

5. Tangata Whenua Values

Te Runanga o Ngai Tahu are tangata whenua of Kaikoura and hold customary tribal authority over an area (rohe) which includes all of the Kaikoura District.

Te Runanga o Ngai Tahu is the tribal representative body of Ngai Tahu Whanui, a body corporate established on 24 April 1996 under section 6 of Te Runanga o Ngai Tahu Act 1996 (the "TR Act"). S5 of the TR Act also describes the takiwa (area) of Ngai Tahu Whanui, which includes the entire Kaikoura District.

Section 15(1) states:

Te Runanga o Ngai Tahu shall be recognised for all purposes as the representative of Ngai Tahu Whanui.

Section 15(2) states:

Where any enactment requires consultation with any iwi or with any iwi authority, that consultation shall, with respect to matters affecting Ngai Tahu Whanui, be held with Te Runanga o Ngai Tahu.

The TR Act therefore makes Te Runanga o Ngai Tahu the people with whom to consult for all resource management matters requiring consultation arising from the Kaikoura District Plan and the Resource Management Act 1991.

Te Runanga o Kaikoura is the kaitiaki Papatipu Runanga for the Kaikoura District. A brief pre-European history of the Kaikoura District is given below.

5.1 Kaikoura in Pre-European Times

To provide an understanding of Maori occupation in the Kaikoura District, the following historical summary has been prepared by Te Runanga o Kaikoura, the modern day representatives of Ngati Kuri (the hapu or subtribe of Te Runanga o Ngai Tahu who hold manawhenua and manamoana of the Kaikoura District).

Te Runanga o Kaikoura's rohe centres on Takahanga and extends from Te Parinui o Whiti to the Hurunui River and inland to the Main Divide.

Maori occupied the Kaikoura district for over 800 years before the arrival of the first Europeans. Most of the Maori settlements were concentrated along the coastline rich in marine resources which the Maori utilised and managed. However, the mahinga kai (resource areas) regularly used extended over most of the district, and included areas which were later to be called "waste land" by the Europeans. Up until this time the Maori had known no concept such as "waste land", as any area which was not known for its food resources would have been known for other resources intrinsic to Maori life.

Successive waves of Maori migration settled in the Kaikoura area, each overwhelming and intermarrying with the former. Rapuwai, Waitaha, Ngati Mamoe and Ngai Tahu flowed into each other in turn to form the tangata whenua of today.

Te Runanga o Ngai Tahu established themselves at Takahanga Pa (the site of the current marae) where Maru Kaitatea, a Ngati Kuri leader wrested the right to hold and exercise customary tribal authority over the district from Ngati Mamoe. The rich resources of the Kaikoura coast coupled with a long period of peaceful trade and development enabled the Maori population to reach an estimated 4000 to 5000 people by the year 1800.

Whaling was already established on the Coast by this time, and the right to hunt whales was granted to individual whalers by Kaikoura Whakatau, the Ngati Kuri Chief. Many marriages between Maori and the Europeans employed in the whaling ventures took place between 1800 and 1827. From these marriages a number of well-known local families are descended.

In 1827 Te Rauparaha, a Ngati Toa Chief, undertook a series of raids against several of the strong pa along the Kaikoura coastline. It is recorded that many Ngati-Kuri people were killed at both Kaikoura and Omihi. However, the majority survived by escaping into the flax swamps which formerly covered the suburban flats, and by making their way to the hidden inland camps which were normally only used for hunting or bush work. When the raiding parties had left large numbers of Ngati-Kuri people travelled south to join their Te Runanga o Ngai Tahu relations in those villages which were unaffected by the raids.

Te Runanga o Ngai Tahu forces rallied against Te Rauparaha and his allies and after a series of Te Runanga o Ngai Tahu counter attacks, culminating in the defeat of Te Puohu in a battle at Tuturau (in Southland), those warriors returned from the south to rejoin those Ngati Kuri who had stayed behind to maintain the ahi ka (occupation rights) of Te Runanga o Ngai Tahu within the Kaikoura District.

By 1859 the pressure of European settlers' demands for the potential grazing land of the rohe forced the government to "purchase" the Kaikoura District. As Te Runanga o Ngai Tahu were unwilling to sell, several subterfuges were resorted to and steady pressure applied until a forced "sale" agreement was signed between Commissioner MacKay and Te Runanga o Ngai Tahu.

From that date it appeared to European settlers that the traditional rights of the tangata whenua were extinguished. However, during the ensuing years Te Runanga o Ngai Tahu have maintained their cultural identity within individual family circles and quietly kept the fires of their occupation burning.

Te Runanga o Ngai Tahu Act 1996, the Ngai Tahu Deed of Settlement (signed at Takahanga Marae in 1997), and the Ngai Tahu Claims Settlement Act 1998 all confirm Te Runanga o Ngai Tahu's status as tangata whenua within the Kaikoura District.

5.2 Tangata Whenua Interests

Tangata whenua have cultural, spiritual, historic and/or traditional association with, and customary rights to the land and resources of the Kaikoura District. The District has an extensive history of Maori settlement, particularly in the coastal areas where food resources were abundant. In the early 1800's the District supported a Maori population thought to number as many as 5000 people. Consequently there are many places throughout the District which have been used and occupied by tangata whenua. The area is spiritually and culturally important to tangata whenua, who have specific concerns for the integrity of the District's natural environment.

5.2.1 Recognition of Tangata Whenua Interests

The Act contains specific responsibilities in relation to the Treaty of Waitangi and Maori interests. These are stated and their implications discussed in the "Introduction" section.

Areas of concern to the tangata whenua include:

- recognition of the rights of the tangata whenua to be involved in all aspects of natural and resource management in the District, including ongoing involvement in decision making processes;
- identification and protection of those natural and physical resources of importance, such as coastal and inland waterbodies and areas of indigenous vegetation;

- protection and, where necessary, restoration of the overall integrity of the District's natural environment;
- protection of traditional food gathering sites (mahinga kai) from any use or development which may threaten the values of these areas, in particular avoidance of waterbody contamination by human and animal wastes;
- protection and, where necessary, restoration of continued access to mahinga kai;
- protection of culturally significant sites and areas, such as urupa (burial sites), occupancy sites.

Many of the issues identified in relation to tangata whenua overlap with general concerns regarding the quality of the environment, especially in relation to water quality and access to waterbodies. These concerns show that there is much common ground shared between Maori and many non-Maori in the District.

5.2.2 Partnership Objective

In recognition of the statutory provisions of the Resource Management Act, including the principles of the Treaty of Waitangi, the Council will pursue the following objective:

Effective partnership between the Council and Te Runanga o Ngai Tahu through its kaitiaki Papatipu Runanga, Te Runanga o Kaikoura, in the management of the District's natural and physical resources in recognition of the principles of the Treaty of Waitangi, the relationship of the tangata whenua and with their ancestral lands, water, sites, waahi tapu, and other taonga, and in accordance with kaitiakitanga.

5.2.3 Policies

1. To develop a system of on-going consultation with Te Runanga o Ngai Tahu through its kaitiaki Papatipu Runanga, Te Runanga o Kaikoura, relating to all resource management responsibilities of the Council with which the tangata whenua have a particular interest.
2. To provide for tangata whenua involvement in the Council's decision-making process regarding resource management issues within the District by having representation on Council Committees. Particular regard will be given to Statutory Acknowledgment Areas and Tribal properties.
3. To recognise and provide for those sites of past Maori occupation and use in the District, and implement procedures for tangata whenua involvement regarding any proposed excavation or construction in and around those identified areas, or in the case of the discovery of any burial sites or Maori artefacts.
4. To maintain and enhance tangata whenua access to and use of the District's forests and significant waterbodies, wetlands, high country and coastal areas, having regard to their status as taonga, and traditional importance as sources of mahinga kai.

Explanation and Reasons

On-going consultation and shared decision making between the tangata whenua and the Council will ensure that the principles of the Treaty of Waitangi are given due recognition in the District.

The protection of sites of past Maori occupation and use for their cultural and archaeological values will be achieved by putting into place appropriate mechanisms for the tangata whenua to be involved in the identification and management of these sites. This also applies throughout the District to areas recognised as taonga or as sources of mahinga kai to the tangata whenua, where Te Runanga o Kaikoura has the status of kaitiaki (guardians) of these areas, features and resources.

