Te Arotake Kaupapahere Waimāori

– Te rīpoata a te haere a Ngā Tira

Mātauranga

Freshwater Policy Review – Ngā Tira Mātauranga progress report - 2023

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This report includes Māori terminology. A glossary of Māori terms can be found in the Appendices.

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Kōrero whakataki | Executive summary

The purpose of this report is to provide an update on Ngā Tira Mātauranga technical working group and summarise the group's feedback on draft policy provisions to date. The purpose of Ngā Tira Mātauranga is to increase the involvement of iwi and hapū (tangata whenua) in the Waikato Regional Council Freshwater Policy Review, provide a forum for technical discussion of policy development, assist staff with policy development, and disseminate project information to tangata whenua groups. Ngā Tira Mātauranga comprises nominated representatives from tangata whenua entities within the Waikato Region who wish to have representation at Ngā Tira Mātauranga. The purpose, scope, work programme, and terms of reference for the group were developed by incorporating recommendations from tangata whenua representatives as to how the group should function. Representatives are remunerated for their involvement in the working group.

Waikato Regional Council hosted two Ngā Tira Mātauranga events in 2023. The first meeting had 35 attendees representing a variety of tangata whenua groups across the region. The draft work programme and draft terms of reference were proposed to the group and representatives were provided an opportunity to discuss them and provide feedback. Mixed feedback was provided. Some representatives supported the general intent and purpose of the group. Some representatives queried how the groups would support and empower Māori, give effect to the *Treaty of Waitangi*, protect sensitive information from inappropriate use, provide decision-making powers, and appropriately value member's time.

The second meeting of Ngā Tira Mātauranga was attended by 18 representatives. At this meeting the discussion moved beyond group establishment toward building understanding of RMA processes and planning documents, the policy framework, and workshopped draft Te Mana o te Wai and long-term vision objectives.

A draft Te Mana o te Wai objective was workshopped with the group. The key themes from the feedback provided in relation to the objective are: the need for definitions to clarify certain terms, provision and support for mātauranga Māori, provision for decision-making; the need for protection of Māori concepts and values, provision for tangata whenua involvement in consent processes, and the need to emphasise protection and restoration.

Draft long-term visions for each Freshwater Management Unit were workshopped in groups. Specific feedback was provided in relation to the draft long-term vision for each FMU. While the feedback is largely catchment specific, some of the key themes included:

- General or explicit support for the visions and their intent.
- Clarification of terminology.
- More ambitious timeframes in some cases.
- Better management of the impacts of the hydro-scheme.
- Empowering and resourcing tangata whenua in freshwater management, science, and consents monitoring.
- Return to natural channel courses.
- Managing activities which adversely affect water including damming, takes, and commodification of water.
- Planting of native species buffers for habitat, rongoā, and nutrient management.
- Management of trout and pest species such as Canadian geese.

Ngā Tira Mātauranga has been an effective forum for tangata whenua participation in the Freshwater Policy Review. Three more meetings are planned between October 2023 and early 2024 and staff look forward to the continued implementation of the work programme alongside the iwi and hapū of the region.

1 He tīmatanga korero | Introduction

The National Policy Statement for Freshwater Management 2020 (NPS-FM) was released as part of the Essential Freshwater package to halt the degradation of freshwater and then to bring about improvements. The NPS-FM sets out expectations that tangata whenua and the community will be engaged on many aspects of freshwater management. These include the application of the concept Te Mana o te Wai to local freshwater, setting long-term visions, and working through every step of the *National Objectives Framework* (NOF). The RMA defines tangata whenua as *in relation to a particular area, means the iwi, or hapū, that holds mana whenua over that area* (s. 2).¹

In addition to formulating long-term visions consistent with Te Mana o te Wai under the NPS-FM, the key NOF steps are to:

- Identify Freshwater Management Units (FMUs) in the region
- Identify values for each FMU (including Māori values)
- Set environmental outcomes for each value and include them as objectives in regional plans
- Set attributes for each value and set baselines for those attributes
- Identify attribute states, environmental flows and levels and other criteria to support the achievement of environmental outcomes
- Set limits as rules and prepare action plans (as appropriate) to achieve the environmental outcomes.

The NPS-FM requires all regional councils to review the freshwater aspects of their Regional Policy Statement and Regional Plan by 31 December 2024, and this has given rise to the Council's Freshwater Policy Review project. As a means to involve tangata whenua in the development of draft policy and collaborate on freshwater values, Waikato Regional Council (WRC) established a technical working group $Ng\bar{a}$ Tira Mātauranga (knowledge groups).

The feedback and discussion shared at the Ngā Tira Mātauranga (NTM) meetings will be used to inform revisions to the *Waikato Regional Policy Statement* and *Waikato Regional Plan* that will guide the management of freshwater in the region. Ngā Tira Mātauranga feedback and discussion will be considered alongside other tangata whenua feedback and discussion, whether or not tangata whenua have appointed a representative to Ngā Tira Mātauranga. Some tangata whenua may choose to provide feedback through the mechanisms provided in any formal agreements they have with council (e.g., Joint Management Agreements).

2 Ngā herenga | NPS-FM requirements

The NPS-FM and Resource Management Act 1991 (RMA) include several provisions requiring the involvement of tangata whenua. Table 1 below outlines the obligations for the involvement of tangata whenua, and consideration of cultural matters during implementation of the NPS-FM.²

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¹ Resource Management Act 1991 https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM230272.html

National Policy Statement for Freshwater Management https://environment.govt.nz/assets/publications/National-Policy-Statement-for-Freshwater-Management-2020.pdf

Table 1 Summary of NPS-FM 2020 obligations for tangata whenua involvement

Clause	Summary of requirement
Objective 1	Resources are managed in a way that prioritises health and wellbeing of water, people, and then communities social, economic, and cultural wellbeing.
Policy 1	Freshwater managed in a way that gives effect to Te Mana o te Wai.
Policy 2	Tangata whenua are actively involved in freshwater management including decision making and Māori freshwater values identified and provided for.
3.2.1	Council must engage with tangata whenua to determine how Te Mana o te Wai applies in the region.
3.2.2	Council must give effect to Te Mana o te Wai and must actively involve tangata whenua in freshwater management and decision-making processes, engage with tangata whenua on the NOF, and enable the application of a diversity of systems of values and knowledge such as mātauranga Māori to freshwater management.
3.3	Every long-term vision must be developed through engagement with communities and tangata whenua and express what communities and tangata whenua want the FMU, part of the FMU, or catchment to be like in the future.
3.4 and 3.7	Council must actively involve tangata whenua (to the extent they wish to be involved including decision making) in Te Mana o te Wai, the NOF, changing the Waikato Regional Policy Statement (WRPS) and Waikato Regional Plan (WRP) developing and implementing mātauranga Māori and other monitoring.
3.4.2	Council must work collaboratively with, and enable tangata whenua to identify any Māori freshwater values and every step in NOF relating to those Māori freshwater values.
3.4.3	Council must work with tangata whenua to investigate the use of mechanisms to involve tangata whenua in freshwater management including s33 transfer of powers, 36b mana whakahono ā rohe, and joint management agreements.
3.15	Action plans prepared must be consulted with communities and tangata whenua.
3.18	Monitoring methods must include measures of mātauranga Māori.
Appendix 1	Compulsory values include mahinga kai.
Appendix 1B	Additional values may include wai tapu and tauranga waka.

In summary, the NPS-FM creates a higher bar for engagement with tangata whenua than is usually required for a Schedule 1 process. Active involvement of tangata whenua (including decision-making) is required, as well as collaboration on Māori freshwater values, and inclusion of mātauranga monitoring methods. In addition to providing benefits to the project through fostering relationships and focussed engagement with tangata whenua, the establishment of Ngā Tira Mātauranga working group assists WRC in meeting the above obligations.

3 Te whakatūranga a te ropū | Group establishment

3.1 Purpose

The initial objectives of Ngā Tira Mātauranga were as follows:

- Provide a forum for tangata whenua in the Waikato region to be involved at a technical level in the development of freshwater policy review content.
- Provide input into policy direction based on the knowledge and experience members bring relating to Te Ao Māori, mātauranga Māori, mahinga kai, cultural matters, and resource management issues.
- Assist the policy advisors with the development of the Waikato Regional Plan and the Waikato Regional Policy Statement provisions through providing tangata whenua perspectives on freshwater management.
- Disseminate project information to tangata whenua entities in the region and take information back to their nominating governors and, if necessary, engagement with hapū and iwi. Council committed to representatives to support them in providing the information to their hapū and iwi, including drafting reports/memos, if requested.

3.2 Principles

WRC recognised the importance of direct and focussed engagement with tangata whenua with a focus on mātauranga. In late 2022 and early 2023 WRC undertook early planning and development of the group's programme, timing, scope, resourcing, and membership.

The foundation for Ngā Tira Mātauranga was based on a collaborative approach. The development and planning of any mātauranga working groups required the involvement of tangata whenua in the development of the terms of reference and work programme. Staff prepared a terms of reference and work programme that served as provisional drafts to be tested and refined with tangata whenua. These two documents are discussed further in Section 4 of this report.

It was also recognised that many tangata whenua groups struggle with the necessary capacity and availability to be involved in policy processes in a meaningful way. The approach taken was to remunerate participants for their time to enable their participation in the process by reducing financial barriers and valuing their contributions to the project.

3.3 Membership

The RMA and NPS-FM require that WRC engage with tangata whenua. The RMA defines tangata whenua as *in relation to a particular area, means the iwi, or hapū, that holds mana whenua over that area* (s. 2).³ There are over 208 iwi and hapū within the Waikato Region.⁴ Invitations were sent to over 270 tangata whenua contacts within iwi and hapū in the Waikato Region including groups with marginal overlapping interests from other regions.

³ Resource Management Act 1991 https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM230272.html

⁴ Waikato Regional Council (2017). Māori Engagement Framework: He Ritenga Mahitahi. Accessed https://www.waikatoregion.govt.nz/assets/WRC/Council/Policy-and-Plans/11340016-Maori-Engagement-Framework-Guide.pdf

The invitation included an overview of the project, the proposed purpose of the group, draft work programme, and a nomination form. The nomination form requested that members were nominated by their respective tangata whenua entity to ensure mandated representatives were attending with the authority to speak and attend on behalf of each group. WRC placed no limit on the number of representatives each tangata whenua group could nominate. Resourcing was offered for a single representative per group.

At the first meeting approximately 35 representatives attended, with approximately 18 at the second meeting. Members from across the region and neighbouring groups from outside the region attended. It is acknowledged that some members are not able to attend any or all of the meetings. WRC's approach has been to keep all groups (whether represented or not) informed of updates, pre-circulated information, and meeting outcomes from Ngā Tira Mātauranga.

In June and July 2023 WRC staff undertook a wider round of drop-in engagement sessions at various locations around the region.⁵ At these events, information on Nga Tira Mātauranga was provided and attendees encouraged to nominate members for the group if interested.

3.4 Remuneration

Ngā Tira Mātauranga representatives were remunerated to recognise the time commitment, expertise provided, and their contribution to the project. This is consistent with the WRC *Māori Engagement Policy*. Remuneration was informed by WRC guidance material. The rate was determined using the Cabinet Revised Fees Framework. This framework provides guidance on the remuneration of Crown bodies and committees. The purpose of the framework is to provide a consistent approach to remuneration, contain expenditure of public funds within reasonable limits, and provide flexibility with clear criteria. The framework was used to determine a remuneration rate of \$37.50 per hour, which was subsequently amended to \$50.00 per hour.

Members are remunerated for:

- Preparatory work including reading pre-circulated information.
- Attendance at Ngā Tira Mātauranga meetings.
- Post-meeting work such as reporting back to other individuals or entities, or further consideration of workshop materials.
- Mileage for travel (paid at the standard Inland Revenue Department rate).

3.5 Wānanga format and structure

Hamilton was chosen as the location for the first two meetings for its advantage as a central location for the region. The first two meetings were held at The Link.

The online engagement platform *Engagement HQ* was utilised to support Ngā Tira Mātauranga. The platform provides online access to discussion forums, pre-circulated materials, contact details for WRC staff involved in Ngā Tira Mātauranga, and background maps and information. *Engagement HQ* can be tailored and updated as the work programme continues.

WRC staff prepared relevant memoranda, slideshow presentations, agenda, as well as payment process guidance and forms. This material was pre-circulated to nominated representatives and used as the basis for discussion during the day. The purpose of the memoranda was to provide

 $^{^{5}\,}Engagement\,locations:\,Thames,\,Reporoa,\,Taup\bar{o},\,T\bar{u}rangi,\,Hamilton,\,Matamata,\,Raglan,\,Put\bar{a}ruru,\,and\,Tuakau.$

⁶ Waikato Regional Council (2017) M\u00e4ori Engagement Framework He Ritenga Mahitahi. Accessed 18 July 2023 via https://www.waikatoregion.govt.nz/assets/WRC/Council/Policy-and-Plans/11340016-Maori-Engagement-Framework-Guide.pdf (DOC # 11340016)

⁷ Waikato Regional Council (2022) Guideline: payment for koha and kaupapa Māori services FINAL. (DOC # 26709934)

⁸ Cabinet Office (2022) Revised Fees Framework for members appointed to bodies in which the Crown has an interest. Retrieved 19 July 2023 from https://www.dpmc.govt.nz/sites/default/files/2022-10/co-22-2-revised-fees-framework.pdf. (DOC # 24479186)

suitable background information on the topics of the day and identify key areas for discussion and feedback. This included information on the planning and policy framework, the NPS-FM, Te Mana o te Wai, and long-term visions.

WRC staff welcomed the Ngā Tira Mātauranga representatives with a whakatau followed by morning tea. The meetings were led by facilitators supported by WRC's Tai-ranga-whenua, policy, and science staff. Feedback was captured electronically via minutes and physically on *post-it* notes. This was then collated to form a record of each meeting. This report is based on these records.⁹

4 Hui tuatahi | Meeting one – 1 May 2023

The first meeting was focussed on administration, establishment, and protocols for the proposed Ngā Tira Mātauranga group. The feedback from meeting one primarily relates to the work programme, terms of reference, resource, and other formative matters.

Thirty-five representatives attended the meeting. Representatives not in attendance were sent the relevant materials and notes from the meeting. The following tangata whenua entities were represented by one or more representatives on the day:

- Ngāti Maniapoto / Te Nehenehenui Trust (Rereahu, Tuhua Hikurangi)
- Rereahu
- Maahanga
- Ngāti Pukenga
- Ngāti Raukawa
- Ngāti Porou Ki Hauraki
- Ngāti Tara Tokanui
- Ngāti Tūwharetoa
- Ngāti Kea Ngāti Tuara
- Ngāti Koroki Kahukura
- Ngāti Porou
- Ngāti Rangiwewehi
- Waikato Tainui

4.1 Work programme

A draft work programme was prepared in advance of establishing Ngā Tira Mātauranga. This programme was informed by the directions and processes set out in the NPS-FM. The programme provides an overview of what could be discussed at each respective Ngā Tira Mātauranga meeting including estimated time commitment required from representatives. The work programme is indicative and may be adapted as necessary to ensure any interdependent policy work can be prepared in advance of the respective meeting, or that sufficient discussion can occur on matters that require it. A summary of the work programme is set out in Table 2 below.

Table 2 Overview of Ngā Tira Mātauranga work programme

Stage	Wānanga	Discussion items
Te Mātapuna – the source, beginning	1	Whakatau Whakawhanaungatanga (welcome, introductions) Work programme – draft Terms of Reference – an introduction

⁹ DOC # 26331435 and DOC # 26421169

Stage	Wānanga	Discussion items
		Resourcing – an introduction
		Ō tātou tikanga (our tikanga to move forward as a group)
Kia māramahia — understanding the work programme	2	Kia māramahia ai te mahi e tātou (me te tūranga mō te mātauranga me te mahinga kai)
,		Understanding our task and being sure the level at which the RPS and WRP review sits as it relates to mātauranga and mahinga kai
		a) Te Mana o te Wai
		b) National Policy Statement for Freshwater Management
		c) National Objectives Framework
		d) Waikato Regional Policy Statement
		e) Waikato Regional Plan
Whāia te pae tawhiti,		How Ngā Tira Mātauranga will work together
kia tata – ambitious and		(kanohi ki te kanohi, hui topa, hybrid?) For the
reasonable visions, values and outcomes		Waikato/Waipā catchment, the extent to which both Ngā
values and outcomes		Tira Mātauranga workstreams are integrated.
		Te Mana o te Wai
		Discuss and define Te Mana o te Wai for your hapū/iwi
		Whāia te pae tawhiti
		Visions, values and outcomes (3.3, 3.9, NPS-FM)
Whakamaua! Ngā tātai āhuatanga ināianei, ā,	3	He aha ō te mātāpono āhuatanga me ngā tātai āhuatanga ināianei, ā, haere ake nei?
haere ake nei – current		What are the values' current and future states and
and future states and assessment attributes		assessment attributes? (3.10 - 3.17, NPS-FM)
Ngā rautaki ināianei, ā,	4	He aha ngā rautaki ināianei, ā, haere ake nei?
haere ake nei –		What strategies and solutions are in place now and what
strategies in place now and what should be in		should be in place in the future? (3.12 – 3.17, NPS-FM)
place in the future		
Ngā aroturuki – monitoring	5	He aha ngā momo aroturuki me ngā ia ki ia tātai āhuatanga, ki ia takiwā?
		What monitoring methods and trends are used to measure
		progress toward targets in each takiwā? (3.18 – 3.20, NPS-FM)

4.2 Terms of reference

A draft terms of reference (TOR) was prepared to establish the scope and limitations of Ngā Tira Mātauranga. The TOR articulates the scope of work for the group and addresses the following matters:

- Objectives of the group
- Reporting requirements
- Options for the number of groups their geographical spread
- Membership
- Resourcing process and fees
- Roles and responsibilities of groups members and WRC
- Timeline and process

During the first meeting, a session was dedicated to discussing the draft TOR and work programme. Several groups provided recommendations and feedback to improve the TOR. Feedback was incorporated into the draft. Feedback from some groups suggested more time was required to provide considered feedback. Attendees were subsequently encouraged to take away the draft and provide written feedback to WRC for discussion at the next meeting.

4.2.1 Feedback on the terms of reference

The following feedback was received regarding the TOR, either during the meeting or received later via email:

- General support for the objectives and makeup of the groups as proposed.
- Support for the dissemination of information to wider groups including affiliated hapū and marae.
- Mixed support for the group being a technical working group. Some members agree that the group is not the forum for decision-making, while others suggested that decision-making should be within the scope of Ngā Tira Mātauranga.
- Support for an all-inclusive region wide approach and not splitting the group into Freshwater Management Units to allow for tangata whenua collaboration.
- General support for the scope but seeking that it is not limited only to cultural matters.
- General agreement that tangata whenua should be defined within the terms.
- Support for ongoing sharing of information and updates regardless of whether groups had nominated representatives.
- Caution regarding the sharing of sensitive information and how information shared at meetings would be used in the future.
- Requests for specific reference to the obligations and principles of Te Tiriti o Waitangi
 / the Treaty of Waitangi and He Whakaputanga o te Rangatiratanga o Nu Tirene: the
 Declaration of Independence of the United Tribes of New Zealand.
- Concerns that the TOR does not provide space for Māori kāwanatanga or ensuring Māori have the final say in how the policy benefits Māori.
- Querying how the group will advance Māori tino rangatiratanga, protect Māori authority, strengthen relationships, Māori collective wellbeing, and support Māori to live according to their values and customs.
- The importance of including Hauraki iwi groups.
- Request for a guarantee that Ngā Tira Mātauranga feedback becomes policy.

WRC amended the TOR to address as much of the above feedback as possible while still achieving the group objectives. At the second NTM meeting the feedback and associated amendments to the terms were discussed with representatives. Not all representatives supported the draft TOR. The amended TOR is discussed further in Section 5.1 of this report.

4.3 Feedback on remuneration

Representatives noted that the remuneration rate was inadequate and queried how the figure had been determined. Some representatives noted that: the rate did not adequately reflect the whakapapa value contained within the shared knowledge, the rate should reflect that the knowledge has been passed down through multiple generations, the knowledge is of cultural and spiritual importance to representatives. It was also noted that some representatives would be effectively losing money by spending their time attending, while the social and environmental cost of not attending would be greater due to the significance of freshwater for tangata whenua.

In response to this feedback, staff re-evaluated the framework criteria placing a higher score on expertise to acknowledge the feedback regarding whakapapa and cultural significance. A revised remuneration rate of \$50 per hour was approved.

4.4 Protection of sensitive information

Ngā Tira Mātauranga representatives discussed the importance of appropriately protecting Māori intellectual property during the course of the work programme. In response, the following wording was added to the terms of reference and accepted by present representatives:

"WRC is subject to the Local Government Official Information and Meeting Act 1987. This allows people to ask for official information held by Ministers and central government agencies. It is acknowledged that culturally sensitive information may be shared during the meetings.

- The ultimate purpose of sharing information is to allow it to be properly considered and assist with the inclusion of Māori values and concerns within the Waikato Regional Plan and Regional Policy Statement.
- Information shared may be relied upon during the policy development process, and provide an evidence base for creation of provisions that seek to provide for tangata whenua values and interests.
- NTM members may choose to share certain information and state that it is 'off the record' and the facilitators will ensure these are not recorded in the meeting minutes.
- NTM members are encouraged to withhold any information they do not wish to become public or be considered during policy development."

5 Hui tuarua | Meeting two – 26 May 2023

The second meeting moved from group establishment toward building the group understanding of RMA processes and planning documents, the policy framework, and discussion of draft provisions. WRC prepared and pre-circulated memoranda to support the discussion with the revised terms of reference, background information, and draft objectives for discussion with the group.¹⁰

Eighteen representatives attended the meeting. Representatives not in attendance were still sent the relevant materials and notes from the meeting. The following tangata whenua entities were represented by one or more representatives on the day:

- Ngā Tai O Kāwhia
- Ngāti Maniapoto / Te Nehenehenui Trust
- Roopu o Rereahu
- Ngāti Hara Mahi Trust
- Tura Ngāti Te Ngakau
- Ngāti Parekaawa o Tūwharetoa
- Ngāti Pukenga ki Manaia
- Ngāti Raukawa
- Hauaauru Ki Maniapoto
- Ngāti Porou Ki Hauraki
- Ngāti Tūwharetoa
- Ngāti Kea Ngāti Tuara

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¹⁰ NTM Meeting Notes 26 May (DOC # 26421169)

- Ngāti Koroki Kahukura
- Ngāti Rangiwewehi

5.1 Revised terms of reference

Facilitators presented the TOR and discussed suggested amendments in response to the feedback identified in the previous meeting (see Section 4.2 of this report). Staff worked through the revised terms and discussed the amendments and how feedback had been addressed. Table 3 below outlines the amendments and additional feedback.

Table 3 Feedback and amendments to terms of reference

Topic	Feedback and response
Treaty of Waitangi	Members agreed that Te Tiriti o Waitangi requires reference in the front of the document, with varying expressions of how this might be worded. Members also expressed that it is important that these objectives are implemented, and not left as floating provisions. WRC amended terms to include these references.
Defining 'tangata whenua'	The definition of tangata whenua was discussed as feedback had been provided that the document should refer to iwi authorities, hapū, marae, pā, and mana whenua. The NPS-FM does not clearly define tangata whenua and the definition in the RMA is used. Attending members agreed that will be referenced in a footnote at the beginning of the document. A suggestion was received that the information from NTM meetings should be able to be distributed onward to marae.
Scope of program	The scope of the program should not be limited to cultural matters as members may have an interest in wider aspects of the project. The TOR was amended to reflect this.
Joint working party	The group agreed NTM will not serve as a joint working group for the purposes of joint management agreements. This respects that all groups in NTM have equal rights and standing, and that the joint working parties are different forums with different function. The TOR was amended to reflect this.
Single group with ability to wānanga at scale	The meeting participants agreed that continuing to work together as one group and dividing into FMU or rohe during meetings for specific discussion was the preferred option. The TOR was amended to reflect this.
New science	Originally drafted as being out of scope, the ability to request new science is available to members of NTM. The TOR was amended to reflect this.
Decision making	It was confirmed that NTM is not a decision-making forum and that governance level arrangements exist and pathways for involvement in decision making are available. The TOR was amended to reflect this.
Sensitive information	An additional section has been added to the TOR to address raised concerns about publicly available information and the protection of sensitive information (Section 4.4 of this report). This was discussed at length with attendees and the proposed wording has generally been accepted and understood.

5.2 Overview of policy framework

Facilitators provided Ngā Tira Mātauranga with an overview of the RMA planning framework and the relationship and functions of the various councils and documents that comprise it. This was supported by a memorandum which included examples of provisions from various planning instruments and how provisions address matters of importance to tangata whenua.

Key matters discussed included:

• An overview of the functions of the WRPS and WRP.

- The relationship between national, regional, and local planning documents.
- The different functions of district and regional councils.
- The types of activities managed by the regional plan e.g., discharges, structures, water takes, diversions.
- The types of activities which are relevant but not managed by the freshwater parts
 of the WRP such as district council functions, air-quality, and the coastal
 environment.
- How the different documents can manage effects on tangata whenua values and interests.
- How cross-boundary issues are dealt with across regional boundaries.

Facilitators answered multiple questions from attendees, as well as recorded general feedback that emerged as a result of the discussion:

- Strong feedback was shared during the hui in relation to the need for Māori involvement in monitoring and reviews of consent conditions.
- Recommendation to establish a greater role for Māori in monitoring freshwater sites and sources such as aquifers. These groups could advise WRC on water quality breaches.
- The formal mechanisms for involvement in decision making are positive however require a significant amount of time and expertise to go through the process. This can be a barrier for tangata whenua.
- Hapū need to be given money to enable monitoring of water.
- General support for Te Mana o te Wai being at the RPS level and given effect to by subservient documents.

5.3 Te Mana o te Wai

Te Mana o te Wai was discussed and an overview provided regarding its purpose, definition, and role within water management. Key points from the overview included:

- Te Mana o te Wai within the NPS-FM is defined at national level with local flexibility.
- Te Mana o te Wai includes a hierarchy of obligations which are firstly, the health and wellbeing of waterbodies and freshwater ecosystems, secondly, the health needs of people (such as drinking water), and thirdly, the ability for people and communities to provide for their social, economic and cultural wellbeing.
- WRC has used existing information including deeds of settlement and iwi environmental management plans to serve as a starting point for the draft objectives.

A workshop activity was undertaken and the representatives were asked to break out into three rohe based groups to discuss and give feedback on the draft objectives circulated by WRC. Feedback was a mix of general feedback or specifically related to the draft provisions. Table 4 below provides an overview of the feedback shared by the groups, organised into key themes.

Table 4 Themed feedback on draft Te Mana o te Wai objective

Theme	Feedback		
Clarity of terminology and definitions	 Feedback identified terms within the objective which are uncertain or subjective in their meaning and interpretation. Some of the words are open for interpretation from different parties which may have different understandings of what they mean. Protect, provide, ensure healthy, sufficient, values Enabled should be amended to include the resourcing and upskilling of individuals and groups. Health and wellbeing should be defined in relation to health and wellbeing from an ecosystem perspective as mauri and mana require healthy ecosystems. 		

Theme	Feedback
Mātauranga Māori	Te Mana o te Wai objectives should seek to empower the use of mātauranga and alternative, qualitative measurements within decision-making and policy development. Concern was raised that the current objective would favour quantitative methods.
	Mahinga kai examples were discussed in the context of the objective. Piharau migrate upstream with elevated flows (flood) as tohu. Taonga hatch and spawn with elevated flows (floods) as tohu. This responds to cyclic variations and seasonality. The provisions should allow for such matters to be considered.
	The wording does not suitably acknowledge the two worlds and understandings of water. Te Mana o te Wai should be able to translate into mātauranga Māori measures.
Governance and decision making	Tangata whenua are inadequately involved in decision making due to government systems. There is support for the use of RMA transfer of powers (s. 33). The objective should emphasise that tangata whenua are treaty partners, not stakeholders or ratepayers.
Māori concepts and values	There was strong feedback among the group that the whakapapa relationship of Māori with water should be clearly stated in the objective, and that it is currently missing. Whakataukī were shared – <i>Ko au ko te awa, ko te awa ko au</i> (I am the river, the river is me). It was noted that Te Awa Tupua personhood of water is not acknowledged. Purākau, ki uta ki tai, mana motuhake, and tino rangatiratanga are also not reflected in the objective.
Consents	Consent durations are often too long and exclude the ability of iwi to trigger reviews. Review periods need to be installed so tangata whenua can ensure Council and resource consent activities are compliant and on-track. Suggestions for improving consenting regarding Te Mana o te Wai included limiting allocable quantities, and conditions requiring education.
Attribute baselines and bottom lines	It was noted that the objective does not clearly identify the future direction and whether it is betterment or status quo. Additional concerns were raised about the ability to look back 60 years to make comparisons with water today. Māori should be able to swim in clean waters to have kai out of clean rivers and streams. Iwi bottom lines and cultural impact assessment detail needs to be transferred into higher level policy.
Impacts	During the exercise feedback was provided on activities and issues that adversely affect freshwater. These included: • The application of 1080.
	 Land-based practices and consequences from farming/forestry. Application of fertilisers and irrigated effluent on land entering water. River straightening and dams affecting habitat, flows, and mahinga kai. Impacts of residential intensification, especially near waterways.
Protection and restoration	It was noted that the health of people and ecosystems are strongly interconnected and cannot be separated from one another. The provisions could reference holistic management. The groups shared their own aspirations for freshwater in the context of Te Mana o te Wai:
	 Clean water, healthy water for future generations. Restoration of the original environment is required. Water is currently paru and needs to be restored back to its original clarity. What needs to be done is to protect, provide, ensure respect of water.
	 Natural water source protection is required to maintain water security. Alternative solutions need to be found regarding the capturing of water so natural resources will be retained/maintained and not impacted.

5.4 Freshwater management units

Staff provided attendees with an overview of the proposed draft FMUs for the Waikato Region. Further detailed information was contained in the pre-circulated memorandum. The following key points were raised and discussed with the group:

• The purpose and implications of FMUs.

- The NPS-FM requirements in relation to FMUs.
- The principles for how the draft FMUs were identified.
- The relationship with the Healthy Rivers Plan Change 1 process, which predetermines some FMUs within the region (Waikato and Waipā).
- Freshwater quality and quantity accounting is one of the main purposes of FMU.

There was little feedback on the draft FMUs and a few queries raised including the purpose and principles of FMU, and whether there is any ability to provide for mana whenua interests who lie across more than one FMU.

5.5 Long-term visions

Long-term visions are a fundamental requirement of the NOF process and determine the overarching objective for each catchment, and the timeframe for achieving that objective. Staff provided an overview of the purpose and definition of long-term visions, and shared draft objectives for each catchment. The representatives split into FMU based groups and encouraged to provide feedback on the draft provisions for their respective catchment areas. The following sections capture that feedback, except for the lower and middle Waikato FMUs. For these FMUs it was noted that the feedback on the Upper Waikato vision is applicable to the entire length of the Waikato River.

5.5.1 Hauraki long-term vision

Draft long-term vision text

In the Hauraki FMU:

- a) The health, well-being and mauri of waterbodies is protected and restored where necessary for present and future generations.
- b) The community collectively takes action and sustainable land use and management supports ecosystem health, freshwater values and the achievement of clauses a) and e).
- c) Freshwater is holistically managed in a way that recognised that health of the people relies on the health of the environment.
- d) Freshwater is clean and accessible to provide for a range of values and uses, including drinking, swimming, mahinga kai and other traditional and customary practices.
- e) Freshwater management supports space for all generations to interact with the awa together and ancestral lands, water, sites, wāhi tapu, taonga and customary rights are protected from adverse effects and inappropriate use.
- f) Fisheries and freshwater habitat, riparian margins and wetlands that are degraded are rehabilitated and restored, and where it is not degraded it is protected.
- g) Water quality is above any national bottom line, further degradation is avoided and gradual improvements are made over the next 10 years with water quality at pre-colonisation levels in 50 years.
- h) 90% of existing wetlands and wetland tuna populations are restored.
- Public access to waterways is improved in 10 years and full public access is provided for by 2074.
- j) Riparian planting of all waterways including with appropriate types of emerging forest around all water bodies is achieved by 2034 with developed forest around all water bodies and covering catchments by 2074.

The outcomes sought in clauses a) to f) are achieved by 2054.

	, ,, ,				
Clause	Feedback from Ngā Tira Mātauranga participants				
a)	Support this statement. Recommend clarifying what the end goal of restoration is.				
	Restoration should aim for drinkable water, restoration of wetlands.				
b)	Confusing wording about community action. Suggestion: Sustainable land management is				
	enforced and backed by community values to support ecosystem outcomes.				
c)	Noted that this is ambitious but generally supported.				
d)	Supported but recommend including an explicit timeframe for this clause.				
e)	Freshwater management should be incorporated into everyone's lives and understanding.				
	Freshwater management should support tikanga, pūrākau, kaitiakitanga, ngā kōrero o neherā				

,
to interact with revitalisation and protection of ancestral lands, water, sites, wāhi tapu,
taonga and customary fishing rights.
It is unclear from the wording whether protection for non-degraded species and wetlands is
provided for. Only referring to items which have degraded may be problematic and lose focus
on values which are not degraded at present. Wording is weak.
Clarity required for how far above the bottom line the objective is. Recommend that further
degradation is <i>halted</i> , rather than <i>avoided</i> which is weaker wording. Review periods to ensure
on track. Remove gradual as change might be too gradual. 10 years should be reduced to 5
years to stop degradation. Needs to be seen for improvements.
is important that this clause incorporate more than tuna - it should be the entire ecosystem.
There is little clarity on what the restoration point is aiming for and by when.
Supported. Wording needs to be tightened and clarity provided on what restoration goal is
by when, and how effects will be managed.
Uncertainty as to which waterways are representative. Recommend that clause states native
plants are preferred to provide for mahinga kai.

5.5.2 Coromandel long-term vision

Draft long-term vision text

By 2054 in the Coromandel FMU:

- a) People contribute to the creation of healthier waterways as the health of water and our community are a reflection of each other and freshwater is the essence of life for all species.
- b) Freshwater is clean, safe for drinking and contact recreation, swimmable, supports sustainable food harvest, and water supply is secure, for all species and for future generations.
- c) Freshwater management supports healthy clean water for traditional and customary practices and space for all generations to interact with the awa together and to pass on to future generations.
- d) Water quality is above any national bottom line and improved from the baseline state for all attributes.
- e) Waterways have a riparian strip of native flora, contain corridors for native bird and insects and are aesthetically pleasing by 2034.

The outcomes sought in clauses a) to d) are achieved by 2054

Clause	Feedback from Ngā Tira Mātauranga participants
a)	Right kaupapa and wairua, wrong wording. No recommended improvements suggested.
b)	Support this clause as worded.
c)	Freshwater management should be incorporated into everyone's lives and understanding. Freshwater management should support tikanga, pūrākau, kaitiakitanga, ngā kōrero o neherā to interact with revitalisation and protection of ancestral lands, water, sites, wāhi tapu, taonga and customary fishing rights.
d)	Clarity required for how far above the bottom line the objective is. Recommend that further degradation is <i>halted</i> , rather than <i>avoided</i> which is weaker wording. Include review periods to ensure progress. Remove <i>gradual</i> as change might be too gradual. 10 years should be reduced to 5 years to stop degradation. Needs to be seen for improvements.
e)	Support this clause. Suggest this also include mahinga kai and/or rongoā for replanting effort.
f)	Uncertain whether this includes land uses and changes.
General	Suggest adding (c) from draft West Coast vision "Ancestral lands, water, sites, wāhi tapu, taonga and customary rights are protected from adverse effects and inappropriate use."

5.5.3 Taupō long-term vision

Draft long-term vision text	
By 2034 in the Lake Taupō FMU:	

- a) The health, well-being and mauri of waterbodies is protected and restored where necessary, for present and future generations.
- b) Freshwater is holistically managed in a way that recognises that the health of people relies on the health of the environment.
- c) Freshwater management recognises Māori rights and interests in freshwater, creates an environment for sharing of traditional knowledge and practices and protects customary activities and principles tikanga.
- d) The cultural, spiritual, educational, environmental and economic associations with freshwater are recognised.
- e) Sustainable land and water management practices support the achievement of clause (a) and ensure no new aquatic pest species are introduced.
- f) Water quality is maintained where good, and if degraded, improved by 10 percent for all freshwater attributes from the baseline state.
- g) Freshwater supports natural flows and ecosystems and is available for traditional and customary uses.
- h) Fisheries and freshwater habitat that are degraded are rehabilitated and restored, and where it is not degraded it is protected.

Clause	Feedback from Ngā Tira Mātauranga participants
a)	Vision – hydrological power generation should change to alternative means of electricity production to provide for restoration of natural habitat, fish and vegetation. Gates at Taupō
	controlling outflows to Waikato and controlling inflows to maintain lake levels. Prior to 1941 the lake was largely natural. Trout governed many poor decisions in water management.
b)	Water sources on hapū whenua should be managed by hapū. Water take prioritises hapū development and hapū revenue enables good governance.
c)	Hapū use resources accordingly and tikanga and mātauranga as strong kaitiaki for good governance.
d)	Noted as an enabling provision.
e)	Supported.
f)	Some wai have special mauri/whakapapa which should be respected. Degradation removed and restored. Lake levels should be at pre-1941 level.
g)	Tongariro River/Waihonohono returned to original channels - Waikato River/Streams, also Whanganui River headwaters sustained - tuna abundance and quality.
General	Taupō flood gates feed into Tongariro streams pushing water into Tongariro subsequently lakes are rising, mahinga kai have reduced or are no longer present. Power generation needs to change to an alternate means. Orakei connection - do what tūpuna require. The Council's requirements are forever changing. Mana whenua see themselves as the government and that everyone should be governing their own rohe. Dig out the sediment so mahinga kai is not spoiled. Certain remedies are known due to the teachings from tūpuna -tangata whenua know what to do. Lake levels need to return to pre-1941 levels. Tongariro River should be returned to its natural state together with the smaller rivers. The Whanganui's head waters should be left alone to allow tuna to thrive.

5.5.4 Waipā long-term vision

Draft long-term vision text

By 2044 in the Waipā FMU:

- a) The FMU is managed in accordance with Te Ture Whaimana o te Awa o Waikato the Vision and Strategy for the Waikato River.
- b) Water quality, the mauri and integrity of all freshwater bodies, and their biodiversity is restored and protected for present and future generations by bringing the waterbodies back to as close as possible to their state 100 years ago.
- Freshwater management reflects kotahitanga and mātauranga Māori knowledge and wisdom, customary practices and principles.
- d) Fisheries and freshwater habitat that are degraded are rehabilitated and restored, and where it is not degraded it is protected.
- e) Ancestral lands, water, sites, wāhi tapu, taonga and customary rights are protected from adverse effects and inappropriate use, and wai supports traditional practices, mahinga kai, birthing and education in order to sustain cultural, spiritual, and social and kaitiaki needs.

- f) The community take collective responsibility to sustainably care for and nurture the mana and mauri of wai as a treasure.
- g) Existing wetlands are restored and protected and new wetlands are created to improve indigenous biodiversity and water quality.

No specific amendments to the wording were proposed. Instead, an alternative vision was proffered. The group was happy with the overarching vision timeframe but queried its origins and how it will be achieved. Feedback in relation to draft clause (b) was that the 100-year timeframe is inadequate, and the target should seek restoration even further back than that (160 years). Soil sampling could help understand what the land health was like back then, including genetic sampling.

The following suggestions were made in relation to a long-term vision for the Waipā catchment:

- Increase resource (funding, plants, kaimahi) to get 1 million plants to be planted per year.
- Significant industry impacts in the catchment. Councils should challenge companies and industries as the water is impacted by dairy factories, farms, and meat works.
- Industries need to be challenged to be game changers.
- Terms need to be distinguished e.g., Tangata whenua / Mana whenua.
- Monitoring for testing is not just to tick a box. Be watchful for awa behaviour when monitoring.
- Stop companies banking water and selling it.
- No more dams of any kind. Nothing shall pierce the rivers ever again.
- Structural changes should be made now.
- Include an end-of-life clause.

5.5.5 Upper Waikato long-term vision

Draft long-term vision text

By 2044 in the Upper Waikato FMU:

- a) Freshwater management recognises Te Ture Whaimana o Te Awa o Waikato the Vision and Strategy for the Waikato River and Te Mana o Te Wai.
- b) The health, well-being, mauri and mana of waterbodies is protected and if necessary restored with abundant drinkable water for present and future generations.
- c) Freshwater is holistically managed in a way that recognises the health of the people relies on the health of the environment.
- d) Mana whenua are recognised as hei kaitiaki mō ngā wai the guardians of Wai, customary practice and principles – tikanga are provided for and our mokopuna see the awa and wai as our tūpuna did.
- e) Sustainable land use and management supports ecosystem health and the achievement of clause a) and b) while also conserving and protecting the productive capacity of land.
- f) Freshwater management supports an environment for sharing of traditional knowledge and practices with present and future generations.
- g) Fisheries and freshwater habitat that are degraded are rehabilitated and restored, and where it is not degraded it is protected.
- Water has been allowed to be itself, in its common, ordinary or normal state, unconstrained, flowing naturally, and through our everyday lives.
- i) Riparian areas are planted and rubbish is removed from waterways.

No specific amendments to the draft provisions were made. The group raised questions and noted some suggested alternative comments to inform the vision:

- Prioritise mana and mauri, not commercial or commodity interests.
- Recommend against using wording holistic and prefer other terminology.

- Current wording may result in a possible dilution of kaitiakitanga and queries regarding whether stewardship should be used alongside kaitiaki and whether all people can be kaitiaki.
- The importance of uninterrupted association.
- Mahinga kai interests balanced against vegetable growing and food security.
- Support the timeframe as drafted.

5.5.6 West Coast long-term vision

Draft long-term vision text

In the West Coast FMU:

- a) The health, well-being and mauri of all waterbodies and their biodiversity is protected and if necessary, restored for present and future generations to sustain cultural, spiritual, social and kaitiaki needs.
- b) Fisheries and freshwater habitat that are degraded are rehabilitated and restored, and where it is not degraded it is protected
- Ancestral lands, water, sites, wāhi tapu, taonga and customary rights are protected from adverse effects and inappropriate use.
- d) The community is involved in contributing to the sustainable needs of freshwater allowing freshwater to sustainably meet the needs of the community.
- e) Clean drinking water is been maintained, waterways are safe for human contact in 10 years and restored for safe swimming swim and gathering kai in 80 years,
- f) Public access to waterways is improved.
- g) Waterways are maintained, and the life sustaining ecosystems and habitat for freshwater flora and fauna have been safeguarded by 2050.
- h) By 2034, waterways are clean, provide a safe habitat for all wetland birds free of predators and riparian margins are managed by removing pest willows, fencing and replanting with native species to support a thriving environment.

The outcomes sought in a) to d) are achieved by 2050.

No specific amendments to the draft provisions were recommended. The group instead proposed alternative aspirational statements:

- Support and aim for re-generation of natural forest and fauna around all mana awa and moana.
- Farms need to be ringfenced by natural bush starting with mānuka regrowth.
- Dams and other constructions need to be modified so species like tuna can return and trout prevented from accessing those waterways.
- Stop Canadian geese and the planting of exotics.
- Population and tourist controls are put in place, and add more and better toilets.
- Proportionate Māori representation on Councils.
- Provide for designated swimming areas. There are some waterways where the general public or tourists should not have access to.
- The timeframe for achievement should be 5-10 years.

6 Kupu whakatepe me te ara ki tua | Conclusion and next steps

WRC and tangata whenua have established Ngā Tira Mātauranga as a technical working group as part of the Freshwater Policy Review. Ngā Tira Mātauranga serves as an avenue for actively involving tangata whenua in policy development, informing tangata whenua groups within and without the region, exploring mātauranga Māori, and supporting the implementation of the NPS-FM.

Ngā Tira Mātauranga has had two meetings and discussed the functions of the group, the scope, the programme, and how the group will work together with WRC. A terms of reference has been developed and refined by WRC and tangata whenua, and a work programme developed and is part way through implementation. Attendees have provided valuable kaupapa Māori advice and critical, yet constructive feedback on draft policy provisions including Te Mana o te Wai and long-term visions.

The work programme is planned to continue in 2023 from October into early 2024. These meetings will focus on the remaining key steps outlined in the NPS-FM's national objectives framework. These steps include freshwater values, environmental outcomes, attributes, and monitoring.

Ngā kupu whakamārama | Glossary of terms

Māori term	English translation
Ahi kā	Home fires; those who are here preserving one's connection to the land
Ahi mātao	Cooling fires of occupation - a term used where the customary title to land
7 in matao	may be lost through lack of occupation over two to three generations.
Ahi teretere	Flickering fire, unstable fire - a term used when members of a whānau have
7 till teretere	not returned to their tribal lands to 'keep the fires burning' for three or four
	generations and their rights have almost been extinguished
Awa	River, stream, creek
Нарū	Sub-tribe
Heke kõrero	Dissemination of knowledge
Huhu	Longhorn beetle endemic to New Zealand
Ika	Fish
Īnanga	Common galaxias, juveniles are a component of the whitebait catch
lwi	Tribe, nation, people, society
Kākahi	Freshwater mussels
Kai	
-	Eat, food, dine
Kaitiaki(tanga)	Guardian, caretaker, (guardianship)
Karakia	Incantation, prayer, chant
Kaumātua	Elders (plural), not gender specific
Kaupapa	Topic, policy, matter for discussion, plan
Kōiwi	Māori skeletal remains
Kōaro	Climbing galaxias, juveniles are a component of the whitebait catch
Kōkopu	Kokopu is a common name used for three species of fish of the genus Galaxias.
	They are found in the rivers, lakes and swamps of New Zealand, to which they
W-1	are endemic.
Kōkōwai	Red ochre
Kōmitimiti	Joining
Kōrero	Speech, narrative, story, news, account, discussion, conversation
Koroua	Male elder
Kōura	Freshwater crayfish
Kuia	Female elder
Mahi	Work, perform, practice
Mahinga kai	Food safe to harvest, customary resources available
Mana	Prestige, authority, control, power, influence, status, spiritual power,
	charisma - mana is a supernatural force in a person, place or object
Manaakitanga	Protect, take care of, support
Mana whakahaere	Governance, authority, jurisdiction, management, mandate, power
Mana whenua	Authority over land or territory
Maramataka	Māori lunar calendar
Marae	Sacred meeting place, courtyard in front of the wharenui (meeting house)
Matamata	Whitebait species
Matariki	Māori New Year and the Pleiades star cluster
Mātauranga	Māori knowledge. The body of knowledge originating from Māori ancestors,
	including the Māori world view and perspectives, Māori creativity and cultural
	practices
Maunga	Mountain
Mauri	Life principle, life force, vital essence, special nature. The essential quality and
	vitality of a being or entity
Moko(puna)	Grandchild(ren), descendant(s)
Morihana	Goldfish
Muka	Flax fibre
Pā tuna	Eel weirs
Paru	Dirty, muddy, soiled
Pepeha	Tribal saying, tribal motto, proverb
Pōrohe	Common smelt (fish)
Puhi	Silver belly eel

Puna	To well up, spring of water
Pūrākau	Cosmogonic stories / ideology
Pure	Ceremony or ritual to remove tapu
Pūtea	Funds, finance
Rāhui	To put in place a temporary ritual prohibition, closed season, ban, reserve -
	traditionally a rāhui was placed on an area, resource or stretch of water as a
	conservation measure or as a means of social and political control for a variety
	of reasons which can be grouped into three main categories: pollution by
	tapu, conservation and politics
Rangatahi	Youth, younger generation
Ranginui	The sky father
Repo	Wetland(s)
Rohe	Area, territory
Tāhuhu kōrero	History
Taiao	Nature, environment
Tamariki	Children
Tangata whenua	People of the land, locals, host, resident, indigenous people - people born of
	the whenua, i.e. of the placenta and of the land where the people's ancestors
	have lived and where their placenta are buried
Taonga tuku iho	Treasure handed down, cultural property, heritage
Tapu	Sacredness
Tikanga	Correct procedure, custom, habit, lore, method, manner, rule, way, code,
	meaning, plan, practice, convention
Tinana	Physical wellbeing, physical body
Tohi	Blessing, baptism, dedication ceremony
Tohu	Sign, symbol
Tūāhu	Sacred place for ritual practices, consisting of an enclosure containing a
	mound (ahu) and marked by the erection of rods (toko) which were used for
	divination and other mystic rites
Tuna	Freshwater eel
Tūpāpaku	Deceased person's body
Tupuna (Tūpuna)	Ancestor(s)
Urupā	Cemetery, burial place, graveyard
Wāhi tapu	Shrine, sanctuary, sacred area/place
Wai	Water
Wai tapu	Sacred waters
Wai whakarite	Cleansing
Wairua	Spirit, soul
Wānanga	To meet and discuss, forum
Whakanoa	Removal of tapu
Whakapapa	Genealogy, genealogical table, lineage, descent, ancestry
Whānau (whānui)	Extended family, family group, to be born
Whenua	Land