greater financial pressure many of our Kaumātua will not be able to receive basic health care. The financial pressures on the taxation, welfare and health systems will see a reduction in funding and services available to our old people. The signs are already there. The question is, who will care for our kuia, our koroua? This is already the priority area for the Ngati Pikiao Health Clinic, but there is a need for further planning and community involvement.

Ngati Pikiao must play a positive role in the formulation of policy as well as in the delivery of services. This applies across the board to all spheres of iwi development

This is fundamental to a Strategic Iwi Development, a Ngati Pikiao Strategic Health Plan. Good health for Maori people is more than the absence of sickness, the need for treatment of disease or injury. It is a state of complete spiritual, mental, physical and family unity which depends upon the security of one's self in relation to one's family and community as well as knowledge and comfort in one's roots and cultural background.

The Ngati Pikiao Health Strategy will be included in a total Ngati Pikiao Iwi Development Strategy. Maori health is related to poverty and unemployment. An economic base must be established for iwi development.

Education

In 1990, only 62.1% of Maori had achieved a qualification by the time they left school compared with 87.5% of non-Maori.

In the 1991 census, 66.8% of Maori women aged 15 years and over and 63.6% of Maori men aged 15 years and over reported having no educational qualifications.

Poor Education and Health statistics have been proven to be a direct result of poverty, poor living conditions, limited access to health information and services, stress and low self esteem.

Te Rūnanga o Ngāti Pikiao Educational/Training Portfolio has identified the need for our educational goals to match the economic/social well-being needs of our people. Strategic Planning, Research and Policy have been and continued to be devised to achieve these goals.

The Educational Institutions ^{Section} within our Rohe Potae are;

KOHANGA REO

Ohau Kohanga Reo
Waiohewa Kohanga Reo

KURA TUATAHI (Primary)

Te Kura Kaupapa Māori o Rotoiti
Lake Rotoma School
Owhata School
Whangamarino School
Maketu School

*Te Kura Kaupapa Māori o Rotoiti
Te Kura Kaupapa Māori o Lake Rotoma
Te Kura Kaupapa Māori o Owhata
Te Kura Kaupapa Māori o Whangamarino
Te Kura Kaupapa Māori o Maketu*

KURA TUARUA (Secondary)

Rotorua Lakes High School
Rotorua Boys & Girls
John Paul College
Western Heights College

TUATORU (Tertiary)

Waiariki Polytechnic

Te Kura Kaupapa Māori o Rotoiti

Kohanga Reo/Kura Kaupapa

Kohanga Reo are vital to Iwi for the retention of our Reo Māori (Māori Language) as they prepare our preschoolers for Kura Kaupapa (Total Immersion Schools)

Te Kura Kaupapa Māori o Rotoiti has recently changed its status to teach in total immersion Māori and 99% of the roll belong to Ngāti Pikiao. Unfortunately 2 Kohanga Reo have been forced to close in the Rotoiti area due to a lack of adequate funding.

Secondary Education

Rotorua Lakes High School has a Bi-lingual Unit to enable the continuity of the education of our Tamariki in Te Reo. Te Rūnanga o Ngāti Pikiao have an Accord with Rotorua Lakes High School for mutual support to meet the educational needs of Ngāti Pikiao students.

Tertiary Education

Waiariki Polytechnic have an Iwi Council, 'Te Mana Matauranga', made up of Iwi Representatives, from the Waiariki Area, on which Ngāti Pikiao have representation. Mana Matauranga has an Accord with Waiariki Polytechnic to provide for the needs and aspirations of Iwi Māori. The amount of debt being incurred by Māori tertiary students, indeed all tertiary students, must be of major concern to Te Iwi Māori given the current economic situation of Māoridom.

Te Rūnanga o Ngāti Pikiao is a registered P.T.E. (Private Training Establishment) and has accreditation for the following courses;

**Computer & Journalism,
Kaitiaki Roto/Ngāhere(Resource Conservation),
Forestry (Silviculture)
Wood Processing (Joint Venture Waiariki)**

As 69% of our whenua is in exotic forest the Forestry/Wood Processing Courses and the tertiary courses available in Forest Management are vital in our goal to providing employment for our Rangatahi (Young People) in this Industry. Equally important is the Kaitiaki Roto/Ngāhere Course as this course provides the training needed to enable Ngāti Pikiao to practise the Kaitiaki (Resource Conservation) responsibility we have as an Iwi for our Lakes and Forests.

Constantly changing Crown Policy and process in regard to funding, within the Education and Employment Sectors, has a huge impact on the ability of Iwi to plan, develop and implement any long term strategy to improve the educational and economic standing of Māori, however we endeavour to provide the appropriate training in the fields identified by Ngāti Pikiao Iwi, as being of the most beneficial to meet our needs at the present time.

HOUSING/PAPAKAINGA

Land has always been considered an extremely valuable taonga for Maori and this is emphasised in pepeha, whakatauki, tauparapara, whaikorero, and moteatea. The relative importance of land to the Maori has therefore not diminished, although their perceived use has undergone substantial changes since pre-European times, with the advent and imposition of foreign rules and ideas that have created havoc with traditional values and customs. Government policies regarding the alienation of Maori land are well documented, as is the resulting legislation.

With this in mind, the development of Maori land has largely been driven by outside forces with no real consideration and understanding of, or consultation with, Maori, the Tangata Whenua.

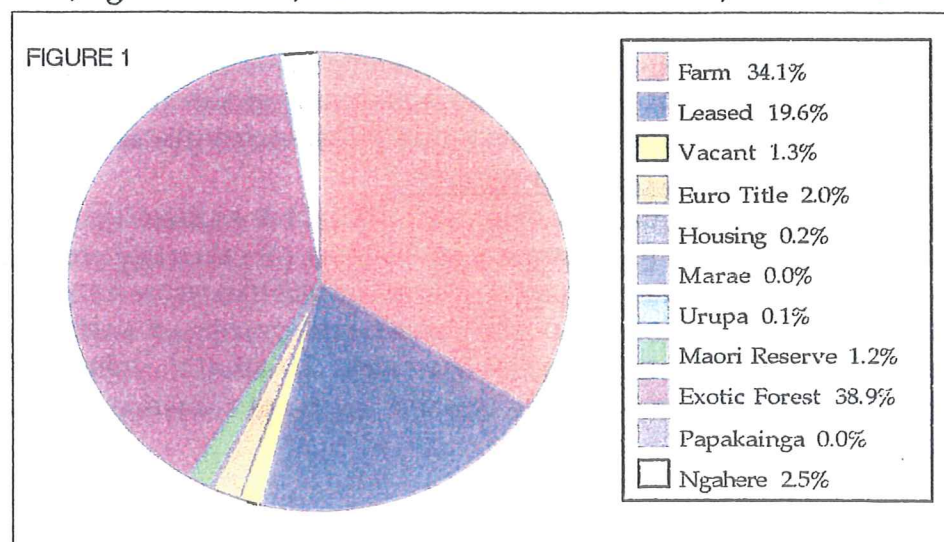
The focus of this report is to give a viable option for the utilisation of unused Maori land, specifically looking at Papakainga Housing. At present there are 303 blocks out of a total of 527 Ngati Pikiao owned lands, that are either house sites or idle lying blocks of land with no specified land use or formal administration.

(These blocks have an area of 10 hectares or less).

It would, therefore be a suitable option that initiatives and proposals be developed to enact the utilisation of these lands. 234 blocks are owned by 2 or more owners, some of these lands therefore have the real potential to be established as Papakainga Developments.

Post-European Land Use

Historically, Maori land in the Ngati Pikiao rohe had been developed within the traditional agricultural industries of dairy and sheep farming instigated initially by Apirana Ngata and continued with by the Department of Maori Affairs. Forestry made an impact during the sixties and seventies with the establishment of the huge amalgamated titles such as Rotoiti 15 and Taheke Paengaroa. More recently during the down turn in the farming industry, a number of the traditional farm blocks have since been converted in part to the more lucrative forestry industry. This has been particularly evident with a number of the incorporations, eg Rotoma 1B, Taheke 8C and Waione 3B8, to name a few.



Land use patterns are shown as a percentage of Ngati Pikiao lands in fig. 1

In the early eighties Horticulture made an enormous impact on the coastal lands and as a result a number of Ngati Pikiao coastal blocks were in part, developed as kiwi fruit orchards financed primarily through the Department of Maori Affairs. Government policy at that time was to cash in on the Kiwi fruit boom that was occurring throughout the Bay of Plenty, particularly around Te Puke. Due to the increased interest rates and the diminishing market a downturn was experienced in this industry during the latter eighties and it is unlikely that the industry will ever recover.

Two further developments require special mention, primarily because of their differing land usage, size and cost of development. These are Okawa Bay Resort at Mourea and the Tahuna Trust at Rotoiti. These types of land development have taken a different direction from the more traditional primary based industries and have concentrated on the Tourist aspect of economic development.

One important land use that has not yet been mentioned, because the bulk of this report concentrates on this aspect, is housing and more particularly Papakainga Housing on unutilised land and its application to Ngati Pikiao. To provide housing on whenua tupuna, where there is a desire to do so, enhances the importance of the take.

For the past fifteen years a particular concern has arisen for the needs of the Maori people in rural areas. District Scheme reviews and numerous notified applications have demonstrated that rural planning controls are not keeping in step with the desires of Maori people to resettle on ancestral land in rural areas. Generally it is desirable for this resettlement to take place without the requirement to partition and subdivide Maori land, so that the land will remain in an unalienable title for the enjoyment of the present and future generations who have a family or tribal tie to that land. It is necessary therefore, that where Papakainga is to continue, steps be put in place to accommodate this type of development.

In the past, planning impediments to Papakainga housing were generally a consequence of the Town and Country Planning Act 1977. That Act emphasised the preservation of good quality (rural) land for the production of food and the avoidance of encroachment of urban development onto such land. It also imposed strict controls on coastal developments. The Resource Management Act 1991, by applying the concept of sustainable management of natural and physical resources, has the potential to resolve many Papakainga planning problems.

Why Facilitate Papakainga Housing?

Maori multiple owned land is often not able to be utilised to its full potential because of the nature of the tenure and because of planning constraints. Maori want to live on their ancestral land. Maori should therefore be able to use their land as they see fit, so long as each proposal is consistent with the sustainable management of natural and physical resources. It should therefore be a matter of right for Maori to use multiply owned land for housing purposes such as Papakainga.

This work will attempt to help reduce the alienation of Maori land and to facilitate the desire for rural resettlement by providing development mechanisms that enhance multiply owned land rather than undermine it.

For Ngati Pikiao, this need to use and build on their land is highlighted by the fact that 308 blocks of the total 525 blocks recorded are lands listed as having no formal administrative body and are listed as having an 'unknown' land utilisation status. All these lands are less than 10 hectares. It is necessary to point out that some of these blocks will be residential sections and as such have been used for this purpose. However many of these lands are unutilised, and have the potential for Papakainga development, and should therefore be encouraged to do so and structures to enable this activity should be promoted

ISSUES AFFECTING PAKAINGA DEVELOPMENT

Resource Management Act

The Resource Management Act makes special mention of the Maori people and it behoves planning agencies like District and Regional Planning Councils to use sound country planning techniques to provide for the needs of the Maori community. The emphasis of the Resource Management Act is to provide for the 'sustainable management of natural resources' which directs decision makers attention to the needs of future generations by sustaining the potential of natural and physical resources as well as requiring them to safeguard natural ecosystems and avoid, remedy or mitigate any adverse effects of activities on the environment. These three aspects are to be given effect while enabling people and communities to provide for their social, economic and cultural well-being and their health and safety.

Matters of National Importance

In the matters of National Importance (Section 6), there has been a changed focus, from the use of the word 'unnecessary' (as applied to subdivision, use and development in section 3 of the Town and Country Planning Act) to 'inappropriate'. This change applies to the references to coastal development (Section 6(a)) and protecting the natural features and landscapes (Section 6(b)). When taken together with the purpose of the Act this should provide more positive responses to the need for Papakainga housing.

Treaty of Waitangi

Local authorities under the Resource Management Act Section 6 (e), are now required to recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water sites, waahi tapu and other taonga.

This is a development on Section 3 (1) (g) of the Town and Country Planning Act, 1977. Reinforcing section 6 (e) is the over searching section 8 which states all persons exercising functions and powers under the Resource Management Act, in relation to managing the use, development and protection of natural and physical resources shall take into account the principles of the Treaty of Waitangi.

Local Authorities

Where provision has been made in a District Scheme for Papakainga housing it is often confined to the area adjoining a Marae ie. Papakainga or Whakamahana Marae zones. Such limits ignore the wishes of Maori who want to build as a whanau or hapu on their land irrespective of the existence of a Marae.

The emphasis in the Resource Management Act on the effects of activities on the environment, coupled with the broad definition of environment to include people and communities, has the effect of requiring Councils to show what adverse effects their policy or rule is intended to control.

Rates

Council has always taken the view that rates remission or subsidy to any particular interest group is inappropriate in the District. The Government paper argues for rates relief for Maori land by rating the land as an undivided block rather than as if the land were partitioned. In the past Councils have treated Papakainga development on multiply owned Maori land as if it were a partitioned piece of land thereby placing unreasonable rates charges on the occupants. This is a very important issue to be sorted out with the respective Councils once the Papakainga projects are established.

LAND CONTRIBUTIONS

Recently, Maori have become concerned that under section 108 a District Council can still require a contribution of land in lieu of what is generally called a development levy. Where Maori land is partitioned and ownership remains within the hapu there is no absolute right for a Council to require an esplanade reserve or reserve to be set aside. Partition will settle any issues surrounding ownership of Maori land. Esplanade reserves and reserve contributions will lie with the discretion of the Maori Land Court. However the problem is that there is scope for a District Council to require of a Maori landowner to make a contribution of land where a Resource consent in respect of 'use' of land is applied for. The law is complex and there are transitional provisions in the Resource Management Act and other existing Regulations to be considered. Legal advice is advisable.

It may be less complicated to deal with the situation entirely under the Resource Management Act.

A 'Use' of land is defined in section 9 of the Resource Management Act and would include such things as;

- The buildings of a Marae complex.
- The building of Papakainga houses.
- The building of Kaumātua houses
- The construction, placement, alteration,, extension, removal, or demolition of buildings or structures.

If the District Plan makes rules for such things, it is likely a consent will be required from the Council - the plan will make that clear. The plan may or may not call these buildings or structures 'Marae', 'Papakainga', 'Kaumātua' housing, or may not have any Maori words at all. The plan will probably have words such as 'house', 'buildings', 'structures', etc.

If a Resource consent is required, the provisions of the District Plan will apply. Most plans will still be operating under the old District Plan and many plans will state land is required for a development levy. Councils should have new plans which are referred to in other guides (as is the case of the Rotorua District Council) issued by the Ministry for the Environment.

A new District Plan or change to or proposal to change a plan will have to be advertised. Tangata whenua will have to be consulted on this matter. Any requirement that a District Council may make as to a contribution of land under section 108 is subject to Council putting it in the new District Plan.

The new District Plan, or change to, or proposal to change a District Plan, is one that all District Councils at some stage in the next few years should be undertaking.

At the stage of advertising and holding a hearing on the provisions of the plan Tangata whenua may lodge submissions to the District Council. Maori groups have indicated that they will challenge any rules that require land contributions as a condition of consent, where Maori land is concerned.

These groups perceive that where Maori land is to stay within the hapu it is contrary to the Treaty to take esplanade reserve or reserve contributions at a Resource consent stage.

If such rules are to be put into District plans in accordance with the Act, objectors should be aware that in addition to other provisions of the Act, District Councils have duties to:

‘Recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, waters, sites, waahi tapu and other taonga (section 6e) ‘.

District Councils

The Council makes provision for Maori interests, but it does so taking into account the following:

- prevent sporadic urban development
- avoid problems associated with lack of servicing in settlements
- avoid detracting from coastal amenities preserve areas of natural or wildlife interest, wetlands, and stands of native bush
- ensure the stability of the land for development, including access, stability, water supply
- ensure the suitable development from a Council financial point of view

While the provisions are unlikely to please all parties, they have largely stood the test of time and haven't really been challenged

Conclusion

The Resource Management Act is clear in its intentions to provide for the sustainable management of natural resources. For Maori the Act provides for the adequate recognition for the relationship of Maori and their culture and traditions with their ancestral lands etc

The Act also has the ability to make significant progress towards enabling Maori to use their ancestral land in a sustainable way. This does, however, depend upon the co-operation of Local Government, and the issue is as relevant to regional Councils as it is to District and City Councils.

Ministers for the Environment, Maori Affairs and Housing have identified the need to enable and facilitate Papakainga housing as a matter of priority and this priority should be extended to Local Government level.

The Government paper on Papakainga housing makes the following statements based on the assumptions that;

- 1 unnecessary or inappropriate planning and Resource management barriers to Papakainga housing should be removed.
- 2 Land tenure and local authority restrictions mean that Maori land in multiple ownership is unable to be used.
- 3 The Resource Management Act 1991 requires that Councils process applications within five months, recognise and provide for Maori relationship with land and show what adverse effects their policy or rule is intended to control i.e. demonstrate adverse effects before enforcing restrictions.

When Councils are dealing with Papakainga development in rural areas, where the infrastructure for such development has not yet been established, Council must carefully consider the effects this type of activity will have on the environment.

While agreeing that the effects that this type of development may place on the environment must be considered, where there is clearly no real danger or unwanted interruption to the environs, Papakainga developments must be encouraged. Rotoma Incorporation in its efforts to provide low cost housing for its beneficiaries has been stifled by added costs (which should have been identified anyway, at an earlier stage) and some means of solving the problem of costs should be entered into between the Incorporation and the Council to encourage this development to proceed.

There also needs to be some uniformity with how the Rotorua District Council deals with Maori development and its definition and treatment of a 'Special Zone'. It will also be necessary for the Rotorua District Council to pick up on how other Councils deal with this type of activity as it is clear that this Council is not fully recognising and catering for the needs of the Tangata Whenua.

Recommendations

- 1 Papakainga developments should be encouraged as much as possible to enact the resettlement of our people as a matter of right, where this activity is been developed and a forum be established to facilitate discussion between the owners and the Council to enable the continuation of this development and any other development that may be effected in the future.
- 2 Papakainga development should be considered a 'Permitted Activity' and not a 'Discretionary Activity' in all zones because, of the undue restrictions placed on the development by Council rules. The time and added costs involved are not conducive to an expeditious, and the required outcome. It will be necessary therefore for submissions to be presented to Council, to achieve this result.
- 3 Where contributions are to be made in respect of land used for this purpose Council should be made aware that this is in contradiction with the Treaty of Waitangi and as such contributions for communal living on multiply owned Maori land should not be effected. Council should be made aware of this. If a submission is required then this should be done.
- 4 A researcher be employed to research the rates arrears schedules at the Rotorua, Whakatane and Tauranga District Councils to determine which of the unutilised Ngati Pikiao Lands are in fact unused. Many sections will be used for housing purposes however many will not and these lands should be targeted for this purpose. This same person could also be used to ascertain the zoning pertaining to each individual block to provide further information to be available for the land data base.
- 5 A housing survey to be completed along the same lines as the Health survey to determine the need for housing in Ngati Pikiao.
- 6 The Bay Of Plenty Regional and the Rotorua District Council may have research work available for students and it will be necessary for the Runanga to follow this up with the respective Councils.



Pāhinahina/Mourea

Wähanga Tuatoru

III

Mechanisms
for Partnership

Mechanisms for the Establishment of Enduring Relationships

Policy Development

Māori must first recognise the absolute necessity of establishing protocols for agreement between and amongst ourselves before any satisfactory relationship can be established with the Crown or its Agencies. This could only be achieved through the formulation and adoption of protocols for negotiation and agreement which would assert, reflect and protect our status as Māori/Tangata Whenua, uphold the **Tino Rangatiratanga** of Rangatira and Hapu (absolute authority of tribal interests including sub tribes and tribal leadership) and that the constitutional guarantees of the **Treaty of Waitangi** are ratified in all aspects of the policy development and application. We should;

- (a) Determine relationships between and within ourselves in whanau, hapu, Iwi and other Māori groups and organisations.
- (b) Assist in the formation of non-negotiable baselines for the protection of our rights and resources.
- (c) Provide for a unified position in the face of Crown action.

Protocols - understandings which may form the framework and parameters leading to agreements.

Non-negotiable Baselines - provide an agreed non negotiable position which may define the parameters of negotiation with the Crown.

Negotiation - the process by which we negotiate amongst ourselves, and with the Crown.

History has shown that the process of reconciliation, in seeking solutions to the issues identified, will not be easy unless there is a genuine commitment and willingness of both **Tangata Whenua and Tauwiwi to develop processes and strategies nationally, regionally and locally**, not influenced by less significant environmental or recreational interest groups, that will facilitate the production of either joint management or integrated sustainable management regimes.

Application;

Charters/Accords

The establishment of a '**Charter of Partnership**' for the purposes of formalising the relationship between two parties. is an initiative from the Department of Conservation, based on section 4 of the Conservation Act 1987 which requires the Department to give effect to the principles of the Treaty.

Few if any Charters have been established, although the Wanganui Conservancy has a draft document between themselves and the tangata whenua in that rohe. There appears to be little direction from the Department of Conservation as to what these Charters should contain.

Purpose

Giving effect to the principles of the Treaty requires a clear understanding of what those principles are. Although, a Charter is not a legal document, should there be a dispute with the Conservancy, the principles will form the backdrop for resolving such a dispute. It should be noted that 'giving effect' is much stronger than 'taking into account'.

There are at least four principles used by the Courts and the Tribunal However, Runanga or iwi should make efforts to incorporate principles not used by the Courts, such as the principle of Resource Development (that is the right of iwi to develop their own resources), or a Spiritual/Cultural Principle (which accords appropriate respect and protection of iwi cultural values).

Partnership needs to be maintained throughout all the functions and activities of the Conservancy. The tangata whenua are not merely an interest group in this instance, but are the Conservancys' partner. In the preparation of policies and plans, consideration should be given to the tangata whenua being resourced and assisted to be a full party in the plan and policy preparation.

Rangatiratanga would be recognised and provided for in such things as the management and control of resources. The particular resources and type of control should be identified by tangata whenua in consultation with the Conservancy.

Issues;

1. What is the Purpose of the Charter?

Section 4 of the Conservation Act 1987 requires the Department of Conservation to give effect to the principles of the Treaty of Waitangi. This provision recognises the special position of tangata whenua as Treaty partners and places obligations on the Department and the Bay of Plenty Conservation Board ("the Conservancy").

The purpose of this document should be to establish a basis of understanding between the Conservancy and the tangata whenua Iwi of Ngati Pikiao Whānui. The Charter should formulate a basis for interaction being a covenant among the various parties. It will prescribe the key issues of principle including those that spring from the Treaty of Waitangi.

Although not legally binding, it should provide a starting point from where both parties can proceed to give **practical effect** to the principles of the Treaty of Waitangi. Again we note that "giving effect to the principles of the Treaty" under the Conservation Act 1987, suggests a much stronger obligation than simply "taking into account the principles of the Treaty" under the Resource Management Act 1991.

Therefore this Charter should discuss issues wider than consultation procedures between the parties. It may include issues regarding active protection, Rangatiratanga, Resourcing and a whole host of outcomes related to Resource Management.

Since there are few, if any precedents on Charters of Partnership, "giving effect to the principles of the Treaty" will depend upon a clear understanding of what these principles are, and the willingness of the parties to work towards achieving a defined set of goals.

2 Who are the parties to this Charter?

Did Ngati Pikiao sign the Treaty? Is this question relevant? Should this agreement extend to include the Reserves Boards , and/or the Trusts and Incorporations? Identifying the appropriate mandate is of central importance here.

The purpose of this section would be to set out the parties involved in the Partnership. It might outline whether this is an agreement between the Minister of Conservation, and/ or the Regional Conservator and/or his staff. It should also clarify whether this is an agreement of the iwi, the hapu and or the whanau of Ngati Pikiao. Perhaps it is merely an agreement between the Conservancy and the Runanga? Whatever the case, this section should provide a brief outline of each parties' structure and organisational responsibilities.

The Treaty of Waitangi was signed between the Crown and the Chiefs of New Zealand. In this case, whilst the Bay of Plenty Conservancy is not the Crown, its responsibilities derive from the Crown and thus becomes the agent of the Crown.

The tangata whenua of Ngati Pikiao consist of fourteen independent Iwi/Hapu who each represent/hold their own mana . The choice of using a collective "voice" for the Iwi/Hapu is the decision of the tribes, not the Conservancy.

3 Who is bound by the Charter?

A Charter should only bind its signatories.

Issue 4 What effect will the Charter have?

The Charter will have no effect in law. It is not a creature of statute, but is sourced from a government policy of the Department of Conservation. It is better viewed as a guide for both parties when making management and planning decisions on the natural resources within the Ngati Pikiao Whānui tribal area.

5 What are the management functions and areas covered by this Charter?

Since this Charter is an agreement between the Conservancy and the Iwi/Hapu of Ngati Pikiao, the areas covered by this agreement should apply to those resources that are managed by the Conservancy but lie within the traditional boundaries of Ngati Pikiao Whānui. The range of natural resources covered by this agreement might include ancestral lands, waters, sites, waahi tapu, scenic reserves and taonga including freshwater and marine flora and fauna, native forests etc. This is not an exhaustive list.

Broadly speaking, these boundaries are:

"From **Te Tumu** in the West, stretching Eastward to **Pikowai** and heading inland along the **Waimimiha Stream** extending to the East of **Lake Rotoma** to **Lake Tarawera** then North-west encompassing **Lakes Rotoma, Rotoehu, Rotoiti, Okataina** and a section of **Lake Rotorua** advancing along the **Hururu Stream** to the **Okere River** and down to the **Kaituna Estuary** thence back along the coast to **Te Tumu**."

Issue 6 What are the principles of the Treaty of Waitangi?

Tangata whenua affirm that the principles of the Treaty are not a substitute for the Treaty itself. **The principles of the Treaty describe a dynamic relationship recognising that the Treaty is a living document.** Ngati Pikiao should therefore reserve the right to interpret/develop their own principles to better describe the relationship.

The Principle of Kawanatanga (the right to govern)

Kawanatanga under Article 1 of the Treaty means that the Crown has the right to govern and make laws for the good order and security of the country. There has been considerable debate as to the use and meaning of the term "Kāwanatanga" and its relationship to the Article 2 guarantee of "Tino Rangatiratanga."

Whilst the intellectual debate on the meanings of both Kawanatanga and Rangatiratanga continues, both the courts and the Waitangi Tribunal agree that sovereignty and the right to govern was ceded by Maori in return for certain guarantees. In Motunui, the Waitangi Tribunal expressed the exchange of promises under Article I and II as:

An exchange of gifts... the gift of the right to make laws, and the promise to do so as to accord the Maori interest and appropriate priority.

It follows that the Crown can make laws with general application, but the power to do so is qualified by the Crown's obligation to respect Tino Rangatiratanga.

The Conservation Act is itself an expression of Kawanatanga. Under it, the Crown has authorised the Bay of Plenty Conservancy to exercise management powers over the Conservation estate. The Waitangi Tribunal has observed in several of its reports (Muriwhenua and Ngati Tahu) that, in some cases, the right of Kāwanatanga enables the Crown to override the right of tribal self management of resources. This has occurred in the situations where national interests in conservation, such as the threat of environmental pollution, are at stake.

The Principle of Rangatiratanga

The recognition and acknowledgement of Tino Rangatiratanga is crucial for understanding the aims and aspirations of Maori under the Treaty of Waitangi.

"Article 2 of the English text guarantees to the chiefs and tribes, the full exclusive and undisturbed possession of their lands, estates, forests, fisheries and other properties."

The Waitangi Tribunal has said on a number of occasions that the obligation of the Crown to actively protect Rangatiratanga involves both ownership and management issues, and that an iwi should own at least enough property and resources to ensure its continued viability (Waiheke and Orakei Reports).

A critical issue for Maori is the resolution of ownership claims. For Maori, it is difficult if not impossible to separate issues of ownership from issues of management.

Many claims however, including the Kaituna claim in 1984, have transcended the question of resource ownership and refer instead to the restoration of 'Tribal Mana' in the context of resource management. Indeed, it has been management rights, 'the right to effective Maori participation', in decisions affecting the environment and resources and protection of taonga which have received most attention before the Waitangi Tribunal.

In the Motunui Report, the Tribunal considered that:

"Rangatiratanga and mana are inextricably related words. Rangatiratanga denotes the mana not only to possess what is yours but to control and manage it in accordance with your own preferences. We consider that the Maori text of the Treaty would have conveyed to Maori people that amongst other things they were to be protected not only in the possession of their fishing grounds but in the mana to control them and then in accordance with their own customs and having regard to their own cultural preferences."

The Principle of Partnership

The Court of Appeal has interpreted the principles of the Treaty of Waitangi to be indicative of a partnership relationship. But the precise implications of what that partnership means in practice is yet to be fully worked out:

It appears that the key to defining the principles of the Treaty is to be found in the idea of a partnership between Pakeha and Maori, and that co-operation is at the heart of the agreed relationship of the two partners. (Muriwhenua decision).

The test of partnership adopted by the Waitangi Tribunal is that:

The Treaty signifies a partnership between the Crown and Maori people and the compact between them rests on the premise that each partner will act reasonably and in the utmost good faith towards the other. Orakei report, page 150.

The Court of Appeal, in the NZ Maori council case, went further by extending the notion of partnership as one between the races, and that utmost good faith was an essential characteristic of partnership.

It is a moot legal point whether the Treaty was intended as a partnership between Maori and the Crown or between Maori and Pakeha (that is, the two races theory espoused by Cooke P in NZ Maori Council). The reality is that the concept of partnership is being developed in a broad way, with local councils as agents of the Crown subject to the partnership obligations.

For local authorities, in applying the test of good faith to the new partnership-with Maori, they will have to demonstrate what the Court of Appeal has described as an "honesty of purpose which calls for an honest effort to ascertain the facts and reach an honest conclusion".

The elements of good faith, reasonable co-operation and compromise are fundamental to the concept of partnership. The legal and political constraints confronting local authorities, including the Bay of Plenty Conservancy, under the present law make the idea of an equal partnership seem remote. A Charter is a means of giving effect to a partnership, albeit in a limited form.

The Principle of Active Protection

This has been identified by the Courts to ensure that a Maori interest in resource management is not simply a passive one but is in all senses active. Active protection implies adequate resourcing for tangata whenua in resource management activities.

Active protection would extend not only to matters related to the recognition and protection of; waahi tapu, urupa and sites of significance to tangata whenua, but also to proactive policies related to the maintenance and survival of tangata whenua culture and identity. Active protection would extend to management practice and tikanga associated with resources.

Early consultation, the provision of sufficient information, and shared decision making are some of the support required for iwi to adequately protect their resources.

Practical assistance might include:

- technical assistance with submissions on conservation management issues either to local authorities or the public;
- financial assistance with hui on major issues for the region which involve extensive consultation with Iwi;
- Regular workshops with Hapu and Iwi to keep them updated on issues of mutual concern;
- contracting Hapu or Iwi to carry out specified projects for the Conservancy in relation to their functions and duties under the Act.
- Educational programmes targeting Iwi groups.

Issue 7

A Resource Development Principle?

Article III of the Treaty gave to Maori the same rights and duties as English citizens. The Treaty guaranteed to Maori retention of their property rights under Article II, and the choice of developing those rights under Article III.

The Waitangi Tribunal has reiterated the need for resources to be restored to Maori. It has also recognised the right of Iwi to develop those resources within the context of their own needs and aspirations.(Muriwhenua decision).

Thus, in pursuing development, Maori may choose to pursue non-traditional uses of their resources instead of, or as complementary to, their traditional practices. This view is expressly recognised in section 6 of the Resource Management Act 1991.

Issue 8

A Spiritual Principle?

The spiritual relationship Maori have to the environment is a feature that has been recognised in practically all of the claims before the Waitangi Tribunal, of which the Kaituna claim is no exception.

Section 6 (e) of the RMA 1991 expressly provides for the spiritual and cultural values of Maori as they relate to waahi tapu, ancestral lands, sites, water and other taonga. Recognition and respect for such values is integral to an understanding of the concept of kaitiakitanga that must be had particular regard to under section 7(a).

Issue 9

Cultural Audit/Impact Reports

A tangible mechanism and essential element in the development of any partnership/charter/accord would be for the provision by Authorities to mandate Iwi to conduct a process of '**Cultural Audit**' for any proposals of resource management within tribal territories.

This process will vary according to the nature of the resource and the proposed activity, however the process will include the following;

- (1) Identification of the specific whanau, hapu and Iwi involved
 - (2) Identification of the historical, cultural and aesthetic significance of the taonga.
 - (3) Consultation framework with interested parties
- Outcomes;**
- (a) Cultural Impact Report
 - (b) Environmental Impact Report
 - (c) Iwi Recommendations
 - (d) Joint Monitoring Regime in the event of the proposal going ahead

Issue 10

Iwi Policy

The development of **base-line Iwi policy** will provide recognition, validation and protection for the integrity of Iwi/Hapu knowledge, traditional practice (tikanga) and provide **for the rights guaranteed to Māori in articles II & III of the Treaty of Waitangi**, and a starting point for the development of an **Integrated Sustainable Resource Management Partnership** between The Confederation of Ngāti Pikiao Iwi/Hapu and all National, Regional and Local Authorities and Agencies (Public and Private).

Wähanga Tuawhā

IV

Iwi Policy

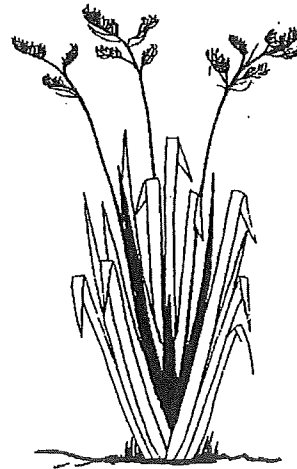
Section One



Iwi Policy

The Resource Management Issues of Ngāti Pikiao are . generic to all Iwi and in order to achieve consistency in the provision of a unified position for Māoridom, in regard to a process for the development of an integrated management strategy with Tauīwi, many of the Ngāti Pikiao policies contained in this document have been adopted or revised from policies developed by Ngāti Te Ata, Awaroa ki Manuka 1991, and the Te Rohe o Whakarara submission to Northland Regional Council 1993-94.

**“Ehara taku toa i te toa takitahi engari he toa takatini”
Unity is our strength**



The Confederation of Ngāti Pikiao Policy

SECTION

1.00

OBLIGATIONS OF EXTERNAL AGENCIES

The following Legislation contains *Statutory Obligations* which any persons or organisations, i.e. Government Departments, Local Authorities and Community Special Interest groups, who interact with the Ngāti Pikiao Confederation of Hapu/Iwi need to be aware of:

1. Burial and Cremation Act 1964.
2. Historic Places Act 1980.
3. Fisheries Act 1983. Māori Fisheries Act 1989.
4. State Owned Enterprises Act 1986.
5. Māori Language Act 1987.
6. Conservation Act 1987.
7. Transit N.Z. Act 1989.
8. Crown Minerals Act 1991.
9. Resource Management Act 1991.
10. Hazardous Substances and New Organisms Bill 1994.

There is a shared experience for Te Iwi Māori, throughout Aotearoa, in dealing with the Crown or other Agencies/Persons regarding Resource Management Issues and Tribal Policy Statements have already been developed by Ngāti Te Ata (Manukau) and Ngāti Hine (Tai Tokerau), as a response to the statutory imperatives listed. In order to support the validation of their response The Confederation of Ngāti Pikiao Iwi/Hapu have adapted and adopted the following *Tribal Policy* and will add to these whenever it is deemed necessary to do so.

1.1 Burial and Cremation Act 1964

The Burial and Cremation Act consolidates laws relating to the burial and cremation of the dead. Some of the relevant provisions of the Act for this policy statement include definition of different types of burial ground including;

'Cemetery' (any land held,taken,purchased,acquired,set apart, dedicated, or reserved, under the provisions of any act or before the commencement of this Act, exclusively for the burial of the dead).

Māori Burial Ground' (any land set apart for the purposes of a burial ground under Section 439 of the Māori Affairs Act 1953)

Section 51 makes it unlawful to remove from its burial place any body, or the remains of any body buried in any cemetery, Māori Burial Ground, or other burial ground, without licence under the hand of the Minister of Health, **Section 55** imposes penalties for unlawful exhumations.

The Minister of Health, and other public or private agencies must recognise therefore that any **'Waahi Tapu'** containing **'Koiwi'(Human remains)** is for the purposes of this Act defined as a Cemetery or Burial Ground.

Therefore the Minister of Health must exercise his/her statutory obligation by prosecuting those who contravene the provisions of the Act and interfere with any 'Koiwi'

Policy 1.1

That all public and private agencies acknowledge and give effect to the following;

- (a) That Koiwi are taonga and the Confederation of Ngāti Pikiao Iwi are Kaitiaki of these taonga.*
- (b) That a prohibition exists on the interfering with, exhuming or carrying out any activity in the vicinity of any Koiwi.*
- (c) That all areas containing Koiwi within the tribal territory of the Confederation of Ngāti Pikiao Iwi, no longer in Iwi ownership, be returned forthwith.*

1.2 Historic Places Act 1980

This Act created the Historic Places Trust to preserve the historic heritage of New Zealand. It defines three types of historic sites including the archaeological sites (sites older than 100 years), historic areas (an area containing an interrelated group of prehistoric or historic features) and traditional sites (places or sites important by reason of historic significance or spiritual or emotional association with Māori people). The Act does not recognise the absolute right of Te Iwi Māori to protect, manage and control their own heritage.

Policy 1,2

That the Historic Places Trust and any agency delegated authority on its behalf recognise and provide the following;

- (a) That only the Confederation of Ngāti Pikiao Iwi has the right to manage, control and protect its tribal heritage.*
- (b) That any other organisations who presume this authority are acting illegitimately.*
- (c) That the Trust allocate such resources as are necessary to the appropriate Confederation of Ngāti Pikiao Iwi Authority to enable it to carry out its Kaitiaki/ownership responsibilities.*

1.3 Fisheries Act 1983 & 1989

The 1983 Act establishes a management regime for fisheries .

Section 88(2) provides that nothing in this Act shall affect any Māori fishing right.

The 1989 Act seeks "To make better provision for Māori fishing rights secured in the Treaty of Waitangi..." and provides for the transfer of fishing quota up to 10% to Māori people and under Sec 54A provides for the establishment of Taiapure (local Māori fisheries)

Te Weehi V Regional Fisheries Officer (M662/85) it was held that customary rights do not require legislation to be legally recognised but do to be extinguished.

Policy 1.3

All public and private agencies involved in fisheries use and management within the tribal territory of the Confederation of Ngāti Pikiao shall acknowledge and give effect to the following;

- (a) That the Confederation of Ngāti Pikiao Iwi has never relinquished the Kaitiaki-ownership over its lakes, rivers and waterways and the fishery resource therein.*
- (b) That only the Confederation of Ngāti Pikiao Iwi have the right to manage and control fisheries within its tribal territory and will mandate 'Iwi Kaitiaki ' when deemed necessary*
- (c) That all public and private agencies (other than Ngāti Pikiao) who presume management responsibilities for the Confederation Ngāti Pikiao waterways and fisheries are acting illegitimately.*
- (d) That all agencies that have presumed management responsibility for the Confederation of Ngāti Pikiao Iwi lakes, rivers, waterways and fisheries allocate resources to the appropriate Confederation of Ngāti Pikiao Iwi Authority to enable them to carry out their Kaitiaki-ownership responsibilities*

1.4 State Owned Enterprises Act

This Act provides for the transfer of Government assets, Crown Land including significant natural resources such as forests and minerals, to State-owned Enterprises (SOE). Section 9 states "Nothing in this Act shall permit the Crown to act in a manner that is inconsistent with the Principles of the Treaty of Waitangi".

Policy 1.4

The Crown and any State Owned Enterprise shall acknowledge and give effect to the following;

- (a) That the Confederation of Ngāti Pikiao Iwi have never relinquished Kaitiaki-ownership over any/all of the natural and physical resources within our tribal territory which are either in Crown 'legal' ownership or have been transferred to a State Owned Enterprise (SOE)*
- (b) That any such resources as referred to in (1.4 a) identified as being surplus to Crown, SOE needs to be returned to the appropriate Iwi/Hapu/Whanau of the Confederation of Ngāti Pikiao and that the Crown will take full responsibility for securing the return of such resources.*
- (c) That for any National, Regional or Local Authorities who continue to act in a manner which effectively alienates or confiscates the natural and physical resources of the Confederation of Ngāti Pikiao Iwi are doing so illegitimately*
- (c) That the Confederation of Ngāti Pikiao Iwi under article 2 of the Treaty of Waitangi are the Kaitiaki-owners of all resources within our tribal territory and therefore have the right to determine the management preferences for such resources in respect to Sec 17 of the Act.*

1.5

Māori Language Act

This Act declares Te Reo Māori to be an official language of Aotearoa (New Zealand), which confers the right to speak Te Reo in legal proceedings, such as, Courts and Tribunals.

Policy 1.5

- (a) *Te Reo Māori must be recognised as the first and official language within the Tribal Territory of the Confederation of Ngāti Pikiao Iwi.*
- (b) *The Confederation of Ngāti Pikiao Iwi have the unquestioned right to use Te Reo Māori (both in written and oral form) in any forum, anywhere and at any time deemed appropriate by Ngāti Pikiao.*

1.6 Conservation Act 1987

This Act promotes the conservation of New Zealand's natural and historic resources, establishes the Department of Conservation and requires under Section 4 of the Act that "this Act shall be so interpreted as to give effect to the Principals of the Treaty of Waitangi".

Policy 1,6

That the Department of Conservation recognise and give effect to the following;

- (a) *That the Confederation of Ngāti Pikiao Iwi as Kaitiaki are the legitimate conservators of natural and historic resources within the Ngāti Pikiao tribal territory.*
- (b) *That any other agencies who presume this role are acting illegitimately.*
- (c) *That the Department of Conservation, when appropriate, allocate relevant resources to the Confederation of Ngāti Pikiao Iwi to enable Ngāti Pikiao to effect such changes as are necessary to carry out our role of Kaitiaki.*
- (d) *That within the Confederation of Ngāti Pikiao Iwi tribal territory only Ngāti Pikiao Iwi have the right to determine/interpret the Iwi perspective of the Treaty of Waitangi.*

1.7

Transit N.Z. Act 1989

This Act requires that Land Transport programmes be prepared by District and Regional Councils identifying transport needs for that year. Section 27 states "No project which affects or is likely to affect Māori land or Māori Historical, cultural or spiritual interests shall be included in any (district or regional) land transport programme unless the local authority responsible for the project has consulted every Iwi or Hapu... which may be affected".

Policy 1.7

That Transit N.Z. and all District and Regional Councils recognise and provide for the following;

- (a) That the Confederation of Ngāti Pikiao Iwi as 'Tangata Whenua' have the right to veto any Land Transport Programme for any proposed works within our tribal territory .*
- (b) That no land owned by the Confederation of Ngāti Pikiao Iwi or land that has been confiscated or alienated by an external authority shall be used for roading purposes without full and meaningful consultation with Iwi.*
- (c) That the Agencies referred to in 1.7 (b) provide or allocate sufficient resources to enable the appropriate Authority within the Confederation of Ngāti Pikiao Iwi to carry out the process of full and meaningful consultation.*

1.8 Crown Minerals Act 1991.

The Act is defined as an Act to restate and reform the law relating to the management of Crown owned minerals. It defines Crown Owned Minerals as petroleum, gold, silver and uranium existing in its natural condition in land (whether or not the land has been alienated from the Crown, and also covers minerals on land owned by or reserved to the Crown.

It provides for minerals programmes for Crown Minerals (i.e. policies, procedures and provisions) to be prepared by the Minister of Energy, deals with the issuing of mineral permits and controls minimum impact activities on any land for the purpose of assessing/surveying the availability of minerals.

Section 4 states "All persons exercising functions and powers under this Act shall have regard to the **principles of the Treaty of Waitangi**".

Section 15(3) states "**On request of the Iwi**, a mineral programme may provide that defined areas of land of particular importance to its mana are excluded from the operation of the minerals programme or shall not be included in any permit".

Section 16 (1) (b) states "That the Minister of Energy shall ensure notice is given of a draft minerals programme to all Iwi".

Section 17(7) states "That information contained within a submission to a draft minerals programme on the location of **Waahi Tapu** or which by its disclosure may cause serious offence to **Tikanga Māori** can be withheld by the Department or Minister of Energy".

Section 51 requires that entry to Māori land for minimum impact activity **must first ensure reasonable efforts have been made to consult with owners of the land identified by the Māori Land Court and at least 10 days notice given to the local Iwi Authority of the land.**

Section 51(2) states "That no person may enter without the consent of the owners of the land where such Māori land is regarded as **Waahi Tapu** by the Tangata Whenua

Policy 1.8

That the Crown acknowledge and provide for the following;

- (a) That the Confederation of Ngāti Pikiao Iwi are the Kaitiaki-owners of all minerals within our tribal territory and that these rights have never been extinguished.*
- (b) That any Agency whether public or private who presumes management/commercial responsibility for such minerals is acting illegitimately.*
- (c) That the Crown return the ownership of all land containing minerals within our tribal territory to the appropriate Iwi /Hapu Authority within the Confederation of Ngāti Pikiao Iwi.*

**OBLIGATIONS OF EXTERNAL AGENCIES UNDER THE
RESOURCE MANAGEMENT ACT 1991**

INTERPRETATION

- (a) *For the purposes of this policy statement Resource Management Agency shall include; any Minister of the Crown, Government Department, Judicial Body (i.e. Planning Tribunal, High Court, Court of Appeal), Regional Council, Territorial Authority, or any Agency delegated any authority by the aforementioned.*
- (b) *All Resource Management Agencies referred to in (a) above shall recognise and provide for the following;*
 - i. *That only 'mandated' representative/s of The Confederation of Ngāti Pikiao Iwi has/have the right as kaitiaki-owner(s) to manage natural and physical resources within its tribal territories and to prepare plans and policy statements for the management of such resources.*
 - ii. *That any agencies external to Te Rohe o Ngati Pikiao Iwi who presume this management responsibility are acting illegitimately.*
 - iii. *That such agencies shall allocate such resources to The Confederation of Ngati Pikiao Iwi as are necessary for it to carry out its kaitiaki ownership responsibilities over all natural and physical resources within its tribal territories.*

Policy 1.9.1

All Resource Management Agencies with statutory responsibilities under the Act shall recognise and provide for the following;

- (a) That The Confederation of Ngāti Pikiao Iwi alone has the right to define Māori concepts referred to in the Act (RMA) in accordance with its tikanga (Pikiaoatanga) and prescribe how such concepts shall be applied to tribal resources within its tribal rohe*
- (b) That The Confederation of Ngāti Pikiao alone has Manawhenua within its tribal rohe.*
- (c) That The Confederation of Ngāti Pikiao Iwi exists in its own right as a confederation of Hapu and Iwi and for the purposes of the Act Te Pūkenga Kaumātua o Ngāti Pikiao or a designated representative is the Iwi Authority within its tribal rohe.*
- (d) That The Confederation of Ngāti Pikiao Iwi tikanga (Pikiaoatanga) means its inherent rights as an Iwi and incorporates all those elements which promote Iwi self determination (Rangatiratanga) and self-sufficiency.*

1.9.2 GENERAL PROVISIONS

Purpose of the Act (Section 5)

The purpose of the Act is to "Promote sustainable management of natural and physical resources"

The Act states that "sustainable management" means "managing the use, development and protection of natural and physical resources in a way or at a rate which enables people and communities to provide for their social, economic and cultural well-being..."

Ministers of the Crown, Regional Councils, Territorial Authorities and other resource management agencies shall recognise and provide the following;

- (a) That only The Confederation of Ngāti Pikiao Iwi has the right to determine what constitutes sustainable management of its natural resources within its tribal territories.*
- (b) That any other agencies who presume this right are acting illegitimately.*

All Resources Management Agencies shall recognise and provide for the following;

- (a) That only The Confederation of Ngāti Pikiao Iwi has the right to determine the nature of the relationship between its culture and traditions and its ancestral lands, waters, sites, waahi tapu and other taonga.*

AND

- (b) How this relationship shall be recognised and provided for*
- (c) That The Confederation of Ngāti Pikiao Iwi determinations in respect of (a) and (b) above be effectuated by all Resource Management Agencies*
- (d) That any other Agencies who presume this right are acting illegitimately*

All Resource Management Agencies shall recognise and provide the following;

- (a) That only The Confederation of Ngāti Pikiao Iwi hold the 'Manawhenua' and can be 'Kaitiaki' over its tribal lands, waters and other taonga*
- (b) That only the Confederation of Ngāti Pikiao Iwi can determine what the principles of Kaitiakitanga are and how such principles shall be implemented.*

1.9.3 Treaty of Waitangi (Section 8)

In achieving the purpose of the Act Resource Managements Agencies shall, **"...take into account the principles of the Treaty of Waitangi ("Te Tiriti o Waitangi.")**

The Act refers to both versions of the Treaty (i.e. English and Māori translations) so the implication is that both versions of the Treaty are applicable.

All Resources Management Agencies shall recognise and provide for the following;

- (a) That only The Confederation of Ngāti Pikiao Iwi has the legitimate authority to determine the principles of the "Treaty of Waitangi (Te Tiriti o Waitangi) in respect of management of natural and physical resources within its tribal territories*
- (b) That once determined such Agencies shall give effect to these principles in accordance with (a) above*
- (c) That any other Agencies who presume this authority are acting illegitimately*

1.9.4 Transfer of powers to Iwi Authorities (Section 33)

Certain powers (except approval of policy statements or plans and issuing or making recommendations in respect of requirements for a designation or Heritage Protection Order) can be transferred from Local Authorities to other public authorities including at section 33(2) “..Iwi Authority...”

It qualifies the transfer by stating in section 33(4) (c) “... that both authorities agree that the transfer is desirable on all of the following grounds:

- i The Authority to which the transfer is made represents the appropriate Community interest...
- ii. Efficiency
- iii. Technical or special capability or expertise....

All Resource Management Agencies shall relinquish such 'legal' powers and resources to The Confederation of Ngāti Pikiao Iwi or its 'Mandated Representative' as are necessary;

- (a) *To enable The Confederation of Ngāti Pikiao Iwi to carry out its Kaitiaki responsibilities over its natural and physical resources and other taonga and to maintain its territorial integrity over such resources and taonga*
- (b) *To give effect to this policy statement*

1.9.5 Provision for Tikanga Māori at Hearings (Section 39)

In determining an appropriate hearing procedure the Local Authority, Consent Authority, or person given authority pursuant to sections 33,34,117,146,202, shall (section 39(2)(b)

“shall recognise tikanga Māori where appropriate and receive evidence written or spoken in Māori...”

This means that any hearing involving The Confederation of Ngāti Pikiao Iwi members or issues which impact on The Confederation of Ngāti Pikiao interests in respect of policy statements, plans or resource consent shall recognise Ngā Tikanga o Ngāti Pikiao Whānui (Pikiaotanga).

- (a) *All policies contained in Section 1.9 shall be taken into account and where The Confederation of Ngāti Pikiao Iwi permits others to conduct any resource management hearings they shall give effect to Ngā Tikanga o Ngāti Pikiao Whānui*
- (b) *Any such hearings permitted by The Confederation of Ngāti Pikiao and affecting its natural and physical resources shall be held on the appropriate Ngāti Pikiao Marae*
- (c) *That as Kaitiaki-owners and the legitimate authority within its tribal territories only The Confederation of Ngāti Pikiao Iwi or its mandated representative has the right to make decisions about natural and physical resources and other taonga within such territories*
- (d) *That any other agencies who presume this decision-making authority are acting illegitimately*

1.9.6 Protection of Sensitive Information such as Waahi Tapu (Section 42)

A Local Authority may (on its own motion or application) make an order excluding the public from a hearing, prohibiting publication or communication of information where necessary Sec 42(2)(a) **"To avoid serious offence to tikanga Māori or to avoid disclosure of the location of Waahi Tapu"**

All Resource Management Agencies shall recognise and provide for the following;

- (a) Under no circumstances shall any Agency other than The Confederation of Ngāti Pikiao Iwi make decisions or determinations about Waahi Tapu and its tikanga*
- (b) Under no circumstances shall information about the Confederation of Ngāti Pikiao Iwi Waahi Tapu be disclosed to any Agency but The Confederation of Ngāti Pikiao or its 'Mandated Representative'.*
- (c) Any contravention of (a) and (b) above constitutes serious offence to Ngā Tikanga o Ngāti Pikiao Whānui*

1.9.7 Policy Statements and Plans

National Policy Statements and Treaty of Waitangi (Section 45 (2) (h))

In determining whether to prepare a National Statement the Minister may have regard to "...anything which is significant in terms of Section 8 (Treaty of Waitangi)"

The Minister for the Environment shall recognise and provide for the following;

- (a) That on The Confederation of Ngāti Pikiao Iwi has the right to determine significance in terms of the Treaty of Waitangi over natural and physical resources and other taonga within its tribal territories*

**1.9.8 New Zealand Coastal Policy Statement and Māori Values
(Section (b))**

NZ Coastal Policy Statement may state policies about “the protection of characteristics of the coastal environment of special value to Tangata Whenua including Waahi Tapu, Tauranga Waka, Mahinga Maataitai, and Taonga Raranga”

All resources Management Agencies shall recognise and provide the following;

- (a) That the Confederation of Ngāti Pikiao Iwi has never relinquished Kaitiaki-ownership over the coastal environment and coastal resources within its tribal territories.*
- (b) That only The Confederation of Ngāti Pikiao Iwi has the right to determine coastal policies in respect of these resources and to define special values in respect of its coastal areas.*
- (c) That any agency who presumes this management responsibility is acting illegitimately.*
- (d) That resources be allocated to the appropriate mandated representative/s of The Confederation of Ngāti Pikiao Iwi to enable us to perform our kaitiaki-ownership duties over the coastal environment.*

1.9.9 Regional Policy Statements and Iwi Planning Documents (Section 61 (2) (a) (ii) & (iii))

Regional Policy Statements shall have regard to "... (i) Relevant planning document recognised by an Iwi Authority affected " & "
(ii) regulations relating to the conservation or management of taiapure or fisheries".

This means that in the preparation of the Regional Policy Statement the relevant Regional Council shall have regard to relevant planning documents recognised by the Iwi.

Policy 1.9.9

The relevant Regional Council shall recognise and provide the following:

- (a) That only The Confederation of Ngāti Pikiao Iwi has the right to determine regional policy as it affects natural and physical resources, taonga within its tribal territories*
- (b) That the Confederation of Ngāti Pikiao Iwi has never relinquished these responsibilities*
- (c) That any regional policy must give effect to this policy statement and Ngā Tikanga o Ngāti Pikiao Whānui*
- (d) That regional councils allocate such resources to the The Confederation of Ngāti Pikiao Iwi as are necessary for it to carry out regional policy formulation, implementation and management of resources referred to in (a) above*

1.9.10 Contents of Regional Policy Statements (Section 62(1)(b))

Regional policies shall state “matters of resource management significance to Iwi Authorities”

Policy 1.9.10

The relevant Regional Council shall recognise and provide for the following;

(a) That policy 19.9 shall also apply

AND

(b) That only The Confederation of Ngāti Pikiao Iwi has the right to determine matters of resource management significance to it

1.9.11 Regional Coastal Plans (Section 64)

Regional Coastal Plans are mandatory. While there is no specific statement about the contents of the plan the general provisions of sections 5,6,7 & 8 referred to earlier, apply.

Policy 1.9.11

That the relevant regional council, Department of Conservation and Minister of Conservation shall in respect of the regional coastal plan give effect to policy 1.9.8

1.9.12 Regional Plans and Māori Issues (section 65,66)

1. Regional Plans may be prepared, including plans to deal with (at Section 65(3)(e) any significant concerns of tangata whenua for their cultural heritage in relation to natural and physical resources.
2. Regional Plans may have regard to (at Section 66(2)(c)(ii) & (iii) "...relevant planning documents recognised by an Iwi Authority affected") and "regulations relating to the conservation or management of taiapure".

The Regional Council (in respect of Regional Plans) shall;

- (a) *Give effect to policy 1.9.9/1.9.10 and 1.9.11 above*
- (b) *Recognise and provide for the fact that only The Confederation of Ngāti Pikiao Iwi has the right to determine significant concerns of The Confederation of Ngāti Pikiao Iwi or its cultural heritage in relation to natural and physical resources*

1.9.13

District Plans (Section 74)

District Plans shall be prepared and shall have regard to (at Section 74(2)(b)(ii) & (iii) "...relevant planning documents recognised by an Iwi Authority affected' and regulations relating to taiapure

Policy 1.9.13

The relevant District Council shall recognise and provide for the following:

- (a) That only The Confederation of Ngāti Pikiao Iwi has the right to prepare District Plans for natural and physical resources and other taonga within its tribal territory*
- (b) That The Confederation of Ngāti Pikiao Iwi has never relinquished its rights as Kaitiaki-owner over such resources*
- (c) That any District Council that presumes this role is acting illegitimately*
- (d) That the relevant District Council allocate such resources to the appropriate Confederation of Ngāti Pikiao Iwi Authority as are necessary for it to carry out its Kaitiaki responsibilities*
- (e) That any District Plans shall give effect to Ngā Tikanga o Ngāti Pikiao Whānui*

1.9.14 Resource Consents

1.9.14 a Ministers Call-in Powers (Section 140)

Where the Minister for the Environment considers a proposal is of national significance, and “is or is likely to be significant in terms of Section 8 Treaty of Waitangi” he/she may direct that the Minister will decide the application.

Policy 1.9.14a

That all resource management agencies including the Minister for the Environment shall recognise and provide for the fact that only The Confederation of Ngāti Pikiao Iwi has the right to determine what is significant in terms of the Treaty of Waitangi in respect of natural and physical resources and other taonga within its tribal territories

1.9.15 Heritage Protection

A Heritage Order is a provision in a District Plan giving effect to a requirement by a Heritage Protection Authority (HPA) to protect a heritage item.

Any Minister of the Crown and Historic Places Trust is automatically an HPA.

1.9.15 a Heritage Protection Authority (Section 187,188)

An HPA includes the Minister of Māori Affairs acting on his/her own motion or the motion of an Iwi Authority.

Any “body corporate” with an interest in a particular place can apply to the Minister to be the HPA for the purpose of protecting that place.

1.9.15 b Notice of Requirement (Section 189)

An HPA may give notice to a territorial authority for the purpose of protecting "...any place of special interest, character or intrinsic or amenity value or visual appeal or of special significance to the Tangata Whenua for spiritual, cultural or historical reasons"

Policy 1.9.15

All Resource Management Agencies shall give effect to the following;

- (a) That The Confederation of Ngāti Pikiao Iwi is the only legitimate Heritage Protection Authority for heritage within its tribal territories*
- (b) That any other agencies who presume this role are acting illegitimately*
- (c) That under no circumstances shall any agency, other than the Iwi, determine those places of special interest, character or intrinsic or amenity value or visual appeal to The Confederation of Ngāti Pikiao Iwi*
- (d) That once defined such areas as are referred to in (c) above shall be protected and /or managed in accordance with Ngā Tikanga o Ngāti Pikiao Whānui*

1.9.16 Water Conservation Orders (WCO)

1.9.16 a Water Conservation Orders and Māori Values (Section 199)

A Water Conservation Order may provide for (Section 199(2)(b)(V)...
“spiritual or cultural purposes”) (Section 199(2)(c) “ protection of characteristics
which any water body has or contributes to, and which
are considered to be of outstanding significance in accordance with Tikanga
Māori”

1.9.16 b Special Tribunal to hear application (Section 202)

If the Minister appoints a special tribunal he/she shall first consult with the
Minister of Māori Affairs

1.9.16 c Public Notification of WCO(Section 204)

The Tribunal shall ensure that the notice of application is served on (Section 204(1)(c)(iv) "the relevant Iwi Authorities")

Policy 1.9.16

All Resource Management Agencies shall recognise and provide for the following;

- (a) That The Confederation of Ngāti Pikiao iwi are the Kaitiaki owners of all waters, waterways, waterbed and resources therein within its tribal territories*
- (b) That any other agency who presumes this authority is acting illegitimately*
- (c) That as Kaitiaki owners only The Confederation of Ngāti Pikiao Iwi has the right to determine management preferences and make decisions about waterways and water resources within its tribal territories*
- (d) That only The Confederation of Ngāti Pikiao Iwi can define those areas which are of spiritual and /or cultural importance to it*
- (e) That once defined, such areas as are referred to in (d) above shall be protected and managed in accordance with Ngā Tikanga o Ngāti Pikiao Whānui*
- (f) That the discharge of Sewerage into any Ngāti Pikiao Whānui waterway shall be prohibited.*

1.9.17 Planning Tribunal

1.9.17 a Appointment of Planning & Alternate Planning Judges (Section 249-292)

An Alternate Planning Judge must be a judge of the District Court or the Māori Land Court

Appointments of judges are made after consultation with the Minister of Māori Affairs

1.9.17 b Appointment of Planning (&Deputy) Commissioners (Section 253)

In appointment commissioners there is a need for a mix of experience and knowledge including (Section 253 (e) "Matters relating to the Treaty of Waitangi and Kaupapa Māori".

1.9.17 c Tribunal Evidence (Section 276(3))

The Planning Tribunal may receive evidence written or spoken in Māori and the Māori Language Act 1987 shall apply

Policy 1.9.17

All Resource Management Agencies shall recognise and provide for the following;

- (a) That the Confederation of Ngāti Pikiao Iwi has its own appellate structures*
- (b) That only the Confederation of Ngāti Pikiao Iwi appellate structure has the right to hear appeals and make decisions about any issue of concern to The Confederation of Ngāti Pikiao Iwi and/or which affects the natural and physical resources of The Confederation of Ngāti Pikiao Iwi within its tribal territories*

1.10 Hazards Control Commission

The Commission is to assist the control of hazardous substances and new organisms

1.10 a Purpose and Principles (Section 345(3))

"In carrying out its functions the Hazards Control Commission has a duty to give effect to the special relationship between Crown and Te Iwi Māori as embodied in the Treaty of Waitangi".

Policy 1.10

The Hazards Control Commission shall recognise and provide for the fact that only The Confederation of Ngāti Pikiao Iwi can determine what the Treaty of Waitangi means for The Confederation of Ngāti Pikiao Iwi when dealing with hazardous substances and new organisms within its tribal territories

1.11 Miscellaneous Provisions

1.11 a Notices and Consents in relation to Māori Land (Section 353)

"Where notices/documents/approvals of owners of land are required such notices/documents/approvals shall be deemed to have been served if served on those nominated for the purpose, Secretary for the appropriate Iwi Authority, or (if that person is unable or unwilling to) the Registrar of the Māori Land Court

**1.12 First Schedule;
Preparation of Policy Statements and Plans**

Preparation and changes to Policy Statements and Plans including Regional Policy Statements and Plans

1.12 a Consultation with Tangata Whenua (part 1.3(1)(d))

The relevant Local Authority shall consult with Tangata Whenua of the area who may be so affected, through Iwi Authorities and Tribal Rūnanga

1.12 b Proposed Policies/Plans and Tangata Whenua

A copy of the proposed Policy Statement/Plan shall be served without charge on "The Tangata Whenua of the area, through Iwi Authorities and Tribal Rūnanga"

1.12 c Approved Policies/Plans and Tangata Whenua (Part 1, (4)(f))

A copy of the approved Policy/Plan shall be served on the "Tangata Whenua of the area, through Iwi Authorities and Tribal Rūnanga".

Policy 1,12

Any preparation or change to any Policy Statement or Plan which impacts on The Confederation of Ngāti Pikiao Iwi or which affects The Confederation of Ngāti Pikiao territories shall give effect to this Tribal Policy Statement.

1.13 Second Schedule;
Matters to be included in Policy Statements and Plans
 Matters that may be provided for in Policy Statements and Plans

1.13 a Regional Statements/Plans and Māori Values (Part 1.4(c))

May include "...cultural heritage sites and values including landscape, land forms, historic places and waahi tapu".

1.13 b District Plans and Māori Values (Part 11.2(c))

May include "...cultural heritage sites and values, including landscape, land forms, historic places and waahi tapu".

Policy 1.13

All Resource Management Agencies shall recognise and provide for the following;

- (a) The consents of any Policy Statement or Plan shall not be inconsistent with Policy outlined in this Tribal Policy Statement.*
- (b) Only The Confederation of Ngāti Pikiao Iwi has the right to determine what its cultural values are and how they should be provided for.*

1.14

Third Schedule; Water Quality Classes

The Third Schedule lists the standards for each class of water after reasonable mixing of any contaminant or water with receiving water and disregard the effect of any natural perturbations that may effect the water body.

1.14 a Water managed for cultural purposes (Class C Water)

Third Schedule (11) states that "...the quality of the water shall not be altered in those characteristics which have a direct bearing upon the specified cultural or spiritual values".

Policy 1.14

All Resource Management Agencies shall recognise and provide for the following;

- (a) The responsibility for maintaining the quality of and managing waters within The Confederation of Ngāti Pikiao Iwi tribal territories rests with The Confederation of Ngāti Pikiao Iwi*
- (b) All waters within The Confederation of Ngāti Pikiao Iwi tribal territories are of cultural and spiritual significance to the Iwi.*

1.15

Fourth Schedule;
Environment Impact Assessment
 Assessment of effects on the environment

1.15 a**Provision for Cultural Values (2.(d))**

When preparing an assessment of the impacts of a proposal on the environment, any person preparing such an assessment consider;
 "any effect on natural and physical resources having aesthetic, recreational, historical, spiritual or cultural or other special value for the present or future generations".

Policy 1.15

All Resource Management Agencies shall recognise and provide for the following;

- (a) *That only The Confederation of Ngāti Pikiao Iwi has the right to prepare an environment impact assessment when such assessment deals with natural and physical resources and other taonga within The Confederation of Ngāti Pikiao tribal territories.*

1.16

Fifth Schedule;

Hazards Control Commission

Provisions relating to the Hazards Control Commission

- 1.16 a
- Māori Employment (24(d))
- As an employer the Commission shall recognise;
1.

Aims and Aspirations of Māori people
2.

Employment Requirements of Māori people
3.

The need for greater involvement of Māori people as employees

Policy 1.16

The Hazards Control Commission shall recognise and provide for the following;

(a)

The responsibility for managing natural and physical resources and other taonga and any new organisms of hazardous substances which may impact on these resources rests with The Confederation of Ngāti Pikiao Iwi

(b)

That resources be reallocated from the Commission to the appropriate Confederation of Ngāti Pikiao Iwi Authority to enable it to carry out its responsibilities.

Wāhanga Tuarima

V

Iwi Policy

Section 2

Raupatu

All public and private Agencies shall;

- (a) Effect the return of all confiscated lands and resources of The Confederation of Ngāti Pikiao Iwi to the Iwi*
- (b) Prohibit other forms of confiscation of The Confederation of Ngāti Pikiao Iwi resources such as, long term lease of land and resources, creation of Marine Reserves and placing of restrictive zonings over lands and waters*
- (c) Ensure that all endowments and gifts not used for the purpose originally gifted be returned to the ownership of The Confederation of Ngāti Pikiao Iwi*
- (d) Ensure the return of all resources and lands of the Iwi and appropriate compensation be actively sought for all resources alienated from the ownership of the Iwi by incompetence and inept advice whether by Lawyers, Māori Land Court, Department of Māori Affairs, Māori Trustee Office or other Government Departments*

Waahi Tapu - Urupa

All persons and public and private organisations shall recognise and provide for the following;

- (a) That all Waahi Tapu within The Confederation of Ngāti Pikiao Iwi territory shall be protected from modification or destruction and that the right to modify Waahi Tapu shall remain solely with Iwi*
- (b) That Waahi Tapu - Urupa of The Confederation of Ngāti Pikiao Iwi must be returned to the Iwi with easements or access ways guaranteed*
- (c) That any contravention of (a) above constitutes a serious offence to The Confederation of Ngāti Pikiao Iwi*

Taonga

(a)

All persons and organisations who are either in possession of, who have the ability to secure the return of, or who are involved in any endeavour which impacts on The Confederation of Ngāti Pikiao taonga and intellectual property shall;

1. *Ensure the return of all taonga (precious possessions as defined by The Confederation of Ngāti Pikiao Iwi) and intellectual property to the guardianship of the Iwi,*
2. *Ensure that the ownership and management of The Confederation of Ngāti Pikiao Iwi cultural heritage as defined by them (including intellectual property, folklore, music, oral history, artifacts, designs) remains with The Confederation of Ngāti Pikiao Iwi.*

(b)

All persons and organisations involved in research or any form of development work either within The Confederation of Ngāti Pikiao Iwi tribal territory or affecting their taonga shall recognise and provide for the following;

1. *Interpretation of Iwi histories must be approved by the Iwi*
2. *Research which physically impacts on taonga must first have the approval of the Iwi before proceeding*
3. *All taonga are protected from modification or destruction and the right to modify them shall remain solely with the Iwi*
4. *Decisions on whether or not each taonga is investigated or researched rests with Iwi*
5. *Koiwi or Human remains shall not be disturbed under any circumstances*
6. *Upon the discovery of Koiwi during approved research or development all work shall cease*
7. *All research must provide for the Iwi as Kaitiaki of their heritage*

Cultural Audit

Policy

All persons public and private agencies shall recognise and provide for the following;

- (a) That only The Confederation of Ngāti Pikiao Iwi can define the process of a Cultural Audit within the Ngāti Pikiao Whānui tribal territories*
- (b) That only The Confederation of Ngāti Pikiao Iwi / or Iwi approved consultants can execute the Cultural Audit process.*
- (c) That all the costs incurred by such a process will be born by those persons/private or public agencies concerned*

Tribal Consultancies

Policy

All persons, public and private agencies shall when commissioning work for projects or proposals which will impact on the Iwi or its tribal territories, ensure the first right of refusal to carry out such work is given to Ngāti Pikiao consultants

Natural and Physical Resources

*All persons and public and private agencies within
The Confederation of Ngāti Pikiao Iwi tribal territories shall;*

- (a) Ensure that ownership and management control of all renewable and non-reviewable, surface and sub-surface resources pertaining to the territories The Confederation of Ngāti Pikiao Iwi have traditionally occupied, otherwise used and maintained its territorial integrity over, including inter alia flora, fauna, fresh and sea waters are returned to The Confederation of Ngāti Pikiao Iwi*

Land

*All persons and public and private agencies within The
Confederation of Ngāti Pikiao tribal territories shall;*

- (a) Support the Iwi in its attempt to reestablish ownership over all lands which have been confiscated or otherwise illegally taken*
- (b) Be prohibited from selling any lands within The Confederation of Ngāti Pikiao Iwi tribal territory until such time as any current outstanding or future land grievances are resolved to the satisfaction of Iwi*

Land Erosion

All persons and public and private agencies shall;

- (a) In the event of erosion or slips onto arterial routes or into the lakes/streams/rivers within The Confederation of Ngāti Pikiao Iwi Tribal Territories contact the appropriate Iwi Authority for direction regarding the dispersal of such material.*

Water

All persons and public and private agencies within The Confederation of Ngāti Pikiao Iwi tribal territories shall recognise and provide for the following;

(a) That The Confederation of Ngāti Pikiao Iwi owns all waterways and resources therein within The Confederation of Ngāti Pikiao Iwi tribal territories

(b) That the management of all waterways and their tributaries in The Confederation of Ngāti Pikiao Iwi tribal area rests with the Iwi

(c) That as owners of the water only The Confederation of Ngāti Pikiao Iwi has the right to determine management preferences in respect of these waters

(d) That in the event that it approves use rights over its waters The Confederation of Ngāti Pikiao Iwi shall levy such fees as deems necessary, if so desired

(e) Discharges: That the discharge of all pollutants (including sewerage) into all waterways within The Confederation of Ngāti Pikiao Iwi tribal territory shall be prohibited

(f) Activity That all activity on The Confederation of Ngāti Pikiao Iwi waterways which detrimentally affects waahi tapu, fisheries and water quality shall be prohibited

Air

All persons, public and private agencies including the Crown, Local Authorities and those who have cause to use or traverse The Confederation of Ngāti Pikiao Iwi airspace shall recognise and provide for the following;

- (a) The Confederation of Ngāti Pikiao Iwi retains sovereignty over its airspace*
- (b) That the control over usage and management of The Confederation of Ngāti Pikiao Iwi airspace remains with the Iwi*

Parks and Reserves

The Crown, relevant Regional Council and relevant Territorial Authorities shall;

- (a) Return to the ownership and management of The Confederation of Ngāti Pikiao Iwi all Crown, Regional Council or Territorial Authority reserves, estates, covenants, parks and recreational areas currently within their ownership and/or management within The Confederation of Ngāti Pikiao tribal territory*

Forest Resources

All public and private agencies with interests in forestry ownership and management shall recognise and provide for the following;

- (a) That the return of indigenous forests within The Confederation of Ngāti Pikiao Iwi tribal territory to Iwi is a high priority*
- (b) That the establishment and return of existing commercial forestry interests within The Confederation of Ngāti Pikiao Iwi tribal territory to be owned and managed by Iwi is a high priority*

Mining

That all mining within The Confederation of Ngāti Pikiao Iwi tribal territory which is not in accord with Iwi tikanga is prohibited

Nuclear Energy

The Confederation of Ngāti Pikiao Iwi territorial integrity is declared Nuclear Free

Fishing Traditional/Commercial

All public and private agencies within The Confederation of Ngāti Pikiao tribal territory shall recognise and provide the following;

- (a) That The Confederation of Ngāti Pikiao Iwi owns the fishery resource within its Coastal/Inland tribal waters (Article II, Treaty of Waitangi)*
- (b) That as Kaitiaki-owners of the resource only The Confederation of Ngāti Pikiao Iwi has the right to determine, 'Tikanga', management preferences in respect of its fisheries*
- (c) That as Kaitiaki-owners The Confederation of Ngāti Pikiao Iwi prohibits all commercial fishing in all waterways and associated tributaries in The Confederation of Ngāti Pikiao Iwi tribal territory*

Property Development

All public and private agencies within The Confederation of Ngāti Pikiao Iwi tribal territories shall recognise and provide for the following;

- (a) That before any development proceeds the developer must gain the approval of the Iwi*
- (b) That all planning, policy information and relevant data in respect of the development must be made available to the Iwi*
- (c) Developers and others must be aware that the Iwi has its own time frames and information must be made available at the beginning of any development planning process*
- (d) Under no circumstances shall any development proceed where such development will affect any taonga of The Confederation of Ngāti Pikiao Iwi*

Archaeological Investigation

All public and private agencies shall recognise and provide for the following;

- (a) That no archaeological work shall be carried out within The Confederation of Ngāti Pikiao tribal territories without the written consent of The Confederation of Ngāti Pikiao Iwi*
- (b) Any archaeological investigation work approved in accordance with (a) above shall include as part of their investigation teams person/s of The Confederation of Ngāti Pikiao Iwi descent with full remuneration*
- (c) The results of all archaeological investigation carried out within The Confederation of Ngāti Pikiao tribal territory shall be vetted and audited by them prior to its wider use in any form whatsoever*
- (d) Only archaeological work carried out by Iwi -approved consultants will be accepted*

Information and Research

All public and private agencies shall ensure as follows;

- (a) That information held by other agencies ,of relevance and importance to The Confederation of Ngāti Pikiao Iwi and which impacts on its interests is referred back to Iwi*
- (b) That any research proposals carried out by external agencies of relevance to the interests of The Confederation of Ngāti Pikiao Iwi are referred to the Iwi for its approval and comment*
- (c) That The Confederation of Ngāti Pikiao Iwi members be utilised in all aspects of research dealings with The Confederation of Ngāti Pikiao Iwi interests*

Te Oranga Social Policy

Social Welfare

Policy

The Income Support Department, and any other governmental agency, quasi governmental, or community group shall recognise and provide for the following;

- (a) That The Confederation of Ngāti Pikiao Iwi as an Iwi has ultimate responsibility for the well-being of its members*
- (b) That the functions and the necessary resources be reallocated to the Iwi to enable it to carry out delivery of welfare services to its members efficiently and effectively*

Health

Policy

(a) The respective Regional Health Authority and any other agencies responsible for the delivery of health care and health services within The Confederation of Ngāti Pikiao Iwi tribal territories shall acknowledge the dual responsibility to recognise the following;

- 1. That The Confederation of Ngāti Pikiao Iwi has primary responsibility for the good health of its members*
- 2. That The Confederation of Ngāti Pikiao Iwi is establishing its own health care institutions, programmes and monitoring facilities*
- 3. That the necessary resources should be reallocated to the appropriate Ngāti Pikiao Iwi Authority to enable it to carry out functions in accordance with 1 and 2 above*

Education

Policy

(a) The Ministry of Education, School Boards of Trustees and other educational delivery organisations within The Confederation of Ngāti Pikiao tribal territories shall recognise and provide for the following;

1 That Ngāti Pikiao Tikanga is an essential aspect of Ngāti Pikiao education

2 That The Confederation of Ngāti Pikiao Iwi has primary responsibility for ensuring that its members have access to a quality education in matters of importance to the Iwi whether at preschool, primary, secondary or tertiary level

3 That Ngāti Pikiao Iwi have and will continue to establish its own educational institutions and programmes for its members

4 That the necessary funds be reallocated to the appropriate Ngāti Pikiao Iwi Authority to enable it to carry out its obligations to its members

Housing

Policy

The Housing New Zealand, Local Authority and any other public agency which deals with the allocation of funding for housing shall recognise and provide for the following;

- (a) That The Confederation of Ngāti Pikiao Iwi have allocated a high priority to the construction of a range of owner/rental accommodation for its members*
- (b) That specific recognition be given to the need for quality housing to be built on land owned by The Confederation of Ngāti Pikiao Iwi and/or on land adjacent to Ngāti Pikiao Marae/Papakainga*

Employment

Policy

(a) All public and private agencies who employ personnel and/or who have the ability to create employment opportunities shall recognise and provide for the following;

- 1 That priority for employment opportunities within the public sector and within The Ngāti Pikiao tribal territories shall be given to persons of Ngāti Pikiao Iwi descent*
- 2 That Ngāti Pikiao Iwi is committed to establishing employment generating opportunities for its members*
- 3 That the aim of Ngāti Pikiao Iwi is full employment for all members of the Iwi*

Justice

Policy

All persons organisations and agencies who interact with The Confederation of Ngāti Pikiao Iwi shall recognise and provide for the following;

- (a) That the Iwi has its own justice system for members of the Iwi and in respect of resources and taonga owned by the Iwi*
- (b) That under the Mana of the Iwi and within the terms of The Declaration of Independence 1835, The Confederation of Ngāti Pikiao Iwi have a legitimate right to develop and dispense its own Tribal Justice System within Ngāti Pikiao Iwi tribal territories*
- (c) That resources be reallocated to the appropriate Ngāti Pikiao Iwi Authority to enable it to carry out its own justice and rehabilitation programmes*

Taxation

Policy

All public and private agencies (including the Crown) shall recognise and provide for the following;

- (a) That The Confederation of Ngāti Pikiao Iwi is the legitimate authority within Ngāti Pikiao Iwi territorial integrity*
- (b) That in view of (a) above Ngāti Pikiao Whānui retains the right to levy a Tax on all citizens, land/resource owners and users, and all others who reside or are employed within Ngāti Pikiao Iwi tribal territory*

Rates

Policy

All public and private agencies including the relevant Local Authorities within The Confederation of Ngāti Pikiao tribal territories, shall recognise and provide for the following;

- (a) That the Confederation of Ngāti Pikiao Iwi is the legitimate authority within its tribal territories*
- (b) Territorial Local Authorities have simply assumed such authority and should therefore relinquish it*
- (c) That Ngāti Pikiao Iwi will provide services to its members over a period of time and in proportion to its economic ability to do so*
- (d) Rates for those lands which have been confiscated, or otherwise illegally or immorally taken from Ngāti Pikiao Whānui, shall be paid to appropriate Iwi Authority of The Confederation of Ngāti Pikiao Iwi rather than the Local Authority*
- (e) For all other lands within The Confederation of Ngāti Pikiao Iwi tribal territories (which do not fall into the category of land referred to in (a) above) the Local Authority shall negotiate with Ngāti Pikiao to strike an agreed amount for rates which are to be disbursed to Iwi*
- (f) That all lands within The Confederation of Ngāti Pikiao Iwi tribal territories owned by persons of Ngāti Pikiao descent will be exempt from the payment of rates*

Immigration

Policy

All public and private agencies shall recognise and provide the following;

- (a) That immigration into The Confederation of Ngāti Pikiao Iwi tribal territories must receive the consent of Iwi*
- (b) That all immigration onto The Confederation of Ngāti Pikiao Iwi tribal territories is prohibited until such time as unresolved grievances including land and resource sale and confiscation are resolved to the satisfaction of the Iwi*

Iwi Business Development

Policy

All public and private agencies shall recognise and provide for the following;

- (a) All business development proposals within The Confederation of Ngāti Pikiao Iwi tribal territories require the consent of Ngāti Pikiao Whānui to proceed*
- (b) Only those business opportunities which accord with Ngāti Pikiao tikanga and which promote the interests of the Iwi will be approved*
- (c) Such business development proposals shall make specific provision for the employment of persons of Ngāti Pikiao descent*

Genetically Modified Organisms

Policy

All Public and Private Agencies shall recognise and provide for the following;

- (a) Genetic resources are considered by the Confederation of Ngāti Pikiao Iwi to be 'Taonga' and are therefore protected under the Article II of Te Tiriti o Waitangi*
- (b) All the elements of the physical and spiritual worlds, including humans and genetic material, are related and are linked by the possession of 'Mauri' (life force)*
- (c) The Confederation of Ngāti Pikiao Iwi Whānui are the Kaitiaki, and therefore responsible to protect the mauri of genetic material from defilement or abuse*
- (d) Genetic manipulation will be seen as an interference with the integrity of native (indigenous) flora and fauna and will be considered to have interfered with the mauri of that taonga*

Glossary

Aotearoa	New Zealand
amo	support for wharenui gables
atua	God(s)
awa	river; channel
hähü	exhumation
hapü	sub-tribe; clan
iwi	people; tribe
kaitiakitanga	guardianship
kawa	etiquette; protocol
kāwanatanga	to govern; government
karakia	prayer; incantation
kōwhaiwhai	decorative designed art panels inside wharenui
kaumātua	old people men and women
kaupapa	subject; purpose; reason; plan; scheme; proposal
kōiwi	human remains (bones)
kōruru	carved figure directly beneath the tekoteko
kuia	old/elderly woman/women
mahinga kai	food resources
mahinga mātaitai	Area for gathering seafood
maihi	frontal barge boards of the wharenui
mana	dignity & integrity of a person; prestige; authority
mana atua	spiritual authority from god(s)
mana whenua	land authority
mana tangata	people authority
māori	the indigenous people of New Zealand
marae	open courtyard in front of the meeting house
moana	sea; lake
mōteatea	traditional singing and song/lament
mauri	life force energy; ethos
ngāhere	bush; forest
ngāwhā; waiāriki	thermal spring pool; geothermal
pā	village including wharenui, wharekai, urupā etc.
pākeha	person of european descent
papatūānuku	Earth Mother
papakāinga	house sites
pare	carved slab over the door of a whare
Pikiaoatanga	Ngāti Pikiao's unique practises
pepehā	witticism speech; colloquial saying; formal or epigrammatic utterance
pūkenga	specialist/expert (skills)

take whenua	right of occupation
tangata whenua	indigenous people of the land
tangihanga	mourning over a deceased
taonga	Important/sacred Items
taonga raranga	flax resources
tauiwi;	people of non-Māori descent; foreign race
tauparapara	poetical and metaphorical language/sayings
tauranga waka	canoe berths
tekoteko	carved figure on top-front of wharenui
te reo Māori	Māori Language
Te Tiriti o Waitangi	Treat of Waitangi
tikanga	appropriate procedure and practises
tino rangatiratanga	self determination; the mana or authority to manage resources
toa	conquest
tūpuna	ancestor(s)
tūrāpa/tukutuku	rafter panels inside the wharenui; lattice work
rangatira	chief; person of superior status
raparapa	the protecting portion of the maihi or the facing board on the gable of a whare
raupatu	confiscation
rohe pōtae	area; domain of tribe
rūnanga	tribal council
urupā	cemetery; burial place
waka	canoe
wāhi tapu	sacred area
whaikōrero	speech making; a formal speech; make an oration
whakahirahira	illustrious; great; of high importance
wharekai	eating or dining house
wharekarakia	church
wharenui	large meeting house
whakapapa	genealogy
whakatauki	proverbial saying
whānau	family
whānau whānui	wider and extended family
whānui	all inclusive
whenua	land

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Ngāti Pikiao Iwi Whanui

Photographs

Te Roopu Mahi Rangahau o Ngāti Pikiao

