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# NGAI TAHU STATUTORY ACKNOWLEDGEMENTS

AN INSTRUMENT UNDER  
THE NGAI TAHU CLAIMS  
SETTLEMENT ACT 1998 – A  
MODEL FOR NEW ZEALAND?

With the signing of the *Deed of Settlement* on 21 November 1997, the Crown and Te Runanga o Ngai Tahu have achieved a final settlement of Ngai Tahu's long-standing Treaty claim dating back to the last century. The *Ngai Tahu Claims Settlement Act 1998* (the Settlement Act), which was signed on 22 October 1998, gives effect to the *Deed of Settlement*.

The Settlement Act not only includes economic redress but what has been described as cultural redress components, including some referred to as "mana enhancing". These are new legal tools to recognise Ngai Tahu's special relationship with, and interests in relation to, a range of areas and resources in the South Island, and to provide for this to be reflected in the management of those areas. The instruments include:

- Statutory Acknowledgements
- Deeds of Recognition
- Topuni
- Dual Place Names.

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RELATIONSHIPS AROUND THE COUNTRY. ”

This article gives an overview of Statutory Acknowledgements under the Settlement Act. These are unique to the settlement between the Crown and Te Runanga o Ngai Tahu (the governing body representing the 18 Papatipu Runanga of Ngai Tahu Whanui). They formalise specific obligations for local authorities and could provide a model for council/iwi relationships around the country, if extended to other settlements between the Crown and iwi.

## WHAT ARE STATUTORY ACKNOWLEDGEMENTS?

A Statutory Acknowledgement is an acknowledgement by the Crown of Ngai Tahu's

special relationship with certain identified areas. There are 70 Statutory Acknowledgements, each of them referring to a "statutory area". Statutory areas include areas of land, geographic features, lakes, rivers, wetlands and coastal marine areas, with which Ngai Tahu has a particular cultural, spiritual, historical, and traditional association. No private land is involved. Figure 1 (overleaf) shows a map with the location of the statutory areas.

## WHAT IS THE PURPOSE OF STATUTORY ACKNOWLEDGEMENTS?

The Statutory Acknowledgement instrument aims to enhance Ngai Tahu's effectiveness in participating in environmental management under the *Resource Management Act*. In particular, it is designed to improve the decision-making process in relation to notification of resource consent applications. Ultimately, the aim of Statutory Acknowledgements is to improve the protection of specified areas which are particularly significant to Ngai Tahu.

One of the main purposes is to give Te Runanga o Ngai Tahu early warning of any application within, adjacent to or directly impacting on statutory areas. This will hopefully avoid situations that occurred in the past where areas of significance to Ngai Tahu have been cleared or excavated without either consultation or agreement. Such situations often arose because consent authorities may have felt that they were insufficiently aware of Ngai Tahu's interests so as to be able to give them due consideration.

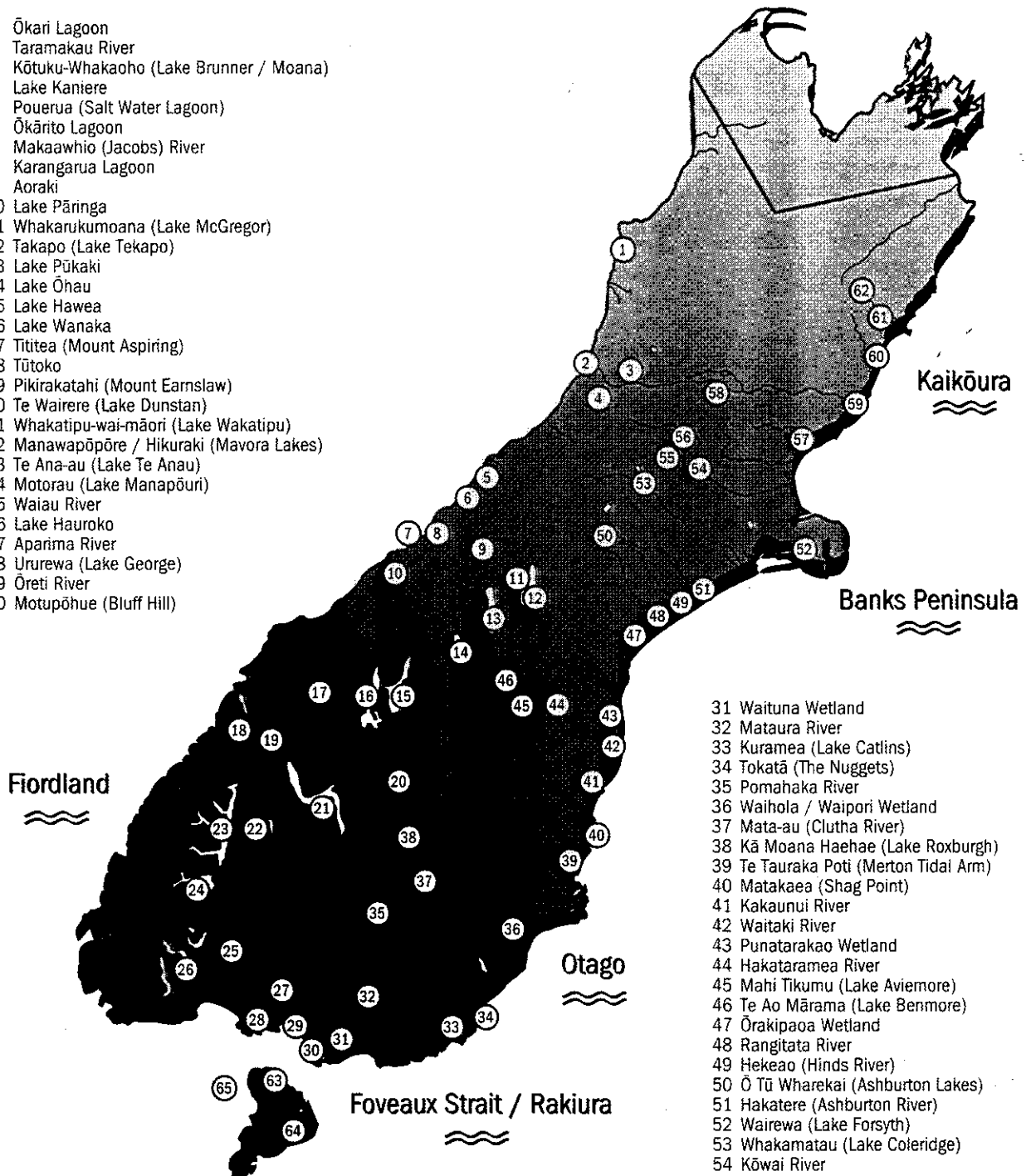
## WHO IS AFFECTED BY STATUTORY ACKNOWLEDGEMENTS?

Local authorities in Ngai Tahu's takiwa (tribal area) have a number of obligations under the Settlement Act. These include:

- Sending a summary of all resource consent applications, which affect a Statutory Acknowledgement area, to Te Runanga o Ngai

# Statutory Acknowledgements – Deeds of Recognition

- 1 Ōkari Lagoon
- 2 Taramakau River
- 3 Kōtuku-Whakaoho (Lake Brunner / Moana)
- 4 Lake Kaniere
- 5 Pouerua (Salt Water Lagoon)
- 6 Ōkārito Lagoon
- 7 Makaawhio (Jacobs) River
- 8 Karangarua Lagoon
- 9 Aoraki
- 10 Lake Pāringa
- 11 Whakarukumoana (Lake McGregor)
- 12 Takapo (Lake Tekapo)
- 13 Lake Pūkaki
- 14 Lake Ōhau
- 15 Lake Hawea
- 16 Lake Wanaka
- 17 Tititea (Mount Aspiring)
- 18 Tūtoko
- 19 Pikirakatahi (Mount Earnslaw)
- 20 Te Wairere (Lake Dunstan)
- 21 Whakatipu-wai-māori (Lake Wakatipu)
- 22 Manawapōpōre / Hikuraki (Mavora Lakes)
- 23 Te Ana-au (Lake Te Anau)
- 24 Motorau (Lake Manapōuri)
- 25 Waiau River
- 26 Lake Hauroko
- 27 Aparima River
- 28 Ururewa (Lake George)
- 29 Ōreti River
- 30 Motupōhue (Bluff Hill)



- 31 Waituna Wetland
- 32 Mataura River
- 33 Kuramea (Lake Catlins)
- 34 Tokatā (The Nuggets)
- 35 Pomahaka River
- 36 Waihola / Waipori Wetland
- 37 Mata-au (Clutha River)
- 38 Kā Moana Haehae (Lake Roxburgh)
- 39 Te Tauraka Poti (Merton Tidal Arm)
- 40 Matakaea (Shag Point)
- 41 Kakaunui River
- 42 Waitaki River
- 43 Punatarakao Wetland
- 44 Hakataramea River
- 45 Mahi Tikumu (Lake Aviemore)
- 46 Te Ao Mārama (Lake Benmore)
- 47 Ōrakapoa Wetland
- 48 Rangitata River
- 49 Hekeao (Hinds River)
- 50 Ō Tū Wharekai (Ashburton Lakes)
- 51 Hakatere (Ashburton River)
- 52 Wairewa (Lake Forsyth)
- 53 Whakamataua (Lake Coleridge)
- 54 Kōwai River
- 55 Kura Tāwhiti (Castle Hill)
- 56 Moana Rua (Lake Pearson)
- 57 Waipara River
- 58 Hoka Kura (Lake Sumner)
- 59 Hurunui River
- 60 Tūtae Putaputa (Conway River)
- 61 Lake Rotorua
- 62 Uerau (Mt Uerau)
- 63 Hananui (Mt Anglem)
- 64 Toi Toi Wetland
- 65 Whenua Hou

Coastal Statutory Acknowledgements

Tahu, as soon as reasonably practicable after receiving the application (ie, before a decision is made on notification).

- Having regard to Statutory Acknowledgements when making a decision whether Te Runanga o Ngai Tahu is an affected party in relation to resource consent applications.
- Attaching information regarding relevant Statutory Acknowledgements to their policy statements and plans.

Members of Ngai Tahu will also be able to cite Statutory Acknowledgements as evidence of their special relationship with statutory areas in submissions to consent authorities, the Environment Court and the Historic Places Trust. Although the Settlement Act does not place any express obligations on applicants, Statutory Acknowledgements may affect applicants if their resource consent application is for an activity that is within, adjacent to, or impacts directly on a statutory area.

It should be noted that Ngai Tahu's interest is not limited to the Statutory Acknowledgement sites. There are

*Left: Figure 1: Statutory Acknowledgements – Deeds of Recognition.*

many other sites identified in district and regional plans and in iwi management plans which are of importance in resource management terms. However, the 70 named sites are the only ones to which the regulations apply.

## RELATIONSHIP BETWEEN NGAI TAHU AND LOCAL AUTHORITIES

The Statutory Acknowledgement instrument, designed for the Ngai Tahu settlement, is intended to provide a foundation for

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improvement of consideration of Ngai Tahu interests in resource consent processes. However, legislation does not provide the whole answer. The responsibility for the success of the Statutory Acknowledgement instrument rests largely with local authorities and Te Runanga o Ngai Tahu.

Implementing the Statutory Acknowledgements regime will require cooperation and good faith between councils and Ngai Tahu. Hopefully this will lead to the development of constructive and ongoing relationships between councils, Te Runanga o Ngai Tahu and its constituent papatipu runanga. At the same time, Te Runanga o Ngai Tahu is investing actively in its own capacity and expertise in resource management, so that it can play its part in ensuring that these evolving relationships move in directions which are as constructive and positive as possible.

## CONCLUSION

The Statutory Acknowledgements instrument is a new and innovative approach aimed at enhancing the effectiveness of Ngai Tahu's participation in environmental management under the *Resource Management Act*.

It is likely that this new regime could provide a model for council/iwi relationships around the country. Existing relationships

that local authorities have with individual runanga should not be affected by the requirements that summaries of applications be sent to Te Runanga o Ngai Tahu. 

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## THE CURRENT STATE OF ENVIRONMENT POLICY IN NEW ZEALAND BUSINESS


An environmental policy is the foundation upon which an organisation should base all of its environmental initiatives. An environmental policy, usually in the form of a written statement, is also a powerful management tool. However, to date, little work has been carried out in New Zealand to examine the scope and nature of environmental policy statements of New Zealand businesses.

This article summarises the findings of a research project completed for a Master of

Business Studies at Massey University. The research was based on a content analysis of the environmental policy statements of New Zealand's top 40 companies.

The article reveals that only 22 of the top 40 companies (55%) had a written environmental policy statement. Most policies were relatively short statements of one-page or less in length. The most frequently cited issues were those of compliance with environmental laws and regulations. Issues of waste minimisation, pollution reduction and energy efficiency –

issues that might bring direct cost savings to the companies – were also prominent. There were few references to the *Resource Management Act* or to Tangata Whenua values or concerns.

The article identifies where the scope of corporate environmental policy could be extended and where their value as a management tool could be further enhanced. 

*Abstract of an article submitted by Gray Severinsen, policy manager, Taranaki Regional*