

Review of the Canterbury Regional Policy Statement:

Provision for the Relationship of Tangata Whenua with Resources

Purpose

The purpose of this paper is to discuss options on the approach to be used to review the provisions within the Canterbury Regional Policy Statement (CRPS) for the relationship of Tangata Whenua with resources (found principally in Chapter 6). The paper brings together the current thinking on the review of these CRPS provisions. It outlines the options and preliminary approaches to be used in the review. Views are being sought on possible policy approaches prior to undertaking detailed analysis or drafting specific wording.

Background

Environment Canterbury has begun its review of the CRPS. The review must consider all the provisions in the CRPS and decide whether to retain, amend or delete existing provisions or add new provisions. The statutory context for the review of the provisions for the relationship of Tangata Whenua with resources is summarised in Appendix 1. Chapters 5 and 6 of the CRPS were written in consultation with Ngāi Tahu and made operative in 1998.

The Te Rūnanga o Ngāi Tahu Act 1996 (the TRONT Act) established Te Rūnanga o Ngāi Tahu (TRONT) as the representative of Ngāi Tahu Whānui and the Iwi Authority for the majority of the South Island, including all of the Canterbury Region.

The Ngāi Tahu Claims Settlement Act 1998 (NTCSA) was enacted in 1998. This Act settled all historic claims that Ngāi Tahu had against the Crown in not honoring its obligations under the Treaty of Waitangi. Key aspects of the NTCSA, relevant to the review of the CRPS are:

- A list of statutory acknowledgements which local authorities must have regard to when forming opinions pursuant to Sections 93 and 94 of the Resource Management Act 1991 (RMA)¹.
- Provisions relating to the ability of Ngāi Tahu to practice mahinga kai activities, including identification and acknowledgement of taonga species, and including provisions relating to the creation of tōpuni and nohoanga areas.

The enactment of the NTCSA and the TRONT Act has formalised the context in which Tangata Whenua issues are addressed within the Canterbury Region.

Further contextual changes that have occurred since the CRPS became operative in 1998 include:

- Chapter 2 of the Proposed Natural Resources Regional Plan (PNRRP) was notified in June 2002. This chapter outlines matters of resource management significance to Ngāi Tahu but does not provide any objectives, policies or rules for addressing those matters. Statutory acknowledgements are included in this chapter.
- Parts 2 and 6 of the Local Government Act 2002 (LGA) provide principles and requirements for local authorities that are intended to facilitate participation by Māori in local authority decision making processes².
- The Canterbury Regional Māori Advisory Committee was set up in 2007. This Committee is made up of Regional Councilors and Māori representatives from the community and the purpose of the Committee is to facilitate Māori input into Council decision making and ensure Councils consultative obligations under the LGA and RMA are met.
- Iwi Management Plans have been written and provided by Te Rūnanga o Kaikōura, Te Taumutu Rūnanga, Kāi Tahu Ki Otago. In addition, Te Rūnanga o Ngāi Tahu have written a freshwater management policy and have written (in conjunction with the Department of Conservation) a joint management plan for Te Waihora (Lake Ellesmere).

¹ Part 12 Section 208 Ngāi Tahu Claims Settlement Act 1998

² Part 1 Section 4 Local Government Act 2002

Current CRPS provisions and effectiveness of these

Matters of resource management significance to Tangata Whenua and the outcomes that are expected by Tangata Whenua are identified within Chapter 5 of the CRPS. These matters are addressed throughout the CRPS within the relevant chapters.

Chapter 6 of the CRPS sets out processes to provide for rangatiratanga and kaitiakitanga, and also identifies how ECan will take into account the Treaty principles of partnership and active protection of Māori people in their use of their lands and waters to the fullest extent practicable.

Chapter 6 consists of one issue, one objective and a suite of six policies. The issue states:

Tangata Whenua need to exercise their cultural and traditional relationship, which includes kaitiakitanga and rangatiratanga, with their ancestral lands, water, sites, wahi [sic] tapu and other taonga in order to achieve environmental results that will meet the concerns that they have identified through the Regional Policy Statement consultation process.

The issue is still current and encompasses the Treaty principles as well as statutory obligations under the RMA. It is noted that the issue reflects principles and issues that “Treaty / Tangata Whenua focused” legislation has been written to resolve (e.g. Sections 5, 6(e) 7(a) and 8 of the RMA).

Policy 1 provides a basis by which ECan, in recognition of the role of Tangata Whenua in resource management, will develop its relationship with rūnanga. This policy appears to have been effective as ECan has continued to foster relationships with Ngāi Tahu and the various rūnanga groups, including Te Rūnanga o Ngāi Tahu. However, it is noted that the policy repeats legislation which requires ECan to take into account the principles of the Treaty of Waitangi, and in meeting these legislative requirements (under both the RMA and the LGA), ECan has also achieved the CRPS policy. As such, it is considered that Policy 1 has not added any value to resource management practice.

Policy 2 recognises the kaitiaki role of Papatipu Rūnanga groups within their rohe, and provides for their involvement in the management of natural and physical resources. This Policy has been effective at the Regional Council level; ECan recognises Rūnanga and has established processes for consultation. It is assumed that this is also the case at District level as legislation requires all local authorities to have particular regard to kaitiakitanga. As with Policy 1 above, it is considered that legislative requirements have superseded the CRPS policy framework and as such, the CRPS policies add no value to resource management practice.

Policy 2 also provides for the transfer of powers, duties and functions to Rūnanga. In this regard, the policy is considered to be ultra vires. As the RMA provides for the transfer of powers from a local authority to an Iwi Authority³ only and not to rūnanga.

Policy 3 repeats Section 6(e) of the RMA and as such, provides for the recognition of specific aspects of Tangata Whenua cultural and traditional relationships with ancestral lands, water, sites, wāhi tapu and other taonga, in planning documents, resource consent decisions and in state of the environment monitoring. It is considered that this policy has been somewhat effective as planning documents do give this recognition. It is noted however that in many cases, recognition has been provided pursuant to the NTCSA which requires all regional plans and all district plans recognise statutory acknowledgements as defined by Schedules 14 – 78 of the NTCSA⁴. Any resource consent application for an activity within a Statutory Acknowledgement area is referred to TRONT. Overall, the CRPS provides no further guidance than Part 2 of the RMA or the NTCSA.

Policy 4 promotes the protection from violation or desecration, of any site or activity that yields evidence of kōiwi tangata or artefacts (taonga). This policy seems to have been somewhat effective. Objectives, policies and rules protecting kōiwi tangata in particular and taonga in general are found within most District Plans. It is noted that any site which contains wāhi tapu or artefacts that potentially existed prior to 1900 has automatic protection pursuant to the Historic Places Act 1993 (HPA)⁵.

Policy 5 has two parts. The first is to provide for access for Tangata Whenua to their ancestral lands, water, sites, wāhi tapu, and other taonga where appropriate. The second part provides for the protection from general access of wāhi tapu, wāhi taonga and mahinga kai sites, as required by Tikanga Māori. The policy recognises that ECan can not always guarantee access to Tangata Whenua or prevent general access. While this policy is reflected within the Proposed Natural Resources Regional Plan (PNRRP) and Cultural

³ Section 33 [(1) (2) Resource Management Act 1991

⁴ Part 12 Section 220 Ngāi Tahu Claims Settlement Act 1998

⁵ Part 1 Section 10 - Historic Places Act 1993

Impact Assessments have been carried out for a number of sites⁶, it is not clear how effective this policy has been. It is noted that the CRPS can not “provide access” in the RMA context. Access provision such as esplanade reserve and access strips are generally provided for through the subdivision consent process.

Policy 6 states that statutory documents should only use Māori place names and refer to Māori culture, history and traditions where correct usage has been determined in consultation with Tangata Whenua. Again it is unclear how effective this policy has been. There has been a contextual change relating to this policy with the enactment of the Ngāi Tahu Claims Settlement Act 1998 (NTCSA). The NTCSA encourages the use of Māori place names on official maps⁷ and provides a schedule of place names to be officially renamed to show (in most cases) both the English and Māori names⁸. The CRPS can only direct the contents of Regional and District Plans, not all statutory documents.

Overall it is considered that the current policy framework of Chapter 6 adds little value to resource management outcomes. In general, it is considered that the policies do nothing more than repeat existing legislation. There are no clear environmental outcomes that can be achieved under this policy framework that would not otherwise be achieved under existing legislation and good practice standards.

Policy options and discussion

Subject to the statutory requirements of the RMA, the appropriate approach to be used in the review to the CRPS relationship of Tangata Whenua with resources provisions, is dependant on the specific resource management issues being addressed. Within the CRPS there is one resource management issue identified. Earlier consultation and issue mapping for this review did not identify further issues for inclusion within the CRPS. As such, it is considered that the current issue statement in Chapter 6 is appropriate, however it is not evident that any value, beyond that provided by existing legislation, is added by the current issue.

In terms of policy direction, there have been five options identified:

1. The current provisions are retained but reviewed for currency.
2. Extend the current provisions to be more specific about consultative processes and legislative requirements.
3. Shift the focus of the Chapter to outline where the issues of resource management significance to Ngāi Tahu (found in Chapter 5) are addressed within the CRPS, and in addition, to set out legislative obligations and discuss case law and other instruments that affect the relationship of Ngāi Tahu and local authorities with regard to resource management. This option would include removing issues, objectives and policies from Chapter 6.
4. Focus Chapter 6 on those natural and physical resource outcomes (as identified in Chapter 5) that are not provided for in subsequent Chapters of the CRPS.
5. Remove the Chapter from the CRPS but ensure issues (as identified in Chapter 5) are addressed in relevant Chapters of the CRPS.

Option 1 would ensure currency in the policy framework but would do little to enhance the existing low value that the CRPS adds to the provision of the relationship of Ngāi Tahu with resources.

Option 2 would provide an opportunity to add value to the process beyond what legislation already achieves. The effectiveness of this option would be limited as the CRPS can only direct the content of Regional and District Plans, and not processes or relationships between agencies.

Option 3 will provide a helpful resource for CRPS users and could provide a platform to further formalise relationships between Ngāi Tahu and ECan. Should this option be considered appropriate, the option of placing this information within Chapter 5 should be contemplated.

Option 4 would provide an opportunity to ensure any “Ngāi Tahu specific” policy will add value beyond that already achieved by legislation. This option would mean that any resource management issue not resolved in a subject specific chapter (e.g. water, air, hazardous substances) will have an appropriate place within the CRPS to be placed and resolved. It is noted however, that it is unlikely there will be any issues which may not be resolved through other chapters of the CRPS. This is an option to keep in mind as the drafting of the rest of the CRPS progresses.

⁶ Our Changing Environment – An Evaluation of the 1998 Canterbury Regional Policy Statement – (2007) Environment Canterbury

⁷ Part 12 Section 270 Ngāi Tahu Claims Settlement Act 1998

⁸ Schedule 96 Ngāi Tahu Claims Settlement Act 1998

Option 5 provides an opportunity for Ngāi Tahu specific policies to be incorporated throughout the CRPS. This option will ensure policies are included to achieve clear environmental outcomes. This option has been discussed with the Rūnanga Working Party and is generally supported on the proviso that Chapter Five clearly shows that the issues identified are dealt with throughout the CRPS.

Recommendation

It is considered that the Chapter 6 currently adds little value to resource management outcomes, and achieves very few outcomes that are not already achieved by existing legislation. As such, it is considered that the entire focus of the chapter needs to be reviewed and a solution needs to be found to ensure that the relationship of Ngāi Tahu with resources is provided for in a more meaningful way. To this end, option 5 is recommended.

Appendix 1: Statutory context

Resource Management Act 1991 (RMA)

Part 2 of the RMA sets out the purpose and principles of that Act. Section 5 states the purpose of the Act as follows:

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, sustainable management means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while –*
 - a. *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - b. *Safeguarding the life supporting capacity of air, water, soil and ecosystems; and*
 - c. *Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

Section 6 sets out matters of national importance which must be recognised and provided for by those exercising powers and functions under the RMA. Included in the matters of national importance is:

6(e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga.

Section 7 sets out other matters to be recognised and provided for by those exercising powers and functions under the RMA. Included in the other matters is:

7(a) kaitiakitanga

[(aa) the ethic of stewardship]

Section 8 states that those exercising powers and functions under the RMA shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). Those principles can be described as:

1. The Essential Bargain – the right of the Crown to make laws was exchanged for the obligation to protect Māori interests and allow Māori rangatiratanga.
2. Tribal self regulation – the Crown is to recognise Māori rangatiratanga over their resources and taonga and afford all the rights and privileges of citizenship to Māori.
3. Partnership / treaty relationship – The Crown and Māori are treaty partners and as such have the duty to act reasonably and in good faith
4. Active protection – Māori interests should be actively protected by the Crown⁹

Section 30(1)(a) gives regional councils the function of establishing, implementing and reviewing the objectives, policies and methods to achieve integrated management of the natural and physical resources of the region.

Section 30(1)(b) gives regional councils the function of preparing objectives and policies in relation to any actual or potential effects of the use, development or protection of land which are of regional significance.

⁹ Taking Into Account the Principles of the Treaty of Waitangi – Ideas for the Implementation of Section 8 Resource Management Act 1991 - (1993) Diane Crengle for the Ministry for the Environment

Section 31(1)(a) gives Territorial Authorities (TAs) the function of establishing, implementing and reviewing objectives, policies and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.

Section 62 (1) requires that a Regional Policy Statement must state:

62(1)(a) the significant Resource Management issues for the region; and

62(1)(b)(i) the resource management issues of significance to – iwi authorities in the region

Te Rūnanga o Ngāi Tahu Act 1996

Section 15 of the Te Rūnanga o Ngāi Tahu Act 1996 establishes Te Rūnanga o Ngāi Tahu as the representative body of the Ngāi Tahu Whānui and as the iwi authority where any enactment requires consultation with iwi or an iwi authority.

Appendix 2: Review of resource management issues

Issue	Relevance	Significance	Recommendation
<p><u>Chapter 6 Issue 1</u></p> <p>Tangata Whenua need to exercise their cultural and traditional relationship, which includes kaitiakitanga and rangatiratanga, with their ancestral lands, water, sites, wāhi tapu and other taonga in order to achieve environmental results that will meet the concerns that they have identified through the Regional Policy Statement consultation process.</p>	<p>Remains relevant, however it is not considered that the issue adds little value beyond what is achieved by existing legislation</p>	<p>The national significance of this issue is reflected in legislation. The issue is regionally significant and it is noted that legislation requires Regional and Territorial authorities to consider the issue.</p>	<p>Should it be determined that Chapter 6 needs to remain within the Canterbury Regional Policy Statement, it is considered that the issue should be revised to add value beyond legislative requirements.</p>

Appendix 3: Analysis of policy approaches: Provision for the relationship of Tangata Whenua with resources

Option 1: The current provisions are retained but reviewed for currency.

	For	Against
Purpose of the RMA	<ul style="list-style-type: none"> Assists in achieving the purpose of the RMA 	<ul style="list-style-type: none"> Adds no value to the Canterbury Regional Policy Statement (CRPS) in terms of achieving the purpose of the Act – merely repeats legislative requirements.
Issue resolution	<ul style="list-style-type: none"> Assists in resolving the issue 	<ul style="list-style-type: none"> The issue adds little value to the CRPS. Enabling a relationship of Tangata Whenua with resources is achieved through legislation. Achieving environmental outcomes which resolve issues identified through consultation with Tangata Whenua is achieved in legislation to the same extent that it is achieved under the current policy framework.
Integrated management	<ul style="list-style-type: none"> Will ensure policy framework is current with legislation, and in particular, the Ngāi Tahu Claims Settlement Act 1998 (NTCSA). This will assist in integration of management as up to date information and advice on process will be included in the CRPS. 	<ul style="list-style-type: none"> Does not achieve integration of Ngāi Tahu issues throughout the CRPS. The current provisions do not directly relate to any of the resources that the chapter seeks to provide for the relationship of Tangata Whenua with.
Carrying out functions	<ul style="list-style-type: none"> Achieves Environment Canterbury's functions 	
Consultation views		
OVERVIEW	This approach would not add any value beyond what is currently achieved by legislation.	

Option 2: Extend the current provisions to be more specific about consultative processes and legislative requirements.

	For	Against
Purpose of the RMA	<ul style="list-style-type: none"> Assists in achieving the purpose of the RMA 	<ul style="list-style-type: none"> CRPS can not direct process undertaken under the Local Government Act 2002
Issue resolution	<ul style="list-style-type: none"> Assists in resolving the issue by clarifying roles 	<ul style="list-style-type: none"> The CRPS can not direct process undertaken under the Local Government Act 2002. In order to better resolve the issue, this option relies on voluntary uptake, by TAs, of suggested processes etc.
Integrated management	<ul style="list-style-type: none"> Aims to achieve standardised process which will achieve better integration of consultation management 	<ul style="list-style-type: none"> Relies on voluntary uptake, by ECan and TAs, of suggested processes etc.
Carrying out functions	<ul style="list-style-type: none"> Achieves Environment Canterbury's functions 	
Consultation views		
OVERVIEW	This approach would clarify consultation process and provide a handy reference but will add nothing in terms of Regional and District Plan direction. Again, working with existing provisions would limit the amount of value that could be added to resource management practice and processes.	

Option 3: Shift the focus of the Chapter to outline where the issues of resource management significance to Ngāi Tahu (found in Chapter 5) are addressed within the CRPS, and in addition, to set out legislative obligations and discuss case law and other instruments that affect the relationship of Ngāi Tahu and local authorities with regard to resource management. This option would include removing issues, objectives and policies from Chapter 6.

	For	Against
Purpose of the RMA	<ul style="list-style-type: none"> Will show where the CRPS recognises and provides for matters of national importance, other matters (kaitiakitanga) and takes into account the principles of the Treaty of Waitangi. 	
Issue resolution	<ul style="list-style-type: none"> Will identify how issues raised in CRPS consultation with Ngāi Tahu are to be resolved throughout the specific resource chapters of the CRPS. 	<ul style="list-style-type: none"> There will be no specific issue within Chapter 6
Integrated management	<ul style="list-style-type: none"> Will identify how Ngāi Tahu issues are integrated throughout the CRPS and will provide for direct issue resolution for specific resources. 	<ul style="list-style-type: none"> Will not provide specific policy direction for District and Regional Plans.
Carrying out functions	<ul style="list-style-type: none"> Achieves Environment Canterbury's functions and provides a helpful reference for CRPS users 	
Consultation views		
OVERVIEW	This approach would ensure a more direct relationship for Ngāi Tahu with resources is achieved and will integrate this relationship provision throughout the CRPS, achieving more clear environmental results, however it is considered that the information could be placed within the " <i>Issues of Resource Management Significance to Ngāi Tahu</i> " Chapter.	

Option 4: Focus Chapter 6 on those natural and physical resource outcomes (as identified in Chapter 5) that are not provided for in subsequent Chapters of the CRPS.

	For	Against
Purpose of the RMA	<ul style="list-style-type: none"> Assists in achieving the purpose of the RMA 	
Issue resolution	<ul style="list-style-type: none"> Assists in resolving the issue by ensuring there all issues identified in consultation with Ngāi Tahu have a "home" within the CRPS. 	
Integrated management		<ul style="list-style-type: none"> Will not achieve integration throughout the CRPS of a relationship of Ngāi Tahu with resources – integration will be better achieved if Ngāi Tahu issues are not separated out from other resource management issues.
Carrying out functions	<ul style="list-style-type: none"> Achieves Environment Canterbury's functions 	
Consultation views		
OVERVIEW	This approach would be an effective way of addressing Ngāi Tahu issues, but will result in a fractured approach to planning, where there are policies for addressing the community at large with regard to particular issues and separate policies for addressing Ngāi Tahu community with regard to the same issues	

Option 5: Remove the Chapter from the CRPS but ensure issues (as identified in Chapter 5) are addressed in relevant Chapters of the CRPS.

	For	Against
Purpose of the RMA	<ul style="list-style-type: none"> Assists in achieving the purpose of the RMA 	
Issue resolution	<ul style="list-style-type: none"> Will ensure environmental outcomes are achieved which will resolve those issues that Ngāi Tahu have identified in consultation 	<ul style="list-style-type: none"> Removes specific focus from the CRPS and relies on legislation to resolve the issue.
Integrated management	<ul style="list-style-type: none"> Will ensure Ngāi Tahu issues are integrated within the Planning document, this should filter down to Regional and District Plans 	
Carrying out functions	<ul style="list-style-type: none"> Achieves Environment Canterbury's functions 	
Consultation views	<ul style="list-style-type: none"> The Rūnanga Working Party have discussed this option and support it on the proviso that it is clear that issues are being resolved throughout the remainder of the CRPS document. This can be shown within Chapter 5 	
OVERVIEW	This approach would be effective and efficient	

Appendix 4 - Glossary

	<i>Interpretation</i>	<i>Reference</i>
Hapū	Sub-tribe, clan, or section of a large tribe.	<i>Canterbury Regional Policy Statement 1998</i>
Iwi	Tribe or people	<i>Canterbury Regional Policy Statement 1998</i>
Iwi authority	The authority which represents an iwi and which is recognised by that iwi as having authority to do so [In the Canterbury Region, Te Rūnanga o Ngāi Tahu are the iwi authority]	<i>Resource Management Act 1991 (Part 1 Section 2)</i>
Kaitiakitanga	The exercise of guardianship by the tangata whenua of an area in accordance with tikanga Māori in relation to natural and physical resources; and includes the ethic of stewardship Kaitiakitanga is practiced by Kaitiaki (caretakers)	<i>Resource Management Act 1991 (Part 1 Section 2)</i>
Kōiwi tangata	Any remains of a Māori person that do not show signs of having been turned into or incorporated into an artefact	<i>Canterbury Regional Policy Statement 1998</i>
Mahinga kai	The customary gathering of food and natural resources and the places where those resources are gathered	<i>Resource Management Act 1991 (Part 1 Section 2)</i>
Mana whenua	Customary authority exercised by an iwi or hapū in an identified area.	<i>Resource Management Act 1991 (Part 1 Section 2)</i>
Ngāi Tahu Whānui	The collective of the individuals who descend from the primary hapū of Waitaha, Ngāti Mamoe and Ngāi Tahu, namely, Kāti Kurī, Kāti Irakehu, Kāti Huirapa, Ngāi Tuahuriri, and Kai Te Ruahikihiki.	<i>Te Rūnanga o Ngāi Tahu Act 1996 (section 2)</i>
Nohoanga entitlements	An entitlement created (pursuant to Section 256(1) and(2) of the Ngāi Tahu Claims Settlement Act 1998) for the purpose of permitting members of Ngāi Tahu Whānui to occupy temporarily, land close to waterways on a non-commercial basis, so as to have access to waterways for lawful fishing and gathering of other natural resources.	<i>Ngāi Tahu Claims Settlement Act 1998 (Section 255-256(2))</i>
Papatipu Rūnanga	Representative bodies of the whānau and hapū of traditional marae based communities. Each Papatipu Rūnanga has its own area, determined by natural boundaries such as mountain ranges and rivers. These areas are called takiwā or rohe and are defined in the Te Rūnanga o Ngāi Tahu Act (1996).	
Rohe	Boundary or district	<i>Canterbury Regional Policy Statement 1998</i>

Rangatiratanga	Full chieftainship and authority, including the right to permit or deny others. Inherent sovereignty.	<i>Canterbury Regional Policy Statement 1998</i>
Takiwā	Area	
Tangata Whenua	In relation to a particular area, means the iwi, or hapū, that holds mana whenua over that area.	<i>Resource Management Act 1991 (Part 1 Section 2)</i>
Taonga	Treasured possessions, includes both tangible and intangible treasures, for example, the Māori language.	<i>Canterbury Regional Policy Statement 1998</i>
Te Rūnanga o Ngāi Tahu	An incorporated organisation run by, and for the benefit of, Ngāi Tahu Whānui and Papatipu Rūnanga members – Te Rūnanga o Ngāi Tahu was established by the Te Rūnanga o Ngāi Tahu Act 1996 and by the same Act, was established as the representative body of Ngāi Tahu Whānui and the Iwi Authority where any enactment requires consultation with iwi or an iwi authority.	<i>Te Rūnanga o Ngāi Tahu Act 1996 (section 15)</i>
Tikanga Māori	Māori customary values and practices	<i>Resource Management Act 1991 (Part 1 Section 2)</i>
Tōpuni	An area of land that is administered under the National Parks Act 1980, the Conservation Act 1987 or the Reserves Act 1977, has Ngāi Tahu values, and is declared Tōpuni under Section 238 and on the terms set out in sections 239 to 252 of the Ngāi Tahu Claims Settlement Act. The New Zealand Conservation Authority and conservation boards must have particular regard to Ngāi Tahu values (as described in the NTCSA) when managing areas declared as Tōpuni.	<i>Ngāi Tahu Claims Settlement Act 1998 (Section 237 – 241)</i>
Wāhi tapu	Sacred areas or objects including (but not limited to) historic pā, tauranga waka (canoe landing sites), buried whakairo (carvings) kōiwi tangata (human remains), tuhituhi o neherā (archaeological and rock art sites), tohu (“markers” such as landmarks, mountains, mountain ranges and some trees), ana (caves), urupā (burial sites), and waiwhakaheke tāpūpaku (water burial sites)	<i>Chapter 2 of the Canterbury Regional Council Proposed Natural Resources Regional Plan as publicly notified on the 1st of June 2002</i>