

Appendix 9 – Statutory Acknowledgement Areas – Ngāti Maniapoto

Attachment of information to the Waitomo District Plan in accordance with Sections 32 to 38 of the Maniapoto Claims Settlement Act 2022.

The information is for the purpose of public information only and is not part of the District Plan or subject to the provisions of Schedule 1 of the Resource Management Act 1991.

Section 37(1) of the Maniapoto Claims Settlement Act 2022 requires Council to record the statutory acknowledgement on all statutory plans.

Section 34(2) states that the information attached to a statutory plan must include:

- (a) a copy of sections 32 to 36, 38 and 39; and
- (b) descriptions of the statutory areas wholly or partly covered by the plan; and
- (c) the statement of association for each statutory area.

32 Statutory acknowledgement by the Crown

The Crown acknowledges the statements of association for the statutory areas.

33 Purposes of statutory acknowledgement

The only purposes of the statutory acknowledgement are—

- (a) to require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgement, in accordance with sections 34 to 36; and
- (b) to require relevant consent authorities to record the statutory acknowledgement on statutory plans that relate to the statutory areas and to provide summaries of resource consent applications or copies of notices of applications to the trustees, in accordance with sections 37 and 38; and
- (c) to enable the trustees and any member of Maniapoto to cite the statutory acknowledgement as evidence of the association of Maniapoto with a statutory area, in accordance with section 39.

34 Relevant consent authorities to have regard to statutory acknowledgement

- (1) This section applies in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.
- (2) On and from the effective date, a relevant consent authority must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to the activity.
- (3) Subsection (2) does not limit the obligations of a relevant consent authority under the Resource Management Act 1991.

35 Environment Court to have regard to statutory acknowledgement

- (1) This section applies to proceedings in the Environment Court in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.

- (2) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 274 of the Resource Management Act 1991, whether the trustees are persons with an interest in the proceedings greater than that of the general public.
- (3) Subsection (2) does not limit the obligations of the Environment Court under the Resource Management Act 1991.

36 Heritage New Zealand Pouhere Taonga and Environment Court to have regard to statutory acknowledgement

- (1) This section applies to an application made under section 44, 56, or 61 of the Heritage New Zealand Pouhere Taonga Act 2014 for an authority to undertake an activity that will or may modify or destroy an archaeological site within a statutory area.
- (2) On and from the effective date, Heritage New Zealand Pouhere Taonga must have regard to the statutory acknowledgement relating to the statutory area in exercising its powers under section 48, 56, or 62 of the Heritage New Zealand Pouhere Taonga Act 2014 in relation to the application.
- (3) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to the statutory area—
 - (a) in determining whether the trustees are persons directly affected by the decision; and
 - (b) in determining, under section 59(1) or 64(1) of the Heritage New Zealand Pouhere Taonga Act 2014, an appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application.
- (4) In this section, **archaeological** site has the meaning given in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

38 Provision of summary or notice to trustees

- (1) Each relevant consent authority must, for a period of 20 years on and from the effective date, provide the following to the trustees for each resource consent application for an activity within, adjacent to, or directly affecting a statutory area:
 - (a) if the application is received by the consent authority, a summary of the application; or
 - (b) if notice of the application is served on the consent authority under section 145(10) of the Resource Management Act 1991, a copy of the notice.
- (2) A summary provided under subsection (1)(a) must be the same as would be given to an affected person by limited notification under section 95B(4) of the Resource Management Act 1991 or as may be agreed between the trustees and the relevant consent authority.
- (3) The summary must be provided—
 - (a) as soon as is reasonably practicable after the relevant consent authority receives the application; but
 - (b) before the relevant consent authority decides under section 95 of the Resource Management Act 1991 whether to notify the application.
- (4) A copy of a notice must be provided under subsection (1)(b) not later than 10 working days after the day on which the consent authority receives the notice.
- (5) The trustees may, by written notice to a relevant consent authority,—
 - (a) waive the right to be provided with a summary or copy of a notice under this section; and
 - (b) state the scope of that waiver and the period it applies for.
- (6) This section does not affect the obligation of a relevant consent authority to decide,—
 - (a) under section 95 of the Resource Management Act 1991, whether to notify an application;
 - (b) under section 95E of that Act, whether the trustees are affected persons in relation to an activity.

39 Use of statutory acknowledgement

- (1) The trustees and any member of Maniapoto may, as evidence of the association of Maniapoto with a statutory area, cite the statutory acknowledgement that relates to that area in submissions concerning activities within, adjacent to, or directly affecting the statutory area that are made to or before—
 - (a) the relevant consent authorities; or
 - (b) the Environment Court; or
 - (c) Heritage New Zealand Pouhere Taonga; or
 - (d) the Environmental Protection Authority or a board of inquiry under Part 6AA of the Resource Management Act 1991.
- (2) The content of a statement of association is not, because of the statutory acknowledgement, binding as fact on—
 - (a) the bodies referred to in subsection (1); or
 - (b) parties to proceedings before those bodies; or
 - (c) any other person who is entitled to participate in those proceedings.
- (3) However, the bodies and persons specified in subsection (2) may take the statutory acknowledgement into account.
- (4) To avoid doubt,—
 - (a) the trustees and members of Maniapoto are not precluded from stating that Maniapoto has an association with a statutory area that is not described in the statutory acknowledgement; and
 - (b) the content and existence of the statutory acknowledgement do not limit any statement made.

Areas subject only to statutory acknowledgement

Statutory area	Location
Coastal statutory acknowledgement area	As shown on OMCR-049-04
Huioteko Scenic Reserve	As shown on OMCR-049-05
Kahuwera Scenic Reserve	As shown on OMCR-049-07
Mahoenui Conservation Area	As shown on OMCR-049-11
Marokopa Falls Scenic Reserve	As shown on OMCR-049-13
Part Matakana Conservation Area (area linked to Te Puta Spring)	As shown on OMCR-049-14
Moeatoa Scenic Reserve	As shown on OMCR-049-15
Mohakatino Conservation Area	As shown on OMCR-049-16
Mokau River Scenic Reserve	As shown on OMCR-049-17
Ngatamahine Scenic Reserve	As shown on OMCR-049-19
Puketapu Historic Reserve	As shown on OMCR-049-23
Rukuhia Domain Recreation Reserve	As shown on OMCR-049-24
Tapuae Scenic Reserve	As shown on OMCR-049-25
Taumatini Scenic Reserve	As shown on OMCR-049-26
Te Kuiti Aerodrome	As shown on OMCR-049-28
Te Nau Nau property	As shown on OMCR-049-29
Totoro Scenic Reserve	As shown on OMCR-049-30
Turaerae Scenic Reserve	As shown on OMCR-049-31
Waitewhena Conservation Area	As shown on OMCR-049-32

APPENDIX 9

Part 2 Areas subject to both statutory acknowledgement and deed of recognition

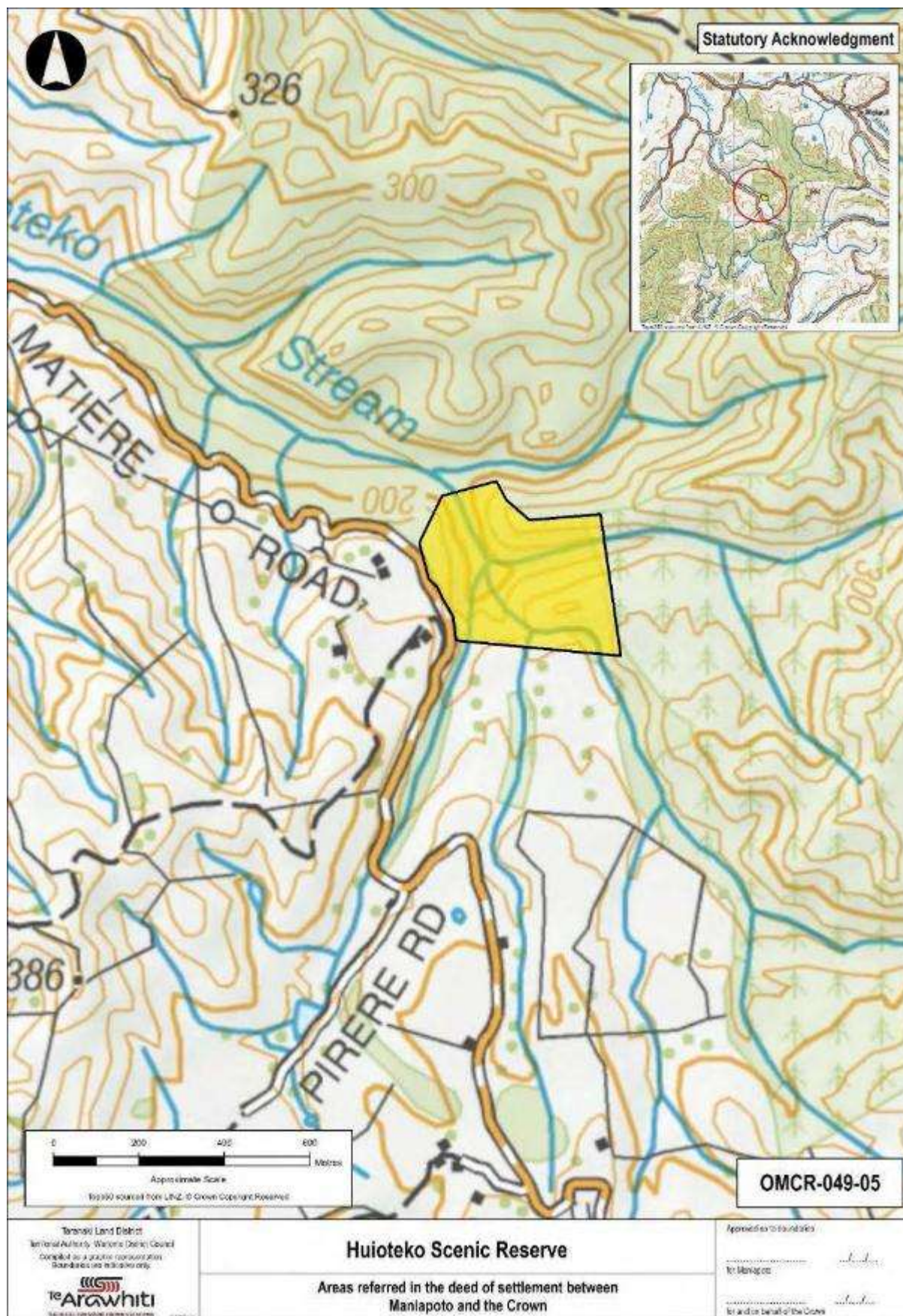
Statutory area	Location
Mangapohue Natural Bridge Scenic Reserve	As shown on OMCR-049-12

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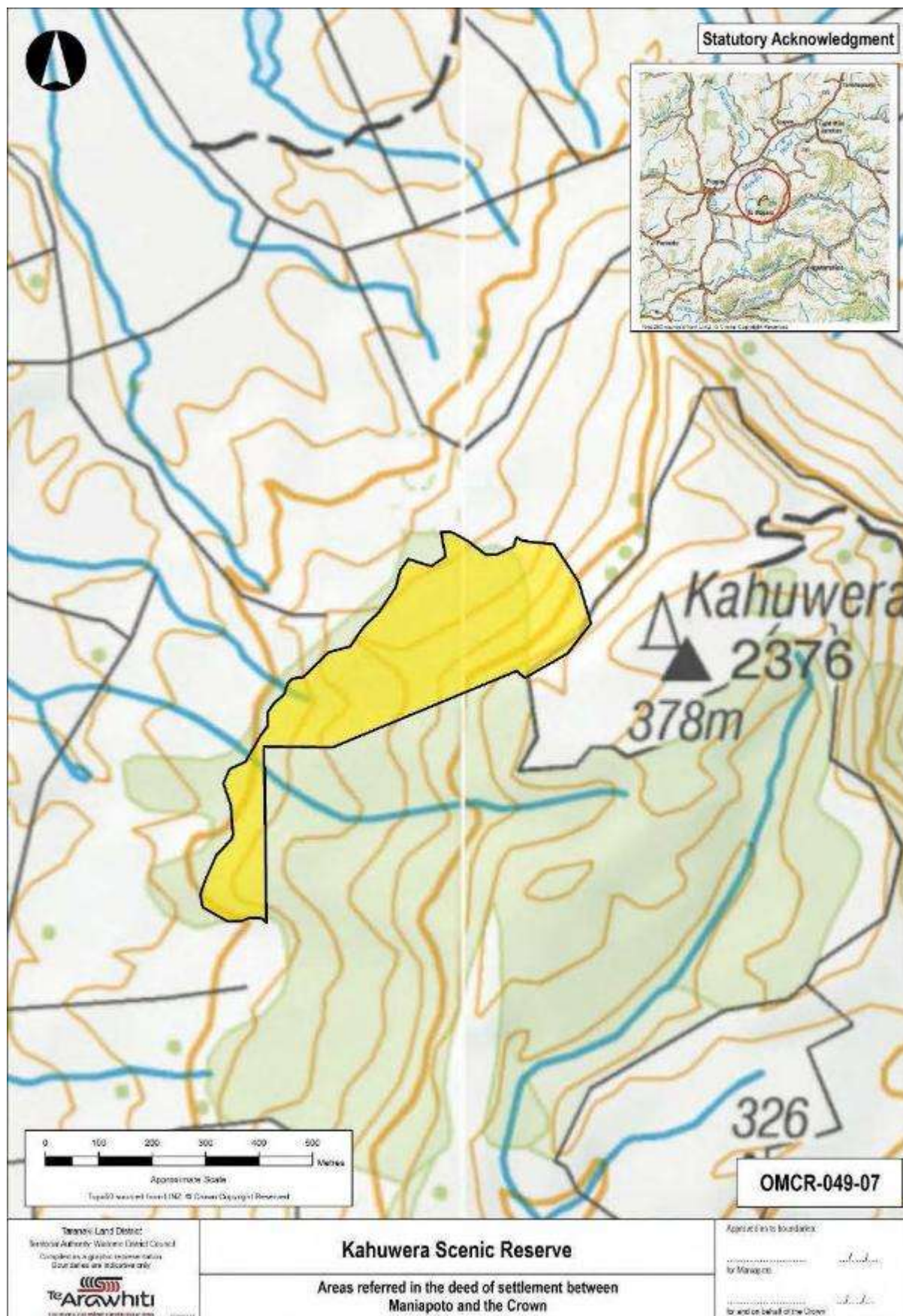


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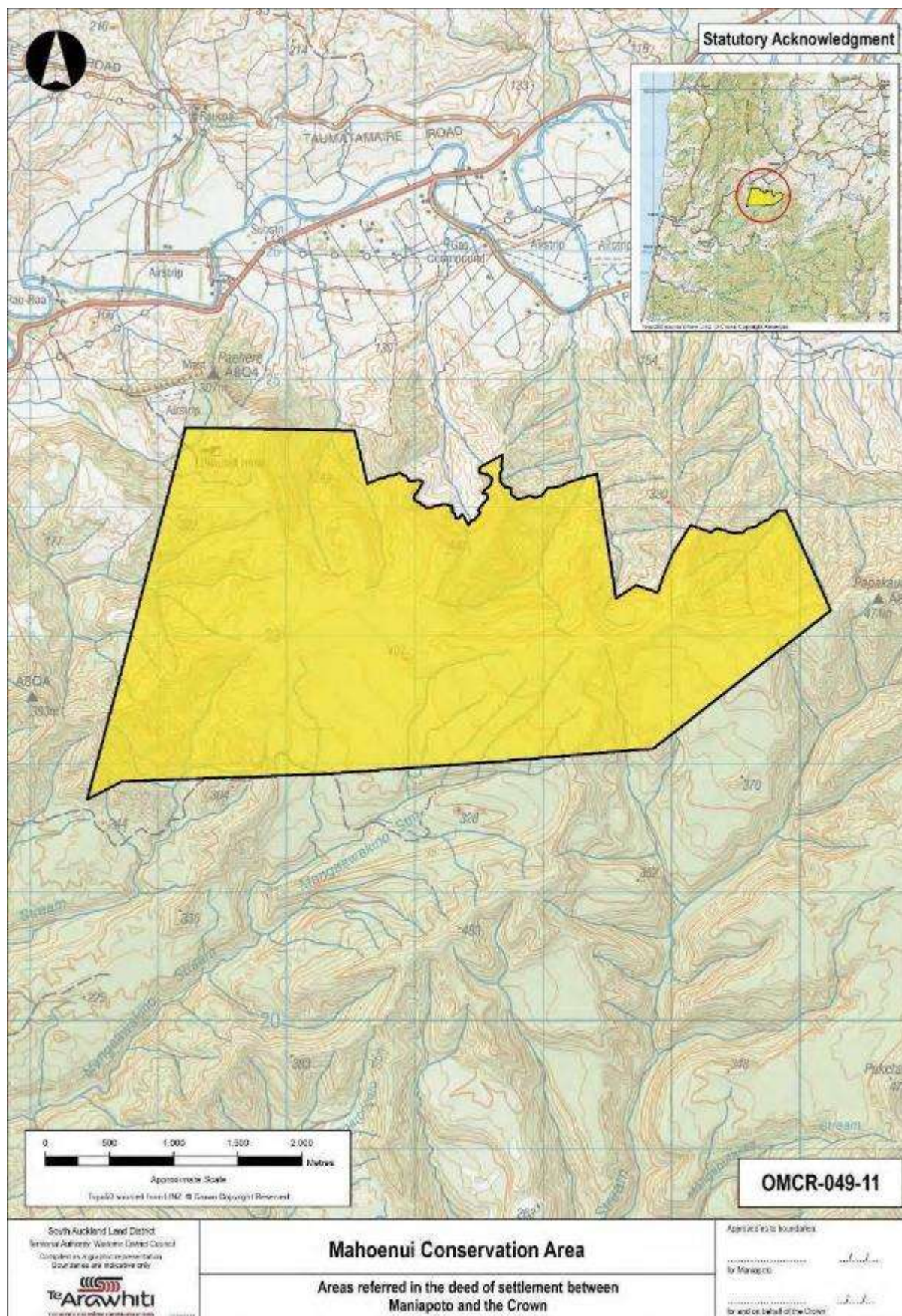


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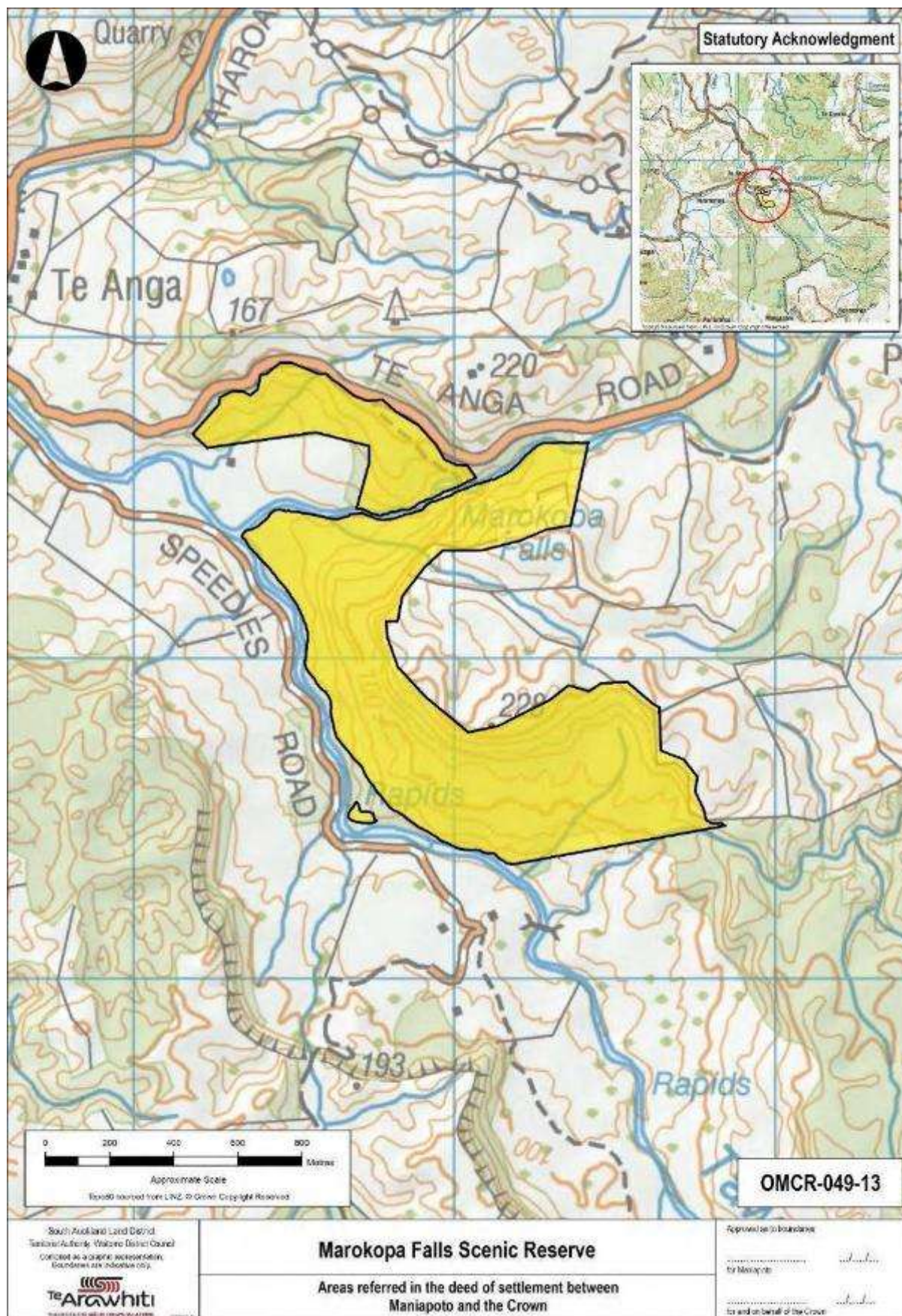
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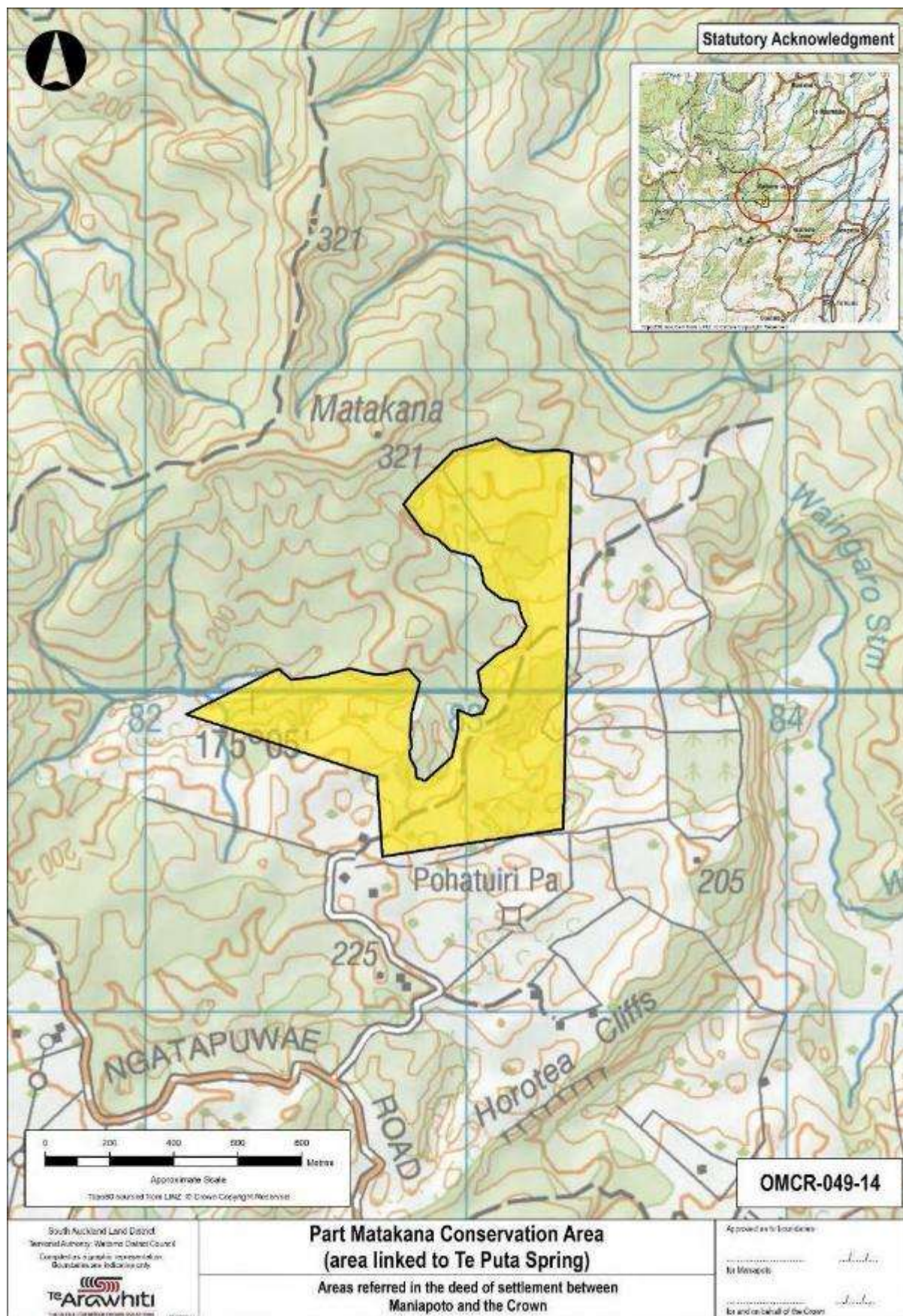
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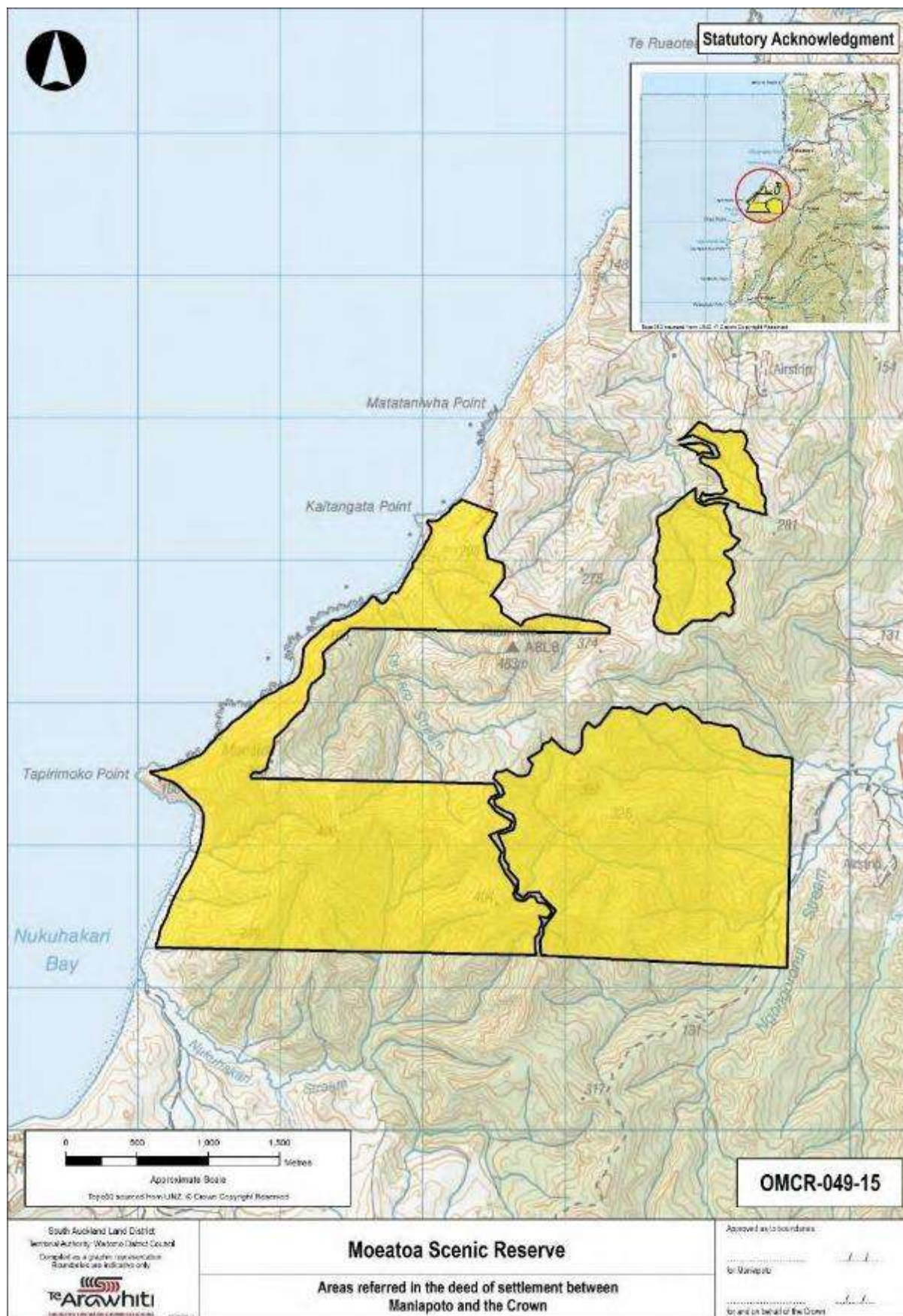
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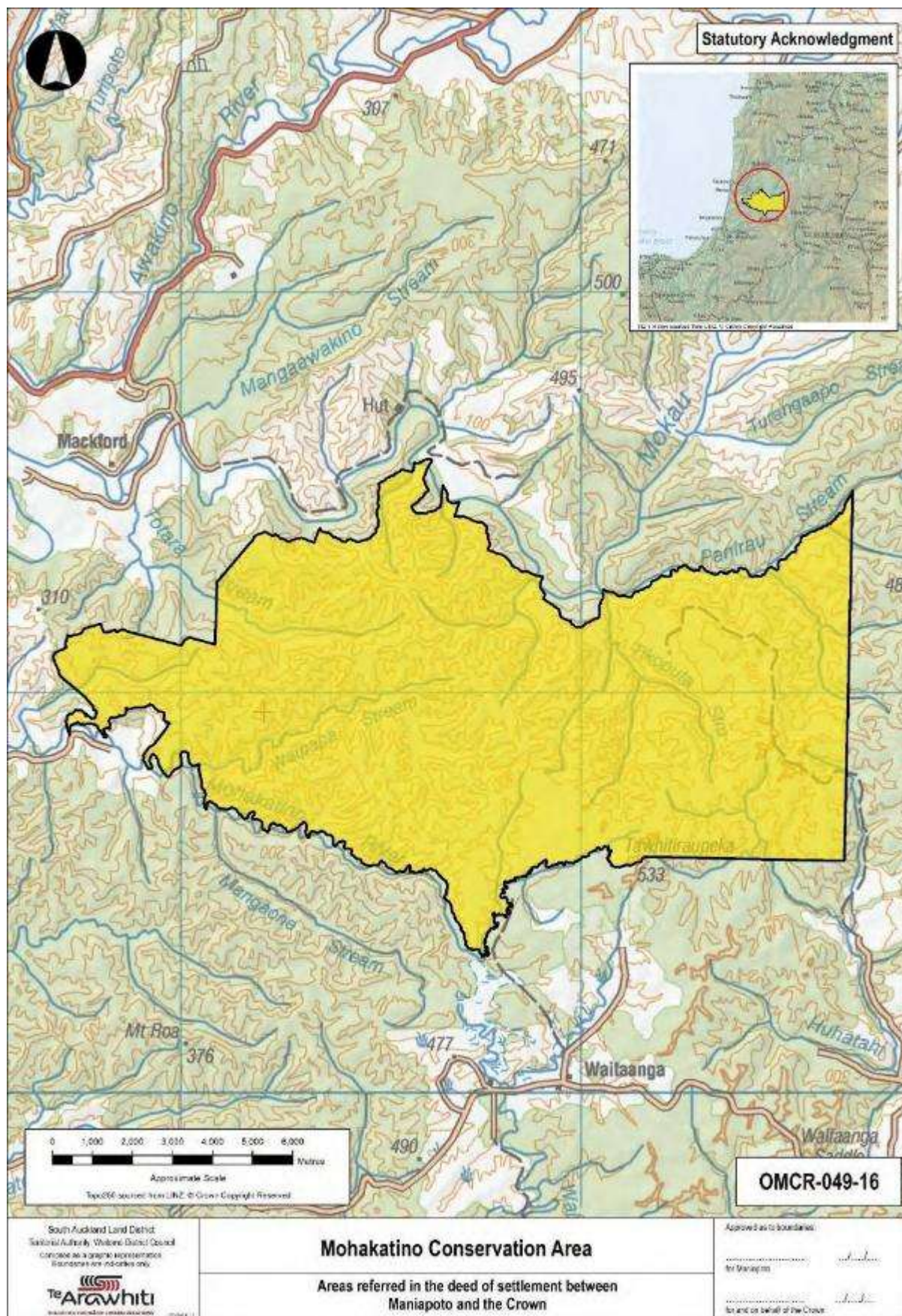
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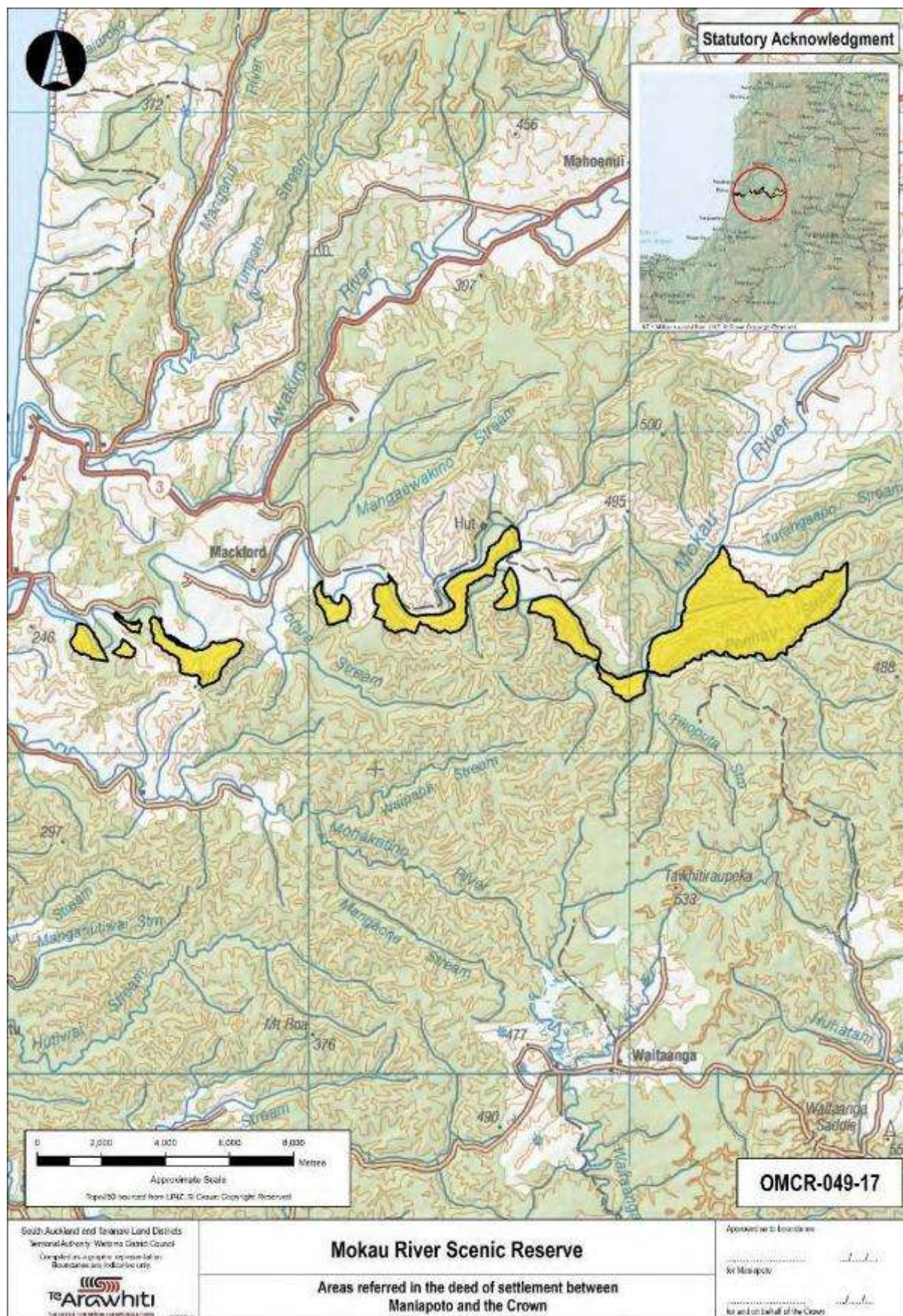
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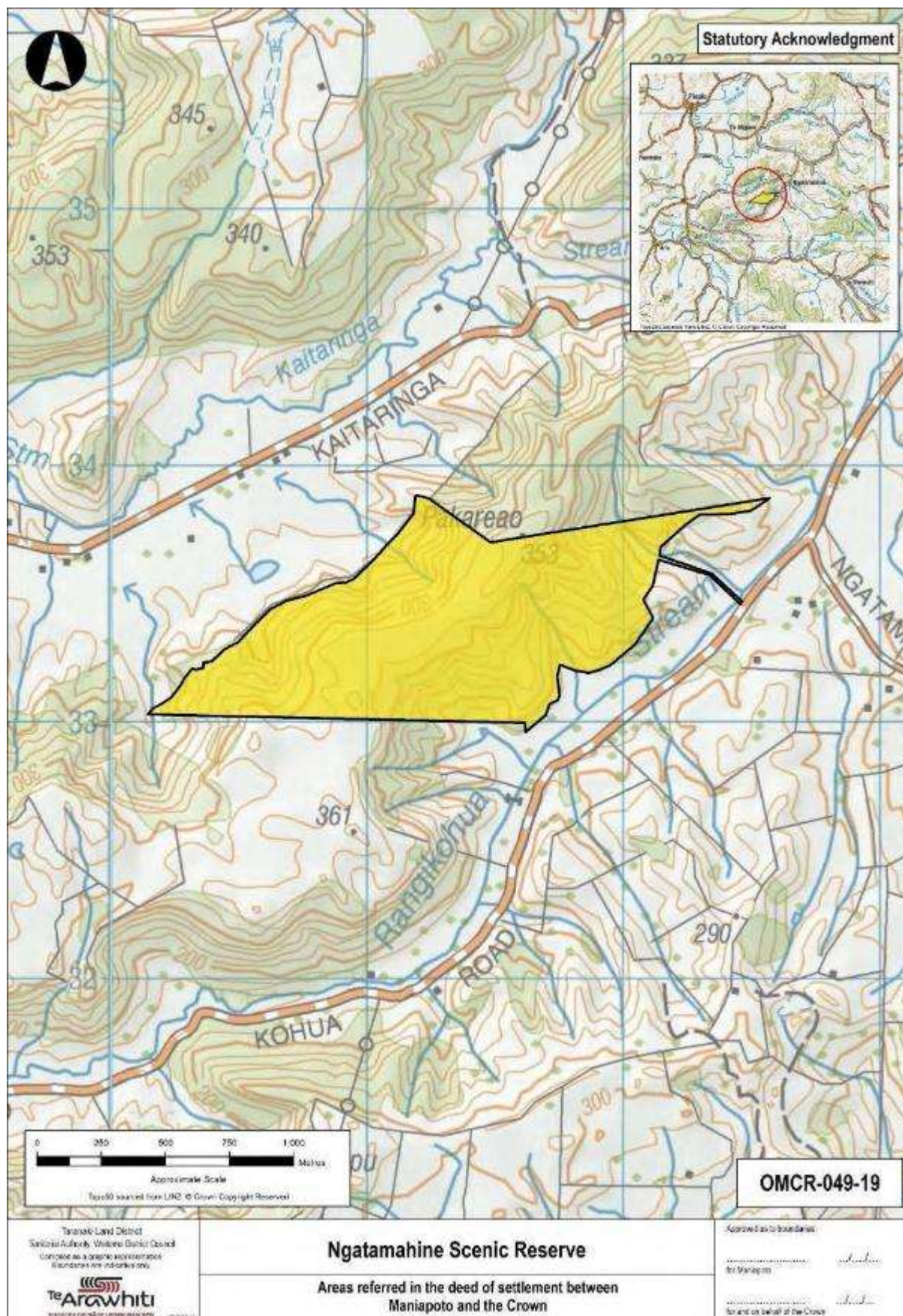
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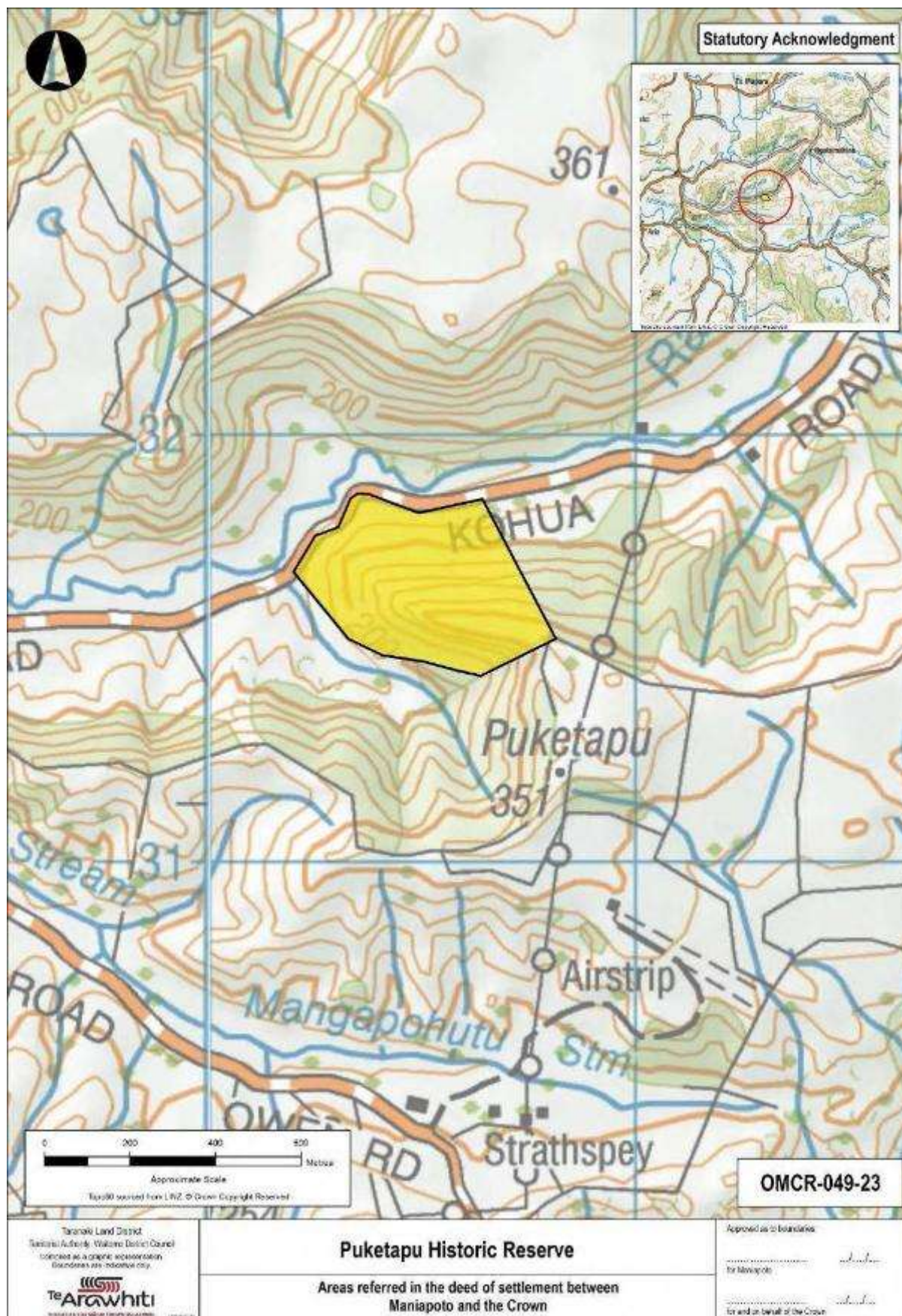
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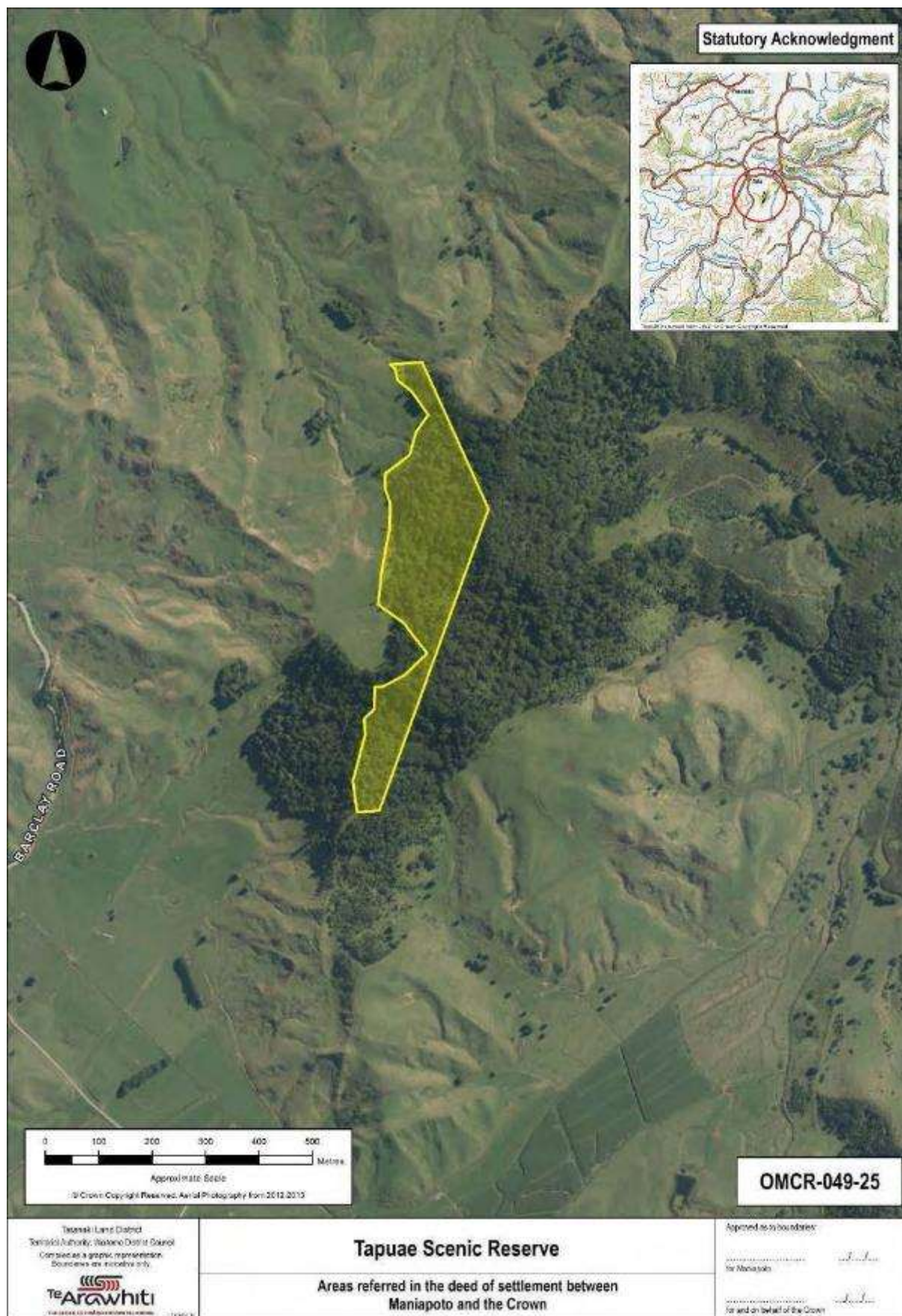
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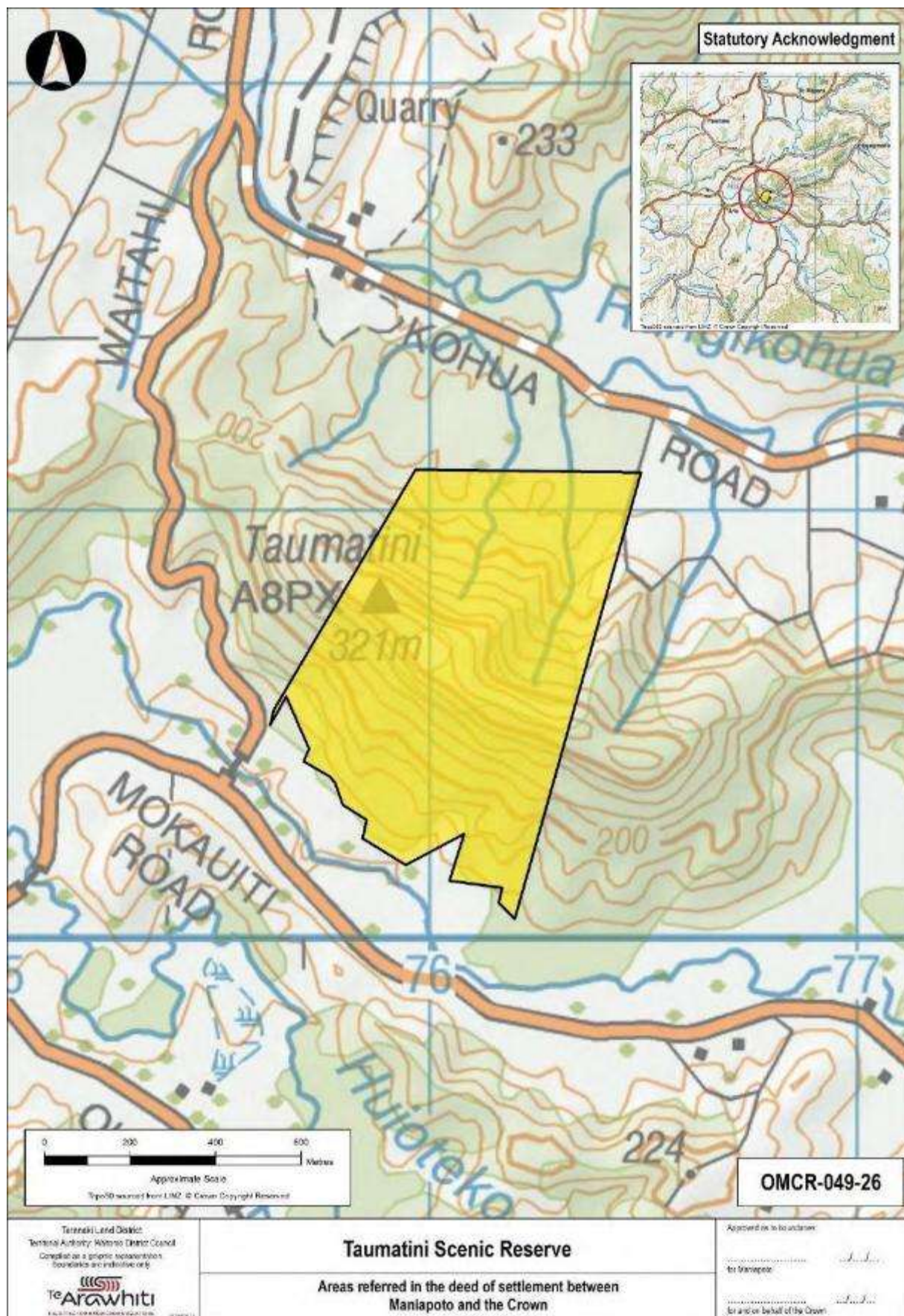
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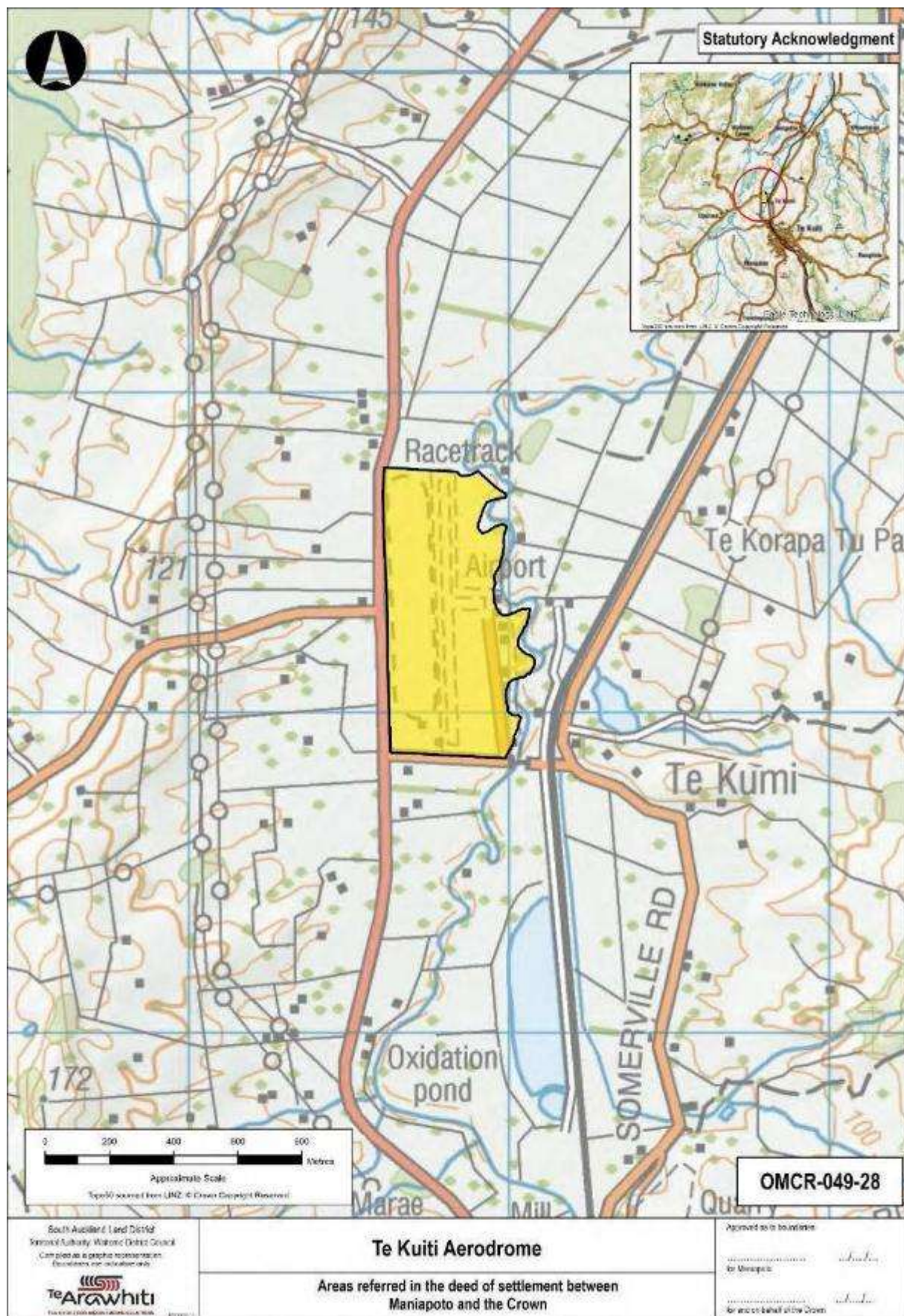
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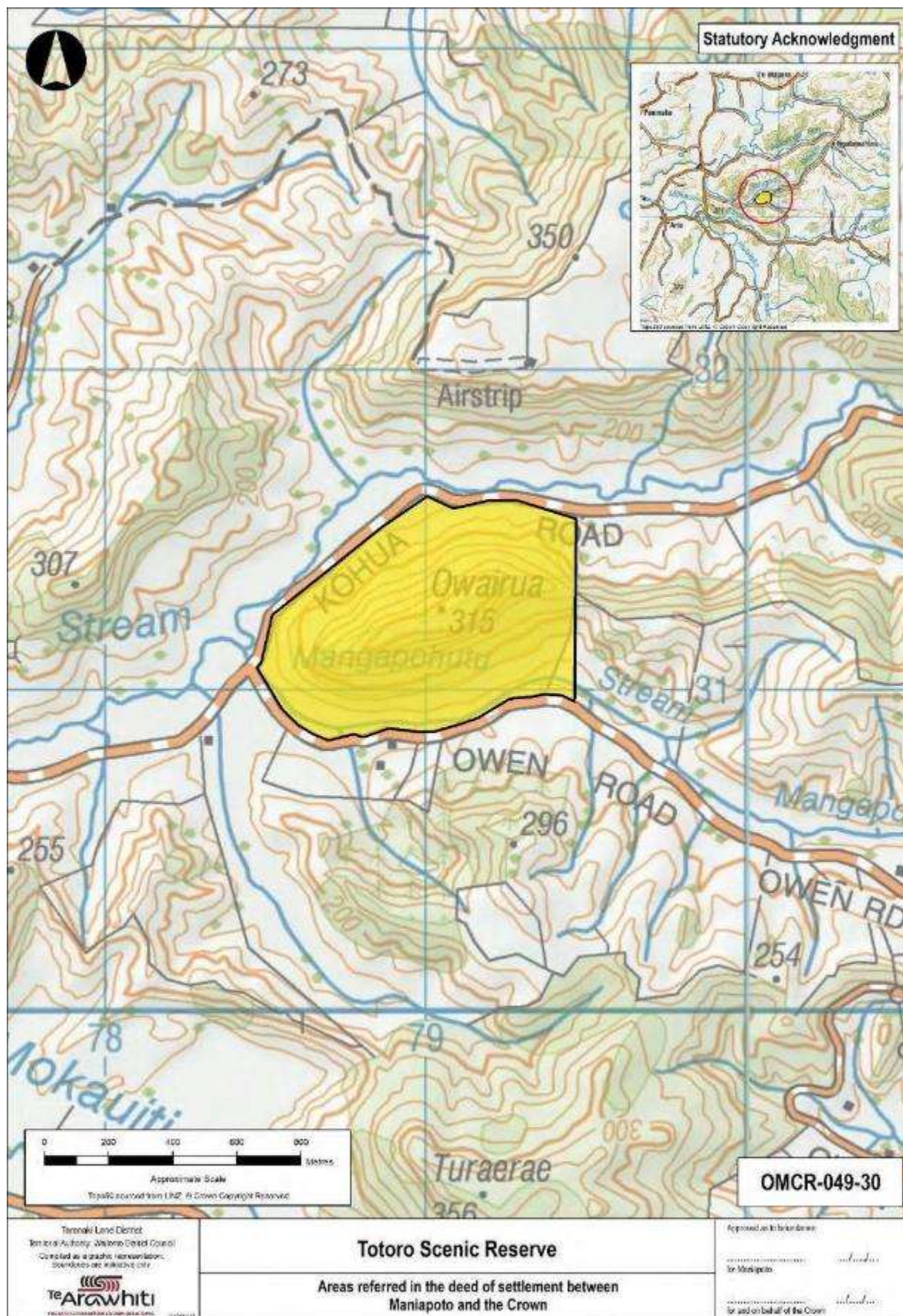
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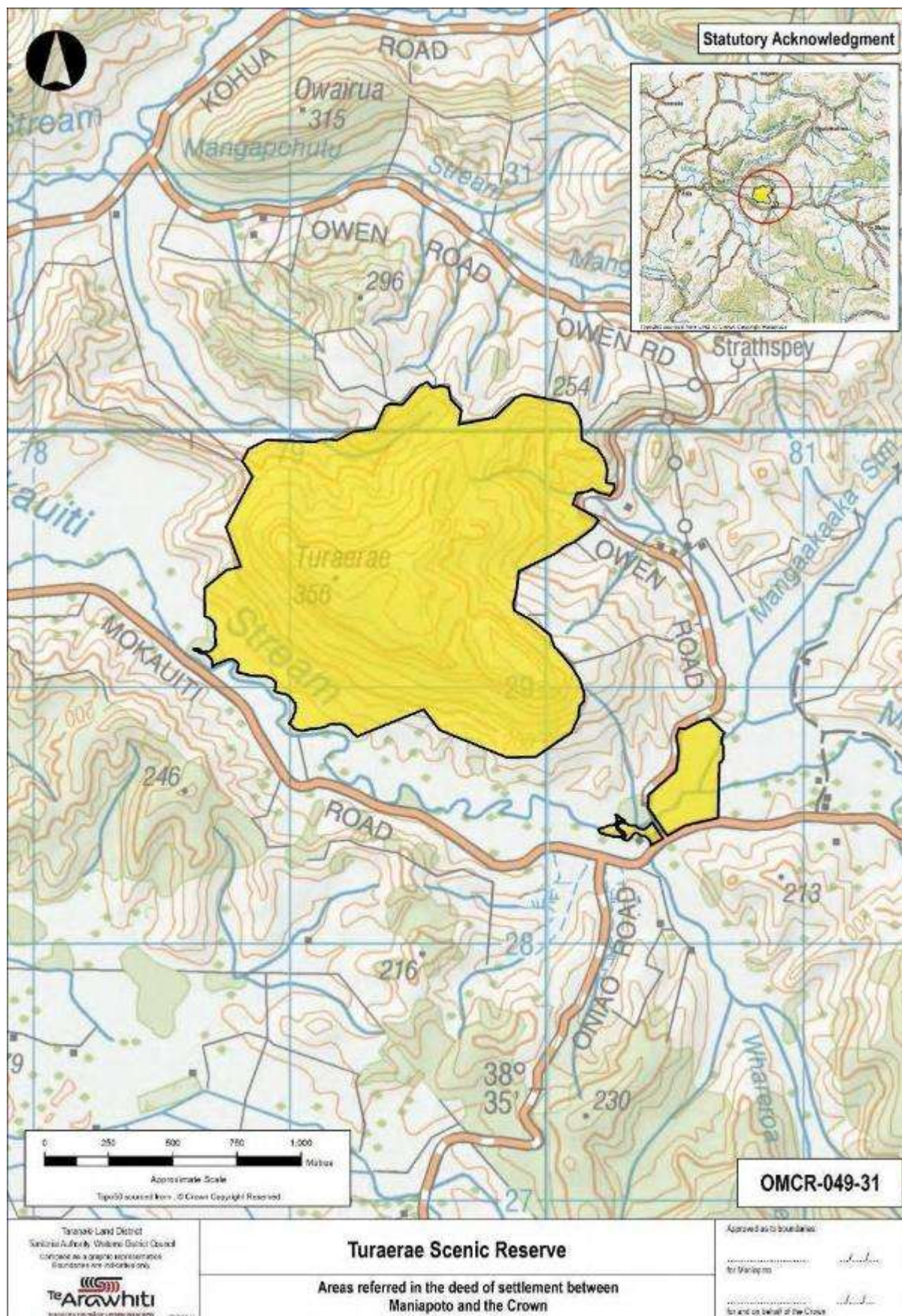


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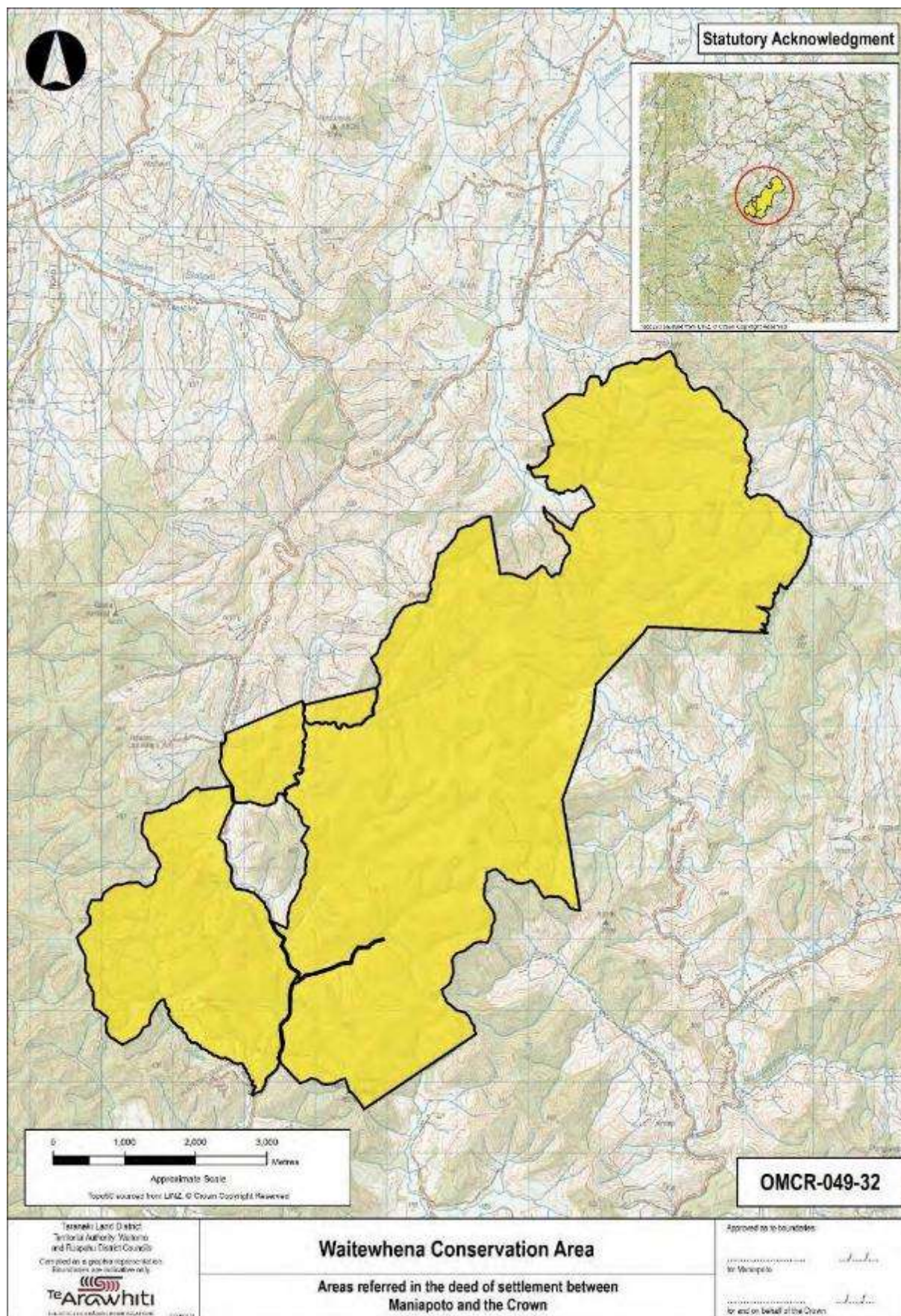


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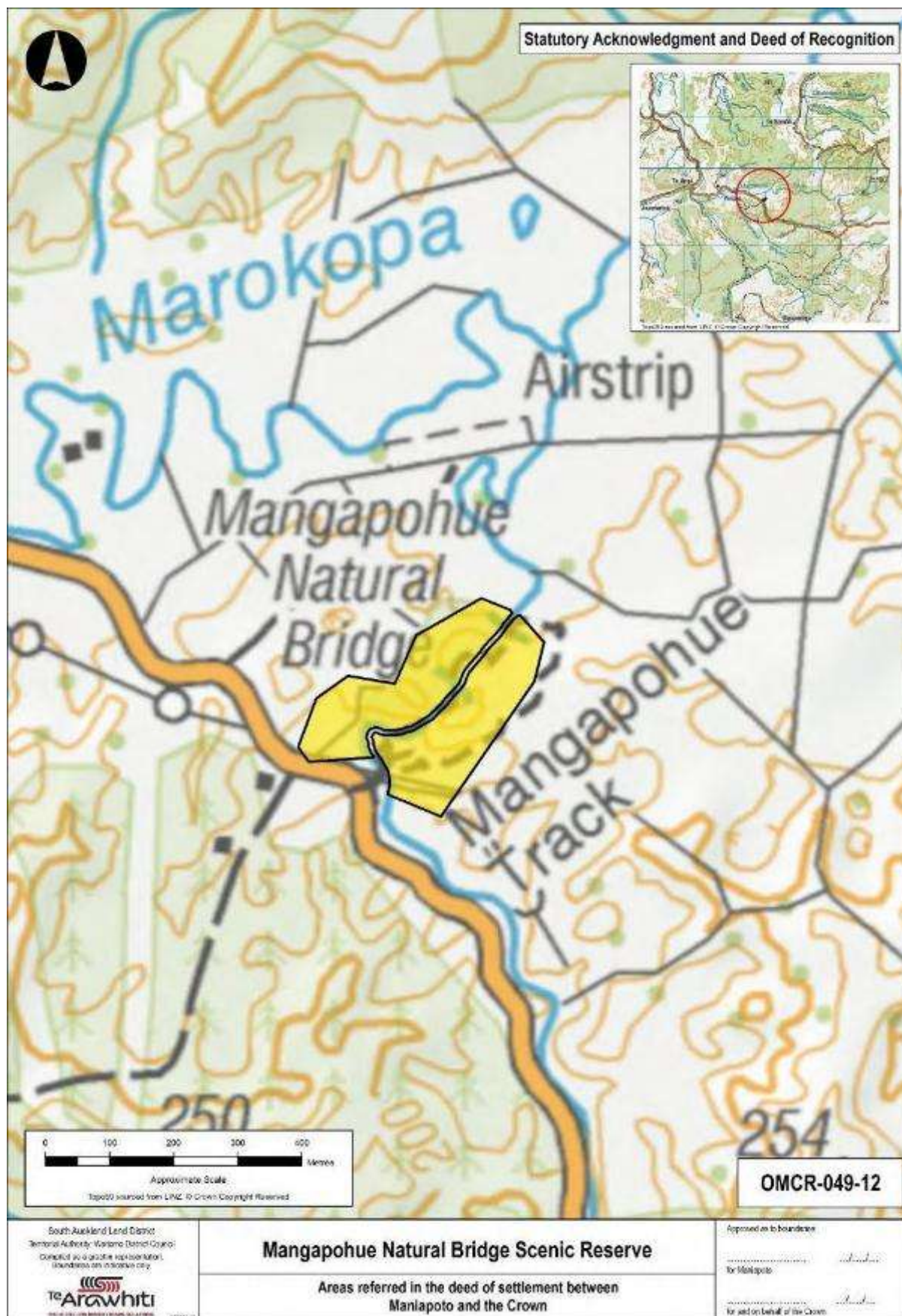
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