

Te Ao Māori

Mana whenua see the natural and human world as being wholly inter-connected and complementary. The natural world is the domain of Ranginui and Papātūanuku and their children, and all things possess mauri and are taonga. Life exists seamlessly rather than as individual resources in isolation of one another, and therefore all aspects of the environment are equally important and worthy of protection. As such, degradation of the mauri and wairua of the environment, te taiao, is of serious concern to mana whenua.

Te Ao Māori maintains a set of ordered belief systems which establish the exercise of rangatiratanga and kaitiakitanga for all natural resources. These systems also influence and regulate family relationships, conflict resolution, land use and protection of the environment through the application of tikanga and mātauranga Māori. In accordance with intergenerational kaitiaki responsibilities, mana whenua are culturally obliged to protect and enhance the mauri of taonga, specifically those natural resources and wāhi tapu within their rohe.

The relationship with te taiao suffers when mana whenua cannot fulfil their obligations as kaitiaki to ensure mauri is preserved and natural resources are not depleted beyond their ability to replenish. This plan seeks to ensure that mana whenua have the ability to appropriately influence decision-making in order to effectively carry out their kaitiaki duties.

To assist in the review and preparation of this plan, a working group made up of mandated Regional Management Committee representatives was established. This group has played a crucial role in facilitating relationships and understanding between Waitomo District Council and mana whenua in respect of ensuring that this plan acknowledged the kaupapa Māori framework. The group also ensured that mana whenua values, including exercising kaitiakitanga and rangatiratanga within the rohe, were appropriately incorporated into the plan's provisions.

Legislative Context

Waitomo District Council has legal obligations to mana whenua which are set out in the RMA and the Local Government Act 2002. One of the cornerstones of Part Two of the RMA is the requirement to take into account the principles of the Treaty of Waitangi/Te Tiriti o Waitangi. This plan aims to ensure that the values of active involvement, partnership, ongoing consultation, tikanga Māori and the perspective of Te Ao Māori are appropriately considered and reflected in its provisions.

The Treaty of Waitangi/Te Tiriti o Waitangi does justify different treatment of mana whenua interests or involvement in some issues. As such, this plan seeks to ensure that particular care is taken to recognise the constitutional importance of the Treaty of Waitangi/Te Tiriti o Waitangi, to ensure that its provisions are consistent with and recognise the obligations conferred, as well as balancing all of the relevant considerations of each issue.

The Treaty of Waitangi/Te Tiriti o Waitangi guarantees mana whenua rangatiratanga to control decisions in relation to their ancestral lands, resources, wāhi tapu, and other taonga. Taonga has a wide definition and may include socially or culturally valuable objects, resources, metaphysical phenomenon, ideas and techniques. It is therefore Waitomo District Council's duty to respect this right where mana whenua have retained possession of land and resources, and to ensure it is fully considered in situations where land has been alienated but mana whenua retain an interest. The provisions of this plan also seek to enhance the well-being of mana whenua and to build capacity and capability wherever possible.

Recognition of Iwi and Hapū

In the 2018 Census, 47% of Waitomo district's population were identified as of Māori descent. Traditionally there are three Iwi who, as mana whenua, exercise mana whenua over defined areas within the Waitomo district. They are:

Iwi	Waka
Maniapoto https://www.maniapoto.iwi.nz/	Tainui
Rereahu https://www.rereahu.maori.nz/	Tainui
Waikato-Tainui https://www.waikatotainui.com/	Tainui

The hapū within Waitomo district who affiliate to these three Iwi are also recognised as mana whenua and exercise mana whenua over defined areas. Clicking on the Iwi Authority links above will take you to their websites which contain information on matters including tribal histories and areas, associated hapū and marae, vision statements, cultural, social and environmental priorities and contact details.

Treaty Settlement Interests

In 1990 the Crown settled WAI 51, a claim under the Treaty of Waitangi Act 1975 concerning land associated with the Waitomo Caves. The settlement was given effect to by orders under the Māori Affairs Act 1953 and vested land in the Ruapuha and Uekaha Hapu Trust. In respect of the historic Treaty of Waitangi claims against the Crown, the following progress has been made:

1. Waikato-Tainui - [Waikato Raupatu Claims Settlement Act 1995](#)
2. Waikato-Tainui - [Waikato-Tainui Raupatu Claims \(Waikato River\) Settlement Act 2010](#)
3. Maniapoto - [Nga Wai o Maniapoto \(Waipa River\) Act 2012](#)
4. Rereahu - [Maraeroa A and B Blocks Claims Settlement Act 2012](#)
5. Raukawa - [Raukawa Claims Settlement Act 2014](#)
6. Maniapoto - [Agreement in Principle signed on 15 August 2017](#)

The above links are to the settlement legislation for each Iwi, or where applicable, to the Statutory Acknowledgements section of the respective settlement legislation. Statutory Acknowledgement interests are identified through Waitomo District Council's Geographical Information System and contained in the appendices of this plan. Ngāti Tūwharetoa also have recognised historic Treaty of Waitangi settlement interests through the [Ngāti Tūwharetoa Claims Settlement Act 2018](#), which fall just within the eastern extent of the Waitomo district.

Once a Statutory Acknowledgement has been identified, Waitomo District Council must have regard to it when an application for a resource consent is lodged within, adjacent to, or directly affecting the statutory area (dependent on the individual legislation). In this event, relevant Iwi Authority is contacted and advised of the proposed activity. Feedback is sought, and where appropriate, engagement is undertaken, then this information is factored into Council decision making on the proposed activity.

Council and Mana Whenua Relationships

Waitomo District Council has formal relationship agreements with Iwi and hapū, as follows:

Group	Relationship Mechanism	Purpose
Maniapoto	Joint Management Agreement 2013	An agreement to work with the Maniapoto Māori Trust Board to carry out the functions, duties and powers provided for in the Nga Wai o Maniapoto (Waipa River) Act 2012, and to give effect to its provisions.

Hapū and Iwi Planning Documents

This plan seeks to incorporate both the requirements of legislation and the Iwi planning documents into its policy provisions and rules. The plan recognises that degradation of the environment through the decline and loss of indigenous species is unacceptable to mana whenua and acknowledges that increasing development pressure on natural resources must be balanced and managed in a way that avoids unacceptable environmental damage.

Each of these Iwi planning documents identify the expectations of mana whenua in respect of both obligations under Part Two of the RMA and the expectations of mana whenua in terms of consultation and the management, protection and enhancement of natural and

physical resources. The planning documents seek to identify the main environmental events and issues which affect cultural values and the exercise of kaitiakitanga.

The table below lists Iwi planning and/or environment related documents, which are either operative, under review or development or in draft format:

Iwi	Documents	Date	Status
Waikato-Tainui Maniapoto	Te Ture Whaimana o Te Awa o Waikato - Vision and Strategy for the Waikato River	2010	Operative
Maniapoto	Ko Tā Maniapoto Mahere Taiao. Environmental Management Plan	2018	Operative
Waikato-Tainui	Waikato-Tainui Environmental Management Plan	2013	Operative but under review
Maniapoto	Priorities for the Restoration of the Waipā River Catchment	2014	Operative
Maniapoto	Upper Waipā River Integrated Management Plan	-	Under development

Under the RMA, Iwi Authorities have the opportunity to initiate a Mana Whakahono ā Rohe or Iwi Participation Arrangement. There are currently no Mana Whakahono ā Rohe in place however should such an arrangement be established, it will be added to the Waitomo District Council website.

Engagement and Consultation with Mana Whenua

Waitomo District Council recognises that the need to consult with mana whenua stems from the Treaty of Waitangi principle of partnership. Where parties work collaboratively together, this leads to a better understanding of the issues and opportunities, resulting in more positive outcomes. The RMA has different requirements for consulting with mana whenua, and as such, engagement and consultation with mana whenua occurs on a range of planning and resource management-related matters:

Iwi	Entity	Activities
Maniapoto	Maniapoto Māori Trust Board	Resource management consents Infrastructure projects and Notices of Requirement Drafting and review of district strategies, plans, bylaws and policies Wāhi tapu, wāhi taonga, wāhi tūpuna and archaeological sites Iwi Environmental Management Plans Cultural Impact Assessments Treaty settlement negotiations Customary Marine Titles and Protected Customary Rights

		Upper Waipā River Integrated Management Plan
Waikato-Tainui	Te Whakakitenga o Waikato Inc	Resource management consents Infrastructure projects and Notices of Requirement Drafting and review of district strategies, plans, bylaws and policies Wāhi tapu, wāhi taonga, wāhi tūpuna and archaeological sites Iwi Environmental Management Plan review Cultural Impact Assessments Treaty settlement negotiations Customary Marine Titles and Protected Customary Rights
Rereahu		Resource management consents Infrastructure projects and Notices of Requirement Drafting and review of district strategies, plans, bylaws and policies Wāhi tapu, wāhi taonga, wāhi tūpuna and archaeological sites Cultural Impact Assessments Treaty settlement negotiations The Timber Trail Statutory authorisations (concessions, special permits)