

A scenic landscape photograph showing a coastline with prominent white cliffs on the left, a beach, and a large mountain in the background. The word "POUTAMA" is overlaid in the center. The image is framed by a double-line border and a perforated edge on the left side.

POUTAMA

KARAKIA

Ki hihi ka kore
Ka puawai taku hinengaro
Whakamana ae oku whakaaro.
Te po o te kore te po tonu mai.
Te haeata ki te rawhiti
Te po awatea mai te ao marama.
Ka tu te ao, ka umere te ao
Ka piki te ra ki te Rangi,
Tiee tierel!
Rurukutia!
Tuturu whakamaua kia tiina!
Haumie! Huiee!
Taikiee!

Te Whakapuakitanga o Poutama

Poutama 1st Nation Iwi
'Ka rū te whenua, ka rū a Poutama'



[2010]

This document has been created for Poutama within the framework of the United Nations Declaration on the Rights of Indigenous Peoples (2007) signed by the Government of New Zealand and has been adopted by the collective Hapū of Poutama as the basis for better relationships between Poutama, the Crown its agencies and departments.

Index

	Page
Tino Rangatiratanga – Sovereignty	
Hei Tāpiri – Preamble.....	5
1. Poutama 1 st Nation Iwi.....	6
2. Ngā Hapū O Poutama	
• Marae	
• Manawhenua – Customary Authority.....	7
3. Te rohe pōtae o Poutama - Area of Interest	
4. Ngā whenua me ngā taonga tuku iho - Land and Resources.....	8
5. Tiaki Taiao – Environment	
6. Tikanga tuku iho - Intellectual Property.....	10
7. Ngā Rauemi tuku iho - Resource Management and Development	
8. Hau Tikanga - Cultural Property.....	11
9. Hauora – Health	
10. Whakanui ohaoha - Economic and Social Development	
11. Taonga Wairua me ngā tikanga tūturu - Spiritual and Religious Traditions.....	12
12. Te Reo o Poutama – Language	
13. Mātauranga – Education	
14. Korero Whakatau - Information and Media.....	13
15. Rapu mahi – Employment	
16. Tū Rangatira - Participation and Development	
16(a). Decision Making	
16(b). Hangaia Ture - Law and Policy making.....	14
17. Mahi Ohaoha - Economic Activities	
18. Whakapai Oranga - Social Development	
19. Ngā mea Hirahira - Special Measures	
20. Tautohe – Disputes	
21. Whakahaweā – Implementation into National Law.....	15
22. Putea Tautoko - Financial Assistance	
23. Tika motuhake - Minimum Standards	
24. Tāne me ngā Wāhine - Men and Women	
25. Tikanga ake – Specific Provisions.....	16
25(a). Tikanga tomokia - Terms of engagement	
25(b). Whakautu mai - Cost recovery.....	17
Waiata.....	18

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Tino Rangatiratanga – Sovereignty

Tino Rangatiratanga is used in both the 1835 Declaration of Māori Independence and the 1840 Tiriti O Waitangi to denote absolute sovereignty.

Hei Tāpiri – Preamble

Guided by the purposes and principles of both the Declaration of Māori Independence 1835, and Te Tiriti o Waitangi (Māori version) 1840 and in good faith in the fulfillment of those obligations.

Affirming that all people contribute to the diversity and richness of Aotearoa (New Zealand).

Affirming also that all doctrines, policies and practices based on or advocating superiority of peoples or individuals on the basis of national origin or racial, religious, ethnic or cultural differences are racist, scientifically false, legally invalid, and socially unjust.

Reaffirming that Poutama in the exercise of Poutama rights (Poutamatanga) shall be free from discrimination of any kind.

Recognising that Poutama have suffered from historic injustices as a result of inter alia, colonisation and dispossession of Poutama lands, territories and resources, thus preventing Poutama from exercising, in particular, the right to development in accordance with Poutama needs and interests.

Recognising that the Crown has never acted in the best interests of Poutama, its hapū, its whenua, or its resources.

Recognising the urgent need to respect and promote the inherent rights of Poutama, derived from Poutama political, economic, and social structures and from cultural and spiritual traditions, history, traditions and philosophies, especially Poutama right to its lands, territories and resources.

Recognising the urgent need to respect and promote the rights of Poutama, affirmed in Treaties and other agreements with the Crown.

Recognising that control by Poutama over developments affecting Poutama and Poutama

lands, territories and resources will enable Poutama to maintain and strengthen Poutama institutions, culture and traditions, and to promote Poutama development in accordance with Poutama aspirations and needs.

Recognising that respect for Poutama knowledge, culture and traditional practices including Rangatiratanga and Kaitiakitanga contributes to sustainable and equitable development and proper management of the environment.

Recognising the right of Poutama whanau and hapū to retain shared responsibility for the upbringing, training, education and wellbeing of their children.

Accepting that treaties and agreements and other constructive arrangements, are the basis for a strengthened relationship between Poutama and the Crown.

Recognising that this declaration is an important step forward for the promotion and protection of the rights and freedoms of Poutama 1st Nation Iwi.

1. Poutama 1st Nation Iwi

Poutama is one of the tūturū Tangata Whenua (1st Nation Iwi) from the time before the great fleet arrived in Aotearoa. As the generations have passed, Poutama is recognised as a man, an Atua, the land, and the iwi who are still on the land and carry his name to this day.

Poutama are the collective hapū who descend from Poutama and Panirau through Rakeiora, who have chosen to remain on the land mass known as the Poutama land block, or remain connected to the same lands or those who are whāngai (adopted) according to Poutama Kawa and Tikanga. Whakapumau ngā uri o Hoturoa rāua ko Rakeiora ki runga a Poutama.

2. Nga Hapū o Poutama

Ngāti Waimaukie
Ngāti Parekarau
Ngāti Tu mai
Te Ahuru
Ngāti Hineuru
Ngāti Hinerua
Ngāti Taki
Ngāti Hia
Ngāti Rakei
Ngāti Hinerau
Ngāti Wai
Rotokawau
Ngāi Tara Pounamu
Ngāi Tama Tapui
and others.



- **Marae**

Te Kawau Pā
Wharenuī o Waioapa



Tongaporutu Pā
Wharenuī o Te Ahuru

- **Manawhenua – Customary Authority**

Customary authority exercised by Poutama on the rohe of Poutama since time immemorial.

Poutama have the right to self determination.

By virtue of that right Poutama determines its political status and freely pursues its economic, social and cultural development.

Poutama in exercising its right to self determination, have the right to autonomy or self government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.

Poutama have the right to maintain and strengthen its distinctive political, legal, economic, social and cultural institutions, while retaining the right to participate fully, if Poutama so choose, in the political, economic, social and cultural life of the state.

3. Te rohe pōtae o Poutama - Area of Interest

Poutama landward rohe or area of interest begins at the Waikaramuramu stream, north to Onetai, inland east to the Herangi Ranges to Te Matai south across to Umukaimata, then to Te Nihoniho and on to Aukopae at Ohura, on to Opatu and Tangarakau, to Tahora Paroa, and west to Te Pehu, returning to the sea at Waikaramuramu.



Poutama extends out from the Waikaramuramu stream and Onetai stream to the 200 mile limit. Poutama extends from the centre of the earth to ki te Rangi.

4. Nga whenua me ngā taonga tuku iho - Land and Resources

All seas, rivers, streams and tributaries within those boundaries; Poutama shall have the right to keep and strengthen our spiritual relationship with our land, sea, and waterways.

Poutama has the right to own, control and use those lands, seas and waterways and other resources.

Poutama kawa and tikanga shall be recognised.

Poutama have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.



Poutama have the right to own, use, develop and control lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which Poutama have otherwise acquired.

The Crown shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due

respect to the customs traditions and land tenure systems of Poutama.

Poutama shall have all its lands and resources taken without our consent, returned into the ownership and management of Poutama.

Compensation shall be paid for in land and resources unable to be returned, in the form of land and resources.

Poutama have the right to redress, by means that shall include restitution or, when this is not possible, just, fair and equitable compensation for the lands, territories and resources which Poutama have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without the free prior and informed consent of Poutama.



Unless otherwise freely agreed upon by Poutama, compensation shall take the form of lands, territories and resources equal in quality, size and legal status or of monetary compensation or other appropriate redress.

The Crown shall consult and cooperate in good faith with Poutama in order to obtain a free and informed consent prior to the approval of any project affecting Poutama lands or territories and other resources, particularly in connection with the development, utilisation or exploitation of mineral, water or other resources and says the Crown shall provide mechanisms for redress to mitigate adverse environmental, economic, social, cultural or spiritual impact.



Poutama have the right not to be subjected to forced assimilation or destruction of Poutama culture.

Crown shall provide effective mechanisms for prevention of, and redress for;

- Any action which has the aim or effect of depriving Poutama of their integrity as people or of Poutama cultural values or ethnic identities.
- Any action which has the aim of or effect of dispossessing Poutama of their lands, territories or resources.
- Any form of forced population transfer which has the aim or effect of violating or undermining any of the rights of Poutama.
- Any form of forced assimilation or integration.
- Any form of propaganda designed to promote or incite racial or ethnic discrimination against Poutama.

Poutama shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the Poutama people concerned and after agreement on just and fair compensation and where possible with the option of return.

5. Tiaki Taiao – Environment



Poutama have the right to the conservation and protection of the environment and the productive capacity of their lands, territories and resources.

The Crown shall support the establishment and implementation of assistance programmes, in order to protect Poutama lands and environment, without discrimination.

Hazardous materials shall not be stored or disposed of in or on the Poutama lands.

The Crown shall assist any Poutama person whose health and wellbeing has been affected by any such materials left in or on the land.

Poutama will implement a cost recovery policy including redress for damage and violation with respect to Poutama cultural, intellectual, religious and physical property taken, damaged or violated without Poutama free, prior and informed consent or in violation of Poutama laws, traditions and customs.

6. Tikanga tuku iho - Intellectual Property

Poutama shall have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions.

Poutama have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.



Poutama shall have the right to special measures to control and develop inter alia our sciences, technologies, seeds, medicines, rongoa, knowledge of flora and fauna, oral traditions, design, art and performances.

The intellectual property of Poutama and indigenous knowledge in areas such as medicinal plants, agricultural biodiversity and environment management, shall be protected and remain the property of Poutama.

7. Ngā Rauemi tuku iho - Resource Management and Development

Poutama shall have the right to determine strategies for the management and development of Poutama lands, seas, waterways and resources.

The Crown shall have free, prior and informed consent of Poutama, before consents, permits or authorisations for activities affecting Poutama people, lands, seas, waterways, air and resources, including minerals and petroleum, are issued.



Poutama shall be deemed to be a party to all Resource Management Act consent applications, and shall be entitled to recover costs for the administration and management of all applications and projects.

Poutama is entitled to and shall charge a cost recovery fee for all such activities and related consultation by the Crown and/or any applicant.

The relationship of Poutama and its culture and traditions with its ancestral lands, water, sites, wāhi tapu, and other taonga shall be recognised and provided for.

8. Hau Tikanga - Cultural Property



Poutama have the right to practice and revitalize its cultural traditions and customs, including the right to maintain and develop the past, present and future manifestations of their culture, such as social and legal structures, archaeological and historical sites, artifacts, designs, ceremonies,

technologies and visual and performing arts and literature.



Poutama have the right to its cultural traditions and customs including aspects of our culture such as sacred sites, designs, ceremonies, technologies and performances.

Poutama shall be entitled to protect Poutama Cultural Property including sites, human remains, oral traditions, designs, arts, and ceremonies.

9. Hauora – Health

Poutama have the right to their traditional medicines and health practices. The plants, animals and minerals used in medicines shall be protected for Poutama. Poutama shall have access to all medical institutions and health services without discrimination.

10. Whakanui ohaoha - Economic and Social Development

Poutama have the right to the improvement of their economic and social conditions including inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.



Poutama shall determine health, housing and other economic and social programs and as far as possible, deliver these programmes through their own organisations.

The Crown shall take effective measures and where appropriate, special measures to ensure continuing improvement of Poutama economic and social conditions including the rights and special needs of Poutama elders, men, women, youth, children and persons with disabilities.

11. Taonga Wairua me ngā tikanga tūturu - Spiritual and Religious Traditions

Poutama shall retain the right to its spiritual and religious traditions, customs and

ceremonies.

Poutama shall retain the right to its sacred sites, ceremonial objects and the remains of their ancestors.

The Crown shall assist Poutama to preserve and protect those sacred sites and seek to enable the access and repatriation of ceremonial objects and the right to the repatriation of their human remains.

12. Te Reo o Poutama - Language



Poutama have the right to revitalise, use, develop and transmit to future generations their histories, languages, oral traditions, stories and writing systems.

Poutama have the right to their histories, languages, oral traditions, stories, writing systems and to designate and retain their own names for communities, places and persons.

The Crown shall ensure that in courts and other proceedings Poutama peoples can understand and be understood through interpreters and other appropriate ways.

13. Mātauranga – Education

Poutama children have the right to the same education as all other children.

As indigenous peoples Poutama have the right to its own schools and to provide education in their own language.

Poutama children who do not live on Poutama shall be able to learn their own culture and language.



14. Kōrero Whakatau - Information and Media

All forms of education and public information shall reflect the dignity and diversity of Poutama culture, traditions and aspirations.

In consultation with Poutama, government shall take measures to promote tolerance and good relations between Poutama and other peoples.

Poutama shall have the right to their own media in their own language.

Poutama shall also have equal access to non-indigenous media.

Crown owned media shall reflect Poutama culture.

15. Rapu mahi – Employment

Poutama have rights under international labour law and under national laws.

Poutama must not be discriminated against in matters connected with employment.

Poutama expects the Crown and other agencies to assist Poutama to create employment opportunities for Poutama.

16. Tū Rangatira - Participation and Development

16(a). Decision Making

Poutama shall choose its representatives to be known as Ka Rū a Poutama, and its own council to be known as Taumata Paepae o Poutama.



Poutama and its hapū shall participate in decisions that affect Poutama hapū and whanau.

The Declaration on the Rights of Indigenous Peoples signed by New Zealand, sets out the rights of Poutama to participate in decisions and developments which affect Poutama.

Poutama have the right to its own economic activities and to special measures to improve its economic and social conditions through its own organisations.

16(b). Hangaia Ture - Law and Policy making

Poutama shall participate in the development and enactment of legislation and regulations that affect Poutama, including hapū and whanau.

The Crown shall consult and co-operate in good faith with Poutama through the representative institutions of Poutama, in order to obtain the free, prior and informed consent of Poutama, before adopting and implementing legislative or administrative measures that may affect Poutama.

The Hautikanga of Poutama shall be paramount in matters affecting Poutama people, lands, seas, waterways, air and resources including minerals and petroleum.

17. Mahi Ohaoha - Economic Activities



Poutama have the right to its own economic and social systems and to pursue its own traditional and other activities. Where Poutama Whanau and Hapū have been deprived of their means of subsistence, Poutama is entitled to recompense.

18. Whakapai Oranga - Social Development

Poutama shall determine its priorities and strategies for its development.

Poutama shall determine health, housing and other economic and social programs and, as far as possible, deliver these programmes through its own organisations.

19. Ngā mea Hirahira - Special Measures

Poutama have the right to special measures to improve its economic and social conditions. This includes in the areas of inter alia employment, education, housing, health, social policy and social security.

20. Tautohe – Disputes

Poutama dispute resolution shall be the responsibility of the Taumata Paepae o Poutama. The Hau Tikanga of Poutama shall be paramount in matters affecting Poutama people, lands, seas, waterways, air and resources including minerals and petroleum.

All hearings shall be conducted on Poutama Marae under Poutama tikanga.

All appeals shall be subject to Poutama appeal process.

21. Whakahawea – Implementation into National Law

In consultation with Poutama, the government shall take measures to give effect to this

document, in accordance with the United Nations Declaration on the Rights of Indigenous Peoples.

This includes confirming the rights recognised in the United Nations Declaration on the Rights of Indigenous Peoples into national law so that those rights can be enforced by Poutama.

22. Putea Tautoko - Financial Assistance

Poutama and its hapu have the right to financial and other assistance from governments and international organisations in order to exercise the rights recognised in this Declaration.

23. Tika motuhake - Minimum Standards

Declaration contains only minimum standards for Poutama.

24. Tane me te Wahine - Men and Women

The rights recognised in this Declaration apply equally to Poutama men and women and children.

25. Tikanga ake – Specific Provisions

This is an interim plan until Poutama is able to exercise the powers of territorial and district authorities under the RMA.



For the purpose of the RMA, Poutama shall be deemed to be an Iwi Authority.

The Poutama Declaration shall be read in conjunction with Wai 796 'The Management of the Petroleum Resource Inquiry' refer to Brief of Evidence of Haumoana White.

The Poutama Declaration shall be read in conjunction with Wai 1747 Oral submission to the Rohe Pōtae Tuku Iho Hearings.

The Poutama Declaration shall be read in conjunction with the

Kaitiaki Pā Tuna Report.

The provisions within this Poutama Declaration shall be interpreted in accordance with the articles set out in the United Nations Declaration on the Rights of Indigenous Peoples.

25(a). Tikanga tomokia - Terms of engagement

Recognising that the Crown and its Agencies has acknowledged Poutama, and have never acted in good faith or any way acted in the best interests of Poutama.

Recognising that the Crown and its Agencies are not qualified to determine when Poutama are affected.

Accepting that only Poutama can determine the impact or the significance of effects on or to Poutama.

Recognising that none of the existing Council Plans have recognised or provided for the rights or interests of Poutama.

As a minimum Poutama shall be deemed to be an affected party in any Resource



Management Act application or decision in the Poutama rohe or area of interest, and shall be entitled to have passed to them all documentation relative to the application or decision.

Poutama shall be entitled to budget costings to ensure a thorough evaluation of options.

Poutama shall participate in all aspects of the management and administration of the project in the interest of best work practice, environmental protection, spiritual, cultural and physical safety.

25(b). Whakautu mai - Cost recovery

Poutama are entitled to recover all costs incurred in accordance with the Poutama Cost Recovery Policy.

This may include a fee for the processing of all reports and documents, an hourly rate per representative for consultation, negotiation, and meeting attendance, an hourly rate for supervision and project management, requiring a bond where the project includes significant effects. Poutama shall be entitled to payment of projected costs in advance.

Waiata

'Kei te Tangi Hotu Rā'

Kei te tangi hotu rā
E kui i a korua ko koro
Ko tōku moemoea
Kei te whai mai rā
Ngā rau matatiki
Ki te taha o te awa mārama e
Nā te patua manawaroa
I tū mai ai taku Rangatiratanga eeee-!

Kaitito na
Te Ru Koriri Wharehoka - Parihaka

