



Wāhi Tuarua

Part 2

TE WHAKATINANATANGA
IMPLEMENTATION OF THIS IMP

IMPLEMENTING THIS IMP

2.1 He Kupu Whakataki Introduction

At the start of the IMP development process, Papatipu Rūnanga participated in a brainstorming session on where they wanted to be in the next 10 years with regard to the role of Ngāi Tahu in natural resource management. The vision that emerged from this session is captured in the following kaupapa:

- We achieve a true partnership with local government, with a strong and meaningful relationship based on shared values and Te Tiriti o Waitangi. This includes realising co-governance opportunities.
- We achieve real involvement in decision making, not just on words on paper.
- Planning processes and decision making reflect Ngāi Tahu perspectives, values and tikanga.
- Our IMP is embraced and influential in planning, policy and decision making in the takiwā.
- We have a well performing resource management consultancy company.
- There are Māori commissioners on hearings panels.
- Ngāi Tahu are leading the way, and setting the standard for best practice.
- There is more marae-based ownership and management of key resources and sites.
- There are examples of the use of Transfer of Powers provisions under the RMA 1991.
- The environment is placed before the economy; and we don't make money at the expense of the environment.
- We have increased the capacity of our marae and rūnanga members to participate in resource management mahi.

The Mahaanui IMP is central to achieving many of the kaupapa listed above. As a manawhenua planning document, the IMP is an important tool to realise Papatipu Rūnanga objectives with regard to the protection of taonga, the expression of kaitiakitanga and the maintenance of cultural well-being.

2.2 Te Whakatinanatanga Implementation of this IMP

The ability of IMP to reach their full potential is dependent on the commitment of both tāngata whenua and external agencies to the kaupapa. It is the intention of the six Papatipu Rūnanga that prepared this plan that they will work closely with external agencies to realise the value of the IMP to meet kaitiakitanga objectives.

While the Resource Management Act (RMA) 1991 is the only legislation to give explicit statutory recognition to IMPs, these plans are also relevant to other legislation governing the management of natural, cultural, physical resources, and their statutory requirements relating to Te Tiriti o Waitangi (see Part 4 of this IMP). IMPs provide clear direction on issues of importance to tāngata whenua, and in this regard are relevant across a range of environmental legislation.

The policy statements below provide the framework for expressing the expectations and the opportunities associated with implementing the Mahaanui IMP.

Ngā Kaupapa / Policy statements

IMP1.1 The Mahaanui IMP 2013 is a manawhenua planning document prepared and mandated by the six Papatipu Rūnanga of Ngā Pākihi Whakatekateka o Waitaha and Te Pātaka o Rākaihautū.

IMP1.2 The six Papatipu Rūnanga who have prepared this plan are committed working with local government and other agencies and organisations to implement this IMP.

IMP1.3 The Papatipu Rūnanga who have prepared this plan support the findings of the Waitangi Tribunal report on WAI 262 (see Box – *Ko Aotearoa Tēnei*) regarding iwi resource management plans and the recognition of kaitiaki interests, namely that:

- (a) Kaitiaki priorities need to be integrated into local authority decision making, and IMP are a way to achieve this; and
- (b) IMP, as plans setting out iwi policies and priorities for managing the environment within their tribal areas, should *bind local authority decision making, just as regional policy statements, regional plans, and district plans do.*

IMPI.4 To require that local government initiate and develop memorandum of understandings regarding the implementation of the Mahaanui IMP in council processes.

IMPI.5 To work with local government to develop memorandum of understandings regarding the implementation of the Mahaanui IMP in council processes, with specific reference to the use of the IMP to:

- Maintain and improve opportunities for Māori to contribute to local government decision-making processes, and
- Give effect to RMA Part 2 obligations, particularly with regard to recognising and providing for the relationship of Ngāi Tahu to ancestral lands, waters and sites as a matter of national importance, and the protection of historic heritage;
- Inform planning processes, including the preparation and change of plans and policy statements, as per RMA sections 61, 66, and 74;
- Provide consent applicants with advice on cultural issues and consultation processes;
- Inform the assessment of resource consent applications, including identifying whether tangata whenua may be an affected party and the assessment of cultural effects (RMA s.88, s.95E and Schedule 4);
- Inform the consideration and determination of resource consent applications, under RMA section 104; and
- Inform resource consent monitoring and compliance processes, including providing for tangata whenua values in these.

IMPI.6 To work with all other agencies to recognise and provide for this IMP as a tool to:

- Engage with Papatipu Rūnanga as the representative bodies of tangata whenua who hold manawhenua;
- Understand what is important to tangata whenua and why;
- Meet statutory obligations pertaining to the principles of Te Tiriti o Waitangi; and
- Meet statutory obligations pertaining the relationship of Māori and their culture and traditions to ancestral lands, water, sites and other taonga.

IMPI.7 To work with local government and other agencies to realise the full potential and value of IMP across planning and decision-making processes, including giving effect to the plan over and above existing statutory requirements.

IMPI.8 To ensure that the IMP reaches its full potential by working with local government and other agencies to:

- Provide training sessions on plan implementation;
- Make the IMP available in hard copy, on CD and on websites.

Kaitiakitanga, the RMA and IMP

Ko Aotearoa Tēnei is the Waitangi Tribunal's report into the claim known as Wai 262, which concerns the place of Māori culture, identity and traditional knowledge in contemporary New Zealand law, and government policy and practice. Chapter 3 of the report relates to taonga in those parts of the environment controlled under the RMA 1991, and presents the following findings with regard to kaitiakitanga, the RMA and IMP:

- Iwi and hapū are obliged to act as kaitiaki towards taonga in the environment such as land, natural features, waterways, wāhi tapu, pā sites, and flora and fauna within their tribal areas;
- Current laws and policies do not support these kaitiaki relationships to the degree required by the Treaty;
- The RMA and the way it has been implemented only very rarely support kaitiaki control or partnership in relation to taonga;
- Reform will not only strengthen Māori culture and identity: by harnessing Māori knowledge and values it will also strengthen and add greater depth to environmental decision making;
- For the RMA regime to more effectively support kaitiaki relationships, engagement between tangata whenua and local authorities needed to become compulsory, formal and proactive;
- Kaitiaki priorities need to be integrated into local authority decision making, and IMP are a way to achieve this; and
- IMP should bind local authority decision-making, just as regional policy statements, regional plans and district plans do.

Source: *Waitangi Tribunal, 2011. Ko Aotearoa Tēnei: A Report into Claims Concerning New Zealand Law and Policy Affecting Māori Culture and Identity.*