

Submission to Waitomo District Council Draft District Plan
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My name is Wayne Jensen, I am submitting on behalf of Te Tokanganui-a-noho Whare as Chairman and for myself as a Maniapoto descendant who resides locally. I was approved by Te Mana Taiao to be contracted by WDC as a Iwi Liaison between the Draft District Plan (DDP) review process and a Mana Whenua Steering Group established to provide advice to the DDP review. I live at 1403 Te Anga Road Waitomo (3988), my phone contact is 027-2930234 and my email address is (teoiroa@hotmail.com). I submit as Mana Whenua with interests (current and historic) in whenua based in all TNN Whare regions and inside Maca areas/regions that have been claimed along the Maniapoto Coastline (Waipingao to Raukumara). I do this work according to my connection to Kaitiakitanga and birthrights and interests derived from Rerehau Haupokia and Iriaka Puhia. Te Oiroa Haupokia is my grandmother and she had my mother to Douglas Greeks. Te Oiroa is a child of Rerehau and Iriaka. My preferred method of contact is via email. I do not gain any trade advantage through this submission. I would like to present my submission at hearing where I may be able to elaborate if required. If others, make a similar submission I am open to collaborating with them to assist presentation and efficient use of time.

Submission Point	Provision	Submission	Reason	Decision sought
1.	Mihi	Support	Retain	Appropriate wording which is acknowledging history and place
2.	Mana Whenua - Treaty Settlement Interests	Amend	Amend 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 to update the status from the Maniapoto Deed of Settlement to the Maniapoto Claims Settlement Act 2022
3.	Mana Whenua - Treaty Settlement Interests	Amend	Amend as above (for clarity)	Change reference to new title ID of and from <u>Regional Management Committee to Whare</u> . This change is associated to the Mandated Iwi Authority and <i>Maniapoto Claims Settlement Act 2022</i> . It also gives association and connection to the notion of Hapū and Marae, also to Land areas (Whare Regional Boundaries) across the District (Rohe), thus connecting Land and title transfers back to Mana Whenua and representation (especially in consideration of land transfer were it may be deemed historically inappropriate some due to rates arrears) and may have been in breach of Treaty Principles but which is not resolved satisfactorily due to legislative restrictions
4.	SASMs	Amend	Amend points 1 & 2	<ol style="list-style-type: none"> 1. Additional information about these scheduled sites is held by mana whenua and can be made available through consultation. But due to nature of some sites Mana Whenua may evoke an option to keep information tapū (restricted from general use/view) 2. Māori Land Court (MLC) has no provision regards approval of Concept Management however it does recognise the Delegation of Authority. I submit that the Mandated Iwi Authority is used to provide approval of Concept Management Plan's using methodology through its <u>Whare</u> (ex-RMC's) and an approved Environment Management

				Plan. (This will need to be developed in Partnership with Council) Sect 33 RMA
5.	District Plan – document change to titles	Amend	Some of the chapters currently have Te Reo titles.	Request the use of Te Reo in all chapter headings for the final version of the district plan. This will help with consistency in the chapter headings should be provided in both Te Reo and English. I believe this is standard practice across new district and regional planning documents.
6.	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 Waipa Rivers and their catchments which include the upper reaches of the Waipa River.	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 Waipa catchment. This approach will be consistent with retaining the following provisions: <ul style="list-style-type: none"> • Strategic Direction, Urban Form and Development SD-O2. • Ecosystems & indigenous biodiversity chapter ECO-06. • Subdivision SUB-O8, SUB-P25. • Activities on the Surface of Water ASW-O4. General rural zone GRUZ-P4.1
7.	Statutory context chapter Heading - Relevant planning documents	Support	The inclusion of references to the Iwi management plans applicable to Waitomo District is supported. This can help to assist signpost plan user to the correct documents.	Retain reference to the Iwi management plans including and other Maniapoto Iwi Approved Plans : <ol style="list-style-type: none"> 1. Ko Tā Maniapoto Mahere Taiao. Environmental Management Plan 2018 2. Waikato-Tainui Environmental Management Plan 2013
8.	Definitions; Papakāinga housing development	Amend wording	Maximum Number increase to 10	Amend the wording from 6 to include maximum of 10. I reference discussions held with Mana whenua working group aligns with current Te Puni Kōkiri support available for Papakainga developments
9.	Definitions	Amend wording	Correct a potential impediment to Māori development	Amend the following definitions: <ul style="list-style-type: none"> • marae complex <i>to include papakāinga housing developments if approved by duly elected Marae Trustees</i>
10.	Definitions	Support retention with amendments noted as above	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 • marae complex • papakāinga housing development • papakāinga units
11.	Rārangi Whakamārama (Glossary)	Support retention	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
12.	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	Retaining 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. Thus enabling Mandated Iwi Authority by connection to mana whenua and thus the environment to maintain and enhance the 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 Kawhia Harbour from further 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.
13.	Sites and Areas of Significance to Māori 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.
14.	Ecosystems & indigenous biodiversity ECO-O2. ECO-P6.13. ECO-P7. ECO-R8.	Support	<p>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 koiara - the health of indigenous biodiversity and te hauora o te taonga - the health of species and ecosystems 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>	Retain the following provisions in the Ecosystems & indigenous biodiversity chapter: ECO-O2. ECO-P6.13. ECO-P7. ECO-R8.
15.	Maori Purpose Zone	Support	Retain	Appropriate to acknowledging a Partnership approach to Māori Development. There may continue to be impediments to realising this option administratively.
16.	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

17.	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.
18.	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 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. 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 Waipa River catchment or achieve	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.

			<p>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 hapu partition under Te Ture Whenua Maori 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>	
19.	<p>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.</p>	Support	<p>CE-P8. is a critical provision in providing flexibility when considering the development of land returned under 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>
20.	<p>Earthworks chapter EW-R2.</p>	Support	<p>EW-R2 provides for internments in a burial ground, cemetery or urupa as a permitted activity. This enabling provision is of high cultural importance to Maniapoto</p>	<p>Retain the following provisions in the Earthworks chapter: EW-R2.</p>
21.	<p>Hapori whānui chapter HW-O3. HW-P4. HW-R11. HW-P4. HW-P5. HW-P6.1. HW-R1. HW-R5.</p>	Support Amend	<p>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.</p>	<p>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.</p> <p>Please amend spelling from maara kai to māra kai in this chapter.</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.	
22.	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 consistent with the provisions in in Ko Tā Maniapoto Mahere Taiao.</p>	Retain the following provisions in the Residential Zone: RESZ-O2. RESZ-O7. RESZ-P9.9. RESZ-P18. RESZ-R1. RESZ-R3
23.	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.
24.	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.
25.	Settlement Zone SETZ-O7. SETZ-O8. SETZ-P17. SETZ-R2. SETZ-R4.	Support	SETZ-O7, SETZ-P17, SETZ-R2 and SETZ-R4 enable marae complex and papakāinga housing development as a permitted activity. This	Retain the following provisions in the Settlement zone: SETZ-O7. SETZ-O8. SETZ-P17. SETZ-R2. SETZ-R4.

			<p>enabling approach is consistent with the provisions in in Ko Tā Maniapoto Mahere Taiao.</p> <p>SETZ-08. 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>	
26.	Natural open space zone NOSZ-05. NOSZ-P1.5. NOSZ-P11. NOSZ-P12.	Support	<p>NOSZ-05 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.</p>	Retain the following provisions in the Natural open space zone: NOSZ-05. NOSZ-P1.5. NOSZ-P11. NOSZ-P12.
27.	Māori purpose zone MPZ-O1 - MPZ-O4, MPZ-P1 - MPZ-P7, MPZ-R1 - MPZ-R26.	Support	<p>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 approach in this chapter is consistent with the provisions in Ko Tā Maniapoto Mahere Taiao.</p>	Retain the provisions in the Māori purpose zone: MPZ-O1 - MPZ-O4, MPZ-P1 - MPZ-P7, MPZ-R1 - MPZ-R26.

28.	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
29.	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
30.	SCHED4 – Sites and areas of significance to Māori - Wāhi Tapu sites SSM005-B Pehitawa	Support	There is debate over the location of HN27332 which includes the burial cave known as Pehitawa. I 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 Pehitawa as identified in SCHED4 – Sites and areas of significance to Māori - Wāhi Tapu sites
31.	SCHED5 – Sites and areas of significance to Māori - cultural alert layer	Support	This schedule contains sites which are of particular importance to Maniapoto. The identified sites and their categories were developed in consultation with Maniapoto. I agree that as part of any required resource consent application, a cultural impact assessment on the values of the site is required. Maniapoto supported the intention of Waitomo District Council plan to undertake cultural impact assessments for some sites in partnership with Whare if required.	Retain SCHED5 – Sites and areas of significance to Māori - cultural alert layer and add in partnership with Whare .
32.	Appendix 2 – Cultural Impact Assessment Process	Support	The Tāngata Whenua Effects Assessment Report ('TWEAR') contained in Appendix 2 is also contained in Ko Tā Maniapoto Mahere Taiao. Support the duplication of this approach in the proposed plan if supported by a Whare	Retain Appendix 2 – Cultural Impact Assessment Process Please remove reference to IP ownership regards all aspects of Ko Tā Mahere Taiao. The Environment plan (and all things in it) belongs to Maniapoto

33.	Appendix 6 – 8 Statutory Acknowledgement Areas	Support	I 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
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Thank you for your consideration kind regards Wayne Jensen. Mā te Atua e Manaaki.