

2.0 Tangata Whenua

2.1 Tangata Whenua

The Resource Management Act 1991 (the Act) requires that the Council recognises and provides for the relationship of Maori with their ancestral lands, water, sites, waahi tapu and other taonga. It further requires the Council to have particular regard to Kaitiakitanga, and to take into account the principles of the Treaty of Waitangi. The Council's own Regional Policy Statement includes the principle to incorporate, where appropriate, the aspirations, heritage and values of the iwi of Marlborough, and Ngai Tahu (whose rohe extends to Te Parinui o Whiti, a point on the coastline of Cloudy Bay at the south-eastern end of Big Lagoon, north-west of White Bluffs), into resource management decision making.

Kaitiakitanga is the traditional practice of managing resources so as to conserve and protect them. As a concept, it is based on spiritual, social and economic associations with these resources, and includes tribal rights to the use of an area. The management practices embodied in the application of Kaitiakitanga are very much in keeping with the philosophy behind the Act. In particular Kaitiakitanga provides for the restoration of ecological harmony, the efficient use of resources and provision for the needs of both present and future generations.

Tangata whenua are kaitiaki (or guardians) of their natural resources. As such they have the responsibility to ensure that the mauri (or life essence) of these resources is protected. The mauri of a resource embodies a spiritual as well as a physical essence. From the Maori perspective, damage to resources also carries spiritual damage.

It is even possible to damage resources (eg; through pollution or despoliation) to the extent that they can lose their mauri entirely. Protecting the mauri ensures the maintenance of its integrity and protection of supply for future generations.

The concept of mauri therefore imposes a discipline on tangata whenua as kaitiaki, and because of their spiritual, social and economic connection to the resource, it is kaitiaki who have the responsibility for ensuring that the mauri of the resource is protected. In this sense, the Plan must recognise the role of tangata whenua as kaitiaki for the environment. To this end the Plan endeavours to facilitate that role through a process of integrated management. This section is designed therefore to provide some key overall objectives and some 'management' type policies, perhaps not adequately covered by other objectives, policies or methods.

2.1.1 Issue

Potential for not recognising Maori values and exclusion of iwi in the use, development and protection of all resources, including traditional resources.

Issues seen as important to iwi are:

- Exclusion from the decision making process;
- Proliferation, abuse and over use of resources;
- Recognition of the Maori holistic systems of values within resource management decision making. These values being:
 - Te Taha o Te Ao (environment); and
 - Te Taha Hinengaro (mental well being);

- Te Taha Wairua (spiritual and customary values);
- Te Taha Tinana (healthy body); and
- Te Taha Whanau (family).
- Exclusion from the use, development and protection of traditional resources;
- Degradation of water quality as a result of pollution;
- Damage and destruction of waahi tapu and areas of special interest;
- Introduction of new species into existing ecosystems;
- Pollution of all resources; and
- Uncontrolled waste disposal.

In general, iwi issues sit alongside resource management issues. A number of iwi concerns are addressed directly within the relevant sections of this Plan. For example, concerns relating to the degradation of water quality. Other issues of importance to iwi are addressed below.

2.1.2 Objectives and Policies

Objective 1	Recognition and provision for the relationship of Maori to their culture and traditions with their ancestral lands, waters, sites, waahi tapu and other taonga.
Policy 1.1	Recognise and protect sites of significance to tangata whenua, including waahi tapu, mahinga maataitai, tauranga waka and areas of taonga raranga.
Policy 1.2	Recognise values important to tangata whenua, including the concepts of mauri, effects on the mana of iwi or hapu, and the ability of tangata whenua to provide manaakitanga.
Policy 1.3	Recognise the role of tangata whenua as kaitiaki in the coastal marine area.
Policy 1.4	Recognise and provide for continued tangata whenua access to, and use of, traditional coastal resources such as maataitai and taonga raranga.
Policy 1.5	Promote access for iwi to sites of cultural significance on land of the crown or other publicly owned land.
Policy 1.6	Facilitate development of marae.
Policy 1.7	Maintain and facilitate communication with iwi representatives to ensure that where appropriate, issues of importance to iwi are drawn to the Council's attention.

Individual areas have special significance for each iwi. For example, the Wairau Lagoons have significant values for iwi.

Notwithstanding the requirements of the Act, the Council is committed to sustainable management of the resources of the Plan area and wherever practicable to a partnership with Maori on all matters of common interest.

The above policies are a way in which the Plan can assist in recognising and providing for matters of concern to the tangata whenua. The Plan also endeavours to carry these and other principles forward to the construction of other elements of the Plan.

2.1.3 Methods of Implementation

Management	Where a resource consent application is in or immediately adjacent to a site of significance to tangata whenua, the applicant may be asked to notify and consult directly with the affected tangata whenua to determine whether the granting of the resource consent would have any adverse effects on the values that give the site significance to the tangata whenua; and how any actual or potential adverse effects which might result from the activity could, in the view of the tangata whenua, be avoided, remedied or mitigated.
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Specific Recognition	Specific recognition in the Plan rules will be accorded to the existing marae within the Plan area. (Omaka, Wairau)
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Sites of significance include waahi tapu, tauranga waka, mahinga maataitai and areas of taonga raranga. Resource consent applications could potentially affect the values of sites which are of significance to tangata whenua, (for example an activity which disturbs the seabed could affect the fisheries values of mahinga maataitai). The applicant will need to show whether any actual or potential adverse effects can be avoided, remedied or mitigated (in that order of priority). This could be achieved through changes in design of the proposal, negotiation with tangata whenua over appropriate compensation, or conditions on the resource consent. The tangata whenua group affected may be an iwi authority, but is more likely to be a smaller group such as a land-owning trust, a hapu, or a whanau.

The marae are active living centres of the Maori community with potential for development and change.

The range of activities undertaken on marae is expected to be wider than, for example, residential sites. It is considered that zonings (Residential or Rural) may unduly hinder the functioning and development of marae. It is considered to be necessary and appropriate to provide for special 'marae' identification with sufficient flexibility to enable marae to function and develop whilst protecting important amenities of surrounding environments.

2.2 Anticipated Environmental Results

Implementation of the policies and methods relating to tangata whenua will result in:

- The maintenance and enhancement of the relationship of tangata whenua to their culture and traditions.

