



Ko te 23 o Tīhema, 2022

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Te Kūiti

Tēnā koe, Alex,

Submission to the Waitomo District Council Proposed District Plan

Te Nehenehenui Trust (TNN) welcomes the opportunity to make a submission to Waitomo District Council's Proposed District Plan.

Te Nehenehenui (TNN) is the newly formed post-settlement governance entity (PSGE) which represents and acts on behalf of Maniapoto (inclusive of all within Te Nehenehenui). The PSGE is responsible for receiving and managing Treaty settlement redress from the Crown, including but not limited to, distributing benefits to whānau, managing affairs, or borrowing/investing money for the benefit of Maniapoto and managing it on behalf of and for the benefit of whānau of Maniapoto affiliation.

TNN wishes to acknowledge the partnership and collaboration between Waitomo District Council and the mana whenua working group, its representatives from Ngā Whare o Te Nehenehenui (formerly Regional Management Committees or RMCs of MMTB); Te Whare ki Ngā Tai o Kāwhia, Te Whare ki Mōkau, Te Whare ki Hauāuru-ki-uta, Te Whare ki Te Tokanganui-a-noho and representatives from Te Hau Kāinga o Pureora during the Proposed District Plan review process.

TNN supports the Mātauranga, mana whakahaere, and input of the mana whenua working group towards the Proposed District Plan. The review process was an engagement and participation opportunity that helped to not only inform the Proposed District Plan but strengthened the relationship between iwi and the Waitomo District Council and enabled our whānau to lead with mana whakahaere, enhance positive outcomes for Maniapoto whānui by providing their contributions into Resource Management decision-making processes within their rohe.

CONTEXT

TNN acknowledges that the Deed of Settlement is premised on developing partnership-based relationships with local government that allow for the mana of both Maniapoto and Waitomo District Council to be upheld and maintained. In that regard, this submission on the Proposed District Plan will inform TNN's approach to the aspects of its Treaty settlement that relate to local government. In that regard, TNN notes that under Subpart 2 of Part 3 of the Maniapoto Claims Settlement Act 2022, Waitomo District Council must



enter into a joint management agreement with TNN regarding Ngā Wai o Maniapoto and activities within the catchment areas.¹ The joint management agreement will contain mechanisms to reflect the mana of Maniapoto and the importance of the relationship between Maniapoto and its wai. It will also create a means by which TNN and Waitomo District Council will work together on new or amended planning documents (including district plans). We acknowledge that the time to create the joint management agreement has yet to expire, however, we have provided this submission in the knowledge that such an agreement will be created and will guide the relationship between TNN and Waitomo District Council. We consider that it is important to take this opportunity to work closely together in protecting Ngā Wai o Maniapoto in the spirit of the Claims Settlement Act, have provided this submission with that in mind, and consider this submission carries particular weight because of it.

We note the particular requirements in Schedule 1 of the Resource Management Act 1991 to consult with mana whenua and iwi authorities when preparing a new or amended plan. We provided this submission in the knowledge that, as mana whenua of the area, our views of resource management are of particular importance and intrinsically linked with our role as kaitiaki and our relationship with the whenua.

SCOPE OF SUBMISSION

Te Nehenehenui Trust provides the following specific points of submission on the proposed District Plan and requests that where TNN has provided acknowledgment and support towards the identified schedules and provisions within it, these are retained. TNN requests all recommendations, amendments, and where the decision is sought in this submission, that these are granted and/or amended.

We wish to make an oral submission in support of this written submission.

Submission points are provided in the table below

¹ **Ngā Wai o Maniapoto** means all of the waters above, on, or under the area of interest upstream of the landward boundary of the coastal marine area, including the Waipā River.



| Submission point | Provision | Submission | Reason | Decision sought |
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| 1. | Part 1 – Introduction and general provisions – How the plan works – General Approach, Activity status: Cultural sites | Amend | This approach is consistent with the provisions in Ko Tā Maniapoto Mahere Taiao. The amendment will satisfy sections 5 and 6(e) of the RMA. It will also save applicants, councils, and iwi time and costs that may be incurred if consultation and engagement occur after this stage or later in the process. | Amend ‘Cultural sites’ Activity status to include the following statement (or similar wording) in addition to the current paragraph: “It is recommended consultation and engagement with iwi and mana whenua is undertaken during the application process and before any work is carried out” |
| 2. | Part 1. How the plan works – Cross Boundary matters. Maniapoto Rohe Boundary | Amend/ add | For consistency, correction, and clarity as the map is outdated. | Amend the Maniapoto rohe boundary and update it consistent with the Maniapoto Area of interest in Maniapoto Deed of Settlement, Maniapoto Claims Settlement Act 2022. |
| 3. | New -add to Part 1. How the plan works – Cross Boundary matters | Add | For consistency, correction, and clarity and the purposes of iwi consultation that will save time and costs for council, applicants, iwi, and mana whenua. | Provide an additional map outlining the specific Te Nehenehenui whare boundaries within the Waitomo District. |
| 4. | New – change to titles/ Bilingual headings | Amend | Some of the chapters currently have Te Reo titles and some do not. For consistency, the chapter headings should be provided in both Te Reo and English. This is standard practice across the new district and regional planning documents. | TNN requests the use of Te Reo in the chapter headings for the final version of the district plan. Requests and encourages this to be a collaborative process between WDC and TNN/ Maniapoto and translations are |



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| | | | | inclusive and align to the 2009 Te Rautaki Reo a Te Nehenehenui (Ngāti Maniapoto Language Revitalisation Strategy) |
| 5. | New – addition of a Papakāinga chapter to complement the Māori purpose zone | Amend/Add | The addition of the Māori Purpose Zone will bring many positive outcomes for the Taiao, iwi, marae and hapū. To further assist mana whenua meet their cultural and housing needs it is essential to adopt approaches similar to that of other councils which are leading with a forward way of thinking e.g Waikato District Council and Waipā District Council. The additional papakāinga chapter should contain provisions that will provide for the development of ancestral Māori land. This satisfies the purpose of the Resource Management Act 1991 (section 5) in that it will enable Māori, iwi, hapu, whanau to provide for their social, economic, and cultural well-being and their health and safety. This is consistent with the recognition by the Crown in the Settlement Act that Maniapoto land was unjustly confiscated and inadequate housing, among other matters, contributed to the poor economic, social, and cultural well-being of Ngāti Maniapoto. It also recognises and provides for the relationship of Māori and their | Te Nehenehenui supports and welcomes provisions to enable Mana whenua to meet their housing and cultural needs. Request that WDC amend the Proposed District Plan to include a papakāinga chapter. To ensure that the Papakāinga chapter complements the Māori purpose zone and contains provisions and schedules that are developed to meet and enhance positive outcomes for the cultural and housing needs of mana whenua. This chapter must be co-developed with iwi, marae and hapū through a thorough consultation process directly with marae and hapū/ iwi that and Māori who are ancestral Māori land owners within the Waitomo District. |



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| | | | <p>culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga; a matter of national importance in the Resource Management Act (section 6(e)). It is recognised that Māori land is subject to development barriers and complications that require changes. It must be treated separately to land held in European title. These barriers include (but are not limited to) the status of Māori land under Te Ture Whenua Māori Act 1993 and the costs associated with obtaining approval from councils and other organisations.</p> | <p>A series of additional definitions will be required to support the context of the proposed district plan and Papakāinga chapter e.g Ancestral Māori land definition and other words/ meaning consistent with Te Rautaki Reo a Te Nehenehenui</p> |
| 6. | Part 1 – Introduction – Mana whenua section | Amend/ add | To align with and uphold the integrity of the Maniapoto Deed of Settlement, Maniapoto Claims Settlement Act 2022. | Amend the Te Ao Māori section to reference the Regional Management Committees (RMCs) and update to Ngā whare o Te Nehenehenui. Include and acknowledge the whare representatives that formed the mana whenua working group:); Te Whare ki Ngā Tai o Kāwhia, Te Whare ki Mōkau, Te Whare ki Hauāuru-ki-uta, Te Whare ki Te Tokanganui-a-noho and representatives from Te Hau Kāinga o Pureora. |



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| 7. | Part 1 – Introduction – Mana whenua section and throughout the Proposed District Plan | Amend/ add | To align with and uphold the integrity of the Maniapoto Deed of Settlement, Maniapoto Claims Settlement Act 2022. | Add where necessary in this section and other schedules and provisions throughout the Proposed District Plan which require updating. Reference and add consistent material from the Maniapoto Deed of Settlement, Maniapoto Claims Settlement Act 2022 e.g where Maniapoto Māori Trust Board was listed as the iwi authority, the new name is Te Nehenehenui Trust |
| 8. | Te Ture Whaimana o Te Awa o Waikato - Vision and Strategy for the Waikato River | Support | Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River is referred to throughout the proposed plan. This document is the primary direction-setting document for the Waikato and Waipā Rivers and their catchments which include the upper reaches of the Waipā River. We consider retaining reference to the Vision and Strategy complements the Treaty settlement’s emphasis on the importance of Ngā Wai o Maniapoto, and the Ngā Wai o Maniapoto (Waipa River) Act 2012. | Retain the approach in the proposed plan where there is reference to the principles of the Vision and Strategy including through provisions which manage activities within the Upper Waipā catchment. Retain the following provisions: <ul style="list-style-type: none"> • Strategic Direction, Urban Form and Development SD-O2. |



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| | | | | <ul style="list-style-type: none"> • Ecosystems & indigenous biodiversity chapter ECO-O6. • Subdivision SUB-O8, SUB-P25. • Activities on the Surface of Water ASW-O4. • General rural zone GRUZ-P4.1 |
| 9. | Statutory context chapter Heading - Relevant planning documents | Support | The inclusion of references to the Iwi management plans applicable to Waitomo District is supported. This helps to signpost plan users to the correct documents. | Retain reference to the Iwi management plans including: 1. Ko Tā Maniapoto Mahere Taiao. Environmental Management Plan 2018 and where necessary we request that the policies and objectives are aligned to, enhanced or strengthened through the Proposed District Plan. 2. Waikato-Tainui Environmental Management Plan 2013 |
| 10. | Definitions | Support | The definitions provide clarity about the activity or use. | Retain the following definitions: <ul style="list-style-type: none"> • maintenance (in relation to cultural and historic heritage) • Māori cultural and customary uses |



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| | | | | <ul style="list-style-type: none"> • marae complex • papakāinga units |
| 11. | Definitions | Amend | <p>Amend the title and definition of papakāinga housing development to provide clarity and remove restrictions and barriers for mana whenua/ tangata whenua to develop papakāinga on their ancestral whenua and not limit developments to just housing or restrict numbers of houses but ensure this is better informed by developments that satisfy sections 5 and 6e of the RMA. This enables the sustainable capacity of the land and receiving environment to determine the number of buildings and houses it can sustain rather than limiting the amount to a number e.g 6 This will also support and enable Ngāti Maniapoto to live on and connect with their tūrangawaewae after socio-economic detriment due to Crown policy and action resulted in a major migration to urban centres</p> | <p>Amend title 'papakāinga housing development' to 'papakāinga development'.</p> <p>Amend the definition of papakāinga housing development to:</p> <p>Papakāinga housing development means a comprehensive residential development for Māori landowners, mana whenua/ tangata whenua residing in the Waitomo District to provide residential accommodation for members of the iwi hapū and also includes communal buildings and facilities such as health centres, community, education and recreational, places of assembly, industrial and commercial activities, which directly associate and link with the communal nature and function of the papakāinga and aligned to te ao Māori</p> |



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| | | | | We welcome the supporting provisions to enable mana whenua to meet cultural and housing needs. |
| 12. | Rārangi Whakamārama (Glossary) | Support | The glossary was developed by mana whenua representatives and ensures there is clear guidance on the meaning and use of Te Reo terms in the proposed plan | Retain the Rārangi Whakamārama (Glossary) chapter |
| 13. | Mana Whenua Treaty Settlement Interests | Amend | Amend the numbered point to update the status of the Maniapoto Deed of Settlement, Maniapoto Claims Settlement Act 2022. It currently refers to the Agreement in Principle signed on 15 August 2017. | Amend 6. to update the status of the Maniapoto Deed of Settlement, Maniapoto Claims Settlement Act 2022 |
| 14. | Strategic Direction, Urban Form and Development chapter SD-O1. SD-O2. SD-O3. SD-O4. SD-O9. SD-O12. SD-O25. SD-O26. | Support | SD-O1 seeks to uphold the partnership principles in Te Tiriti o Waitangi by enabling Maniapoto as mana whenua and the environment to maintain and enhance their mauri and hauora. The empowerment through the expression and application of kaitiakitanga is supported. SD-O3 enables Maniapoto as mana whenua to exercise customary activities, protect, develop, and use Māori land to provide for social and economic aspirations. SD-O4 recognises marae and papakāinga as an essential cultural and spiritual component of Maniapoto traditions, society, and economy. SD-O9 protects Kāwhia Harbour from further | Retain the following objectives in the Strategic Direction, Urban Form and Development chapter: SD-O1. SD-O3. SD-O4. SD-O9. SD-O12. SD-O25. SD-O26. |



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| | | | degradation. SD-O12 acknowledges that settlement lands may drive development in parts of the district that are not necessarily anticipated. SD-O25 enables housing diversity to meet the district's housing needs and support affordability. SD-O26 ensures that development in coastal settlements is planned and appropriate in relation to its level of natural character. These objectives are consistent with the provisions in Ko Tā Maniapoto Mahere Taiao. | |
| 15. | Sites and Areas of Significance to Māori chapter SASM-O1 – O4, SASM-P1 - SASM-P12, SASM-R1 - SASM-R24. | Support | This chapter contains provisions that seek to protect the sites and areas of significance to Maniapoto as mana whenua and to manage inappropriate activities. The approach in this chapter is consistent with the provisions in Ko Tā Maniapoto Mahere Taiao. | Retain the provisions in the Sites and Areas of Significance to Māori chapter: SASM-O1 – O4, SASM-P1 - SASM-P12, SASM-R1 - SASM-R24. |
| 16. | Ecosystems & indigenous biodiversity chapter ECO-O2. ECO-P6.13. ECO-P7. ECO-R8. | Support | The proposed plan is required to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna. Maniapoto as kaitiaki consider indigenous biodiversity should be managed holistically accounting for; the interrelationship between te hauora o te tangata (the health of the people) and te hauora o te koiora - the health of indigenous biodiversity and te hauora o te taonga - the health of species and ecosystems | Retain the following provisions in the Ecosystems & indigenous biodiversity chapter: ECO-O2. ECO-P6.13. ECO-P7. ECO-R8. |



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| | | | <p>that are taonga and te hauora o te taiao - the health of the wider environment.</p> <p>ECO-O2 ensures that the cultural and spiritual relationships of Maniapoto with significant natural areas are recognised and provided for. ECO-P6.13 recognises the role of mana whenua as kaitiaki and the practical exercise of kaitiakitanga in restoring, protecting and enhancing significant natural areas. ECO-P7 is a critical provision in providing flexibility when considering the development of land returned under settlement and multiple owned Māori land located within a scheduled site. ECO-R8 enables Māori cultural and customary uses or for scientific purposes. These provisions are consistent with the provisions in Ko Tā Maniapoto Mahere Taiao.</p> | |
| 17. | Natural character chapter Restricted discretionary criteria relating to effects on the relationship of mana whenua and their culture and traditions with the site and any wāhi tapu or other taonga affected by the activity. | Support | The restricted discretionary criteria provide appropriate scope to ensure that any positive or adverse effects on the values of mana whenua are considered as part of the assessment of the activity. | Retain the restricted discretionary criteria relating to effects on the relationship of mana whenua and their culture and traditions with the site and any wāhi tapu or other taonga affected by the activity in the natural character chapter |



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| 18. | Natural features and landscapes chapter NFL-O2. NFL-P2. NFL-P5.4. Restricted discretionary criteria relating to effects on the relationship of mana whenua and their culture and traditions with the site and any wāhi tapu or other taonga affected by the activity. | Support | NFL-O2 seeks to ensure the cultural and spiritual relationships with outstanding natural features and landscapes are appropriately considered as part of subdivision, use and development activities. NFL-P2 is a critical provision in providing flexibility when considering the development of land returned under settlement and multiple owned Māori land located within a scheduled site, feature or landscape. NFL-P5.4 requires the avoidance of development in locations that are of significance to mana whenua. The restricted discretionary criteria provide appropriate scope to ensure that any positive or adverse effects on the values of mana whenua are considered as part of the assessment of the activity. These provisions are consistent with the provisions in Ko Tā Maniapoto Mahere Taiao. | Retain the following provisions in the natural features and landscapes chapter: NFL-O2. NFL-P2. NFL-P5.4. Retain the restricted discretionary criteria relating to effects on the relationship of mana whenua and their culture and traditions with the site and any wāhi tapu or other taonga affected by the activity. |
| 19. | Subdivision chapter SUB-P1.10. SUB-P21. SUB-P26. SUB-P27. SUB-R1.11, 1.12, 1.13 SUB-R7. | Support | SUB-P1.10 provides opportunities for mana whenua's relationship with ancestral lands, water, sites, wāhi tapu and other taonga to be considered during subdivision. SUB-P21 manages the actual and potential effects on overlays, scheduled sites and features and archaeological sites to protect the identified values during subdivision. SUB-P27 provides for | Retain the following provisions in the Subdivision chapter: SUB-P1.10. SUB-P21. SUB-P26. SUB-P27. SUB-R1.11, 1.12, 1.13 SUB-R7. |



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| | | | <p>public access to water bodies and the coastline during subdivision unless specifically protecting a scheduled site or feature or archaeological site. These provisions are consistent with the provisions in Ko Tā Maniapoto Mahere Taiao.</p> <p>SUB-P26 and SUB-R7 enable subdivision in the general rural zone as a benefit lot to allow permanent legal and physical access to landlocked Māori freehold land or urupā or achieve permanent protection of riparian margins in the Upper Waipā River catchment or achieve permanent protection of a significant natural area in the coastal environment or karst overlay. These provisions were developed with Maniapoto’s input and are supported due to the environmental, social and cultural benefits they offer.</p> <p>SUB-R1.11, 1.12 and 1.13 enable subdivision in the Māori purpose zone where this is not for the purposes of a hapū partition under Te Ture Whenua Māori Act 1993. There are no minimum or maximum net site area requirements. This approach is supported to enable flexibility in subdivision and adherence to the appropriate legislation.</p> | |



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| 20. | Coastal environment chapter CE-P8. Restricted discretionary criteria relating to effects on the relationship of mana whenua and their culture and traditions with the site and any wāhi tapu or other taonga affected by the activity. | Support | <p>CE-P8. is a critical provision in providing flexibility when considering the development of land returned under the settlement and multiple-owned Māori land located in areas of outstanding, high, and very high natural character.</p> <p>The restricted discretionary criteria provide appropriate scope to ensure that any positive or adverse effects on the values of mana whenua are considered as part of the assessment of the activity.</p> | <p>Retain the following provisions in the Coastal environment chapter: CE-P8.</p> <p>Retain the restricted discretionary criteria relating to effects on the relationship of mana whenua and their culture and traditions with the site and any wāhi tapu or other taonga affected by the activity.</p> |
| 21. | Earthworks chapter EW-R2. | Support | EW-R2 provides for internments in a burial ground, cemetery or urupā as a permitted activity. This enabling provision is of high cultural importance to Maniapoto | Retain the following provisions in the Earthworks chapter: EW-R2. |
| 22. | Hapori whānui chapter HW-O3. HW-P4. HW-R11. HW-P4. HW-P5. HW-P6.1. HW-R1. HW-R5. | Support Amend | HW-O3, HW-P4 and HW-R11 celebrate pouwhenua, waharoa and public art by providing for these as a permitted activity. HW-P4 and HW-P5 relate pouwhenua, waharoa and public art to the key moves in the town concept plans. Pouwhenua and waharoa are a symbolic expression of the narratives of Maniapoto and accordingly these provisions are supported. | Retain the following provisions in the Hapori whānui chapter: HW-O3. HW-P4. HW-R11. HW-P4. HW-P5. HW-P6.1. HW-R1. HW-R5. |



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| | | | <p>HW-P6.1 and HW-R1 provide for Māori cultural and customary uses of natural resources as a permitted activity across the whole district. HW-R5 provides for māra kai, community, and shared gardens. These provisions are appropriate for the wellbeing of the community and are supported.</p> <p>Please amend spelling from māra kai to māra kai in this chapter.</p> | |
| 23. | Residential Zone RESZ-O2. RESZ-O7. RESZ-P9.9. RESZ-P18. RESZ-R1. RESZ-R3 | Support | <p>Maniapoto supports the residential zone provision RESZ-O2 which enables a range of housing options for a diverse range of households including tiny houses, papakāinga, co-housing and compact housing developments to provide healthy, affordable, safe homes. RESZ-O7 which enables mana whenua to express their cultural traditions and values through the provision of hapū-focused housing options such as papakāinga and cohousing developments is also supported.</p> <p>RESZ-P9. 9, RESZ-P10, RESZ-P18, RESZ-R1 and RESZ-R3 provide for marae complex and papakāinga housing development as a permitted activity. This enabling approach is</p> | Retain the following provisions in the Residential Zone: RESZ-O2. RESZ-O7. RESZ-P9.9. RESZ-P18. RESZ-R1. RESZ-R3 |



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| | | | consistent with the provisions in in Ko Tā Maniapoto Mahere Taiao. | |
| 24. | General rural zone GRUZ-R3. | Support | GRUZ-R3 provides for marae complex and papakāinga housing development as a permitted activity. This enabling approach is consistent with the provisions in in Ko Tā Maniapoto Mahere Taiao. | Retain the following provisions in the General rural zone: GRUZ-R3. |
| 25. | Rural Lifestyle Zone RLZ-O9. RLZ-P9.4. RLZ-R7. | Support | RLZ-O9, RLZ-P9.4 and RLZ-R7 enable marae complex and papakāinga housing development as a permitted activity. This enabling approach is consistent with the provisions in in Ko Tā Maniapoto Mahere Taiao. | Retain the following provisions in the Rural lifestyle zone: RLZ-O9. RLZ-P9.4. RLZ-R7. |
| 26. | Settlement Zone SETZ-O7. SETZ-O8. SETZ-P17. SETZ-R2. SETZ-R4. | Support | <p>SETZ-O7, SETZ-P17, SETZ-R2 and SETZ-R4 enable marae complex and papakāinga housing development as a permitted activity. This enabling approach is consistent with the provisions in in Ko Tā Maniapoto Mahere Taiao.</p> <p>SETZ-O8. provides for the relationship that Maniapoto have with our ancestral sites, ancestral lands, water, wāhi tapu, and other taonga including the coastal environment. This is consistent with the provisions in in Ko Tā Maniapoto Mahere Taiao.</p> | Retain the following provisions in the Settlement zone: SETZ-O7. SETZ-O8. SETZ-P17. SETZ-R2. SETZ-R4. |



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| 27. | Natural open space zone NOSZ-O5. NOSZ-P1.5. NOSZ-P11. NOSZ-P12. | Support | NOSZ-O5 broadly manages the use of natural open space to protect and enhance mana whenua values. NOSZ-P1.5. ensures the consideration of whether activities might compromise cultural, spiritual and/or archaeological values. NOSZ-P11 seeks to assist the establishment of appropriate activities which support and re-establish the relationship of Maniapoto with our culture and traditions, ancestral lands, water, sites, wāhi tapu and other taonga. NOSZ-P12 relates to the protection of those reserves or parts of reserves that are identified in the Waitomo District Comprehensive Reserve Management Plan as wāhi taonga or as having important associations with tribal history, events, and narratives. These provisions are consistent with Ko Tā Maniapoto Mahere Taiao. | Retain the following provisions in the Natural open space zone: NOSZ-O5. NOSZ-P1.5. NOSZ-P11. NOSZ-P12. |
| 28. | Māori purpose zone MPZ-O1 - MPZ-O4, MPZ-P1 - MPZ-P7, MPZ-R1 - MPZ-R26. | Support | This chapter contains provisions that seek to provide for the social, cultural, environmental, and economic needs of Maniapoto as mana whenua, to enable reconnection with sites of ancestral importance. The zone allows the development and use of marae complexes and papakāinga and recognises the relationship with Te Ture Whenua Māori Act 1993. The | Retain the provisions in the Māori purpose zone: MPZ-O1 - MPZ-O4, MPZ-P1 - MPZ-P7, MPZ-R1 - MPZ-R26. |



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| | | | approach in this chapter is consistent with the provisions in Ko Tā Maniapoto Mahere Taiao. | |
| 29. | SCHED3 – Sites and areas of significance to Māori | Support | This schedule contains sites and areas of significance to Māori which are places and features that are of historical, cultural and/or spiritual significance to Maniapoto. The identified sites and their categories were developed in consultation with Maniapoto. The approach in this schedule is consistent with the provisions in Ko Tā Maniapoto Mahere Taiao. | Retain SCHED3 – Sites and areas of significance to Māori |
| 30. | SCHED4 – Sites and areas of significance to Māori - Wāhi Tapu sites | Support | Maniapoto supports the identification by Heritage New Zealand Pouhere Taonga of seven sites listed as wāhi tapu sites under the Heritage New Zealand Pouhere Taonga Act 2014. | Retain SCHED4 – Sites and areas of significance to Māori - Wāhi Tapu sites |
| 31. | SCHED4 – Sites and areas of significance to Māori - Wāhi Tapu sites and SSM005-B Pēhitawa | Support/ amend | There is debate over the location of HNZ7332 which includes the burial cave known as Pēhitawa. We support the boundaries of the site as identified by the parties who initially registered the site with Heritage New Zealand Pouhere Taonga. These parties hold mana whenua over the area and are best placed to determine the location of the site and its wider extent. | Retain the current extent of SSM005-B Pēhitawa as identified in SCHED4 – Sites and areas of significance to Māori - Wāhi Tapu sites Request that the schedule is amended to also include recognition that Maniapoto promote the enhancement and protection of cultural values including wāhi tapu. Mana |



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| | | | | whenua are the knowledge keepers and holders of these sites. |
| 32. | SCHED5 – Sites and areas of significance to Māori - cultural alert layer | Support | This schedule contains sites that are of particular importance to Maniapoto. The identified sites and their categories were developed in consultation with Maniapoto. We agree that as part of any required resource consent application, a cultural impact assessment on the values of the site is required. Maniapoto supports the intention of Waitomo District Council plans to undertake cultural impact assessments for some sites, and at a minimum, consultation, and engagement with mana whenua and/or iwi. | Retain SCHED5 – Sites and areas of significance to Māori - cultural alert layer and support the addition of a protection buffer of 50m or more to these sites. |
| 33. | Appendix 2 – Cultural Impact Assessment Process | Support | The Tāngata Whenua Effects Assessment Report ('TWEAR') is contained in Appendix 2 is also contained in Ko Tā Maniapoto Mahere Taiao. We support the duplication of this approach in the proposed plan to avoid the preparation of Cultural Impact Assessments that are not fit for purpose. | Retain Appendix 2 – The Tāngata Whenua Effects Assessment Report ('TWEAR') and amended to include: where a Cultural Impact Assessment (CIA) is required, this process must include engagement, consultation with iwi, mana whenua or whare representative. The 'TWEAR' must be reviewed by iwi/ mana whenua or whare reps |



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| | | | | to ensure the cultural values of Maniapoto are included. |
| 34. | Appendix 6 – 8 Statutory Acknowledgement Areas | Support | We support the inclusion of Statutory Acknowledgement Areas in the proposed plan and the inclusion of additional SAAs as they are defined. | Retain Appendix 6 – 8 Statutory Acknowledgement Areas |

📍 49 Taupiri Street, Te Kūiti 3910

📞 PO Box 36, Te Kūiti 3910

🌐 www.tenehenui.co.nz



Te Nehenehenui Trust asserts that, at a minimum, any amendments to the Proposed District Plan must ensure the integrity of protection of Maniapoto cultural values including tikanga and kawa and ensure these Maniapoto's Comprehensive Treaty Settlements are upheld.

It is vital to Maniapoto, that the management of our natural resources and taonga, for present and future generations to come, are guided by mechanisms and processes that will enable and provide the best outcomes for protection, sustainability, diverse and abundant ecosystems in perpetuity while providing for diverse cultural, social, and economic activities that support a balanced, healthy, secure, and quality of life.

Te Nehenehenui Trust requests that Waitomo District Council adopts all of the recommendations to the specific points of this submission on the Proposed District Plan. Te Nehenehenui Trust further states the importance of where the decision sought in this submission is granted.

Nā mātou, nā

Te Nehenehenui Trust

Samuel Mikaere

GROUP CHIEF EXECUTIVE OFFICER