

TIMARU DISTRICT COUNCIL

SECTION 35A OF THE RESOURCE MANAGEMENT ACT 1991

Section 35A(1)(a) Requirements

Section 35A(1)(a) of the Resource Management Act 1991 requires local authorities to keep and maintain records about iwi authorities and any groups within the district that represent hapū for the purposes of the RMA.

Section 35A requires the Council to keep and maintain records on:

- The contact details of each iwi authority, and any groups that represent hapū for the purposes of the RMA;
- any planning documents recognised by iwi authority and lodged with the council under sections 61, 66 and 74 of the RMA; and
- any area of the district over which one or more iwi, or hapū exercise kaitiakitanga.

The Crown, through Te Puni Kōkiri, is required to provide to each local authority on:

- the iwi authorities within the region or district of the local authority and areas over which one or more iwi exercise kaitiakitanga within that region or district; and
- any groups that represent hapū for the purposes of the RMA and the areas over which one or more hapū exercise kaitiakitanga.

Te Kāhui Māngai <http://www.tekahuimangai.govt.nz/> is a national web-based directory of representative iwi and Maori organisations developed by Te Puni Kōkiri. Te Kāhui Māngai will fulfill the requirements of section 35A(2) of the RMA in terms of the information the Crown must provide to local authorities. Te Kāhui Māngai will ultimately include, among others, those groups representing hapū for the purposes of the RMA. This website, therefore, is a useful tool for any party wishing to contact tangata whenua for the purposes of the RMA.

Iwi Authority

Te Rūnanga o Ngai Tahu - Represents Ngai Tahu as an "iwi authority" for the purposes of the Resource Management Act 1991.

Contact Details:

Level 1, Te Wai Pounamu House

158 Hereford Street

P O Box 13 046

Christchurch

Phone: 03 366 4344

Fax: 03 365 4424

Email: info@ngaitahu.iwi.nz

Website: <http://www.ngaitahu.iwi.nz>

Hapu

Te Rūnanga o Arowhenua Society Inc - Represents Kāti Huirapa o Arowhenua as "hapu authority" for the purposes of the Resource Management Act 1991.

Contact Details:

Gary Stuart Waaka - Marae Manager

Te Rūnanga o Arowhenua Society Inc

Arowhenua Resource Unit

P O Box 69

Temuka

Phone: 03 615 9646
Fax: 03 615 9646
Email: arowhenua.resources@xtra.co.nz

Useful Definitions:

Hapū - A sub-tribe. Iwi are usually, but not always, comprised of several hapū.

Iwi authority - The authority which represents an iwi and which is recognised by that iwi as having authority to do so.

Kaitiakitanga - The exercise of guardianship. In relation to a resource, kaitiakitanga includes the ethic of stewardship based on the nature of the resource itself.

Mana whenua - Customary authority exercised by an iwi or hapū in an identified area, which is almost invariably their ancestral area.

Resource Management Act 1991 - The purpose of this Act is to promote the sustainable management of natural and physical resources.

Tangata whenua - In relation to a particular area, *tangata whenua* means the iwi, or hapū, that holds mana whenua over that area.

STATUTORY ACKNOWLEDGEMENT AREAS

The Ngāi Tahu Claims Settlement Act 1998 (the Settlement Act) gives effect to the Deed of Settlement signed by the Crown and Te Rūnanga o Ngāi Tahu on 21 November 1997 to achieve a final settlement of Ngāi Tahu's historical claims against the Crown. The Settlement Act includes an instrument called a Statutory Acknowledgement. Statutory Acknowledgements recognize Ngāi Tahu's mana in relation to a range of sites and areas in the South Island, and provide for this to be reflected in the management of those areas. Statutory Acknowledgements impact upon RMA processes concerning these areas.

A Statutory Acknowledgement is an acknowledgement by the Crown of Ngāi Tahu's special relationship with identified areas, namely Ngāi Tahu's particular cultural, spiritual, historical, and traditional association with those areas (known as statutory areas). The statutory areas are indicated on the attached map.

Information relating to specific Statutory Acknowledgements will be attached to regional policy statements, district plans and regional plans.

The purposes of Statutory Acknowledgements are:

- to ensure that Ngāi Tahu's particular association with certain significant areas in the South Island are identified, and that Te Rūnanga o Ngāi Tahu is informed when a proposal may affect one of these areas
- to improve the implementation of RMA processes, in particular by requiring consent authorities to have regard to Statutory Acknowledgements when making decisions on the identification of affected parties.

You may be affected by a Statutory Acknowledgement if you are applying for a resource consent for an activity that is within, adjacent to, or impacting directly upon a statutory area.

If you are applying for a resource consent for an activity within, adjacent to, or impacting directly upon a statutory area:

- the consent authority must send a summary of your resource consent application to Te Rūnanga o Ngāi Tahu
- the consent authority must have regard to the Statutory Acknowledgement in going through the process of making a decision on whether Te Rūnanga o Ngāi Tahu is an affected party in relation to the resource consent application.

For proposals that may significantly adversely affect Ngāi Tahu's cultural values and association with Statutory Acknowledgement areas, further information may be sought from applicants in the form of a cultural impact assessment (CIA) report.

Members of Ngāi Tahu will also be able to cite Statutory Acknowledgements in submissions to consent authorities, the Environment Court and the Historic Places Trust, as evidence of their particular association with statutory areas. In this context, the Statutory Acknowledgement does not of itself prove the association for the purpose of consent proceedings but may be taken into account by decision-makers.

Statutory Acknowledgements in the Timaru district:

- Rangitata River
- Ōrakipaoa Wetland

The attached map shows the location of the two Statutory Acknowledgements.

More Information:

You can obtain further information on Statutory Acknowledgements from:

Ministry for the Environment
South Island Office
Price Waterhouse Centre
119 Armagh Street
PO Box 1345
Christchurch

Phone: 03 963 0940

Fax: 03 963 2050

Website: <http://www.mfe.govt.nz>

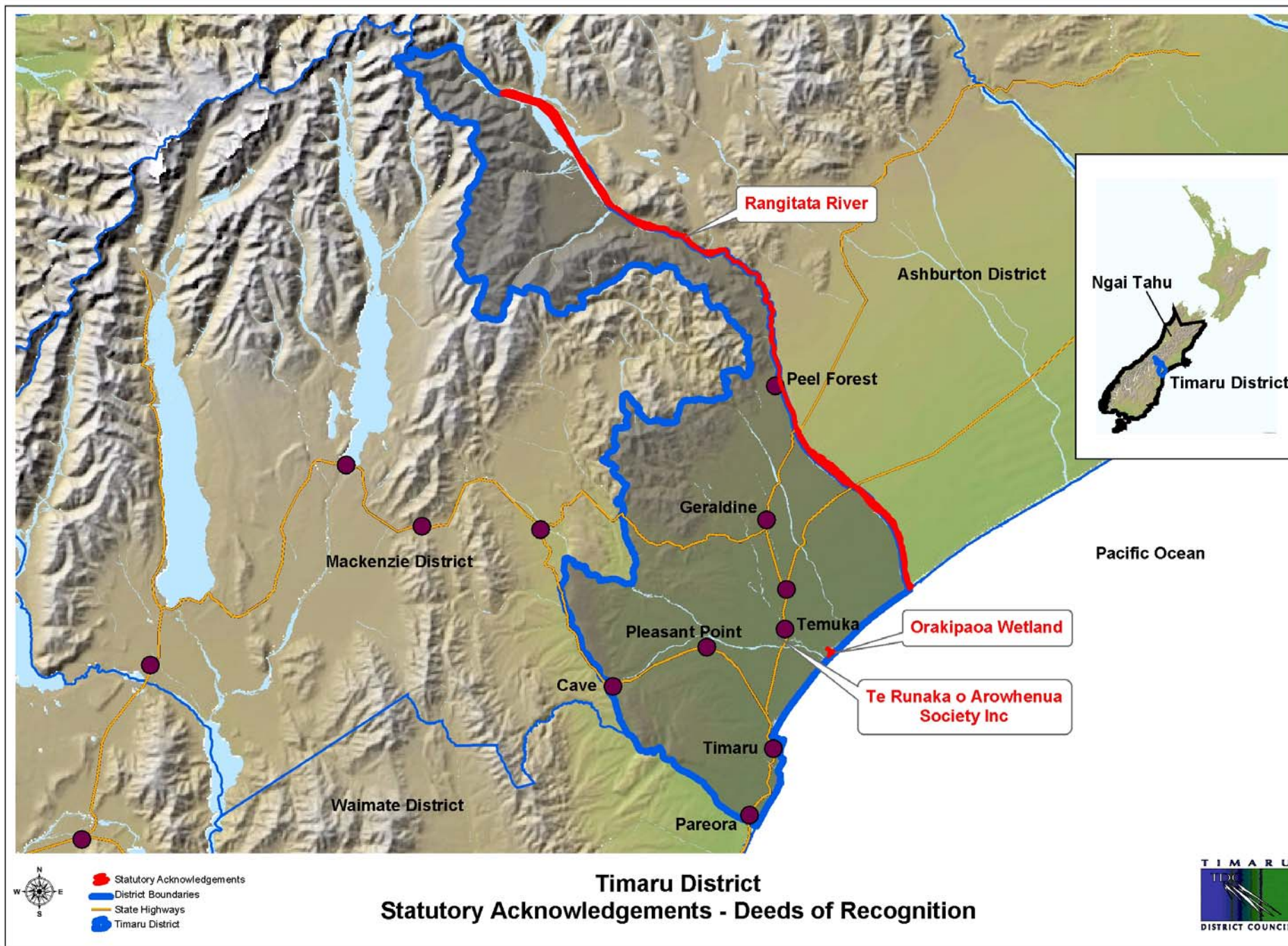
Te Rūnanga o Ngai Tahu
Level 1, Te Wai Pounamu House
158 Hereford Street
P O Box 13 046
Christchurch

Phone: 03 366 4344

Fax: 03 365 4424

Email: info@ngaitahu.iwi.nz

Website: <http://www.ngaitahu.iwi.nz>



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SECTION 35A OF THE RESOURCE MANAGEMENT ACT 1991

Section 35A(1)(b) Requirements

Section 35A(1)(b) of the Resource Management Act 1991 requires local authorities to keep and maintain a record of the planning documents that are recognised by the iwi authority and lodged with the local authority.

The planning documents that have been lodged with the Timaru District Council are:

- Te Runanga O Ngai Tahu Freshwater Policy (1999)
<http://www.ngaitahu.co.nz/Ngai%20Tahu%20Whanui/Natural%20Environment/Environmental%20Policy%20and%20Planning/Freshwater%20Policy>

A copy of the planning document is also lodged with the Timaru District Council.

- Iwi Management Plan of Kati Huirapa for the Area Rakaia to Waitaki – Part One – Land, Water and Air Polices, Arowhenua, July 1992

A copy of the planning document is also lodged with the Timaru District Council.

- Te Whakatapu Kaupapa – Ngai Tahu Resource Management Strategy for the Canterbury Region 1990