



**Substantive Application for Tahaaroa Ironsands Limited (TIL)  
Response to Minute 1**

This response is filed for Waikato-Tainui by:

**Te Whakakitenga o Waikato Incorporated**

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Hamilton 3240

## **MAY IT PLEASE THE PANEL CONVENER**

1. This memorandum is filed on behalf of Te Whakakitenga o Waikato (Waikato-Tainui) in response to Minute 1 of the Panel Convener dated 13 March 2025
2. Te Whakakitenga o Waikato Incorporated (Waikato-Tainui) is the governing body for the 33 hapuu and 68 marae of Waikato and manages the tribal assets for the benefit of over 97,000 registered tribal members.
3. Waikato-Tainui is 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.
3. Waikato-Tainui have outstanding and unresolved Treaty of Waitangi claims, including those specific to the West Coast. These claims form part of the broader Wai 30 claim encompassing land, coastal and marine areas, and associated social, cultural, and economic interests. While settlement redress is not yet finalised, these outstanding claims underpin Waikato-Tainui's recognised interests and kaitiaki role across the West Coast including the proposed site.

## **MATTERS TO CONSIDER**

### **APPROVALS**

4. For the purposes of the conference, Waikato-Tainui defer to Waikato Regional Council and Waitomo District Council, as the authorities with jurisdiction over the proposed site and the relevant planning expertise, in relation to the detailed application of the Waikato Regional Plans and the Waitomo District Plan. This deference applies specifically to the conference only.

### **COMPLEXITY**

5. As to the specific types of complexity referred to in the minute:
  - a) Legal Complexity: the application does raise a degree of legal complexity, particularly given the newness of the FTAA and the uncertainty around how its provisions will be applied in practice.
  - b) Evidentiary Complexity: the evidentiary record is moderately complex, reflecting the volume of technical material filed and the proposal's prior consideration under the Resource Management Act 1991. There is an established body of

evidence across ecology, hydrology, and cultural matters, with competing expert views. Careful assessment will be required where methodologies and underlying assumptions differ, particularly given the scale and potential effects of the proposed activity.

- c) Factual Complexity: the application raises multiple, overlapping considerations, including environmental systems, cultural values, historical land use, and community interests. These factors interact in ways that are not straightforward, and careful analysis will be required to determine their implications for the project's potential effects.

## TIKANGA

6. Mana whenua are best placed to ensure that cultural values are upheld in relation to the substantive application process and beyond. Waikato-Tainui defers to Te Kooraha Marae, Maketuu Marae, and Aaruka Marae and supports any guidance or recommendations on tikanga issued by them as local mana whenua. We also recognise Te Nehenehenui's Treaty settlement and its relevance to the proposed site.

## PROCEDURAL REQUIREMENTS

7. Waikato-Tainui are open to engaging directly with the panel where necessary to ensure that our interests, values, and concerns are fully understood and addressed. Any such engagement will be considered in light of the timeframes and resourcing available, and with a view to ensuring meaningful participation.

## PANEL MEMBERSHIP

8. Waikato-Tainui considers that the panel should collectively include expertise in the matters outlined above, with particular emphasis on cultural expertise and understanding of Treaty settlement frameworks.

Thank you for the opportunity to comment on these matters.

Naku noa, naa

*T Mapu*

Te Makarini Mapu

**Senior Planner**

**Waikato-Tainui**