

APP3-SA Statutory Acknowledgements

1. Statutory Acknowledgements

A statutory acknowledgement is a means by which the Crown has formally acknowledged the statements made by *iwi* of their cultural, spiritual, historical and traditional association with a statutory area.

Statutory acknowledgements may apply to *land, rivers, lakes, wetlands*, landscape features or a particular part of the coastal marine area. Where a statutory acknowledgement relates to a *river, lake, wetland* or coastal area, the acknowledgement only applies to that part of the bed in Crown ownership or control.

The purpose of statutory acknowledgements is to:

- (a) Require consent authorities, the Environment Court and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgements;
- (b) Require consent authorities to forward summaries of resource consent applications for activities that would affect the area to which the statutory acknowledgement applies to the governance entity; and
- (c) Enable the governance entity and any member of the relevant *iwi* to cite a statutory acknowledgement as evidence of the association of the *iwi* with the areas to which the statutory acknowledgement relates.

2. Having Regard to Statutory Acknowledgements

Local authorities must attach information recording statutory acknowledgements to all statutory plans that wholly or partly cover the area. The attachment of information to this District Plan is for the purposes of information only and is not subject to the provisions of Schedule 1 of the *RMA*.

Consent authorities must have regard to a statutory acknowledgement relating to a statutory area in forming an opinion, in accordance with Sections 95 to 95G of the Act, as to whether the governance entity may be adversely affected by the granting of a resource consent for activities within, adjacent to, or impacting directly on the statutory area.

3. Statutory Acknowledgements within the South Waikato District

As at October 2015, four statutory acknowledgements apply within the South Waikato District. These statutory acknowledgements relate to the people of Raukawa, to the affiliate Te Arawa *iwi* and hapū (Te Arawa River *iwi*), to Ngāti Koroki Kahukura, and to Ngāti Hauā. Detail and maps of the statutory areas for each are contained in the relevant settlements acts. The settlements acts that apply within the South Waikato District are as follows:

- the Affiliate Te Arawa *iwi* And Hapū Claim Settlement Act 2008
- the Raukawa Claims Settlement Act 2014.
- the Ngāti Koroki Kahukura Claims Settlement Act 2014
- the Ngāti Hauā Claims Settlement Act 2014

4. Statutory Acknowledgement for Raukawa

In accordance with Sections 27 and 34 of the Raukawa Claims Settlement Act 2014, information is attached to this District Plan recording the statutory acknowledgements and geothermal statutory acknowledgements that wholly or in part cover the statutory areas. This section provides a description of the statutory areas and geothermal resource within SWDC jurisdiction, statements of association and relevant provisions of the Raukawa Claims Settlement Act 2014.

4.1 Statutory Areas

The following table shows the areas to which the statutory acknowledgement relates within South Waikato District Council jurisdiction.

Statutory Area	Map Reference
Waihou River Marginal Strip	As shown on OTS-113-23
Part Kaimai Mamaku Conservation Park	As shown coloured yellow on OTS-113-17
Part of the Waikato River and its tributaries	As shown on OTS-113-20
Part of the Waihou River and its tributaries	As shown on OTS-113-18
Lake Arapuni	As shown on OTS-113-24
Lake Atiamuri	As shown on OTS-113-28
Lake Karapiro	As shown on OTS-113-30
Lake Maraetai	As shown on OTS-113-26
Lake Waipapa	As shown on OTS-113-25
Lake Whakamaru	As shown on OTS-113-27

4.2 Sections 22 to 26, 28 and 29 of the Raukawa Claims Settlement Act

In accordance with Section 27(2)(a) of the Raukawa Claims Settlement Act 2014, the following Sections of that Act are included below:

"22 Statutory acknowledgement by the Crown

The Crown acknowledges -

- (a) the statements of association for the statutory areas described in Parts 1 and 2 of Schedule 1; and
- (b) the statement of association for Te Kohera-Kawakawa Bay statutory area arising through the tupuna Te Kohera.

23 Purposes of statutory acknowledgement

The only purposes of the statutory acknowledgement are to-

- (a) require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgement, in accordance with Sections 24 to 26; and
- (b) 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 application to the trustees, in accordance with sections 27 and 28; and
- (c) enable the trustees and any member of Raukawa to cite the statutory acknowledgement as evidence of the association of Raukawa with a statutory area, in accordance with Section 29

24 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 RMA, 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 RMA.

25 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 RMA, 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 RMA.

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

- (1) This section applies to an application under section 44, 56 or 61 of the Heritage New Zealand Pouhere Taonga Act 2014 for an authority to destroy, damage or modify 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. Statutory Acknowledgement for Raukawa

- (4) In this section, archaeological site has the meaning given in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

28 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 the application is served on the consent authority under Section 145(10) of the *RMA*, 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 of the *RMA* 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 *RMA* 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 *RMA* whether to notify an application.
 - (b) under section 95E of that Act whether the trustees are affected persons in relation to an activity.

29 Use of statutory acknowledgement

- (1) The trustees and any member of Raukawa may, as evidence of the association of Raukawa 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 *RMA*.
- (2) The content of a statement of association is not, by virtue of the statutory acknowledgement, binding as a 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) neither the trustees nor members of Raukawa are precluded from stating that Raukawa 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".

4.3 Statements of Association

In accordance with Section 27(2)(c) of the Raukawa Claims Settlement Act 2014, the following statements of association are included below:

4.3.1 Waikato, Waihou and Pūniu Awa and Tributaries

The Waikato, Waihou and Pūniu Awa and tributaries are the veins carrying the lifeblood of Papatūānuku. If events or activities affect the awa, they in turn affect Papatūānuku. The awa hold *mana* in their own right (spiritual authority and power, or a right to exist in a pristine state for intrinsic reasons) and its life essence or life force is the *mauri* of the awa. Each awa carries the life force for the Raukawa people; that which affects the Awa, affects the people.

The Raukawa association to the Waikato, Waihou and Pūniu Awa stems back to the time of the arrival of the Tainui waka to Aotearoa. The Tainui ancestors, Rakatāura and Kahukeke were the first people to settle in the western interior of the central North Island and were responsible for naming significant landmarks.

4.3.2 Waikato Awa and Tributaries

Statutory Area	Map Reference
Waikato River and its tributaries	(as shown on OTS-113-20)

Raukawa have a special relationship with the Waikato Awa and its tributaries. This includes the seven hydro lakes within the Raukawa takiwa (being Karapiro, Arapuni, Waipapa, Maraetai, Whakamaru, Atiamuri and Ohakuri).

Thirteen generations after the arrival of the Tainui ancestors, Rakatāura and Kahukeke, Raukawa established their interests in the Waikato Awa from the Huka Falls to Tiki o Ihingarangi. Since that time Raukawa hapū have maintained their ahikāroa.

For over 600 years, Raukawa have held that the *mauri* of the Waikato Awa and the *mauri* of Raukawa are inextricably linked. The Waikato Awa is a taonga to Raukawa. It is a whole and indivisible entity that flows from Ruapehu to Te Puaha o Waikato (the mouth) and includes its *water*, banks, beds (and all minerals under them) and its streams, waterways, tributaries, *lakes*, aquatic life, vegetation, flood plains, *wetlands*, islands, springs, water column, geothermal aspects, airspace and substratum as well as its metaphysical elements.



4. Statutory Acknowledgement for Raukawa

Within the region which the awa flows, the relationship that Raukawa have with the awa is paramount. It includes the enhancement of tribal *mana* but also gives rise to the responsibilities to protect the awa, its *mana* and *mauri*. These responsibilities are woven within the customary assertion of *mana* whakahaere, which is encompassed within long established kawa and tikanga.

Raukawa continue to exercise customary rights and kaitiakitanga in relation to the Waikato Awa within the Raukawa rohe. In accordance with the principles of *ahikāroa*, Raukawa marae, *hapū* and whānau still reside next to and live every day with the Waikato Awa. The awa has provided a source of spiritual, cultural, social, and physical sustenance for the Raukawa people and, in turn, the role of kaitiaki embraces respect and an inter-generational responsibility.

4.3.3 Waihou River

Statutory Area	Map Reference
Waihou River and its tributaries	(as shown on OTS-113-18)

Raukawa have an association with the Waihou Awa and its tributaries, and in particular, the source of the Waihou and the Waihou Springs. Raukawa acknowledge that other *iwi* share interests in parts of the Waihou River and its tributaries.

Thirteen generations after the arrival of the Tainui ancestors, Rakatāura and Kahukeke, the ancestor, Raukawa, was born and spent his first days in the region of the Waihou Awa. The grandchildren of Raukawa returned to this region to defeat another *iwi*. Since that time Raukawa *hapū* have maintained their *ahikāroa*.

For over 600 years, Raukawa have held that the *mauri* of the Waihou Awa and the *mauri* of Raukawa are inextricably linked. The Waihou Awa is a taonga to Raukawa. It is a whole and indivisible entity that flows from the punawai (source) of the Waihou to the Blue Springs near Putaruru to Te Puaha o Waihou (the mouth) and includes its *water*, banks, beds (and all minerals under them), and its streams, waterways, tributaries, lakes, aquatic life, vegetation, flood plains, *wetlands*, islands, springs, water column, geothermal aspects, airspace and substratum as well as its metaphysical elements.

As *tangata whenua* within a region which the awa flows, the relationship that Raukawa have with the awa is paramount. It includes the enhancement of tribal *mana* but also gives rise to the responsibilities to protect the awa, its *mana* and *mauri*. These responsibilities are woven within the customary assertion of *mana* whakahaere, which is encompassed within long established kawa and tikanga.

Raukawa continue to exercise customary rights and assert the rights and responsibilities of kaitiakitanga in relation to the Waihou Awa within the Raukawa rohe. The awa has provided a source of spiritual, cultural, social and physical sustenance for the Raukawa people and, in turn, the role of kaitiaki embraces respect and an inter-generational responsibility. Raukawa consider the Waihou Awa to be a boundary marker remembered in the pepeha ‘Mai te Wairere ki Maungatautari’.

In accordance with the principles of *ahikāroa*, many Raukawa marae and *hapū* were located near the Waihou Awa. To the west of the Waihou Springs stand the Ngāti Ahuru marae of Ngātira and Whakaaratamaiti. Also in this area are the remnants of ancient marae and *wahi tapu*, including Hamareha which is also known as Hamaria where the source of the Waihou Awa is found. To the east of the Waihou Awa stand the Ngāti Tūkorehe and Ngāti Te Rangi marae of Ruapeka and Tāpapa, Ūkaipō marae of Ngāti Kirihika and Ngāti Wehiwehi and Tangata marae of Ngāti Hinerangi. Also in this area once stood the Ngāti Tūkorehe pā of Tokopikowhakahau. To the south of the Waihou stands the Ngāti Mōtai and Ngāti Te Apunga marae of Paparaamu. Also in this area is the old pā of Wairereaurangi and an eel weir called Ruatu, which was used by the *hapū* of Ngāti Mōtai, Ngāti Tūkorehe and Ngāti Kirihika.

There are also particular sites of significance associated with the Waihou Awa that are of inestimable importance to Raukawa people. The swamp, Te Mana-o-Kahu, which forms part of the Waihou Awa, was named by Rakatāura following the death of his wife, Kahukeke. One of the four famous niu pole, Te Niu o Tuwharakarara, is located to the north of the Waihou Springs in a village sustained by the spring waters. The Mangaowheo stream, a tributary of the Waihou, includes the Ruataupuku falls, and the eel weir at Kopuaroa. At Te Maire and Iwituaroa on the Waihou River, there were more eel weirs. Other tributaries of the Waihou River including the streams of Waiteariki and Manganui also supplied hapū with tuna (eels) and koura (freshwater crayfish) as well as their daily drinking water supply.

4.3.4 Statutory Areas

Statutory Area	Map Reference
Waihou River Marginal Strip	(as shown on OTS-113-23)

The following statement of association by Raukawa applies to the above Statutory Area.

Located on the banks of the Waihou Awa, Raukawa have a long association to area within vicinity of the Waihou marginal strip. The Waihou River supplied *water* and resources to four Raukawa marae namely Ngātira, Whakaaratamaiti, Tapapa and Ruapeka marae, and the *river* was important to *hapū* of Raukawa due to its proximity to the Waihou Springs (Blue Springs), the waters of which flow into the Waihou River. The spring was an important resource for the Raukawa hapū of Ngāti Āhuru, Ngāti Tukorehe, Ngāti Te Rangi and others as it was located centrally between the marae and access to the spring and the *river* was shared.

Statutory Area	Map Reference
Part of Kaimai-Mamaku Conservation Park	(as shown coloured yellow on OTS-113-17)

The following statement of association by Raukawa applies to the above Statutory Area.

The area known as the Kaimai-Mamaku Ranges (which falls within the conservation park of the same name) played a significant role in the establishment of the *iwi* of Raukawa. The Kaimai-Mamaku Ranges covers a large tract of *land* stretching from the Hauraki Gulf in the north to the Mamaku Ranges in the south. The Raukawa association with the Kaimai-Mamaku Ranges extends from Te Wairere in the north through to the Mamaku forests in the south.

Raukawa have had an association to the Kaimai-Mamaku Ranges from the time of Tūrongo and Māhina-a-rangi through to the present day. When Māhina-a-rangi was with child, Tūrongo desired for his child to be born in his lands. Consequently, he returned to Rangiātea to prepare a home for his new bride and child. Māhina-a-rangi was to later follow. Whilst heavy with child, Māhina-a-rangi and her entourage journeyed from the east coast to be with Tūrongo. Raukawa tradition notes that her journey took her by way of Wairoa, Huirau, Ruatahuna, Te Whaiti, Waitapu and Rotorua, then onwards to the Kaimai Ranges where she gave birth to her child. The boy was named Raukawa in commemoration of the perfume she wore to attract her husband, Tūrongo. The birthplace of Raukawa is found in the modern-day Kaimai-Mamaku Conservation Park and is known as Whenua ā-kura.

Ngāti Āhuru, a hapū of Raukawa, credits the naming of the Kaimai Range to the ancestors, Āhuru and his brother. As grown men, the two brothers came by way of Mount Kakaramea to Rotorua and then on to the Kaimai Ranges. Here the two men were hungry so Āhuru gathered berries. Upon his return to his

brother, he stretched forth his hands and offered the food to him saying “Kaimai” which translates as “Let us eat”.

Throughout the generations, *hapū* of Raukawa have occupied and moved all around the area. There were pā and settlement sites such as Weraroa, Kaitorenui, Kuranui and Te Rake, as well as urupā (burial site) at Hengaroa, Kotare and Ngamotu and many other sites throughout the ranges. Bird snaring places such as Nga-Manu-a-Tamarau and Kakahuiti are also located within the ranges and considered to be sites of significance to the *hapū* of Ngāti Mōtai. Further, the Mangatotara and Ahuru streams supplied pātuna (eels) as well as the water supply for the local whānau and *hapū*.

In the Wairere area, a significant battle was fought between Raukawa and another iwi in the 1830s resulting in the death of a daughter of a leader of the other *iwi*. Following this fight and a subsequent battle, peace was arranged between the *iwi* with the boundary being established at Te Wairere with the agreement of both *iwi*.

During times of war the Kaimai-Mamaku Ranges provided a safe haven for Raukawa. Many Raukawa pā sites were established as hideouts in the Kaimai Ranges.

Raukawa *hapū* also maintained a strong association with the Mamaku Forest Plateau. Within the Mamaku Plateau stands the maunga, Hautere which was named after the Raukawa ancestress born five generations after Raukawa. Hautere is the ancestral mountain of the Ngāti Āhuru and is well remembered in Raukawa oral tradition. According to Raukawa kaumātua, Hautere maunga provided the people with abundance of food and in times of war, was used to trap unsuspecting enemy in deep pits found scattered around the maunga.

Pātetere was a brother of Hautere and is the ancestor that the area Te Kaokaoroa-o-Pātetere was named after. The tūpuna Pātetere and Hautere are well remembered today in song, pepehā and are depicted in the carvings that adorn the meeting house at Ngātira marae.

At the foot of the Paepae Whakarei Hills is the source of the Waihou River that wends its way out to the Hauraki Gulf. The Waihou River is an important feature to many Raukawa *hapū* who relied upon the clear fresh waters. The source is called “Te Matapuna o Waihou” and is found near the settlement of Hamaria. In Raukawa tradition, King Tāwhiao would often visit the settlement at Hamaria. Raukawa kaumātua today still recall hunting for pig as they made their way through Hamaria, Puke Manuka, Takahua and Mangatapu.

The Mamaku plateau is unique in terms of its geological history and formation and thus it has provided the *hapū* of Raukawa with a unique and very special garden and food basket. The waterways were a highway for *hapū* of Raukawa as trading routes with other *iwi* for a long period of time. Along the banks of the waterways were strategically placed defendable pā sites such as Takahua, Tikitiki, Kakahuiti and Hiwiroa.

The healing waters of the Opuiake, Kahatahi and Oraka are also sites of significance to Raukawa. In terms of the geological history of the plateau, the underground water supply is in its purest of form, Rhyolite (proven to be over 1000 years old at Te Waihou spring), and feeds the ground waterways such as the Pokaiwhenua, Whakauru, Matarawa, Oraka, Waimakariri and Mangatapu rivers.

Today, the Kaimai-Mamaku Ranges have deep associations for a number of Raukawa *hapū* including Ngāti Mōtai, Ngāti Āhuru, Ngāti Mahana, Ngāti Te Apunga, Ngāti Tukorehe, Ngāti Kirihihi and Ngāti Wehiwehi. There are five Raukawa affiliated marae that continue to maintain a presence in the Kaimai-Mamaku Ranges – Ūkaipō, Rengarenga, Te Omeka, Tangata and Ngatira. Many traditional tracks throughout the ranges continued to be used by descendants of Raukawa today and the conservation park is still a rich source of plants for food and medicine.

Statutory Area	Map Reference
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Arahiwi Scenic Reserve	(as shown on OTS-113-22)
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The following statement of association by Raukawa applies to the above Statutory Area.

Raukawa have a long association with the Pātetere area and the resources within the Arahiwi Scenic reserve.

The region became known as Te Kaokaoroa-o-Pātetere, literally meaning the long outstretched armpit of Pātetere. Pātetere was a fifth generation descendant of Raukawa.

The descendants of Raukawa continued to live in the Pātetere region. The Arahiwi Scenic Reserve is within the rohe of the *hapū* of Ngāti Ahuru, a Raukawa *hapū*, who built a *pā* nearby including the ancient *pā* at Hamaria and Takahua.

The Arahiwi Scenic Reserve has been used by the people of the Raukawa marae at Ngātira and Whakaaratamaiti.

4.3.5 Waikato Awa Hydro Lakes

The Raukawa association to the Waikato Awa hydro lakes is based on their association with the awa itself. This stems back to the time of the arrival of the Tainui ancestors, Rakatāura and Kahukeke who were the first people to settle in the western interior of the central North Island and were responsible for naming significant landmarks. Subsequent Raukawa descendants took up occupation beside the Waikato Awa and Raukawa *hapū* continue to maintain their *ahikāroa* in the area that is now the Waikato hydro lakes.

When the Waikato Awa was raised during the twentieth century for hydro power generation, the resultant flooding spread across *land* that was important to Raukawa and submerged important historical and cultural sites. The Raukawa association with the areas that have subsequently become hydro lakes is detailed below.

Raukawa has a very long association with the *land* now on the bed of the seven hydro lakes within the Raukawa rohe (being Karapiro, Arapuni, Waipapa, Maraetai, Whakamaru, Atiamuri and Ohakuri). This association stems back to the time of the arrival of the Tainui waka to Aotearoa.

Statutory Area	Map Reference
Lake Karapiro	(as shown on OTS-113-30)

The following statement of association by Raukawa applies to the above Statutory Area.

Following the birth of Raukawa, Māhina-a-rangi continued her journey until she arrived at the Waikato Awa. At the time, it would have been too difficult to cross the river at Arapuni as the rapids were located there. Instead at a place now known as Horahora, (near present day Karapiro), Māhina-a-rangi crossed the river and continued on her journey to her husband. Horahora was named after the action of Māhina-a-rangi laying out the wet clothes of her baby to dry.

Three generations after Tūrongo and Māhina-a-rangi, the first grandchild of Raukawa was born. His name was Te Ihingarangi and he was the eldest son of Rereahu, the eldest son of Raukawa. Problems arose between Te Ihingarangi and his younger brother Maniapoto. During the ensuing fight, Maniapoto deposed his elder brother and Te Ihingarangi moved from his homeland and built a *pā* at Karapiro. According to Raukawa tradition, Karapiro was the stronghold of Te Ihingarangi.

The stretch of water at Karapiro was known in ancient times as Horotiu.



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4. Statutory Acknowledgement for Raukawa

Before the dam was built, the awa at Karapiro supplied the people of Raukawa with tuna (eels), koura (freshwater crayfish), and kokopu (freshwater fish). It was a source of physical and spiritual wellbeing.

The Raukawa *hapū* of Ngāti Huri, Ngāti Tukorehe, Ngāti Mōtai, and Ngāti Te Apunga maintain a presence at Karapiro. These *hapū* built marae within the area and cultivated the lands.

Statutory Area	Map Reference
Lake Arapuni	(as shown on OTS-113-24)

The following statement of association by Raukawa applies to the above Statutory Area.

A number of Raukawa *hapū* lived in the Arapuni area including Ngāti Tamatehura, Ngāti Kapu, Ngāti Ngārongo, Ngāti Huri, Ngāti Hineone, and Ngāti Mutu. These *hapū* had pā, urupā, and cultivations in this area. In terms of Ngāti Mutu, their eponymous ancestor was a fifth generation descendant from Raukawa and it is said he met his untimely death when he drowned in the Arapuni rapids.

Arapuni was also a well-known spot for eel fishing despite the presence of tumultuous rapids. Some of the names of these sites along the Arapuni stretch of the river are Te Takangaongaoko a kainga belonging to Ngāti Tukorehe, Huihuitaha stream (an eel source for many *hapū*), Te Ana Kaitangata, Mangare, Puketotara, Pawaiti and Hapenui. Hapenui was one of the first pā to fall to the combined forces of Whāita, Tamatehura, Wairangi, Upokoiti and Pipito. These sites are regarded as highly significant to the many *hapū* of Raukawa.

Also near Arapuni is the ancient pā site of Piraunui (previously known as Motu Kākāpō). Piraunui was a pā taken from another iwi by the Raukawa forces led by Whāita. During the attack, because speed was of the essence, Raukawa threw their opponents from the cliff top and left the bodies of their enemy to rot at the escarpment floor below, hence the name Piraunui.

In the early 1800s, some Raukawa *hapū* in the Maungatautari area migrated to Kapiti while others like Ngāti Huri remained on the lands at Arapuni and do so today. The marae at Te Mātiti, although no longer used, still remains. The name of the whare was Te Maioha o Maihi Te Ngaru.

At Pikitū stands the Ngāti Huri marae. The name of the whareni is Huri in commemoration of their eponymous ancestor. The people from Pikitū marae continue to interact with the Waikato Awa at Arapuni. They were able to excavate from the lake bed, artefacts from a sunken village. These artefacts included an old waka that is now safely housed in a whare taonga on the marae.

Statutory Area	Map Reference
Lake Waipapa	(as shown on OTS-113-25)

The following statement of association by Raukawa applies to the above Statutory Area.

Waipapa is a kainga site and was one of the traditional Raukawa boundary markers. The *hapū* of Ngāti Wairangi, Ngāti Moe, Ngāti Parekāwa, and Ngāti Te Kohera lived in the area. They had cultivations, and set eel pā in the river. East of Waipapa are the swamps Waikura and Hamotea where Raukawa *hapū* collected raupō for roofing in shelters. Waipapa is also particularly significant as it is the location at which the taniwha, Rangikakake resides.

Te Atainutai, the son of the conqueror, Upokoiti settled the area at Waipapa.



Today the *hapū* of Ngāti Whāita, Ngāti Wairangi, Ngāti Poroaha and Ngāti Hā maintain a presence in the Waipapa area. The Ngāti Whāita pā at Ongaroto is located approximately 26km east of Waipapa dam.

Statutory Area	Map Reference
Lake Maraetai	(as shown on OTS-113-26)

The following statement of association by Raukawa applies to the above Statutory Area.

The *hapū* that descended from Upokoiti, Wairangi and Whāita, who conquered the area, lived within the Maraetai area, namely, Ngāti Whāita, Ngāti Poroaha (who are also identified as Ngāti Poroahi). The tūpuna, Poroaha is a descendant of Rereahu, the first born child of Raukawa. His daughter, Te Akamorunga married the tūpuna, Huri who descends from Whakatere, the second child of Raukawa.

Ngāti Whāita had cultivations on the land that is now Lake Maraetai at Wairere, Opukera, Motuhauhi, Taiamoe and Te Ruahoko. There was also a pā called Whakaheketaka, this is also where the dead were buried.

Statutory Area	Map Reference
Lake Whakamaru	(as shown on OTS-113-27)

The following statement of association by Raukawa applies to the above Statutory Area.

The *hapū* that lived in the Whakamaru area of the Waikato Awa were Ngāti Moekino, Ngāti Whāita and Ngāti Wairangi-Parewhete.

Whakamaru is a shortening of the name Te Whakamarumarutanga o Kahukeke. This was named by the ancestor Rakatāura, for his wife Kahukeke (the daughter of Hoturoa, chief of the Tainui waka) as this was where he built her a shelter in which she could continue her excellent and well known work with flax and kākāho.

There were many Raukawa kainga near and at Whakamaru including Te Kākāho and Arataki and kokowai caves above Waione. Stretching across the Waikato Awa was the Ngāti Whāita/ Ngāti Wairangi stronghold of Waimahana. This area was submerged by the creation of Lake Whakamaru.

When the dam was constructed in 1949 the people of Ongaroto pā were forced to quickly remove the bones of ancient tūpuna from their urupā. Not all the bones could be found.

Statutory Area	Map Reference
Lake Atiamuri	(as shown on OTS-113-28)

The following statement of association by Raukawa applies to the above Statutory Area.

Many *hapū*, including Ngāti Whāita, Ngāti Wairangi, Ngāti Moekino and Ngāti Hā maintained a presence in the Atiamuri area. These *hapū* built marae and cultivated the lands.

The *river* gave sustenance to the pā on the ancestral Raukawa maunga (mountain) Pohaturoa, which is located at Atiamuri. It was at Pohaturoa that Raukawa finally defeated another *iwi* and on top of

Pohaturoa, the *hapū* Ngāti Whāita and later Ngāti Kikopiri occupied a pā. Tūpuna (ancestors) were also buried on Pohaturoa.

Situated on the right bank of the Waikato Awa, was a settlement of the *hapū* Ngāti Whāita and Ngāti Wairangi known as Niho-o-te-Kiore. A pā was built at Niho-o-te-Kiore belonging to Rongonui (the grandfather of Hitiri Te Paerata). Aniwaniwa was also a settlement on the banks of the Waikato in the Atiamuri area that was occupied by Ngāti Wairangi, Ngāti Te Kohera and Ngāti Whāita. As well, Waiaute was a cultivation in the Atiamuri area belonging to the Raukawa *hapū* Ngāti Wairangi.

The Ngāti Whāita pā at Ongaroto is situated approximately 5km west of Atiamuri dam. It is the only pā still standing within the area. Another marae, Rongopai, was also built at Ongaroto but it no longer exists today. The people of Ongaroto pā continue to fish and recreationally use Atiamuri for swimming and for the collection of koura. Many Raukawa continue to live in Atiamuri village today.

4.4 Geothermal Statutory Areas

The following table provides a description of the geothermal fields that are located within South Waikato District Council jurisdiction.

Geothermal Area	Map Reference
Okoroire geothermal field	(as shown on OTS-113-32)
Mangakino geothermal field	(as shown on OTS-113-32)
Atiamuri geothermal field	(as shown on OTS-113-32)
Whakamaru Hot Beach geothermal field	(as shown on OTS-113-32)
Ongaroto geothermal field	(as shown on OTS-113-32)

4.5 Sections 30 to 33, 35 and 36 of the Raukawa Claims Settlement Act

In accordance with Section 34(2)(a) of the Raukawa Claims Settlement Act 2014, the following Sections of the Act are included below:

"30 Geothermal statutory acknowledgement by the Crown

The Crown acknowledges the statement of association for the geothermal resource

31 Purposes of geothermal statutory acknowledgement

The only purposes of the geothermal statutory acknowledgement are to-

- (a) require relevant consent authorities and the Environment Court to have regard to the geothermal statutory acknowledgement, in accordance with Sections 32 and 33; and
- (b) require relevant consent authorities to record the geothermal statutory acknowledgement on statutory plans that relate to the geothermal resource and to provide summaries of resource consent applications or copies of notices of application to the trustees, in accordance with sections 34 and 35; and

- (c) enable the trustees and any member of Raukawa to cite the geothermal statutory acknowledgement as evidence of the association of Raukawa with the geothermal resource, in accordance with Section 36

32 Relevant consent authorities to have regard to geothermal statutory acknowledgement

- (1) This section applies in relation to an application for an activity within, adjacent to, or directly affecting the geothermal resource.
- (2) On and from the effective date, a relevant consent authority must have regard to the geothermal statutory acknowledgement relating to the geothermal resource in deciding, under Section 95E of the RMA, 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 RMA.

33 Environment Court to have regard to geothermal 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 the geothermal resource.
- (2) On and from the effective date, the Environment Court must have regard to the geothermal statutory acknowledgement relating to the geothermal resource in deciding, under Section 274 of the RMA, 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 RMA.

35 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 the geothermal resource:
 - (a) if the application is received by the consent authority, a summary of the application; or
 - (b) if the application is served on the consent authority under Section 145(10) of the RMA, 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 of the RMA 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 RMA 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

4. Statutory Acknowledgement for Raukawa

- (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 *RMA* whether to notify an application.
 - (b) under section 95E of that Act whether the trustees are affected persons in relation to an activity.

36 Use of geothermal statutory acknowledgement

- (1) The trustees and any member of Raukawa may, as evidence of the association of Raukawa with the geothermal resource, cite the geothermal statutory acknowledgement in submissions concerning the taking, use, damming, or diverting of any geothermal water or geothermal energy from the geothermal resource that are made to or before -
 - (a) the relevant consent authorities; or
 - (b) the Environment Court; or
 - (c) the Environmental Protection Authority or a board of inquiry under Part 6AA of the *RMA*.
- (2) The content of a statement of association is not, by virtue of the geothermal statutory acknowledgement, binding as a 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 geothermal statutory acknowledgement into account.
- (4) To avoid doubt,-
 - (a) neither the trustees nor members of Raukawa are precluded from stating that Raukawa has an association with a geothermal resource that is not described in the geothermal statutory acknowledgement; and
 - (b) the content and existence of the geothermal statutory acknowledgement do not limit any statement made".

4.6 Statement of Association for the Geothermal Resource

Raukawa have an association with the geothermal resources within their area of association, including at Okauia, Taihoa, Okoroire, Horohoro, Mangakino, Atiamuri, Whakamaru, Ongaroto. Raukawa acknowledge that other iwi have interests in these geothermal fields.

The people of Raukawa regard geothermal resources as taonga, handed down through the generations. Raukawa also consider geothermal resources to have a mauri in their own right and that *mauri* is connected to the condition of the site. Raukawa regard themselves as kaitiaki of this taonga.

Historically and through to the present day, geothermal resources have been used in a variety of ways. Hot pools were used for cooking and the hot ground was used for cooking holes and ovens. Hot pools were also used for bathing and the mud was used in a medicinal manner to treat ailments such as infections and muscular conditions. Other geothermal areas were *wāhi tapu*: some places were recognised as places for healing and cleansing after battle, others were used as burial places.

The Raukawa association with geothermal resources stems from the arrival of the Tainui waka to Aotearoa, and the explorations of the Tainui ancestors, Rakatāura and Kahukeke through the current-day



Raukawa rohe. In Raukawa traditions, these ancestors named many important sites on and around the geothermal resources.

4.7 Okoroire Geothermal Statutory Area

Raukawa have a long association with the Okoroire Geothermal area. The springs at Okoroire were used by Raukawa hapū living in Te Kaokaoroa o Pātetere including Ngāti Tukorehe and Ngāti Te Rangi, Ngāti Mōtai and Ngāti Āhuru as healing pools to ease aches and pains and alleviate rheumatism. By 1889 the hot springs were world renowned.

4.8 Whakamaru Geothermal Statutory Area

The Raukawa association to the Whakamaru Geothermal SA stems back to the generation of Rakatāura, the tohunga of the Tainui waka, and his wife Kahukeke. According to Raukawa tradition, the Whakamaru area was named by Rakatāura for Kahukeke. Kahukeke was an artisan with flax and when she and her husband arrived in the area, he built her a shelter from which she could work. He named the area Te Whakamarumarutanga-o-Kahukeke.

Since that time *hapū* such as Ngāti Wairangi and Ngāti Whāita have resided at Whakamaru. Along the banks of the Waikato River was an ancient settlement named Waimahana which straddled both banks of the Waikato River. This was a settlement of Ngāti Whāita and Ngāti Wairangi. This settlement took its name from the geothermal riches of the area (literally, “warm water”), and was famed as a mahinga kai for kumara which grew plentifully here due to the warmth created through geothermal activity. Also nearby is the hot springs of Motumatai in the Waipapa River.

4.9 Ongaroto Geothermal Statutory Area

Raukawa has a long association with Ongaroto stemming back to the ancestors Whāita and Wairangi, Raukawa’s grandchildren, and continuing to the present day. These ancestors were among those who settled the area and their descendants continued to live on the land. Standing at Ongaroto is the marae known as Ongaroto Pā. The name of the wharenuī is Whāita named after the eponymous ancestor.

Ongaroto is located on the right bank of the Waikato River and the *hapū* used the geothermal springs in conjunction with the cooler waters of the Waikato to ease muscular aches and pains. On occasion some of the ngāwhā were used to slowly cook food.

5. Statutory Acknowledgement for Te Arawa River Iwi

In accordance with Section 32 (2) of the Affiliate Te Arawa Iwi and Hapū Claim Settlement Act 2008, information is attached to this District Plan recording the statutory acknowledgements that wholly or in part cover the statutory areas. This section provides a description of the statutory areas within SWDC jurisdiction, statements of association and relevant provisions of Sections 27-34.

Section 40(2) of the Affiliate Te Arawa Iwi and Hapū Claim Settlement Act 2008 requires information relating to the Rotorua region geothermal system. This information includes a description of the geothermal systems within SWDC jurisdiction, statements of association and relevant provisions of sections 36-42.

5.1 Statutory areas

The following table shows the areas to which the statutory acknowledgement relates within SWDC jurisdiction.



5. Statutory Acknowledgement for Te Arawa River Iwi

Statutory Area	Map Reference
Matahana Ecological Area	SO 364721
Part of the Waikato River (Atiamuri Dam to Huka Falls)	SO 364734

5.2 Statements of association

In accordance with section 32(2) of the Affiliate Te Arawa Iwi and Hapū Claim Settlement Act 2008, the following statements of association are included below.

Statutory Area	Map Reference
Matahana Ecological Area	SO 364721

The following Statement of Association by the Affiliate Te Arawa Iwi/Hapū applies to the above Statutory Area.

The traditions of Ngāti Kearoa Ngāti Tuarā illustrate their cultural, historic and spiritual association with the Matahana Ecological Area. For Ngāti Kearoa Ngāti Tuarā, traditions such as these represent the links between ngā atua (the gods) and present generations. These histories reinforce tribal identity, connection and continuity between generations and confirm the importance of the Matahana Ecological Area to Ngāti Kearoa Ngāti Tuarā.

Ngāti Kearoa Ngāti Tuarā tradition tells of how Horohoro was named and its link to the Matahana Ecological Area. Kahumatamomoe, who came on the Arawa waka, is credited with naming Horohoro. On his travels around the island, Kahumatamomoe came to Horohoro Mountain and became affected by a tapu. In order to cleanse himself, he bathed in a small stream just in behind the north end of the mountain and location within the Matahana Ecological Area. The stream was given the name Waikarakia and the mountain became known as “Te Horohoroinga o Ngā Ringa o Kahumatamomoe, or the Washing of the Hands of Kahumatamomoe: (Horohoro for short).

The traditional association can also be tracked back to Haukapuanui and Tangiharuru's visit to the area, where they were amazed at its fruitfulness. The streams were full of eels and water birds abounded. The bush likewise was full of bird and from that time on, the people lived well due to the plentiful resources.

The Matahana Ecological Area provided the people with valuable food resources, and continued to do so for hundreds of years. The young men of Ngāti Kearoa Ngāti Tuarā would often hunt pigs, trap eels, snare ducks, pūkeko, matuku (water fowl) and rats (brought from Hawaiki) in the Waikarakia Stream.

Other materials such as flax were highly sought after for their fine qualities. Leaves of the kawakawa, and berries from the miro and karaka trees provided both food and medicine.

There are many sites of cultural, historical and spiritual significance to Ngāti Kearoa Ngāti Tuarā within the Matahana Ecological Area. The sources of the Waikarakia and Pokaitu Streams are in deep bush. They flow through steep sided gorges and have many small caves. In some of these caves lie the bones of ancestors, and they are therefore considered tapu. The Waikarakia Stream, in particular, has a mystique to this day.

The Matahana Ecological Area is of great significance to Ngāti Kearoa Ngāti Tuarā. The Matahana Ecological Area was a significance source from which the physical wellbeing of Ngāti Kearoa Ngāti Tuara was sustained, and the spiritual wellbeing nourished.



APP3-SA STATUTORY ACKNOWLEDGEMENTS
5. Statutory Acknowledgement for Te Arawa River Iwi

Ngāti Kearoa Ngāti Tuarā have always maintained a considerable knowledge of the land of the Matahana Ecological Area, its history, the traditional trail of the tūpuna of the area, the places for gathering kai and other taonga, and ways in which to use the resource of the Matahana Ecological Area. Proper and sustainable resource management has always been at the heart of the relationship of Ngāti Kearoa Ngāti Tuarā with the Matahana Ecological Area.

Statutory Area	Map Reference
Part of the Waikato River (Atiamuri Dam to Huka Falls)	SO 364734

The following Statement of Association by the Affiliate Te Arawa Iwi/Hapū applies to the above Statutory Area.

The Waikato River is a resource of great cultural, historical, traditional and spiritual significance to the people of Ngāti Tahu Ngāti Whaoa.

From Pohaturua in the north, to the Huka Falls in the south, the banks of the Waikato River provide for a number of historic sites that are significant to Ngāti Tahu Ngāti Whaoa. Importantly, the principal papakāinga (settlement) of Ngāti Tahu Ngāti Whaoa, Orākei-Kōrako, lay on the west bank of the River and remained so for many years.

The Waikato River was an integral part of life for Ngāti Tahu Ngāti Whaoa. Not only did it provide a rich food source, but also provided passage for the Ngāti Tahu Ngāti Whaoa people to access a number of wāhi tapu sites along the river.

The close connection Ngāti Tahu Ngāti Whaoa have with the Waikato River is illustrated by the significant number of places held sacred to them along the River between Pohaturua and Huka Falls. Some of these sites are described below:

Huka Falls

The Huka Falls provided a place of residence for Ngāti Tahu Ngāti Whaoa and many Ngāti Tahu Ngāti Whaoa ancestors were buried there. The area also provided many food crops, including potatoes.

Nihoroa

Nihoroa was a Ngāti Tahu Ngāti Whaoa settlement on the banks of the Waikato River. kōkōwai (cockabully) and kōkopu (trout) were gathered from this part of the river, and the settlement was also a favoured place for gathering ducks. Nihoroa also had one of the largest kāinga of the Ngāti Tahu Ngāti Whaoa people.

A rāhui post was placed on the track leading from Nihoroa. Another rāhui post stood above Otamarauhuru, between the Waikato River and Lake Rotokawa. Rāhui were often set in place in areas where food needed to be conserved. In this instance, it is mentioned that the area was a favourite place for gathering birds. The rāhui ensured that the birds continued to flourish in the area.

Rua Hoata

Rua Hoata was a very large cave that was used primarily as a kāinga, but also as a place of refuge from invading *iwi*. Situated on the banks of the Waikato River, Rua Hoata was flooded when the hydroelectric dam was built at Aratiatia.

Matauraura

Matauraura was a kūmara cultivation inland of the Parihawa hot spring, not far from Ohaaki. The remnants of a cave kumara pit are still visible today. A pā was built at Matauraura for protection during the time of Te Kooti, and remains of this pā are located on the bend of the Waikato River, upstream from the Ohaaki Bridge.

Tahunatara

Located south of Reporoa in the Waikato River, the man-made island of Tahunatara was formed after a trench was dug across the headland of the River. Tahunatara was formerly a raupō reserve situated on the Waikato River, where it flows through Broadlands. Both kōkopu (trout) and duck were caught at Tahunatara, kūmara and other crops were also grown, and the first willow trees in the area were planted there.

Ngaawapurua Pā and Cultivation

Occupied by Ngāti Whaoa, Ngaawapurua Pā was flooded when the Ohakuri Dam was built. The cultivations extended along the Waikato River, located at the southern part of the Ohakuri Dam.

Piripekapeka Pā

Piripekapeka Pā was located above Orākei-Kōrako and is the burial place of the chief, Mātārae.

5.3 Affiliate Te Arawa Iwi and Hapū Claim Settlement Act 2008

In accordance with section 32(2) of the Affiliate Te Arawa Iwi and Hapū Claim Settlement Act 2008, this section sets out the relevant provisions of sections 27-34 in full.

27 Statutory acknowledgement by the Crown

The Crown acknowledges the statements of association.

- (1) In sections 32 and 34, **statements of association** means the statements—
 - (a) made by the Affiliate of the particular cultural, spiritual, historical, and traditional association of the Affiliate with each statutory area; and
 - (b) in the form set out in Part 2 of Schedule 3 of the deed of settlement at the settlement date.

28 Purposes of statutory acknowledgement

- (1) The only purposes of the statutory acknowledgement are to—
 - (a) require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgement, as provided for in sections 29 to 31; and
 - (b) require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 33; and
 - (c) enable the trustees and a member of the Affiliate to cite the statutory acknowledgement as evidence of the association of the Affiliate with the relevant statutory areas, as provided for in section 34.
- (2) This section does not limit sections 44 to 46.

29 Relevant consent authorities to have regard to statutory acknowledgement

- (1) On and from the effective date, a relevant consent authority must have regard to the statutory acknowledgement relating to a statutory area in forming an opinion in accordance with sections 93 to 94C of the *RMA* as to whether the trustees are persons who may be adversely affected by the granting of a resource consent for activities within, adjacent to, or directly affecting the statutory area.
- (2) Subsection (1) does not limit the obligations of a relevant consent authority under the *RMA*.

30 Environment Court to have regard to statutory acknowledgement

- (1) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to a statutory area in determining under section 274 of the *RMA* whether the trustees are persons having an interest in proceedings greater than the public generally in respect of an application for a resource consent for activities within, adjacent to, or directly affecting the statutory area.
- (2) Subsection (1) does not limit the obligations of the Environment Court under the *RMA*.

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

- (1) If, on or after the effective date, an application is 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,—
 - (a) Heritage New Zealand Pouhere Taonga, in exercising its powers under [section 48](#), [56](#), or [62](#) of that Act in relation to the application, must have regard to the statutory acknowledgement relating to the statutory area; and
 - (b) the Environment Court, in determining under [section 59\(1\)](#) or [64\(1\)](#) of that Act any appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application, must have regard to the statutory acknowledgement relating to the statutory area, including in making a determination as to whether the trustees are persons directly affected by the decision.
- (2) In this section, **archaeological site** has the meaning given to it in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

32 Recording statutory acknowledgement on statutory plans

- (1) On and from the effective date, each relevant consent authority must attach information recording the statutory acknowledgement to all statutory plans that wholly or partly cover a statutory area.
- (2) The attachment of information under subsection (1) to a statutory plan—
 - (a) must include the relevant provisions of sections 27 to 34 in full, the description of the statutory areas, and the statements of association; 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 *RMA*, unless adopted as part of the statutory plan under subparagraph (i).

33 Distribution of resource consent applications to trustees

- (1) Each relevant consent authority must, for a period of 20 years from the effective date, forward to the trustees a summary of resource consent applications received by that consent authority for activities within, adjacent to, or directly affecting a statutory area.
- (2) The information provided under subsection (1) must be—
 - (a) the same as would be given under section 93 of the *RMA* to persons likely to be adversely affected, or as may be agreed between the trustees and the relevant consent authority; and
 - (b) provided as soon as is reasonably practicable after the application is received, and before a determination is made in accordance with sections 93 to 94C of the *RMA*.
- (3) The trustees may, by notice in writing to a relevant consent authority,—
 - (a) waive their 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 relevant consent authority to—
 - (a) notify an application in accordance with sections 93 to 94C of the *RMA*;
 - (b) form an opinion as to whether the trustees are persons who may be adversely affected under those sections.

34 Use of statutory acknowledgement

- (1) The trustees and any member of the Affiliate may, as evidence of the association of the Affiliate with a statutory area, cite the statutory acknowledgement that relates to that area in submissions to, and in proceedings before, a relevant consent authority, the Environment Court, or Heritage New Zealand Pouhere Taonga concerning activities within, adjacent to, or directly affecting the statutory area.
- (2) The content of a statement of association is not, by virtue of the statutory acknowledgement, binding as deemed fact on—
 - (a) relevant consent authorities;
 - (b) the Environment Court;
 - (c) Heritage New Zealand Pouhere Taonga;
 - (d) parties to proceedings before those bodies;
 - (e) any other person who is entitled 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 trustees nor individual members of the Affiliate are precluded from stating that the Affiliate has 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).



5.4 Geothermal Statutory Areas

The following table provides a description of the geothermal fields within the Rotorua Geothermal System that are located within the South Waikato District Council jurisdiction.

Geothermal Area	Map Reference
Atiamuri geothermal field	SO 364723

5.4.1 Statements of Association

In accordance with section 32(2) of the Affiliate Te Arawa Iwi and Hapū Claim Settlement Act 2008, the following statement of association is included below.

Statutory Area	Map Reference
Rotorua Region Geothermal System	SO 364723

The following Statement of Association by the Affiliate Te Arawa Iwi/Hapū applies to the Rotorua Region Geothermal System.

Geothermal resources are regarded as taonga - resources that are inherited from the ancestors and highly-prized.

Among the first voyagers who came from Hawaiki to Aotearoa on the Te Arawa waka was the tohunga, Ngatoroirangi. On his travels around the district, Ngatoroirangi climbed Tongariro in order to survey the whole country from its summit. As he climbed the slopes of the mountain, the cold became unbearable, almost freezing him. He called on his sisters in Hawaiki to send him fire. On hearing his call, his sisters sent two taniwha underground, Te Pupu and Te Hoata, to bring him fire.

The passage the two taniwha took, and the places where they surfaced became the connecting route of the geothermal system – from Whakaari (White Island), via Kawerau, Rotorua and Taupō and on to Tongariro, distributing geothermal resources in the Rotorua districts including Rotoma, Taheke-Tikitere, Waikite-Waiotapu-Waimangu, Ohaaki and Orākei-Kōrako.

Places where surface geothermal activity was present were highly-favoured as places for settlement. All geothermal areas have traditional cultural and spiritual associations for the affiliate Te Arawa Iwi/Hapū. There was considerable *mana* associated with *iwi* whose lands included geothermal resources.

Geothermal resources were used in various ways. Hot pools (ngāwhā, puia, waiariki) provided hot water for cooking and bathing. Hot ground was used for cooking holes and ovens. Mud from some pools had medicinal properties, especially in the treatment of skin infections such as ngerengere. Paint and dyestuffs such as kōkōwai (red ochre) were obtained from hydro-thermally altered ground. Many hot pools had well-known therapeutic qualities in the treatment of muscular disorders, rheumatic and arthritic ailments, as well as skin conditions. Some had other qualities and were known as *wāhi tapu*, for example, a place for ritual cleansing after battle, or other spiritual qualities linked to medicinal or therapeutic use, or incidents of the past. Some had a particular tohunga associated with them. Some were burial places. Many hot pools are still regarded as *wāhi tapu*, or sacred places.

In the 19th Century there was a hive of tourism activity in and around Lake Tarawera and Lake Rotomahana. The people of Tūhourangi had seen the potential in geothermal activity in and around the lakes and at Te Wairoa as an economic bastion.

The beauty of the Pink and White Terraces caused hordes of tourists to flock to Rotomahana from all over the world to see what was considered to be the eighth natural wonder of the world. Even after the eruption of the three peaks – Tarawera, Ruawāhia and Wāhanga on 10 June 1885 when the Pink & White Terraces were destroyed – Affiliate Te Arawa iwi/hapū continued to utilise the geothermal resources around the Rotorua Region.

5.5 Affiliate Te Arawa Iwi and Hapū Claim Settlement Act 2008

In accordance with section 40(2) of the Affiliate Te Arawa Iwi and Hapu Claim Settlement Act 2008, this section sets out the relevant provision of sections 36 - 42 in full relating to the Rotorua region geothermal areas.

36 Geothermal statutory acknowledgement by the Crown

- (1) The Crown acknowledges the statement of association.
- (2) In sections 40 and 42, statement of association means the statement—
 - (a) made by the Affiliate of the particular cultural, spiritual, historical, and traditional association of the Affiliate with, and its use of, the geothermal resource; and
 - (b) in the form set out in Part 2 of Schedule 3 of the deed of settlement at the settlement date.

37 Purposes of geothermal statutory acknowledgement

- (1) The only purposes of the geothermal statutory acknowledgement are to—
 - (a) require consent authorities and the Environment Court to have regard to the geothermal statutory acknowledgement, as provided for in sections 38 and 39; and
 - (b) require relevant consent authorities to forward summaries of certain kinds of resource consent applications to the trustees, as provided for in section 41; and
 - (c) enable the trustees and a member of the Affiliate to cite the geothermal statutory acknowledgement as evidence of the association of the Affiliate with the relevant geothermal resource, as provided for in section 42.
- (2) This section does not limit sections 44 to 46.

38 Relevant consent authorities to have regard to geothermal statutory acknowledgement

- (1) On and from the effective date, a relevant consent authority must have regard to the geothermal statutory acknowledgement in forming an opinion in accordance with sections 93 to 94C of the RMA as to whether the trustees are persons who may be adversely affected by the granting of a resource consent under section 14 of the RMA in respect of the geothermal resource.
- (2) Subsection (1) does not limit the obligations of a relevant consent authority under the RMA.

39 Environment Court to have regard to geothermal statutory acknowledgement

- (1) On and from the effective date, the Environment Court must have regard to the geothermal statutory acknowledgement in determining under section 274 of the RMA whether the trustees are persons having an interest in proceedings greater than the public generally in respect of an application for a resource consent under section 14 of the RMA in respect of the geothermal resource.

- (2) Subsection (1) does not limit the obligations of the Environment Court under the *RMA*.

40 Recording geothermal statutory acknowledgement on statutory plans

- (1) On and from the effective date, each relevant consent authority must attach information recording the geothermal statutory acknowledgement to all statutory plans that wholly or partly cover the Rotorua region geothermal system.
- (2) The attachment of information under subsection (1) to a statutory plan—
- (a) must include the relevant provisions of sections 36 to 42 in full, a description of the Rotorua region geothermal system, and the statement of association; 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 *RMA*, unless adopted as part of the statutory plan under subparagraph (i).

41 Distribution of resource consent applications to trustees

- (1) Each relevant consent authority must, for a period of 20 years from the effective date, forward to the trustees a summary of resource consent applications made under section 14 of the *RMA* received by that consent authority in respect of the geothermal resource.
- (2) The information provided under subsection (1) must be—
- (a) the same as would be given under section 93 of the *RMA* to persons likely to be adversely affected, or as may be agreed between the trustees and the relevant consent authority; and
 - (b) provided as soon as is reasonably practicable after the application is received, and before a determination is made in accordance with sections 93 to 94C of the *RMA*.
- (3) The trustees may, by notice in writing to a relevant consent authority,—
- (a) waive their 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 relevant consent authority to—
- (a) notify an application in accordance with sections 93 to 94C of the *RMA*;
 - (b) form an opinion as to whether the trustees are persons who may be adversely affected under those sections.

42 Use of geothermal statutory acknowledgement

- (1) The trustees and a member of the Affiliate may, as evidence of the association of the Affiliate with, and use by the Affiliate of, the geothermal resource, cite the geothermal statutory acknowledgement in submissions to, and in proceedings before, a relevant consent authority or the Environment Court concerning the taking, use, damming, or diverting of any geothermal resource.



6. Statutory Acknowledgement for Ngāti Koroki Kahukura

- (2) The content of the statement of association is not, by virtue of the geothermal statutory acknowledgement, binding as deemed fact on—
 - (a) relevant consent authorities:
 - (b) the Environment Court:
 - (c) parties to proceedings before those bodies:
 - (d) any other person who is entitled to participate in those proceedings.
- (3) Despite subsection (2), the geothermal statutory acknowledgement may be taken into account by the bodies and persons specified in that subsection.
- (4) Neither the trustees nor individual members of the Affiliate are precluded from stating that the Affiliate has an association with a geothermal resource that is not described in the geothermal statutory acknowledgement.
- (5) (5) The content and existence of the geothermal statutory acknowledgement do not limit a statement made under subsection (4).

6. Statutory Acknowledgement for Ngāti Koroki Kahukura

In accordance with Section 27 of the Ngāti Koroki Kahukura Claims Settlement Act 2014, information is attached to this District Plan recording the statutory acknowledgements and geothermal statutory acknowledgements that wholly or in part cover the statutory areas. This section provides a description of the statutory areas within *SWDC* jurisdiction, statements of association and relevant provisions of the Ngāti Koroki Kahukura Claims Settlement Act 2014.

6.1 Statutory Areas

The following table shows the areas to which the statutory acknowledgement relates within *SWDC* jurisdiction.

Statutory Area	Map Reference
Little Waipa Recreation Reserve	As shown on OTS-180-14
Pokāiwhenua Stream marginal strip site	As shown on OTS-180-17
Waikato River and its tributaries within the area of interest	As shown on OTS-180-27
Lake Arapuni	As shown on OTS-180-28
Lake Karapiro	As shown on OTS-180-9

6.2 Sections 22 to 26, 28 and 29 of the Ngāti Koroki Kahukura Claims Settlement Act

In accordance with Section 27(2)(a) of the Ngāti Koroki Kahukura Claims Settlement Act 2014, the following Sections of that Act are included below:

"22 Statutory acknowledgement by the Crown

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

23 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 24 to 26; 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 27 and 28; and
- (c) to enable the trustees and any member of Ngāti Koroki Kahukura to cite the statutory acknowledgement as evidence of the association of Ngāti Koroki Kahukura with a statutory area, in accordance with Section 29.

24 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 *RMA*, 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 *RMA*.

25 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 *RMA*, 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 *RMA*.

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

- (1) This section applies to an application 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-

6. Statutory Acknowledgement for Ngāti Koroki Kahukura

- (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.

28 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 RMA, 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 of the *RMA* 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 *RMA* 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 *RMA*, whether to notify an application.
 - (b) under section 95E of that Act, whether the trustees are affected persons in relation to an activity.

29 Use of statutory acknowledgement

- (1) The trustees and any member of Ngāti Koroki Kahukura may, as evidence of the association of Ngāti Koroki Kahukura 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 RMA.
- (2) The content of a statement of association is not, by virtue of the statutory acknowledgement, binding as a 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) neither the trustees nor members of Ngāti Koroki Kahukura are precluded from stating that Ngāti Koroki Kahukura 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".

6.3 Statements of Association

In accordance with Section 27(2)(c) of the Ngāti Koroki Kahukura Claims Settlement Act 2014, the following statements of association are included below:

6.3.1 Little Waipā Recreation Reserve

Waipā Iiti continues to be of significant ancestral value to Ngāti Koroki Kahukura, and nearby Ngāti Koroki Kahukura pā drew upon it. Waretini and Taehuri (Ngāti Koroki Kahukura) lived at Waipā Iiti but moved when the lake waters covered their lands. There were fruit plantations on this land and fruit was harvested by our tūpuna. The Mangakarā Creek at Waipā Iiti was the place where Wīwī and Raupō were plentiful and they were used to line our whare (houses). Ropes and whips which were made from flax were exported for sale.

In more recent years, a young person drowned in the river upstream from Waipā Iiti. It was Ngāti Koroki Kahukura tūpuna Tioriori who waited at Waipā Iiti in vigil to perform the karakia. The tūpuna provided awhi (support) to the bereaved whānau until the tūpāpaku emerged and could be returned to their marae for burial.

Ngāti Koroki Kahukura have also supported the re-interment of wheua/kōiwi (bones) that have been found in the area within the Pōhara urupā.

6.3.2 Pōkaiwhenua Stream Marginal Strip Site

Pōkaiwhenua stream is a tributary of the Waikato River, the awa tūpuna of Ngāti Koroki Kahukura. As an *iwi* who resides by its banks, Ngāti Koroki Kahukura have, over generations, developed tikanga, mātauranga, and a profound respect for our awa tūpuna and all life within it. Pōkaiwhenua was both a seasonal settlement and also a resting place for our people when travelling between settlements. Pōkaiwhenua continues to hold significant ancestral value to Ngāti Koroki Kahukura.

When Pōkaiwhenua was used as a settlement area for Ngāti Koroki Kahukura, they cultivated many māra kai (food gardens). Amongst other produce, various types of rīwai Māori (Māori potatoes) were grown. Some of the types that were grown were Muimui (which had streaks of purple through it), hua karoro (which was yellow in colour) and the kōtero (which was green in colour). Ngāti Koroki Kahukura kaumātua believe these types of rīwai Māori do not exist anymore.

Ngāti Koroki Kahukura tūpuna would place kānga (corn) in the Pōkaiwhenua stream. Kānga wai was placed in the water for approximately three months and, in this time, the corn would ferment. It would then be ready for cooking to a porridge consistency, creating a delicacy enjoyed to this day by many Ngāti Koroki Kahukura. The kōtero (Rīwai Māori) were prepared the same way as kānga and was also considered a delicacy. Many Ngāti Koroki Kahukura ancestors such as Tioriori Te Hura, Piripi Whanatangi, Nepia Marino, Ihaia Tioriori, Karauria Ngamu, Raniera Te Wera, Aperehama Te Rangipouri and Pita (Marino), Rihia Te Kauae and Parakaia Te Pouepa lived at this site and cultivated the land.

6.3.3 Waikato River and its tributaries within the area of interest

The Waikato River is the awa tupuna (ancestral river) and a living taonga of Ngāti Koroki Kahukura with its own mauri and spiritual integrity. The awa is part of us. Ngāti Koroki Kahukura regards the Waikato River as the life blood of our people. We regard the awa and its tributaries with reverence, significance and love. The awa continues to provide spiritual and physical sustenance to Ngāti Koroki Kahukura and is inextricably linked to our identity. Our maunga and our awa are inseparable, hence our saying:

Ko Maungatautari te maunga ko Waikato te awa

Our mountain is Maungatautari Our ancestral river is Waikato.

The awa tupuna had traditional healing powers. Spiritually, the Waikato River is constant, enduring and perpetual. It brings us peace in times of stress, relieves us from illness and pain, cleanses and purifies our bodies and souls from the many problems that surround us, and it is the home of the many Taniwha that reside here, hence the saying:

Ko Pōtatau te Tangata Ko Taupiri te Maunga Ko Waikato te Awa He Piko He Taniwha He Piko He Taniwha.

Over generations, Ngāti Koroki Kahukura developed tikanga which reflect a profound respect for the Waikato River and the life within it. Tikanga related to the blessing of children, to cleansing, and to healing.

In addition to its spiritual dimension, physically the Waikato River in times past, present and future, has, and will provide for our people the means to sustain ourselves. Its *waters* enabled the *land* to remain fertile thereby allowing the gardens of Ngāti Koroki Kahukura to flourish. The awa tupuna yielded aquatic foods such as fish and tuna and the Arapuni region was known as ‘te rohe o te tuna - the region of the plentiful eels’. The lyrics of the well-known waiata for the river ‘Waikato Te Awa’, originally composed by Rangi Harrison who worked on the Waikato river dam system, include:

‘Titiro whakakatau au, ko Maungatautari, Ko Ngāti Koroki, Ko Arapuni rā, te rohe o te tuna e...’

From Karapiro I look south and to my right, and there is Maungatautari and Ngāti Koroki through to Arapuni, the domain of the eel.

According to oral histories when spearing eels, little ones were thrown back. Food was not eaten right by the river, but taken home to eat. Elderly tribal members recall being taught not to be greedy, to take only enough food for a meal, and not to mistreat the river. Rāhui, or prohibitions on fishing or other activities, were imposed in defined areas to prevent fishing for a time to allow for food species to rejuvenate.

In addition to eels, food species that were once abundant include whitebait, inanga, catfish, trout, river cod, freshwater crayfish, mullet, fresh water pipi and mussels, water fowls of all kinds and watercress. Ngāti Koroki Kahukura also accessed the waterways to prepare the traditional fermented delicacy, kānga wai.

The Waikato River was the principal highway of trade for Ngāti Koroki Kahukura. Ngāti Koroki Kahukura were waka builders. From the nineteenth century that trade included sending wheat, flax and potatoes via waka north and overseas for trading. In addition to its role as part of the waka culture and transportation network, the river provided many resources including flax for weaving. Its flood plains and river valleys provided large areas of arable soils.

We are a river iwi. Our relationship with our awa tupuna (ancestral river) has developed over centuries. Ngāti Koroki Kahukura continues to exercise the customary rights and responsibilities of kaitiakitanga over the Waikato River from Karapiro through to Arapuni. As a kaitiaki of our ancestral river, Ngāti Koroki Kahukura continue to be responsible for protecting the health and well-being of the river for future generations.

This statement of association also applies to all *lakes* and tributaries of the awa tupuna.

6.3.4 Lake Arapuni

The Waikato River, of which Lake Arapuni forms part, is the awa tupuna (ancestral river) and a living taonga of Ngāti Koroki Kahukura with its own mauri and spiritual integrity. The awa is part of us. Ngāti Koroki Kahukura regards the Waikato River as the life blood of our people. We regard the awa and its tributaries with reverence, significance and love. The awa continues to provide spiritual and physical sustenance to Ngāti Koroki Kahukura and is inextricably linked to our identity. Our maunga and our awa are inseparable, hence our saying:

Ko Maungatautari te maunga ko Waikato te awa

Our mountain is Maungatautari Our ancestral river is Waikato.

The awa tupuna had traditional healing powers. Spiritually, the Waikato River is constant, enduring and perpetual. It brings us peace in times of stress, relieves us from illness and pain, cleanses and purifies our bodies and souls from the many problems that surround us, and it is the home of the many Taniwha that reside here, hence the saying:

Ko Pōtatau te Tangata

Ko Taupiri te Maunga

Ko Waikato te Awa

He Piko He Taniwha

He Piko He Taniwha.

Over generations, Ngāti Koroki Kahukura developed tikanga which reflect a profound respect for the Waikato River and the life within it. Tikanga related to the blessing of children, to cleansing, and to healing.

In addition to its spiritual dimension, physically the Waikato River in times past, present and future, has, and will provide for our people the means to sustain ourselves. Its *waters* enabled the *land* to remain fertile thereby allowing the gardens of Ngāti Koroki Kahukura to flourish. The awa tupuna yielded aquatic foods such as fish and tuna and the Arapuni region was known as 'te rohe o te tuna - the region of the plentiful eels'. The lyrics of the well-known waiata for the river 'Waikato Te Awa', originally composed by Rangī Harrison who worked on the Waikato river dam system, include:

'Tītiro whakakatau au, ko Maungatautari, Ko Ngāti Koroki, Ko Arapuni ra, te rohe o te tuna e...'

From Karapiro I look south and to my right, and there is Maungatautari and Ngāti Koroki through to Arapuni, the domain of the eel.

According to oral histories when spearing eels, little ones were thrown back. Food was not eaten right by the river, but taken home to eat. Elderly tribal members recall being taught not to be greedy, to take only enough food for a meal, and not to mistreat the river. Rāhui, or prohibitions on fishing or other activities, were imposed in defined areas to prevent fishing for a time to allow for food species to rejuvenate.

In addition to eels, food species that were once abundant include whitebait, inanga, catfish, trout, river cod, freshwater crayfish, mullet, fresh water pipi and mussels, water fowls of all kinds and watercress. Ngāti Koroki Kahukura also accessed the waterways to prepare the traditional fermented delicacy, kānga wai.

6. Statutory Acknowledgement for Ngāti Koroki Kahukura

The Waikato River was the principal highway of trade for Ngāti Koroki Kahukura. Ngāti Koroki Kahukura were waka builders. From the nineteenth century that trade included sending wheat, flax and potatoes via waka north and overseas for trading. In addition to its role as part of the waka culture and transportation network, the river provided many resources including flax for weaving. Its flood plains and river valleys provided large areas of arable soils.

We are a river iwi. Our relationship with our awa tupuna (ancestral river) has developed over centuries. Ngāti Koroki Kahukura continues to exercise the customary rights and responsibilities of kaitiakitanga over the Waikato River from Karapiro through to Arapuni. As a kaitiaki of our ancestral river, Ngāti Koroki Kahukura continue to be responsible for protecting the health and well-being of the river for future generations.

In addition to this statement regarding the Waikato River, Ngāti Koroki Kahukura states our specific association to Lake Arapuni.

Since the early 1800's, Ngāti Koroki Kahukura have farmed lands on both sides of our awa tupuna in the Arapuni area. What is now Lake Arapuni continues to hold significant historic, cultural and ancestral value for Ngāti Koroki Kahukura. Ngāti Koroki Kahukura continues to exercise kaitiakitanga in the Arapuni area through conducting karakia and pōwhiri and other customary activities.

Arapuni was the name of the rapids along the Waikato River which were submerged when the lake was formed. Ngāti Koroki Kahukura whānau worked on the dam construction project that led to the formation of the lake.

Ngāti Koroki Kahukura's presence in the area is recognised within the well-known Waikato waiata for the river 'Waikato Te Awa', originally composed by Rangi Harrison who worked on the Waikato river dam system, which says:

'Ko Maungatautari, ko Ngāti Koroki Kahukura, ko Arapuni rā, te rohe o te tuna e'.

Lake Arapuni covers a number of sites of significance to Ngāti Koroki Kahukura including travel routes important to the iwi. Many Ngāti Koroki Kahukura tūpuna lived on their lands along the eastern banks of our awa tupuna and crossed the river to travel.

Our burial caves lined both banks of the awa (once very steep) that is now Lake Arapuni, including a significant burial cave not far from Darby Rd. Mere Kara tells of the times of her childhood swimming at Arapuni. Because the banks of the river were so steep in other areas, they would travel to swim at Arapuni as it was more accessible and safer to swim there.

In more recent years, if there was mishap through drowning, Ngāti Koroki Kahukura waited in vigil to karakia and support and awhi the bereaved whānau until the tūpāpaku emerged. Ngāti Koroki Kahukura has also supported the reburial of wheua or kōiwi (bones) discovered in and around the Lake and re-interred these with due respect within urupā.

6.3.5 Lake Karapiro

The Waikato River, of which Lake Karapiro forms part, is the awa tupuna (ancestral river) and a living taonga of Ngāti Koroki Kahukura with its own *mauri* and spiritual integrity. The awa is part of us. Ngāti Koroki Kahukura regards the Waikato River as the life blood of our people. We regard the awa and its tributaries with reverence, significance and love. The awa continues to provide spiritual and physical sustenance to Ngāti Koroki Kahukura and is inextricably linked to our identity. Our maunga and our awa are inseparable, hence our saying:

Ko Maungatautari te maunga ko Waikato te awa

Our mountain is Maungatautari Our ancestral river is Waikato.

The awa tupuna had traditional healing powers. Spiritually, the Waikato River is constant, enduring and perpetual. It brings us peace in times of stress, relieves us from illness and pain, cleanses and purifies



our bodies and souls from the many problems that surround us, and it is the home of the many Taniwha that reside here, hence the saying,

Ko Pōtatau te Tangata

Ko Taupiri te Maunga

Ko Waikato te Awa

He Piko He Taniwha

He Piko He Taniwha

Over generations, Ngāti Koroki Kahukura developed tikanga which reflect a profound respect for the Waikato River and the life within it. Tikanga related to the blessing of children, to cleansing, and to healing.

In addition to its spiritual dimension, physically the Waikato River in times past, present and future, has, and will provide for our people the means to sustain ourselves. Its *waters* enabled the *land* to remain fertile thereby allowing the gardens of Ngāti Koroki Kahukura to flourish. The *awa* tupuna yielded aquatic foods such as fish and tuna and the Arapuni region was known as ‘te rohe o te tuna - the region of the plentiful eels’. The lyrics of the well-known waiata for the river ‘Waikato Te Awa’, originally composed by Rangī Harrison who worked on the Waikato river dam system, include:

‘Titiro whakakatau au, ko Maungatautari, Ko Ngāti Koroki, Ko Arapuni ra, te rohe o te tuna e...’

From Karapiro I look south and to my right, and there is Maungatautari and Ngāti Koroki through to Arapuni, the domain of the eel.

According to oral histories when spearing eels, little ones were thrown back. Food was not eaten right by the river, but taken home to eat. Elderly tribal members recall being taught not to be greedy, to take only enough food for a meal, and not to mistreat the river. Rāhui, or prohibitions on fishing or other activities, were imposed in defined areas to prevent fishing for a time to allow for food species to rejuvenate.

In addition to eels, food species that were once abundant include whitebait, inanga, catfish, trout, river cod, freshwater crayfish, mullet, fresh water pipi and mussels, water fowls of all kinds and watercress.

The Waikato River was the principal highway of trade for Ngāti Koroki Kahukura. Ngāti Koroki Kahukura were waka builders. From the nineteenth century that trade included sending wheat, flax and potatoes via waka north and overseas for trading. In addition to its role as part of the waka culture and transportation network, the river provided many resources including flax for weaving. Its flood plains and river valleys provided large areas of arable soils.

We are a river *iwi*. Our relationship with our *awa* tupuna (ancestral river) has developed over centuries. Ngāti Koroki Kahukura continues to exercise the customary rights and responsibilities of kaitiakitanga over the Waikato River from Karapiro through to Arapuni. As a kaitiaki of our ancestral river, Ngāti Koroki Kahukura continue to be responsible for protecting the health and well-being of the river for future generations.

In addition to this statement regarding the Waikato River, Ngāti Koroki Kahukura states our specific association to Lake Karapiro.

The Karapiro area is of immeasurable spiritual, cultural and ancestral significance to Ngāti Koroki Kahukura. It is a wāhi tino tapu.

Ngāti Koroki Kahukura have sustained our presence upon the lands in and around what is now Lake Karapiro for many generations, maintaining our presence to this day.

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In the 1800s, during times of inter-tribal conflict, other iwi and hapū occupied the Maungatautari and Karapiro area with Ngāti Koroki Kahukura's permission, but friction resulted, and a pivotal battle was fought by Ngāti Koroki Kahukura and others at Taumatawiwi in 1830. To prevent interference, slain bodies of fallen Ngāti Koroki Kahukura warriors (as well as warriors from other iwi who supported them in the battle), were burnt at the base of prominent rocks situated in the valley where the Hauoira Stream joined the Waikato River. Because of the foul odours emanating from the cremations, the place was called Karapiro (karā being a type of rock and piro meaning foul). These rocks are now submerged in the lake and, in the 1980s, monuments were established to commemorate the importance of the site.

The battle of Taumatawiwi is central to the identity and the on-going customary rights and responsibilities of Ngāti Koroki Kahukura in the area.

Ngāti Koroki Kahukura people lived in the Horahora village which was also flooded (along with the Horahora Dam) when the new dam was constructed at Karapiro between 1940 and 1947. This was the location of many traditional landmarks and food sources important to traditional customary practices.

Ngāti Koroki Kahukura has a deep and important on-going association with the Karapiro area on the basis that the bones of our ancestors as well as our former homes and burial grounds lie beneath the waters of the hydro lake.

7. Statutory Acknowledgement for Ngāti Hauā

In accordance with Section 36 of the Ngāti Hauā Claims Settlement Act 2014, information is attached to this District Plan recording the statutory acknowledgements that wholly or in part cover the statutory areas. This section provides a description of the statutory areas within SWDC jurisdiction, statements of association and relevant provisions of the Ngāti Hauā Claims Settlement Act 2014.

7.1 Statutory Areas

The following table shows the areas to which the statutory acknowledgement relates within SWDC jurisdiction.

Statutory Area	Map Reference
Waikato River and its tributaries within the area of interest	As shown on OTS-190-08

7.2 Sections 31 to 35, 37 and 38 of the Ngāti Hauā Claims Settlement Act

In accordance with Section 36(2)(a) of the Ngāti Hauā Claims Settlement Act 2014, the following Sections of that Act are included below:

"31 Statutory acknowledgement by the Crown

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

32 Purposes of statutory acknowledgement

The only purposes of the statutory acknowledgement are to -

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7. Statutory Acknowledgement for Ngāti Hauā

- (a) require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgement, in accordance with Sections 33 to 35; and
- (b) 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 36 and 37; and
- (c) enable the trustees and any member of Ngāti Hauā to cite the statutory acknowledgement as evidence of the association of Ngāti Hauā with a statutory area, in accordance with Section 38.

33 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 *RMA*, 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 *RMA*.

34 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 *RMA*, 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 *RMA*.

35 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.

37 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 RMA, 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 of the RMA 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 RMA 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 *RMA*, whether to notify an application.
 - (b) under section 95E of that Act, whether the trustees are affected persons in relation to an activity.

38 Use of statutory acknowledgement

- (1) The trustees and any member of Ngāti Hauā may, as evidence of the association of Ngāti Hauā 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 RMA.
- (2) The content of a statement of association is not, by virtue of the statutory acknowledgement, binding as a 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) neither the trustees nor members of Ngāti Hauā are precluded from stating that Ngāti Hauā 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".

7.3 Statements of Association

In accordance with Section 36(2)(c) of the Ngāti Hauā Claims Settlement Act 2014, the following statements of association are included below:

7.3.1 Statement of Significance of Waikato River

Waikato is our awa tapu (sacred river), our awa tupuna (ancestral river). It is our living taonga (a precious treasure) to the people of Ngāti Hauā. Ngāti Hauā is inextricably connected to the river through the ancestral ties of whakapapa which originated from the beginning of time, from the creation of the world when Ranginui (Sky Father) and Papatūānuku (Mother Earth) separated. That is when Tangaroa (Guardian of the Sea) flooded into the realm of daylight and brought nourishment to the world. This depicts the Ngāti Hauā worldview and highlights the importance of our waterways it's tributaries, and all that dwell within, to the people of Ngāti Hauā. This forms the foundation of Kaitiakitanga, which states that this taonga must be cherished and respected, and is a matter of great significance and priority, for the Ngāti Hauā people as guardians of the Waikato river.

The Waikato river was named by the ancestors of Tainui waka, of whom Ngāti Hauā descend. There is a well-known iwi legend which recounts the river Waikato being given as a gift hailing from Ruapehu maunga, by Tongariro, to his sick relative Taupiri.

The Waikato River, and its region, has been populated for at least the past 700 to 800 years. The river provides physical and spiritual sustenance, and traditional healing powers for the people of Ngāti Hauā living along its catchment. The Waikato river is synonymous with *mana*, and Ngāti Hauā regard the awa as a source of mana, and an indicator of their own *mauri*, identity and wellbeing.

According to Ngāti Hauā the Waikato River provided nutrients that enabled *lands* to remain fertile, thereby allowing areas of cultivation to flourish. These fertile areas yielded water fowl to reproduce aquatic foods such as fish and tuna, with the Ngāti Hauā region being known as "Te rohe o te Tuna" (The land that was rich in tuna) in those times, right up to this present time. The tupuna Te Oro, originator of the hapu Ngāti Te Oro, was a grandson to Hauā, and he resided at Horotiu, on the banks of the Waikato River.

Ngāti Hauā are infinitely connected to the awa through the renowned chief, Te Waharoa, and his warriors, who fought at the significant battle of Taumatawiwi, at Karāpiro, on the Waikato River. In the lull of battle Te Waharoa burnt his fallen warriors there, which is the derivation of the name Karāpiro, karā meaning rock and piro from the putrid smell of the burning bodies.