



PART 1 - INTRODUCTION AND GENERAL PROVISIONS

5 Mana Whenua

Recognition of Iwi and Hapū

The following *iwi*, exercise *mana whenua* within the South Waikato District. Some of the boundaries are clearly defined, some shared and some are contested.

| Iwi | Waka |
|--|---------------|
| Raukawa Iwi | Tainui |
| Ngāti Haua | Tainui |
| Ngāti Kea / Ngati Tuara Recognised in Te Arawa as a Te Arawa iwi. | Te Arawa Waka |
| Ngāti Koroki Kahukura | Tainui |
| Ngāti Tūwharetoa | Te Arawa Waka |

The South Waikato District is the traditional *rohe* of a number of different *iwi*. Today Raukawa play a dominant role in the district because the district is centrally located in the Raukawa *rohe*. However, it is important to note that these lands have had a vibrant history and, as the *iwi* histories show, some of these lands are still contested. The Waikato River is home to a number of Tainui and Te Arawa *iwi* who have settled and lived at different points along the river and its tributaries. All these *iwi* and *hapū* have close connections with the *whenua* and the *awa* in the area.

As outlined below, Council's responsibilities under the *RMA* are in respect of Māori in the District, and so extend to include a significant number of people who belong to all *iwi*. Both Raukawa and the Te Arawa River Iwi have *mana whenua* within the district.

Raukawa

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



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RAUKAWA**

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

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

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

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

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

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

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

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

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

“As was typical in Polynesian societies, the landscape itself was densely culturally loaded; place names recalled events and people and indeed an entire history which was everywhere around, and which was central to identity and

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

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

Ngāti Kearoa Ngāti Tuara

Ngāti Kearoa Ngāti Tuara are the descendants of Kearoa and Tuara, two esteemed Te Arawa women. Kearoa was a rangatira and the wife of Ngatoroirangi, tohunga and navigator of Te Arawa waka. Tuara was a descendant of Ika who travelled on Te Arawa waka. The two lines of descent come together in the union of Te Rangiwahitu and Te Uira. The lands of Ngāti Kea Ngāti Tuarā surround our maunga Te Horohoroinga o ngā ringa o Kahumatamomoe. This whakapapa and connection to our *land* and *wai* is inseparable. Ngāti Kearoa Ngāti Tuarā have lived in the area of Horohoro, Pātetere, Tihi-o-Tonga, Pukehāngi and Tārewa for centuries.

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

“According to our traditions the first of our ancestors to arrive at Horohoro was Te Aokawhai, six generations after Kearoa and Ngatoroirangi. Two generations later, when their leader was Haukapuanui, Ngāti Kea was joined by Tangiharuru and his people, Ngāti Manawa. When he and most of his people left, some remained and intermarried with the other two. Many years later Ngāti Manawa as a hapū was recorded in the Land Court records alongside the other two hapū

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NGĀTI KEAROA NGĀTI TUARA

as having ownership rights with them. Ngāti Tuara joined with Ngāti Kearoa at a later date.

In the time of Haukapuanui and Tangiharuru our hapū occupied the Horohoro Mountain and some land at its foot. Our traditions relate the story of how Haukapuanui and Tangiharuru visited their neighbouring hapū to the west, Ngāti Haumia, and envied the natural resources they had. They attacked and defeated Ngāti Haumia, drove them away and took over their lands which much later, in the 1880's became the Patetere South Block, the Tikorangi Block and part of the Tokoroa Block. Our tupuna occupied all that area for many generations, building their pā and kāinga at several places, cultivating the land for their mahinga kai and burying their dead there. This continued up until the activities of the Native Land Court, starting around 1875 when the iwi were forced to sell the land.

While Ngāti Kearoa Ngāti Tuara and Ngāti Manawa have always regarded the Horohoro Mountain as their citadel and place of refuge, the land to the west of Horohoro was also highly prized as a source of food and other resources. The iwi gradually spread right across the area which later became the Patetere South block and part of the Tokoroa Block. The kāinga at Omaruapu near the western boundary of Patetere South became the principal settlement of Ngāti Kearoa, and today, is a significant site for Ngāti Kearoa Ngāti Tuara, as is Waimaruru, which was set aside as an urupā in 1895 and is still a Ngāti Kearoa Ngāti Tuara reserve.

The rohe of Ngāti Kearoa Ngāti Tuara extends between Rotorua, Tokoroa and Atiamuri. To the north of Horohoro the principal hapū was Ngāti Whakaue, to the west was Raukawa. To the east of the Pokaitu Stream lie the lands of Tūhourangi, Ngāti Wāhiao and Ngāti Tama.

Today, Ngāti Kearoa Ngāti Tuara is still based at the foot of our maunga, and Kearoa marae is the centre of hapū activities. The hapū plays an active role as kaitiaki of our whenua, our ngahere and our awa. Our environmental projects aim to make the forests predator free from Horohoro to Mokaihaha; and our riparian planting projects aim to restore the waterways in our rohe, many of which are tributaries of the Waikato.

In 1995 we submitted a claim with the Waitangi Tribunal for the land in the Patetere South block, land which had been occupied by our tupuna for many generations. The block was awarded to our tupuna in 1883 at the Rotorua-Patetere-Paeroa Block Hearing at Ōhinemutu, and, the only part we still own is the urupā at Waimaru. Today the Patetere South block includes Crown forest licensed land subject to a Treaty claim as part of the Central North Island Forest Land Settlement Act negotiations. Te Rūnanga o Ngāti Kearoa Ngāti Tuara, as a post-settlement governance entity and an affiliate of Te Pūmautanga of Te Arawa, is party to these negotiations.



Te Rūnanga o Ngāti Kearoa Ngāti Tuara is also an affiliate of Te Arawa River Iwi Trust and is involved in the restoration of the Waikato River.

Traditional and customary associations with ancestral lands, water, sites, cultural landscapes, biodiversity, wāhi tapu and other taonga are to be provided for and enhanced through resource management practices to ensure our physical, social, cultural, environmental, and economic wellbeing.”

Iwi Values

The District Plan covers the Objectives for Tangata Whenua Values as outlined within the Matters of Strategic Direction (provide link). These values include:

- The Health and Well-being of the Waikato River
- Waikato River Vision and Strategy – Co-Management
- Papatuanuku/Integrated and holistic resource management/Cumulative effects
- Cultural Heritage
- Marae and Papakainga
- Kaitiakitanga
- Treaty of Waitangi
- Public Access

Treaty Settlement Interests

The following have settled their historic Treaty of Waitangi claims against the Crown, with certain provisions of their respective Deeds of Settlement enacted by legislation.

- The Affiliate Te Arawa Iwi And Hapu Claim Settlement Act 2008
- Central North Island Forests Land Collective Settlement Act 2008
- Ngāti Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010
- Raukawa Claims Settlement Act 2014
- Ngāti Hauā Claims Settlement Act 2014
- Ngati Koroki Kahukura Claims Settlement Act 2014

Within APP3-SA it describes how these are used, with their purpose being to:

- (a) Require consent authorities, the Environment Court and Heritage NZ Pouhere Taonga to have regard to the statutory acknowledgements



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COUNCIL AND TANGATA WHENUA OR MANA WHENUA RELATIONSHIPS

- (b) Require consent authorities to forward summaries of resource consent applications for activities that would affect the area to which the statutory acknowledgement applies to the governance entity; and
- (c) Enable the governance entity and any member of the relevant iwi to cite a statutory acknowledgement as evidence of the association of the iwi with the areas to which the statutory acknowledgement relates.

Council and Tangata Whenua or Mana Whenua Relationships

- (a) Council has a memorandum of Understanding with the Raukawa Settlement Trust signed in 2011. This includes principles for working together, and a list of protocols to be developed
- (b) Joint Management Agreements (JMAs) were signed in 2013 with the Raukawa Settlement Trust and the Te Arawa River Iwi Trust (TARIT) under the Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010 (the Upper Waikato River Act). Ngati Tuwharetoa have not indicated that they wish to have a JMA with Council under that Act.
- (c) The JMAs' contents include:
 - (i) Shared Acknowledgements of the parties' aspirations for co-management of the Waikato River and its catchment.
 - (ii) Relationship Principles and Information Sharing and Dispute Resolution provisions.
 - (iii) Matters related to the exercise of shared functions, powers and duties. These comprise monitoring and enforcement activities, preparing, reviewing, changing or varying an RMA Planning Document, and considering resource consent applications for surface water activities under Section 49 of the Upper Waikato River Act.
 - (iv) Recognition for the Raukawa and TARIT Environmental Management Plans.
 - (v) Processes to explore whether customary activities can be provided for as permitted activities.
 - (vi) Processes to explore additional duties, functions or powers under Section 54 of the Upper Waikato River Act.
 - (vii) Establishment of Governance Committees under Section 54 of the Upper Waikato River Act
- (d) Council has set up Co-Governance Committees under Section 54 above with both Raukawa and TARIT, comprising SWDC Elected members and Trust Board members.
- (e) SWDC/Raukawa and SWDC/ TARIT Joint Working Parties of senior staff have been operating since 2013 under their respective JMAs

Hapu and Iwi Planning Documents

The table below lists iwi planning and/or environment related documents.



ENGAGEMENT AND CONSULTATION WITH TANGATA WHENUA/MANA WHENUA

| Iwi | Document | Date | Type | Status |
|---|---|-------------|----------------------------------|---------------------|
| Raukawa | Te Rautaki Taiao A Raukawa | 2015 | Environmental Management Plan | Lodged with Council |
| Te Arawa River Iwi Trust | Te Arawa Iwi Trust Environmental Management Plan | 2015 | Environmental Management Plan | Lodged with Council |
| Ngāti Haua Iwi Trust | Te Rautaki Tamata Ao Turoa o Haua | 2018 | Environmental Management Plan | |
| Ngāti Kea Ngati Tuara | Ngati Kea Ngati Tuara Iwi Environmental Management Plan | 2016 | Environmental Management Plan | Lodged with Council |
| Ngāti Tahu- Ngāti Whaoa | Te Aranga Ake I Te Taimahatanga | 2017 | Environmental Management Plan | Lodged with Council |
| Central North Island Forests Iwi Collective | He Mahere Putaitanga | 2018 | Pan-tribal Iwi Planning Document | Lodged with Council |

Engagement and Consultation with Tangata Whenua/Mana Whenua

Council recognises the need to consult with *tangata whenua/mana whenua* stems from the Treaty of Waitangi principles of partnership, participation and protection and requiring both parties to act reasonably and make informed decisions, Council also acknowledges engaging and consulting with *tangata whenua/mana whenua* often leads to a better understanding of the issues and opportunities. In many instances, this will result in stronger, trusting relationships, and positive outcomes of mutual benefit.

Section 48 of the Upper Waikato River Act 2010 requires Council to obtain approval from its JMA partners before commencing work on, and then before publicly notifying, any District Plan Changes to the extent to which those processes relate to the Waikato Catchment and Te Ture Whaimana Vision and Strategy.

Treaty Settlement Relationship Agreements are embedded into the JMAs.

Iwi have Resource Consents for specific projects, e.g Tapapa marae redevelopment, Raukawa's Totara Legacy planting.

When Council undertakes large projects, be it development of community sites or bilingual signage policy, iwi representatives are invited to participate. For major policy change to the District Plan working groups are established comprising SWDC staff and Raukawa staff and *hapū*.

Consulting with Iwi such as Ngati Haua and Ngati Koroki Kahukura will be undertaken under clause 4A of the First Schedule for plan changes/reviews, and section 95 of the *RMA* for resource consents.

Council must also have regard to the Statutory Acknowledgements for Raukawa, Te Arawa, Ngati Koroki Kahukura and Haua (See Appendix 3) in plan-making and resource consent decision-making that affect the Statutory Areas concerned.