

5 Manawhenua

Introduction

Maori have lived in the vicinity of present day Dunedin for centuries, some occupation sites dating back to about 1000 AD. Original settlement was by an amalgam of iwi and hapu who are generally referred to as Waitaha, the original Manawhenua. Signs of occupation have been found surrounding the many estuaries, bays, harbours, and waterways of the Dunedin area. The inhabitants of this coastal area were a hunter and gatherer people, dependent on their ability to follow the seasonal patterns of food gathering, often travelling long distances beyond the coastal region.

The southward movement of the Kati Mamoe, an iwi originating from the east coast of the North Island, began from about the period 1550 AD. They were followed by a similar movement southward of Kai Tahu about a century later. This incursion of northern whakapapa was marked by a period of intermittent hostility between the three principal iwi, punctuated with peaceful alliances which were reinforced through strategic marriages among the chiefly lines of all three iwi - Waitaha, Kati Mamoe and Kai Tahu. It was during the latter part of this period that fortified pa were built at places such as Huriawa, Mapoutahi and Pukekura.

By the time of the arrival of the Europeans (Takatapora) the Manawhenua were an amalgam of the three main streams of southern whakapapa - Waitaha, Kati Mamoe and Kai Tahu, commonly known today as Kai Tahu whanui.¹ The evidence of Kai Tahu pre-history abounds throughout the greater Dunedin area in the form of place names, archaeological evidence and tradition. Many Dunedin Maori are descended from Kai Tahu whanui.

Kai Tahu are the kaitiaki of southern Maori tribal lore and history in Otago. Kai Tahu whanui have manawhenua over the Otago region. The Kai Tahu centres of cultural activity that have continuously maintained their presence in Dunedin are Kati Huirapa Runanga at Puketeraki near Karitane and Te Runanga Otakou at Otakou. The hapu associated with these marae manage their cultural, economic, social and spiritual affairs through the runanga system. The rangatiratanga of the collective hapu of each district is also exercised through the runanga system. In addition, individual whanau or hapu have specific land holdings and interests not under the control of the runanga. There are also whanau such as the Moturata Taieri whanau based around the Taieri Mouth and the Otokia whanau near Brighton who are rekindling their ahi kaa in those areas. The Araiteuru marae in Shetland Street in Dunedin is an important cultural centre for urban Maori from many different iwi, as distinct from Manawhenua.

Traditional Maori culture and values are closely linked to the environment. Manawhenua have both a spiritual and physical relationship with the natural environment. This is of particular significance along the coast of Dunedin. The spiritual dimension cannot be separated from the physical. All elements are seen to have a mauri and are therefore connected. In this way people are also connected to the natural world.

¹ Dunedin Manawhenua adopt the sound 'k' instead of 'ng' when pronouncing words such as Kai Tahu (instead of Ngai Tahu) and Mahika kai (instead of Mahinga kai).

In terms of managing the use, development and protection of natural and physical resources in the City, the purpose of this section is to:

- (a) Recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.
- (b) Have particular regard to kaitiakitanga.
- (c) Take into account the principles of the Treaty of Waitangi.

5.1 Significant Resource Management Issues

Issue 5.1.1

Manawhenua have specific resource management concerns which require consultation in order to achieve the sustainable management of the City's resources in accordance with the Principles of the Treaty.

Objectives: 5.2.1, 5.2.4

Policies: 5.3.1, 5.3.2 - 5.3.5

Explanation

Not all of Manawhenua's resource management concerns can be anticipated in advance - some can only be articulated in response to specific situations which arise. For this reason there must be regular consultation. Meaningful consultation requires that adequate information and resources are made available and linked to jointly agreed processes and timetables to ensure sustainable outcomes.

Issue 5.1.2

Waahi tapu, which are an integral part of Manawhenua culture, exist within the City and these must be protected.

Objective: 5.2.2

Policy: 5.3.4

Explanation

Sacred sites such as pa sites, urupa, battle sites and other places of spiritual significance exist in many places throughout the City. These may be adversely affected by land use activities.

Issue 5.1.3

Waahi taoka that occur within the City are an intrinsic part of Manawhenua culture and require sensitive management in association with Manawhenua.

Objective: 5.2.3

Policy: 5.3.5

Explanation

The City contains resources such as estuaries, water and wetlands, ancestral lands, native flora and fauna, kai moana and archaeological sites which have cultural and traditional significance to Manawhenua. Mahika kai is an example of taoka to which Manawhenua require access in order to maintain their cultural and traditional link with natural and physical resources.

These resources collectively represent an important tangible and historical link with people, events and traditional practices that have been carried out since the arrival of Kai Tahu, and remain important.

Issue 5.1.4

Manawhenua's use of Maori land may be influenced by cultural preferences.

Objective: 5.2.5

Policy: 5.3.3

Explanation

As the City expands and as land uses change, there is concern that unused Maori lands will be seen as ideal conservation or open space areas and will be allocated as such, limiting the owners' ability to develop the land if that is desired at a later stage. An example of customary use is papakaika housing. While Manawhenua agree that such open space areas are extremely important, they need assurance that customary use of their lands is not compromised by activities on adjacent lands.

Issue 5.1.5

The values associated with existing Manawhenua cultural centres may be adversely affected by land use activities and development.

Objectives: 5.2.4, 5.2.5

Policies: 5.3.1 - 5.3.5

Explanation

Cultural centres were located in their present sites for important reasons. To allow developments which would degrade these values would reduce the cultural and traditional amenity of these places.

Issue 5.1.6

Proposals for developments involving new or existing Maori cultural centres require the mandate of Manawhenua.

Objective: 5.2.4

Policies: 5.3.1 - 5.3.5

Explanation

It is a crucial expression of tribal rangatiratanga that Manawhenua retain customary authority over cultural centres within their area. For example, the establishment of Maori culture centres in the City, such as marae, should not occur without the approval of Manawhenua.

5.2 Objectives

Objective 5.2.1

Take into account the principles of the Treaty of Waitangi in the management of the City's natural and physical resources.

Issue: 5.1.1

Policies: 5.3.1 - 5.3.5

Explanation

The effects of land use activities may impact on many aspects of Manawhenua cultural and traditional practices. The Act requires that Treaty principles must form an integral part of decisions that may affect the use, development and protection of natural and physical resources. Consultation with Manawhenua on matters regarding land use activities will help ensure that Treaty principles are considered.

Objective 5.2.2

Recognise that sites of waahi tapu exist throughout the City and that these must be protected.

Issue: 5.1.2

Policy: 5.3.4

Explanation

Sacred sites are an important aspect of Manawhenua culture although not all sites are publicly known. The Council will consider actively these sites in the management of the City's natural and physical resources.

Objective 5.2.3

Recognise the range of resources regarded as taoka by Manawhenua.

Issue: 5.1.3

Policy: 5.3.5

Explanation

Taoka refers to all things highly prized and includes both tangible and intangible things. Taoka can incorporate a range of economic, spiritual and cultural associations. To Kai Tahu, waahi taoka are treasured places of cultural importance. Their use and management needs to take into account the values placed on them by Manawhenua.

Objective 5.2.4

Ensure Manawhenua values are recognised and incorporated into resource management issues that could affect cultural and traditional values.

Issues: 5.1.1, 5.1.5, 5.1.6

Policies: 5.3.1 - 5.3.5

Explanation

The concept of kaitiakitanga is the Maori principle of guardianship and is a traditional way of safeguarding resources for future use.

Sustainable resource management should be consistent with the kaitiakitanga values of Manawhenua wherever possible.

Objective 5.2.5

Recognise the rights of Manawhenua to manage their resources in a sustainable manner and according to tribal customs and cultural preferences.

Issues: 5.1.4, 5.1.5

Policies: 5.3.2, 5.3.3

Explanation

This objective reflects the Treaty Principle of Tribal Self-Regulation and relates to tribal rangatiratanga. Rangatiratanga denotes both the mana to possess resources and the mana to control them according to tribal customs and preferences. The cultural and traditional values associated with land currently held in customary Maori ownership may be lost or restricted through changes in land use policies over time. Manawhenua need some confidence that Maori land will not lose the opportunities for cultural and traditional uses such as marae, papakaika housing and cultural harvest.

Principal Reasons for Adopting Objectives

It is important that Kai Tahu values are incorporated where appropriate into the Council's decisions. This can only happen through consultation, which is a partnership responsibility required by the Treaty of Waitangi (Principle Three: The Treaty Relationship). The Kai Tahu ki Otago: Natural Resources Management Plan provides a further opportunity for consultation on resource management issues of importance to Manawhenua.

The significance to Maori of sacred sites and treasured resources, and of their ability to manage their resources in a manner consistent with traditional practices, is one that the Council has recognised and has provided for within this District Plan.

5.3 Policies

Policy 5.3.1

Consult with Manawhenua regarding natural and physical resource issues of importance to them.

Objectives: 5.2.1, 5.2.4, 5.2.5

Methods: 5.4.1, 5.4.2

Explanation

Early consultation has been identified as a partnership responsibility required by the Treaty of Waitangi (Principle Three: The Treaty Relationship). Kai Tahu values need to be incorporated where appropriate into the Council's decisions. This can only happen through effective and ongoing consultation, with the Kai Tahu ki Otago: Natural Resources Management Plan providing a basis for consultation on issues of importance to Manawhenua.

Consultation with Manawhenua is necessary to determine the best way to protect waahi tapu and to ensure appropriate procedures are in place. This is particularly important if a development involves or uncovers a waahi tapu, especially urupa. In carrying out the process of consultation, there is a need for the Council to be sensitive to traditional Maori protocols.

Kai Tahu are the only people who have the authority to provide interpretation of Kai Tahu history in relation to landscape features and sites of significance.

Policy 5.3.2

Advise Manawhenua of applications for notified resource consents, plan changes and designations.

Objective: 5.2.4

Methods: 5.4.1, 5.4.2

Explanation

In the past, many developments have disturbed or destroyed sites and places of importance to Kai Tahu. The Kai Tahu ki Otago: Natural Resources Management Plan will indicate in a non-specific way where such sites are. Advice of applications gives Manawhenua a specific opportunity to make submissions. The Council will also implement a protocol (in association with Kai Tahu) that will assist the Council in processing applications which may adversely affect sites and values of importance to Kai Tahu.

Policy 5.3.3

Recognise the relationship that Manawhenua have with Maori land and provide for a range of activities on these lands that are important to the cultural wellbeing of Manawhenua.

Objectives: 5.2.1, 5.2.4, 5.2.5

Methods: 5.4.1, 5.4.2

Rules: 6.5.4(iii), 6.5.4(iv), 8.11.3(ii)

Explanation

Manawhenua hold a cultural and traditional affinity with their land. Much Maori-owned land is held in multiple ownership. The use of this land may include traditional activities such as papakaika housing, cultural harvest and mahika kai. Providing for papakaika on Maori lands is a way of recognising the traditions and cultural preferences of Manawhenua.

Policy 5.3.4

Protect waahi tapu from the adverse effects of land use and development.

Objectives: 5.2.1, 5.2.2

Methods: 5.4.1, 5.4.2

Explanation

Waahi tapu are sites and places of great cultural, spiritual and heritage importance to Manawhenua. The importance of these sites needs to be recognised and protection given where possible.

Policy 5.3.5

Avoid, remedy or mitigate any adverse effects on waahi taoka resulting from land use activities.

Objectives: 5.2.1, 5.2.3, 5.2.4

Methods: 5.4.1, 5.4.2

Explanation

Those natural and physical resources which are waahi taoka hold much cultural and historical significance to Manawhenua. Manawhenua hold these resources in high regard as a means of maintaining traditional links with their past and to continue their cultural and traditional practices. The City needs to maintain consultation with Manawhenua on issues affecting waahi taoka, such as mahika kai, to avoid, remedy or mitigate the adverse effects of land use activities on such resources.

Principal Reasons for Adopting Policies

Manawhenua's special relationship with many natural and physical resources permeates their cultural and traditional values. The Act imposes obligations on the Council with respect to Maori values. It is important that the Council recognises and fulfils those requirements towards Maori values when exercising its functions under the Act and within the District Plan.

5.4 *Methods of Implementation*

The methods of implementation of this section apply across all other sections of the District Plan.

The methods to be used to achieve the objectives and policies identified in this section include the following:

Method 5.4.1 Consultation

- (i) Establish procedures for consultation with Manawhenua in accordance with the Kai Tahu ki Otago: Natural Resource Management Plan.
- (ii) In cases where discoveries of Koiwi Tangata, waahi tapu or waahi taoka are made in the course of land use activities involving a building consent under the Building Act 1991 or a resource consent, attention is drawn to the fact that the provisions of the Historic Places Act 1993 will apply. Under this Act, modifications to any archaeological sites (both recorded and unrecorded) require the consent of the New Zealand Historic Places Trust, who in turn are required to consult with Iwi before any more work can be undertaken.
- (iii) Notify and consult with Manawhenua on notified resource consent applications and applications for plan changes in accordance with the Ngai Tahu Claim Settlement Act 1998.

Policies: 5.3.1 - 5.3.5

Method 5.4.2 Protocol

- (i) Implement a protocol (in association with Kai Tahu) detailing Manawhenua's involvement and responsibilities in the processing of those resource consent applications with the potential to adversely affect sites and values of importance to Kai Tahu.

Policies: 5.3.1 - 5.3.5

Principal Reasons for Adopting Methods

The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taoka is a matter of national importance under section 6 of the Act. The Council recognises and provides for these matters, and the methods described above fulfil this responsibility.

5.5 Assessment of Resource Consent Applications

In the assessment of all resource consent applications, the objectives and policies of this section will be taken into account. Unless otherwise provided by this District Plan or the Act, the rules and assessment matters of other relevant sections of this District Plan apply in all respects to Maori land. The status of the land will be a relevant consideration when determining any application for resource consent for any Maori land.

5.6 Anticipated Environmental Results

The anticipated environmental results are:

5.6.1

Manawhenua cultural preferences are recognised and provided for in the use and development of Maori land.

5.6.2

Values, sites and places of importance to Kai Tahu will be protected.

5.6.3

Traditional food gathering areas will be protected and enhanced.

5.6.4

Customary Maori use and kaitiakitanga of resources will be recognised and provided for.