

Ngā Whakaaetanga-ā-Ture ki Te Taiao ā Toi— Statutory Acknowledgements in the Bay of Plenty

Update Record 24 February 2022

Date	Change/Update	Provisions affected
24 February 2022	Add new tab, text and maps for Ngāti Hinerangi statutory acknowledgement	<ul style="list-style-type: none"> Chapter 17 pages 617-639
	Consequential amendments	<ul style="list-style-type: none"> Update Record (this page) Table of Contents Chapters 1 & 2, pages 1-4 A3 pull out Map 1
23 March 2021	Add new tab, text and maps for Ngāti Tūwharetoa (Taupō) statutory acknowledgement	<ul style="list-style-type: none"> Chapter 16 pages 611 - 615
	Consequential amendments and removal of Glossary	<ul style="list-style-type: none"> Update Record (this page) Table of Contents Chapters 1 & 2, pages 1-4 A3 pull out Map 5
	Replacement page to reference the Regional Natural Resources Plan & newly operative Regional Coastal Environment Plan	<ul style="list-style-type: none"> Title page, page i, vi
	Update Statutory Acknowledgement for Part Lake Rotoiti Scenic Reserve in accordance with amended deed of settlement 11 March 2009.	<ul style="list-style-type: none"> Chapter 6, section 6.8, pages 266-269a
	Amend description for marginal strips in line with Tapuika Deed of Settlement	<ul style="list-style-type: none"> Chapter 11, section 11.1.1, page 393
	Amend heading of section 14.2.1	<ul style="list-style-type: none"> Chapter 14, page 563
	Amend map page heading for Ngāti Pūkenga maps in line with other chapters	<ul style="list-style-type: none"> Chapter 15 page 609
	Amend to ensure colour coding for Ngāti Rangiwewehi and Ngāti Rangiteaorere is shown correctly	<ul style="list-style-type: none"> A3 pull out Map 3
12 January 2018	Add new tab, text and maps for Ngāti Pūkenga statutory acknowledgements	<ul style="list-style-type: none"> Chapter 15 pages 605 - 608
	Consequential amendments	<ul style="list-style-type: none"> Update Record (this page) Title page Table of Contents A3 pull out Map 1
	Replacement page to correct section reference to the Ngāti Māhino Claims Settlement Act 2012	<ul style="list-style-type: none"> Chapter 9 page 333
7 October 2016	Add new tab, text and maps for Hineuru statutory acknowledgements	<ul style="list-style-type: none"> Chapter 14 pages 563 – 603
	Consequential amendments	<ul style="list-style-type: none"> Update Record (this page) Title page Table of Contents updated A3 pull out Map 5

	Replacement pages to correct spelling error in headings	<ul style="list-style-type: none"> Headings for: 7.1.5, 7.3.5, 8.2.5, 8.3.5, 8.4.5, 8.5.5, 8.6.5, 8.7.4, 8.8.5, 8.9.5, 8.10.5, 9.1.5, 9.2.5, 10.2.5, 10.3.5, 10.4.5, 10.5.5, 10.6.5, 10.7.5, 10.8.5, 10.9.5, 10.10.5, 10.11.5, 10.12.5, 10.13.5, 10.14.5, 10.15.5, 10.16.5
10 April 2015	Add new tab, text and maps for Ngāti Rangiwewehi statutory acknowledgements	<ul style="list-style-type: none"> Chapter 12 pages 491 to 548
	Add new tab, text and maps for Ngāti Rangiteaorere statutory acknowledgements	<ul style="list-style-type: none"> Chapter 13 pages 549 to 562
	Consequential amendments	<ul style="list-style-type: none"> Update Record (this page) Add new cover and spine Title page Table of Contents updated Chapter 2 updated A3 pull out Maps 3, 4 & 5
	Replace pages 253 – 267 to correct spelling of Ngāti Ngararanui and pagination errors	<ul style="list-style-type: none"> Replace with pages 253 to 269
23 September 2014	Add new tab, text and maps for Tapuika statutory acknowledgements	<ul style="list-style-type: none"> Chapter 11 pages 393 - 489
	Consequential amendments	<ul style="list-style-type: none"> Update Record (this page) Title page Table of Contents updated Chapters 1 and 2 updated A3 pull out Maps 1 - 4
24 September 2013	Add new tab, text and maps for Waitaha statutory acknowledgements	<ul style="list-style-type: none"> Chapter 10 pages 343 - 391
	Consequential amendments	<ul style="list-style-type: none"> Update Record (this page) Title page Table of Contents updated Chapters 1 and 2 updated A3 pull out maps x 3 sheets
14 December 2012	Add new tab, text and maps for Ngāti Whare statutory acknowledgements	<ul style="list-style-type: none"> Chapter 7 pages 277 – 297
	Add new tab, text and maps for Ngāti Manawa statutory acknowledgements	<ul style="list-style-type: none"> Chapter 8 pages 299 – 332
	Add new tab, text and maps for Ngāti Makino statutory acknowledgements	<ul style="list-style-type: none"> Chapter 9 pages 333 - 342
	Consequential amendments	<ul style="list-style-type: none"> Title page Table of Contents updated Chapters 1 and 2 updated A3 maps updated

	Correct omission of Matahana Ecological Area statement of association	<ul style="list-style-type: none">• Chapter 6 replacement text pages 253-265
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Bay of Plenty Regional Council

Addendum to the Operative Bay of Plenty Regional Policy Statement,
Operative Bay of Plenty Regional Natural Resources Plan,
Operative Regional Plan for the Tarawera River Catchment,
Operative Bay of Plenty Regional Coastal Environment Plan,
Operative Regional River Gravel Management Plan,
Operative Rotorua Geothermal Regional Plan,
the Operative Bay of Plenty Regional Air Plan,
Operative On-site Effluent Treatment Regional Plan,
including any proposed regional plan or
policy statement, and any variation/change notified by the
Bay of Plenty Regional Council

Statutory Acknowledgements

February 2022

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This document, *Ngā Whakaaetanga-ā-Ture ki Te Taiao ā Toi – Statutory Acknowledgements in the Bay of Plenty*, is Statutory Acknowledgement information.

The document is to be read as an attachment to and in conjunction with the Operative Bay of Plenty Regional Policy Statement, Operative Regional Natural Resources Plan, Operative Regional Plan for the Tarawera River Catchment, Operative On-Site Effluent Regional Treatment Plan, Operative Bay of Plenty Regional Coastal Environment Plan, Operative Regional River Gravel Management Plan, Operative Rotorua Geothermal Regional Plan, the Operative Bay of Plenty Regional Air Plan, including any proposed regional plan or policy statement, and any variation/change notified by the Bay of Plenty Regional Council. It is also to be read as an attachment to, and in conjunction with any district plan that has effect in the Bay of Plenty region, if the area covered by the plan includes a statutory area.

The attachment of this information is for the purpose of public information. The information is not part of the regional policy statement or statutory plan unless adopted as such by the relevant local authority.

Unless adopted by the relevant local authority, the information is not subject to the provisions of Schedule 1 to the Resource Management Act 1991. (Unless adopted, the Statutory Acknowledgement information can not be submitted on). The information has not been adopted by the Bay of Plenty Regional Council as part of the Bay of Plenty Regional Policy Statement or any regional plan.

1 Introduction

1.1 What are Statutory Acknowledgements?

A Statutory Acknowledgement is a formal acknowledgement by the Crown of the mana of tangata whenua over a specified area. It recognises the particular cultural, spiritual, historical, and traditional association of an iwi with the site, which is identified as a Statutory Area.

Statements of Statutory Acknowledgements are set out in Treaty of Waitangi settlement legislation. The text for each Statutory Acknowledgement includes:

- Identification and description of the Statutory Area.
- A statement of association detailing the relationship between the relevant iwi and the Statutory Area.
- The specific requirements of the Statutory Acknowledgement.

Statutory Areas only relate to Crown-owned land and include areas of land, geographic features, lakes, rivers, wetlands, and coastal marine areas. With respect to bodies of water such as lakes, rivers, and wetlands, the Statutory Acknowledgement excludes any part of the bed not owned or controlled by the Crown.

The locations of Statutory Areas are shown on Survey Office (SO) plans.

1.2 The purpose of Statutory Acknowledgements

Whilst there may be minor variations in the legislation for each settlement, the purposes of a Statutory Acknowledgement will generally include the following:

1.2.1 Notification of Resource Consent Applications

Consent authorities, the Environment Court, and the Historic Places Trust are required to have regard to a Statutory Acknowledgement when determining whether the relevant iwi may be adversely affected by the granting of a resource consent for activities within, adjacent to, or impacting directly on the Statutory Area.

1.2.2 Environment Court Proceedings

The Environment Court must have regard to a Statutory Acknowledgement relating to a Statutory Area in determining whether the relevant iwi group has an interest greater than that of the general public, in respect of an application for a resource consent for activities within, adjacent to, or impacting directly on the Statutory Area.

1.2.3 Summaries of Resource Consent Applications

Consent authorities are required to forward summaries of resource consent applications to the relevant iwi for activities within, adjacent to or impacting directly on any Statutory Area.

This information must be the same as would be given to any affected persons under limited notification, in accordance with section 95B of the RMA, unless otherwise agreed between the consent authority and the relevant iwi.

The information is to be provided to the relevant iwi as soon as reasonably practicable after the consent authority has received the application, and prior to making any determination as to notification of the application.

A regional council dealing with an application to carry out a restricted coastal activity within, adjacent to or impacting directly on any Statutory Area must be treated as if it were the relevant consent authority in relation to that application.

This requirement does not affect the obligation of a consent authority to notify an application in accordance with section 95 to 95F of the Resource Management Act 1991, or to form an opinion as to whether the relevant iwi group is adversely affected under those sections.

1.2.4 Submissions

In submissions to, and proceedings before, a consent authority, the Environment Court, or the Historic Places Trust, the relevant iwi governance entity and any member of that iwi may cite a Statutory Acknowledgement as evidence of association with a Statutory Area, where those proceedings concern activities that are within, adjacent to, or impacting directly on any Statutory Area.

1.2.5 Statutory Plans

Information recording Statutory Acknowledgements for Statutory Areas covered wholly or partly by the plan must be attached to regional policy statements, regional plans, and district plans including any proposed regional plan or policy statement, and any variation/change notified by the Bay of Plenty Regional Council.. Settlement legislation enacted recently has required statutory plans to include the relevant provisions of the settlement legislation in full, the description of the Statutory Area, and the statement of association. Earlier legislation only required plans to record relevant Statutory Acknowledgements, with a reference to the relevant provisions of the settlement legislation.

To provide consistency throughout this document, the relevant provisions of the settlement legislation, the description of the Statutory Area, and the statement of association have been provided in full for all Statutory Acknowledgements within the Bay of Plenty region.

Statutory plans are also required to specify that information provided in relation to Statutory Acknowledgements, is for the purposes of public information only and does not form part of the plan and is not subject to the provisions of Schedule 1 of the RMA.

1.2.6 Limitations of Statutory Acknowledgements

Subject to the specific settlement legislation, the limitations on the effect of statutory acknowledgments are:

- Statutory Acknowledgements do not affect, and are not able to be taken into account by, any person exercising a function or duty under legislation or a bylaw.
- Statutory Acknowledgements do not affect the lawful rights or interests of any person.
- Statutory Acknowledgements do not grant, create, or provide evidence of an estate or interest in or rights relating to, a Statutory Area.

2 Statutory Acknowledgements within the Bay of Plenty region

Treaty of Waitangi settlement legislation has been enacted for several iwi within the Bay of Plenty region. Iwi who have settlements containing Statutory Acknowledgments include the following:

- Ngāti Awa
- Ngāti Tuwharetoa (Bay of Plenty)
- Te Arawa (Lakes)
- Affiliate Te Arawa Iwi and Hapū
- Ngāti Whare
- Ngāti Manawa
- Ngāti Mākino
- Waitaha
- Tapuika
- Ngāti Rangiwewehi
- Ngāti Rangiteaorere
- Hineuru
- Ngāti Pūkenga
- Ngāti Tuwharetoa (Taupō)
- Ngāti Hinerangi

The following table sets out the Statutory Acknowledgements for each iwi.

<i>Iwi</i>	<i>Settlement Date</i>	<i>Statutory Acknowledgements</i>
Ngāti Awa	2005	11
Ngāti Tūwharetoa (Bay of Plenty)	2005	5
Te Arawa (Lakes)	2006	1
Affiliate Te Arawa Iwi and Hapū	2008	7
Ngāti Whare	2012	3
Ngāti Manawa	2012	10
Ngāti Mākino	2012	2
Waitaha	2013	15
Tapuika	2014	27
Ngāti Rangiwewehi	2014	17
Ngāti Rangiteaorere	2014	4

Hineuru	2016	5 – either wholly or partly in the Bay of Plenty region. 4 - within close proximity to the Bay of Plenty region boundary.
Ngāti Pūkenga	2017	1
Ngāti Tūwharetoa (Taupō)	2018	1
Ngāti Hinerangi	2021	5

Separate sections of this document provide information on the statutory acknowledgments for each iwi group, including maps of the Statutory Areas.