

Attachment 2

NGAI TAHU CLAIMS SETTLEMENT ACT 1998

(NOTE: This Attachment is not part of this Plan, but is included here for reference).

The Crown and Te Runanga o Ngai Tahu signed a deed of settlement in 1997 to effect a final settlement of Ngai Tahu's claims against the Crown. The abovementioned Act, which gives effect to the deed of settlement, came into force on 1 October 1998.

There are two main issues that Plan holders need to be aware of. These are Statutory Acknowledgments and 'nohoanga'.

Statutory Acknowledgments

A Statutory Acknowledgment is an acknowledgment by the Crown of Ngai Tahu's cultural, spiritual, historical and traditional association with identified areas. Under the Settlement Act, local authorities are required to attach Statutory Acknowledgments within their boundaries to regional policy statements, regional plans and district plans.

The purpose of Statutory Acknowledgments established under the Act is twofold, as follows:

- To ensure that the association of Ngai Tahu with particular areas is identified; and
- To require consent authorities to have regard to the Statutory Acknowledgments when deciding who affected parties are through the resource consent process.

Where a resource consent application for an activity within, adjacent to or directly impacting upon an area identified in a Statutory Acknowledgment is made, the consent authority is required to send a copy of the application to Te Runanga o Ngai Tahu, and must have regard to the Statutory Acknowledgment in determining whether Te Runanga o Ngai Tahu is an affected party, in accordance with Section 208 of the Ngai Tahu Claims Settlement Act 1998.

There is one Statutory Acknowledgment within the boundaries of the Dunedin City District, which is the tidal estuary of the Waikouaiti River (also known as the Merton Tidal Arm). The extent of this area is shown in the Attachments Section of Volume 2 of this District Plan.

The entire coastal area of the district is also a statutory acknowledgment. Information on this can be obtained from the Otago Regional Council.

Nohoanga

Section 256(2) of the Ngai Tahu Claims Settlement Act 1998 describes nohoanga entitlements as being:

Created and granted for the purpose of permitting members of Ngai Tahu Whanui to occupy temporarily land close to waterways on a non-commercial basis, so as to have access to waterways for lawful fishing and gathering of other natural resources.

There is one nohoanga within the boundaries of the Dunedin City District, which is on land adjacent to the Taieri River near Middlemarch. The extent of this area is shown in the Attachments Section of Volume 2 of this District Plan.

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