

# Appendix XD: Ngaa Rauru Kiitahi statutory acknowledgements

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## 1. Attachment to the Regional Policy Statement for Taranaki

In accordance with Section 45 of the Ngaa Rauru Kiitahi Claims Settlement Act 2005, information recording statutory acknowledgements is hereby attached to the Regional Policy Statement for Taranaki. The information includes relevant provisions of Subpart 3 of Part 4 of the Ngaa Rauru Kiitahi Claims Settlement Act 2005, in full, the description of the statutory area and the statement of association as recorded in the statutory acknowledgements.

## 2. Statutory acknowledgements

The statutory acknowledgements are:

- Statutory Acknowledgement for Nukumaru Recreation Reserve (Schedule 4 Ngaa Rauru Kiitahi Claims Settlement Act 2005)
- Statutory Acknowledgement for Coastal Marine Area adjoining Ngaa Rauru Kiitahi area of interest (Schedule 5 Ngaa Rauru Kiitahi Claims Settlement Act 2005)
- Statutory Acknowledgement for Hawkens Lagoon Conservation Area (Schedule 6 Ngaa Rauru Kiitahi Claims Settlement Act 2005)
- Statutory Acknowledgement for Lake Beds Conservation Area (Schedule 7 Ngaa Rauru Kiitahi Claims Settlement Act 2005)
- Statutory Acknowledgement for the Patea River (Schedule 9 Ngaa Rauru Kiitahi Claims Settlement Act 2005)
- Statutory Acknowledgement for Whenuakura River (Schedule 10 Ngaa Rauru Kiitahi Claims Settlement Act 2005)
- Statutory Acknowledgement for Waitotara River (Schedule 11 Ngaa Rauru Kiitahi Claims Settlement Act 2005)

The locations of the above areas are shown in Figure 5 below.

### 2.1 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 Figure 5.

#### **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 the Nukumaru Recreation Reserve**

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 Ngāti Maika and Ngāti Ruaiti were the main hapu that used Waikaramihi, all Ngaa Rauru Kiitahi hapu traditionally gathered kai moana in accordance with the values of Ngā Raurutanga.

The Karewaonui canoe (over 100 years old) was until 1987 housed at Waikaramihi and was used by Ngaa Rauru Kiitahi (mainly Ngāti Maika and Ngāti 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 Kiihahi as a mahinga kai source from which the physical well-being of Ngaa Rauru Kiihahi is sustained, and the spiritual well-being nourished.

#### **Purposes of statutory acknowledgement**

Under section 41, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Nukumarū Recreation Reserve as provided for in sections 42 to 44; and
- (b) to require 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 members of Ngaa Rauru Kiihahi to cite this statutory acknowledgement as evidence of the association of Ngaa Rauru Kiihahi with the Nukumarū Recreation Reserve as provided for in section 47.

#### **Exercise of powers, duties, and functions not affected**

Under section 54 and except as expressly provided in subpart 3 of Part 4 –

- (a) this statutory acknowledgement does not affect and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngaa Rauru Kiihahi with the Nukumarū Recreation Reserve (as described in this statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Nukumarū Recreation Reserve.

Subsection (1)(b) does not affect the operation of subsection (1)(a).

#### **Rights not affected**

Under section 55 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

#### **Limitation of rights**

Under section 56 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to the Nukumarū Recreation Reserve.

#### **Crown not precluded from granting other statutory acknowledgement**

Under section 53 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngaa Rauru Kiihahi or the governance entity with respect of the Nukumarū Recreation Reserve.

## 2.2 Statutory acknowledgement for Coastal Marine Area adjoining Ngaa Rauru Kiihahi area of interest

### **Statutory area**

The area to which this statutory acknowledgement applies is the area known as the Coastal Marine Area adjoining the Ngaa Rauru Kiihahi area of interest, the general location of which is indicated on Figure 5.

### **Preamble**

Under section 40, the Crown acknowledges the statement by Ngaa Rauru Kiihahi of the cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiihahi with the Coastal Marine Area adjoining the Ngaa Rauru Kiihahi area of interest as set out below.

### **Cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Coastal Marine Area adjoining the Ngaa Rauru Kiitahi area of interest**

Within this coastal area between Rangitaawhi and Wai-o-Turi Marae is “Te Kiri o Rauru”, the skin of Rauru. Te Kiri o Rauru is an important life force that has contributed to the physical and spiritual well-being of Ngaa Rauru Kiitahi.

Ngaa Rauru Kiitahi used the entire coastal area from Te Awanui o Taikehu (Patea River) to the mouth of the Whanganui River and inland for food gathering, and as a means of transport. The coastal area was a rich source of all kai moana. Ngaa Rauru Kiitahi exercised the values of Ngā Raurutanga in both harvesting and conserving kai moana.

Ngāti Hine Waiata, and Ngāti Tai hapu of the Waipipi (Waverley) area gathered food according to the values of Ngā Raurutanga and kawa along the coast from the Patea River to Waipipi. Along the wider coastal area Rangitaawhi, Pukorokoro, Ngāti Hine, Kairakau, Ngāti Maika, and Manaia hapu of the Patea area gathered food according to the values of Ngā Raurutanga and kawa.

Ngā Ariki, Ngāti Hou Tipua, Ngāti Pourua, Ngāti Hine Waiatarua, Ngāti Ruaiti, and Ngāti Maika gathered food according to the values of Ngā Raurutanga and kawa along the coast from Waipipi to Mowhanau and the Kai Iwi stream.

Tamareheroto (Ngāti Pukeko and Ngāti Iiti) exercised food gathering according to the values of Ngā Raurutanga and kawa along the coast from the Okehu stream to the mouth of the Whanganui River, including from the fishing station of Kaihau a Kupe (at the mouth of the Whanganui River). Ngā Kainga at Kaihau a Kupe included Kaihokahoka (ki tai), Kokohuia (swampy area at Castlecliff), Te Whare Kakaho (Wordsworth St area), Pungarehu/Te Ahi Tuatini (Cobham bridge), Te Oneheke (between Karamu stream and Churton Creek),

Patupuhou, Nukuiro, and Kaierau (St Johns Hill). There are many sites of cultural, historical, and spiritual significance to Ngaa Rauru Kiitahi along the coastal area from the Patea River to the mouth of the Whanganui River. Important kainga are situated along this coastal area. These include

Tihoi Pa (where Te Rauparaha rested), which is situated between Rangitaawhi and the mouth of the Whenuakura River, Poopoa (Te kaainga a Aokehu), and Te Wai o Mahuku (near Te Ihonga). This coastal area includes outlets of streams and rivers that nourish and sustain Ngaa Rauru Kiitahi, such as Waipipi, Waiinu, Tapuarau Lagoon, the Ototoka Stream, the Okehu Stream, and the Kai Iwi Stream. Other areas of special significance to Ngaa Rauru Kiitahi include Taipake Tuturu, Tutaramoana (he kaitiaki moana), Tuaropaki, and Waikaramihi Marae along the coast from Tuaropaki.

### **Purposes of statutory acknowledgement**

Under section 41, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Coastal Marine Area adjoining Ngaa Rauru Kiitahi area of interest as provided for in sections 42 to 44; and
- (b) to require 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 members of Ngaa Rauru Kiitahi to cite this statutory acknowledgement as evidence of the association of Ngaa Rauru Kiitahi with the Coastal Marine Area adjoining Ngaa Rauru Kiitahi area of interest as provided for in section 47.

### **Exercise of powers, duties, and functions not affected**

Under section 54 and except as expressly provided in subpart 3 of Part 4 –

- (a) this statutory acknowledgement does not affect and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngaa Rauru Kiitahi with the Coastal Marine Area adjoining Ngaa Rauru Kiitahi area of interest (as described in this statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this

statutory acknowledgement did not exist in respect of the Coastal Marine Area adjoining Ngaa Rauru Kiiitahi area of interest.

Subsection (1)(b) does not affect the operation of subsection (1)(a).

#### **Rights not affected**

Under section 55 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

#### **Limitation of rights**

Under section 56 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to the Coastal Marine Area adjoining Ngaa Rauru Kiiitahi area of interest.

#### **Crown not precluded from granting other statutory acknowledgement**

Under section 53 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngaa Rauru Kiiitahi or the governance entity with respect of the Coastal Marine Area adjoining Ngaa Rauru Kiiitahi area of interest.

### 2.3 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 Figure 5.

#### **Preamble**

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

#### **Cultural, spiritual, historical, and traditional association of Ngā Rauru Kiiitahi with the Hawkens Lagoon Conservation Area**

Tapuarau is the name given to the area at the mouth of the Waitotara River within the Tapuarau Conservation Area. The main hapu of Ngaa Rauru Kiiitahi that used Tapuarau included Ngāti Hine Waiatarua, Ngāti Hou Tipua, Ngā Ariki, and Ngāti Ruaiti. Ngaa Rauru Kiiitahi has used Tapuarau as a seasonal campsite from where it has gathered mahinga kai in accordance with the values of Ngā 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 Kiiitahi 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 Kiiitahi as a mahinga kai source from which the physical well-being of Ngaa Rauru Kiiitahi is sustained, and the spiritual well-being is nourished.

#### **Purposes of statutory acknowledgement**

Under section 41, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Hawkens Lagoon Conservation Area as provided for in sections 42 to 44; and
- (b) to require 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 members of Ngaa Rauru Kiiitahi to cite this statutory acknowledgement as evidence of the association of Ngaa Rauru Kiiitahi with the Hawkens Lagoon Conservation Area as provided for in section 47.

#### **Exercise of powers, duties, and functions not affected**

Under section 54 and except as expressly provided in subpart 3 of Part 4 –

- (a) this statutory acknowledgement does not affect and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngaa Rauru Kiitahi with the Hawkens Lagoon Conservation Area (as described in this statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Hawkens Lagoon Conservation Area.

Subsection (1)(b) does not affect the operation of subsection (1)(a).

#### **Rights not affected**

Under section 55 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

#### **Limitation of rights**

Under section 56 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to the Hawkens Lagoon Conservation Area.

#### **Crown not precluded from granting other statutory acknowledgement**

Under section 53 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngaa Rauru Kiitahi or the governance entity with respect of the Hawkens Lagoon Conservation Area.

## 2.4 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 Figure 5.

### **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 the Lake Beds Conservation 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 hapu, predominantly Ngā Ariki.

These lakes were the main food source for those hapu. 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.

### **Purposes of statutory acknowledgement**

Under section 41, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Lake Beds Conservation Area, as provided for in sections 42 to 44; and
- (b) to require 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 members of Ngaa Rauru Kiitahi to cite this statutory acknowledgement as evidence of the association of Ngaa Rauru Kiitahi with the Lake Beds Conservation Area, as provided for in section 47.

### **Exercise of powers, duties, and functions not affected**

Under section 54 and except as expressly provided in subpart 3 of Part 4 –

- (a) this statutory acknowledgement does not affect and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngaa Rauru Kiiitahi with the Lake Beds Conservation Area, (as described in this statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Lake Beds Conservation Area.

Subsection (1)(b) does not affect the operation of subsection (1)(a).

### **Rights not affected**

Under section 55 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

### **Limitation of rights**

Under section 56 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to the Lake Beds Conservation Area.

### **Crown not precluded from granting other statutory acknowledgement**

Under section 53 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngaa Rauru Kiiitahi or the governance entity with respect of the Lake Beds Conservation Area.

## 2.5 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 Figure 5.

### **Preamble**

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

### **Cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiiitahi with the Patea River**

Ngaa Rauru Kiiitahi 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 hapu of Ngaa Rauru Kiiitahi who have resided along the banks of the Patea River, and within this area. Ngā hapu o Ngaa Rauru Kiiitahi who settled along Te Awanui o Taikehu include Rangitaawhi, Pukorokoro, Ngāti Hine, Kairakau, Ngāti Maika I, and Manaia.

There are many pa and kaainga situated along Te Awanui o Taikehu. The Mangaehu Pa 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 Pa and Hawaiki Pa. Along the Patea River are Owhio, Kaiwaka, Arakirikiri, Ngapapa-tara-iwi, Tutumahoe Pa and kaainga. Further along Te Awanui o Taikehu sits Parikaranga,

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 Kiiitahi 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 Kiiitahi as a mahinga kai source from which the physical well-being of Ngaa Rauru Kiiitahi is sustained, and the spiritual well-being nourished.

### **Purposes of statutory acknowledgement**

Under section 41, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Patea River, as provided for in sections 42 to 44; and
- (b) to require 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 members of Ngaa Rauru Kiihahi to cite this statutory acknowledgement as evidence of the association of Ngaa Rauru Kiihahi with the Patea River, as provided for in section 47.

**Exercise of powers, duties, and functions not affected**

Under section 54 and except as expressly provided in subpart 3 of Part 4 –

- (a) this statutory acknowledgement does not affect and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngaa Rauru Kiihahi with the Patea River, (as described in this statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Patea River.

Subsection (1)(b) does not affect the operation of subsection (1)(a).

**Rights not affected**

Under section 55 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

**Limitation of rights**

Under section 56 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to the Patea River.

**Crown not precluded from granting other statutory acknowledgement**

Under section 53 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngaa Rauru Kiihahi or the governance entity with respect of the Patea River.

2.6 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 Figure 5.

**Preamble**

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

**Cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiihahi with the Whenuakura River**

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

The Maipu Pā is situated near the western bank of Te Aarei o Rauru. There are many urupa 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 Kiihahi hapu 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 Kiiitahi 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 Ngāti Hine Waiata over the generations.

#### **Purposes of statutory acknowledgement**

Under section 41, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Whenuakura River, as provided for in sections 42 to 44; and
- (b) to require 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 members of Ngaa Rauru Kiiitahi to cite this statutory acknowledgement as evidence of the association of Ngaa Rauru Kiiitahi with the Whenuakura River, as provided for in section 47.

#### **Exercise of powers, duties, and functions not affected**

Under section 54 and except as expressly provided in subpart 3 of Part 4 –

- (a) this statutory acknowledgement does not affect and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngaa Rauru Kiiitahi with the Whenuakura River, (as described in this statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Whenuakura River.

Subsection (1)(b) does not affect the operation of subsection (1)(a).

#### **Rights not affected**

Under section 55 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

#### **Limitation of rights**

Under section 56 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to the Whenuakura River.

#### **Crown not precluded from granting other statutory acknowledgement**

Under section 53 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngaa Rauru Kiiitahi or the governance entity with respect of the Whenuakura River.

## 2.7 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 Figure 5.

#### **Preamble**

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

#### **Cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiiitahi with the Waitotara River**

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



Ngaa Rauru Kiiitahi 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, NgāRauru Kiiitahi also utilised the Waitotara River as a means of transport.

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

#### **Purposes of statutory acknowledgement**

Under section 41, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the Environment Court, or the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Waitotara River, as provided for in sections 42 to 44; and
- (b) to require 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 members of Ngaa Rauru Kiiitahi to cite this statutory acknowledgement as evidence of the association of Ngaa Rauru Kiiitahi with the Waitotara River, as provided for in section 47.

#### **Exercise of powers, duties, and functions not affected**

Under section 54 and except as expressly provided in subpart 3 of Part 4 –

- (a) this statutory acknowledgement does not affect and is not to be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngaa Rauru Kiiitahi with the Waitotara River, (as described in this statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Waitotara River.

Subsection (1)(b) does not affect the operation of subsection (1)(a).

#### **Rights not affected**

Under section 55 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.

#### **Limitation of rights**

Under section 56 and except as expressly provided in subpart 3 of Part 4 this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to the Waitotara River.

#### **Crown not precluded from granting other statutory acknowledgement**

Under section 53 the Crown is not precluded from providing a statutory acknowledgement to persons other than Ngaa Rauru Kiiitahi or the governance entity with respect of the Waitotara River.



**Figure 5** Location of statutory acknowledgements for Ngaa Rauru Kiitahi