

KAUPAPA HERE RĀHUI ME TE MATE OHORERE - RĀHUI AND SUDDEN DEATH POLICY



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WHAKAMARAMATANGA – DEFINITION

1. A rāhui is a temporary ritual restriction used to regulate human activity of a resource, area, or activity for the future well-being of the people and natural resources. 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. Death pollutes land, water and people through tapu. A rāhui is a device for separating people from tapu things. After an agreed period of time, the rāhui is lifted. A rāhui is marked by a visible sign, such as the erection of a pou rāhui, a post. It is initiated by someone of rank and placed and lifted with appropriate karakia by a tohunga. Rāhui is also used to describe certain conservation areas, agreements and means and measures which can be utilised for sustainability purposes. For example, a lake or a forest might be temporarily off-limits so the fish, birds or plants can be restored.

ARONGA – PURPOSE

2. Council has committed to a partnership with Mana Whenua¹, where a provision for rāhui in the event of a sudden death on Council land has been developed upon their request.
3. Rāhui applies to all Council staff and members of the public. This may potentially affect businesses, depending on the situation and location.
4. This is an operational policy for internal use. A definition of rāhui will be available on the public-facing website.

PAE TAWHITI – SCOPE

5. In order to meet legal requirements for notifying a death with authorities and meeting our partnership commitments to Mana Whenua protocol, Council is establishing a policy on rāhui and sudden death.
 - This policy sets out the procedure for Council's response to a death on Council premises.
 - This policy will affect operational activities of Council premises by adding to existing health and safety requirements of Council staff in the event of a death on Council land.
 - This policy does not regulate fishing management in the event of a rāhui².
 - This policy references the relationships that Council has with other authorities in responding to a sudden death

¹ This partnership is outlined in the [Long Term Plan 2021-31 \(Section 1, chapter 3\)](#)

² This policy covers sudden death and not management of natural resources, as may be covered by Greater Wellington Regional Council.

MĀTĀPONO KAUPAPA HERE - POLICY PRINCIPLES

6. Council will honour its commitment to partnership with Mana Whenua. For rāhui, this will involve the following:
- Rāhui will be applied in the event of a death on Council land at the discretion of Mana Whenua.
 - Council is committed to providing a safe environment and minimising risks and will work to enable police investigations in this respect.
 - Council boundaries do not necessarily align with iwi boundaries, and therefore Council will work to ensure co-ordinated actions where relevant. In cases where Council does not hold sole authority over areas, such as waterways and the ocean, Council will work with the authorities (e.g. Greater Wellington Regional Council) to enable investigations and potential restrictions of the area.
 - This policy will follow the guiding principles set out below.

MĀTĀPONO ARATAKI - GUIDING PRINCIPLES

7. *Cultural commitments:* At all times we are guided by the tikanga and kawa of Mana Whenua.
- Mana orite: We recognise equity as being important to our relationships and partnerships, and to how we conduct ourselves.
 - Mana motuhake: We recognise that Mana Whenua and Māori seek their own solutions for Mana Whenua and Māori issues, and that Council plays a supporting role.
 - Te Tiriti o Waitangi: We recognise that Te Tiriti o Waitangi forms the underlying foundation of the Council – Mana Whenua relationship, and that the Council acts in accordance with Te Tiriti o Waitangi.
 - Manakohi: We will ensure our collective knowledge and understandings inform our direction.
 - Raukura: We will ensure the peace, sustainable prosperity and wellbeing of Te Awa Kairangi ki Tai is nurtured and provided for.
 - Rangatiratanga: We recognise and respect each other's autonomy, mandates, constraints and priorities, and acknowledge and respect our differences.
 - Manaakitanga: We place the care of our whānau and community at the centre, respecting all people, and encouraging the practice of reciprocity through the sharing of resources.
 - Mahi tika: we recognise that the strategies, practices, roles, and responsibilities developed under this policy will reflect the tikanga and values of Mana Whenua.

UTANGA TURE – TE TIRITI AND LEGISLATIVE OBLIGATIONS

8. Compliance with legislation is important for local authorities, but it should not be the sole basis for building relationships. Strong relationships with Māori are critical for ensuring community well-being. Even if there are no specific obligations to consult with Māori, often this will be necessary and appropriate to ensure that local authorities can make informed decisions in relation to Māori values and interests. This is also in

the best interests of Council, who have a shared commitment to partnership with Mana Whenua and safeguarding cultural concepts that are of concern to both parties.

DECISION MAKING

Section 77 of the **Local Government Act 2002 (LGA)** states that when making significant decisions in relation to land or a body of water, local authorities must, in the course of the decision-making process, take into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga.

9. There is a range of other legislation that also imposes obligations on local government in relation to both the Treaty, and Māori interests and values more generally, for example:
 - under the **Resource Management Act 1991 (RMA)**, local authorities are required to consult with Māori early in the statutory planning processes. The RMA places further responsibilities³ on local government with regard to Treaty principles when making decisions about the environment.
10. It is important to note that the duties under the LGA are to Māori people generally and Māori organisations; the emphasis in the RMA is on Mana Whenua, or Māori who have a traditional connection to the area in which the council's jurisdiction applies.

TAI RANGAPŪ O TĒNEI KAUPAPA HERE – CONSULTED FOR THIS POLICY

11. Mana Whenua work with Council in a partnership approach. This approach was recognised in the most recent Long Term Plan 2021-2031 as a commitment that is prioritised by Council.
12. Also consulted in this policy include:
 - Mana Whenua
 - Council
 - NZ Police
 - Greater Wellington Regional Council

HĒTEHI ATU KAUPAPA HERE – OTHER RELATED POLICIES

13. Council's related operational policies include:
 - [Health and Safety Policy](#) ⁴

³ RMA section 6 describes provisions for Tangata Whenua:

<https://www.legislation.govt.nz/act/public/1991/0069/226.0/DLM231907.html>

Section 8 requires that the principles of the Treaty are taken into account:

<https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231915.html>

⁴ In particular, page 1 states Council's intent to ensure that the health and safety approach is consistent with good practice guidelines and Council standards.

WHAKATINANATANGA - IMPLEMENTATION

14. In the event of a death on Council premises, a rāhui will be implemented at the discretion of Mana Whenua.
15. This policy will be delivered in partnership with Mana Whenua and with external partners as appropriate⁵, particularly in regard to education and engagement of rāhui protocol. While there is no legal enforcement of rāhui, there will be public education and engagement on the issue of rāhui to assist in the understanding of the concept and practice of rāhui.
16. Council's Communications team will support the implementation by communicating public-facing messages needed to educate the public about rāhui.
17. Implementation of the policy will include signage and messaging in Te Reo Māori. The development of Council-specific pou rāhui (signs to cordon off areas under rāhui) will be the first action of this policy. Council will then have these pou rāhui in reserve in preparation for any incident of death on Council premises.
18. A short operational piece will be developed for internal staff noting the steps to take in the event of a death on Council premises. This flowchart will be socialised with staff through email and face-to-face meetings as a resource used for sudden death on Council land.

⁵ Such as the police, or Greater Wellington Regional Council

ĀPITI HANGA – APPENDIX 1

KUPUTAKA – GLOSSARY

Key term	Explanation
Council	Hutt City Council
Council land	<p>Includes:</p> <ul style="list-style-type: none"> the interior of buildings that are owned and operated by Council (e.g. swimming pools) Council grounds (e.g. parks, recreational fields) <p>Does not include:</p> <ul style="list-style-type: none"> Roads (centrally run) Private property and land (not owned by Council) Harbours / oceans (managed by Greater Wellington Regional Council)
Karakia	An incantation in Te Reo Māori to conduct a ceremonial activity
Kawa	Protocol and etiquette
Kāwanatanga ā-rohe	Refers to Territorial Authorities or Local Government
Mana Whenua	Mana Whenua is a term used to describe those with territorial rights over the land and its environment
Rāhui	Rāhui protocol temporarily limits access to an area that has been tainted by a death. Limiting physical access to the area allows the area to be cleansed by the natural elements.
Pou Rāhui	Signs or posts indicating that a rāhui is in place and that entry is prohibited
Tapu	Prohibited due to impurity of the area
Te Ao Māori	The Māori worldview. It encompasses and acknowledges the connection between all things; living and non-living
Tikanga	Tikanga refers to the traditional customs, values, and behaviours of Tangata Whenua. Tikanga also means to behave in a way that is culturally appropriate. i.e., the 'correct way' to conduct a process or expected behaviours when engaging in Te Ao Māori processes.
Tohunga	A Māori figure of spiritual authority who is an expert practitioner of skill

ĀPITIHANGA – APPENDIX 2: HUTT CITY BOUNDARIES

Lower Hutt boundaries where this Rāhui and Sudden Death Policy applies. Note that the harbour / ocean is managed by Greater Wellington Regional Council.

