

**APPENDIX VII  
STATUTORY AREAS -  
NGAA RAURU KIITAHĪ CLAIMS SETTLEMENT ACT**

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## **STATUTORY AREAS NGAA RAURU KIITAHİ CLAIMS SETTLEMENT ACT 2005**

### **40. Statutory acknowledgements by the Crown**

The Crown acknowledges the statements made by Ngaa Rauru Kiitahi of the particular cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the statutory areas listed in Part 1 of Schedule 3, the texts of which are set out in Schedules 4 to 11.

### **41. Purposes of statutory acknowledgements**

- (1) The only purposes of the statutory acknowledgements are—
  - (a) to require consent authorities, the Environment Court, and the Historic Places Trust to have regard to the statutory acknowledgements, as provided for in sections 42 to 44; and
  - (b) to require relevant consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 46; and
  - (c) to enable the governance entity and a member of Ngaa Rauru Kiitahi to cite the statutory acknowledgements as evidence of the association of Ngaa Rauru Kiitahi with the relevant statutory areas, as provided for in section 47.
- (2) This section does not limit the operation of sections 53 to 56.

### **42. Consent authorities to have regard to statutory acknowledgements**

- (1) From the effective date, a consent authority must have regard to a statutory acknowledgement relating to a statutory area in forming an opinion in accordance with sections 93 to 94C of the Resource Management Act 1991 as to whether the governance entity is a person who may be adversely affected by the granting of a resource consent for activities within, adjacent to, or impacting directly on, the statutory area.
- (2) Subsection (1) does not limit the obligations of a consent authority under the Resource Management Act 1991.

### **43. Environment Court to have regard to statutory acknowledgements**

- (1) From the effective date, the Environment Court must have regard to a statutory acknowledgement relating to a statutory area in determining under section 274 of the Resource Management Act 1991 whether the governance entity is a person having an interest in the proceedings greater than the public generally in respect of an application for a resource consent for activities within, adjacent to, or impacting directly on the statutory area.

- (2) Subsection (1) does not limit the obligations of the Environment Court under the Resource Management Act 1991.

**44. Historic Places Trust and Environment Court to have regard to statutory acknowledgements**

From the effective date, the Historic Places Trust and the Environment Court must have regard to a statutory acknowledgement relating to a statutory area in forming an opinion under section 14(6)(a) or section 20(1) of the Historic Places Act 1993, as the case may be, as to whether the governance entity is (or, for the purposes of section 14(6)(a) of that Act, may be) a person directly affected in relation to an archaeological site within the statutory area.

**45. Recording statutory acknowledgements on statutory plans**

- (1) From the effective date, relevant consent authorities must attach information recording a statutory acknowledgement to all statutory plans that wholly or partly cover the statutory area.

- (2) The attachment of information under subsection (1) to a statutory plan—

(a) must include the relevant provisions of this subpart in full, the description of the statutory area, and the statement of association (as recorded in the statutory acknowledgement); and

(b) is for the purpose of public information only, and the information is not—

(i) part of the statutory plan (unless adopted by the relevant consent authority); or

(ii) subject to the provisions of Schedule 1 of the Resource Management Act 1991.

- (3) In this section, statutory plan—

(a) means a district plan, proposed plan, regional coastal plan, regional plan, or regional policy statement as defined in section 2(1) of the Resource Management Act 1991; and

(b) includes a proposed policy statement provided for in Schedule 1 of the Resource Management Act 1991.

**46. Distribution of resource consent applications to governance entity**

- (1) A relevant consent authority must, for a period of 20 years from the effective date, forward to the governance entity a summary of resource consent applications received by that consent authority for activities within, adjacent to, or impacting directly on a statutory area.

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- (2) The information provided under subsection (1) must be—
- (a) the same as would be given under section 93 of the Resource Management Act 1991 to persons likely to be adversely affected, or as may be agreed between the governance entity and the relevant consent authority; and
  - (b) provided as soon as reasonably practicable after the application is received, and before a determination is made in accordance with sections 93 to 94C of the Resource Management Act 1991.
- (3) The governance entity may, by notice in writing to a relevant consent authority—
- (a) waive its rights to be notified under this section; and
  - (b) state the scope of that waiver and the period it applies for.
- (4) For the purposes of this section, a regional council dealing with an application to carry out a restricted coastal activity in a statutory area must be treated as if it were the relevant consent authority in relation to that application.
- (5) This section does not affect the obligation of a consent authority to—
- (a) notify an application in accordance with sections 93 and 94C of the Resource Management Act 1991;
  - (b) form an opinion as to whether the governance entity is a person that is likely to be adversely affected under those sections.

#### **47. Use of statutory acknowledgement**

- (1) The governance entity and a member of Ngaa Rauru Kiitahi may, as evidence of the association of Ngaa Rauru Kiitahi with a statutory area, cite the relevant statutory acknowledgement in submissions to, and in proceedings before, a consent authority, the Environment Court, or the Historic Places Trust concerning activities within, adjacent to, or impacting directly on the statutory area.
- (2) The content of the statement of association, as recorded in the statutory acknowledgement, is not, by virtue of the statutory acknowledgement, binding as deemed fact on—
- (a) consent authorities;
  - (b) the Environment Court;
  - (c) the Historic Places Trust;
  - (d) parties to proceedings before those bodies;
  - (e) any other person able to participate in those proceedings.

- (3) Despite subsection (2), the statutory acknowledgement may be taken into account by the bodies and persons specified in that subsection.
- (4) Neither the governance entity nor a member of Ngaa Rauru Kiitahi is precluded from stating that Ngaa Rauru Kiitahi have an association with a statutory area that is not described in the statutory acknowledgement.
- (5) The content and existence of the statutory acknowledgement do not limit a statement made under subsection (4).

### SCHEDULE 3

#### STATUTORY AREAS FOR STATUTORY ACKNOWLEDGEMENTS

##### PART 1

#### STATUTORY AREAS FOR WHICH STATUTORY ACKNOWLEDGEMENT ONLY PROVIDED

<b>Area</b>	<b>Location</b>
Nukumaru Recreation Reserve	As shown on SO 314760

##### PART 2

#### STATUTORY AREAS FOR WHICH BOTH DEED OF RECOGNITION AND STATUTORY ACKNOWLEDGEMENT PROVIDED

<b>Area</b>	<b>Location</b>
Hawkins Lagoon Conservation Area (to be renamed Tapuarau Conservation Area)	As shown on SO 314758
Lake Beds Conservation Area	As shown on SO 314762
Patea River	As shown on SO 314766
Whenuakura River	As shown on SO 314767
Waitotara River	As shown on SO 314768

### SCHEDULE 4

#### STATUTORY ACKNOWLEDGEMENT FOR NUKUMARU RECREATION RESERVE

##### Statutory area

The area to which this statutory acknowledgement applies is the area known as Nukumaru Recreation Reserve, the general location of which is indicated on SO 314760.

##### Preamble

Under section 40, the Crown acknowledges the statement by Ngaa Rauru Kiitahi of the cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Nukumaru Recreation Reserve as set out below.

Cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with statutory area

Waikaramihi is the name given to the marae tawhito that is situated within the Nukumaru Recreation Reserve, on the coast between Waiinu and Tuaropaki. Ngaa Rauru Kiitahi traditionally camped at Waikaramihi from October to March each year. The main food gathering area was between the Waitotara river mouth and Tuaropaki. The sources of food include kakahi (fresh water mussels), sea mussels, kina, paua, papaka (crabs), karingo (seaweed), and very small octopus stranded in the small rock pools from the receding tides. While Ngaati Maika and Ngaati Ruaiti were the main hapuu that used Waikaramihi, all Ngaa Rauru Kiitahi hapuu traditionally gathered kai moana in accordance with the values of Ngaa Raurutanga.

The Karewaonui canoe (over 100 years old) was until 1987 housed at Waikaramihi and was used by Ngaa Rauru Kiitahi (mainly Ngaati Maika and Ngaati Ruaiti) to catch stingray, shark, snapper, and hapuka about 10 miles off the coast. Karakia were used when Karewaonui was “put to sea”, and an offering of the first fish caught on Karewaonui was always given to the Kaitiaki-o-te-moana.

The area is still significant to Ngaa Rauru Kiitahi as a mahinga kai source from which the physical well-being of Ngaa Rauru Kiitahi is sustained, and the spiritual well-being nourished.

## **SCHEDULE 6**

### **STATUTORY ACKNOWLEDGEMENT FOR HAWKENS LAGOON CONSERVATION AREA**

Statutory area

The area to which this statutory acknowledgement applies is the area known as Hawkens Lagoon Conservation Area, the general location of which is indicated on SO 314758.

Preamble

Under section 40, the Crown acknowledges the statement by Ngaa Rauru Kiitahi of the cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Hawkens Lagoon Conservation Area as set out below.

Cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with statutory area

Tapuarau is the name given to the area at the mouth of the Waitotara River within the Tapuarau Conservation Area. The main hapuu of Ngaa Rauru Kiitahi that used Tapuarau included Ngaati Hine Waiatarua, Ngaati Hou Tipua, Ngaa Ariki, and Ngaati Ruaiti. Ngaa Rauru Kiitahi has used Tapuarau as a seasonal campsite from where it has gathered mahinga kai in accordance with the values of Ngaa Raurutanga.

Tapuarau extends from the mouth of the Waitotara River to Pukeone and includes several small lagoons, including Tapuarau Lagoon, which are the source of tuna, flounder, mullet, whitebait, and inanga. During flooding, Ngaa Rauru Kiitahi was able to take tuna as it attempted to migrate from the nearby lagoons to the river mouth. The old marae named Hauriri was also situated in this area.

The area is still significant to Ngaa Rauru Kiitahi as a mahinga kai source from which the physical well-being of Ngaa Rauru Kiitahi is sustained, and the spiritual well-being is nourished.

## **SCHEDULE 7**

### **STATUTORY ACKNOWLEDGEMENT FOR LAKE BEDS CONSERVATION AREA**

#### **Statutory area**

The area to which this statutory acknowledgement applies is the area known as Lake Beds Conservation Area, the general location of which is indicated on SO 314762.

#### **Preamble**

Under section 40, the Crown acknowledges the statement by Ngaa Rauru Kiitahi of the cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Lake Beds Conservation Area as set out below.

Cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with statutory area

The Lake Beds Conservation Area is located within the Moumahaki Lakes catchment area, and is situated inland above Kohi. These lakes and the surrounding area have great cultural significance for the Ngaa Rauru Kiitahi hapuu, predominantly Ngaa Ariki.

These lakes were the main food source for those hapuu. Temporary kaainga and tuna weir were dotted along some of the lakes. Other food gathered from the lakes included kakahi and koura.

Special varieties of flaxes from around the lakes were used to make tuna traps and clothing.

## **SCHEDULE 9**

### **STATUTORY ACKNOWLEDGEMENT FOR PATEA RIVER**

#### **Statutory area**

The area to which this statutory acknowledgement applies the area known as Patea River, the general location of which is indicated and described on SO 314766.

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Preamble

Under section 40, the Crown acknowledges the statement by Ngaa Rauru Kiitahi of the cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Patea River as set out below.

Cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with statutory area

Ngaa Rauru Kiitahi knows the Patea River by the name of Te Awanui o Taikehu. Te Awanui o Taikehu is the life force that has sustained all whaanau and hapuu of Ngaa Rauru Kiitahi who have resided along the banks of the Patea River, and within this area. Ngaa hapuu o Ngaa Rauru Kiitahi who settled along Te Awanui o Taikehu include Rangitaawhi, Pukorokoro, Ngaati Hine, Kairakau, Ngaati Maika I, and Manaia.

There are many paa and kaainga situated along Te Awanui o Taikehu. The Mangaehu Paa is situated near, and nourished by, Te Awanui o Taikehu. Between Te Awanui o Taikehu and the Whenuakura River (Te Aarei o Rauru) are Maipu Paa and Hawaiki Paa. Along the Patea River are Owio, Kaiwaka, Arakirikiri, Nga-papa-tara-iwi, Tutumahoe Paa and kaainga. Further along Te Awanui o Taikehu sits Parikarangaranga, Rangitaawhi, and Wai-o-Turi Marae at the mouth of Te Awanui o Taikehu.

Wai-o-Turi Marae, which is situated above the south bank towards the mouth of Te Awanui o Taikehu, is the landing site of Turi (commander of the Aotea Waka) who came ashore to drink from the puni wai, hence the name of the marae, Wai-o-Turi.

Ngaa Rauru Kiitahi used the entire length of Te Awanui o Taikehu for food gathering. Sources of food included kakahi (fresh water mussels), tuna, whitebait, smelt, flounder, and sole. Te Awanui o Taikehu remains significant to Ngaa Rauru Kiitahi as a mahinga kai source from which the physical well-being of Ngaa Rauru Kiitahi is sustained, and the spiritual well-being nourished.

## **SCHEDULE 10**

### **STATUTORY ACKNOWLEDGEMENT FOR WHENUAKURA RIVER**

Statutory area

The area to which this statutory acknowledgement applies is the area known as the Whenuakura River, the general location of which is indicated and described on SO 314767.

Preamble

Under section 40, the Crown acknowledges the statement by Ngaa Rauru Kiitahi of the cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Whenuakura River as set out below.



Cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with statutory area

The Whenuakura River is the life force that sustained all Ngaa Rauru Kiitahi whaanau and hapuu that resided along and within its area, and is known by Ngaa Rauru Kiitahi as Te Aarei o Rauru. The area along the Whenuakura River is known to Ngaa Rauru Kiitahi as Paamatangi. One of the oldest known Ngaa Rauru Kiitahi boundaries was recited as “Mai Paamatangi ki Piraunui, mai Piraunui ki Ngawaierua, mai Ngawaierua ki Paamatangi”. Ngaati Hine Waiata is the main Ngaa Rauru Kiitahi hapuu of Paamatangi.

The Maipu Paa is situated near the western bank of Te Aarei o Rauru. There are many urupaa sites and wahi tapu situated along Te Aarei o Rauru. Whenuakura Marae is also located on the banks of Te Aarei o Rauru.

Ngaa Rauru Kiitahi hapuu used the entire length of Te Aarei o Rauru for food gathering. Sources of food included tuna, whitebait, smelt, flounder and sole.

Te Aarei o Rauru remains significant to Ngaa Rauru Kiitahi not only as a source of kai that sustains its physical well-being, but also as a life force throughout the history of Paamatangi and for the people of Ngaati Hine Waiata over the generations.

## **SCHEDULE 11**

### **STATUTORY ACKNOWLEDGEMENT FOR WAITOTARA RIVER**

Statutory area

The area to which this statutory acknowledgement applies is the area known as the Waitotara River, the general location of which is indicated and described on SO 314768.

Preamble

Under section 40, the Crown acknowledges the statement by Ngaa Rauru Kiitahi of the cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Waitotara River as set out below.

Cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with statutory area

The Waitotara River is the life force that sustains Ngaa Rauru Kiitahi. Many Ngaa Rauru Kiitahi hapuu are located either along or near the Waitotara River. These include Ngaa Ariki (Waipapa Marae), Ngaati Pourua (Takirau Marae), Ngaati Hine Waiatarua (Parehungahunga Marae), Te Ihupuku Marae, and Ngaati Hou Tipua (Whare Tapapa, Kaipo Marae). Ngaati Hou Tipua (Whare Tapapa, Kaipo Marae) is known by Ngaa Rauru Kiitahi as Te Pu-o-te-Wheke (head of the octopus), or the Ngaa Rauru Kiitahi headquarters.

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Ngaa Rauru Kiitahi used the entire length of the Waitotara River for food gathering. Sources of food included kakahi (fresh water mussels), tuna, whitebait, smelt, flounder, and sole. Historically, Ngaa Rauru Kiitahi also utilised the Waitotara River as a means of transport.

The Waitotara River remains significant to Ngaa Rauru Kiitahi as a symbol of a past mahinga kai source from which the physical well-being of Ngaa Rauru Kiitahi was sustained, and the spiritual well-being nourished.











