

SUBMISSION FORM

VARIATION 1 TO PROPOSED WAIKATO REGIONAL PLAN CHANGE 1 WAIKATO AND WAIPĀ RIVER CATCHMENTS

IMPORTANT NOTE

Save this PDF to your computer before answering. If you edit the original form from this webpage, your changes will not save. Please check or update your software to allow for editing. We recommend Acrobat Reader.

We need to receive your submission by 5pm, 23 May, 2018

YOUR NAME, ADDRESS FOR SERVICE AND CONTACT DETAILS (MANDATORY INFORMATION)

Name of Submitter (individual/organisation)		
Contact Person (if applicable)		
Agent (if applicable)		
Email address for service		
Postal address		
Phone number/s	Home:	Business:
	Mobile:	Fax:

PLEASE INDICATE WHETHER YOU WISH TO SPEAK AT A HEARING

- Yes, I wish to speak at the hearing in support of my submission.
- No, I do not wish to speak at the hearing in support of my submission.

JOINT SUBMISSION

- If others make a similar submission, please tick this box if you would consider presenting a joint case with them at the hearing.

TRADE COMPETITION AND ADVERSE EFFECTS (SELECT APPROPRIATE)

- I could / could not gain an advantage in trade competition through this submission. *Refer to last page for further information*
- I am / am not directly affected by an effect of the subject matter of the submission that:
- adversely effects the environment, and
 - does not relate to the trade competition or the effects of trade competition.

IF YOU HAVE USED EXTRA SHEETS FOR THIS SUBMISSION PLEASE ATTACH THEM TO THIS FORM AND INDICATE BELOW

- Yes, I have attached _____ extra sheets. No, I have not attached extra sheets.

SIGNATURE - NOTE A SIGNATURE IS NOT REQUIRED IF YOU MAKE YOUR SUBMISSION BY ELECTRONIC MEANS

Signed _____ Date _____
Type name if submitting electronically

SUBMISSIONS CAN BE



Chief Executive, 401 Grey Street, Private Bag 3038, Waikato Mail Centre, Hamilton 3240



Waikato Regional Council, 401 Grey Street, Hamilton East, Hamilton



(07) 859 0998



healthyrivers@waikatoregion.govt.nz *Please note: Submissions received by email must contain full contact details.*

PLEASE CHECK that you have provided all of the information requested and if you are having trouble filling out this form, phone Waikato Regional Council on 0800 800 401 for help.

Personal information is used for administration and will be made public. All information collected will be held by Waikato Regional Council, with submitters having the right to access and correct personal information.

FORM 5 Clause 6 of First Schedule, Resource Management Act 1991

1. Trade competition

If you could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of part 1 of Schedule 1 of the Resource Management Act 1991 (RMA).

6 Making of submissions

- (4) A person who could gain an advantage in trade competition through the submission may make a submission only if directly affected by an effect of the proposed policy statement or plan that –
- a) adversely affects the environment; and
 - b) does not relate to trade competition or the effects of trade competition.

2. Privacy information

The Waikato Regional Council will make all submissions and further submissions including name and contact details publicly available at public libraries in the region, Council Offices and on Council's website. Any further submission, under the RMA, supporting or opposing your submission is required to be forwarded to you as well as Council.

Personal information will also be used for administration relating to the subject matter of the submissions, including notifying submitters of hearings and decisions. All information will be held by the Waikato Regional Council with submitters having the right to access and correct personal information.

3. Submission Content Review

Please note that the RMA states that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious
- It discloses no reasonable or relevant case
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- It contains offensive language
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

If you have questions about making a submission, please visit waikatoregion.govt.nz/healthyrivers to see our factsheet about Making a Submission.

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1

PROVISION (e.g. Objective 4 or Rule 3.11.5.1): _____

Do you support or oppose the provision? Support Support with amendments Oppose Oppose with amendments

DECISION SOUGHT

State clearly the decision and/or suggested changes you want council to make on the provision.

The decision I would like the council to make regarding this provision is:

SUBMISSION

State clearly the reasons for the decision you want council to make.

The reason for requesting this decision is:

Ngāti Koroki Kahukura



SUBMISSION

WAI ORA/ HEALTHY RIVERS: PROPOSED WAIKATO REGIONAL PLAN CHANGE 1

To: Waikato Regional Council

Submission From: Ngāti Koroki Kahukura Trust, Taumata Wiiwii Trust

Contact Address: 14 Awatere Avenue, Hamilton
naumai@waikato.ac.nz

Contact Persons: Linda Te Aho and Poto Davies

Ko Maungatautari te maunga, ko Waikato te awa tupuna,
ko Ngāti Korokī Kahukura mātou; ko Maungatautari, ko Pōhara ngā marae.

Our mountain is Maungatautari; our ancestral river is Waikato; we are Ngāti Korokī
Kahukura and our marae are Maungatautari and Pōhara.

A. General Position of the Trusts on Wai Ora (Healthy Rivers) Proposed Plan Change 1

1. The Trusts that make this collective submission represent approximately 5000 whānau members and generally **support** the submission made by Waikato Tainui on this proposed plan change; and
2. In addition, we assert our right to be recognised as a River Iwi pursuant to the Ngāti Korokī Kahukura Claims Settlement Act 2012.
3. The Trusts **do wish to be heard** in support of this submission.

B. Background

1. The people of **Ngāti Korokī Kahukura** descend from the ancestors of Tainui waka. According to historian, Erik Olsen,

‘...there can be no doubt that the combined impact of confiscation and the Native Land Court stripped from Ngāti Korokī Kahukura the land necessary to sustain their people. The development of European farming, which involved both draining most of the region’s wetlands and the gradual silting of its rivers, compounded the effect, by destroying traditional food sources. The later decision of government to use the Waikato River for generating hydro-electricity only worsened the plight of Ngāti Korokī Kahukura. What had once been a prosperous and flourishing community became a remnant.

One can only salute the courage and ingenuity with which that remnant sustained an on-going presence and more recently set about restoring Ngāti Korokī Kahukura’s mana in their ancestral rohe.’¹

2. The **Ngāti Korokī Kahukura Trust** represents the people of Ngāti Korokī Kahukura on certain social, environmental, economic, political and cultural issues. Together with the Taumata Wīiwī Trust, the Ngāti Korokī Kahukura Trust has been formally mandated by the people of Ngāti Korokī Kahukura to make this submission.

¹ Report on the historical account of the relationship between the Crown and Ngāti Korokī Kahukura by Emeritus Professor Erik Olssen, ONZM, FRNZ, FNZAH, and PhD (Duke), 15 September 2011

3. Ngāti Koroki Kahukura are included in the Waikato-Tainui Raupatu Settlement arrangements through Ngāti Koroki. The Taumata Wiiwii Trust is the entity that was mandated to negotiate and settle the outstanding historical non-raupatu Treaty of Waitangi Claims on behalf of Ngāti Koroki Kahukura. It is the post settlement governance entity that received and now manages settlement assets for and on behalf of Ngāti Koroki Kahukura.

4. The two marae of Ngāti Koroki Kahukura, Maungatautari and Pōhara, are beneficiary marae of Waikato-Tainui and represented on the governing body, Te Whakakitenga o Waikato. Waikato-Tainui has advanced several Treaty claims and produced environmental documents that any of its marae, hapū, and individual members may access and use to support their advancement and development and generally achieve their aspirations of mana motuhake (self-determination). Those settlements, instruments and documents include:
 - The Waikato Raupatu Lands Settlement and the Waikato Raupatu Settlement Act 1995
 - The Waikato River Settlement and the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 (including the Vision and Strategy)
 - Tai Tumu, Tai Pari, Tai Ao – Waikato-Tainui Environmental Plan
 - Waikato-Tainui Whakatupuranga 2050 – Strategic Plan

5. Ngāti Koroki Kahukura also has its own settlement legislation, the Ngāti Koroki Kahukura Claims Settlement Act 2012, which acknowledges Ngāti Koroki Kahukura as having “dominant mana whenua” in their tribal area, and recognises Ngāti Koroki Kahukura as a “River Iwi” in our own right:

70 Acknowledgments

The Crown acknowledges—

(a) that Ngāti Koroki Kahukura hold dominant mana whenua, ahi kā roa, mana whakahaere, and kaitiaki status within the homeland rohe of Ngāti Koroki Kahukura, which encompasses—

- (i) the Pukekura, Horahora, and Maungatautari land blocks:
- (ii) the Waikato River within the Karapiro to Lake Arapuni sub-catchment:
- (iii) Maungatautari...

(d) that Ngāti Koroki Kahukura are a river iwi.

6. In addition, both as part of Waikato-Tainui and in our own right, Ngāti Koroki Kahukura have rights and interests according to tikanga and customary law, rights and interests arising from common law (including the common law relating to aboriginal title), and rights and interests under the Treaty of Waitangi and its principles.

C. Submission

7. We have read and we support the submission made by Waikato Tainui on this proposed plan change. In addition, we specifically seek to be formally recognised and named in the Waikato Regional Plan and all planning documentation as a River Iwi.