



**RESPONSE TO REQUEST FOR COMMENT – GORDONTON COUNTRY ESTATE
DEVELOPMENT**

This response is filed for Waikato-Tainui by:

Te Whakakitenga o Waikato Incorporated

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INTRODUCTION

1. This response is made on behalf of Te Whakakitenga o Waikato Incorporated (Waikato-Tainui).
2. Te Whakakitenga o Waikato Incorporated (**Waikato-Tainui**) is the governing body for the 33 hapuu and 68 marae of Waikato (see **Appendix A**) and manages the tribal assets for the benefit of over 91,000 registered tribal members. It is also:
 - a) the trustee of the Waikato Raupatu Lands Trust, the post-settlement governance entity for Waikato-Tainui for the purposes of the Waikato Raupatu Lands Deed of Settlement 1995 and the Waikato Raupatu Claims Settlement Act 1995;
 - b) the trustee of the Waikato Raupatu River Trust, the post-settlement governance entity for Waikato-Tainui for the purposes of the Waikato-Tainui River Deed of Settlement 2009 and the Waikato Raupatu Claims (Waikato River) Settlement Act 2010;
 - c) the mandated iwi organisation for Waikato-Tainui for the purposes of the Maaori Fisheries Act 2004; and
 - d) the iwi aquaculture organisation for Waikato-Tainui for the purposes of the Maaori Commercial Aquaculture Claims Settlement Act 2004.
3. Waikato-Tainui welcomes the opportunity to respond to the “Ashbourne” fast-track referral application. This response is made on behalf of our 33 hapuu, 68 marae and more than 94,000 iwi members.
4. Waikato-Tainui recognizes that there may be overlapping interests with other iwi. Waikato-Tainui supports the views expressed in their separate comments regarding this referral application.
5. The comments provided here cover:
 - (a) overarching comments on key issues

(b) some specific topic-based submissions

BACKGROUND TO WAIKATO-TAINUI

7. Waikato-Tainui marae are kaitiaki of our environment and regard the holistic integrated management of all elements of the environment (such as flora, fauna, land, air and water) with utmost importance.
8. Waikato-Tainui are tangata whenua and exercise mana whakahaere within our rohe (tribal region). Our tribal rohe is bounded by Auckland in the north and Te Rohe Pootae (King Country) in the south and extends from the west coast to the mountain ranges of Hapuakohe and Kaimai in the east. Significant landmarks within the rohe of Waikato include the Waikato and Waipaa Rivers, the sacred mountains of Taupiri, Karioi, Pirongia and Maungatautari, and the west coast harbours of Whaaingaroa (Raglan), Manukau, Aotea and Kawhia moana, the eastern areas of Tikapa Moana (Firth of Thames), and principally, New Zealand's longest river, Te Awa o Waikato.
9. Both through its hapuu and collectively as an iwi, Waikato-Tainui has maintained ahi kaa, continues to exercise mana whakahaere, rangatiratanga and kaitiakitanga, and upholds and exercises Waikato-Tainui tikanga, kawa, maatauranga and reo within the Waikato-Tainui Rohe.
10. We acknowledge and affirm the intrinsic relationship of Waikato-Tainui with our natural environment, which carries with it both rights and responsibilities as a matter of tikanga and kawa.
11. Waikato-Tainui entered into a Deed of Settlement regarding our Waikato River claim under Te Tiriti o Waitangi in 2008 ("2008 Settlement"). This was followed by the signing of a revised Deed in 2009 and ultimately, enactment of the Waikato- Tainui Raupatu (Waikato River) Settlement Act 2010 ("Settlement Act"). The settlement marked the genesis of the Crown's statutory recognition of Te Mana o te Awa and the establishment of a "co-management" approach between Waikato-Tainui and the Crown regarding matters relating to the Waikato River.

WAIKATO-TAINUI OUTSTANDING AND REMAINING CLAIMS

12. Waikato-Tainui have several unresolved outstanding (Wai 30) and remaining te Tiriti o Waitangi grievances that are currently being negotiated with the Crown under the Treaty settlement negotiations process. These include (but are not limited to) claims in relation to the West Coast Harbours (Kaawhia, Aotea, Whaaingarua and Manukau) and Taamaki Makaurau. These claims are comprehensive in nature and extend to matters concerning whenua, the takutai moana, the moana itself, social, cultural and economic issues.
13. Wai 30 is held by Te Whakakitenga o Waikato to be negotiated on behalf of all 33 hapuu of Waikato-Tainui. The Wai 30 claim is inclusive of those parts and interests included in the original Wai 30 claim filed in 1987, that were intentionally set aside to be addressed, negotiated and settled separately to the Waikato Raupatu Claims Settlement 1995 and the Waikato-Tainui Raupatu Claims (Waikato River) Settlement 2010. This settlement represents a key part of the Wai 30 claim and is a continuation of these previous settlements.
14. Waikato-Tainui considers that our area of interest for settlement purposes to the moana includes the area of foreshore and seabed in and adjacent to each harbour bounded on the landward side by the line of mean high-water springs and on the seaward side by the outer limits of the Exclusive Economic Zone, including the beds of any rivers, lagoons, lakes and other water bodies that are part of the coastal marine area (within the meaning of the Resource Management Act 1991), as well as:
 - a) the airspace and the water space;
 - b) the subsoil, bedrock, minerals and other materials below the water bodies;
 - c) the marine and estuarine waters (including the waters of any rivers, lagoons, lakes or other water bodies);
 - d) the plants, animals and fish – flora and fauna;
 - e) the physical and metaphysical elements of the areas, waters, natural resources and geographic features;
 - f) the land, waters, water bodies (including rivers, lakes, wetlands, swamps, estuaries, streams, tributaries, springs, artesian waterways, and other natural watercourses), geographic features, natural resources, plants, animals, and activities within the catchment of each harbour which directly or indirectly interconnect with or affect the harbour; and
 - g) all physical and biological processes (including sediment movement, waves, tides, currents, and activities) within or affecting the areas, waters, natural resources and geographic features.

15. The claims themselves and the approach to negotiations is underpinned by the principles of mana motuhake, mana whakahaere and te mana o te moana. These principles are reflected in a Takarangi Framework (see **Appendix B**) and aspire to achieve autonomy, decision making rights, and co-governance/co-management rights to ensure the health and wellbeing of the moana.
16. Redress mechanisms in this regard are still being developed and negotiated with the Crown. In absence of settlement protections for these remaining claims, Waikato-Tainui seeks to provide and secure environmental protections for te taiao through other levers.

OVERARCHING COMMENTS ON THE PROJECT APPLICATION REFERRAL

17. Waikato-Tainui has reviewed the available information, and our findings and recommendations are included in this response. We note that a limitation of these findings, particularly regarding Iwi consultation, is that they are based on preliminary and high-level information, as the fast-track application is still at the referral stage.
18. Waikato-Tainui welcomes engagement with Waikato-Tainui iwi, hapuu, and marae on this project, noting that discussions with Ngaati Wairere and Ngaati Hauaa representatives have been ongoing since May 2024. Additionally, Waikato-Tainui notes that the consultation process included commissioning a Cultural Impact Assessment (CIA), which was carried out by Ngaati Wairere with support from Ngaati Hauaa and Waikato-Tainui.
19. Ngaati Wairere and Ngaati Hauaa are recognised hapuu of Waikato-Tainui and are mana whenua of the rohe for the proposed application. It should be noted that Ngaati Hauaa also has their own settlement directly with the crown.
20. Waikato-Tainui encourages ongoing continued engagement with Ngaati Wairere and Ngaati Hauaa to ensure cultural values pertaining to the project area fully considered.

Waikato-Tainui Position

21. While Waikato-Tainui acknowledges the potential benefits of this proposal, we have some concerns regarding the environmental, cultural, and social effects associated with the project. These include, but are not limited to:

Environmental Impacts

- (a) Landscape effects – The scale of the proposal will potentially alter the landscape and character of the area. It is unclear if the extent of the potential effects have been socialized with mana whenua and wider communities.
- (b) Land-use – Waikato-Tainui has consistently emphasized the importance of protecting highly productive land from inappropriate development. Waikato-Tainui see this as crucial to ensuring that land is preserved for food security, cultural practices, and future generations, etc.
- (c) Stormwater effects – In particular during construction, land disturbances may pose risks to waterways including the Komakorau Stream.

Cultural Impacts

- (d) Mana Whenua Consultation – should the fast-track referral application be successful, Waikato-Tainui requests that the applicant incorporate all information and recommendations from the CIA into the final development plans, ensuring that cultural concerns are addressed and cultural impacts are effectively mitigated.

Tai Tumu, Tai Pari, Tai Ao Plan – Waikato-Tainui Environmental Plan

- (e) Tai Tumu, Tai Pari, Tai Ao advocates for partnership and collaboration to uphold mana whakahaere. Without robust participation, the proposal fails to reflect the values of mana whenua.
 - (f) The CIA will help to ensure that the cultural and spiritual values associated with the proposed site are able to be considered in an appropriate way, thereby facilitating the protection, enhancement, and honouring of these Taonga for current and future generations.
22. Waikato-Tainui expects that the proposal will be assessed against all relevant parts of Tai Tumu, Tai Pari, Tai Ao. Key areas for ensuring full alignment include: i) ongoing consultation with iwi, hapuu, and marae regarding any cultural and heritage concerns;

and ii) ensuring the project integrates Maaori values and maatauranga in its implementation.

23. Waikato-Tainui's expects that appropriate weight and consideration will be given to the recommendations and concerns discussed here, particularly the following:

Strengthened Engagement and Cultural Input

- a) Waikato-Tainui encourages continued engagement with relevant Waikato-Tainui iwi, hapuu, and marae to ensure that the cultural values associated with the proposed site are considered in full and reflected in the development plans,
 - b) Require the Applicant to engage with Waikato-Tainui and relevant Waikato-Tainui iwi, hapuu and marae throughout the project to ensure that mana whenua perspectives shape the project's development where appropriate,
24. Waikato-Tainui expects that all negative effects identified as part of the proposal will be mitigated by using the highest targets or measures as outlined in section 8.3 of Tai Tumu, Tai Pari, Tai Ao and that the applicant will, together with Waikato-Tainui hapuu and marae, appropriately address and/or resolve these concerns prior to or immediately following any decision on the referral application.
25. Waikato-Tanui's expectation is that engagement is on-going with our iwi, hapuu and marae and that they are appropriately resourced by the applicant to completion of project so that the aspirations of Tai Tumu, Tai Pari, Tai Ao are achieved through collaboration and partnership.
26. Waikato-Tainui wish to remain directly engaged and informed throughout the entire process (i.e., from consenting to project execution and beyond, if necessary) and, in addition, we will continue to monitor progress in support of our iwi, hapuu, or marae for their separate engagements on this matter.

CONCLUSION

27. Waikato-Tainui supports a fair and comprehensive hearing processes that ensures all concerns raised in these comments are thoroughly addressed. It is essential that the final consenting process—whether streamlined or not—provides a platform for open dialogue, allowing for the consideration of Waikato-Tainui perspectives and the resolution of any issues identified. A transparent and balanced process will help

ensure that all relevant matters are properly examined and that any potential impacts on iwi values, culture, and interests are effectively mitigated.

Naaku noa, naa

A handwritten signature in black ink, appearing to be 'D. P. L.' or similar, written in a cursive style.

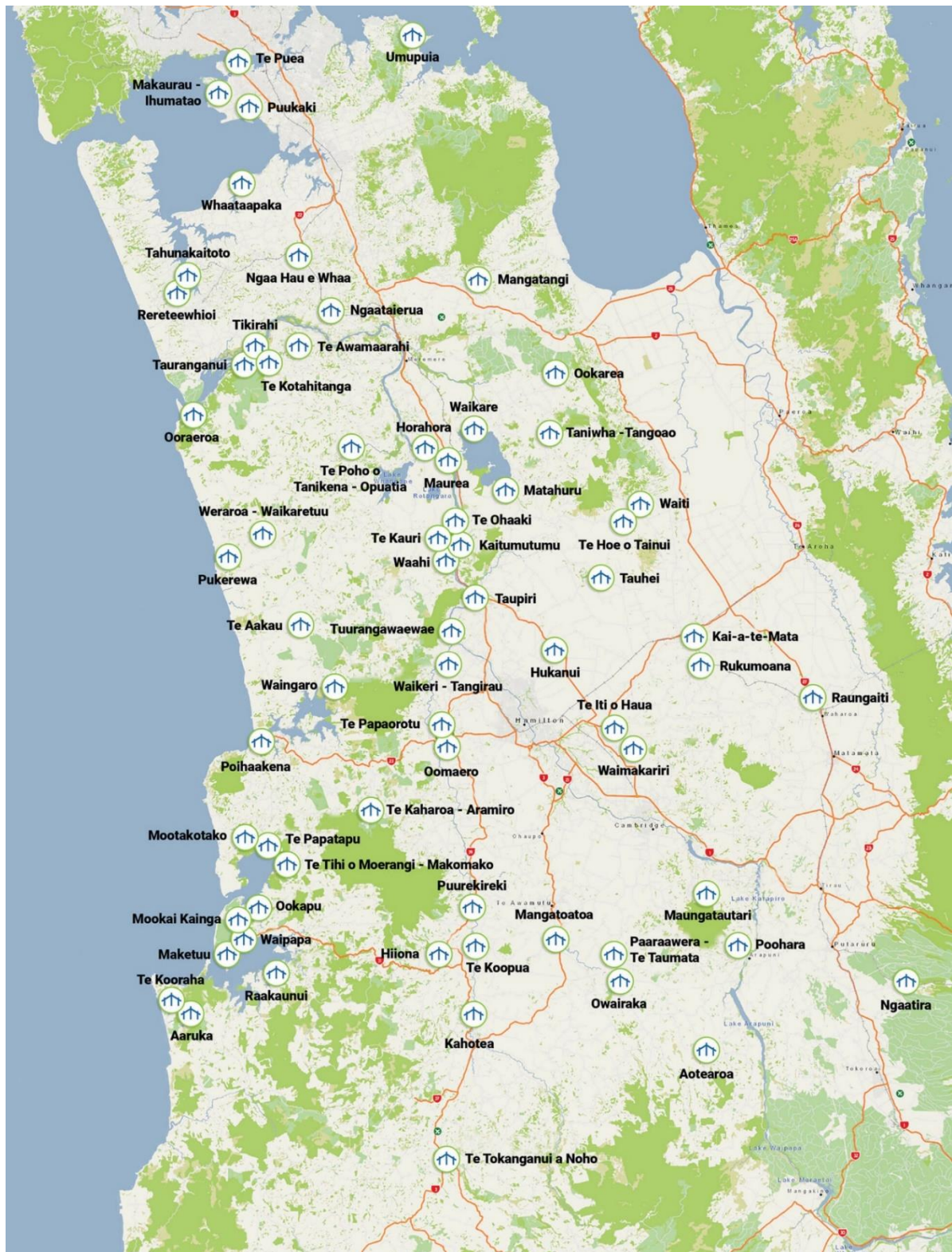
Te Maakariini Mapu

SENIOR PLANNER

WAIKATO-TAINUI

APPENDICES

APPENDIX A – Waikato-Tainui 68 Marae



APPENDIX B – Waikato-Tainui Remaining Claims Takarangi Framework

