



**MANIAPOTO**  
MĀORI TRUST BOARD

**KO TĀ MANIAPOTO MAHERE TĀIAO**   
Maniapoto Environmental Management Plan

## VISION

**Mō te whanaketanga, mō  
te whakaora o te taiao**

Ā muri kia mau ki tēnā, kia mau ki te kawau mārō,  
whanake ake, whanake ake.

## VISION

**Environmental  
Sustainability**

So, therefore, hold fast to the example of the  
cormorant's unyielding charge, to forever progress  
onwards and upwards

## MIHI

Ka hoki, anō, ki te timatanga kōrero e kī ana:

“He honore, he korōria ki te Atua!

He maungarongo ki runga i te mata o te whenua!

He whakaaro pai ki ngā tāngata katoa!”

Mā te Runga Rawa e uwhi, tonu, ōna manaakitanga maha ki runga i a Kīngi Tuheitia me te Whare Ariki nui tonu!

Ka tahuri ki te hunga e moe ana i te moengaroa – Moe mai koutou! Haere, haere, oti atu!

Kāti! Te hunga wairua ki a rātou!

Te hunga ora ki a tātou!

Kia tahuri, kē, ki tēnei mahere rautaki, ka pā ki te awa tipua o Waipā

Kia hoki, anō, ki te tihi o ngā pae maunga me ngā maunga tiketike o te Nehenehenui o Ngāti Maniapoto ki Te Rohe Pōtae; ki reira pūrea, anō ai e ngā hau whakamirimiri o Tāwhirimatea me ngā roimata o Rangī-tu-iho-nei e māturuturu kopatapata tonu ana; hei tohu aroha mo tana piki kōtuku, a Papatūānuku, e takoto iho nei.

Ka āta whīkoi haere i ngā wāhi; kei reira, tonu, ngā tipua, e tiaki ana i ngaua wāhi rangatira o te koraha, o te ngahere me ngēra atu o ngā wāhi; kei reira ngā wāhi hopu wai Māori, whēraka i nga puna, ngā hāpuapua, ngā roto, ngā manga me ngā awa. Ka aro atu, hoki, ki ngā wāhi moana me te ākau o Ngāti Maniapoto, ki te tai hauāuru; kei reira ‘Te Moana Tāpokopoko a Tāwhaki’ e ngunguru ana, ao noa, pō noa.

Ka uwhia, anō, e ngā wai hāpuapua; ki reira horoia katoangia, kia rite, anō, ki te hukarere te mā, te āhua o te tinana, o te hinengaro me te wairua. Ka rongo, anō, ki te kakara pārekareka o ngā wai kōwharawhara, e tupu rangatira tonu ana i kō.

Ka āta whīkoi haere, anō, ki roto i ngā toenga nehenehe, i ngā ngahere taketake o Tāne Mahuta me ngāna momo kararehe taketake, whēraka me te kōkako; me ngāna momo āitanga-a-pepeke taketake; whēraka me te wētā, he nui tana hanga. Ngēra, e noho motuhake tonu ana, i reira; ahakoa ngā pēhitanga o te ao hurihuri o nāianei, e kōkiri ana i te wero ki runga i te mata o te whenua, i ngēnei rā.

Engari, e mōhio ana tātou, kua hurihia te āhua o te taiao me te mata o Te Rohe Pōtae, ināianei. Kāre te ngahere e tupu nehenehenui ana. Kua mōrearea haere, hemo haere te hanga o te whenua me ngā wāhi wai māori me te moana; nā te putanga atu o ngā momo paruparu me ngā tini paihana i roto i aua wāhi whakahirahira; i aua wāhi pātaka kai.

Me te mea, hoki, e aroha ana ki ngā momo kararehe me ngā momo tupuranga o ngaua wāhi, e mimiti haere ana.

Ka mutu, torutoru, noa, ngā wai kaukau, e mōrearea kore ana i rō manga me awa, i ngēnei rā.

Aue taukiri ee! Me pēwhea rā te kimi oranga, tonutanga, mo ngā taonga whakahirahira o Te Rohe Pōtae? Ko ia tēnei, te rongoā mo tō tātou ūkaipō tuatahi, a Papatūānuku; ngāna tamariki me a rātou uri whakaheke.

I tēnei wā, kua arotakengia te Mahere; kua whakarautakingia, kē; kia totika ai, kia pono ai te eke panuku o ngā rangatira kiri parauni, kiri aha rānei, kua tohua ki te whakahaere i tēnei kawenata me te oati ka kimihia murunga hara mo ngā mahi hē, kua utaina, kē, ki runga i te taiao o Te Rohe Pōtae.

Mō ngā tāngata kua kawhakarauika ki te tēpu whakawhiti, whiriwhiri kōrerorero o te rōpū whakahaere, kia mau ki te kawau māro; kia whanake ake, tonu, tēnei mahere whakahaerenga, hei oranga ake mō te taiao me tātou hoki, te ira tangata.

Mauriora ki te taiao; kia mauriora tātou katoa o Te Rohe Pōtae!



**Nāku noa, nā  
R. Tiwha Bell  
Chairman**

## MIHI

The initial acknowledgement is to God, the creator, and prays for God’s protection over King Tuheitia and the Royal Household.

Respects are then directed to those who’ve passed away and the families who’ve been made bereft.

The reader’s attention is then directed to the reason for the document and what follows, below, is a journey through Ngāti Maniapoto territory.

One yearns to return to the elevated ranges and mountain summits of the Nehenehenui; thickly forested homeland of Ngāti Maniapoto; to be caressed, again, by the healing wind of Tāwhirimatea and the tear drops of Rangī which are still dropping onto his beloved Papatūānuku, as a token of his unceasing love for her.

I tread respectfully into places where the other than human beings hold domain, in the rural areas, the forests, and the fresh waterways, such as the springs, swamps, lagoons, lakes, streams and rivers, which dot the land. I face towards the sea and shoreline on the west coast, where the waves crash onto the shore.

I immerse myself in the healing waters of the lagoon, to be totally cleansed. I smell once again, the pleasant scent of the perching lilly, which can still be found there growing resplendently.

I tread carefully into the remaining native forest of Tāne

Mahuta, who shelters native fauna, such as the kōkako bird and native insects such as the giant wētā; which are still surviving the present day predations of the environment.

However, we know that changes have been wrought upon the region. The native forest is diminishing. The land and native bush are exhausted and depleted, as are the fresh waterways and sea. Also the native fauna and flora are diminishing. As well as that, there are few safe swimming areas in the streams and rivers, nowadays.

Alas, something is seriously amiss. How can we remedy the situation, affecting treasured places and life forms of the region?

This document provides hope for our earth mother, Papatūānuku, and her progeny.

The Maniapoto environmental management plan provides a platform, to keep the agreed to covenant moving forward and to counteract unhelpful actions of the past, in order to help the environment recover.

For those who have sat at the negotiating table, the partnership model will help move issues forward in order to restore the health of our environment and benefit the people who live in our region.

May the life essence be with our environment and those of us of the region.



**Nāku noa, nā  
R. Tiwha Bell  
Chairman**

## TŪTOHUNGA ACKNOWLEDGEMENTS

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We would like to acknowledge the kaitiaki and members of the Advisory Group for sharing their experiences and knowledge to help develop the Plan. We are also grateful for the wider Maniapoto whānau, other iwi and external stakeholders who provided feedback and input into the Plan.

The Maniapoto Environment Management Plan was supported by funding from the Waikato River Clean Up Trust Fund which is administered by the Waikato River Cleanup Trust (WCUT) and Maniapoto Māori Trust Board (MMTB).

In preparing this Plan, Maniapoto has had the benefit of documents written for Maniapoto:

- He Mahere Taiao – The Maniapoto Iwi Environment Management Plan (2007)
- Te Pūrongo – Maniapoto State of the Environment Report: A Tribal Perspective (2002)
- Maniapoto has also had the benefit of those iwi environmental plans that have been recently written including from iwi within the Waikato catchment:
- Whakamarohitia ngā wai o Waikato – Te Arawa River Iwi Trust (2015)
- Te Rautaki Taiao a Raukawa – The Raukawa Environmental Management Plan (2015)
- And, in particular, this Plan has drawn on Tai Tumu Tai Pari Tai Ao – Waikato-Tainui Environmental Plan (2013)

Kei ō mātou whanaunga, mā tāu rourou, mā taku rourou, ka ora a Maniapoto. Anō te pai, anō te āhua reka o te noho tahi o te teina me te tuakana i roto i te whakaaro kotahi. Tēnā koutou, tēnei mātou, me kī tēnā tātou katoa.

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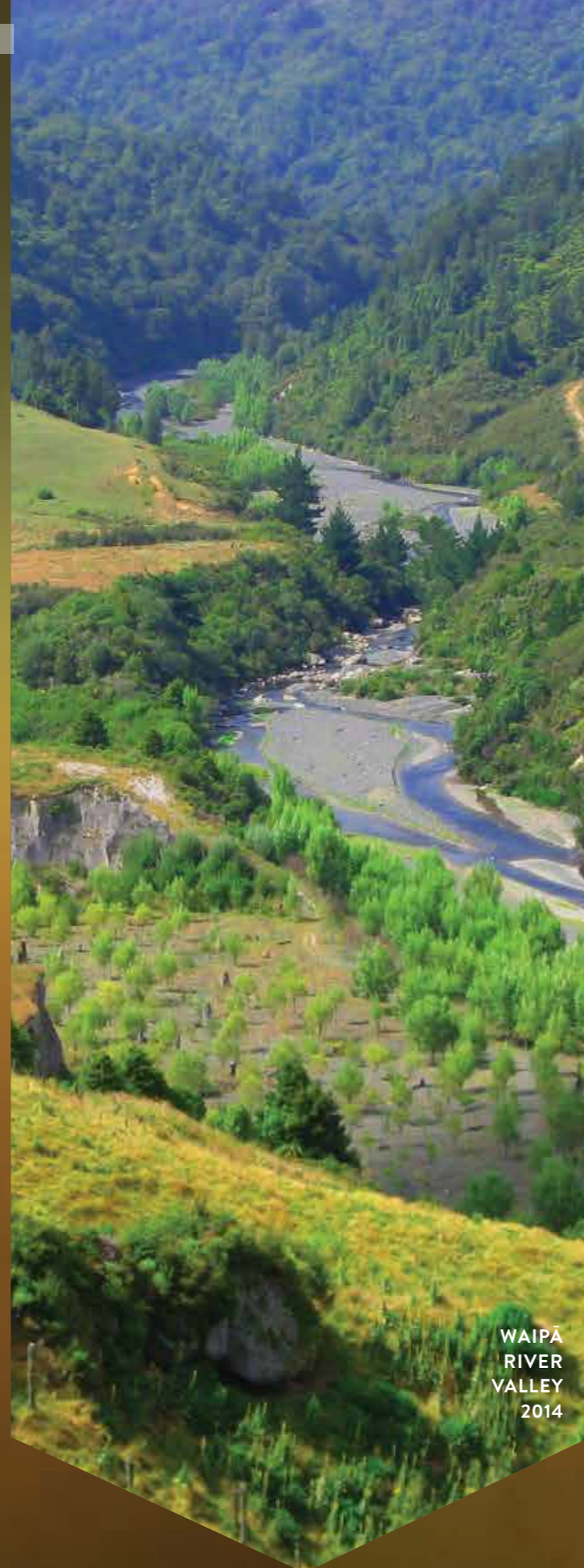
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WAIPĀ  
RIVER  
VALLEY  
2014



# SECTION. A

## INTRODUCTION TO MANIAPOTO ENVIRONMENT MANAGEMENT PLAN

### In this section:

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## PART 1.0 - INTRODUCTION

For Maniapoto, land use and management of natural resources needs to be guided by a commitment to sustainability, both in the present and for the generations to come, which means maintaining diverse and abundant ecosystems in perpetuity while providing for diverse cultural, social and economic activities that support a balanced, healthy, secure and sustainable quality of life.<sup>1</sup>

### 1.1 ABOUT THIS PLAN

**1.1.1** The Maniapoto Environmental Management Plan (the Plan) is a comprehensive update to the first generation planning document, He Mahere Taiao Maniapoto Iwi Environment Management Plan 2007<sup>2</sup>. The Plan was prepared by Maniapoto Māori Trust Board (MMTB) on behalf of the people of Maniapoto.

**1.1.2** The Plan is a high level direction setting document and describes issues, objectives, policies and actions to protect, restore and enhance the relationship of Maniapoto with the environment including their economic, social, cultural and spiritual relationships.

**1.1.3** In this Plan, 'Maniapoto' refers to anyone who descends from or affiliates to Maniapoto whānau, marae, hapū or iwi. Maniapoto also includes various organisations or bodies that Maniapoto has established to manage the individual and/or collective affairs of whānau, hapū, Māori owned land blocks, and other Maniapoto interests. This includes mana whenua groups, committees, Ahuwhenua Trusts, incorporations or other organisations for marae, hapū, management committees, clusters of the same, a relevant iwi authority or its delegated bodies, and other structures that, from time to time, Maniapoto may establish to consider matters of relevance under this Plan.

**1.1.4** MMTB recognises that responsibility for implementing the Plan may lie with one or more external agencies. It is anticipated that the objectives, policies and actions in the Plan will inform the review, development and implementation of regional and district plans, policies and strategies. MMTB encourages national and local government to work collaboratively with Maniapoto to achieve the outcomes in the Plan.

**1.1.5** The Plan is also a tool to support the leadership of Maniapoto at the forefront of exercising kaitiakitanga and rangatiratanga within the Maniapoto rohe.

**1.1.6** Funding for potential projects that arise from the Plan may be advocated through the councils' Long Term Plan and Annual Plan, Maniapoto Accords internal resources, and through provision of funding by external providers, including national government.

**1.1.7** It is important to note that whilst the Plan is laid out in sections, MMTB emphasise that the environment and the people of Maniapoto are not considered separate components. The people of Maniapoto and the environment are indivisible and interconnected through kinship and whakapapa relationships.

**1.1.8** The aims of the Plan are to:

- give effect to the overarching purpose of Ngā Wai o Maniapoto Waipā River Act 2012 (Waipā River Act) to restore, maintain, and protect the quality and integrity of the waters that flow into and form part of the Waipā River for present and future generations.
- raise awareness and understanding of Maniapoto values, interests, and aspirations in the management of physical and natural resources.
- outline issues that Maniapoto perceive effect Maniapoto values, interests and aspirations in the management of physical and natural resources.
- outline expectations, through policies and actions, that should resolve the above issues.

**1.1.9** Maniapoto may already have, or may develop, their own environmental management plans and policies. This Plan is a tool to support Maniapoto as they wish.

**1.1.10** Resource users and regulators will usually be required to assess the effects of a project, application or proposal on the people of Maniapoto, on Maniapoto values and interests, and on matters covered in this Plan. However, in undertaking this assessment, resource users and regulators need to work with Maniapoto, this Plan and other Maniapoto plans, policies and processes that may exist. This is to ensure an appropriate level and rigour of evidence is relied upon to outline the effects, assess the effects, and then clearly outline how the resource user or regulator intends to effectively manage the effects.

**1.1.11** This Plan will be monitored, reviewed and updated from time to time by MMTB.

<sup>1</sup> NIWA Maniapoto Priorities for the Restoration of the Waipā River Catchment 2014

<sup>2</sup> Kowhai Consulting Ltd 2007

### 1.2 MANIAPOTO MANA WHENUA, MANA MOANA, MANA WHAKAHAERE

**1.2.1** The people of Maniapoto have a rich history, tradition and culture. Maniapoto descendants take their name from one of the eight children of Rereahu and Hineapounamu.

**1.2.2** It was with the people of Maniapoto, in particular Te Otapeehi, that King Pōtatau found safety before the birth of his son Tūkaroto, who later became known as King Tāwhiao. These kinship bonds strengthen the relationship and history of the people of Maniapoto.

**1.2.3** The natural world is the domain of Ranginui and Papātūanuku and their children and all things tangible and intangible are interlinked and possess mauri (the life energy principle) and are taonga (or treasured things). In accordance with kaitiaki responsibilities and cultural imperatives, Maniapoto seek to protect and enhance the mauri of taonga (whether a resource, species or place) and includes the ongoing ability to protect and use natural resources and to associate with wāhi tapu (historic sites) and taonga.

**1.2.4** Prior to European settlement, Maniapoto had well-established social structures, tikanga and kawa: distinct belief systems that

ordered the exercise of rangatiratanga and kaitiakitanga for land, water, the ocean, the sky and all the natural resources within those realms. These systems extended to include family relationships, customary land rights and interests, conflict resolution and the protection and use of the environment through the application of tikanga and mātauranga Māori.

**1.2.5** The degradation of the mauri and wairua of the environment and the decline and loss of indigenous flora and fauna is a concern for Maniapoto. There are increasing pressures on resources from agriculture, tourism, forestry, industry and urban activities. The people of Maniapoto consider that they have disproportionately contributed to commercial development and the public good within the Maniapoto rohe and sacrificed lands, clean waterways, indigenous habitats and species to benefit community and economic development. Maniapoto are not opposed to development, however, they consider the historic cost to the environment to be unacceptable.

**1.2.6** All aspects of the environment are important and equally worthy of protection. The use of resources may differ according to the nature of the site, e.g. land use of urupā will differ from land use of food sites, however, all must be protected from degradation and pollution.



PUREORA FOREST PARK 2015

### 1.3 MANIAPOTO ROHE

Geographically, the Maniapoto Environmental Management Plan (the Plan) covers the Maniapoto rohe, including the areas commonly known within Te Ao Māori as Te Rohe Pōtae and Te Nehenehenui.

The Maniapoto rohe incorporates the eastern boundary along the Rangitoto-o-Kahu and Hurakia ranges, the western boundary with Aotea and Kāwhia Harbours and extending 20 nautical miles out to sea, the northern boundary from Raukūmara to the Waipingao Stream and the southern boundary of the Tūhua Ranges. There are also shared boundaries with other iwi along the Wharepūhunga, Hauhungaroa and Tūhua Ranges.

This map is indicative rather than definitive and provides a reference for Maniapoto Māori Trust Board in its work. The rohe covers approximately 800,000 hectares. Within the rohe there are approximately 1,531 Māori land blocks, the remnants of the Maniapoto estate that collectively cover an area of approximately 80,000 hectares (10 per cent of the Maniapoto rohe).

### 1.4 MANIAPOTO AND ITS MARAE, HAPŪ AND WHĀNAU

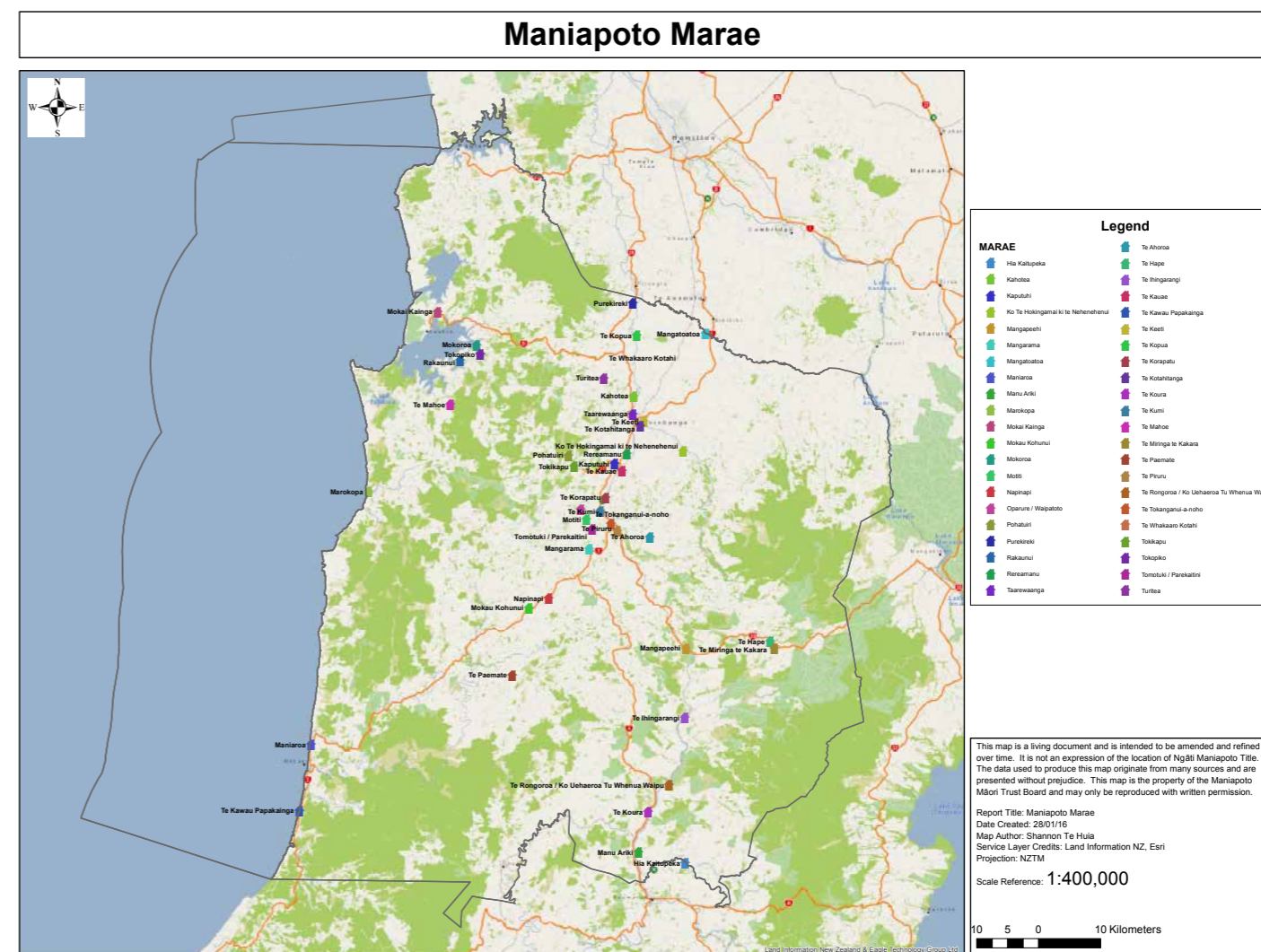
In this Plan, 'Maniapoto' refers to anyone who descends from or affiliates to Maniapoto whānau, marae, hapū or iwi. Maniapoto also includes various organisations or bodies that Maniapoto has established to manage the individual and/or collective affairs of whānau, hapū, Māori owned land blocks, and other Maniapoto interests. This includes mana whenua groups, committees, trusts, incorporations or other organisations for marae, hapū, management committees, clusters of the same, a relevant iwi authority or its delegated bodies, and other structures that, from time to time, Maniapoto may establish to consider matters of relevance under this Plan.

The Maniapoto Māori Trust Board (the Board) was established to represent the people of Ngāti Maniapoto under the Māori Trust Boards Act 1955 and provides for regional management committees (RMCs) pursuant to the Maniapoto Māori Trust Boards Act 1988. The Maniapoto rohe originally encompassed six regional management committees and, in 2008, this Act was amended to allow for seven regional management committees (RMCs) with each RMC representing clusters of marae.

The purpose of the Maniapoto Māori Trust Board (MMTB) is to provide and promote the health, social and economic welfare, education and vocational training and any other purpose determined by the Board for the benefit of Maniapoto descendants. The MMTB also has responsibilities under the Ngā Wai o Waipā River Act 2012 (Waipā River Act) relating to restoring the health and well-being of the Waipā River.

For clarity, and for the purpose of this Plan, the Maniapoto Māori Trust Board and RMCs are also 'Maniapoto.'

At the 2013 census, 35,358 people affiliated to Ngāti Maniapoto (Statistics NZ). Approximately one third of these people live within the Maniapoto rohe.





The following is a list of Maniapoto hapū and iwi of Maniapoto and is not a definitive list. The purpose of the list is to highlight those whānau and hapū who exercise kaitiakitanga within Maniapoto. A number of hapū may have shared interests with other iwi. Some of these hapū are marked with an asterisk.

Ngāti Akamapuhia	Ngāti Huahua	Ngāti Kuiatu	Ngāti Ngawai
Ngāti Apakura*	Ngāti Huakatoa	Ngāti Kumikumi	Ngāti Ngutu*
Ngāti Arawaere	Ngāti Huamoetu	Ngāti Kupa	Ngāti Noke
Ngāti Ariki	Ngāti Huhu	Ngāti Kura	Ngāti Paea
Ngāti Hari	Ngāti Huiao	Ngāti Mahuta ki Mokoroa	Ngāti Paeahi
Ngāti Hekeitewa	Ngāti Hura	Ngāti Maikuku	Ngāti Paemate
Ngāti Hia	Ngāti Huru	Ngāti Makahori	Ngāti Paerangi
Ngāti Hikairo*	Ngāti Inurangi	Ngāti Makino	Ngāti Pahere
Ngāti Hinehape	Ngāti Kahu	Ngāti Manga (Mangu)	Ngāti Paia
Ngāti Hinekino	Ngāti Kahuiao	Ngāti Maniaiwaho	Ngāti Paiariki
Ngāti Hinekiore	Ngāti Kahukura	Ngāti Maniapoto	Ngāti Paihau
Ngāti Hinekuia	Ngāti Kahupatate	Ngāti Manu	Ngāti Pakira
Ngāti Hinemania	Ngāti Kahupounamu	Ngāti Marotaua	Ngāti Pakorotangi
Ngāti Hinemanu	Ngāti Kahurekerekere	Ngāti Maru	Ngāti Parahia
Ngāti Hinemihi ki Petania*	Ngāti Kahutotara	Ngāti Matakore	Ngāti Paratai
Ngāti Hinepare	Ngāti Kahuwaeroa	Ngāti Matau	Ngāti Pare Ngutu
Ngāti Hinerangi	Ngāti Kahuwakaanga	Ngāti Materangi	Ngāti Pare Rereahu
Ngāti Hinetera	Ngāti Kaia	Ngāti Mauri	Ngāti Pare
Ngāti Hinetu*	Ngāti Kaiapa	Ngāti Mihi	Ngāti Parekahu
Ngāti Hineuru	Ngāti Kaikaramu	Ngāti Moenoa	Ngāti Parekahuki
Ngāti Hineuto	Ngāti Kaputuhi	Ngāti Moenoho	Ngāti Parekaihina
Ngāti Hinewahi	Ngāti Karetoto	Ngāti Moko	Ngāti Parekaihuia
Ngāti Hinewai	Ngāti Karewa	Ngāti Motemote	Ngāti Parekaitini
Ngāti Hinewehi	Ngāti Kauwhakarewa	Ngāti Muriwaka	Ngāti Parekohuru
Ngāti Hinewhare	Ngāti Kinohaku	Ngāti Muriwhenua	Ngāti Parepo
Ngāti Hinewhatihua	Ngāti Kiriwai	Ngāti Ngaero	Ngāti Parerautao
Ngāti Hira	Ngāti Kohua	Ngāti Ngaihape	Ngāti Paretapoto
Ngāti Hope	Ngāti Korokino	Ngāti Ngapurangi	Ngāti Paretawhaki
Ngāti Hopu	Ngāti Korota	Ngāti Ngatu	Ngāti Paretawhero
Ngāti Hore	Ngāti Kouparanga	Ngāti Ngaungatahi	Ngāti Pareteho
Ngāti Hounuku	Ngāti Kowainga	Ngāti Ngaupaka	Ngāti Paretekawa*
Ngāti Hua	Ngāti Kuitarua	Ngāti Ngawaero	Ngāti Paretuiri

Ngāti Paretuna	Ngāti Rereahu	Ngāti Te Ihingarangi	Ngāti Tunahore
Ngāti Pareuekaha	Ngāti Rewa	Ngāti Te Kanawa	Ngāti Tupato
Ngāti Parewaeono	Ngāti Rongo	Ngāti Te Kapuranga	Ngāti Tupuriri
Ngāti Parewhakaweri*	Ngāti Ropu	Ngāti Te Māwe	Ngāti Turakiwai
Ngāti Parewhata	Ngāti Rora	Ngāti Te Paemate	Ngāti Turua
Ngāti Peehi	Ngāti Ruahine	Ngāti Te Puta	Ngāti Tutakamoana
Ngāti Poa	Ngāti Ruapuha	Ngāti Te Ra	Ngāti Tuwhakahekeao
Ngāti Pourahui	Ngāti Ruaroa	Ngāti Te Rahurahu	Ngāti Uai
Ngāti Puha	Ngāti Rungaterangi	Ngāti Te Rangikorongata	Ngāti Uekaha
Ngāti Pukaei	Ngāti Taheke	Ngāti Te Ruawhakaki	Ngāti Uetonga
Ngāti Pukenga	Ngāti Taiatua	Ngāti Te Rukirangi	Ngāti Unu
Ngāti Purapura	Ngāti Taihoropaki	Ngāti Te Waha	Ngāti Urukahutaraheke
Ngāti Putaitemuri	Ngāti Taipoto	Ngāti Te Whetu	Ngāti Urunumia
Ngāti Raerae	Ngāti Taiwa	Ngāti Terewai	Ngāti Urupare
Ngāti Rahopupuwai	Ngāti Tamahaua	Ngāti Toa Rangātira	Ngāti Waiehu
Ngāti Rahutarateka	Ngāti Tamainu-Te Kanawa	Tupahau	Ngāti Waiharoto
Ngāti Rakei	Ngāti Tamakaitoa	Ngāti Toakai	Ngāti Waihora
Ngāti Rakeiora	Ngāti Tanetinorau	Ngāti Toreihu	Ngāti Waikorara
Ngāti Rangī	Ngāti Taohua	Ngāti Tu (Ngāti Tumaī)	Ngāti Waioara
Ngāti Rangimahinga	Ngāti Tara	Ngāti Tuirirangi	Ngāti Waiti
Ngāti Rangimahora	Ngāti Tarahuia	Ngāti Tukawakawa	Ngāti Weka
Ngāti Rangigonge	Ngāti Tarapikau	Ngāti Tukitaua	Ngāti Whakatera
Ngāti Rangitahi	Ngāti Tauhunu	Ngāti Tumarouru	
Ngāti Rarua	Ngāti Tawhaki	Ngāti Tumatahuna	
Ngāti Raukura	Ngāti Te Ariari	Ngāti Tunae	



TE KUITI PĀ

## 1.5 LEGISLATIVE OBLIGATIONS AND RESPONSIBILITIES TO MANIAPOTO

**1.5.1** For the purposes of the Resource Management Act 1991 (RMA), Section 35A, the Maniapoto Māori Trust Board is the iwi authority for Maniapoto and that this Plan represents the Maniapoto environmental planning document.

**1.5.2** Further, Maniapoto Māori Trust Board may, from time to time, delegate certain functions for implementation of this Plan to a subsidiary, delegated person(s) and/or other Maniapoto entity (for example, regional management committees). Such

delegations are authorised and removed at the sole discretion of Maniapoto Māori Trust Board.

**1.5.3** The Maniapoto Māori Trust Board expects that Maniapoto be afforded the same status as Maniapoto Māori Trust Board when exercising their kaitiakitanga consistent with this Plan as if this Plan were written for Maniapoto.

**1.5.4** The Maniapoto Māori Trust Board is supportive of Maniapoto that develop resource management documents. In the case of any inconsistency that may occur between this Plan and those documents, the highest standard promoted in the documents or Plan, as the case may be, shall apply.

## 1.6 LEGISLATIVE AND PLANNING FRAMEWORK

### INTRODUCTION

The statutory legislations outlined in this section are deemed high priority and highlight national and local government legislative obligations and responsibilities to Maniapoto.

#### 1.6.1 Te Tiriti o Waitangi

Te Tiriti o Waitangi/the Treaty of Waitangi confirmed the people of Maniapoto as having rangatiratanga, customary rights and interests for natural resources and treasured taonga.

Article Two of Te Tiriti o Waitangi refers to “te tino rangatiratanga o ratou wenua, o ratou kainga me o ratou taonga katoa”, a reference to the guarantee of authority and control over all of their treasured things. Te Tiriti o Waitangi refers to “Lands and Estates, Forests, Fisheries and other properties”. In the English version, the promise in the Treaty is to protect Māori in the exclusive and undisturbed possession of their properties.

In practice MMTB envisage that this means that Maniapoto who are kaitiaki and/or exercise mana whenua over part or all of their taonga tuku iho, treasured things will determine and have influence over matters that affect them.

#### 1.6.2 Te Ture Whenua Māori Act 1993

The Ture Whenua Māori Act 1993 is the primary legislation to facilitate and promote the retention, use, development, and control of Māori land (Māori customary land and Māori freehold land) as taonga tuku iho by Māori owners, their whānau, their hapū, and their descendants, and protects wāhi tapu. Marae and papakāinga may also be on Māori land and/or Māori reserve land.

### Co-governance and co-management framework

#### 1.6.3 Ngā Wai o Maniapoto (Waipā River) Act 2012 (Waipā River Act)

The Waipā River Act formalised the enduring relationship of Maniapoto with the Waipā River. It is a relationship that is based on profound respect and gives rise to responsibilities to protect te mana o te wai and to exercise kaitiakitanga in accordance with the long-established tikanga of Maniapoto.

The overarching purpose of the Act is to restore and maintain the quality and integrity of the waters that flow into and form part of the Waipā River for present and future generations, and the care and protection of the mana tuku iho o Waiwaia (Waipā River Act, sub-section 3(1)). In sub-section 3(2), definitions note:

- “mana tuku iho o Waiwaia” means the ancestral authority and prestige handed down from generation to generation in respect of Waiwaia
- “Waiwaia” refers to the essence and wellbeing of the Waipa River; to Maniapoto, Waiwaia is the personification of the waters of the Waipa River, its ancient and enduring spiritual guardians.

Maniapoto have a deep felt obligation to restore, maintain, and protect the quality and integrity of the waters of the Waipā River catchment for present and future generations. The Waipa River Act refers to two key principles, Te Mana o te Awa o Waipā and Te Mana o te Wai.

- Te Mana o Te Awa o Waipā – The Waipā River is of deep, cultural significance to Maniapoto. To Maniapoto the Waipā River has mana and in turn represents the mana of Maniapoto (Waipā River Act, Preamble (8)).
- Te Mana o Te Wai – Historically, Te Mana o Te Wai was such that it would provide all manner of sustenance to Maniapoto including physical and spiritual nourishment that has over generations maintained the quality and integrity of Maniapoto. To Maniapoto, their relationship with the Waipā River, and their respect for it, gives rise to their responsibilities to protect Te Mana o Te Wai and to exercise their kaitiakitanga in accordance with their long established tikanga (Waipā River Act, Preamble (13)).

Under the Act, Maniapoto achieved co-management arrangements specific to the Waipā River and its catchment. The arrangements are extended to the headwaters of the Waipā River at Pekepeke Spring in the Rangitoto Ranges.

The implementation of the co-governance and co-management frameworks enable Maniapoto and councils to move forward into a new era of partnership and community to redress a past of disenfranchisement and degradation of waterways within Maniapoto.

#### 1.6.4 Waikato River Authority

The co-governance framework includes a statutory body called the Waikato River Authority (the co-governance entity)<sup>4</sup>. The purpose of the co-governance entity is to:

- set the primary direction through the Vision and Strategy to achieve the restoration and protection of the health and wellbeing of the Waikato River, including the Waipā River, for future generations
- promote an integrated, holistic and co-ordinated approach to the implementation of the Vision and Strategy and the management of the Waikato River, including the Waipā River; and
- act as trustee for the Waikato River Clean-Up Trust, fund rehabilitation initiatives for the Waikato River, including the Waipā River.

An important criterion in the assessment of funding applications to the Waikato River Clean-Up Trust (WRCUT) is the following:

Part 2, s.10(6)(b) & (c) of the Waipā River Act

- (b) when deciding on the process for considering applications for funding, the trustee must include the factor of adequate regard for the extent to which projects based on the mauri of the Upper Waipā River would further the Maniapoto Environmental Management Plan
- (c) when deciding whether an application to the trust for funding is based on the mauri of the Upper Waipā River, the trustee must seek advice from the Maniapoto Māori Trust Board and make its decision based on the advice received.

The following sections highlights relevant legislation from the Waipā River Act applicable to the Maniapoto Environmental Management Plan:

#### 1.6.5 Maniapoto Environmental Management Plan

##### 1.6.10.1 Part 3 Section 15: Availability

If the MMTB decides to review and update the 2007 Plan, the Plan;

- (a) may be served on the Director-General of Conservation, the chief executive of the Ministry of Fisheries, relevant local authorities, and any other relevant government agency;

(b) is available to the public for inspection at the offices of the Trust, the relevant local authorities, and any other relevant agency; and

(c) may be reviewed and amended from time to time by the MMTB.

#### 1.6.5.2 Part 3 Section 16: Effect

The effect of serving the Plan is as follows:

1. A local authority served under section 15(a) preparing, reviewing, or changing a Resource Management Act 1991 planning document must recognise the environmental plan in the same manner as would be required under the Resource Management Act 1991 for any planning document recognised by an iwi authority.
2. A consent authority considering an application for a resource consent under section 104 of the Resource Management Act 1991 must have regard to the environmental plan, if it considers that section 104(1)(c) applies to the plan.
3. A person carrying out functions or exercising powers under sections 12 to 14 of the Fisheries Act 1996 must recognise and provide for the environmental plan to the extent to which its contents relate to the functions or powers.
4. A person carrying out functions or exercising powers under the conservation legislation in relation to the Waipā River and its catchment must have particular regard to the environmental plan to the extent to which its contents relate to the functions or powers.

#### 1.6.6 Joint Management Agreements (JMA)

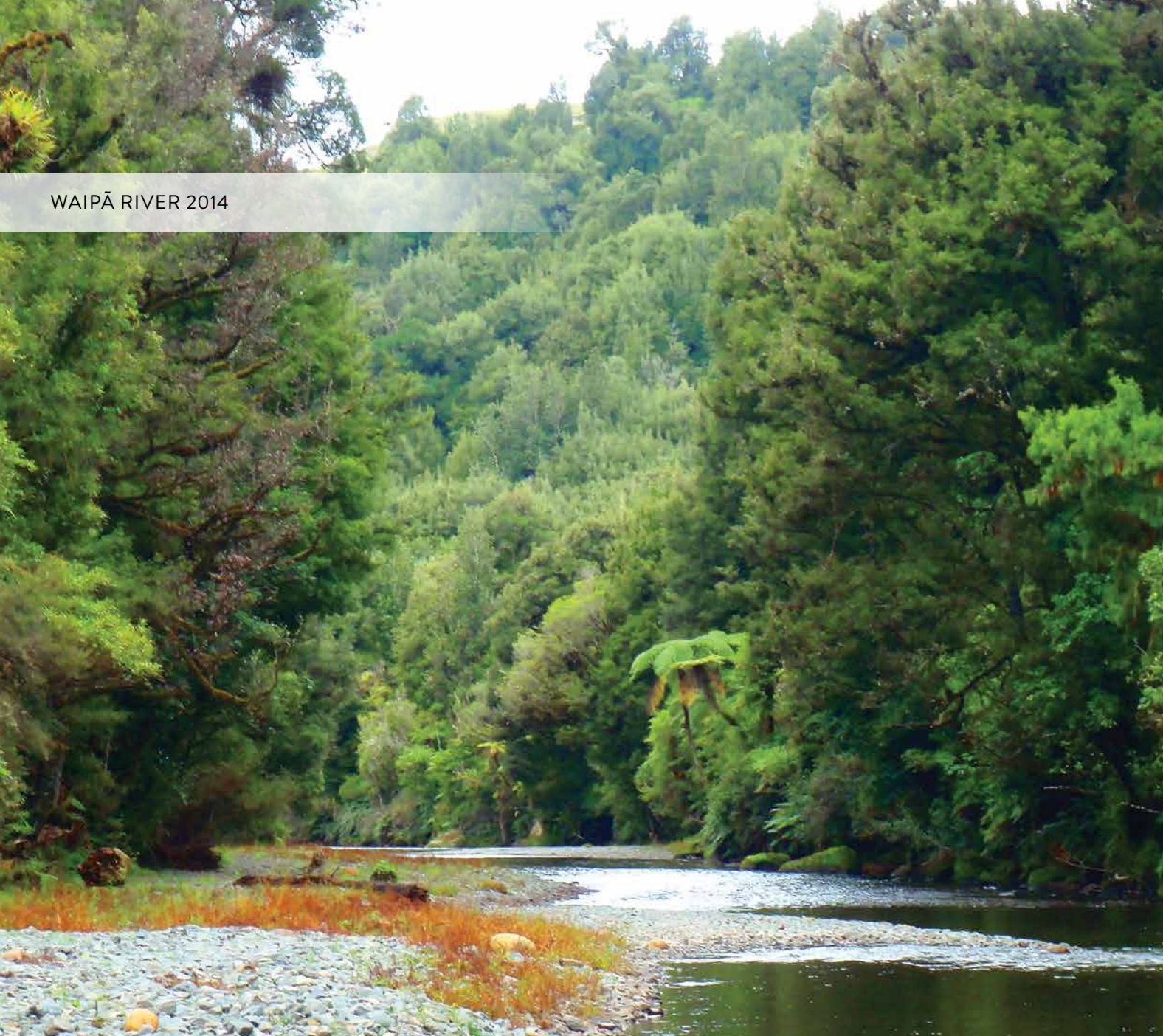
The following Councils are party to the JMA: Waitomo District Council, Otorohanga District Council, Waipā District Council, Waikato District Council and Waikato Regional Council

Part 3 Section 20 Principles for development and operation

Maniapoto and Councils must work together to develop a joint management agreement and must act in a manner consistent with the following guiding principles. They must:

- (a) promote the overarching purpose of this Waipā River Act to restore and maintain the quality and integrity of the waters that flow into and form part of the Waipā River for present and future generations and the care and protection of the mana tuku iho o Waiwaia;
- (b) respect the mana of Maniapoto;
- (c) promote the principle of co-management:

<sup>4</sup> [http://www.maniapoto.iwi.nz/images/PDF/Environment/maniapoto\\_deed\\_final\\_270910.pdf](http://www.maniapoto.iwi.nz/images/PDF/Environment/maniapoto_deed_final_270910.pdf)



“the overarching purpose of the Act is to restore and maintain the quality and integrity of the waters that flow into and form part of the Waipā River for present and future generations and the care and protection of the mana tuku iho o Waiwaiā.”

(d) must reflect a shared commitment to—

- (i) working together in good faith and a spirit of co-operation:
- (ii) being open, honest, and transparent in their communications:
- (iii) using their best endeavours to ensure that the purpose of the joint management agreement is achieved in an enduring manner:
- (e) recognise that the joint management agreement operates within statutory frameworks and that complying with those statutory frameworks, meeting statutory timeframes, and minimising delays and costs are important.

#### 1.6.6.1 Joint Management Agreement Implementation Plan

The JMA Implementation Plan provides actions for an annual work programme between MMTB and councils to give effect to the legislative responsibilities and obligations of councils to Maniapoto

The key sections relate to:

- Monitoring and Enforcement (Section 21)
- RMA Planning Documents (Section 22)
- Resource Consents (Section 23)
- Other Matters agreed

#### 1.6.7 Upper Waipā River Integrated Management Plan

An Integrated Management Plan (UWRIMP) is required to be developed. The co-management legislation sets out that the UWRIMP will contain a fisheries component, to be developed jointly between Maniapoto and the Ministry for Primary Industries (MPI); and a conservation component, developed jointly between Maniapoto and the Department of Conservation (DOC); and local authorities.

1. Section 11(2) and (3) describes the meaning and components of the Upper Waipā River integrated management plan and states:
2. The purpose is to achieve an integrated approach between the Trust, relevant departments, relevant local authorities, and appropriate agencies to the management of aquatic life, habitats, and natural resources within the Upper Waipā River consistent with the overarching purpose of this Act.
3. The components are—
  - (a) a conservation component, which is a component on issues related to conservation management under the conservation legislation:

(b) a fisheries component, which is a component on issues related to fisheries management under the Fisheries Act 1996:

(c) a regional council component, which is a component on issues related to the resource management, biosecurity, and local government functions of the council under the Resource Management Act 1991, Biosecurity Act 1993, Local Government Act 2002, and any other relevant enactments:

(d) any other component agreed between the Trust and an appropriate agency, including a local authority, responsible for—

(i) administering enactments that affect the Upper Waipā River and activities in its catchment that affect the Upper Waipā River; or

(ii) carrying out functions or exercising powers under enactments that affect the Upper Waipā River.

#### 1.6.8 Maniapoto and Crown Accords

Maniapoto Māori Trust Board has agreed and signed, 10 Accords with the Crown under the Deed for the Waipā River. The Accords are key relationship documents that set out specific roles and responsibilities between Maniapoto and the Crown to give effect to the overarching purpose of the Deed, to restore, maintain and protect the quality and integrity of the waters that flow into and form part of the Waipā River for present and future generations.

The following crown agents are parties to the Accords:

Te Puni Kōkiri  
 Commissioner of Crown Lands  
 Department of Conservation  
 Department of Internal Affairs  
 Land Information NZ (LINZ)  
 Ministry for Business Innovation and Employment  
 Ministry for Culture and Heritage  
 Ministry for the Environment  
 Ministry for Primary Industries (incorporating the former Ministry of Fisheries)

#### 1.6.9 Te Ture Whaimana o te Awa O Waikato (The Vision and Strategy for the Waikato River)<sup>5</sup>

Te Ture Whaimana o te Awa o Waikato is the primary direction setting document for the restoration and protection of the health and wellbeing of the Waikato and Waipā Rivers for current and future generations.

The Waipā River is a significant contributor to the waters of the Lower Waikato River and will have a significant impact on the effectiveness of the Vision and Strategy, and other arrangements to restore and protect the health and wellbeing of the Waikato River.

Te Ture Whaimana contains a series of objectives and strategies to achieve the vision of a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces, for generations to come.

#### 1.6.9.1 Objectives for the Waikato River

In order to realise the Vision, the following Objectives will be pursued:

- A** The restoration and protection of the health and wellbeing of the Waikato River.
- B** The restoration and protection of the relationship of Waikato-Tainui with the Waikato River, including their economic, social, cultural, and spiritual relationships.
- C** The restoration and protection of the relationship of Waikato River iwi according to their tikanga and kawa, with the Waikato River, including their economic, social, cultural and spiritual relationships.
- D** The restoration and protection of the relationship of the Waikato Region's communities with the Waikato River including their economic, social, cultural and spiritual relationships.
- E** The integrated, holistic and coordinated approach to management of the natural, physical, cultural and historic resources of the Waikato River.
- F** The adoption of a precautionary approach towards decisions that may result in significant adverse effects on the Waikato River, and in particular those effects that threaten serious or irreversible damage to the Waikato River.
- G** The recognition and avoidance of adverse cumulative effects, and potential cumulative effects, of activities undertaken both on the Waikato River and within its catchments on the health and wellbeing of the Waikato River.
- H** The recognition that the Waikato River is degraded and should not be required to absorb further degradation as a result of human activities.
- I** The protection and enhancement of significant sites, fisheries, flora and fauna.
- J** The recognition that the strategic importance of the Waikato River to New Zealand's social, cultural, environmental and economic wellbeing is subject to the restoration and protection of the health and wellbeing of the Waikato River.
- K** The restoration of water quality within the Waikato River so

that it is safe for people to swim in and take food from over its entire length.

- L** The promotion of improved access to the Waikato River to better enable sporting, recreational, and cultural opportunities.
- M** The application to the above of both mātauranga Māori and latest available scientific methods.

#### 1.6.9.2 Strategies for the Waikato River

To achieve the objectives, the following strategies will be implemented:

1. Ensure that the highest level of recognition is given to the restoration and protection of the Waikato River.
2. Establish what the current health status of the Waikato River is by utilising mātauranga Māori and latest available scientific methods.
3. Develop targets for improving the health and wellbeing of the Waikato River by utilising mātauranga Māori and latest available scientific methods.
4. Develop and implement a programme of action to achieve the targets for improving the health and wellbeing of the Waikato River.
5. Develop and share local, national and international expertise, including indigenous expertise, on rivers and activities within their catchments that may be applied to the restoration and protection of the health and wellbeing of the Waikato River.
6. Recognise and protect wāhi tapu and sites of significance to Waikato-Tainui and other Waikato River iwi (where they so decide) to promote their cultural, spiritual and historic relationship with the Waikato River.
7. Recognise and protect appropriate sites associated with the Waikato River that are of significance to the Waikato regional community.
8. Actively promote and foster public knowledge and understanding of the health and wellbeing of the Waikato River among all sectors of the Waikato regional community.
9. Encourage and foster a 'whole of river' approach to the restoration and protection of the Waikato River, including the development, recognition and promotion of best practice methods for restoring and protecting the health and wellbeing of the Waikato River.
10. Establish new, and enhance existing, relationships between Waikato-Tainui, other Waikato River iwi (where they so

decide), and stakeholders with an interest in advancing, restoring and protecting the health and wellbeing of the Waikato River.

11. Ensure that cumulative adverse effects on the Waikato River of activities are appropriately managed in statutory planning documents at the time of their review.
12. Ensure appropriate public access to the Waikato River while protecting and enhancing the health and wellbeing of the Waikato River.

#### 1.6.10 Resource Management Act 1991(RMA)

The RMA is a legislative framework to promote the sustainable management of natural and physical resources and explicitly considers Māori issues and the Treaty of Waitangi.

The RMA is a mechanism for local government to involve Māori in planning and decision making – from taking account of Māori world views, to transferring decision-making powers to Māori Authorities.

##### 1.6.10.1 RMA Section 33 Transfer of Power

This mechanism provides Maniapoto and Councils with a tool to transfer functions, powers, duties to Maniapoto.

Maniapoto support opportunities to work with Councils to implement section 33 on a case by case basis.

##### 1.6.10.2 RMA Section 36B Joint Management Agreements

This section provides councils with a mechanism to make joint management agreements with public authorities, iwi authorities and groups.

Maniapoto support opportunities to work with Councils to implement section 36B on a case by case basis and to agree on resources and costs.

##### 1.6.10.3 Section 188B – Heritage Protection Authority

This mechanism provides Maniapoto with a tool to apply to the Minister for the Environment to become a heritage protection authority.

Maniapoto support opportunities to work to implement section 188B on a case by case basis. .

#### 1.6.11 Local Government Act 2002

The Local Government Act 2002 (LGA) is the governing statute for Council, and is relevant to most, if not all, Council functions. The provisions of the LGA which require specific consideration of Māori interests and principles of the Treaty of Waitangi are therefore of fundamental importance. In particular, section 4 refers to opportunities for Māori to contribute to local government decision-making processes.

#### 1.6.12 Conservation Act 1987

The Conservation Act 1987 and enactments listed in Schedule 1 of the Act: Under the Waipā River Act, any person carrying out functions or exercising powers under the conservation legislation in relation to the Waipā River and its catchment must have particular regard to the Plan to the extent to which its contents relate to the functions or powers.

#### 1.6.13 Section 27A Nga Whenua Rāhui kawenata

This mechanism provides Maniapoto and DOC with a tool to preserve and protect the natural and historic values of land and the spiritual and cultural values Māori associate with land.

Maniapoto support opportunities to work with DOC to implement section 27A on a case by case basis.

#### 1.6.14 Heritage NZ Pouhere Taonga Act 2014

The Heritage New Zealand Pouhere Taonga Act 2014 replaced the Historic Places Act 1993 on 20th May 2014. The legislation reforms the governance of the New Zealand Historic Places Trust in line with its status as a Crown entity and streamlines many procedures under the Act.

In the case of sites of interest to Māori, the archaeologist approved to undertake archaeological work under an authority must have skills and competencies relating to recognising and respecting Māori values and have access to appropriate cultural support.

The Act widens the range of parties Heritage New Zealand must work collaboratively with to include tāngata whenua and interested parties including central government agencies.

#### 1.6.15 Exclusive Economic Zone Act 2013

The Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (EEZ Act) came into force on 28 June 2013. The EEZ Act forms a part of New Zealand's marine management regime.

Types of activity managed under the Act include:

- prospecting and exploration for petroleum and minerals
- extraction of petroleum and minerals
- aquaculture
- carbon capture and storage
- marine energy generation

Some activities in the Exclusive Economic Zone (EEZ) are managed by other regimes; for example fishing is managed by the Fisheries Acts, and shipping is managed by the Maritime Transport Act. The EEZ Act does not replace these existing regimes.

Activities managed under the EEZ Act have regulatory requirements under other Acts as well.

#### 1.6.16 Takutai Moana Act 2011

The Takutai Moana Act is the legislative framework for the management of the coastal and marine environment and replaced the Foreshore and Seabed Act 2004.

Whānau and hapū to apply to the Crown may claim customary title and prove continuous and exclusive use and occupation of the coastal and marine area since 1840 to the present and held in accordance with tikanga Māori. The people of Maniapoto have never relinquished their customary rights and interests to the coastal and marine environment including the foreshore and seabed (McCaw Lewis Limited 2015)<sup>6</sup>.

Alternatively, a protected customary right may be sought by whānau and hapū, which only allows specified activities, uses or practices to continue. Maniapoto must establish that the right has been exercised since 1840, and that it continues to be exercised in a particular part of the area in accordance with tikanga by that group in exactly the same or a similar way, and is not extinguished as a matter of law.

Customary title provides for holders, the right to give, or deny, an RMA permission right to any other person proposing a development within the customary marine title area, and there is no right of appeal or objection against the decision.

A protected customary right will effectively exempt land from the application of the RMA providing that it meets the criteria (i.e. customary rights have been established within the "common marine and coastal area"). This means that no regional or district plan applies to the activity and a group holding such a right is not liable for payment of any coastal occupation charge.

#### 1.6.17 Crown Minerals Act

Section 3.1(1)(a)(b) of the Crown Minerals Act 1991 (CMA) states that on request of an iwi or hapū, a minerals programme may provide that defined areas of land of particular importance to its mana are excluded from the operation of the minerals programme or must not be included in any permit. The Minerals Programme for Petroleum (2013) also sets out the Crown's responsibility for the active protection of areas of particular importance to iwi.

Section 3.3 (3) Section 51(2) of the Act provides that Māori land that is regarded as wāhi tapu by the tāngata whenua cannot be entered for the purpose of carrying out a minimum impact activity without the consent of the owners of the land.

Section 3.3 (5) For Māori land, section 51 of the Act also requires reasonable efforts to be made to consult with those owners of the land able to be identified by the Registrar of the Māori Land Court, and requires the local iwi authority to be given 10 working days' notice of proposed land entry.

#### 1.6.18 Protected Objects Act 1975

The Protected Objects Act is relevant for registered collectors of taonga tūturu.

Maniapoto Māori Trust Board is a registered collector of taonga tūturu. A registered collector means that when taonga tūturu is found within the Maniapoto rohe, or has a link to the people of Maniapoto then the MMTB is notified and can make a claim for it.

#### 1.6.19 Other Legislation

The Plan may also be applicable to, and provide useful guidance for, agencies carrying out functions or the exercise of powers under other Acts, in particular where those Acts may refer to iwi, hapū, Māori, tāngata whenua, mana whenua and where those Acts are related to the natural resources. Such Acts include, but are not limited to:

- (a) Biosecurity Act 1993
- (b) Climate Change Response Act 2002
- (c) Fisheries Act 1996
- (d) Forests Act 1949
- (e) Hazardous Substances and New Organisms Act 1996
- (f) Health Act 1956
- (g) Historic Places Act 1993
- (h) Land Drainage Act 1908
- (i) Māori Rating 2002 Act 2002
- (j) Native Plants Protection Act 1934
- (k) New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008
- (l) Queen Elizabeth the Second National Trust Act 1977
- (m) Reserves Act 1977
- (n) River Boards Act 1908
- (o) Soil Conservation and Rivers Control Act 1941
- (p) Walking Access Act 2008

“This mechanism provides Maniapoto and Councils with a tool to transfer functions, powers or duties to Maniapoto.

Maniapoto support opportunities to work with Councils to implement section 33 on a case by case basis.”

<sup>6</sup> McCaw Lewis Limited. (2015). Ngāti Maniapoto Interests, prepared for Maniapoto Māori Trust Board

## 1.7 DEVELOPMENT AND REVIEW OF THE PLAN

**1.7.1** This Plan was developed primarily by engaging with Maniapoto Māori Trust Board, Regional Management Committee and marae members, advisory groups.

**1.7.2** The plan was informed by:

- hui-ā-taiao, environmental hui for Maniapoto (September 2013 to May 2015);
- an advisory group made up of whānau members;
- feedback from regional management committee hui;
- submissions from Maniapoto and external stakeholders; and
- online and written surveys.

**1.7.3** The review and rewrite of He Mahere Taiao The Maniapoto Iwi Environmental Management Plan (2007) started in 2013. A literature review was undertaken, as was consultation with Maniapoto, and a submission process was also completed.

**1.7.4** The following Maniapoto documents informed this Plan

- He Mahere Taiao The Maniapoto Iwi Environmental Management Plan (2007)

- Te Rohe Potae Treaty of Waitangi tribunal hearing evidence reports

- Upper Waipā Fisheries Plan (2015)

- Maniapoto Priorities for the Restoration of the Waipā River Catchment (2014)

- Ngāti Maniapoto Interests (2015)

**1.7.5** Maniapoto also had the benefit of those iwi environmental plans that have been recently written including from iwi within the Waikato catchment:

- Whakamarohitia ngā wai o Waikato - Te Arawa River Iwi Trust (2015)

- Te Rautaki Taiao a Raukawa – The Raukawa Environmental Management Plan (2015)

- and, in particular, this Plan has drawn on Tai Tumu Tai Pari Tai Ao – Waikato-Tainui Environmental Plan (2013)

**1.7.6** This Plan will be monitored, reviewed and updated from time to time by the MMTB.

# SECTION. B

## ENGAGING WITH MANIAPOTO

### In this section:

- Engaging With This Plan 28
- Who Should Use This Plan 28
- How To Use This Plan 29
- Engagement And Consultation Process 32
- Tools For Engagement 34
- The Relationship Between Maniapoto And National And Local Government 38

## PART - 2.0 ENGAGING WITH THIS PLAN

### 2.1 INTRODUCTION

**2.1.1** This section describes the process by which resource users and others engage with Maniapoto as Maniapoto exercises its responsibilities of kaitiakitanga for natural and physical

resources within the Maniapoto rohe. Those wishing to engage with Maniapoto should read this section before considering matters in further sections.

**2.1.2** The flowchart on page 30 shows how to use this Plan and its relevant sections and chapters.

### 2.2 WHO SHOULD USE THIS PLAN

**2.2.1** The Plan describes a starting point to:

- identify and understand the expectations of Maniapoto (e.g., how they would like to be consulted and on what, and how things of value identified by Maniapoto might be managed both within and outside the RMA framework); and
- meet obligations under Part 2 of the Resource Management Act 1991 by providing a general understanding of Maniapoto values and interests for natural and physical resources within the Maniapoto rohe.

**2.2.2** In particular, council practitioners and natural resource users can use this Plan to:

- more effectively understand what is important to Maniapoto, including matters outside the RMA;
- gain a clearer insight into environmental enhancement and the ethic of giving back what is taken from the environment to provide a net benefit.
- guide a potential application for resource consent, or other process to utilise natural resources and spaces, on what information is required in assessing potential environmental effects, including effects on Maniapoto cultural values.

**2.2.3** When implemented successfully by all users, this Plan will lessen the demands on Maniapoto kaitiaki to provide a detailed response to every resource management issue.

**2.2.4** External users include local authorities (councils), consultants, government agencies, businesses, community groups, education institutions, schools, NGO's and individuals.

**2.2.5** The following resource management matters are relevant for assessment against the Plan and include but are not limited to:

- activities, resource use, monitoring and enforcement;
- review, implementation and development of policies and plans;
- regulations or bylaws;
- national environmental standards or national government policy statements;
- applications made to the Environmental Protection Authority,
- application for designation or resource use consent made to local authorities (regional and district councils);
- statutory authorisations (concessions, special permits);
- Heritage New Zealand Pouhere Taonga applications; and
- special permits (fisheries, biosecurity, petroleum and minerals).

**2.2.6** Reference to this Plan in no way negates the need to test conclusions drawn from referring to the Plan with the people of Maniapoto. (Refer to 'How to use the Plan').

#### **2.2.7 For Maniapoto (internal users)**

The Plan is a tool to support the people of Maniapoto,

#### **2.2.8 Relationship with other environment management plans**

If Maniapoto prepare their own environmental management plans (or similar) and/or wish to use their plans in conjunction with this Plan, the two will be considered as one document. If inconsistencies exist between documents, the highest standard, target or measure within the documents is preferred, provided it fits with best practice.

### 2.3 HOW TO USE THIS PLAN

**2.3.1** The Plan will be used differently depending on the user. Users include:

- internal (Maniapoto);
- marae, whānau, hapū;
- Maniapoto entities;
- national and local government; and
- resource users or developers.

**2.3.2** Resource users and regulators will usually be required to assess the effects of a project, application or proposal on the people of Maniapoto, on Maniapoto values and interests, and on matters covered in this Plan. However, in undertaking this assessment, resource users and regulators need to work with Maniapoto, this Plan and other Maniapoto plans, policies and processes that may exist. This is to ensure an appropriate level and rigour of evidence is relied upon to outline the effects, assess the effects, and then clearly

outline how the resource user or regulator intends to effectively manage the effects.

**2.3.3** This Plan provides an overarching Maniapoto worldview while recognising that Maniapoto may have their own views on the relative importance of sections of this Plan.

**2.3.4** Consultation with the people of Maniapoto is required to gain an understanding of specific issues and matters that affect Maniapoto. Effective engagement and relationship building will help with that understanding.

**2.3.5** Chapter 3 below outlines best practice engagement and consultation processes to better understand specific issues and matters related to a resource use or activity.

**2.3.6** The flowchart on page 30 shows how to use this Plan and its relevant sections and chapters.

### 2.4 TRIGGERS FOR USING THIS PLAN

**2.4.1** Triggers for using this Plan will normally be in response to:

- a change in, or a desire to start using or managing, a natural resource within the Maniapoto rohe that may impact on the relationship of Maniapoto with its natural resources, wāhi tapu, sites of significance; or
- a review of a policy, a plan, or development of legislation or a similar document that may affect the environment and resource

management matters within the Maniapoto rohe and subsequently the relationship of Maniapoto with the environment.

**2.4.2** The onus is on the resource user or entity to familiarise themselves with the Plan and initiate consultation and engagement with the people of Maniapoto.

**2.4.3** The Plan is a tool for all users. It is designed to assist all types of activities regardless of scale, though some specific issues and sections will be of more relevance to the user, for example, water takes, discharges to land and water or infrastructure projects.

- 2.5.4 Section E presents Maniapoto perspectives on specific infrastructure and activities occurring in the Maniapoto rohe and the impact these activities have on the natural environment, communities within Maniapoto and the people.
- 2.5.5 While this Plan is laid out in sections, Maniapoto emphasise that the environment and the natural resources are not considered in a segmented fashion. Maniapoto consider the people and the environment to be united as one and indivisible from a Maniapoto worldview.
- 2.5.6 Unless a higher standard exists or is preferred by Maniapoto entity/ies using this Plan, Maniapoto will generally use the relevant objectives, policies, and actions in this Plan as a starting point for a preferred outcome and expectations with respect to policies, plans, processes, applications, and activities that have an effect on Maniapoto values and natural resources.

2.5 STRUCTURE OF THIS PLAN

- 2.5.1 This Plan is structured to help resource users find the information they may need in their preparations for engagement with Maniapoto. The current section (Section B) describes the engagement process.
- 2.5.2 Section C explains principles, activities and the general Maniapoto worldview towards their environment. This information is presented to provide those wanting to engage with Maniapoto with an understanding of the relationship the people have with their environment, the way they have engaged with the environment historically, sites of significance and cultural value.
- 2.5.3 Section D describes elements of the natural environment and current threats affecting air, land and water in Maniapoto. This information is presented to give the resource user an understanding of Maniapoto perspectives on activities that might further degrade or otherwise impact on the natural environment.

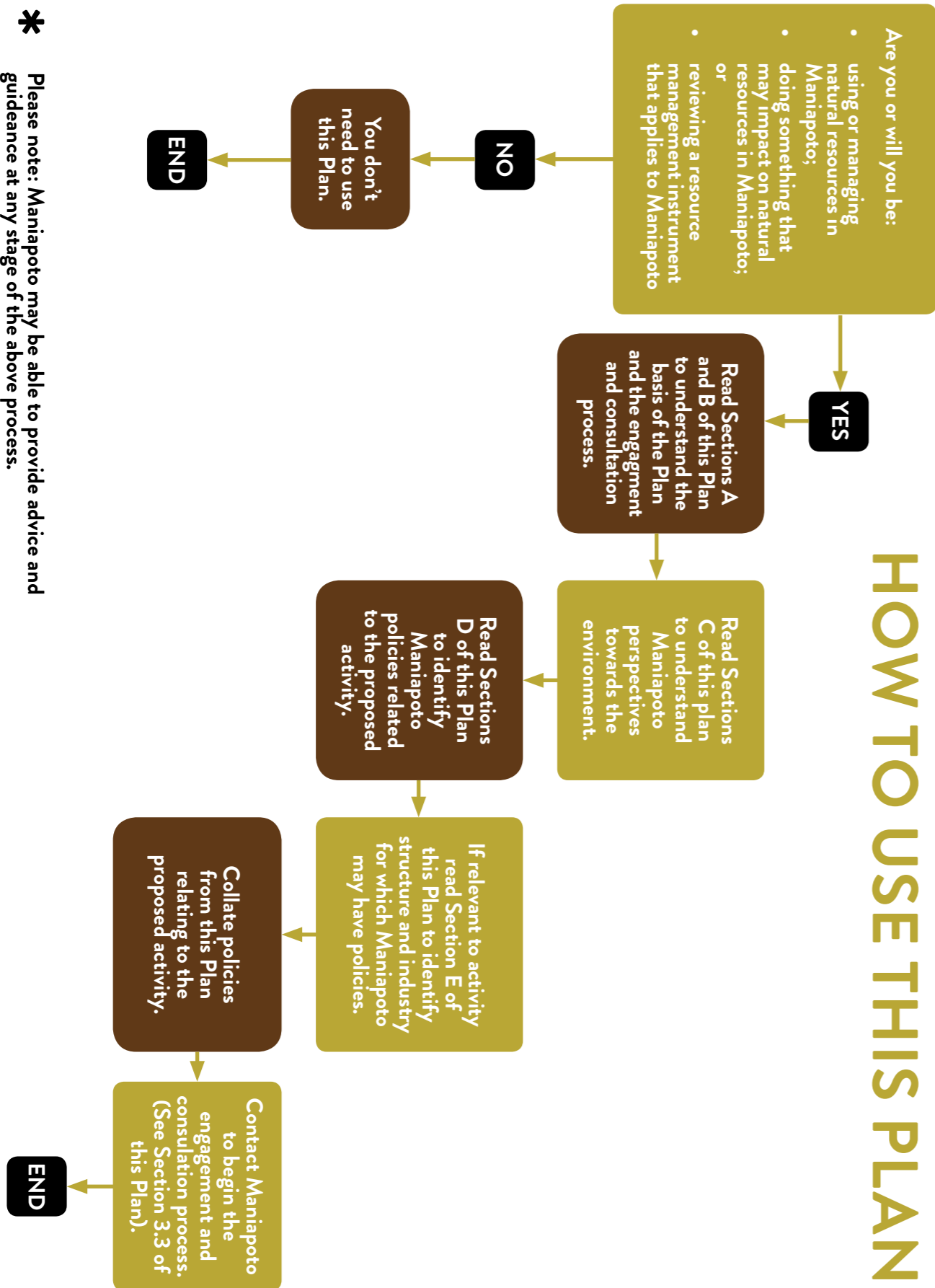
PART 3.0 - MANIAPOTO ENGAGEMENT AND CONSULTATION PROCESSES

3.1 INTRODUCTION

- 3.1.1 In terms of guidelines for consultation, national and local government should consult the right people on the right issues. They have a responsibility to ensure that they are dealing with mandated representatives of Maniapoto. The Maniapoto Māori Trust Board is the tribal authority representing the collective of whānau and hapū of Maniapoto as provided for in the Māori Trust Board Act (1955).
- 3.1.2 MMTB promotes early engagement and consultation especially during the initial planning and pre-lodgement of resource consents, proposals and applications.
- 3.1.3 The people of Maniapoto consider themselves an affected party for any activity that affects or potentially affects, the Waipā River and tributaries. This includes, but not limited to, water takes, discharges to water and land use consents. For the avoidance of doubt the people of Maniapoto also consider themselves an affected party for any activity that affects them or potentially effects rivers and tributaries within the entire Maniapoto rohe.
- 3.1.4 The level of engagement required of a resource user with Maniapoto will depend on:
  - the purpose and goals of the engagement and consultation;
  - the degree and likelihood of the effect of the proposed activity on Maniapoto values and interests;

- the potential effect on natural resources and/or the environment; and
- the potential effect on sites of significance, wāhi tapu and cultural heritage.
- 3.1.5 Different levels of engagement may be required at different times depending on the project, application or proposal.
- 3.1.6 Resource users and regulators will usually be required to complete an initial assessment of the project, application or proposal against the relevant objectives, policies and actions of this Plan prior to engagement and consultation with the people of Maniapoto. However an initial conversation with MMTB or other suitable Maniapoto entity (including RMC, whānau, marae, hapū and iwi) will confirm if this is necessary. The results of the initial assessment should summarise the proposed activity and the assessment against the Plan.
- 3.1.7 Resource users and regulators will usually be required to assess the effects of a project, application or proposal on the people of Maniapoto, on Maniapoto values and interests, and on matters covered in this Plan. However, in undertaking this assessment, resource users and regulators need to work with Maniapoto, this Plan and other Maniapoto plans, policies and processes that may exist. This is to ensure an appropriate level and rigour of evidence is relied upon to outline the effects, assess the effects, and then clearly outline how the resource user or regulator intends to effectively manage the effects.

HOW TO USE THIS PLAN



\* Please note: Maniapoto may be able to provide advice and guidance at any stage of the above process.



## ENGAGEMENT

- 3.2.1 The following principles support best practice engagement and consultation:
- kanohi ki te kanohi – face-to-face meetings;
  - upholding te Tiriti o Waitangi principles of partnership, mutual respect and good faith;
  - early engagement on issues of known mutual interest;
  - a commitment to open, honest and transparent communication;

- operating from a ‘no surprises’ approach;
- acknowledging that the relationship is evolving and not prescribed;
- respecting the independence of the parties and their respective individual mandates, roles and responsibilities;
- recognising and acknowledging that both parties benefit from working together and sharing knowledge and expertise; and
- committing to good faith engagement at the highest level.

## 3.3 ENGAGEMENT AND CONSULTATION PROCESS

- 3.3.1 The following steps provide a guide to engage with the people of Maniapoto. It is important that Maniapoto values, issues and mitigation measures are known and then appropriately considered in matters affecting natural resource use within the Maniapoto rohe. The scale and location of the proposed project, application or activity will determine the relevant steps to be implemented:
1. The applicant contacts Maniapoto Māori Trust Board (MMTB), or directly affected Maniapoto groups, or parties to initiate the engagement and consultation process (noting the importance of working with the right people on the right issues)
  2. MMTB confirms the process for engagement and mana whenua contact details.
  3. Mana whenua and applicant meet to discuss the proposed activity. A meeting may not be required for relatively minor issues or if sufficient written material is already available.
  4. Mana whenua conduct an initial assessment of the proposal and determine the scope of work.
  5. Mana whenua confirms resource requirements for the process (including people, resources, time and costs).

6. Depending on the agreed process, mana whenua prepare a Tāngata Whenua Effects Assessment Report (TWEAR) or other agreed response highlighting issues and recommendations (refer section 4.0 for explanation of TWEAR tool)
7. Both parties meet to discuss any outstanding issue(s) and recommendation(s).
8. Mana whenua update the TWEAR (or other documents) based on recommendations from both parties.
9. Both parties meet to finalise the TWEAR (or other report) and file with applicant/relevant council or entities.

- 3.3.2 Outcomes from the engagement process may include:
- full support of the proposal;
  - conditional support for the proposal subject to conditions including:
    - managing detrimental effects in a particular way,
    - implementing a monitoring regime,
    - reporting back to Maniapoto, maybe on a regular basis,
    - involving Maniapoto in implementation; or
  - rejection of the proposal with reasons outlined.

## 3.4 RESOURCING MANIAPOTO ENGAGEMENT AND CONSULTATION COSTS

- 3.4.1 The resourcing of Maniapoto input in to resource management matters is similar to any other expert or consultant. Costs and timeframes will depend upon the

- scope and type of skill or knowledge required to suitably consider an application or proposed activity.
- 3.4.2 Good project management disciplines should apply with personnel, costs, disbursements, outcomes and timelines agreed between the parties prior to costs being incurred or work being undertaken.



- Maniapoto representative/s
- Applicants/resource users
- All parties

## PART 4.0 - TOOLS FOR ENGAGEMENT

There are three tools available for the people of Maniapoto to utilise in resource management processes, if applicable. They are:

- Tangata Whenua Effects Assessment Report (TWEAR) or otherwise known as a Cultural Impact Assessment Report (CIA)
- He Mahere Taiao Application, Activity, Policy, Process Assessment Tool
- Maniapoto Taonga Register Geographical Information Systems (GIS)

### 4.1 TĀNGATA WHENUA EFFECTS ASSESSMENT REPORT (TWEAR) OR CULTURAL IMPACT ASSESSMENT REPORT (CIA)

4.1.1 Tangata Whenua Effects Assessment reports (TWEAR) or Cultural Impact Assessments (CIA) provide an assessment of the impacts of a given activity on Maniapoto values and interests. These reports may be requested by Maniapoto, councils or applicants and provide a Maniapoto perspective to the RMA (or other) process. As an example, TWEAR/CIA reports are often included in an Assessment of Environmental Effects, particularly when a proposed activity will potentially impact on matters of importance to Maniapoto.

4.1.2 TWEAR/CIA reports identify Maniapoto values associated with a particular site or area and the actual or potential effects of a proposed activity that are of interest to Maniapoto. The assessment delivers a series of recommendations for measures that help to avoid, remedy or mitigate adverse effects.

4.1.3 A TWEAR/CIA may not necessarily be confined to cultural matters and can traverse any and all Maniapoto perspectives of the potential or actual effects of a proposed or existing activity for natural resource use. (Appendix 1 shows a suggested TWEAR template.)

### 4.2 HE MAHERE TAIAO APPLICATION, ACTIVITY, POLICY, PROCESS ASSESSMENT TOOL

4.2.1 This assessment tool (Appendix 2) may help the people of Maniapoto and others to assess an environmental or natural resource use activity, application, policy or process against the Plan and additional mana whenua documents and issues. The tool should assist in determining actual or potential effects of a proposed activity on Maniapoto values and interests. The tool also

enables a quick assessment of what type of evidence has been relied upon to determine the likelihood or magnitude of potential effects and the reasonable mitigations measures (if any) that are available.

4.2.2 The tool can then be used as a starting point for discussions between Maniapoto, natural resources users and/or regulators to confirm the effects and mitigation measures and any areas of outstanding disagreement that need to be resolved.

### 4.3 GEOGRAPHICAL INFORMATION SYSTEMS - MANIAPOTO TAONGA REGISTER

4.3.1 The Maniapoto Māori Trust Board is currently using Geographical Information Systems (GIS) technology to

map wāhi tapu and sites of significance for Maniapoto. This exercise will enable Maniapoto to specify a number of tangible and intangible values associated with each significant area or site. This information will help councils meet their obligations in Part Two of the Resource Management Act (1991).

## 4.4 TOWARDS ENVIRONMENTAL ENHANCEMENT

*'If we do not plan for a sustainable environment and value the life sustaining resources that are provided by Papatūānuku and Ranginui, we will potentially leave our mokopuna with an environmental disaster that will require many generations to rectify'*<sup>7</sup>  
Maniapoto Iwi Management Plan 2007

4.4.1 Mātauranga Māori and customary practices and uses associated with natural resources are based on the continued protection and enhancement of the mauri (life force) and wairua (spiritual essence), and cultivation of resources to ensure the health and wellbeing of the people of Maniapoto and all other interconnected resources.

4.4.2 For Maniapoto, it is essential that natural resources are managed in a way that ensures the continued health and wellbeing of the mauri of resources. Towards environmental enhancement is essential to ensure that any resource use or activity must give back to the environment what is taken from the environment in kind, contribute to enhancing the mauri

and wairua of natural resources, and provide a positive net benefit to the environment.

4.4.3 Where resources are depleted (e.g. mineral mining), then careful consideration and assessment will be required to ensure a net benefit for the environment.

4.4.4 Resource users and decision makers have a reciprocal obligation and responsibility to provide a positive net benefit back to the environment to ensure it is passed on to future generations in a state that is better than the current state.

4.4.5 The implementation of regulatory and non-regulatory methods, collective actions and decision-making should aim to achieve environmental enhancement outcomes.

4.4.6 This Plan generally does not contain specific targets and measures in relation to discharges to the environment, the quality of the environment or the health of the environment. Maniapoto may have their own environmental targets and measures. MMTB supports the highest target or measure that achieves or exceeds the objectives and policies in this Plan.

## 4.5 MANAGING EFFECTS OF ACTIVITIES

4.5.1 The management of positive or negative effects of activities on the environment is essential for resource use, activities and management approaches.

4.5.2 Depending on the location, scale of activity and the nature of any effects (if there are positive and/or negative effects on Maniapoto values and interests) will inform Maniapoto decision-making. When considering the nature of effects Maniapoto considers:

- magnitude (how big the effect is),
- its likelihood (how likely it is that the effect will occur),
- its frequency (how often the effect occurs),
- its duration (how long the effect occurs when it does occur),
- and if there is a cumulative effect (if the effect arises over time or in combination with other effects)

4.5.3 Positive and negative effects can also include intangible spiritual and emotional elements. The people of Maniapoto will determine for themselves the magnitude, likelihood, frequency, and duration of an effect, and if the overall effect of an activity is positive or negative.

4.5.4 A proposed resource use or activity may be considered less than

minor by the applicant but significant by Maniapoto. For example, an applicant may consider that water takes from rivers and streams have no serious effects on Maniapoto values and interests. However, it may be a serious matter for Maniapoto that have used that particular waterway for generations for access to drinking water, mahinga kai, physical and spiritual healing. Therefore, there will be significant variances in perspectives of different parties regarding the relative magnitude of any effects.

4.5.5 Early consultation and engagement with Maniapoto is essential and should enable all parties to understand and appropriately manage the effects of a proposed resource use or activity with the aim to provide a net benefit back to the environment.

4.5.6 The effects of activities are to be managed through a hierarchy assessment and include; avoid the effect, remedy the effect, minimize the effect, mitigate the effect and balance positive and negative effects. This is known as offset mitigation.

4.5.7 The hierarchy to manage effects are outlined below:

- Abandon activity: abandon the activity as the effects are too severe and cannot be sufficiently managed.
- Avoid: aim to manage the effect to avoid any effects
- Remedy: aim to manage the effect to eliminate any effects

<sup>7</sup> [http://www.maniapoto.iwi.nz/~maniap/images/PDF/Environment/iwi\\_emp\\_final.pdf](http://www.maniapoto.iwi.nz/~maniap/images/PDF/Environment/iwi_emp_final.pdf)

- (d) Minimise: manage the effect to minimise any effects so that the effect is no longer of sufficient frequency and/or magnitude to cause Maniapoto any concern
- (e) Mitigate: manage the effect to mitigate or offset the effect to create a benefit not directly linked to the proposed resource use or activity. (e.g. an effect of discharge to water being offset by additional riparian planting or wetland restoration).
- (f) Balance: manage the effect to ensure positive effects adequately balance out the negative effects, and there is a net benefit to the environment. Only Maniapoto can determine whether effects are suitably balanced for Maniapoto.
- (g) Ignore: the effect is less than minor and so can be ignored for the purposes of the proposed activity.

4.5.8 Generally, offset mitigation should be closely linked to the site of the resource use or activity and relatively balance out the negative effect.

4.5.9 The people of Maniapoto will determine for themselves and provide input as to what creates a suitable way to avoid, remedy, minimise, mitigate, or balance effects caused from a resource use or activity.

4.5.10 The aim of environmental enhancement is for the environment to benefit from any resource use, activity or development rather than the environment being expected to accommodate further degradation and/or pollution.

4.5.11 Maniapoto support the highest targets or measures to achieve the objectives in this Plan and the best practicable options being applied when considering targets or measures.

4.5.12 Riparian planting/restoration: riparian planting and restoration is a recognised environmental protection and restoration method and is a means of managing environmental effects. Generally Maniapoto wish to restore and protect all riparian areas, though these aspirations for restoration and protection may differ at specific sites. Additionally Maniapoto generally prefers indigenous species to be used in riparian planting and restoration that provides important cultural, economic and environment benefits, including, but not limited to:

- (i) mahinga kai habitat
- (ii) provision of resources for cultural use
- (iii) cultural wellbeing
- (iv) provision of rongoā sources
- (v) maintenance and improvement of water quality
- (vi) natural flood protection
- (vii) species that contribute to Maniapoto economic wellbeing (e.g. species suitable for honey harvesting).

## 4.6 BEST PRACTICE, BEST PRACTICABLE OPTION, BEST

4.6.1 Terms such as ‘best practice,’ ‘best practicable option,’ and ‘best management practice’ are in common use when describing how environmental effects of a proposed activity are to be managed. The Resource Management Act (1991) (Part I, section 2) provides the following interpretation of ‘best practicable option.’

4.6.1.1 Best practicable option, in relation to a discharge of a contaminant or an emission of noise, means the best method for preventing or minimising the adverse effects on the environment having regard, among other things, to—

- (a) the nature of the discharge or emission and the sensitivity of the receiving environment to adverse effects; and

(b) the financial implications, and the effects on the environment, of that option when compared with other options; and

(c) the current state of the technical knowledge and the likelihood that the option can be successfully applied.

4.6.1.2 Regardless of the terms used for the option(s) to manage adverse effects from a proposed activity, Maniapoto expects that any claims of best practice has had regard to any adverse effects on Maniapoto values and interests (social, cultural, spiritual, environmental, and/or economic). This is alongside and additional to any of the assessments undertaken to consider (a) to (c) above. The natural resource user and/or regulator will need to work with Maniapoto to ensure that any consideration of adverse effects on Maniapoto values and interests is to a level that Maniapoto considers acceptable,

## 4.7 PRECAUTIONARY APPROACH

4.7.1 A precautionary approach is encouraged if consents are to be granted and setting consent terms for a resource use or an activity that may continue to have an adverse effect on the social, economic, cultural, spiritual or environmental wellbeing of the people of Maniapoto.

4.7.2 As mentioned elsewhere, the burden of proof rests with resource users and regulators to assess the effects of a project, application or proposal on the people of Maniapoto, on Maniapoto values and interests, and on matters covered in this Plan. However, in undertaking this assessment, resource users and regulators need to work with Maniapoto, this Plan and other Maniapoto plans, policies and processes that may exist. This is to ensure an appropriate level and rigour of evidence is relied upon to outline the effects, understand and assess the effects, and then clearly outline how the resource user or regulator intends to effectively manage the effects.

4.7.3 A precautionary approach should be taken during decision-making about resource use and activities, when considering the effects of a resource use or activity on the environment and on Maniapoto values and interests where:

- (a) full information on effects is not available, particularly when there is a high level of uncertainty, or lack of understanding, and particularly where decisions are effectively irreversible. In the absence of clear, appropriate and rigorous evidence that an effect is not harmful to Maniapoto values and interests it is the responsibility of the applicant, resource user or regulator, as the case may be, to prove that the effect is not harmful.
- (b) effects are relatively minor but, cumulatively, have a high potential impact, such as effects that may contribute to climate change when considered in the context of the accompanying or surrounding social, cultural, economic or environmental factors and/or other similar existing or future activities
- (c) effects, if they do occur, have a high potential impact .

## 4.8 CONSENT TERMS

4.8.1 Consents should be granted for the shortest practical period to allow for a full review of the activity or resource use and to take into account any further information that may improve consent operation and practice of the activity and further reduce any adverse effects on Maniapoto values and interests. It is acknowledged that there are costs and statutory

timeframes associated with consent renewals.

4.8.2 In reality, Maniapoto understands there are limited reviews of consents compared to the total consents granted by a local authority and any reviews are subject to council resources and budget. Furthermore, the review of consents is limited to the purpose specified within the review.

## PART 5.0 - THE RELATIONSHIP BETWEEN MANIAPOTO AND NATIONAL AND LOCAL GOVERNMENT

### 5.1 INTRODUCTION

**5.1.1** The relationship between Maniapoto and government is two-dimensional. Maniapoto enjoy a unique set of rights and privileges as members of hapū with the accompanying Tiriti o Waitangi relationship and, Maniapoto enjoys the same rights and privileges as other non-Māori members of the community

**5.1.2** Māori have a unique culture and identity protected by Te Tiriti o Waitangi, the confirmation of customary rights that come about as a result of whānau and hapū identities and the people of Maniapoto as Te Tiriti partners. Te Tiriti o Waitangi preserved the authority of iwi in terms of the environment<sup>8</sup>.

**5.1.3** Council planning and policy instruments provide mechanisms for the people of Maniapoto and others to achieve tangible social, cultural, economic and environmental outcomes within Maniapoto rohe.

**5.1.4** In order to implement this Plan and to give effect to the Waipā River Act, it is important that local authorities who are parties to this Act (Waitomo District Council, Otorohanga District Council, Waipā District Council, Waikato District Council and Waikato Regional Council) work with the people of Maniapoto to include in Long Term Plans, Annual Plans, and any other council planning

documents, policies and projects that give effect to this Plan.

**5.1.5** It follows that other local authorities within the Maniapoto rohe similarly include in Long Term Plans, Annual Plans and other council planning documents, policies and projects that give effect to this plan.

**5.1.6** Subject to securing suitable collaboration, support, resources and funding, there may be opportunities for Maniapoto projects to proceed that include but are not limited to the:

- development of Maniapoto feasibility or business case studies to protect and enhance the environment
- development of Maniapoto projects for the clean-up of the Waipā river and other rivers within the Maniapoto rohe.
- development of potential proposals for joint management of reserves and significant sites on a case by case basis as provided for under the RMA
- review of council plans and policies to identify provisions to enable and support Maniapoto to exercise kaitiakitanga and strengthen their relationship with the environment
- identification of opportunities to give effect to the Local Government Act (LGA) 2002 in enabling Maniapoto to contribute to local government decision-making processes.

### 5.2 LOCAL AUTHORITIES WITHIN THE MANIAPOTO ROHE

**5.2.1** The following local authorities operate within the Maniapoto rohe or in areas where Maniapoto has historical interests:

- Horizons Regional Council
- New Plymouth District Council
- Otorohanga District Council
- Ruapehu District Council
- Taranaki Regional Council
- Waikato District Council
- Waikato Regional Council
- Waipā District Council
- Waitomo District Council

**5.2.2** In accordance with the Resource Management Act 1991, Regional Councils must take into account this Plan when preparing, reviewing, or changing a Regional Policy Statement or Regional Plan;

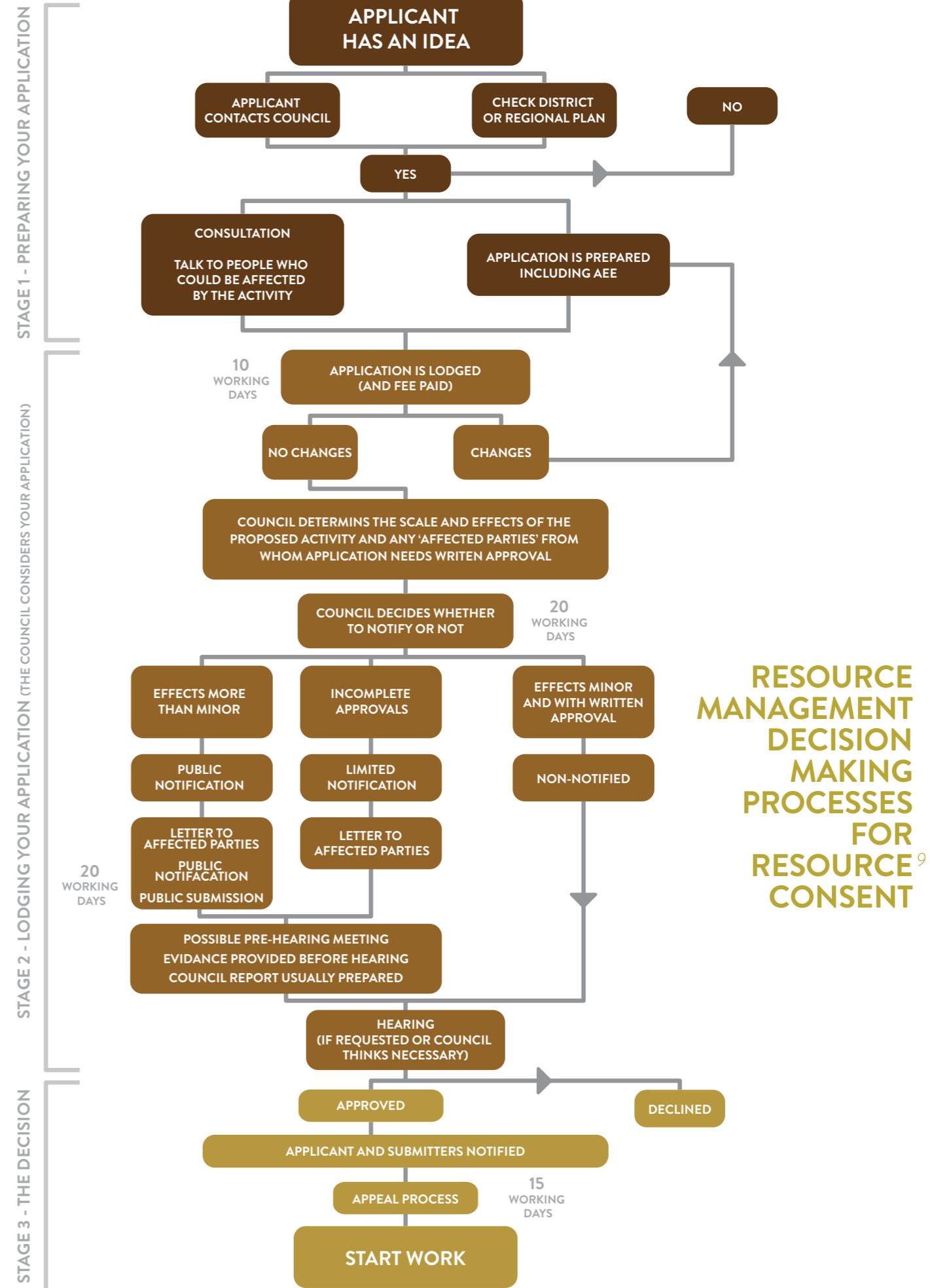
**5.2.3** District Councils must take into account this Plan when preparing, reviewing, or changing a District Plan and;

**5.2.4** Regional and District Councils must have regard to this Plan when considering an application for resource consent.

**5.2.5** In accordance with the Waipā River Act 2012, Maniapoto Māori Trust Board will work with national and local government to implement projects that arise from the Plan, review, develop and implement Joint Management Agreements, the Upper Waipā River Integrated Management Plan and Maniapoto Accords.

**5.2.6** The following diagram shows the process for applying for a resource consent and the decision making process.

<sup>8</sup> Kowhai Consulting 2007  
<sup>9</sup> www.mfe.govt.nz



RESOURCE MANAGEMENT DECISION MAKING PROCESSES FOR RESOURCE CONSENT<sup>9</sup>



# SECTION. C

## MANIAPOTO CULTURAL MATTERS

### In this section:

- Maniapoto Cultural Matters 42
- Kaitiakitanga And Rangatiratanga 42
- Papakāinga/Marae And Pā 46
- Customary Activities 48
- Maniapoto Cultural Heritage, Sites Of Significance 50

## PART 6.0 - MANIAPOTO CULTURAL MATTERS

### 6.1 IN THIS SECTION

**6.1.1** The following section contains cultural matters of importance to Maniapoto. The structure of each section is to identify

the issues, outline the objectives, policies and actions, to achieve Maniapoto social, cultural, economic and environmental outcomes.

**6.1.2** Unless a higher standard exists, Maniapoto will generally use this Plan as a starting point for preferred outcomes.

### 6.2 CONVENTIONS

Chapters in this section of the Plan start with an introduction and then follows the following structure:

#### 6.2.1 Issues

Describes the issue of concern Maniapoto have in relation to current or future effects or potential effects that may impact on the quality and integrity of the the matter discussed in the chapter. Issues of concern to Maniapoto may include consistency and alignment with Maniapoto aspirations and strategy, direction, activities, management approaches or processes.

#### 6.2.2 Objectives

The objectives section outlines high level goals or direction that address matters raised in the issues section.

#### 6.2.3 Policies

Policies outline the course of action required to achieve the objectives.

#### 6.2.4 Actions

The actions outline specific methods to promote and support the policies.

## PART 7.0 - KAITIAKITANGA AND RANGATIRATANGA

### 7.1 INTRODUCTION

**7.1.1** The ability to practice kaitiakitanga and contribute tikanga, kawa and mātauranga Māori to decision-making and management processes is important to the people of Maniapoto.

**7.1.2** The rangatiratanga status of Maniapoto as confirmed in Te Tiriti o Waitangi is integral to the mana of Maniapoto and the exercise of kaitiakitanga. The people of Maniapoto expect to exercise a degree of autonomy, authority and influence within the Maniapoto rohe to uphold kaitiaki responsibilities.

### 7.2 ISSUES

#### 7.2.1 Recognition of the role of Maniapoto as kaitiaki and rangatira

**7.2.1.1** There is a lack of recognition of the rights and status of Maniapoto.

**7.2.1.2** There is a general lack of understanding of Maniapoto roles and responsibilities and the function of Maniapoto entities

#### 7.2.2 Legislative obligations to Maniapoto and Te Tiriti o Waitangi

**7.2.2.1** There is a lack of understanding and awareness of the mutual obligations and responsibilities to Te Tiriti o Waitangi and accompanying legislation that places obligations upon respective parties.

**7.2.2.2** At times national and local government do not act consistently and in accordance to statutory references to the articles and principles of Te Tiriti o Waitangi in the conduct of its business,

in particular Article II rights of rangatiratanga (chieftainship) and self-government by tāngata whenua. The articles and principles of Te Tiriti o Waitangi are the underlying mutual obligations and responsibilities that should be upheld by all.

#### 7.2.3 Collaboration

**7.2.3.1** Historically, there has been a lack of collaboration on projects between national and local government and the people of Maniapoto. The RMA has provided mechanisms and tools for local government to involve Māori in planning and decision making but councils have failed to use the tools to their full potential to recognise Maniapoto.

**7.2.3.2** Maniapoto recognises that responsibility for implementing the Plan may lie with one or more external agencies. Resources and funding may need to be re-prioritised depending on the projects that arise from the Plan. Maniapoto encourages working collaboratively to achieve mutually beneficial outcomes.

#### 7.2.4 Two-way capacity and capability building

**7.2.4.1** To support Maniapoto to respond to the wide range of resource management matters within Maniapoto, capacity and capability building is required.

**7.2.4.2** There is often a lack of knowledge of Maniapoto issues by resource users and managers and inadequate consultation or consultation with the wrong parties.

**7.2.4.3** National and local government are encouraged to be proactive and culturally responsive in how they engage with the people of Maniapoto. The strengthening of positive and productive relationships and cultural competency professional development will help improve meaningful engagement with the people of Maniapoto and understanding of Maniapoto values, structures, roles and responsibilities in order to fulfil Te Tiriti o Waitangi responsibilities to Maniapoto.



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## 7.3 OBJECTIVES, POLICIES AND ACTIONS

### 7.3.1 Objective: Recognition of the role of Maniapoto as kaitiaki and rangatira

The status of Maniapoto as rangatira and kaitiaki is recognised within resource management and decision-making processes.

#### 7.3.1.1 Policy

Maniapoto representation at the decision-making level recognises their unique status as tāngata whenua on matters that affect Maniapoto.

##### Actions

- (a) Require capacity and capability workshops to implement the Plan to assist national and local government in resource management matters and in particular engagement and consultation processes
- (b) Encourage and support regular and on-going training for national and local government on Te Tiriti o Waitangi, Maniapoto values and interests in resource management matters.
- (c) Require national and local government decision-making committees or panels to include Maniapoto representation
- (d) Maintain a pool of Maniapoto environmental commissioners
- (e) Investigate functions where RMA section 33 (transfer of powers) can be implemented;
- (f) Ensure applications for resource use include appropriate Maniapoto input corroborated by a sufficient level of evidence

### 7.3.2 Objective: Legislative obligations to Te Tiriti o Waitangi

#### Recognition of the rights and status of Maniapoto as treaty partners.

#### 7.3.2.1 Policy

National and local government act in accordance with statutory references to Te Tiriti o Waitangi/The Treaty and consistent with the principles of Te Tiriti o Waitangi.

##### Actions

- (a) Development of commitment to Te Tiriti o Waitangi policy. Policy to include principles, rules and guidelines to direct council, local boards and council controlled organisations actions in giving effect to Te Tiriti o Waitangi principles.
- (b) Development of consultation and engagement policy to include guidance to define the Maniapoto audience, criteria for significant decisions on land and water, receiving input into policies and plans, providing resources for input and to address any specific Treaty legislation requirements e.g. Waipā River Act 2012.
- (c) Development of co-governance and co-management policy. Policy to include principles, rules and guidelines.

### 7.3.3 Objective: Collaboration

Resource users and decision-makers collaborate with the people of Maniapoto to ensure that any adverse effects on Maniapoto or the environment due to resource use are appropriately avoided or mitigated to a mutually agreed level.

#### 7.3.3.1 Policy

Resource users and decision-makers collaborate with the people of Maniapoto to ensure that any effects on the people of Maniapoto or on Maniapoto values due to resource use are appropriately avoided or mitigated to a mutually agreed level.

##### Actions

- (a) To establish co-operative and constructive relationships between decision-makers, resource users, and the people of Maniapoto
- (b) Develop a process to build the cost of Maniapoto participation into national and local government projects

### 7.3.4 Objective: Two-way capacity and capability building

To initiate and continue two-way capacity and capability building to ensure that any effects on the people of Maniapoto or on the environment values due to resource use are appropriately avoided or mitigated to a mutually agreed level.

### 7.3.4.1 Policy

Natural resource users, national and local government, decision-makers, and the people of Maniapoto engage in two-way capacity and capability building to ensure that any effects on Maniapoto or on the environment values due to resource use are appropriately avoided or mitigated to a mutually agreed level.

##### Actions

- (a) Address Maniapoto capacity and capability building by identifying, developing and implementing training opportunities on resource management matters including;
  - (i) resource management issues
  - (ii) decision-making processes and systems

(iii) roles and responsibilities of different entities and agencies

(iv) ways to participate effectively in resource management

(b) Improve communication and promote and support regular Maniapoto hui, wānanga and hīkoi on resource management matters

(c) Encourage and support initiatives to improve knowledge and importance of Maniapoto entities: MMTB, RMC's, Māori Land Trusts, incorporations, Marae, whānau and hapū

(d) To raise awareness and understanding of Maniapoto values and interests, culture and heritage, customs and traditions amongst natural resource users, national and local government, and decision makers.



NAPINAPI MARAE 2015

## PART 8.0 - PAKĀINGA AND MARAE

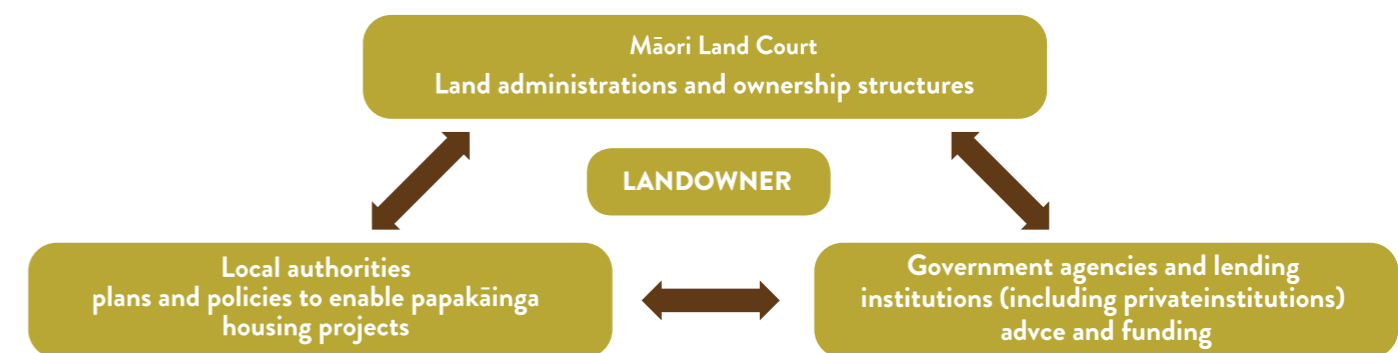
### 8.1 INTRODUCTION

8.1.1 There are many Marae within Maniapoto rohe reflecting the rich history and culture of Maniapoto. Marae continue to be utilised and are important cultural centres for the transmission of mātauranga Māori, te reo Māori, and cultural rituals, such as tangihanga, celebrations and hui. They are also traditional learning places for wānanga and cultural practices.

8.1.2 The development of papakāinga housing and marae strengthen whānau relationships with ancestral lands and is important help to the health and wellbeing of the people of Maniapoto. Papakāinga may also be contemporary or ancient marae or pā sites with or without accompanying dwellings or other buildings.

8.1.3 The diagramme below highlights those responsible for enabling development of papakāinga housing and Marae on Māori land.

8.1.4 The Māori Land Court deals with administration issues, such as, ownership structure, land administration and the rules that govern how the land is used, developed and maintained. Local authorities deal with the rules and regulations within plans and policies to enable papakāinga housing. Government agencies such as Te Puni Kōkiri provide information and assistance to Māori seeking to develop papakāinga housing.



### 8.2 ISSUES

#### 8.2.1 Papakāinga and Marae development

8.2.1.1 It can be difficult to get clear and consistent advice from local authorities, government agencies (Housing New Zealand and Te Puni Kōkiri) and the Māori Land Court to enable papakāinga development and there is a lack of coordination between agencies.

8.2.1.2 Council plans, policies and regulatory frameworks may not provide for the utilisation of multiple owned Māori lands for development of Marae and papakāinga housing.

8.2.1.3 Council subdivision and housing rules may place limitations on the number of houses that can be built on land. These policies do not enable the people of Maniapoto to provide for communal papakāinga living on Māori land.

8.2.1.4 Historically land development on Māori land was limited due to landowners unable to raise capital on Māori land.

#### 8.2.2 Community development

8.2.2.1 Historical land use and development may not be conducive to developing or maintaining marae and papakāinga. Community developments may have a negative impact on marae and papakāinga and on associated cultural landscape and amenity values. In particular, infrastructure services, such as, roads and rail, may be located near marae and papakāinga leading to access, noise and emission issues.

8.2.2.2 There may also be a lack of Maniapoto values reflected in the design and location of community developments and public spaces within Maniapoto rohe.

### 8.3 OBJECTIVES, POLICIES AND ACTIONS

#### 8.3.1 Objective: Papakāinga and Marae development

To enable the people of Maniapoto to develop papakāinga and Marae

##### 8.3.1.1 Policy

The people of Maniapoto are enabled to develop papakāinga and Marae to meet their needs

##### Actions

- (a) Ensure regional and district plans, policies and methods enable the development and upgrade of papakāinga and marae development.
- (b) Address infrastructure and utility requirements, social services, such as kōhanga, kura and wānanga, urupā and health services; associated customary activities and the relationship of marae and papakāinga to wāhi tapu and sites of significance and management of important cultural landscapes.
- (c) Promote and support low impact design elements to reduce effects of stormwater and wastewater, enhance ecological values, and increase visual and recreational amenity

#### 8.3.2 Objective: community development

Maniapoto identity and cultural values are reflected in community developments.

##### Policy

Community developments recognise and support Maniapoto culture, history and identity associated with specific places.

##### Actions

- (a) Ensure Maniapoto participation and input for community developments
- (b) Strengthen Maniapoto identity and culture in the design of buildings and structures in public spaces

##### Policy

Maniapoto culture, history and identity associated with specific places are reflected in residential and commercial developments.

##### Actions

- (c) Ensure Maniapoto have appropriate opportunities to be involved in developing and implementing plans and strategies to identify and protect Maniapoto values in residential and commercial developments
- (d) Encourage use of indigenous plants for public spaces, parks and reserves
- (e) Encourage use of landscape design elements that promote and celebrate Maniapoto cultural values
- (f) Ensure the use of Maniapoto designed artwork, signs, materials and structures that communicate the culture, heritage and history and promote the significance of places, resources and names important to the people of Maniapoto



## PART 9.0 - CUSTOMARY ACTIVITIES

### 9.1 INTRODUCTION

**9.1.1** Maniapoto customary practices and activities reaffirm Maniapoto identity and cultural rituals. Customary practices strengthen the relationship that Maniapoto have with each other and the environment and facilitate the exercise of rangatiratanga and kaitiakitanga.

**9.1.2** For Maniapoto, customary activities and resource uses include, but is not limited to:

- (a) use of waka on waterways for ceremonial, recreational, sporting use and other events;
- (b) collection of resources, such as river stones, for the preparation of hāngī;

- (c) gathering and using natural resources for the benefit of Maniapoto, such as rākau (wood) for carving or harakeke (flax) for kākahu (clothing), whāriki (mats) and kete (kit);
- (d) use of specific water bodies (freshwater or marine) for customary harvest and practices relating to the spiritual and cultural health and wellbeing of whānau, hapū and iwi, including baptisms as well as traditional ceremonies;
- (e) gathering and using indigenous flora and fauna and cultivated foods; and
- (f) the application of tikanga and kawa to manage natural resources, such as, rāhui to restrict activities or the use of a resource in an area for a specified time to allow a depleting resource to recover or prohibit the gathering of kai due to a tragedy. (for example, rāhui have been applied in Waimiha to manage depleting tuna population in streams).

### 9.2 ISSUES

#### 9.2.1 Access

**9.2.1.1** The lack of access to traditional places and sites of significance due to private land restrictions and land use activities has impacted on the ability of the people of Maniapoto to exercise customary activities and practices.

**9.2.1.2** The pollution, damage and destruction to natural resources due to land use activities have limited the ability of the people of Maniapoto to access mahinga kai areas and taonga species.

#### 9.2.2 Customary activities and resources

**9.2.2.1** Historical land losses, environmental changes and

regulations have affected the ability of Maniapoto to utilise natural resources. The loss, damage and degradation of waterways and fisheries have diminished mahinga kai areas. The lack of traditional kai has compromised the ability of the people of Maniapoto to manaaki visitors through providing such kai.

**9.2.2.2** Council plans and policies may not adequately recognise and acknowledge reverse sensitivity impacts on Maniapoto customary activities and uses and associated land and water areas central to whānau and hapū<sup>10</sup> life.

**9.2.2.3** It would be ideal to have a consistent approach to the acknowledgement and recognition of customary activities and associated resources across national and local government agencies to ensure collective roles and responsibilities in resource management to support the health and wellbeing of the people of Maniapoto.

## 9.3 OBJECTIVES, POLICIES AND ACTIONS

### 9.3.1 Objective: Access

To enhance and protect the ability of Maniapoto to access resources and undertake customary activities.

#### 9.3.1.1 Policy

Maniapoto maintain a traditional and continuing cultural relationship with their sites of significance (including places where they have lived and fished for generations) and continue to undertake customary activities and resource use in those areas.

#### Actions

- (a) Ensure new activities do not limit or disturb access to culturally significant sites
- (b) Restore access to culturally significant sites where current activities limit or prevent access
- (c) Maintain a register of customary activities and resource use areas to enable appropriate ongoing access to, and use and enjoyment of resources.

### 9.3.2 Objective: Customary activities and resources

To protect and enhance the ability of Maniapoto to undertake customary activities on land and waterways throughout the rohe

#### 9.3.2.1 Policy

Maniapoto identify, assess, protect and enhance areas or sites of significance for customary activities and use of resources.

#### Actions

- (a) Identify and protect the locations of customary activities
- (b) Ensure new activities do not adversely effect Maniapoto customary activities and use of resources
- (c) Review existing activities that adversely effect Maniapoto customary activities and use of resources so that affects can be minimised or eliminated
- (d) Restore, protect and enhance indigenous biodiversity, mahinga kai resources and sites for customary activities and resource use

(e) Ensure regulations for activities and resource use do not prohibit or restrict customary activities

(f) Ensure regional and district plans provide for customary undertakings as a permitted or controlled activities

#### 9.3.2.2 Policy

Sites of cultural and spiritual significance are restored, protected and enhanced to facilitate Maniapoto customary activities and resource use.

#### Actions

(a) Community, industry, national and local government agencies and others collaborate with Maniapoto to restore, as much as is practicably possible, culturally and spiritually significant sites to the satisfaction of Maniapoto.

#### 9.3.2.3 Policy

National and local government agencies manage resources to ensure sufficient resources are available for Maniapoto to undertake their customary activities in a sustainable manner and in accordance with traditional resource management practices.

#### Actions

(a) Ensure Maniapoto have appropriate opportunities to be involved in developing and implementing plans and strategies to undertake customary activities

(b) Protect the right for Maniapoto to manage customary resources and use; conduct customary activities on or near water bodies, including rivers, tributaries and the coastal and marine areas.

(c) Promote co-governance and co-management arrangements for the use of resources in Crown or council owned or controlled areas

(d) Ensure resource users of Ngā Wai o Maniapoto (all waterways in Maniapoto) provide a net benefit to resources and water bodies they use or provide offset mitigation measures that support Maniapoto objectives, values and interests

(e) Ensure regional and district plans and policies protect customary activities and resource use from inappropriate activities

## PART 10.0 - MANIAPOTO CULTURAL HERITAGE

### 10.1 INTRODUCTION

**10.1.1** This section addresses the protection and management of Maniapoto cultural heritage and includes wāhi tapu, sites, places, traditions, knowledge and landscapes that have a particular cultural, spiritual, historical, and traditional association for Maniapoto.

**10.1.2** Cultural heritage may include a place containing physical evidence of past occupation and use, such as an archaeological site, or the location of a significant event or landmark that has intangible values linked to stories and histories of the past. Sites may possess cultural and natural values that are tangible or intangible, or a combination of both. These valuable sites hold significance and importance to Maniapoto identity, history and culture.

### 10.1.3 Wāhi tapu

**10.1.3.1** There are numerous wāhi tapu within Maniapoto rohe that are significant and important to the people of Maniapoto. Wāhi tapu reaffirm the spiritual link between whānau and the ancestral landscape. As kaitiaki, Maniapoto have a responsibility and an obligation to protect and enhance wāhi tapu.

**10.1.3.2** For Maniapoto wāhi tapu include but are not limited to:

- historical pā, marae, urupā, kāinga, whare wānanga
- landscape features, monuments, stone quarries, rock art sites
- sites, places and areas where historical events took place (e.g., places of warfare or ritual)
- archaeological taonga found and yet to be found within lands, specific water holes, ponds, sites for cultural purposes, such as objects, artefacts and structures (eel weirs)
- historic settlements, gardening and mahinga kai areas, as well as pathways used by early tūpuna

**10.1.3.3** Maniapoto will determine wāhi tapu and cultural heritage. It is important that resource users view public records and consult or engage with Maniapoto to determine wāhi tapu that may be affected by a resource use or activity.

### 10.1.4 Taonga

**10.1.4.1** Taonga are those things highly prized and derived from iwi, hapū and whānau. They are whakapapa connected and are passed from one generation to the next. Taonga include but not limited to:

- (a) tangible objects, such as adzes, whakairo (carvings), heirlooms, artefacts, land and fisheries and other objects considered to be taonga tuku iho to Maniapoto
- (b) intangible things, such as language, spiritual beliefs and ideas.

**10.1.4.2** Any historical taonga found in the rohe is subject to the Protected Objects Act 1975. A taonga is recognised as taonga tūturu and defined as an object that:

- (a) relates to Māori culture, history, or society; and
- (b) was, or appears to have been
  - (i) manufactured or modified in New Zealand by Māori, or
  - (ii) brought into New Zealand by Māori, or
  - (iii) used by Māori, and
- (c) is more than 50 years old<sup>11</sup>.

**10.1.4.3** Any taonga of Māori origin found within Maniapoto rohe is subject to Maniapoto tikanga and kawa. For the purposes of the Protected Objects Act 1975, Maniapoto Māori Trust Board is a registered collector of taonga tūturu.

**10.1.4.4** Activities have the potential to contaminate damage or destroy wāhi tapu. Issues arising from activities that may impact on Maniapoto cultural heritage include, but not limited to:

- discovery of kōiwi and related artefacts
- disturbance of wāhi tapu from tree planting or forestry plantations

- public access and restrictions to Maniapoto access
- food consumption on wāhi tapu
- graffiti and vandalism
- subdivision
- alterations, additions, relocation or demolition of buildings of significance to Maniapoto
- construction of new buildings and structures on or near Maniapoto listed heritage sites
- earthworks (including tunnelling, roading, tracking reclamation, and disposal) on wāhi tapu.
- water pollution (point and non-point source discharges).

### 10.1.5 Taonga Register Geographical Information System (GIS)

**10.1.5.1** The Maniapoto Māori Trust Board has invested in a geographic information system (GIS) mapping tool to assist the people of Maniapoto to map wāhi tapu and sites of significance. The GIS tool is a useful mechanism to link Maniapoto cultural heritage information to policy-makers within national and local government. GIS presents complex information in a clearer, visual format that is easily accessed. GIS maps will assist in identifying areas to be protected from resource use and development. The taonga register will help councils to update district and regional plans to protect wāhi tapu and cultural heritage sites of significance.

**10.1.5.2** The people of Maniapoto may choose to register sites under the Historic Places Act or maintain a 'silent file'. This record excludes public perusal but is kept for council planning processes.

## 10.2 ISSUES

### 10.2.1 Recognition of the role of Maniapoto as rangatira and kaitiaki

**10.2.1.1** All policies and management plans, rules and regulations relating to the management of cultural heritage are important to Maniapoto. There is a general lack of consultation and engagement for cultural heritage matters of significance to Maniapoto. For example, local authorities may not adequately identify, designate or schedule cultural heritage areas, wāhi tapu and sites of significance in district plans and policies.

**10.2.1.2** Wāhi tapu and sites of significance generally cannot be replaced once destroyed or damaged. Activities or management approaches that lead to the contamination or loss of cultural heritage results in both a spiritual and physical loss to Maniapoto. As kaitiaki, Maniapoto seek to protect cultural heritage for the benefit of the community and ngā uri whakatupu (future generations) to ensure Maniapoto identity, history and culture is upheld.

**10.2.1.3** The three mechanisms in the RMA to protect and maintain historic heritage include:

- Section 33 - provides for councils to transfer power or duties to iwi authorities.
- Section 36(b) - provides for joint management agreements
- Section 188 - provides for iwi authorities to apply to the Minister for the Environment to become a

heritage protection authority.

**10.2.1.4** It is important for Maniapoto who are kaitiaki and/or exercise mana whenua over all or parts of Maniapoto cultural heritage to determine the appropriate level of protection, control, partnership and management of Maniapoto cultural heritage.

### 10.2.2 Wāhi tapu and sites of significance

**10.2.2.1** The damage and destruction of wāhi tapu and sites of significance (that are known or accidentally discovered) is an issue for the people of Maniapoto. There is often a lack of protection mechanisms and structures for cultural heritage on public or private land/or near coastal areas subject to erosion issues. The historic siting of pā and urupā on cliff tops has resulted in the exposure of kōiwi (human bones) found on beaches.

**10.2.2.2** There is a lack of access to and exclusion of Maniapoto participation for the management of cultural heritage on land no longer in Maniapoto ownership due to historical crown policies and actions. Whānau and hapū are holders of knowledge about cultural heritage areas but those that manage crown lands and utilise the land often do not take into account the history of the land and the significant cultural heritage areas.

**10.2.2.3** There are numerous cultural heritage areas on privately owned land and this has limited the ability of Maniapoto to exercise kaitiakitanga and to protect and access wāhi tapu. Protection measures on private land will require working collaboratively with local authorities and landowners.

<sup>11</sup> Protected Objects Act 1975 see section 2 Interpretation

### 10.2.3 Site management protocols

**10.2.3.1** Prior to the commencement of site works and earthworks, clear protocols must be in place to manage the site and the potential or actual discovery of archaeological features and/or taonga tuku iho. Where a wāhi tapu will be modified or destroyed, an authority is required from Heritage New Zealand (HNZ). The application for this activity requires that the relevant iwi shall provide a statement of effect, approval or non-approval. The authority should also require an archaeological management plan prior to approval. Maniapoto input to the archaeological management plan and the adoption of Maniapoto recommendations will ensure that site activities will be managed appropriately.

### 10.2.4 Discovery of taonga and/or archaeological sites

**10.2.4.1** It is important that resource users have in place Accidental Discovery Protocols for the management of archaeological sites and for any taonga that may be discovered during any activity on the work site. Maniapoto will work with resource users and agencies to manage the preservation and protection of taonga and/or sites. Maniapoto cultural monitors may also need to be resourced to be present on projects close to wāhi tapu and sites of significance.

### 10.2.5 Use of development contributions

**10.2.5.1** Currently, local authorities use a portion of development contributions to purchase or develop reserves within their districts. The development contribution policy should be widened to include the protection of wāhi tapu or cultural heritage sites. Council could apply part of the

development contribution to protect and maintain wāhi tapu and cultural sites as a mitigation measure to offset the potential damage and/or destruction to wāhi tapu and/or sites of significance. For example, development contributions should be available for reservation lands granted under section 340 of Te Ture Whenua Māori Act 1993 to offset any damage and/or degradation to wāhi tapu and cultural heritage sites. The aim of reservation lands is to enhance and protect the reservation for cultural or other purposes.

Development contributions could also be used to assist private landowners (Māori and non-Māori) in protecting and restoring wāhi tapu and sites of significance.

### 10.2.6 Rates relief for cultural heritage areas

**10.2.6.1** Rates relief policies for cultural heritage areas are generally limited to Māori freehold land. Cultural heritage can also be located on general land. Depending on the level of modification to a cultural heritage area, rates relief could be considered to incentivise landowners, in supporting protection mechanisms for cultural heritage areas.

### 10.2.7 Protection of sensitive information

**10.2.7.1** The protection of sensitive cultural heritage information and the non-disclosure of the location of specific wāhi tapu sites are important to Maniapoto. In the past, fossickers and treasure hunters have raided cultural heritage areas for their own economic benefit. Maniapoto Māori Trust Board has developed a taonga register to assist local authorities to protect and update cultural heritage schedules in district and regional plans and expects that sensitive information is appropriately protected.



## 10.3 OBJECTIVES, POLICIES AND ACTIONS

### 10.3.1 Objective: Recognition of the role of Maniapoto as rangatira and kaitiaki

To ensure Maniapoto participate at the highest level of decision-making on matters that affect cultural heritage within Maniapoto rohe

#### 10.3.1.1 Policy

Maniapoto is involved at the highest level of decision-making to ensure that cultural heritage in the Maniapoto rohe is protected and enhanced.

#### Actions

- (a) Ensure Maniapoto have appropriate opportunities to be involved in relevant cultural heritage management processes and decision-making to develop and implement plans and strategies
- (b) Identify and protect cultural heritage in council plans and Heritage New Zealand to give effect to Maniapoto rangatira and kaitiaki role to protect cultural heritage for future generations
- (c) Ensure Maniapoto is resourced to respond to resource consent applications and/or requests for engagement
- (d) Identify and protect access to cultural heritage areas for Maniapoto
- (e) Ensure protection of cultural heritage and archaeological structures from damage, destruction or adverse effects

### 10.3.2 Objective: Wāhi tapu and sites of significance

To protect Maniapoto wāhi tapu and sites of significance from the adverse effects of activities

#### 10.3.2.1 Policy

Maniapoto wāhi tapu are protected from damage, desecration or adverse effects.

#### Actions

- (a) Protect identified wāhi tapu and sites of significance through district and regional plans
- (b) Work with councils to protect wāhi tapu and other significant sites through the RMA and other regulatory processes
- (c) Require relevant agencies, councils and other organisations to develop information sharing protocols with Maniapoto to ensure relevant information about

wāhi tapu and significant sites is accessible

- (d) Encourage resource users and land owners to work with and enable Maniapoto to protect wāhi tapu and other significant sites that may be affected by their activities, regardless of land title.
- (e) Require the responsible authority protects wāhi tapu and significant sites located on public land from any adverse effects or activities by way of suitable protection measures (i.e., fencing or other physical barriers) while affording Maniapoto access to their sites.
- (f) Contact private land owners and relevant parties, on a case by case basis, to discuss what steps are required to adequately protect wāhi tapu and make sites accessible to Maniapoto in the long term.
- (g) Ensure that accidental discovery protocols are in place to appropriately manage the accidental discovery of wāhi tapu and taonga (see below).

### 10.3.3 Objective: Site management protocols

Site Management protocols are in place for all work sites that ensure wāhi tapu, kōiwi and taonga are treated in a respectful manner

#### 10.3.3.1 Policy

Site management protocols are incorporated into site management plans ensuring site works manage the discovery of wāhi tapu, kōiwi and taonga in a respectful way.

#### Actions

- (a) Require the development of site management protocols to assist the management of site activities
- (b) Employ appropriately qualified archaeologists to oversee all excavations or disturbances near identified sites. Progress and finds will be recorded, investigated and stored in an appropriate facility and manner. The archaeologist will work with Maniapoto to provide joint advice on methods to be undertaken to ensure that adverse effects on Maniapoto archaeological values are avoided.
- (c) Require a Maniapoto representative to be present at any known or suspected sites of significance, including urupā (burial sites) and identified wāhi tapu, during excavation or disturbance of the site and construction to act as a cultural advisor/monitor. Note: The cost of the representative shall be negotiated with and resourced by the resource user.
- (d) Require a Maniapoto representative to have access to monitor any part of earthworks.

- (e) Ensure Maniapoto determine tikanga and kawa protocols to be undertaken in relation in any excavation or disturbance
- (f) Maniapoto have input into all archaeological monitoring and investigation results and provide joint comment and advice is part of the results and/or report.

### 10.3.4 Objective: Discovery of taonga and/or archaeological sites

To ensure procedures are in place to manage the discovery and accidental discovery of taonga and archaeological sites

#### 10.3.4.1 Policy

Appropriate guidelines are in place to undertake archaeological surveys and excavations (information and permission).

#### Actions

- (a) Seek the guidance and direction of kaumātua for information or permission for archaeological surveys or excavations
- (b) Cease all site activity immediately any archaeological remains or artefacts are unearthed and notify Maniapoto within one working day of discovery
- (c) Contact NZ Police, the Coroner and the Historic Places Trust (as appropriate) as soon as archaeological remains of potential human origin are unearthed
- (d) Prevent work from commencing in the affected area until all necessary statutory authorisations or consents have been obtained

#### 10.3.4.2 Policy

A clear protocol is followed in the event of discovering taonga.

#### Actions

- (a) Step through the following protocol whenever taonga are discovered:
  - (i) Secure the area of the site containing the taonga in a way that protects the taonga as far as possible from further damage.
  - (ii) Notify a Maniapoto kaumātua immediately before the taonga is moved. The kaumātua will undertake appropriate actions.
  - (iii) Resume work when advised by the kaumātua.
  - (iv) If approved by the kaumātua, the archaeologist will record, measure and photograph the taonga prior

to the kaumātua securing the taonga.

- (v) The Kaumātua will determine the appropriate action for the taonga once it has been recorded. This may include reburying the taonga in an appropriate location or storing it in an appropriate location.
- (vi) If the taonga requires conservation treatment (stabilisation), this can be carried out in discussion with the archaeologist, kaumātua and Maniapoto.
- (vii) For the avoidance of doubt and subject to any laws of New Zealand, any taonga found shall be the property of Maniapoto who shall hold and use those taonga (including the return of them to marae) as they, in their sole discretion, see fit.

#### 10.3.4.3 Policy

The appropriate protocol is followed after the accidental discovery of archaeological sites.

#### Actions

- (a) Implement the following protocol whenever archaeological matter is accidentally discovered, including human remains:
  - (i) Cease all work that has potential to disturb the archaeological matter.
  - (ii) The unearthed archaeological material will remain in-situ (in place), and the relevant person (e.g., site construction supervisor, consultant, owner, or other person named as the 'relevant person') will be advised.
  - (iii) The area will be secured to ensure the archaeological matter remains undisturbed.
  - (iv) The relevant person will ensure that the matter is reported to the Regional Archaeologist at the New Zealand Historic Places Trust, Maniapoto, and to any required statutory agencies if this has not already occurred.
  - (v) A qualified archaeologist is to ensure all archaeological matter is dealt with appropriately.
  - (vi) Maniapoto are to be contacted for any material of Māori origin, in order that appropriate cultural processes are implemented to remedy or mitigate any damage to the site.
  - (vii) Any and all visits to the site must be cleared by the relevant person. It is advisable that a list of authorised personnel to visit the site is maintained. Under law it is a requirement for the site operator

to undertake the overall safe management of the site, including the health and safety of all persons visiting the site. To meet this requirement and also to protect the integrity of the accidental discovery, Maniapoto consider it important that all visitors to the project site are recorded, cleared and inducted into the site.

- (viii) The relevant person will ensure that the necessary people shall be available to meet and guide representatives of the New Zealand Historic Places Trust, Maniapoto, and any other party with statutory responsibilities, to the site.
- (ix) Works in the site area shall not recommence until authorised by the relevant person who will consult with the New Zealand Historic Places Trust staff, Maniapoto, the NZ Police, and any other authority with statutory responsibility, to ensure that all statutory and cultural requirements have been met.
- (x) All parties will work towards operations recommencing in the shortest possible timeframes while ensuring that any archaeological sites discovered are protected until a decision regarding their appropriate management is made, and as much information as possible is gained. Appropriate management could include recording or removal of archaeological material and needs to occur in a manner consistent with Maniapoto tikanga and kawa.

#### 10.3.5 Objective: Use of development contribution

To ensure development contributions are used, where appropriate, to protect for Maniapoto cultural heritage areas for cultural purposes

##### 10.3.5.1 Policy

Appropriate policies are in place to protect Maniapoto cultural heritage for cultural purposes.

##### Actions

- (a) Ensure Maniapoto have appropriate opportunities to be involved in the review, development and implementation of the development contribution policy to protect and enhance cultural heritage
- (b) Identify and apply development contributions to protect, maintain, restore, and/or mitigate

effects of an activity or resource use on sites of significance, wāhi tapu and cultural heritage in the rohe.

#### 10.3.6 Objective: Rates relief for cultural heritage areas

To provide rates relief to support protection measures for cultural heritage areas

##### 10.3.6.1 Policy

Appropriate criteria for rates relief for cultural heritage areas are identified and implemented.

##### Actions

- (a) Ensure Maniapoto have appropriate opportunities to be involved in the review, development and implementation of rates remission policy
- (b) Protect and identify cultural heritage areas and apply rates relief if applicable and possible.

#### 10.3.7 Objective: Protection of sensitive information

To ensure Maniapoto sensitive information is appropriately protected.

##### 10.3.7.1 Policy

Information sensitive to Maniapoto is appropriately protected.

##### Actions

- (a) Ensure Maniapoto have appropriate opportunities to be involved in the review, development and implementation of information sharing protocols to ensure sensitive information is accessible and protected by Maniapoto
- (b) Ensure district and regional plans and policies provide appropriate protection of information sensitive to Maniapoto.
- (c) Ensure district and regional plans and policies provide triggers for resource users to seek engagement and consultation with Maniapoto for sensitive information on cultural heritage matters.

## SECTION. D

### PROTECTING AND ENHANCING THE NATURAL ENVIRONMENT

#### In this section:

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- Natural Heritage And Biodiversity 88
- Natural Hazards 91

## PART 11.0 - INTRODUCTION

### 11.1 IN THIS SECTION

11.1.1 This section describes objectives, policies and actions to protect and enhance natural resources within Maniapoto rohe.

11.1.2 Unless a higher standard exists, Maniapoto will generally use the relevant objectives, policies and actions in this Plan as a starting point for preferred outcomes

### 11.2 CONVENTIONS

Chapters in this section of the Plan start with an introduction and then follows the following structure:

#### 11.2.1 Issues

Describes the issue of concern that impacts or has the potential to impact on the overall health and wellbeing of the matter discussed in the chapter. Issues of concern to Maniapoto may include consistency and alignment with Maniapoto aspirations, values and strategy, direction, activities, management approaches or processes.

#### 11.2.2 Objectives

The objectives section outlines high level goals that represent the preferred state or condition of the environment and may address the matters raised in the issues section.

#### 11.2.3 Policies

Policies outline the course of action required to achieve the objectives.

#### 11.2.4 Actions

The actions outline tasks to promote and support the policies.

## PAR 12.0 - AIR

### 12.1 INTRODUCTION

12.1.1 Air is an essential element of life and the environment.

Maniapoto value and respect air. It is a taonga with its own mauri and life-supporting capacity, to be protected and enhanced. High air quality levels and air amenity values are important for the health and wellbeing of Maniapoto and the environment.

### 12.2 ISSUES

#### 12.2.1 Discharges of contaminants to air and climate change

12.2.1.1 Discharges of contaminants to air, hazardous pollutants and particulate matter impact on air quality, indigenous biodiversity, cultural heritage and the people of Maniapoto. Examples include: dust, open cast quarrying and mining, agriculture and horticulture spray drift, car and diesel fumes, fumigation, solid fuel burning, open fires and wood burners, industry emissions and the release of ozone depleting substances to air.

12.2.1.2 The adverse effect of discharges to air is significant for Maniapoto. This may be particularly so, if the discharges to air are near to marae, urupā, papakāinga and cultural heritage areas.

#### 12.2.2 Air quality

12.2.2.1 The decline of air quality due to air pollution and the build-up of contaminants degrade and reduce the mauri of air and impacts on the health and wellbeing of Maniapoto, indigenous habitats and associated species. For example, visibility degradation impacts on the ability for the people of Maniapoto to be able to utilise the moon and stars for customary activities such as waka navigation and planting by the moon.

12.2.2.2 Outdoor air quality is managed by national air standards and geographical areas are known as 'air sheds'. The reduction of air quality has the potential to impact on the health and wellbeing of Maniapoto. For example, Te Kūiti is an air shed area because, during the winter months, the discharges from industry emissions and the use of open fires and wood burners contain large quantities of contaminants that contribute to the decline of air quality and must be managed appropriately<sup>12</sup>.

12.2.2.3 The depletion of the ozone layer and increases in greenhouse gas concentrations also changes the climate and weather patterns with warmer temperatures and variable weather patterns, higher annual rainfall and rises in sea

levels. These issues have the potential to disrupt the life cycles of indigenous species, impact on natural heritage and biodiversity values and the ability of Maniapoto to exercise kaitiakitanga is compromised.

### 12.3 OBJECTIVES, POLICIES AND ACTIONS

#### 12.3.1 Objective: Discharge of contaminants to air

To manage discharges to air to ensure they do not impact negatively on the ability of Maniapoto to provide for and enjoy cultural activities and events

##### 12.3.1.1 Policy

People and taonga are protected from the adverse effects of discharges to air.

##### Actions

- (a) Mitigate or eliminate discharges to air that may have any negative effect on people, marae, urupā and papakāinga, wāhi tapu, sites of significance
- (b) Implement strategies to control the cumulative effects of discharges to air
- (c) Ensure potentially offensive air discharges are contained within the property industry boundaries of the consent holder
- (d) Make monitoring information for air discharge consents accessible
- (e) Ensure rules for light and/or noise pollution do not limit customary use activities, places or events

#### 12.3.2 Objective: Air quality

To protect and restore the mauri of air to high air quality levels to ensure human health is protected.

##### 12.3.2.1 Policy

The mauri of air is restored and maintained to high air quality levels to sustain a healthy environment and healthy people.

##### Actions

- (a) Identify and protect areas of importance to Maniapoto where air quality characteristics need protection
- (b) Identify and protect areas of importance to Maniapoto where high air quality exists or is desired
- (c) Ensure limits and controls for air emissions protect and restore the mauri of air
- (d) Encourage Incentives and subsidies to support technological improvements which will decrease the amount of pollutants to the air
- (e) Promote the monitoring, reporting and collection of air quality information in the rohe and make it accessible to Maniapoto and others.

##### 12.3.2.2 Policy

Areas where air quality has been degraded are actively improved.

##### Actions

- (a) Encourage strategies to improve air quality in areas or communities that Maniapoto or others have identified as being at risk or sensitive to air pollution
- (b) Encourage and support efficient home insulation and clean heating programmes to reduce fine particle emissions
- (c) Promote funding and/or subsidies for clean home heating initiatives and insulation
- (d) Ensure consented discharges to air are managed and mitigated to avoid any adverse effects on air quality
- (e) Encourage industry to implement best practice or best practicable options for improving air quality

<sup>12</sup> [http://www.waikatoregion.govt.nz/PageFiles/22417/Air\\_quality\\_strategy.pdf](http://www.waikatoregion.govt.nz/PageFiles/22417/Air_quality_strategy.pdf)

## PART 13.0 - CLIMATE CHANGE

### 13.1 INTRODUCTION

**13.1.1** Global warming refers to a gradual increase in the overall temperature of the earth's atmosphere and to a change in global and regional climate patterns. Warming is generally related to the greenhouse effect caused by increased levels of carbon dioxide and methane and may be aggravated by pollutants such as the use of fossil fuels.

**13.1.2** It is predicted that within Maniapoto rohe, there will be an increase in temperatures with warmer weather patterns, reduced frosts, higher annual rainfall, a rise in sea levels and an increase in wind speeds. The increase of the severity of droughts, erosion and flood events are expected

to impact on the health and wellbeing of Maniapoto and disrupt the life cycles of indigenous species, habitats and ecosystems.

**13.1.3** Maniapoto greatly value and respect the climate and weather patterns that have contributed to mātauranga Māori and the relationship Maniapoto has with the environment that has sustained them for generations. Knowledge about local weather patterns and seasons has been an integral and vital part of Maniapoto life<sup>13</sup>. Maniapoto tūpuna experiences, lessons and mātauranga have contributed to the extensive and continued customary uses and practices of natural resources and the environment. For example, knowledge of ocean and wind currents to navigate waka, where and when to fish, cycles of the moon for planting and harvesting kai, and the use of seasons to implement cultural rituals and celebrations.

### 13.2 ISSUES

#### 13.2.1 Climate change

**13.2.2** Climate change issues in coastal areas where access to cultural heritage, marae, papakāinga and urupā are located have the potential to impact on the people of Maniapoto. Issues include increases to coastal erosion, changes to sea levels and variable weather patterns will impact on the ability of Maniapoto to live and collect kai in coastal areas. It is important Maniapoto are meaningfully involved in the development of climate change policy.

**13.2.3** Matters to be addressed in climate change policy include:

- increased coastal erosion and destabilisation of coastal slopes from rising sea-levels and storms;
- increased risk of coastal flooding and natural hazards
- loss of inter-tidal food gathering areas;
- impacts on productivity of in-shore fisheries;
- loss of coastal infrastructure, such as roads, homes, schools and community services as a result of higher water levels and more frequent storms;
- salt water intrusion (salinisation) into fresh water resources and farm paddocks;

- loss of Maniapoto land resulting in loss of economic opportunity;
- adverse impacts on ecology from erosion, sedimentation and pollution;
- danger of injury and loss of life in the case of extreme flooding events; and
- increased costs surrounding the maintenance, repair and re-design of houses and vital infrastructure services to cope with such changes.

#### 13.2.4 Greenhouse gas emissions

**13.2.4.1** The increase of greenhouse gas concentrations and global warming has the potential to impact on the health and wellbeing of the people of Maniapoto, indigenous habitats, associated species and cultural heritage.

**13.2.4.2** Maniapoto support initiatives to reduce greenhouse gas emission levels. International climate change policies seek to reduce greenhouse gas emission levels to international targets recommended in the Intergovernmental Protocol on Climate Change (IPCC). The IPCC is a leading international scientific intergovernmental body under the United Nations set up to assess climate change issues and the potential environmental and socio-economic impacts.<sup>15</sup>

<sup>13</sup> <http://www.niwa.co.nz/climate/information-and-resources/climate-and-m%C4%81ori-society>

<sup>14</sup> <http://www.niwa.co.nz/climate/information-and-resources/climate-and-m%C4%81ori-society>

<sup>15</sup> <http://www.ipcc.ch/>

## 13.3 OBJECTIVES, POLICIES AND ACTIONS

### 13.3.1 Objective: Climate change

To inform Maniapoto about the cause and effects of climate change to ensure adequate preparations are made throughout Maniapoto rohe

#### 13.3.1.1 Policy

Maniapoto are informed on the causes and effects of climate change and are prepared for the resulting impacts.

#### Actions

- Maniapoto to be involved in the review, development and implementation of strategies and plans for climate change
- Promote and support urban planning to reduce transport emissions
- Promote and support the use of solar water heating and similar measures to reduce energy use
- Promote and support improved land use activities and practices to reduce emissions
- Promote and support initiatives that encourage and reward the protection and restoration of indigenous forests, biodiversity and natural heritage values significant to Maniapoto

### 13.3.2 Objective: Climate change

To minimise and avoid further adverse effects of natural hazards associated with climate change

#### 13.3.2.1 Policy

All aspects of subdivision, development, land use and activities recognise and provide for the need to avoid contributing further to climate change and associated

natural hazards and their effects.

#### Actions

- Encourage new subdivision design and location to make best use of renewable energy and transport and to provide for developments and land uses that are sustainable
- Encourage developments, land use and activities that provide for efficient resource requirements and transport provisions that enable sustainable communities to thrive

### 13.3.3 Objective: Greenhouse gas emissions

To reduce greenhouse gas emissions to the level recommended by the Intergovernmental Panel on Climate Change

#### 13.3.3.1 Policy

Greenhouse gas emissions are reduced.

#### Actions

- Promote and support targets and limits for the reduction of greenhouse gas emissions to meet international targets for effective avoidance of further human generated climate change in line with Intergovernmental Protocol on Climate Change (IPCC) recommendations
- Encourage adoption of land management practices that reduce the net concentration of emissions into the air
- Encourage transport systems that provide the most efficient and effective use of resources and achieve reductions in emissions
- Encourage waste management practices that avoid methane and other greenhouse gases being lost to the atmosphere

<sup>16</sup> Adapted from Nga Wai o Maniapoto (Waipā River) Act 2012, Preamble clause 13

<sup>17</sup> Ngā Wai o Maniapoto (Waipā River) Act 2012, Preamble clause 22

## PART 14.0 - FRESH WATER

### 14.1 INTRODUCTION

#### Ngā Wai o Maniapoto

Maniapoto has a deep felt obligation to restore, maintain and protect all waters within the Maniapoto rohe, including the waters that flow into and form part of the Waipā River, whether the waters are above, on or under the ground. (Waiwaiā Accord September 2010)

**14.1.1** Fresh water has a deep spiritual significance to Maniapoto. Water is the wellspring of life. Historically, the waters were such that they provided all manner of sustenance to Maniapoto, including physical and spiritual nourishment that has, over generations, maintained the functions of marae and the health and wellbeing of whānau, hapū and iwi<sup>16</sup>. The health and wellbeing of the people of Maniapoto is closely linked to the health and wellbeing of freshwater resources.

**14.1.2** The degradation of waterways, declining water quality and the loss of fisheries and mahinga kai is a significant source of distress for Maniapoto. The restoration and protection of the mauri of all waterways is paramount to Maniapoto to ensure the quality and integrity of waterways continues to sustain the health and wellbeing of Maniapoto and the environment.

**14.1.3** In 2012, the Ngā Wai o Maniapoto (Waipā River) Act was enacted. Preamble clause 22 states: 'Maniapoto and the Crown agree that protective measures are necessary to safeguard the Waipā River from further deterioration and that co-governance and co-management arrangements provide a foundation for the restoration and maintenance of the Waipā River'<sup>17</sup>. The purpose of the Act is to restore and maintain the quality and integrity of the waters that flow into and form part of the Waipā River for present and future generations.

**14.1.4** The management of natural and physical resources in the Waipā catchment must give effect to Te Ture Whaimana o te Awa o Waikato (the Vision & Strategy for the Waikato River). This strategy is the primary direction setting document for the Waikato River, including the Waipā River. The overriding purpose of Te Ture Whaimana o te Awa o Waikato is to improve waterways to a condition where it is safe to swim, drink and collect kai from. A similar statutory arrangement called Te Awa Tupua is in place for the Whanganui River and is relevant for the significant waterways within Maniapoto: Ohura, Taringamotu, Ongarure and Waimiha rivers.

**14.1.5** The following five principles are fully described in the Waipā River Act and briefly outlined below to highlight Maniapoto freshwater management outcomes. These principles can also be applied to all waterways within Maniapoto, though the degree to which they apply will be a matter for mana whenua to determine:

#### Principle one: 'Te Mana o te Wai'

**14.1.6** Te Mana o te Wai refers to the quality and integrity of the waters that sustained the physical and spiritual wellbeing of Maniapoto. The continued health and wellbeing of current and future generations

and all other living things that depend on water is important to Maniapoto.

#### Principle two: Ngā Wai o Maniapoto

**14.1.7** Ngā Wai o Maniapoto refers to all the waterways in the Maniapoto rohe. Maniapoto have a deep felt obligation to restore, maintain, and protect all waters within the Maniapoto rohe (Ngā Wai o Maniapoto), including the waters that flow into and form part of the Waipā River.

**14.1.8** The historic degradation of Ngā Wai o Maniapoto and the exclusion of Maniapoto participation in freshwater management has been a source of distress for Maniapoto. Maniapoto participation in co-governance and co-management decision-making arrangements will ensure Ngā Wai o Maniapoto are enhanced and protected.

#### Principle three: Te Mana o te Waipā

**14.1.9** This principle refers specifically to the Waipā River and tributaries. The relationship between Maniapoto and the Waipā River is historic, intellectual, physical, and spiritual. The Waipā River is central to the identity and livelihood of Maniapoto, such that, the Waipā River has mana and represents the mana of Maniapoto.

**14.1.10** Restoration efforts for Te Mana o te Wai and the Waipā River is important to Maniapoto and aims to enhance and protect the mauri of the Waipā River and Waiwaiā, in its entirety.

#### Principle four: Te Mana Tuku Iho o Waiwaiā

**14.1.11** Waiwaiā is the spiritual kaitiaki of the Waipā River. Maniapoto has a deep felt obligation to care for and protect te mana tuku iho o Waiwaiā and to instil knowledge and understanding within Maniapoto and the Waipā River communities about the nature and history of Waiwaiā. It is, therefore, important to Maniapoto to be consulted and engaged for all matters that impact on Maniapoto. Waiwaiā is also known in other rivers within the Maniapoto rohe.

#### Principle five: Kaitiakitanga

**14.1.12** Kaitiakitanga is integral to the mana of Maniapoto and requires:

- (a) restoration of the relationship of Maniapoto with wai





- (b) restoration and maintenance of the ability of Ngā Wai o Maniapoto to provide for the practice of manaakitanga
- (c) recognition and respect for the kawa, tikanga, and kaitiakitanga of Maniapoto
- (d) encouragement and empowerment of active involvement by Maniapoto in the expression of their kaitiaki responsibilities.

**14.1.13** The table below is a summary of the classification of waterways and a description of the uses for those waters important to Maniapoto.

**14.1.14** Maniapoto who are kaitiaki and/or exercise mana whenua over part or all of a water body will determine the states and uses of their waterways.

**14.1.15** Maniapoto priority outcomes for Ngā Wai o Maniapoto include but not limited to<sup>18</sup>:

- (a) Enhancement and protection of waterways to a condition where it is safe to swim, drink and undertake rongoā and mahinga kai activities

- (b) Maniapoto customary rights and interests to fresh water upheld, recognised and given effect to in planning frameworks
- (c) restoration of waters so that they are productive, clean and able to be safely used by Maniapoto for a variety of cultural activities including habitats for aquatic life, mahinga kai, swimming, waka ama, recreational and rongoā (medicine)
- (d) protection of fresh water to ensure food populations are abundant, found throughout their historic range and able to be gathered by Maniapoto
- (e) restoration, enhancement and maintenance of habitats and wetlands to increase indigenous biodiversity and native fisheries
- (f) enhancement and protection of waters for marae to have secure access to water for drinking supply
- (g) protection of cultural heritage and wāhi tapu along waterways

Name	Description
Wai ora	Life giving and sustaining. These waters are regarded as pristine and for higher purposes such as ceremonial use and blessings. These waters must be protected.
Wai Māori	General purpose use. These waters are available for drinking, swimming, cultural purposes, recreation, and for economic use and mahinga kai. Waters used to sustain marae functions should be protected for marae use. These waters must be managed to sustain Maniapoto whānui.
Wai Kino	Limited use water. These waters can be used for general purposes, but will have limited capacity to sustain life or to be used safely due to poor water quality and other limiting factors. These waters must be managed to ensure safe and optimal use.
Wai Mate	Not fit for human consumption or productive use. These waters are considered to be unsuitable for human consumption and use and must be protected from further degradation. The restoration of these waters must be managed to restore water quality and to ensure safe use.

<sup>18</sup> This section is based on priority outcomes from Maniapoto Priorities for the Restoration of the Waipā River Catchment 2014

## 14.2 ISSUES

### 14.2.1 Recognition of the role of Maniapoto as rangatira and kaitiaki of Ngā Wai o Maniapoto

**14.2.1.1** There has been a lack of recognition and understanding of Maniapoto rangatiratanga and kaitiakitanga roles and responsibilities for freshwater management within Maniapoto rohe. Outstanding matters relating to water ownership and water allocation for the people of Maniapoto are still to be resolved with the Crown.

**14.2.1.2** The decline in the relationship of Maniapoto with their waters is due to:

- (a) The lack of Maniapoto decision-making representation at governance and management levels and the lack of awareness and understanding within the community of the unique and important responsibilities associated with kaitiakitanga
- (b) historical land confiscations
- (c) removal of access to significant waterways through the taking of land under the Public Works Act and other means
- (d) Maniapoto values for freshwater resources (mauri, native fisheries, mahinga kai and indigenous biodiversity) not recognised or acknowledged in planning and policy frameworks
- (e) economic objectives prioritised over Maniapoto priorities

### 14.2.2 Water quality

**14.2.2.1** Activities that reduce water quality also reduce the mauri of water and associated indigenous habitats and species. The degradation and pollution of water quality and the decline of highly valued resources, such as tuna and other fisheries, aquatic life, mahinga kai sources, and indigenous habitats and species, have impacted on the health and wellbeing of the people of Maniapoto and the ability of the people to utilise mahinga kai to meet their spiritual and physical needs. For example, mahinga kai is essential for Maniapoto to maintain customs, such as manaakitanga (providing hospitality to guests) and indigenous species are important indicators of the health of the environment. The exchange of mahinga kai is also instrumental in maintaining intra- and intertribal relationships.

**14.2.2.2** The following issues contribute to the decline of water quality and impact on Maniapoto values and include but are not limited to:

- (a) direct discharge of contaminants to water, including

treated sewage, stormwater and industrial waste;

- (b) point and non-point source discharges to water such as agrichemical sprays, agricultural run-off, septic tank overflows and contaminated stormwater entering water bodies;
- (c) Historical land use practices have contributed to polluted, damaged and degraded waterways;
- (d) vegetation clearance, poor riparian habitat and past river control activities that have changed the flow of water resulting in erosion and high sediment loads;
- (e) location of landfills close to streams and waterways and potentially leaching of contaminants to water;
- (f) contamination, degradation and destruction of riparian margins and habitats;
- (g) loss of historical access routes to waterways

**14.2.2.3** Private ownership of ancestral lands and waters has also restricted Maniapoto access to sites of significance, fishing and mahinga kai resources. In some cases, Maniapoto has established informal agreements with private land owners to access traditional fishing grounds (e.g., piharau sites). However, these agreements are limited to current landowners and may not be upheld by future landowners.

**14.2.2.4** In principle, Maniapoto opposes the use of waterways as a receiving environment for treated wastewater and prefers land discharge methods. However, Maniapoto acknowledges disposal to land options are complex and historical wastewater systems use water to transport waste. With water taken from waterways being used to transfer waste from dwellings, businesses and industrial sites to wastewater treatment plants, disposal of treated wastewater to waterways may often be the only practicable disposal option.

**14.2.2.5** Some activities on land have contributed to the degradation of waterways and groundwater. Some waterways within Maniapoto rohe are unsafe to drink, swim in or fish from.

**14.2.2.6** The transport of water from one catchment to another catchment reduces the mauri of the water body and has the potential to introduce plants and animal pest species. The unnatural mixing of different types of waters, e.g., reservoir water added to waterways in low flow (flow augmentation) and between tributaries and catchments can impact the life-supporting potential of both supplying and receiving waters and environments and potentially compromise the mauri of those waters. For example, water bodies have different characteristics and may be used for different cultural purposes (i.e., collection of food in one waterway and spiritual and physical cleansing in other waterways).

**14.2.2.7** Activities in river beds and river margins can also reduce water quality. For example, clearance of vegetation, stock access to waterways and extraction of sand, gravel and minerals can impact on aquatic ecosystems and fish life and may obstruct fish passage and weaken bed and channel stability.

### 14.2.3 Water allocation

**14.2.3.1** Water allocation methods do not prioritise water for Maniapoto spiritual, environmental, social, cultural and economic purposes. Maniapoto priority use and access to safe clean water within Maniapoto rohe should be protected in perpetuity.

**14.2.3.2** The oversubscribed application for water for some waterways has reduced water flow levels. The ability for some waterways to sustain indigenous habitats and species within them is a concern for Maniapoto. The exclusion of Maniapoto participation in water allocation policies, plans and implementation has impacted on the ability for Maniapoto to exercise rangatiratanga and kaitiakitanga and to protect and use water.

**14.2.3.3** Key issues and considerations for water quantity include but not limited to:

- (a) oversubscribed application for water supply based on a 'first-in first-served' approach and an accompanying tendency by some users to 'bank' water supplies by applying for more water than they currently require, or using less water than originally anticipated in the application;
- (b) an expectation by existing consent holders to renew their consents on expiry when catchments may be over subscribed;
- (c) limited involvement by Maniapoto in decision-making and planning;
- (d) inconsistent effort by water use consent holders (including water take and direct or indirect discharge to water) to comply with consent conditions and strive for efficiency in water use;
- (e) any taking of water from water bodies without resource consent further reduces the water available for Maniapoto outcomes

### 14.2.4 Integrated catchment management

**14.2.4.1** National and local government are responsible for the management of water, each has its own statutory

objectives and obligations to Maniapoto, planning and policy frameworks, different stakeholders and timeframes. Maniapoto are concerned about the management approach of different agencies and the potential for issues to fall in between the jurisdiction of two or more agencies. An integrated catchment management approach is promoted and should include the means to:

- (a) address water quality and quantity issues in the catchment;
- (b) recognise and provide for the relationship between Maniapoto and fresh water, including for spiritual, social, cultural, environmental and economic purposes;
- (c) recognise and manage for the relationship between groundwater and surface water; the interface between fresh water and salt water; and
- (d) recognise and manage for the effects of land use activities on water quality and quantity.

### 14.2.5 State of the Environment monitoring tools

**14.2.5.1** There is a lack of information regarding the presence and health of indigenous species important to Maniapoto in State of the Environment reports. Historically Maniapoto were also excluded from local government monitoring programmes and decision-making and their ability to practice kaitiakitanga had greatly diminished. The concern is that Maniapoto values associated with water bodies continue to go unrecognised and unprotected.

**14.2.5.2** There is also a lack of cultural monitoring tools to recognise matters of significance to Maniapoto and to contribute to state of the environment reports. The addition of cultural indicators in monitoring reports, such as, the mauri of waterways and the health and vitality of mahinga kai sites, taonga species and aquatic ecosystems are important information to inform Maniapoto decision-making. This information will contribute to policy development and support restoration initiatives.

## 14.3 OBJECTIVES, POLICIES AND ACTIONS

### 14.3.1 Objective: recognition of the role of Maniapoto as rangatira and kaitiaki of Ngā Wai o Maniapoto

Ngā Wai o Maniapoto is healthy and enhanced to protect the relationship of Maniapoto and water bodies.

#### 14.3.1.1 Policy

To give effect to the rangatira and kaitiaki role of

Maniapoto in co-governance and co-management frameworks for Ngā Wai o Maniapoto.

#### Actions

- (a) Ensure plans and policies are updated to give effect to Ngā Wai o Maniapoto Waipā River Act 2012
- (b) Ensure Maniapoto have appropriate opportunities to be involved in the review, development and implementation of plans and strategies for freshwater management
- (c) Design policies and rules on taking, use, damming, diversion and discharge of water in a way that protects the relationship and values of Maniapoto towards fresh water as a matter of national importance
- (d) Engage and consult Maniapoto prior to the public release or notification of consents, policies, discussion documents, protocols, plans and/or regulations
- (e) Require joint statements determined by a relevant authority and Maniapoto on freshwater management (with recommendations), to be submitted to the respective decision-making board, council or committee

#### 14.3.1.2 Policy

Ngā wai o Maniapoto continue to provide sustenance to Maniapoto (including physical and spiritual nourishment).

#### Actions

- (a) Ensure regional councils prioritise the protection and enhancement of vulnerable water bodies and catchments
- (b) Enhance and protect the quality and integrity of Ngā Wai o Maniapoto and mahinga kai sources
- (c) Ensure resource users recognise and provide for Maniapoto access to water to facilitate customary activities, land use activities, and for other purposes
- (d) Ensure secure and reliable access to high quality drinking water for marae
- (e) Avoid discharges of untreated/treated effluent to Ngā Wai o Maniapoto
- (f) Identify and reduce sources of contamination that affect water clarity, nutrient levels, levels of dangerous microorganisms or any other contamination that is dangerous to human health to a safe level as defined by the highest national standards and Maniapoto objectives in this Plan.
- (g) Clean up rubbish in waterways and provide resources to manage and dispose of rubbish and recycling
- (h) Increase indigenous habitats and species

#### 14.3.1.3 Policy



MANGAPŪ STREAM PLANTING DAY 2015

Access to fresh water bodies to undertake customary activities and uses are enhanced and protected.

**Actions**

- (a) Restore, enhance and protect access to waterways where Maniapoto have traditionally undertaken customary activities and uses
- (b) Ensure Maniapoto has access to waterways for recreational activities
- (c) Avoid or mitigate the affect from any application for an activity or natural resource use that limits or reduces Maniapoto access to waterways

**14.3.2 Objective: Water quality**

Restore and enhance the mauri of Ngā Wai o Maniapoto and protect Te Mana o te Wai

**14.3.2.1 Policy**

Water quality supports healthy ecosystem functioning. Actions

- (a) Ensure activities and natural resource use restore, protect, enhance and maintain continued development of indigenous biodiversity, including biodiversity/habitat corridors
- (b) Use indigenous species to establish riparian buffer zones along waterways and drains to enhance and protect healthy functioning ecosystems
- (c) Ensure water level flows protect the quality and integrity of water and provide for customary use and practices
- (d) Avoid stock access to waterways to avoid erosion and sediment issues
- (e) Protect mahinga kai and taonga species from damage and pollution
- (f) Identify and protect areas where access is, or should be, restricted or limited to enable Maniapoto to undertake customary practices and uses
- (g) Protect river and lake beds from disturbance and tightly monitor and control activities taking place in these areas
- (h) Restore and protect the integrity of river corridor and lake environments and protect aesthetic features and natural qualities from modification and development

**14.3.2.2 Policy**

Restoration and protection of Ngā Wai o Maniapoto makes best use of resources and time.

**Actions**

- (a) Identify areas of high biodiversity value to protect and enhance
- (b) Avoid clearance of indigenous vegetation where it would negatively affect the mauri of water
- (c) Promote ecological corridor links in re-vegetation projects
- (d) Conduct riparian cultural health assessments to measure improvements and to inform resource users and the public on maintaining healthy riparian environments
- (e) Ensure resource users restore and protect indigenous aquatic habitats and provide access to habitats such as floodplains and wetlands
- (f) Ensure biosecurity measures are placed on invasive species that may impact on water quality

**14.3.2.3 Policy**

Indigenous aquatic ecosystems are restored and maintained

**Actions**

- (a) Ensure resource users protect and restore waterways in proportion to the activity to be undertaken, any historical adverse effects and the state of degradation of the environment
- (b) Protect aquatic ecosystems and use best practice to restore ecosystems
- (c) Design or retrofit structures to allow natural fish passage
- (d) Ensure effective pest control, including containment and eradication of pest species, particularly where resource use contributes to the risk or proliferation of pest species
- (e) Identify and protect areas that would be adversely affected by activities or uses to maintain and enhance the mauri of water
- (f) Ensure waterways have healthy, functioning riparian margins and set back areas where appropriate and noting a general preference for indigenous species to be used.

- (g) Incorporate native riparian planting on esplanade reserves and strips in new and existing subdivisions

**14.3.2.4 Policy**

Sedimentation is managed to protect and restore the mauri of water.

**Actions**

- (a) Avoid soil and vegetation disturbance on erosion-prone land and ensure land use occurs in a way that reduces further erosion
- (b) Promote and incentivise retirement of erosion prone land where feasible
- (c) Avoid adverse effects on the mauri of waterways through control of sediment and stormwater in all land use activities
- (d) Ensure new land use developments use low impact urban design and sustainable options for on-site stormwater management

**14.3.2.5 Policy**

Physical characteristics of waterways are enhanced and/or restored.

**Actions**

- (a) Restore and maintain the integrity of river corridor and lake environments within the rohe and protect aesthetic features and natural qualities from modification and development
- (b) Protect river and lake beds from disturbance and tightly monitor and control activities taking place in these areas.

**14.3.3 Objective: – Water allocation**

To allocate water in a manner that restores and protects the health and wellbeing of water bodies in Maniapoto rohe.

**14.3.3.1 Policy**

Water allocation regimes must recognise and provide for Maniapoto values and interests and contribute to achievement of cultural and environmental outcomes

**Actions**

- (a) Ensure water depth and flows protect and enhance mahinga kai and indigenous biodiversity values

- (b) Ensure flow and water allocation regimes that restore what a river should be rather than maintaining the existing degraded condition or value

- (c) Ensure Maniapoto is engaged in the development of water policies, plans and strategies

- (d) Encourage appropriate water recycling and water storage

- (e) Ensure flow and water allocation regimes provide for current and future Maniapoto spiritual, social, cultural, environmental, and economic aspirations within the Maniapoto rohe.

**14.3.4 Objective: Integrated catchment management**

To provide an integrated and coordinated approach to manage freshwater resources that considers whole of river effects of land and freshwater activities and the fresh water/salt water interface

**14.3.4.1 Policy**

Management and control of activities within catchments is maintained across administrative boundaries, particularly across hapū or iwi rohe, local authority boundaries, between catchments and land, and within catchments.

**Actions**

- (a) Ensure Maniapoto have appropriate opportunities to be involved in the review, development and implementation of integrated catchment management plans (ICMP) that take into account:
  - (i) mauri and customary use and practices
  - (ii) the role of Maniapoto to exercise kaitiakitanga and rangatiratanga
  - (iii) groundwater and surface water relationships
  - (iv) water quality and water quantity relationships
  - (v) the effects of land use on water quality and quantity
  - (vi) assimilative capacity of catchments and associated limits
  - (vii) cumulative effects
- (b) Clarify and integrate roles and responsibilities of national and local government, and resource users in integrated catchment management planning

### 14.3.5 Objective: – State of the environment monitoring tools

Use cultural health monitoring tools to monitor and report on activities that affect Ngā Wai o Maniapoto and matters of significance to Maniapoto

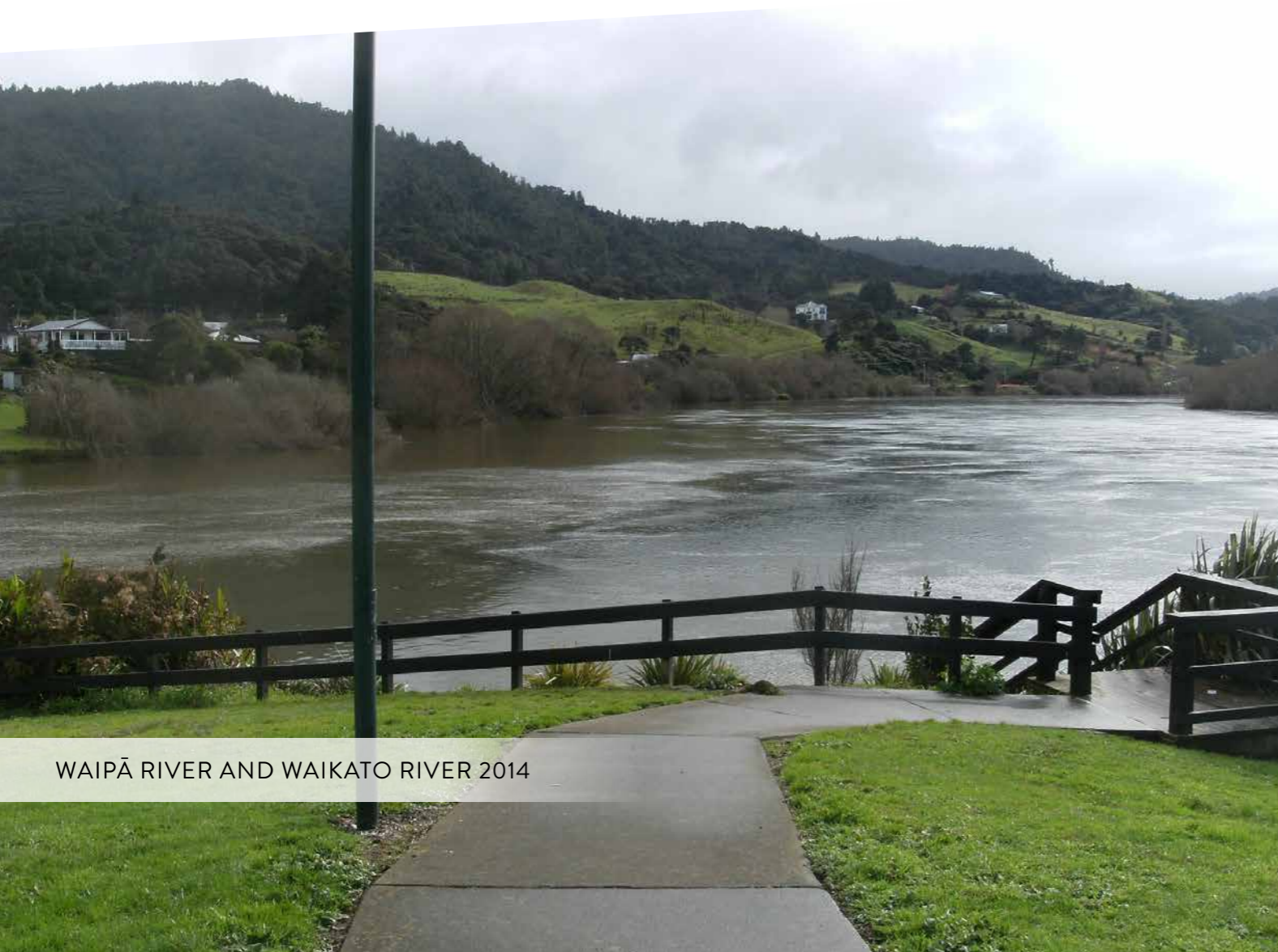
#### 14.3.5.1 Policy

The state of waterways is well understood.

#### Actions

- (a) Support the development and implementation of cultural health monitoring tools to support the people of Maniapoto to participate in council monitoring and compliance programmes.
- (b) Make available water monitoring information and reports to Maniapoto

- (c) Incorporate mātauranga Maniapoto values in all state of the environment reporting (RMA s35(2A)), monitoring and policy effectiveness reporting (RMA s35(2)(a) – (e), policy documents and methods related to the management and restoration of waterways
- (d) Develop and establish research partnerships with councils, crown research institutes, government departments, universities and other organisations to address issues of importance to Maniapoto regarding freshwater management
- (e) Natural resource use within the Maniapoto rohe contains appropriate monitoring and reporting conditions to report on activities that affect Ngā Wai o Maniapoto and matters of significance to Maniapoto.
- (f) Maniapoto are involved in the development, preparation, data collection and analysis for state of the environment reporting.



WAI PĀ RIVER AND WAIKATO RIVER 2014

## PART 15.0 - WETLANDS

### 15.1 INTRODUCTION

**15.1.1** For Maniapoto, wetlands and swamps are highly valued as traditional sources of fisheries and materials. They are part of the ancestral landscape and culturally important for sources of mahinga kai, including native fish, birds, indigenous flora and fauna and taonga species (e.g., harakeke, ducks, eels, inanga). Wetlands also provide materials and resources for rongoā, raranga and whakairo and were important places to store and preserve taonga.

**15.1.2** Wetlands include a wide range of habitat types from freshwater streams, swamps and bogs to saltwater marshes, and estuaries. Wetlands perform vital ecosystem services and act as a filtration system to improve water quality and reduce flood risks by trapping and removing sediment and nutrients.

#### 15.1.3 Wetland and Shallow Lake Agreement and Accord

The Waikato and Waipā Districts have two inter-agency agreements for lakes and wetlands: the Waipā Peat Lakes and Wetland Accord and the Waikato District Lakes & Freshwater Wetland Memorandum of Agreement (MOA).

##### 15.1.4.1 Waipā Peat Lakes and Wetland Accord

This accord was signed by representatives of Waikato

Regional Council, Department of Conservation, Waipā District Council, Auckland-Waikato Fish and Game Council and Ngā Iwi Toopū o Waipā in February 2002. The purpose of the accord is, “To align the activities of management agencies when working with landowners, tāngata whenua and interested parties when working towards the restoration and enhancement of lakes and wetlands in the Waipā District”.

##### 15.1.4.2 Waikato District Lakes & Freshwater Wetland Memorandum of Agreement (‘MOA’)

This MOA was signed by representatives of Waikato Regional Council, Department of Conservation, Waikato District Council, Auckland- Waikato Fish and Game Council and Waikato-Tainui in June 2011. The purpose of the MOA is: “To recognise the values of the freshwater lakes and wetlands of the Waikato District, and to protect, enhance and restore these through alignment of our activities when working with communities, landowners, tāngata whenua and interested parties”.

Both agreements provide a collaborative approach for agencies to align management frameworks and activities to restore and protect lakes and wetlands. Maniapoto maintain shared interests along the tribal boundary that includes all or parts of wetlands and/or shallow lakes in these agreements.

### 15.2 ISSUES

**15.2.1** Recognition of the role of Maniapoto as rangatira and kaitiaki of wetlands

- 15.2.1.1** The lack of recognition of the role of Maniapoto to exercise rangatiratanga and kaitiakitanga for wetland management impacts on the ability for resource managers to recognise and protect wetlands significant to Maniapoto
- 15.2.1.2** The exclusion of Maniapoto participation at the decision-making table and the lack of awareness and understanding within the community of the unique and important responsibilities associated with kaitiakitanga impacts on the health and wellbeing of Maniapoto and the associated indigenous habitats and species and waterways.

#### 15.2.2 Mauri of wetlands

**15.2.2.1** The destruction, damage and reduction in wetlands and the consequent loss of wetlands impacts on the health and wellbeing of the people of Maniapoto and indigenous habitats and species. Many of the remaining wetlands are threatened and declining due to:

- adjacent land management practices that release high sediment and nutrient loads
- removal of indigenous vegetation
- disconnection of wetlands from river systems
- draining of wetland ecosystems
- impacts from introduced flora and fauna
- adjacent activities and uses that impact on the mauri of wetlands

- loss of indigenous species associated with wetlands
- pest management
- use of toxic compounds

**15.2.2.2** Many wetlands in the rohe are surrounded by privately owned land, preventing access from the public domain (roads and reserves). In addition, the introduction of pest fish (such as koi carp) and pest plants affects the quality and integrity of wetlands and freshwater resources.

## 15.3 OBJECTIVES, POLICIES AND ACTIONS

### 15.3.1 Objective: Recognition of the role of Maniapoto as rangatira and kaitiaki of wetlands

Wetlands are healthy and enhanced to protect the relationship of Maniapoto and wetlands

#### 15.3.1.1 Policy

To achieve Maniapoto representation at the council decision-making table on matters that affect wetlands.

#### Actions

- (a) Ensure Maniapoto is engaged and consulted on matters significant to them and recognise Maniapoto kaitiakitanga and rangatiratanga and participation at the decision-making table for all proposed activities, developments and/or land use changes that may impact on wetlands
- (b) Raise awareness and understanding within communities of Maniapoto values associated with wetlands

### 15.3.2 Objective: Mauri of wetlands

To enhance and protect natural wetlands to produce an overall net gain in wetland area in the rohe as wetlands are restored

#### 15.3.2.1 Policy

The net area of wetlands increases with no loss of existing natural wetland area.

#### Actions

- (a) Recognise, preserve and protect all wetland and riparian areas that provide important cultural and environmental benefits, including:
  - (i) mahinga kai habitat
  - (ii) provision of resources for cultural use

(iii) cultural wellbeing

(iv) filtration system to maintain and improve water quality

(v) natural flood protection

(b) Amend planning rules and policies to prevent further reduction in natural wetland area or wetland condition within the Maniapoto rohe

(c) Protect, restore and enhance existing wetlands

(d) Avoid drainage of existing wetlands and the destruction or modification of existing native riparian areas

(e) Install appropriate fencing, buffers and set back areas to protect wetlands and riparian areas from intensive land use, stock access and irrigation

(f) Support initiatives to restore wetlands, including:

(i) maintaining a wetland inventory

(ii) identifying and mapping historic and existing wetlands

(iii) mapping existing riparian margins

(iv) promoting collaborative restoration projects

(v) supporting wetland vegetation fragments to grow in size

(vi) restoring historic water levels

(vii) identifying incentives to provide for restoration and implementing those incentives

(g) Recognise and enhance the natural infrastructure of wetlands as a major asset in combating and adapting to climate change

(h) Construct wetland areas, where appropriate, to assist with the management of onsite/site sourced stormwater, wastewater and for agricultural purposes to take advantage of the function of wetlands to filter contaminants.

- (i) Prevent use, in general, of natural wetlands for treatment or disposal of wastewater. Constructed wetlands may operate adjacent to natural wetlands to mitigate the impacts on natural systems.

### 15.3.3 Objective: Mauri of wetlands

To ensure planning and regulations for land use adjacent to wetlands restores and maintains wetland health

#### 15.3.3.1 Policy

Adjacent land-use practices do not impact negatively on wetlands.

#### Actions

- (a) As appropriate, establish, enhance and restore wetlands and riparian areas, as a measure to avoid, remedy or mitigate actual or potential adverse effects of land use and development activities on the cultural and environmental values of these areas
- (b) Ensure best practice land use within wetland catchments with accompanying guidelines as necessary

(c) Identify wetland areas and puna within Maniapoto rohe, at the strategic and landscape scales, to define where activities must be avoided to protect the mauri of water

(d) Ensure management of wetlands and water resources occurs through holistic management at the river, lake or aquifer at catchment scale that is linked to coastal zone management for coastal and near-shore wetlands and takes into account water allocations for the ecosystems

(e) Restore flood plains, where appropriate land is available and it is feasible, to function as natural overflow areas along rivers and to link more naturally with adjacent wetlands

(f) Recognise the significance of and provide for wetlands in spatial planning

(g) Avoid direct discharge points that negatively affect the mauri of wetlands

## PART 16.0 - FISHERIES

### 16.1 INTRODUCTION

“Vision: for a healthy river that can support indigenous flora and fauna and enhance the wellbeing of our communities”<sup>20</sup>

**16.1.1** Maniapoto wish to protect, restore, use and manage fisheries and their habitats to protect and enhance the mauri of fisheries and water bodies and the health and wellbeing of the people of Maniapoto and to pass on mātauranga Māori, traditional practices and tikanga to future generations<sup>21</sup>.

**16.1.2** Use of taonga species<sup>22</sup>

**16.1.2.1** There are approximately 20 taonga fish species within Maniapoto rohe and exotic breeds that spend some or all of their lifecycle in the river systems.

**16.1.2.2** Tuna was a major food source in Maniapoto traditions and continues to be significant for contemporary Maniapoto lifestyles. Traditional teachings, both verbal and written, inform Maniapoto about piharau, a delicacy often enjoyed by Maniapoto kaumātua in the past. This very important mahinga kai has become a scarce resource.

**16.1.2.3** Five separate galaxiid species make up the whitebait catch - inanga, banded kōkopu, kōaro, shortjaw kōkopu, and giant kōkopu. In most river systems, the inanga make up the majority of the whitebait catch. Thus, this fish is likely to be encountered more than other members of the Galaxiidae family.

**16.1.2.4** Whitebaiting is a popular activity with the season running for approximately three and a half months from August to November. This period coincides with the upriver migration, and provides those stands on the lower reaches of Maniapoto rivers with greater advantage. Some whitebait stands have been erected on Maniapoto land that was taken for scenic purposes. Many are permanent stands with owners of multiple stands trading access to them for commercial gain. Resource consent is not required to erect the stands and waste disposal is not managed.<sup>23</sup>

**16.1.2.5** Grey mullet are known to travel up the Waipā River, but their diadromous nature means they must return to the sea to spawn.

**16.1.2.6** The black flounder is a member of the flatfish family, or Pleuronectidae, and is truly a freshwater species. Primarily a coastal species, they can penetrate well inland if the river gradient is not too steep. Specimens

have been recorded more than 100 km inland in some river systems.

**16.1.2.7** The once-abundant indigenous fish in the Waipā catchment have declined with many taonga fish species currently more threatened than Kiwi. The following species found in the Waikato and Waipā River catchments are classed as ‘declining’<sup>24</sup>:

- inanga
- shortjaw kōkopu
- giant kōkopu
- kōaro
- tuna (longfin and shortfin eels)
- piharau (lamprey)
- hauhau/waikaka/kōwaro (black mudfish)
- torrentfish
- redfin bully

**16.1.2.8** Invertebrates (animals without a backbone) include insects, snails, worms and crustaceans such as kōura (freshwater crayfish). Different types of invertebrates live in different parts of rivers depending on water quality and the river bed substrate, i.e., whether the river bed is sandy or rocky. Soft shallow shorelines are usually covered by underwater plants. They provide habitat for damselfly larvae, small fish, snails, fine algae and beetles. Rocky areas in shallow parts of rivers are home to small filamentous algae and sponges.

**16.1.3** Exotic and invasive species<sup>25</sup>

**16.1.3.1** Trout were introduced to the Maniapoto river systems more than 100 years ago. The trout successfully acclimatised to these waterways and are still fished, though they are not considered a taonga species by Maniapoto.

**16.1.3.2** Koi carp are an ornamental strain of the European or common carp. Koi carp pose a significant threat to New Zealand freshwater ecosystems because they uproot water plants, lower water quality and eat insects and other young indigenous fish. There are currently no adequate methods for controlling or containing koi carp numbers in rivers, although they may be controlled in small, closed water bodies.

<sup>20</sup> Maniapoto Upper Waipā River Fish Plan 2015

<sup>21</sup> Maniapoto Upper Waipā River Fish Plan 2015 and Ngā Hapū o te Uru o Tainui Customary Fisheries Management Plan 2013

<sup>22</sup> Maniapoto Upper Waipā River Fish Plan 2015

<sup>23</sup> Kowhai Consulting Ltd He Mahere Taiao Maniapoto Environment Management Plan 2007

<sup>24</sup> Goodman et al. 2014; New Zealand Threat Classification Series 7. Department of Conservation, Wellington

<sup>25</sup> This section based on information from Upper Waipā River Fish Plan 2015

### 16.2 ISSUES

**16.2.1** Recognition of the role of Maniapoto and the exercise of rangatiratanga and kaitiakitanga for fisheries

**16.2.2** The management regime of fresh water and marine fisheries in the Maniapoto rohe is complex and involves a number of national and local government agencies and groups. The exclusion of Maniapoto to participate at the decision-making table and the ability to practice kaitiakitanga is not recognised or acknowledged in fisheries management. Examples of this include but not limited to:

- methods currently used the harvest of fish;
- the way in which quotas are currently set;
- lack of recognition for traditional controls that are important for species protection;
- no allowance or consideration for cultural harvesting or other significant cultural purposes;
- inadequate relationships with key stakeholders in fisheries management;
- confiscation of lands and significant water bodies and;
- land use impacts on waterways and whitebait stands.

**16.2.3** Customary fisheries have been depleted through over-fishing and damage and destruction to habitats and ecosystems.

**16.2.4** Hononga

The relationship that Maniapoto have with their fisheries has diminished in the past 100 years. Restrictions to access and a resulting disconnection from traditional fishing and cultural places have meant this resource is not currently an integral part of Maniapoto lives and livelihoods. Maniapoto does not have relationships with all the key groups who are either managing the fisheries or actively using and harvesting them. This makes it difficult for Maniapoto to participate in these processes and to influence stakeholder support for Maniapoto values and aims.

**16.2.5** Mātauranga Māori

Maniapoto tikanga, kawa and mātauranga are no longer followed by all who participate in fishing and gathering on Maniapoto waterways and coasts. For some, the practices have been lost or forgotten, and younger Maniapoto people haven't had the chance to learn from elders. The holders of this knowledge are often unknown and opportunities to share it with others are rare. The potential for aquaculture and the rekindling of Maniapoto practices like mahinga kai currently exists.

### 16.3 OBJECTIVES, POLICIES AND ACTIONS

**16.3.1** Objective – Recognition of the role of Maniapoto and the exercise of rangatiratanga and kaitiakitanga for fisheries

Maniapoto participate at the decision-making table and fisheries management to share, manage, move, store, research, restore and protect fisheries

#### 16.3.1.1 Policy

Maniapoto customary management, harvest and use of fisheries are protected and restored.

#### Actions

- (a) Identify, protect and restore pā tuna and other significant fishing sites
- (b) Identify and make accessible to Maniapoto all significant sites for the purpose of mahinga kai
- (c) Ensure fisheries bylaws, including those created by Maniapoto, contain provisions that enable the people

of Maniapoto to share, manage, research, restore and protect resources in a manner that is acceptable for Maniapoto

(d) Implement fisheries restoration projects which may include:

(e) habitat restoration, wetland creation, fish passage, re-creation of pā tuna

(f) provision of flood zones, education, wānanga and training and promotion of tribal identity

(g) Support kaitiaki to participate in the review, development and implementation of plans and strategies for fisheries management

(h) Establish regular communication channels between kaitiaki and commercial fishing entities and the people of Maniapoto to ensure information flow to make informed decisions on fisheries management

(i) Provide training pathways for kaitiaki to enable them to understand and participate in the management of fisheries and aquaculture initiatives

### 16.3.2 Objective – Recognition of the role of Maniapoto and the exercise of rangatiratanga and kaitiakitanga for fisheries

To restore and protect the ecological functions that support fisheries through a holistic, integrated and coordinated approach consistent with the tikanga, kawa and mātauranga of Maniapoto.

#### 16.3.2.1 Policy

Ecological functions relating to fisheries are restored and protected, and activities that result in a reduction in fish habitat (such as habitat degradation, fish passage blocks and land based effects) are avoided.

#### Actions

- (a) Provide indigenous fish and associated flora and fauna with access to their entire natural range within river catchments to ensure fish species do not become isolated in pockets of water.
- (b) Avoid activities that adversely affect the mauri of fisheries.
- (c) Be proactive in the reduction of pest fish biomass, pest plants and animals.
- (d) Track commercial fishers' (eel, mullet and other indigenous species) activities throughout the Maniapoto rohe using GPS technology.
- (e) Complete a survey of fisheries to gain a baseline understanding of the current state of fisheries from which to measure improvement.
- (f) Develop a comprehensive monitoring programme for taonga species and fishing activities.

### 16.3.3 Objective – Hononga

Maniapoto reconnect with their traditional fisheries

#### 16.3.3.1 Policy

Relationships and partnerships with key stakeholders, managers and agencies are established and maintained to enable Maniapoto to reconnect with their fisheries

#### Actions

- (a) Enable resource users to work collectively with Maniapoto to enhance river fisheries, harbour catchments and marine areas.

- (b) Develop Maniapoto focused projects, such as recreating pā tuna, habitat restoration, tira hoe and wānanga, to help re-establish relationships between Maniapoto and their fisheries.
- (c) Create new relationships and maintain and enhance existing relationships with other iwi, the Crown, industry, commercial fishers, universities, research providers and Fish and Game.
- (d) Establish collaborative partnerships and relationships between Maniapoto and national and local government to foster improved relationships and share learning and understanding of each other's functions, roles and responsibilities in fisheries management.

### 16.3.4 Objective –Mātauranga Māori

To collate and share Maniapoto tikanga, kawa and mātauranga of fisheries to promote understanding and cooperation.

#### 16.3.4.1 Policy

Maniapoto and other users or regulators of fisheries within the Maniapoto rohe promote opportunities for learning about fisheries through projects, wānanga and practices.

#### Actions

- (a) Hold wānanga and share mātauranga with Maniapoto.
- (b) Hold wānanga and share mātauranga with other users and regulators of fisheries.
- (c) Users and regulators of fisheries demonstrate understanding and appropriate recognition of Maniapoto tikanga, kawa and mātauranga in the use or regulation of fisheries.
- (d) Re-establish traditional practices through traditional and contemporary means (e.g., pā tuna, fishing for piharau) and record traditional and historical practices.
- (e) Maniapoto sustainability measures such as rāhui and mātaihai are recognised as tools to manage the commercial and cultural harvest of fisheries.

<sup>26</sup> McCaw Lewis Lawyers 2015; New Zealand Coastal Policy Statement 2010

<sup>27</sup> Te Rohe Pōtae Waitangi Tribunal 2014

## PART 17.0 - COASTAL AND MARINE ENVIRONMENT

### 17.1 INTRODUCTION

**17.1.1** The coastal and marine environment is highly valued and important to the culture, tradition and history of the people of Maniapoto. The extensive customary uses and practices associated with fishing, collecting kaimoana, rongoā, utilising coastal and marine resources, upholding cultural rituals at marae and living on ancestral lands and papakāinga have sustained the physical and spiritual relationship of Maniapoto for generations<sup>26</sup>.

**17.1.2** Maniapoto continue to exercise rangatiratanga and kaitiakitanga to protect and enhance the mauri and wairua of resources and cultural heritage for future generations. Maniapoto whakapapa, history and tikanga affirm customary rights and interests in the coastal and marine environment including the foreshore and seabed as confirmed in Te Tiriti o Waitangi<sup>27</sup>.

**17.1.3** The coastal environment includes but is not limited to:

- the coastal marine area, fresh, estuarine and marine water
- islands within the coastal marine area

- coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands and the margins of these
- beaches and dunes
- coastal vegetation, indigenous flora and fauna and the habitat of indigenous coastal species, including migratory birds
- the exclusive economic zone and continental shelf
- elements and features that contribute to the natural character, landscape, visual qualities or amenity values
- items of cultural and historic heritage in the coastal marine area or on the coast, including wāhi tapu, mahinga kai, pā, urupā, marae, papakāinga
- inter-related coastal marine and terrestrial systems, including the intertidal zone.

**17.1.4** There are many taonga species within the coastal and marine environment, including wading birds, such as the threatened reef heron, banded rail, NZ dotterel, and wetland bird species like the threatened and rare variable oystercatcher and Hector's dolphins.



## 17.2 ISSUES

### 17.2.1 Recognition of the role of Maniapoto as rangatira and kaitiaki for coastal and marine environment

**17.2.1.1** The ability to practice and exercise kaitiakitanga and rangatiratanga to fulfil inherited obligations and responsibilities to protect and look after the coastal and marine environment has not been implemented in coastal management to recognise the partnership relationship required to uphold Te Tiriti o Waitangi responsibilities to Maniapoto.

**17.2.1.2** Maniapoto seek to participate in meaningful engagement in decision-making regarding the coastal environment and to ensure mātauranga Māori and Maniapoto values are incorporated into policies, plans, resource consents, notices of requirement for designation, private plan changes and sustainable management practices.

**17.2.1.3** National policies, legislation and regulations have been developed that include mechanisms that enable tāngata whenua to participate in fisheries management, management of customary fishing activities and involvement in fisheries management decisions that affect Maniapoto interests<sup>28</sup>. It is therefore crucial that national and local government acts consistently to give effect to the role and status of Maniapoto as treaty partners.

### 17.2.2 Protecting customary fisheries

**17.2.2.1** Generally, customary fisheries, traditional mahinga kai areas and kaimoana stocks are not currently well protected. Pressures and impacts on customary fisheries include;

- (a) sedimentation and pollution of marine areas
- (b) loss of intertidal areas through coastal works such as reclamations and seawalls
- (c) destruction of sites through earthworks and construction activities
- (d) inappropriate developments
- (e) sea-level rise
- (f) unsustainable commercial and recreational fishing

**17.2.2.2** The protection and use of customary fisheries is also important to Maniapoto. This issue is covered further in the Fisheries chapter earlier in this document.

**17.2.2.3** The Fisheries Act 1996 makes provision for the use of a number of tikanga based customary fisheries management tools. These should be considered in

addition to the coastal objectives and policies in this Plan. They include mātaimai, rāhui, taiāpure and tāngata kaitiaki.

- (a) Mātaimai – A mātaimai reserve identifies an area that is a place of importance for customary management practices and food gathering and allows for tāngata whenua to manage these areas. A mātaimai reserve prohibits commercial fishing within its boundaries, unless otherwise authorised by the Minister of Fisheries. Recreational fishers can fish within mātaimai reserves.
- (b) Rāhui – Section 186B of the Fisheries Act 1996 was developed to give legal effect to rāhui, which allow for the closure or restriction of fishing methods in an area for a period not exceeding two years. The rāhui must be likely to improve the size and/or availability of fish stocks or help recognise the use and management practices of tāngata whenua. The process is at the discretion of the Minister responsible for Fisheries after consultation with interested groups.
- (c) Taiāpure – A taiāpure is a local management tool established in an area of estuarine or coastal waters that has customarily been of special significance to an iwi or hapū as a source of food or for spiritual or cultural reasons. All fishing (including commercial fishing) can continue in a taiāpure. This tool offers a way for tāngata whenua to become involved in the management of both commercial and non-commercial fishing in their area. Taiāpure can be established over any area of estuarine or coastal waters to make better provisions for rangatiratanga and for the rights secured under Article Two of Te Tiriti o Waitangi. Taiāpure provisions are contained within Sections 174-185 of the Fisheries Act 1996.
- (d) Tāngata kaitiaki/tiaki are individuals who authorise customary fishing within their rohe moana. Tāngata kaitiaki/tiaki are nominated by tāngata whenua to make by-laws for the mātaimai reserve (which must be approved by the Minister responsible for Fisheries and must apply generally to all individuals – tāngata whenua and others).
- (e) If a by-law is made that stops fishing generally, the tāngata tiaki still has the right to authorise customary fishing to sustain the functions of the marae. Tāngata kaitiaki may have a wider involvement in fisheries management. They can take part in such work as setting total allowable catches (TAC) for their areas and developing regulations to manage wider fishing activities.

**17.2.2.4** There are two mātaimai reserves and taiāpure within Maniapoto. These are located at Aotea and Marokopa. They are important feeding, breeding and roosting sites for a large number of bird species and nurseries for fish

and shellfish. They also support large tracts of natural vegetation. These are areas of significance to Maniapoto as a source of food, spiritual and cultural practices and uses.

**17.2.2.5** Ngā Hapū o te Uru o Tainui is the customary Fisheries Forum set up under the Fisheries Act. The forum has responsibility for the management of customary non-commercial fishing in the area between Te Pūaha ki Mānuka and Waipingao situated on the west coast of the North Island. The Regional Customary Fisheries Management Plan 2012-2017 sets out fisheries management objectives and identifies customary aspirations for customary fisheries management. In addition, the kaitiaki of these areas govern access to fish and manage fishing activities. They are gazetted under the Fisheries Act 200 nautical miles out to sea from the west coast boundary. The Regional Customary Fisheries Management Plan should be considered along with the coastal objectives and policies in this Plan.

**17.2.2.6** The Marokopa Marae Environment Management Plan also provides guidance on coastal resource management and matters significant to Marokopa whānau and hapū. Over time, other coastal management plans may be developed by Maniapoto.

**17.2.2.7** In addition to this Plan, the above customary fisheries management tools and plans must be recognised and provided for in coastal and marine management matters affecting Maniapoto. Maniapoto expect to be fully involved, engaged, and consulted in proposed and ongoing activities in the coastal area.

### 17.2.3 Coastal water quality

**17.2.3.1** The decline in coastal water quality is a key concern for Maniapoto. Water quality can be degraded or at risk as a result of numerous activities, including:

- (a) direct discharge of contaminants, wastewater and stormwater
- (b) discharge of ballast waters (legal or illegal) from off-shore activities and vessels
- (c) contaminants from oil spills, chemical spills and plastic debris
- (d) rural and urban land use, including nutrient run off from agricultural land and stock access to coastal waterways
- (e) drainage and degradation of coastal wetlands
- (f) dredging of the seabed and foreshore
- (g) cumulative effects of activities

(h) fresh water-salt water interface that has not been managed appropriately

**17.2.3.2** Degraded water quality impacts on the ability of Maniapoto to gather mātaimai/kai moana (seafood), swim, fish and perform other recreational, cultural, and traditional activities.

### 17.2.4 Coastal and marine cultural heritage

**17.2.4.1** The cultural heritage landscape along the coast is highly significant to Maniapoto. Land use and development in the coastal marine area has the potential to impact on cultural heritage and associated historical elements. Cultural heritage includes mammalian habitats, migration routes (including the ahoaho [Hectors dolphin] and kōura), reefs, islands and trenches, burial caves, wāhi tapu, historical pā sites and papakāinga.

**17.2.4.2** Along with other matters considered in this chapter and Plan, climate change has the potential to damage and destroy sites and resources of cultural importance, particularly where wāhi tapu, urupā and marae are located in areas highly susceptible to the effects of climatic change. Coastal erosion and significant changes to sea levels may impact the productivity of inshore fisheries, indigenous flora and fauna, wāhi tapu and mahinga kai areas and impact on the health and wellbeing of Maniapoto.

### 17.2.5 Activities in the coastal and marine area

**17.2.5.1** Land use and development – Increases in coastal land values, residential development and the location of wastewater services near marae and papakāinga impacts on Maniapoto values and places increasing pressure on the environment. Sprawling or sporadic patterns of settlement and development have the potential to significantly impact the coastal environment. Maniapoto concerns include the pollution, damage and destruction to sand dunes and waterways, the loss of indigenous habitats and species and declining populations of taonga species.

**17.2.5.2** Structures – Structures include wharves, jetties, boatsheds, piles and moorings, buildings on or in the coastal area and reclamations. Structures built on land and water, including disturbance and damage to the foreshore or seabed (e.g., sand and gravel removal) has the potential to impact on Maniapoto values and damage and destroy cultural heritage, indigenous habitats and species and customary fisheries.

**17.2.5.3** Mining and Petroleum Exploration – The exclusion of Maniapoto in being meaningfully involved in the development of policies and plans for offshore mining and petroleum exploration activities prevents Maniapoto from exercising kaitiakitanga to ensure the protection and use of traditional fishing grounds and marine resources.

<sup>28</sup> Te Tiriti o Waitangi 1840; New Zealand Coastal Policy Statement 2010; Fisheries Act 1996; RMA Act 1991;



**17.2.5.4** The benefits of economic profits often accrue to non-Maniapoto individuals and companies, including international companies and stakeholders based offshore, yet the negative environmental and cultural costs are borne by Maniapoto and the environment. Tax revenue derived from these companies often does not necessarily return any positive benefits to the people of Maniapoto and the resources utilised or affected by mining and petroleum activities.

**17.2.5.5** Early, meaningful, and on-going engagement with the people of Maniapoto for mining and petroleum exploration activities is critical for Maniapoto to exercise kaitiakitanga and rangatiratanga to protect and use resources important to them.

**17.2.5.6** Aquaculture – Inappropriate aquaculture locations and unsustainable practices have the potential to compromise values and resources important to Maniapoto. Aquaculture and marine farming proposals will be considered by Maniapoto on a case by case basis. Any allocation and use of coastal space will require Maniapoto participation in the decision-making process.

## 17.2.6 Coastal access

**17.2.6.1** The reduction and degradation of coastal access pathways to the beach and customary resources has limited the ability of Maniapoto to protect and use coastal and marine resources significant to Maniapoto. Public access (walking and/or vehicle access) to sensitive habitat and breeding areas for kaimoana/mātaītai can impact on the health and wellbeing of the mauri of resources and decrease the availability of important kai sources. Land use activities adjacent to the coastal environment have also restricted Maniapoto access to

the foreshore and increased competition for resources for customary use (e.g. land, water, kaimoana).

## 17.2.7 Beached marine mammals

**17.2.7.1** The coastal environment provides the potential for marine mammals to beach themselves. The Department of Conservation has a legal responsibility to protect, conserve and manage marine mammals. Maniapoto and the Department of Conservation must work together to manage any beached marine mammals. Any recovery of beached marine mammals shall require Maniapoto input and decision-making. Further, Maniapoto should be involved in the determination of burial sites for mammals that do not survive to ensure burial locations are retained as taonga and protected from inappropriate use and development. Maniapoto also expects to be able to make appropriate use of resources from beached marine mammals in a manner consistent with Maniapoto tikanga and kawa.

## 17.2.8 Integrated management

**17.2.8.1** There are a number of national and local government agencies responsible for the management and administration of legislation for the coastal and marine environment, i.e., Fisheries Act, Department of Conservation Act, Resource Management Act, Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act and Biosecurity Act. Each agency has its own statutory objectives and obligations, different stakeholders and timeframes. Maniapoto concerns relate to the lack of integrated management among agencies responsible for different aspects of the environment and the potential for agencies to act inconsistently for statutory responsibilities to Maniapoto and for issues to fall in between the jurisdiction of two or more agencies.

## 17.3 OBJECTIVES, POLICIES AND ACTIONS

### 17.3.1 Objective: Recognition of the role of Maniapoto as rangatira and kaitiaki for the coastal and marine environment

To recognise and provide for the cultural relationships and values that Maniapoto have with the coastal and marine environment

#### 17.3.1.1 Policy

Maniapoto interests in coastal and marine areas and activities, particularly those relating to historical, spiritual, cultural and traditional values, are recognised and given effect to.

#### Actions

- (a) Provide opportunities for Maniapoto to participate at the highest level of decision-making in coastal and marine management and governance
- (b) Identify and protect coastal and marine areas or characteristics of special value that require protection from use or development
- (c) Promote recognition of the mauri of resources and mahinga kai as key cultural and environmental indicators of the cultural health of coastal environments and the relationship of Maniapoto to coastal and marine environments
- (d) Avoid activities in the coastal environment that cause adverse effects on the mauri of resources and mahinga kai
- (e) Protect and enhance traditional and contemporary

mahinga kai sites and species within the coastal environment and Maniapoto access to those sites and species

- (f) Ensure Maniapoto involvement and input prior to the public release or notification of consents, policies, discussion documents, protocols, plans, and/or regulations to ensure that any adverse effects on Maniapoto values are mitigated recognised and appropriately incorporated into such documents.

### 17.3.2 Objective: Protecting customary fisheries

To protect, restore and manage customary fisheries in a manner consistent with Maniapoto tikanga, kawa and mātauranga

#### 17.3.2.1 Policy

Provision is made for Maniapoto involvement in the management of customary fisheries in alignment with Maniapoto tikanga, kawa and mātauranga.

#### Actions

- (a) Ensure a resource use or activity contributes to increased abundance of customary fisheries and that targets and strategies are in place to contribute to achievement of this objective
- (b) Pursue active engagement of Maniapoto in fisheries management
- (c) Demonstrate the Maniapoto objectives and policies for customary fisheries appropriately influence decision-making



- (d) Avoid adverse effects on customary fisheries through any activities that occur in the coastal environment, including the indirect effect of activities on land and on or in waters.
- (e) Implement use of customary management tools, such as mātaītai, taiāpure, rāhui, and appointment of tāngata kaitiaki

### 17.3.3 Objective: Coastal water quality

To enhance, restore and protect the mauri of coastal waters

#### 17.3.3.1 Policy

The mauri of marine waters in the Maniapoto coastal area is protected and enhanced.

#### Actions

- (a) Protect, restore and enhance the mauri and life supporting capacity of the coastal environment by:
  - (i) implementing appropriate water quality standards
  - (ii) incorporating mātauranga Māori into sustainable management practices
  - (iii) implementing appropriate land management practices that reduce or eliminate non-point source discharges (like nutrient, sediment and contaminant run off from farm land and forestry), animal effluent from stock access to coastal waterways, and seepage from septic tanks in coastal regions
  - (iv) ensure no discharges of contaminants, including untreated sewage, into or onto the coast and marine areas including harbours, wāhi tapu, sites of significance or mahinga kai locations
- (b) Ensure Maniapoto can participate in mahinga kai/food gathering activities without risk to their health
- (c) Protect, enhance and restore coastal wetlands and riparian margins in coastal areas, including coastal dune lands.
- (d) Exclude livestock from waterways, wetlands and estuaries in coastal areas.

### 17.3.4 Objective: Coastal and marine cultural heritage

To protect coastal and marine cultural heritage from inappropriate use and development

#### 17.3.4.1 Policy

Marine cultural heritage is recognised and provided for in regional coastal environment planning and activities and the relationship between Maniapoto and the coastal and marine environment is protected.

#### Actions

- (a) Protect cultural landscapes and specific sites, such as pā, middens and urupā, as historic heritage or archaeological sites from inappropriate development or land use
- (b) Implement a cultural landscape approach to enable holistic identification and assessment of cultural heritage
- (c) Use Section 15(3) of the Crown Minerals Act 1991 (CMA) and the Minerals Programme for Petroleum 2005 to protect areas of historical and cultural significance from inclusion in an offshore exploration permit block or minerals programme

### 17.3.5 Objective – Activities in the coastal and marine area

To eliminate discharges to the coastal marine area and avoid land use practices that generate contaminants and pollution to coastal areas.

#### 17.3.5.1 Policy

Adverse effects of discharge activities and land use activities that generate contaminants and pollutants on coastal and marine areas are avoided.

#### Actions

- (a) Avoid activities and structures in the coastal area that might adversely affect:
  - (i) Maniapoto values
  - (ii) the quality and quantity of taonga species
  - (iii) areas of cultural and/or spiritual significance
  - (iv) natural characters of landscapes
  - (v) visual amenity of landscapes
  - (vi) the intrinsic value of ecosystems
- (b) Design and locate new coastal developments to minimise adverse effects on coastal and marine areas
- (c) Implement stringent controls to prevent boats and ships from discharging sewage, bilge water and rubbish

into coastal waters and harbours or at locations where the discharge may contaminate the Maniapoto rohe.

- (d) Ensure early consultation between the Crown, mining and petroleum companies and Maniapoto for any proposed exploration permit blocks or mining permit applications
- (e) Enhance coastal marine areas, waters and lands and protect these areas from any adverse effects associated with mining and petroleum exploration and exploitation, including offshore activities
- (f) Provide opportunities for Maniapoto to participate in decision-making on the allocation and use of coastal space for aquaculture
- (g) Ensure regional aquaculture policies and plans enable Maniapoto to develop aquaculture for customary purposes to support existing or depleted mahinga kai areas

### 17.3.6 Objective – Coastal access

To protect and enhance Maniapoto access to coastal and marine areas

#### 17.3.6.1 Policy

Maniapoto access to coastal areas for customary activities is enhanced and protected.

#### Actions

- (a) Ensure consideration is given to ensuring the sustainability of fisheries resources and management practices such as taiāpure, mahinga mātaītai, or other non-commercial Māori customary fishing
- (b) Prohibit, where appropriate, any proposed activity that limits Maniapoto access to coastal areas, wāhi tapu, sites of significance or customary activities
- (c) Modify existing activities (where practical and subject to existing property or use rights) to protect and enhance Maniapoto access to coastal areas, wāhi tapu, sites of significance, and customary activities
- (d) Ensure Maniapoto involvement in any determinations relating to proposed or existing activities that might affect Maniapoto access to significant areas
- (e) Restrict public access to recreational areas where necessary for safety, cultural or conservation purposes
- (f) Provide signage for public access to and along the coastal marine areas to avoid cultural heritage areas

- (g) Restrict public access (walking and/or vehicle access) to sensitive habitat and breeding areas for kaimoana/ mātaītai

### 17.3.7 Objective: Beached marine mammals

Procedures are in place for the appropriate management of beached mammals in a manner consistent with Maniapoto tikanga and kawa.

#### 17.3.7.1 Policy

Maniapoto and appropriate agencies agree on appropriate protocols and guidelines for the management of beached marine mammals consistent with Maniapoto tikanga and kawa.

#### Actions

- (a) Department of Conservation protocols to manage beached marine mammals appropriately consider Maniapoto values, interests, tikanga and kawa.
- (b) Processes in the protocol should in the steps Maniapoto wishes to take in responding to beached marine mammals, including recovery, use, storage, distribution and burial of beached marine mammals and marine mammal materials.
- (c) Ensure agencies recognise and provide for traditional relationships between Maniapoto and ocean mammals in policies, plans and regulations.
- (d) Determine appropriate burial sites for beached mammals that do not survive. The burial locations are not to be publicly disclosed. They are to be retained as taonga and therefore protected from inappropriate use and development.

### 17.3.8 Objective: Integrated management

To establish an integrated and coordinated approach to coastal and marine management which also considers the effects of land and freshwater activities and the fresh water-salt water interface.

#### 17.3.8.1 Policy

Maniapoto coordinate management of or control coastal activities that cross administrative boundaries, hapū or iwi rohe and local authority boundaries in a manner that protects and enhances the coastal environment.

#### Actions

- (a) National and local government agencies co-ordinate and integrate responsibilities and activities to protect and enhance the coastal environment and

protect Maniapoto values and interests in the coastal environment

- (b) Establish and maintain sector wide relationships to promote and ensure an integrated approach to activities and resource use within the coastal area in such a way that the coastal area is protected and enhanced

(c) Maniapoto priorities for customary fisheries, papakāinga, marae and associated developments are appropriately recognised and taken into account in integrated management of the coastal environment.

(d) Appropriate provision is made for Maniapoto in national and local government policies and plans

## PART 18.0 - LAND

### 18.1 INTRODUCTION

**18.1.1** The relationship the people of Maniapoto have with land and the environment is inextricably linked to a sense of kinship with all things through whakapapa, history and cosmology. Land underpins physical and spiritual contemporary identity and wellbeing of the people of Maniapoto. Central to the protection, use and management of land and the environment is the recognition of the role of Maniapoto to exercise of rangatiratanga and kaitiakitanga – a responsibility and obligation inherited by Maniapoto from their tūpuna to take care of the land and environment within Maniapoto rohe.

**18.1.2** The loss of Maniapoto lands due to historical land wars, land sales, Crown policies and legislation, Public Works Act, Native Land Court and district planning schemes is a source of significant distress

### 18.2 ISSUES

#### 18.2.1 Unsustainable and inappropriate land use practices

**18.2.1.1** The historic increase in the demand for natural resources for production and the associated profits, has led to unsustainable and inappropriate land use practices designed to maximise outputs from the same land through the intensification and the use of marginal lands. For example, the felling of indigenous forests, draining of wetlands, pastoral farming, planting and felling of exotic forestry, and industrial and infrastructure development. These activities have impacted on the life sustaining capacity of the land and natural resources and compromised the ability of land to cope naturally with the loading coming from the land.

#### 18.2.2 Recognition of the role of Maniapoto as rangatira and kaitiaki for land management

for Maniapoto and impacted on the health and wellbeing of the people of Maniapoto and the relationship between Maniapoto and land and natural resources (McCaw Lewis Limited 2015<sup>29</sup>).

**18.1.3** Today, only the remnants of the Maniapoto estate remain in Maniapoto ownership and/or management. This is approximately 80,000ha or ten per cent of the estimated total land (800,000ha) within Maniapoto rohe.

**18.1.4** Undeveloped and underutilised Māori lands, potential Treaty settlement lands, reserves and ancestral lands in the conservation estate are therefore highly valued by Maniapoto to increase the health and wellbeing of Maniapoto and to protect and enhance the mauri of land and natural resources for future generations.

The exclusion of Maniapoto input, mātauranga Māori and decision-making in land management processes, policies and plans has impacted on the ability of Maniapoto to exercise rangatiratanga and kaitiakitanga for land and associated resources.

#### 18.2.3 Soil Conservation

**18.2.3.1** Soil is important to Maniapoto and helps to sustain the physical, spiritual and cultural wellbeing of Maniapoto. For example, peat soil protects the preservation of taonga and soil provides a cleansing function for waste management. Soils are also vulnerable to land use change and intensification. Some land use activities can create a high risk of accelerated erosion of soil resources and high levels of suspended sediment loads in waterways. This creates a corresponding reduction in water quality and impacts on native fisheries, aquatic ecosystems. This then leads to adverse effects on the relationship of Maniapoto with their lands, water and wāhi tapu.

**18.2.3.2** The loss of soil nutrients in the land impacts on the quality and function of soils.

#### Forestry

**18.2.3.3** Any poor management of forestry blocks and harvesting activities can impact on the mauri of lands, water and cultural heritage and the relationship of Maniapoto with associated resources. For example, the loss, damage and degradation of indigenous biodiversity and habitats, contamination and sedimentation of waterways and the establishment and spread of wilding trees.

#### Agriculture activities

**18.2.3.4** Agricultural activities contribute significantly to the local, regional and national economy. However, historical farming practices have contributed to the degradation of waterways and associated

resources and the reduction of the mauri of land and water resources important to Maniapoto. For example, the increases in population growth and global demand for primary products continue to drive the intensification of New Zealand's dairy industry on existing pastoral land and on erosion prone lands<sup>30</sup>.

**18.2.3.5** The continued degradation and decline of water quality and the over allocation of water in some catchments within Maniapoto has put pressure on scarce water resources. Other farming practices such as the increased need for water and fertilisers and historical contamination on farms from dumps and pits, has led to the further degradation of waterways, lands and associated resources. In addition, the location of herd homes, offal holes and effluent ponds has the potential to impact on the health and wellbeing of Maniapoto and resources significant to Maniapoto. Matters associated with water are considered in a previous chapter (Freshwater).

### 18.3 OBJECTIVES, POLICIES AND ACTIONS

#### 18.3.1 Objective: Unsustainable and inappropriate land use practices

Land management and land use enhance and protect the holistic functioning and interconnected relationships of the natural environment and are compatible with Maniapoto values and principles.

##### 18.3.1.1 Policy

Land management and land use is sustainable and the mauri of land is protected and enhanced.

##### Actions

- (a) Adopt best practice sustainable land management practices to improve soil nutrient balance and prevent erosion
- (b) Identify and protect erosion prone land areas and promote restoration initiatives that ideally use locally sourced indigenous plants
- (c) Encourage protection of groundwater and improved management of current landfills on farms
- (d) Take into account land use capability (LUC) for land use activities to minimise unsustainable practices
- (e) Identify and protect sites of significance and wāhi tapu that are at risk from erosion issues

##### 18.3.1.2 Policy

Contaminated land is managed effectively and, where possible and practicable, contamination is mitigated and the land is restored.

##### Actions

- (a) Councils and others identify the location of historical and contemporary contaminated sites and manage appropriately to avoid any adverse effects on Maniapoto values
- (b) Record and make accessible information about the location and nature of contaminated sites
- (c) Ensure clean-up of contaminated sites and, where possible, those responsible for the contamination of sites are held accountable
- (d) Future land use effectively avoids contaminating land.

##### 18.3.1.3 Policy

Urban planning and development is conducted in accordance with best practice principles, and infrastructure services provide for the environmental, social, economic, and cultural needs of Maniapoto within the financial capacity of the community.

##### Actions

- (a) Adopt best practice urban design principles during land use and transport plan development
- (b) Ensure long-term environmental sustainability and land use practices are considered in planning and decision-making processes, such as annual plans, infrastructure and strategic planning, plan and policy development and consenting processes
- (c) Ensure Maniapoto values, interests, and objectives regarding land and water are appropriately

<sup>29</sup> McCaw Lewis Limited. (2015). Ngāti Maniapoto Interests, prepared for Maniapoto Māori Trust Board

<sup>30</sup> Waikato Regional Council. (2014). Waipā Catchment Plan.

incorporated into key plans and policies, including but not limited to:

- (i) regional and district plans
- (ii) spatial plans
- (iii) urban development strategies
- (iv) urban planning guides, including landscape plans, design guides or sustainable building
- (v) integrated catchment management plans
- (vi) infrastructure and community plans
- (vii) reserves and recreational plans

### 18.3.2 Objective: recognition of the role of Maniapoto as rangatira and kaitiaki for land and associated resources

To ensure Maniapoto participate at the highest level of decision-making on matters that affect the relationship of the people with catchments in Maniapoto rohe

#### 18.3.2.1 Policy

Maniapoto engage and participate at the highest level of decision-making on matters that affect the people in the catchment.

#### Actions

- (a) Ensure Maniapoto are engaged and included in decision-making processes for all proposed activities, developments and/or land use changes that may have an impact on land, water and soil values
- (b) Give effect to co-governance and co-management decision-making frameworks subject to the Waipā River Act 2012
- (c) Ensure resource users resource and enable Maniapoto to actively respond to all resource consenting processes, particularly those occurring under the Resource Management Act 1991 and other statutory legislation policies, plans, consents and requests

### 18.3.3 Objective: Soil Conservation

To effectively manage the mauri of land and soils by reducing soil nutrient loss, nutrient leaching and runoff to water bodies

#### 18.3.3.1 Policy

Best practice land and soil management techniques are implemented to minimise erosion and soil degradation or loss as a result of land development and use.

#### Actions

- (a) Implement best practice earthworks and vegetation removal to minimise erosion and soil loss
- (b) Implement erosion and sediment control plans for all major excavation works
- (c) Minimise inappropriate land use activities on steep or otherwise erosion-prone land
- (d) Minimise clearance of indigenous vegetation and soil disturbance on highly erosion prone land
- (e) Identify and protect highly erodible land and ideally use locally, eco-sourced, indigenous plants if possible for restoration initiatives.

#### 18.3.3.2 Policy

Land use prioritises the protection and restoration of the mauri of land and its resources.

#### Actions

- (a) Indigenous vegetation areas are enhanced and, where possible, expanded or established to improve and restore the mauri of the land
- (b) Best practice farming operations improve and restore the mauri of the land
- (c) Best practice forestry harvesting activities that improve and restore the mauri of the land
- (d) Best practice land use and soil management practices that minimise soil erosion and improve the mauri of the land
- (e) Any application of nutrients, typically nitrogen and phosphorous, avoids adverse effects on Maniapoto values to protect and enhance the mauri of the land



MANIAPOTO LANDSCAPE 2015

<sup>31</sup> Department of Conservation. (2014). Waikato Conservation Management Strategy 2014-2024.

## PART 19.0 - NATURAL HERITAGE AND BIODIVERSITY

### 19.1 INTRODUCTION

**19.1.1** The Maniapoto landscape is diverse, with rivers and tributaries, low lying peat wetlands, volcanic, limestone karst features, steep and rolling mudstone hill country and extensive coastal areas. Historically, the landscape was rich with indigenous forests, rivers, lakes and wetlands which provided a broad range of habitats that supported an abundance of indigenous species. The protection, enhancement and use of natural heritage and biodiversity are important to the people of Maniapoto.

**19.1.2** Maniapoto natural heritage and biodiversity values include but are not limited to:

- Wetlands, lakes and rivers
- harbours, river mouths and estuaries, which are important shore and estuarine habitat
- Aotea and Kāwhia Harbours, which are important feeding and wintering grounds for endemic bird species, including wry bill, frontalies, tōrea/South Island pied oystercatcher and godwits
- Marokopa sand dunes, islands and mātaimiti reserve and freshwater ecosystems
- Waitomo glowworm caves reserve (under Ruapuha-Uekaha hapū ownership)
- Mapara Wildlife Reserve;
- karst ecosystems - limestone outcrops, some of which contain rare species of koromiko
- maunga (Kakepuku, Te Kawa, Pirongia, Rangitoto, Kahuwera and many more)
- Pureora Forest Park (indigenous forests and podocarp forests that are habitats for indigenous species),
- Indigenous forest remnants
- indigenous birds, including kererū, tītī, kākā, kōkako, reef heron, NZ dotterel, oystercatcher and banded rail
- the Mahoenui giant wētā
- freshwater fish and other species, including piharau, mullet, tuna, inanga, kōaro and kōkopu, kōura and kūtai/kaeo
- Hector's dolphins, Archey's frogs, tuatara, and long and short-tailed bats
- fur seals (NZ fur seals off the west coast of the North Island)
- indigenous plant and tree species, such as Harakeke, tāwhara, kahikatea, miro, and purareinga
- introduced but important species such as pūhā and kāngā wai,

**19.1.3** Indigenous ecosystems provide important services for ecological, cultural, geology and landscape values. For example, they sustain the quality of surface and ground water sources utilised for horticultural, agricultural and municipal drinking water supplies including contributing to flood protection, soil conservation and carbon sequestration<sup>31</sup>

**19.1.4** Many threatened indigenous plants and animals are highly valued by Maniapoto for customary uses and purposes, including medicinal, material and food values.

**19.1.5** Maniapoto customary uses and purposes include but not limited to:

- mahinga kai
- building and weaving materials
- rongoā
- raranga
- whakairo
- body decoration, including tā moko
- ornaments, tools and weapons
- pā, papakāinga and urupā



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**19.1.6** The protection and enhancement of indigenous species and their genetic diversity, and the habitats and ecosystems that support them are essential to the health and wellbeing of Maniapoto and the exercise of rangatiratanga and kaitiakitanga responsibilities. Therefore,

Maniapoto consider it important that those using natural resources or regulating natural resource use in the Maniapoto rohe have awareness and understanding of the relationship Maniapoto have with natural heritage and biodiversity values within the rohe.

### 19.2 ISSUES

#### 19.2.1 Biodiversity

**19.2.1.1** The decline, degradation and damage of indigenous habitats and species including native fisheries, frogs, freshwater mussels, tuna and the loss of native vegetation due to inappropriate land use activities and the introduction of pest plants and animals are a concern to Maniapoto. For example, the draining of swamps and wetlands, the clearing of forests and indigenous vegetation for pasture, horticulture, pine plantation and urban development has impacted on the quantity and quality of biodiversity within Maniapoto. It is therefore important to Maniapoto to protect and enhance the remaining indigenous biodiversity and ecosystem areas.

**19.2.1.2** Where areas or resources are managed without Maniapoto participation or appropriately considering Maniapoto values and interests, culturally significant areas or resources have been damaged or lost. The degradation and reduction of the mauri of natural heritage and biodiversity resources prevents Maniapoto from maintaining their customs and tradition with those resources. In addition, Maniapoto may also be prevented from accessing traditional resources for customary use and practices.

**19.2.1.3** Biosecurity and pests – Issues relating to biosecurity systems and introduced plants and animals to counteract pests have the potential to impact on indigenous species. Refer to Chapter 24 Biosecurity for objectives, policies and actions.

**19.2.1.4** New or genetically modified organisms (GMO) – The application of new or genetically modified organisms to address environmental issues has the potential to impact on indigenous species and habitats. Refer to Chapter 24 Biosecurity for objectives, policies and actions.

#### 19.2.2 Landscapes

**19.2.2.1** Maniapoto rohe contains a number of special landscapes, features and/or locations that represent significant ecological remnants, cultural markers, battle sites and places of historical occupation and identity. The lack of protection of amenity and natural character values and important landscapes in the rohe is a concern for Maniapoto. Inappropriate development or siting of infrastructure and poorly controlled land uses have resulted in a loss of biodiversity values.

**19.2.2.2** The naming of landscapes and features represents a spiritual and cultural connection to places and provides a whakapapa peculiar to species in that location. The misnaming or renaming of these places erases the traditional relationship Maniapoto has with those areas.

**19.2.2.3** The relationship between wāhi tapu, significant sites and other sites of occupation, such as marae and papakāinga, is maintained through physical pathways and through a visual connection (i.e., line of sight, view shafts and sightlines). Any obstructions to pathways or view shafts impacts on the relationship Maniapoto has with landscapes and Maniapoto identity, culture and spiritual and physical wellbeing.



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## 19.3 OBJECTIVES, POLICIES AND ACTIONS

### 19.3.1 Objective: Biodiversity

**19.3.1.1** The diversity of natural heritage areas, habitats and ecosystems are preserved in a healthy state alongside more modified ecosystems to ensure indigenous species and subspecies maintain genetic diversity and viable population densities

### 19.3.1.2 Policy

Indigenous biodiversity is maintained, restored, enhanced and protected throughout Maniapoto rohe.

### 19.3.1.3 Actions

- (a) Ensure natural resource use and development, including land use, occurs in such a way that indigenous biodiversity is enhanced and protected
- (b) Develop regional biodiversity initiatives (e.g., local indigenous biodiversity strategies) to ensure that indigenous biodiversity is maintained, enhanced and protected
- (c) Develop inventories and biodiversity monitoring frameworks
- (d) Strengthen regulatory mechanisms to protect and enhance the biodiversity of ecosystems within Maniapoto rohe
- (e) Develop an inter-connected network of indigenous forest, shrub land, wetland, river and stream habitats and ecosystems to enable species to roam in their natural ranges
- (f) Manage such inter-connected networks so they do not become corridors for pest species to exploit.
- (g) Protect and restore forests, wetlands, coastal dune lands, species and ecosystems
- (h) Protect and sustain seed stocks for species endemic to Maniapoto rohe for future generations
- (i) Implement conservation initiatives, including wetland and coastal habitat protection and enhancement, threatened species protection and remnant forest restoration
- (j) Protect and enhance ecosystems and indigenous species near harbours, river mouths and estuaries
- (k) Protect intellectual property rights of Maniapoto with respect to indigenous flora and fauna, and derived products
- (l) Replant indigenous species as appropriate in ecological corridors along rivers and streams, rural shelterbelts,

roadsides, subdivisions, and urban and amenity plantings throughout Maniapoto rohe

### 19.3.2 Objective: Landscapes

To protect and enhance significant cultural, spiritual, natural and ecological landscapes, features and locations in the Maniapoto rohe and to protect and enhance Maniapoto relationships and associations with these features

#### 19.3.2.1 Policy

Activities and uses that adversely affect significant cultural, spiritual natural and ecological landscapes, features or locations in the Maniapoto rohe are avoided, and Maniapoto relationships with those landscapes, features or locations are maintained and restored.

#### Actions

- (a) Ensure resource use and activities maintain and restore connections between ecological corridors and landscapes and enable species to exist within their natural ecological range
- (b) Mitigation measures for the management of effects includes, where appropriate, the restoration of ecological corridors and landscapes.
- (c) Encourage reinstatement and proper use of traditional Maniapoto place names
- (d) Appropriately protect significant landscapes from destructive activities such as vegetation clearance and earthworks
- (e) Appropriately protect significant landscapes, features, locations and associated view shafts (lines of sight to significant areas) from development or any other adverse effects on their character or amenity values.



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## PART 20.0 - NATURAL HAZARDS

### 20.1 INTRODUCTION

**20.1.1** Natural hazards have the potential to affect people, property, infrastructure and natural resources. The Maniapoto rohe includes large coastal areas susceptible to coastal processes; the removal of vegetation in the Waipā and other catchments and steep hill country prone to erosion; and associated low lying areas of floodplains are all susceptible to natural hazard events. There are also extensive karst landscapes that may pose a risk to people and the environment.

**20.1.2** The risks and severity from natural hazards can increase

depending on human use and activities in the environment and in hazard prone areas. For example, land management practices that increase the frequency and severity of landslips and erosion in flood events and activities near flood-prone rivers. Or locating dwellings, industry or infrastructure (and people) in areas where there is a risk of natural events and processes such as placing dwellings on a flood plan.

**20.1.3** The management of land use activities and natural resource use in areas prone to natural hazards is therefore important to Maniapoto. At a local level, Maniapoto seek to be meaningfully involved in the development and implementation of natural hazard policy, plans and strategies.

### 20.2 ISSUES

#### 20.2.1 Land use and Activities

**20.2.1.1** Historical planning decisions and inappropriately located subdivisions, land use and activities near or in natural hazard prone areas have exposed people and property to the risk of natural hazard events. For example, the removal of indigenous vegetation, deforestation and earthworks in coastal catchments, developments located too close to the coast has increased the need for man-made protection structures, such as, stop banks, groynes and/or seawalls. These measures do not always remove natural hazard risks, can be costly and can sometimes aggravate issues and cause increases in erosion issues in areas adjacent to the coast.

**20.2.1.2** Global warming and climate change issues also influence the future frequency and severity of hazards, such as, rises in sea levels, extreme weather events, changes to rainfall levels, increased flood, drought and erosion events. Future land use planning and activities, such as where to develop land and build infrastructure, must be managed to avoid high risk natural hazard areas.

**20.2.1.3** The impact of land use activities and natural hazards has the potential to affect the relationship of the people of Maniapoto with the environment and the ability to access and use traditional resources important to Maniapoto.

#### 20.2.2 Preparedness and Resilience

**20.2.3** Maniapoto rohe contains dispersed and remote communities that, during and after a natural hazard event, may become isolated. For example no access to roads due to land slips, and the loss of communication, power or water. The risk from natural hazards cannot be entirely mitigated. However, Maniapoto seek to ensure communities are sufficiently prepared to respond to such events, supported and resilient to cope with recovery.

**20.2.3.1** Maniapoto participation to the region's civil defence network and planning will ensure Maniapoto values for resources are recognised and acknowledged in policies and plans. For example, some marae may be at risk from natural hazards and may require support and assistance to ensure they meet the necessary safety standards. Conversely, marae may be required to provide support and assistance to the community during a natural hazard event.

## 20.3 OBJECTIVES, POLICIES AND ACTIONS

### 20.3.1 Objective: Land use and Activities

To ensure land use activities are located to avoid significant risk of damage from natural hazards and to avoid the need for expensive natural hazard defence or mitigation infrastructure

#### 20.3.1.1 Policy

Land use and activities avoid areas that may be at risk of significant damage from natural hazards.

#### Actions

- (a) Ensure district and regional plans restrict land use and activities in areas prone to natural hazards and/or areas that would create a demand for hard protective infrastructure
- (b) Recognise and manage the risk and potential effects of climate change and natural hazards in land use planning
- (c) Retire and appropriately revegetate erosion-prone lands, including riparian areas and steep slopes, to avoid accelerated erosion from extreme weather events
- (d) Support change in existing land use and activities where structures have been built in natural hazards zones, including but not limited to shifting, abandoning or suitably modifying structures to withstand the potential effects of a natural hazard event

### 20.3.2 Objective: Land use and Activities

To manage natural hazard risks (e.g., defence structures) and events in a way that restores and maintains the mauri of the environment

#### 20.3.2.1 Policy

Natural (or 'soft') defences that maintain the mauri of the environment are used when managing natural hazard risks and events.

#### Actions

- (a) Resource users and activities are located away from known high risk natural hazard areas where possible, to reduce the need for 'hard' intervention (structures)
- (b) Ensure the use of natural or 'soft' defences, such as vegetated dunes, wetlands and riparian areas and development setbacks, over hard structures and engineered interventions.

### 20.3.3 Objective: Preparedness and Resilience

To ensure Maniapoto are adequately prepared for and resilient to natural hazard events and not exposed to unacceptable risk

#### 20.3.3.1 Policy

Investment, research and education is provided to ensure Maniapoto are not vulnerable to unacceptable risk from natural hazards

#### Actions

- (a) Work with partners to identify and understand the risks within Maniapoto rohe, including identification of acceptable and unacceptable risk <sup>32</sup>
- (b) Ensure marae in Maniapoto rohe are appropriately resourced to act as civil defence posts for Maniapoto and the community in the event of a local natural hazard event (e.g., alternative energy sources, sufficient water supply, etc.)
- (c) Identify and maintain critical infrastructure (e.g., lifeline utilities) to minimise disruptions and ensure their repair is prioritised in the event of disruption
- (d) Assess the long term viability of structures that protect Maniapoto communities from natural hazards and maintain those structures where feasible
- (e) Ensure Maniapoto know how to prepare for natural hazard events and what to do in an emergency

# SECTION. E

## INFRASTRUCTURE AND INDUSTRY

### In this section:

- Infrastructure 94
- Mining and Quarrying, Oil, Gas, Minerals 98
- Waste Management 100
- Biosecurity 102
- Tourism and Recreation 105

<sup>32</sup> Risk assessment process based on the New Zealand Standard for Risk Management, AS/NZS4360

## PART 21.0 INTRODUCTION

### 21.1 IN THIS SECTION

**21.1.1** This section describes objectives, policies and actions regarding infrastructure and industry, tourism and recreation within

Maniapoto rohe.

**21.1.2** Unless a higher standard exists, Maniapoto will generally use the relevant objectives, policies and actions in this Plan as a starting point for preferred outcomes

### 21.2 CONVENTIONS

Chapters in this section of the Plan start with an introduction and then follows the following structure:

#### 21.2.1 Issues

Describes the issue of concern that impacts or has the potential to impact on the overall health and wellbeing of the matter discussed in the chapter. Issues of concern to Maniapoto may include consistency and alignment with Maniapoto aspirations, values and strategy, direction, activities, management approaches or processes.

#### 21.2.2 Objectives

The Objectives section outlines high level goals or direction that would minimise, manage or eliminate the issues.

#### 21.2.3 Policies

Policies outline the course of action required to achieve the objectives.

#### 21.2.4 Actions

The actions outline specific methods to promote and support the policies.

## PART 22.0 - INFRASTRUCTURE

### 22.1 INTRODUCTION

**22.1.1** Historically, the people of Maniapoto have contributed significant land for community development and public infrastructure services for local, regional and national benefit. For example, the construction of the main trunk railway line and the natural gas pipeline. Te Rohe Pōtae Waitangi Tribunal hearing reports describe the significant contribution of Māori land taken for roads, rail, schools, hospitals, reserves and public conservation.

**22.1.2** Infrastructure within Maniapoto includes but is not limited to:

- transport (roads, state highways, railway lines, airfields)
- energy generation (coal mines, natural gas pipelines, hydro dams)
- electricity transmission (high voltage lines, pylons, underground lines)
- telecommunications (cell phone towers, transmission towers, underground ultra-fast broadband)

- solid and hazardous waste (landfills, rubbish dumps, storage facilities)
  - water services (water treatment plants and pipelines), wastewater infrastructure (wastewater treatment plants, stormwater systems and pipelines)
  - natural hazard infrastructure (flood protection, drainage schemes, coastal defence works and structures) – Refer to Natural Hazard chapter
- 22.1.3** Social infrastructure includes but is not limited to:
- public housing, hospitals, schools, prisons, cemeteries, police stations
  - public facilities (swimming pools, libraries, halls, event centres, sports grounds, parks and reserves, carparks,)
  - marae, papakāinga, urupā, Māori reserves, kōhanga reo, kura and wānanga

### 22.2 ISSUES

#### 22.2.1 Relationship

**22.2.1.1** Historical and current public works and infrastructure development have impacted on the relationship of Maniapoto with their land, waterways, pā, cultivations, urupā, wāhi tapu and other sites of significance due to the exclusion of Maniapoto participation and input to community planning and development.

#### 22.2.2 Energy Generation and Transmission

**22.2.2.1** There is a heavy reliance on imported fossil fuels and future shortages of stocks will impact on the health and wellbeing of Maniapoto and the economy unless alternative sustainable methods are implemented. Additionally there are concerns at the environmental impact on harvesting and utilising fossil fuels.

**22.2.2.2** Alternative energy sources include hydro, geothermal, solar, wind and wave power. Research for clean, renewable energy generation developments is promoted although any activities are subject to the management of effects and protecting and enhancing the mauri of the environment and Maniapoto values. For example, the effects on Maniapoto values and interests from wind energy generation that, amongst other things, disrupts the line of sight to wāhi tapu or significant maunga and run of the river dams where the structure disrupts or destroys a wāhi tapu.

**22.2.2.3** Engagement with the people of Maniapoto for energy generation and transmission projects has historically been inadequate leading to the inability for Maniapoto to exercise kaitiakitanga and rangatiratanga to protect, enhance and use cultural heritage and resources important to Maniapoto. For example, if the building of dams impact on native fisheries, water flows and levels and create barriers to fish passage.

#### 22.2.3 Transport Networks

**22.2.3.1** The Maniapoto rohe contains small and dispersed communities. Transport infrastructure is vital in connecting Maniapoto to important services such as health and education, employment and markets, as well as to friends and whānau. As the Maniapoto population ages and fuel prices remain volatile, demand for access to alternative modes (such as public transport services) will increase; it is currently uneconomic for council to provide these services. Small rating bases and large rural land areas can place pressure on the ability of some councils to meet the costs of providing transport infrastructure, which impacts on Maniapoto through lower levels of service or higher rate costs.

**22.2.3.2** The quality, location and design of infrastructure can have a significant influence on transport choices – such as whether to walk, cycle, use a private vehicle or take public transport. In rural areas and small towns, low population density and long distances reduce options considerably resulting in a high reliance on the private motor vehicle for daily activities and trucks for freight. The transport network is critical to industry in the rohe, particularly agriculture, forestry and tourism.

**22.2.3.3** The transport network supports the movement of freight and people on four key networks (rail, sea, road and air). Transport in Maniapoto rohe is characterised by a large network of small volume local roads, a number of key state highways routes and the North Island main trunk railway line. Key issues related to state highways are safety and safe access to marae and kura (schools). Maniapoto marae and schools located near high traffic main highways and key tourist routes are used frequently for cultural purposes. People must take extreme caution when entering and exiting marae or schools. Road safety and pollution issues, such as road run-off, effluent and fuel spills, can also impact on Maniapoto values. Rural industries, stock trucks (effluent and washing), poorly secured or unsecured loads and contractor vehicles may cause hazards and environmental effects around the road system. Foreign drivers unfamiliar with New Zealand roads may cause traffic hazards and risks to Maniapoto and resources.

**22.2.3.4** The main trunk railway line route through Maniapoto dissects most of the larger rural towns and is located near to many marae and communities. Service centres, skate parks, reserves and community buildings that are in close proximity to the railway line potentially face a higher risk to people's safety.

**22.2.3.5** Despite the requirement for a robust transport network, some of the impacts of such a network on Maniapoto include but are not limited to:

- adverse effects on sites of significance and wāhi tapu
- adverse effects on visual amenity and sightlines to places of significance
- effects of modification and diversion of water and waterways
- restrictions and limitations on cultural activities – swimming, bathing, recreation
- increased sedimentation and pollution from diffuse and point sources
- barriers to natural migration and movement of fish, tuna and other species
- loss of or limited access to mahinga kai sources

#### 22.2.4 Water infrastructure services – supply, treatment and disposal

**22.2.4.1** Increased development pressures on existing water resources, community and industry water supplies has led to the degradation of water quality, quantity and use, and impacted on Maniapoto values and interests in waterways.

**22.2.4.2** Maniapoto have major concerns with respect to contaminants, sediment loading, treatment and management of storm water and sewage systems. Discharge of wastewater and stormwater to waterways continues to affect Maniapoto tikanga, customary practices and uses.

**22.2.4.3** Maniapoto seek to be actively involved in water infrastructure development proposals with councils, resource users and developers to ensure Maniapoto cultural interests and values are recognised and acknowledged in plans, policies and strategies.



### 22.2.5 Telecommunications

**22.2.5.1** Being connected and online through telecommunications has become an essential part of everyday life for Maniapoto, communities and businesses. The variable access levels to internet and ultra-fast broadband services within Maniapoto rohe is a concern for Maniapoto. The lack of access to ultra-fast broadband services for some areas within Maniapoto impacts on the ability for Maniapoto to maximise opportunities for business, educational, community development.

**22.2.5.2** The location of transmission towers on maunga, near/on wāhi tapu and significant sites impact on the relationship of Maniapoto with important cultural heritage areas and Maniapoto are unable to exercise kaitiakitanga to protect, enhance and use these areas important to them.

## 22.3 OBJECTIVES, POLICIES AND ACTIONS

### 22.3.1 Objective: Relationship

To avoid adverse effects of infrastructure on the relationship of Maniapoto with significant sites and resources

#### 22.3.1.1 Policy

Maniapoto participate at the highest level of decision-making for infrastructure development to enhance the relationship of Maniapoto with significant sites and resources

#### Actions

- (a) Establish co-operative and constructive relationships between Maniapoto and developers to facilitate the consideration of effects that infrastructure options have on Maniapoto values, interests, and significant sites
- (b) Maniapoto values, interests and perspectives are appropriately considered and incorporated in the planning and development of all infrastructure, and in the on-going maintenance of existing infrastructure.
- (c) Maniapoto are involved, and adequately resourced to be involved, in the planning and development of all infrastructure.
- (d) Avoid infrastructure development and associated effects on land owned by Maniapoto unless agreement is reached with those owners
- (e) Ensure flood control structures that are in place to protect public infrastructure are designed without causing unintended consequence such as flooding Māori land/or increasing the flood risk for marae

### 22.3.2 Objective: Energy generation and transmission

To ensure electricity generation, transmission and distribution benefits Maniapoto and protects the mauri of the environment

### 22.2.6 Social infrastructure

**22.2.6.1** There has been an inequitable distribution of resources to support Maniapoto social infrastructure, such as, supporting the development of papakāinga, urupā, Māori reserves, kōhanga reo, kura and wānanga. Historically, Maniapoto has contributed extensive lands for community development and benefit. Typically, this contribution has not been reciprocated.

**22.2.6.2** There is a general lack of Maniapoto identity, culture and visibility in landscape and urban designs within Maniapoto rohe and community developments. Maniapoto participation in community planning and development will ensure Maniapoto values are recognised and acknowledged. For example, the use of traditional place names, interpretation panels and artworks for social infrastructure projects will enhance and raise awareness and understanding within communities of the role of Maniapoto and the historical contribution of Maniapoto lands made to this region.

#### 22.3.2.1 Policy

Electricity generation, transmission and distribution within Maniapoto rohe does not result in negative effects on the mauri of the environment

#### Actions

- (a) Promote the use of renewable energy and energy saving measures in residential, commercial, industrial and other developments, in a manner consistent with Maniapoto values and interests.
- (b) Protect the biodiversity of indigenous fish species in all waterways by ensuring unhindered fish passage in the design and construction of in-stream structures (including retrofitting existing structures)
- (c) Ensure impacts of electricity generation infrastructure on indigenous biodiversity is avoided and, where this is not able to be avoided, impacts are appropriately mitigated, monitored and reported through consenting processes
- (d) Ensure energy generation and infrastructure is appropriately separated from human sites of occupation/habitation
- (e) Maintain and protect the natural functioning of ecosystems where energy infrastructure and systems are located, particularly those ecosystems that Maniapoto rely on for cultural and spiritual sustenance
- (f) Ensure energy generation and transmission infrastructure is developed in a manner otherwise consistent with this Plan.

### 22.3.3 Objective: Energy generation and transmission

Maniapoto has access to reliable, sustainable and efficient energy sources

#### 22.3.3.1 Policy

To ensure Maniapoto has access to reliable, sustainable and efficient energy sources

#### Actions

- (a) Encourage the need for sustainable financing of infrastructure
- (b) Support Maniapoto marae, kura, kōhanga and wānanga to develop and access reliable, sustainable and efficient energy sources
- (c) Encourage and support increased research and investment in new energy technologies, including the potential or feasibility of new forms of electricity generation within the rohe
- (d) Avoid new electricity generation facilities in the rohe that use non-renewable resources

### 22.3.4 Objective: Transport networks

To ensure transport infrastructure connects Maniapoto communities and enables industry and businesses to develop while minimising negative impacts on the environment

#### 22.3.4.1 Policy

Transport networks reduce costs and impacts on the environment through improved energy efficiency.

#### Actions

- (a) Promote energy efficient transport networks and environmental enhancement initiatives
- (b) Ensure subdivision and land-use planning supports and enables all relevant modes of transport as a viable options for daily activities

#### 22.3.4.2 Policy

Transport infrastructure avoids unacceptable adverse effects on the environment.

#### Actions

- (a) Ensure transport infrastructure projects avoid adverse effects on significant sites, wāhi tapu, mahinga kai, kura, marae, urupā. If adverse effects cannot be avoided, then mitigation measures are to be agreed with Maniapoto.
- (b) Provide best practice waste and effluent disposal facilities for transport network users, including stock trucks, campervans, buses and boats

#### 22.3.4.3 Policy

Land transport effects on air quality are managed effectively.

#### Actions

- (a) Ensure vehicle emissions do not adversely impact upon customary use areas, marae, papakāinga, kura and kōhanga reo

(b) Identify, investigate and remedy air pollution hotspots

(c) Promote multi modal transport options that avoid emissions (e.g., walking and cycling) in all subdivision and similar land-use activities

#### 22.3.4.4 Policy

Dependency on private vehicle use is reduced.

#### Actions

- (a) Plan layout and design of subdivisions and developments to provide, enable and promote access to more sustainable means of transport, including public transport, walking and cycling
- (b) Install best practice cycling infrastructure that meets the needs of all users
- (c) Design public transport services to be efficient and effective

### 22.3.5 Objective: Transport networks

To minimise adverse effects on Maniapoto of transportation

#### 22.3.5.1 Policy

Risks that Maniapoto are exposed to from transport users are reduced.

#### Actions

- (a) Ensure public agencies provide traffic management at all special Maniapoto events in recognition of the public safety benefits
- (b) Ensure appropriate speed limits and other signage is posted and enforced near marae, kura and other Maniapoto facilities

#### 22.3.5.2 Policy

Adverse effects of transport infrastructure are reduced.

#### Actions

- (a) Ensure safety and design of transport infrastructure around marae, kura and other Maniapoto facilities, and sites of significance protects human safety and health.
- (b) Work with communities to regularly review mitigation measures for transport, including heavy traffic bypasses and engine braking restrictions

### 22.3.6 Objective: Water infrastructure services – supply, treatment and disposal

To employ best and most practicable environmental standards in public infrastructure for storm water, wastewater and water supply

#### 22.3.6.1 Policy

Best practice solutions are implemented for each community and the receiving environment.

#### Actions

- (a) Protect and enhance all waterways for safe swimming and gathering of food
- (b) Ensure infrastructure services are managed to enhance and protect the mauri of water
- (c) Maintain the quality of discharge from wastewater at optimum levels through best practice management to ensure minimal adverse effects on water quality in the receiving environment
- (d) Maniapoto are actively involved in water infrastructure development proposals with councils, resource users and developers to ensure Maniapoto cultural interests and values are recognised and acknowledged in plans, policies, strategies, and development

#### 22.3.7 Objective: Telecommunications

To provide telecommunications and ultrafast broadband access to Maniapoto to support them to engage with digital media for work, education and business

##### 22.3.7.1 Policy

Telecommunications connect Maniapoto homes, schools, recreation facilities and businesses.

##### Actions

- (a) Provide appropriate telecommunications access that avoids negative impacts on Maniapoto values and interests
- (b) Ensure access to high-speed, high-capacity broadband infrastructure is available
- (c) Support delivery of faster, better internet through the ultra-fast broadband (UFB) initiative and the rural broadband initiative (RBI).

- (d) Maniapoto are engaged and consulted on transport infrastructure development proposals with councils, resource users and developers to ensure Maniapoto cultural interests and values are recognised and acknowledged in plans, policies, strategies and developments

#### 22.3.8 Objective: Social infrastructure

To make available social infrastructure that provides for the needs of Maniapoto

##### 22.3.8.1 Policy

Provision of social infrastructure recognises the differing needs of Maniapoto at different life stages and also the communities' abilities to pay for social infrastructure.

##### Actions

- (a) Ensure access to funding for construction and maintenance of Maniapoto cultural facilities, similar to funding of other public facilities
- (b) Incorporate Maniapoto heritage values into landscape and urban design through the use of mechanisms such as interpretative works, artworks, public structures and the introduction/repatriation of traditional place names
- (c) Ensure new developments incorporate low impact urban design, including consideration of all sustainability options to reduce the development footprint and avoiding placing excess loads on existing infrastructure and the environment
- (d) Promote consideration of low impact and self-sufficient solutions for water, waste, energy in sustainable housing design

## PART 23.0 - MINING AND QUARRYING, OIL, GAS, MINERALS

### 23.1 INTRODUCTION

23.1.1 Maniapoto has an abundance of diverse mineral and petroleum resources. In the future, technology may advance access to other minerals not currently mined or enable mining in a way not currently anticipated.

23.1.2 Current mining activities within Maniapoto rohe include iron sand mining, underground and opencast coal mining and limestone

quarry operations. These industries have benefited communities, businesses, infrastructure and agricultural industries including local and international economies.

23.1.3 Customary lore and proprietary rights and interests to underground resources (minerals, metals, stones, petroleum and gas) continue to be upheld as confirmed in Te Tiriti o Waitangi. However, outstanding matters relating mining and exploration activities within the Maniapoto rohe are still to be resolved with the Crown.

### 23.2 ISSUES

#### 23.2.1 Recognition of the role of Maniapoto as rangatira and kaitiaki

23.2.1.1 Historically, there was a lack of meaningful engagement and consultation with the people of Maniapoto for mining and exploration activities within Maniapoto. The ability for Maniapoto to exercise rangatiratanga and kaitiakitanga and participate in national and local government processes is constrained by a lack of resources (money, equipment, information, processes and people on the ground). Maniapoto may not always have the capacity to participate in mining and exploration processes due to limited timeframes to respond to government processes, consultant/applicant plans and processes, and other priority resource management matters.

23.2.1.2 There is also a lack of awareness and understanding of Maniapoto roles, entities, values, history and culture by resource users.

#### 23.2.2 Mining activities

23.2.2.1 Historically the cultural landscape of Maniapoto

### 23.3 OBJECTIVES, POLICIES AND ACTIONS

#### 23.3.1 Objective: Recognition of the role of Maniapoto as rangatira and kaitiaki

The people of Maniapoto participate at the highest level of decision-making for mining and exploration activities that affect Maniapoto.

##### 23.3.1.1 Policy

Manage the effects of mining activities and any associated discharges in a manner that avoids significant adverse effects on the relationship the people of Maniapoto have with water and land.

##### Actions

- (a) Require national and local government, and resource users engage and consult early with Maniapoto for any mining and exploration activities in the rohe
- (b) Maniapoto are actively involved in mining and quarrying (including oil, gas, and minerals) development proposals with councils, resource users and developers to ensure Maniapoto cultural interests and values are recognised and acknowledged in plans, policies, strategies and developments
- (c) Ensure mining and exploration activities occur in such a way that Maniapoto values, interests, taonga, wāhi

rohe has been altered by mining and exploration activities. The effects of mining developments on values important to Maniapoto are dependent on the location and scale of the activity and the nature of the receiving environment. Issues of particular importance to Maniapoto include potential impacts on waterways, aquifers, soils, indigenous flora and fauna, coastal areas, fisheries and mahinga kai sources.

23.2.3.2 Historically, Maniapoto pā, wāhi tapu and sites of significance have also been damaged and destroyed as a result of mining activities. The protection and enhancement of cultural heritage is paramount.

#### 23.2.3 Community benefits and costs

23.2.4.1 National and international companies often accrue significant economic benefits from mining and exploration activities and although there are some local and regional benefits from jobs and services, there are also local environmental and social costs that impact on the people of Maniapoto and the environment.

tapu, land and waterways are protected and enhanced

#### 23.3.2 Objective: Mining activities

To effectively manage, with Maniapoto, any adverse social, cultural, spiritual, environmental, and economic effects resulting from existing and new mining activities

##### 23.3.2.1 Policy

Existing and new mining activities are effectively managed, through partnerships between Maniapoto, developers and agencies, to avoid any adverse effect on the social, environmental, cultural, spiritual and economic interests and values of Maniapoto.

##### Actions

- (a) Ensure all applications for mining and quarrying activities include:
  - (i) site management plans for earthworks, erosion and sediment control, waterway protection, on site stormwater treatment and disposal and provisions for visual screening/ barriers that include indigenous vegetation
  - (ii) site rehabilitation plans that include restoration of the site using indigenous species

- (b) Ensure mining activities use best practice options to manage adverse effects on Maniapoto values
- (c) Ensure environmental effects are managed and mitigated at the mining site to avoid adverse effects affecting neighbouring environments.
- (d) Securely contain minerals or mining waste in transit to prevent any contamination of the environment
- (e) Support research and development initiatives that promote less reliance on mined materials
- (f) Support reuse and recycling initiatives in mining activities

#### 23.3.2.2 Policy

Existing and new mining activities effectively remediate and restore mining sites.

#### Actions

- (a) Require a site remediation and restoration plan to be in place for the duration of the mining activity
- (b) Require mining developers to demonstrate they have the financial resources to remediate and fully restore a site once the materials mined from the site are exhausted

- (c) Require mining developers to provide a suitable bond to the consenting authority to guard against any closure or failure of the mining activities or environmental protection initiatives

#### 23.3.3 Objective: Community benefit and costs

To require mining activities to demonstrate a direct community benefit to those communities near their activities

#### 23.3.3.1 Policy

Mining activities demonstrate a direct community benefit for the communities near their activities.

#### Actions

- (a) Require existing and new developers to work with Maniapoto to identify initiatives that demonstrate direct environmental, economic, social, spiritual, and/or cultural community benefits, including but beyond direct employment and economic opportunities to Maniapoto individuals and entities.
- (b) Promote working with mining and quarrying companies to build capacity and capability in mining and quarrying activities and shared understanding of each other's roles and responsibilities.

#### 24.2.2.1 Hazardous activities and industries that generate waste include but not limited to:

- chemical manufacture, application and bulk storage
- electrical and electronic works, power generation and transmission
- explosives and/or ordinance production, storage and use
- metal extraction, refining and reprocessing, storage and use

- vehicle refuelling, service and repair
- cemeteries and waste recycling, treatment and disposal

24.2.3 Backyard dumps close to waterways, the illegal dumping of rubbish and tyres on land and waterways impacts on people, the environment and Maniapoto values.

24.2.4 The production of excessive unrecyclable packaging creates ongoing waste management problems for the community and the environment. Alternative initiatives to minimise waste must be promoted.

## 24.3 OBJECTIVES, POLICIES AND ACTIONS

### 23.3.1 Objective: Solid and hazardous waste

To avoid the adverse effects of solids and hazardous waste disposal

#### 24.2.2.1 Policy

Incentives and initiatives to reduce the volume of waste are supported.

#### Actions

- (a) Ensure Maniapoto participation and input to initiatives to reduce waste
- (b) Require discharge to land activities associated with solid and hazardous waste and by-products to be effectively controlled and monitored
- (c) Incentivise systems that promote waste minimisation or deal with waste as close to point of origin as possible
- (d) Promote product stewardship initiatives where the costs of waste disposal are met by product manufacturers (imported materials are taxed to cover eventual disposal costs) and other waste generators at source
- (e) Promote education initiatives on waste minimisation programmes and zero waste – (see Parakore model)
- (f) Support and provide for low waste trading practices, including no packaging supermarkets, farmers' markets and bulk suppliers
- (g) Establish accessible community recycling, composting facilities, swap or exchange facility for unwanted items

#### Policy

Waste disposal facilities are appropriately sited and managed to avoid adverse effects.

#### Actions

- (h) Ensure Maniapoto participation and input to any new proposals for waste facilities and review of existing facilities to avoid any adverse effects on Maniapoto values and interests in a manner
- (i) Undertake remedial work at closed landfill sites where leaching of contaminants is occurring, or could occur, to prevent contamination of groundwater, waterways, and coastal waters
- (j) Ensure disposal facilities are designed and managed to ensure no leaching to or contamination of the environment
- (k) Ensure new waste disposal facilities are sited so as to prevent any impact on wāhi tapu, mahinga kai, kura, marae, urupā

#### 24.2.2.2 Policy

Unsafe disposal of waste, including hazardous waste and by-products, is eliminated.

#### Actions

- (a) Solid and hazardous waste disposal practices are safe and avoid any adverse effects on Maniapoto values and interests
- (b) Enforce regulation of disposal of hazardous products
- (c) Promote education initiatives to the public regarding appropriate disposal options for different types of waste
- (d) Ensure penalties for illegal dumping provide a significant deterrent
- (e) Report, investigate and enforce penalties for illegal dumping

# PART 24.0 - WASTE MANAGEMENT

## 24.1 INTRODUCTION

24.1.1 The protection and enhancement of Papatūānuku and Ranginui from harmful and hazardous waste is important to Maniapoto. Waste disposal practices and methods and the release of pollutants into the environment have the potential to impact on the relationship of the people of Maniapoto with natural resources, customary activities and mahinga kai areas.

24.1.2 The minimisation of waste and incentives for waste prevention, reuse and recycle initiatives are important to reduce the extraction of natural resources and raw materials from Papatūānuku.

24.1.3 Policies and management plans, rules and regulations relating to waste management are significant to the people of Maniapoto.

## 24.2 ISSUES

### 24.2.1 Solid and hazardous waste

24.2.2 Solid and hazardous waste must be stored, transported, treated or disposed of appropriately to avoid adverse effects on the people of Maniapoto, and on Maniapoto interests and values. Solid

waste includes organic green waste material, paper, plastic, glass, metal and timber and other waste that is disposed to landfill, on-site agricultural or industrial dumps, or individual backyard dumps. Hazardous waste includes waste materials (solids, liquids and gases) that are explosive, flammable, corrosive, toxic, radioactive, and/or infectious and comes from many sources, such as, households, industry, urban and rural areas, schools and hospitals.



KAKEPUKU MAUNGA 2015

## PART 25.0 - BIOSECURITY

### 25.1 INTRODUCTION

25.1.1 In this section, biosecurity refers to the use and management of plant and animal pests, control agents, hazardous substances as well as new and genetically modified organisms (GMOs).

25.1.2 All policies and management plans, rules and regulations relating to biosecurity matters within Maniapoto rohe are significant to the people of Maniapoto.

25.1.3 The risks of new pests and diseases have the potential to threaten Maniapoto primary production lands and economic interests in agriculture, horticulture, forestry, fishing, marine farming and tourism activities. For example, kauri are currently under threat from kauri die-back disease, and mānuka, kānuka and pōhutukawa are at potential risk from the myrtle rust fungus. The increase in international trade and tourism means that invasion of pests and organisms entering Aotearoa is a real and constant threat.

### 25.2 ISSUES

#### 25.2.1 Biosecurity and pests

25.2.1.1 The introduction of plants and animals to Aotearoa must be managed to avoid any adverse effects that may displace, damage or eliminate indigenous species.

25.2.1.2 Animal and plant pests have affected normal cycles of indigenous forests and destroyed indigenous insects, reptiles and birds. For example, rodents, mustelids and possums often destroy seedlings and the regeneration of forests. Pest weeds can choke seedlings and smother forest trees. Pest animals, such as, koi carp and exotic fish continue to pose a significant threat to natural heritage and biodiversity values, native birds, fisheries, lizards, frogs and insects.

25.2.1.3 Pest control measures must therefore be managed appropriately to avoid any adverse effects on Maniapoto values, indigenous species, forests and biodiversity values.

#### 25.2.2 Control agents

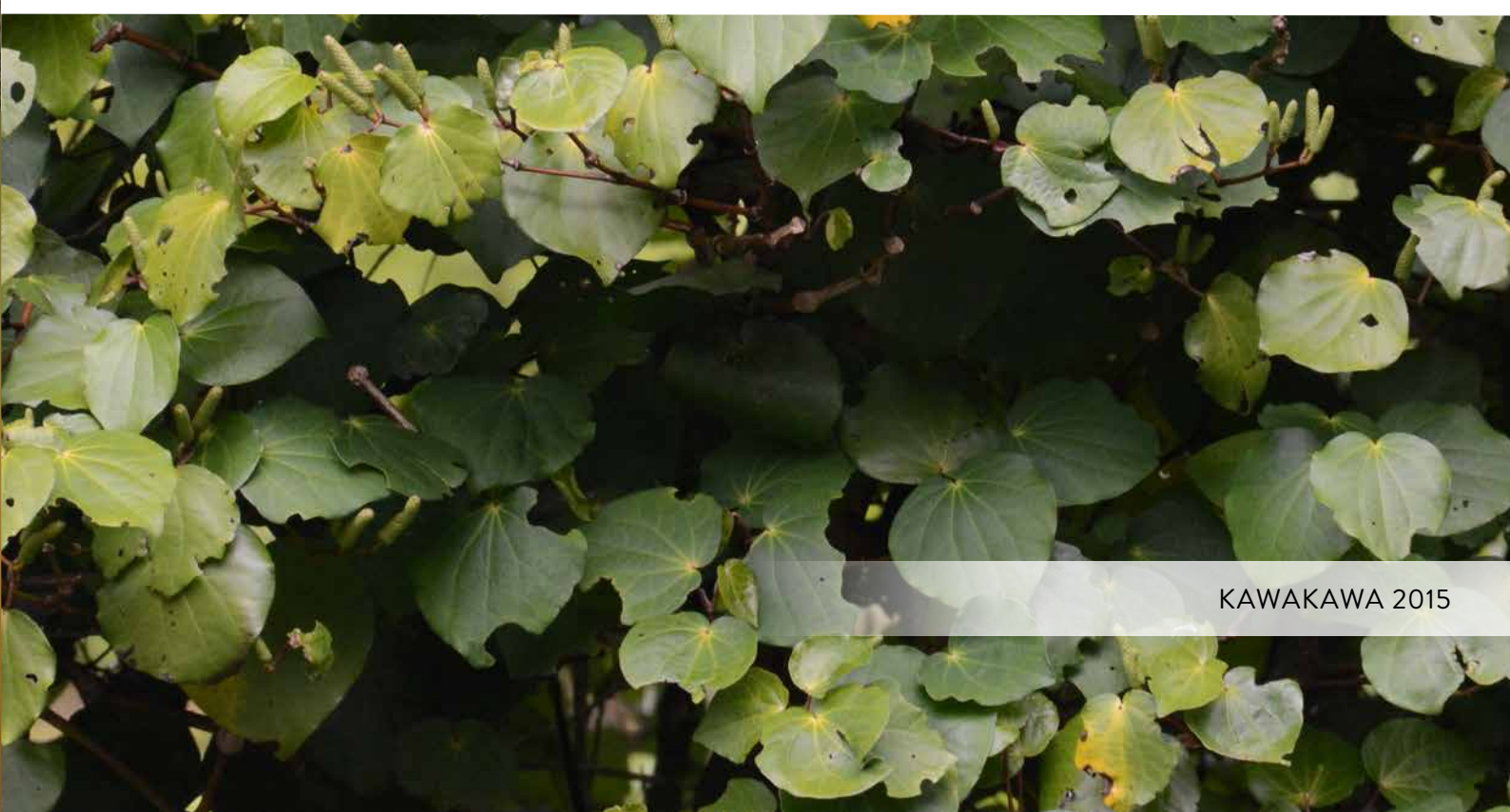
25.2.2.1 The management and use of control agents such as chemical herbicides and pesticides are widely used in New Zealand to control weeds and pests. Some chemicals remain stable in the ground and may increase their concentration in the environment, while others can remain active in the soil for prolonged periods. The application of control agents must be managed to avoid any adverse effects on the people of Maniapoto and Maniapoto values.

25.2.2.2 Biological control agents refer to the introduction of a species to control a pest species. Any new species to Aotearoa must be managed to avoid any adverse effects on the people of Maniapoto and Maniapoto values. A transparent and robust assessment criterion must be undertaken for any new species prior to introduction to Aotearoa and Maniapoto.

#### 25.2.3 New organisms and genetically modified organisms

25.2.3.1 The term genetically modified organisms (GMOs) refers to new organisms created in a laboratory by the transfer of genes between different species. The use and application of new organisms and genetically modified organisms for medicines and food is currently on the increase. Maniapoto are concerned about the effects of GMOs on the mauri and whakapapa of indigenous species, the costs and benefits to Maniapoto and the risk to natural resources and the environment.

25.2.3.2 Maniapoto promote transparent information and processes on the development and use of GMOs and/or the introduction of new organisms. This includes considering the risks and threats, including outcomes and benefits and trade-offs between economic benefit and environmental integrity. Recent examples of PSA (Kiwifruit), varroa bee mite and oyster herpes virus highlight biological outbreaks that pose risks to businesses and communities. In many cases, such outbreaks are not through intentional introduction of organisms.



KAWAKAWA 2015

## 25.3 OBJECTIVES, POLICIES AND ACTIONS

### 25.3.1 Objective: Biosecurity and pests

To identify priority plant and animal pests to be managed and/or controlled

#### 25.3.1.1 Policy

Priority plant and animal pests are identified, managed and controlled.

#### Actions

- (a) Require Maniapoto participation and input for pest management strategies and pest control operations within the rohe
- (b) Ensure regular monitoring of the environment, including but not limited to parks, open spaces, and waterways for invasions of plant and animal pest species
- (c) Ensure weed and other pest control programmes avoid effects on mahinga kai species or areas of cultural significance by:
  - (i) avoiding areas identified by Maniapoto
  - (ii) using alternative weed or pest control methods in particular locations as requested by Maniapoto
  - (iii) aligning the timing of operations to minimise the effect on Maniapoto activities
- (d) Monitor the effectiveness of pest management, control and eradication operations in protecting priority areas, in increasing the abundance of indigenous species, in improving terrestrial indigenous habitats, rivers, lakes, wetlands, and coastal areas, and/or in enhancing Maniapoto economic, social or cultural development
- (e) Encourage and support private landowners and conservation groups that undertake weed and pest control programmes

### 25.3.2 Objective: Biosecurity and pests

To protect ecosystems from the adverse effects of plant and animal pests.

#### 25.3.2.1 Policy

Plant and animal pests are prevented from entering and establishing in Aotearoa and, if established, are appropriately controlled and eradicated.

#### Actions

- (a) Ensure Maniapoto participation for pest management strategies, plans and policies
- (b) Ensure pest control measures continue with a focus on protecting and restoring habitat and indigenous species, and on protecting and enhancing Maniapoto economic, social and cultural development.
- (c) Ensure pest control measures, including trapping, poisoning, spraying and removal, is best practice and minimises any risk or threat to indigenous species
- (d) Ensure that exotic species that may be potentially harmful to Maniapoto ecosystems, social, cultural, and economic development are identified and their establishment or use is avoided so there is no opportunity for the species to become widespread, displace indigenous species, become difficult to control or remove or become a pest species

### 25.3.3 Objective: Control agents

To ensure control agents are appropriately managed, stored and effective in controlling or eradicating target pests.

#### 25.3.3.1 Policy

Control agents are appropriately managed, stored and effective in controlling or eradicating target pests

#### Actions

- (a) Ensure industry best practice in pest animal and plant control while:
  - (i) promoting the protection and enhancement of indigenous vegetation
  - (ii) encouraging research and development for more effective tools to manage pest plant and animal control and eradication
  - (iii) promoting minimal use of hazardous substances, giving preference to natural solutions (trapping possums, establishment of riparian margins for shading aquatic weed) and lowering application rates of herbicides, pesticides and other toxic control tools
  - (iv) requiring control agents, including biological control agents to demonstrate no-effect on non-target species or a minimal effect that may be acceptable to Maniapoto before agents are introduced

(v) avoiding biological control agents which may themselves become a pest species

(vi) researching and developing more effective methods for controlling, managing, and/or eradicating pest plant and animal species

(b) Ensure timing and techniques of pest control operations avoid any impact on mahinga kai and other cultural values

(c) Ensure that, when the effects or a risk associated with a specific method of pest control is unknown or unclear, the precautionary principle is applied. This means that if the effect is unknown, that is not a basis to presume there will be no effects. The protection of public health has priority in decision-making.

(d) Ensure control agents are monitored and reviewed regularly to assess any long term and cumulative effects on land and waterways.

humans, indigenous ecosystems, indigenous species or primary production.

#### Actions

- (a) Ensure resource users, resource managers, applicants and decision makers give effect to Maniapoto values and interests in any proposal to develop or introduce new or genetically modified organisms
- (b) Require relevant agencies engage and consult with Maniapoto to ensure that Maniapoto values and interests are explicitly considered in decision-making criteria
- (c) Require relevant agencies to demonstrate that the effects of new organisms, and GMOs are negligible or minimised on taonga species, areas of significant indigenous vegetation, and on the ecosystems in which these species and areas of significance occur
- (d) New organisms and GMOs demonstrate no unanticipated effect, and no-effect on non-target species, or a minimal effect that may be acceptable to Maniapoto, before new organisms and GMOs are introduced into the Maniapoto rohe.
- (e) Increase Maniapoto participation in decision-making on applications to introduce or develop a new and/or genetically modified organism

### 25.3.4 Objective: New or genetically modified organisms

To adopt a precautionary approach to the introduction and use of new organisms and GMOs in recognition of Maniapoto tikanga and kawa

#### 25.3.4.1 Policy

Applications for new organisms and GMOs must demonstrate that there are no unacceptable risks to

## PART 26.0 - TOURISM AND RECREATION

### 26.1 INTRODUCTION

**26.1.1** The quality of the physical and natural environment within Maniapoto is essential to tourism and the local, regional and national economy. There are extensive areas of natural heritage and biodiversity areas utilised for tourism and recreation activities that attract a large number of domestic and international visitors to the Maniapoto rohe each year. Many activities are supported by infrastructure services, such as, roads, airports, rail, accommodation, hotels, restaurants, shops, golf courses and marinas.

**26.1.2** Tourism also contributes to environmental protection and conservation. Public awareness of the natural resources within Maniapoto raises awareness of environmental values, affords protection of natural areas, and increases their economic importance. A healthy and functioning natural environment is central to the social, cultural, environmental and economic benefits generated within Maniapoto rohe.

### 26.1.3 Ecotourism within Maniapoto include but not limited to:

- Waitomo Glow Worm Caves, Ruakuri Cave and associated activities
- Ōtorohanga Kiwi House
- Pureora Forest Park and cycle trail
- Pirongia Forest Park
- Mangapohue natural bridge
- Marokopa Falls
- Pā Harakeke

**26.1.4** The use and management of natural resources for tourism and recreation activities must be managed appropriately to avoid any adverse effects on Maniapoto wāhi tapu, sites of significance, culture, tikanga, and intellectual property.

## 26.2 ISSUES

### 26.2.1 Tourism activities

**26.2.2** Negative impacts from tourism activities and development can gradually degrade, damage, and destroy natural resources that tourism and recreation may depend on. Impacts such as soil erosion, increased pollution, discharges into the sea, natural habitat loss, pressure on endangered species and impacts on wāhi tapu and cultural areas significant to Maniapoto must be managed appropriately.

**26.2.3** Infrastructure development for tourism purposes, such as, roads, water supply and wastewater services can also damage, destroy or degrade waterways. Fresh water resources utilised by resource users and tourists and can result in water shortages and degradation of water supplies.

**26.2.4** Additionally, it is of concern to Maniapoto when the natural environment or other Maniapoto taonga within the Maniapoto rohe is the reason for the tourism activity and Maniapoto people do not benefit from the activity through economic or employment opportunities.

### 26.2.5 Recreation activities

**26.2.5.1** Recreation is an important aspect of the relationship that Maniapoto has with the environment. Traditional camping and swimming places are no longer accessible for the people of Maniapoto or available for use due to private land ownership or council infrastructure services, such as water treatment or wastewater plants. The protection and enhancement of places for recreation use is therefore important to Maniapoto.

**26.2.5.2** Recreation facilities and users also bring positive economic benefits and must be managed appropriately to protect and enhance the natural environment. Increasing visitor numbers may lead to damage to fragile natural environments and to culturally and spiritually significant sites or heritage sites.

**26.2.5.3** Safety standards for people participating in recreation and tourism activities in and around waterways or in isolated locations such as forested areas must be managed and monitored to ensure compliance with industry best practice standards.

**26.2.5.4** Freedom camping – Freedom camping refers to camping in a caravan, bus, car, tent or campervan in locations such as rest areas, reserves, beaches, car-parks, roadsides, and lay-bys. Freedom camping and rubbish issues at unmanaged sites must be monitored and managed to avoid adverse effects on Maniapoto and the environment. The degradation and damage of land and water resources and the desecration of wāhi tapu from the inappropriate behaviour of some freedom campers through the disposal of litter and human waste is of concern to Maniapoto and impacts on the health and wellbeing of the people of Maniapoto.

**26.2.5.5** The Freedom Camping Act 2011 states freedom camping is considered a permitted activity everywhere in a local authority (or Department of Conservation) area, except at those sites where it is specifically prohibited or restricted. Maniapoto seek to participate in decision-making to identify areas where freedom camping should be prohibited to protect and use areas significant to Maniapoto.

## 26.3 OBJECTIVES, POLICIES AND ACTIONS

### 26.3.1 Objective: Tourism activities

To ensure tourism activities are sustainable and provides for environmental, social, cultural and economic wellbeing of Maniapoto while protecting Maniapoto sites and culture

#### 26.3.1.1 Policy

Tourism in the Maniapoto rohe is operated in a manner that provides for environmental, social, cultural and economic wellbeing of Maniapoto while protecting Maniapoto sites and culture

#### Actions

- (a) Ensure Maniapoto retain priority, undisrupted traditional access to and use of cultural and spiritual resources
- (b) Ensure Maniapoto participate at the highest level of decision-making processes for all proposed tourism and recreation activities and developments and land use changes in the rohe
- (c) Encourage and support protection of Maniapoto sites of significance, wāhi tapu and customary resources

(d) Ensure that current or intending tourism operators who have a cultural component in their activity confirm with Maniapoto how they intend to:

- (i) protect cultural and spiritual integrity
- (ii) protect and enhance cultural and spiritual resources important to Maniapoto
- (iii) protect Maniapoto intellectual property prior to tourism and recreation activities commencing
- (iv) provide, where practical and possible, for the economic wellbeing of Maniapoto

### 26.3.2 Objective: Recreation Activities

To ensure recreation use and activities do not adversely affect the environment and facilities are available to provide for the reasonable needs of users, including supporting Maniapoto to restore and maintain their relationships with the environment

#### 26.3.2.1 Policy

Recreation and associated facilities are managed to ensure that the environment is protected, that human health and safety is maintained and that Maniapoto can restore and maintain their relationships with the environment through recreation



MARAMATAHA BRIDGE PUREORA FOREST PARK 2015 DOC

**Actions**

- (a) Ensure recreation activities that may impact on customary resources, practices and uses in the environment are appropriately managed to avoid or suitably mitigate effects
- (b) Promote opportunities for collaboration with recreation groups to encourage more people into active outdoor recreation
- (c) Encourage the adoption of best practice recreation activities to ensure that:
  - (i) activities do not impact on the health and wellbeing of natural resources
  - (ii) damage or destruction to the environment is prevented
  - (iii) all waste is removed
  - (iv) the relationship of Maniapoto with the natural resources in their rohe is not adversely affected
  - (v) there is provision, where practical and possible, for the economic wellbeing of Maniapoto.
- (d) Identify prohibited or restricted freedom camping areas with relevant councils to prevent damage to wāhi tapu, mahinga kai sites and other sites of significance
- (e) Encourage freedom campers to camp in designated, serviced sites through the use of information tools and incentives

## Conclusion

Maniapoto thank you for taking the time to familiarise yourself with this Plan. Maniapoto look forward to developing enduring and collaborative relationships with all users of this Plan.

# SECTION. F

## GLOSSARY, APPENDICES

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## PART 27.0 - GLOSSARY

<b>Aotearoa</b>	New Zealand
<b>awa, manga</b>	river, stream
<b>hangi</b>	food cooked in ground
<b>hapū</b>	sub-tribe, usually containing a number of whānau with a common ancestor.
<b>hikoi/whikoi</b>	walk
<b>hui</b>	meeting
<b>iwi</b>	tribe. Iwi usually contain a number of hapū with a common ancestor.
<b>kai</b>	food
<b>kāinga</b>	home
<b>kaitiaki</b>	the role and responsibility of Tāngata Whenua to ensure that the mauri, or vital life essence, of their taonga is healthy and strong, in accordance with their tikanga (traditional sustainable management practises); the ethic of guardianship.
<b>kaitiakitanga</b>	the exercise of kaitiaki roles and responsibilities. For Maniapoto this is the principle of responsible guardianship to maintain and enhance a safe and healthy environment for present and future generations.  Kaitiakitanga occurs in the context of recognition and respect for kawa, tikanga and kaitiaki roles and responsibilities of marae, whānau, hapū and iwi of Maniapoto.
<b>kānga wai</b>	fermented corn
<b>kaupapa</b>	topic, agenda
<b>Kaupapa Māori</b>	‘for, by and with a Māori’ approach
<b>kawa</b>	protocol
<b>kōhanga reo</b>	Māori early childhood education centre
<b>koiwi</b>	human bones
<b>kura</b>	school
<b>mahinga kai</b>	traditional food gathering sites. Refers to the customary areas the food resources are located and the actual areas where these resources are harvested and gathered. Also includes the act of harvesting these for resources.
<b>Māori</b>	indigenous people of Aotearoa
<b>mana</b>	Authority, status, power. The principle that only the people of Maniapoto have the mana and authority to make decisions for Maniapoto on matters that affect them
<b>Mana whenua</b>	describes the ability to exercise “customary authority” by an Iwi and or Hapū over an identified area or site. Mana whenua can be held

<b>manaakitanga</b>	hospitality. The principle of each person exercising kaitiakitanga and rangatiratanga to enhance and nurture the environment and each other.
<b>mana tūpuna</b>	inherited status, mana through descent
<b>Maniapoto</b>	For the purpose of this plan ‘Maniapoto’ refers to anyone who descends from or affiliates to Maniapoto whānau, marae, hapū or iwi. Maniapoto also includes various organisations or bodies that Maniapoto has established to manage the individual and/or collective affairs of whānau, hapū, Māori owned land blocks, and other Maniapoto interests. This includes mana whenua groups, committees, trusts, incorporations or other organisations for marae, hapū, management committees, clusters of the same, a relevant iwi authority or its delegated bodies, and other structures that, from time to time, Maniapoto whānau may establish to consider matters of relevance under this Plan. For the avoidance of doubt, this includes the Maniapoto Māori Trust Board and the Regional Management Committees.
<b>Marae, pā</b>	open area in front of the whare nui (meeting house). Generally used to describe the entire area that contains the whare nui and other buildings.
<b>mātauranga mātauranga Māori/Maniapoto</b>	knowledge  traditional and contemporary Māori knowledge and knowledge bases. This includes the body of knowledge originating from Māori ancestors, including the Māori world view and perspectives, Māori creativity and cultural practices, and the natural and spiritual world. As an organic and living knowledge base, mātauranga Māori is ever growing and expanding.
<b>maunga</b>	mountain
<b>mauri</b>	often described as the ‘life force’ or ‘life principle’ of a given place or being. It is a measure or an expression of the health and vitality of that place or being.  For Maniapoto, life has physical and spiritual elements, tangible and intangible elements, and all are essential to overall wellbeing. Physical indicators include the presence and abundance of mahinga kai fit for consumption or cultural purposes.  The principle here is to protect, restore and enhance the mauri of all living things and, in some cases, inanimate objects.

<b>mihi</b>	greetings
<b>moana</b>	sea
<b>ngā uri whakatupu</b>	future generations
<b>pā harakeke</b>	flax bush, generations – sometimes used as a metaphor to represent the whānau and the gene pools inherited by children from their two parents and the passing of attributes down the generations.
<b>Papakāinga</b>	means tāngata whenua communities, places where tāngata whenua live primarily clustered around marae and other places of significance.  ‘Papakāinga’ also means contemporary or ancient marae sites with or without accompanying residences or buildings. The extent of individual papakāinga should be determined in consultation with tāngata whenua and is not necessarily confined to multiple owned Māori land. The definition may also extend to include taura here communities who establish modern/urban ‘papakāinga’.
<b>Papatūānuku</b>	Mother Earth
<b>pūhā</b>	green vegetable
<b>Rāhui</b>	to put in place a temporary or permanent restriction or prohibition on an area or behaviour. A resource management tool that Māori commonly use to enable contaminated areas to heal and/or flora and fauna stocks to be replenished or recover.  Can be put in place to prohibit activity in an area for a time following a tragedy.
<b>rangatira</b>	chief
<b>rangatiratanga</b>	self-determination, empowerment, sovereignty. The principle that Maniapoto will facilitate informed and effective decision making on matters within the Maniapoto rohe.  In respect of Maniapoto interests in the rohe, Maniapoto expect to exercise a degree of autonomy, authority and influence over their rohe, land, knowledge and resources and be involved in decision-making on such matters. This principle includes the exercise of customary authority in accordance with tikanga, kawa and mātauranga Māori.
<b>Raranga</b>	waving
<b>rohe</b>	area, district. Often used to refer to an area where an iwi or hapū has mana whenua status
<b>rongoā materials.</b>	medicine, healing plants and other natural
<b>taiao</b>	environment,
<b>tangata/tāngata</b>	person/people
<b>tāngata whenua</b>	‘Māori and their whānau, marae, hapū and iwi that whakapapa, or have genealogical connections, back to the land by virtue of first or primary

<b>tangihanga</b>	funeral
<b>taonga</b>	something treasured, including but not limited to waterways, native flora and fauna, plants, trees and animals, wetlands, natural resources, places and landscapes
<b>taonga tuku iho</b>	heirloom, cultural property, heritage
<b>te Ao Māori</b>	the Māori world
<b>te reo Māori</b>	the Māori language
<b>Te Tiriti o Waitangi</b>	the Treaty of Waitangi
<b>tikanga</b>	customary practices. Describes practices followed by tāngata whenua based upon customary values.
<b>tino rangatiratanga</b>	self-determination, the ability and right to determine ones own destiny and future.
<b>tūpuna/tūpuna</b>	ancestor(s)
<b>tohu</b>	emblem, sign, indication
<b>Urupā</b>	burial grounds
<b>Wāhi tapu</b>	Are described as sacred sites/resources with cultural or spiritual importance for Māori and in particular for the kaitiaki over the area. There are those sites that are important not just for their historical value but because they serve as reference points for direction and growth and ensure a stable cultural development. The removal, destruction, inappropriate development, modification and damage of wāhi tapu causes great concern for Iwi / Hapū and threatens the integrity of the tribal/hapū identity, mana and growth and therefore the relationship of Māori with their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga.
<b>Wāhi taonga</b>	treasured sites – such as marae, pā, kāinga. These sites may or may not also be wāhi tapu
<b>Wāhi tūpuna</b>	ancestral sites – such as waka landings, ancient battlegrounds, tracks. These sites may or may not also be wāhi tapu
<b>wai</b>	water
<b>waka</b>	canoe
<b>wairua</b>	spirit
<b>wānanga</b>	place of learning, education centre
<b>whakairo</b>	carving
<b>whakapapa</b>	genealogical connections
<b>whānau</b>	family, immediate family and also those with loose whakapapa connections.
<b>whare</b>	house/building
<b>Whare wananga</b>	place of learning
<b>whenua</b>	land



## APPENDIX 1: SUGGESTED TEMPLATE – MMTB TĀNGATA WHENUA EFFECTS ASSESSMENT REPORT

The Tāngata Whenua Effects Assessment Report ('TWEAR')<sup>39</sup> is a document that is prepared individually or collectively by tāngata whenua that may be potentially affected by a proposed activity, policy or process. Those involved in preparing the TWEAR should be resourced according to pre-agreed arrangements with the applicant (refer section 3.0 on consultation and engagement processes).

**Executive Summary**—a summary of key points raised in the TWEAR and should be written after the TWEAR is completed. The executive summary should stand alone, contain all relevant information, and not require the reader to look anywhere else for information. The rest of the TWEAR should expand on the points raised in the executive summary for the reader's benefit and is supported by the summary following. (Length—ideally one page but up to two pages)

**Summary of mitigation measures, suggested consent conditions, and other recommendations**—summary of the 'mitigation measures and other recommendations' section including the 'suggested consent conditions.' (Length—will depend on the complexity of the TWEAR)

### Contents page

**Introduction**—an introduction that lets the reader know what to expect in the TWEAR. This section should be written when the TWEAR is completed (Length—two to three paragraphs).

**Methodology**—describes the process used to develop the TWEAR. This may include:

- Consultation and engagement process
- Dates of any hui held, hui purpose, and key attendees (e.g. mana whenua, technical advisers, applicant, council, etc). If necessary and relevant, minutes can be added to the appendices and summarised in the TWEAR.
- Dates of any site visits.
- Interviews undertaken as part of process. If necessary and relevant, transcripts can be added to the appendices and summarised in the TWEAR.
- Written information provided and reviewed
- Additional written or external information provided.
- Technical advice, including kaupapa Māori or mātauranga Māori advice relied upon to write the TWEAR.

**Assumptions and limitations**—a list of any assumptions made in preparing the TWEAR. Also list any limitations that there may be to the TWEAR.

**Background**—relevant background material that can help the reader understand the context for the TWEAR.

**Applicant profile**—who is the person(s) or entity/ies involved in the activity, policy or process that triggered the need for the TWEAR. Provide enough information that the reader is familiar with the applicant. This should be a summary only as a fuller profile is likely to appear in other documents that form part of the application.

**Application and consents sought**—a brief summary of the applications and consents sought including the application code, location, zoning, proposal, activity category, and relevant general information. This should be a summary only as a fuller explanation is likely to appear in other documents that form part of the application. If the matter the triggered the need for a TWEAR is a policy or process, amend this section accordingly to provide relevant summary information.

**Tāngata Whenua description**—a description of tāngata/mana whenua that are within the area potentially affected by the proposed activity, policy, process. This description should generally be limited to those groups involved in developing the TWEAR though the TWEAR may note that other tāngata/mana whenua groups may have an interest in the potentially affected area.

- Historic or other connection—as part of this section, the TWEAR may also state any relevant connection to the potentially affected area, including historic and whakapapa connections.

**Key issues**—a summary of key tāngata/mana whenua issues that have come to light as a result of the methodology followed. These issues are in addition to any issues raised as part of assessing relevant documents. Issues may be wide ranging, are not necessarily limited to cultural issues, and include, but are not limited to economic, environmental and social issues.

**Resource Management Act (Part 2) considerations**—a consideration of the proposed activity, policy or process, against Part 2 matters of the RMA, particularly sections 6(e), 6(f), 7, and 8.

**Assessment against He Mahere Taiao and Te Ture Whaimana o te Awa o Waikato**—an assessment of the proposed activity, policy, or process against relevant sections of He Mahere Taiao, objectives from Te Ture Whaimana o te Awa o Waikato and the issues raised in previous sections. See suggested Assessment Framework (pg. 162).

**Mitigation measures and other recommendations**—as a result of the methodology followed and the assessment undertaken, list the mitigation measures and other recommendations suggested to avoid, manage, minimise, or offset the affects of the proposed application, policy or process. It is recommended that discussions occur with the applicant to, if possible, reach agreement on the suggested mitigation measures and recommendations.

Headings for mitigation measures should follow the reference document (e.g. He Mahere Taiao) or the previous issues section.

- **Suggested consent conditions:** This section may also contain suggested consent conditions or a note that consent conditions incorporate the mitigation measures and other recommendations.

**Conclusion**—summarises what was discussed in the TWEAR. (Length – two to three paragraphs)

**References**—a list of written material used in preparing this TWEAR. It is suggested that APA referencing is used to list the material (<http://www.waikato.ac.nz/library/study/referencing/styles/apa>)

**Appendices**—additional material that is referenced in the TWEAR and is relevant enough that the reader may be interested to read more but is not significant enough that the information appears in the main body of the TWEAR.

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## APPENDIX 2: HE MAHERE TAI AO APPLICATION, ACTIVITY, POLICY, PROCESS ASSESSMENT TOOL TEMPLATE<sup>40</sup>

This tool can be used to support the people of Maniapoto and others to assess an environmental or natural resource use activity, application, policy or process against the Plan and additional mana whenua documents and issues. The tool should assist in determining actual or potential effects of a proposed activity on Maniapoto values and interests. The tool also enables a quick assessment of what type of evidence has been relied upon to determine the likelihood

or magnitude of potential effects and the reasonable mitigations measures (if any) that are available.

The tool can then be used as a starting point for discussions between Maniapoto, natural resources users and/or regulators to confirm the effects and mitigation measures and any areas of outstanding disagreement that need to be resolved.

Date Received	Date received	
Internal contact	The tāngata whenua person(s) and/or entity/ies responsible for progressing this assessment.	
Name of Applicant	Applicant name.	
Contact Name & Phone Number	Applicant contact details and details of any consultant	
Overview	Applicant provided summary of proposal, policy, application	
Names of Land Owners and Occupiers	Details of landowner, if known, or note 'applicant' if the applicant is the landowner.	
Applications, Consents, Policy, Process Sought (Including Description)	<b>Application code</b>	The council or processing authority application code (there won't be a code if the application has not been filed).
	<b>Zoning</b>	The current land zoning (e.g. Urban, rural, etc) (if known)
	<b>Activity Category</b>	The activity category (if known)
	<b>Location</b>	The location
	<b>Map attached?</b>	Attach a map, if applicable
	<b>Other general information?</b>	List any other relevant general information.
Assessment of Environmental Effects Report attached?	Has an Assessment of Environmental Effects ('AEE') been completed? Ideally, the AEE will be completed as part of progressing the tāngata whenua assessment of the activity.	

Issue/document Section <sup>1</sup>	Describe Effect <sup>2</sup>	Risk Assessment			Evidence <sup>6</sup>	Mitigation Measures <sup>7</sup>
		Effect <sup>3</sup> +/-	Likelihood <sup>4</sup> -2, -1, +1, +2	Magnitude <sup>5</sup> 0, 1, 2, 3, 4		
Effect on Urupā	Proposed roadway encroaches on historic urupā Permanent effect	-	+2	4	Kaumātua recollection of urupā location	<ul style="list-style-type: none"> <li>Realign roadway to avoid urupā. (Preferred option)</li> <li>Work with mana whenua to design, commission and erect monument, pou, or suitable memorial to urupā and people of the area.</li> <li>Using discovery protocols, work with mana whenua to exhume koiwi in the area and relocate with appropriate karakia.</li> </ul>
EMP: 14.3.2.3 (b) Protect aquatic ecosystems and use best practice to restore ecosystems (Example from Maniapoto Environmental Management Plan)	Water discharge quality is better than stream receiving environment. NOTE: mana whenua still require a higher standard of discharge Cumulative improvement, permanent.	+	+1	2	<ul style="list-style-type: none"> <li>Engineer, water scientist report.</li> <li>Mana whenua comment</li> </ul>	<ul style="list-style-type: none"> <li>Continue as water quality better than receiving environment.</li> <li>Work with mana whenua to determine best practicable option for improving water quality discharge.</li> <li>Regular reviews of consent or short consent duration to ensure best practicable option for water quality is being used.</li> </ul>

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Column Heading	Description	
<b>1. Issue/ document section</b>	Note the issue or the specific part of the reference document	
<b>2. Describe effect</b>	Briefly summarise and describe the effect from the proposed activity, application, policy or process. Note if the effect is cumulative (an effect that arises over time or in combination with other effects), temporary or permanent)	
<b>Risk Assessment: 'Risk'</b> means the combination of the magnitude of the adverse effect and the likelihood of its occurrence	<b>3. Effect</b>	Note if the effect of the proposed activity, application, policy or process on the issue or document section is likely to be positive or negative '+' if the effect is positive '-' if the effect is negative
	<b>4. Likelihood</b>	List how likely it is that the effect would occur. The measure of likelihood may be objective (based on measurable, tangible physical evidence) or subjective (based on non-physical intangible evidence) depending upon the evidence relied upon to complete this section: -2 – highly unlikely to occur -1 – unlikely to occur +1 – likely to occur +2 – highly likely to occur
	<b>5. Magnitude</b>	If the effect occurs, list how serious the effect will be on the issue or document section. The measure of magnitude may be objective (based on measurable, tangible physical evidence) or subjective (based on non-physical intangible evidence) depending upon the evidence relied upon to complete this section 0 – no measurable effect 1 – less than minor effect ('minor' may be objective and measured according to established criteria or subjective and dependent upon the opinion of the person(s) completing the assessment framework, particularly for qualitative effects. An example of a qualitative effective is the 'feeling' a person would have at seeing the proposed activity near a wāhi tapu or other significant site.) 2 – more than minor effect 3 – significant effect 4 – major effect (a major effect could be extremely positive or catastrophically negative depending on whether the effect is considered positive or negative)
<b>6. Evidence</b>	What evidence is relied upon to fill out this assessment. This may be wide ranging. For example evidence, such as technical quantitative engineering evidence using generally accepted formulae to calculate effect. In contrast, this could be the words of a tohunga from the area who speaks of the impact of the proposed activity on the spiritual connection that mana whenua have with the area.	
<b>7. Mitigation measures</b>	List the suggested mitigation measures to manage the effects. Mitigation measures should be developed in conjunction with tāngata/mana whenua. There may be more than one mitigation measure for each effect. The magnitude of the mitigation measure should depend on whether the effect is negative or positive, the likelihood and magnitude of the effect occurring and how reliable and rigorous the evidence is that was relied upon. Please note that 'reliable and rigorous evidence' can be any qualitative or quantitative evidence and the degree to which evidence can be relied upon will depend upon the source of the evidence. Suggested mitigation measures could include: <ul style="list-style-type: none"> <li>Abandoning the activity as the negative effects are too severe</li> <li>Amending the activity to decrease the effect to less than minor</li> <li>Avoiding the effect by managing the effect in such a way that the effect does not occur</li> <li>Remedying the effect so that the effect is eliminated</li> <li>Mitigating the effect so that it is less than minor</li> <li>Minimising the effect through necessary means to reduce the effect to less than minor</li> <li>Offsetting or balancing the effect through undertaking mitigation measures elsewhere while accepting that the effect of the activity is more than minor.</li> <li>Ignoring the effect as it is less than minor</li> </ul> Preferred and agreed mitigation measures should be discussed between all parties, including tāngata/mana whenua.	

## APPENDIX 3: MARAE WITHIN MANIAPOTO ROHE SCHEDULE

The following are known marae within Maniapoto. It is not a definitive list.

Name	Name
Hia Kaitupeka	Te Hape
Kahotea	Te Ihingarangi
Kaputuhi	Te Kauae
Ko te Hokingamai ki te Nehenehenui	Te Kawau Papakainga
Mangapeehi	Te Keeti
Mangarama	Te Kopua
Mangatoatoa	Te Korapatu
Maniaroa	Te Kotahitanga
Manu Ariki	Te Koura
Marokopa	Te Kumi
Mokai Kainga	Te Mahoe
Mokau Kohunui	Te Miringa Te kakara
Mokoroa	Te Paemate
Motiti	Te Piruru
Napinapi	Te Rongoroa/Ko Uehaeroa Tu Whenua
Oparure/Waipatoto	Te Tokanganui-a-noho
Pohatuiri	Te Whakaaro kotahi
Purekireki	Tokikapu
Raukaunui	Tokopiko
Rereamanu	Tomotuki-Parekaitini
Taarewānga	Turitea
Te Ahoroa	

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