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**KAITIAKITANGA AND THE
CONSERVATION AND HERITAGE
MANAGEMENT OF THE
KAITUNA RIVER.**

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the degree of Masters of Resource and Environmental Planning at
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FOREWORD

“Ko te kinenga o te kai kai taku waimimi, kai te awa o Tapuika.”

“The source of all sustenance is the water of my bladder, the river of Tapuika.”¹

This thesis examines concepts and information which are of great significance and sensitivity to Maori. It recognises that there are varying interpretations of the concepts and issues of Maori natural, cultural and environmental heritage discussed in this thesis, from both Maori and non-Maori commentators. It focuses on the extent to which kaitiakitanga has been incorporated effectively into New Zealand’s resource management framework.

It must be noted that kaitiakitanga is an extremely important and sacred component in Maori philosophy. Thus there is no pretence that this thesis is a comprehensive interpretation of it. The author would like to acknowledge the information he has received from Ngati Pikiāo kaumatua and the Te Runanga O Ngati Pikiāo. He has worked closely them from the outset to incorporate their wisdom and knowledge into this thesis and to establish the historical and current circumstances of Ngati Pikiāo’s relationship to the Kaituna River.

The author offers this discussion on issues that are becoming central to a bicultural environmental management system with respect and good faith.

¹A description of the Kaituna River in the famous Pōhuatau a Te Kōpuni (the song poem of Kōpuni) by the great Ngati Hinerangi ancestor Te Pōhuni.

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This thesis is dedicated to the late Koro Kawana Nepia to whom I am greatly indebted for his valuable and very timely contribution at the conception of my research. Without Koro Kawana's spiritual and familial interconnectedness with the Kaituna and its expression to this author, this piece of work would be without its wairua.

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ABSTRACT

This thesis investigates kaitiakitanga as an integral component of the Maori environmental management system and the theoretical and practical implications of this concepts incorporation in modern resource management, in particular the conservation and heritage management of the Kaituna River, Okere, Rotorua. With increasing attention being focused on the development of bicultural policies for resource management, this thesis pursues the effectiveness of New Zealand's environmental mandate as inclusive of Maori and Treaty of Waitangi concerns.

Through the use of an extensive literature research and retroductive interviews, this thesis examines both the Maori and Western world-views and their resource management perspectives and practices. In terms of giving expression to kaitiakitanga, an investigation of the hierarchies, priorities and partnerships developed to resolve competing resource conflicts was undertaken, as well as the various legally based structures and mechanisms for processing and implementing partnership arrangements and recognising iwi rights and values. The Kaituna River was chosen as a case study because of the current ongoing resource management conflict between Maori and the Crown with respect to recreational use and commercial development versus Maori cultural and spiritual values.

The case study complemented the findings of this research in that, despite the widespread formal recognition of kaitiakitanga by management agencies and the various statutory and non-statutory mechanisms that could be used to accord Maori management authority, there have been neither a sufficiency, nor an appropriate choice of formally established structures to allow Ngati Pikiao to exercise, as Treaty partners, their kaitiakitanga responsibilities. More specifically, the situation investigated at the Kaituna River established the current inability of New Zealand's political and judiciary systems to apply kaitiakitanga effectively as a mechanism for dealing with resource management issues involving Maori and the Crown. At present, kaitiakitanga is expressed in the RMA as a principle to which territorial authorities shall have "particular regard" in achieving the purpose of the Act. It is to be effected through the requirement the RMA places on these authorities to "take into account" the principles of the Treaty of Waitangi. The problem is though, as many Maori involved in resource management are realising, it is a requirement which those with responsibilities under the RMA may choose to readily avoid. Whether the kaitiakitanga role of hapu and iwi will become better understood, appreciated and given effect to by resource management agencies involved and the promised Treaty of Waitangi partnership is being affirmed still remains to be seen.

While the case study was specific to the Kaituna River, the findings of this thesis could be relevant to any conflicting resource management situation between Maori and the Crown in New Zealand. The development of new principles and/or a new planning framework relating to the kawanatanga response needs to become consistent with New Zealand's dual mainstream planning heritage. Legal and constitutional adjustments may be needed to facilitate formal collaborative management structures and negotiated agreements at all levels.

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