

Online submission

This is a submission that was made online via the Council's website.

Submitter No.	S172
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Submitter first name	Kenneth
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Submitter surname	Doig
Submitter is contact	Yes
Email	cynthia.tainui@gmail.com
Wish to be heard	Yes
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Sites and Areas of Significance to Māori	Sites and Areas of Significance to Māori	Support in part	<p>You mention that under the Pounamu Vesting Act all pounamu is owned by Te Rūnanga o Ngāi Tahu - this is not 100% correct as this act only states "those parts of the territorial sea of New Zealand (as defined by section 3 of the Territorial Sea, Contiguous Zone, and Exclusive Economic Zone Act 1977) that are adjacent to the Takiwa of Ngai Tahu Whanui and the seabed and subsoil beneath those parts of the territorial sea—</p> <p>that, immediately before the commencement of this Act, is the property of the Crown, ceases, on the commencement of this Act, to be the property of the Crown and vests in and becomes the property of Te Runanga o Ngai Tahu." however the Crown no longer owned the Pounamu rights on lands sold under the Westland Waste Land Act 1870 as these lands were sold with Victorian Title which states that the land owners control the rights of all minerals on/in/under the land except gold, silver, petroleum and uranium. Pounamu is however a mineral that the Victorian Title land owner retains ownership of.</p>	<p>We would like to see a narrowing of the areas, SASM 104 Kawhaka Creek Catchment is a very broad area and while this is understandable with regards to the Pounamu rights, this should not be a one size fits all approach with regards to development and mining - SASM - P11 (point a) and SASM R7 (point 3). The rights to mine certain areas such as privately owned Victorian Title land should not need to be approved by Poutini Ngāi Tahu rūnanga. Please include the wording With the exception of privately owned Victorian Title Land</p> <p>We also note that not all land in this area would have been significant to Maori other than that of Pounamu rights, in particular our property was originally swamp land. With the land being swamp, it would not have contained any sacred sites. The history of the area directly in our vicinity needs to be investigated further before any decisions are made with a one size fits all approach.</p>

Documents included with submission

Document name Land ownership

File [victoriantitlepg1.jpg](#)

Description Original land ownership document

Document name Legal Document

File [legaldocument.jpg](#)

Description Legal document out lining the legalities of Victorian Title

ELCOCK & JOHNSTON

BARRISTERS & SOLICITORS

8 February 2012

Mr K L Doig
RD 2
Kawhaka

Dear Mr Doig

TITLE

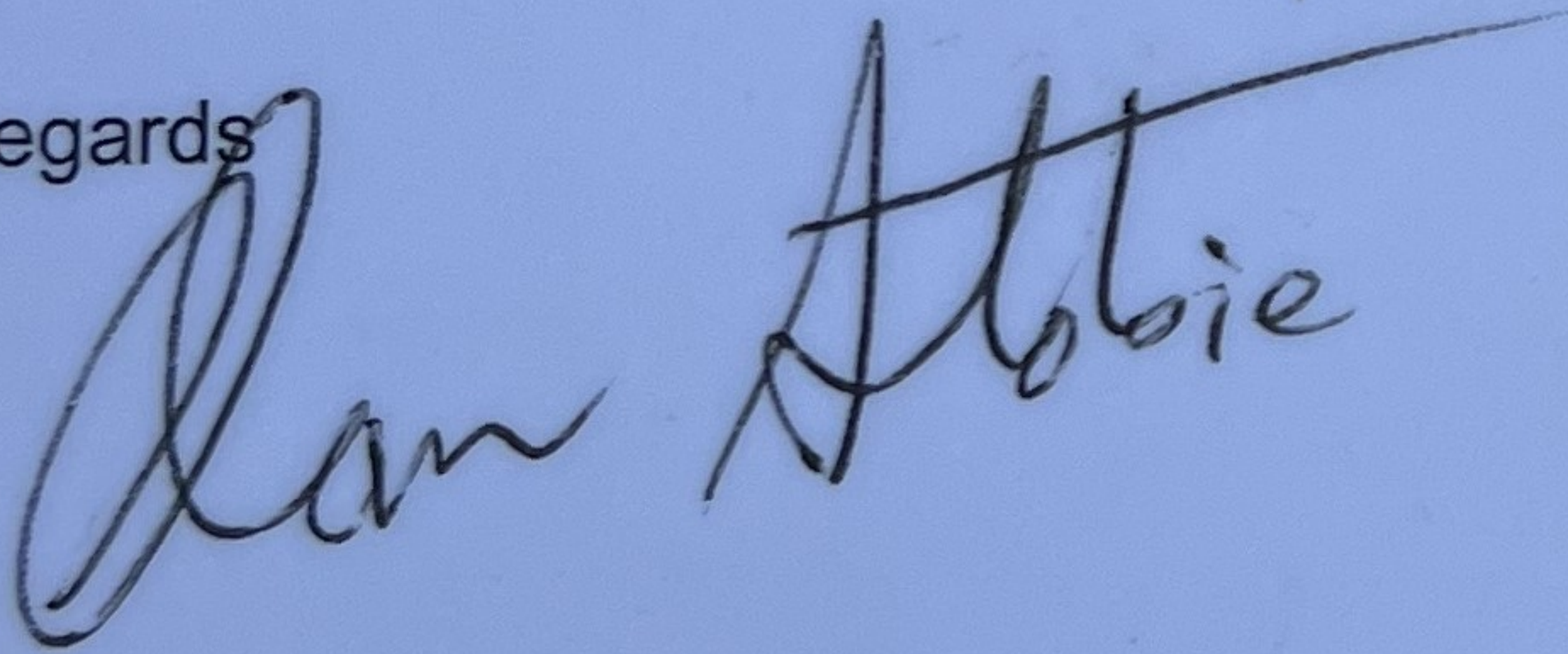
We confirm that your understanding is correct. Your title, issued under the Westland Wastelands Act 1870 is a "Victorian title" and as such you own all of the minerals it contains except gold, silver, petroleum and uranium.

Ponamu (or greenstone) is included in the minerals you own, so that you are free to reach an agreement with any party for the mining of that ponamu.

Please advise if you require any further information.

The papers you left are attached.

Regards



24513

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NEW ZEALAND



Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen:

Image Quality
Due to Condition
Of Original

Vol. 6 Fol. 206

Grant by purchase under
"The Westland Waste
Lands Act, 1870."

Chiles
C.C.L.

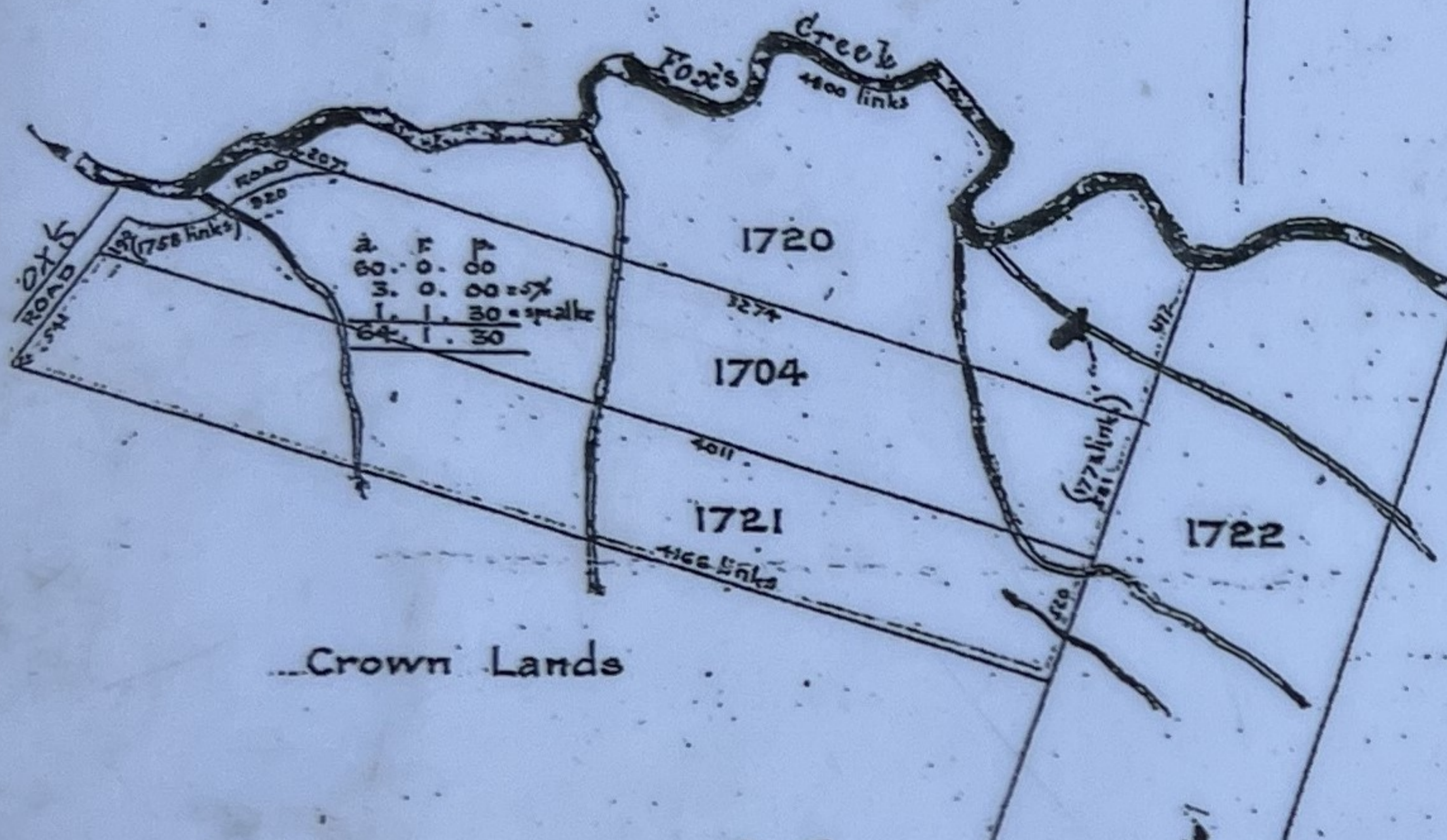
TO ALL to whom these Presents shall come, Greeting:

35/457

Know Ye that, for good considerations Us thereunto moving, We, for Us, our Heirs and Successors,

do hereby Grant unto William Dell Wilkinson of Waima in the Provincial District of Westland - New Zealand - Contractor his Heirs and Assigns, All that Parcel of Land in our Provincial District of Westland, in our Colony of New Zealand, containing by admeasurement

Sixty four (64) acres One (1) rood and thirty (30) poles more or less being sections numbered One thousand seven hundred and four (1704) One thousand seven hundred and twenty (1720) and One thousand seven hundred and twenty one (1721) Block Three (III) on the Map of the Raniere Survey District bounded towards the North by Fox's Creek Four thousand eight hundred (4800) links towards the East by section numbered One thousand seven hundred and twenty two (1722) One thousand seven hundred and seventy three (1773) links towards the South by Crown Sands Four thousand one hundred and sixty six (4166) links and towards the West by Fox's Road and a road along Fox's Creek One thousand seven hundred and fifty eight (1758) links & all the aforesaid linkages a little more or less subject nevertheless to various creeks running through the area above described and for which due allowance has been made in the acreage



J. Clarke
Chief Draughtsman
23/4/85

as the same is delineated on the Plan drawn in the margin hereof, WITH all the Rights and Appurtenances thereto belonging, excepting so much and such part not exceeding Three (3) acres of the land hereinbefore described as may be necessary for the making of Roads, Tramways, or Railways, in accordance with the provisions of the forty-fifth section of "The Westland Waste Lands Act, 1870:" And subject nevertheless to all the Rules and Regulations for mining on private property within the Provincial District of Westland: To hold unto the said William Dell Wilkinson his Heirs and Assigns for ever.

Scale 10 Chains = 1 inch
Surveyed by W. C. Murray
Chief Surveyor G. Mueller

Draftsman A. J. Sedgrave
as far as relates to section 1704 as from the second day of June one thousand eight hundred and seventy four as to section 1720 as from the seventh day of July one thousand eight hundred and seventy four and as to section 1721 as from the twenty first day of July one thousand eight hundred and seventy four. In testimony whereof We have caused this our GRANT to be sealed with the Seal of our Colony of New Zealand.

Witness our Trusty and Well-Beloved Sir Hercules George Robert Robinson, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George,

Governor and Commander-in-Chief in and over the Colony of New Zealand, and its Dependencies, and Vice-Admiral of the same, at Wellington this twenty first day of April, in the first year of our Reign, and in the year of our Lord One thousand eight hundred and seventy eight

No. 1984
Reg. M.C.P.

Index No. 1985

Hercules Robinson