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as at 26 April 2021



Ngāti Tūwharetoa Claims Settlement Act 2018

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Commencement see section 2

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

This Act is administered by the Ministry of Justice.

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Ngāti Tūwharetoa Claims Settlement Act 2018.

2 Commencement

- (1) This Act, other than sections 92 to 94, comes into force on the day after the date on which it receives the Royal assent.
- (2) Sections 92 to 94 come into force on a date appointed by Order in Council on the recommendation of the Minister for Treaty of Waitangi Negotiations and the Minister of Conservation.

Section 2(2): sections 92 to 94 brought into force, on 26 April 2021, by clause 2 of the Ngāti Tūwharetoa Claims Settlement Act Commencement Order 2021 (LI 2021/76).

Part 1

Preliminary matters, acknowledgements and apology, and settlement of historical claims

Preliminary matters

3 Purpose

The purpose of this Act is—

- (a) to record in English the acknowledgements given by the Crown to Ngāti Tūwharetoa in the deed of settlement; and
- (b) to record in English and te reo Māori the apology given by the Crown to Ngāti Tūwharetoa in the deed of settlement; and
- (c) to give effect to certain provisions of the deed of settlement that settles the historical claims of Ngāti Tūwharetoa.

4 Provisions to take effect on settlement date

- (1) The provisions of this Act take effect on the settlement date unless stated otherwise.
- (2) Before the date on which a provision takes effect, a person may prepare or sign a document or do anything else that is required for—
 - (a) the provision to have full effect on that date; or
 - (b) a power to be exercised under the provision on that date; or
 - (c) a duty to be performed under the provision on that date.

5 Act binds the Crown

This Act binds the Crown.

6 Outline

- (1) This section is a guide to the overall scheme and effect of this Act, but does not affect the interpretation or application of the other provisions of this Act or of the deed of settlement.
- (2) This Part—
 - (a) sets out the purpose of this Act; and
 - (b) provides that the provisions of this Act take effect on the settlement date unless a provision states otherwise; and
 - (c) specifies that the Act binds the Crown; and
 - (d) sets out a summary of the historical account, and records the text of the acknowledgements and apology given by the Crown to Ngāti Tūwharetoa, as recorded in the deed of settlement; and

- (e) defines terms used in this Act, including key terms such as Ngāti Tūwharetoa and historical claims; and
 - (f) provides that the settlement of the historical claims is final; and
 - (g) provides for—
 - (i) the effect of the settlement of the historical claims on the jurisdiction of a court, tribunal, or other judicial body in respect of the historical claims; and
 - (ii) a consequential amendment to the Treaty of Waitangi Act 1975; and
 - (iii) the effect of the settlement on certain memorials; and
 - (iv) the exclusion of the law against perpetuities; and
 - (v) access to the deed of settlement.
- (3) Part 2 provides for cultural redress, including—
- (a) cultural redress that does not involve the vesting of land, namely,—
 - (i) protocols for Crown minerals, primary industries, and taonga tūturu on the terms set out in the documents schedule; and
 - (ii) statutory acknowledgements by the Crown of the statements made by Ngāti Tūwharetoa of their cultural, historical, spiritual, and traditional association with certain statutory areas and their geothermal resource and the effect of those acknowledgements; and
 - (iii) an overlay classification applying to certain sites; and
 - (iv) the provision of official geographic names; and
 - (b) cultural redress requiring vesting in the trustees of the fee simple estate in certain cultural redress properties.
- (4) Part 3 provides for commercial redress, including,—
- (a) in subpart 1, the transfer of land; and
 - (b) in subpart 2, the licensed land redress; and
 - (c) in subpart 3, the provision of access to protected sites; and
 - (d) in subpart 4, the right of first refusal (**RFR**) redress.
- (5) Part 4 provides for—
- (a) the establishment of Te Kōpua Kānapanapa and its functions in relation to the Taupo Catchment and related matters; and
 - (b) the purpose of Te Kaupapa Kaitiaki and the obligations of local authorities and the Environmental Protection Authority in relation to Te Kaupapa Kaitiaki; and
 - (c) an ability for Te Kōpua Kānapanapa to establish a register of hearing commissioners for the purposes of certain resource consent applications; and

- (d) 2 additional appointments to the membership of the Rangitaiki River Forum; and
 - (e) the trustees of Te Kotahitanga o Ngāti Tūwharetoa to replace the Ngāti Tūwharetoa Forum Trust as tangata whenua appointers to the Hawke's Bay Regional Planning Committee; and
 - (f) the management and custody of taonga tūturu that is found within the Accord area and identified as being of Ngāti Tūwharetoa in origin; and
 - (g) the role of the trustees and the Director-General in relation to conservation management strategies for areas that are part of the Manaaki Whenua Tūwharetoa; and
 - (h) changes to the membership of the Conservation Board whose area of jurisdiction includes the Tongariro National Park; and
 - (i) particular redress relating to the Trout Centre property.
- (6) Part 5 provides for consequential revocations.
- (7) There are 6 schedules, as follows:
- (a) Schedule 1 describes the statutory areas to which the statutory acknowledgement relates and the geothermal fields to which the geothermal acknowledgement relates:
 - (b) Schedule 2 describes the overlay sites to which the overlay classification applies:
 - (c) Schedule 3 describes the cultural redress properties:
 - (d) Schedule 4 describes the Trout Centre property:
 - (e) Schedule 5 sets out provisions that apply to notices given in relation to RFR land:
 - (f) Schedule 6 provides for matters relating to Te Kōpua Kānapanapa.

Summary of historical account, acknowledgements, and apology of the Crown

7 Summary of historical account, acknowledgements, and apology

- (1) Section 8 summarises in English and te reo Māori the historical account in the deed of settlement, setting out the basis for the acknowledgements and apology.
- (2) Section 9 records in English the text of the acknowledgements given by the Crown to Ngāti Tūwharetoa in the deed of settlement.
- (3) Section 10 records in English and te reo Māori the text of the apology given by the Crown to Ngāti Tūwharetoa in the deed of settlement.
- (4) The acknowledgements and apology are to be read together with the historical account recorded in part 2 of the deed of settlement.

8 Summary of historical account

- (1) Before 1860, Ngāti Tūwharetoa actively opposed Crown purchase negotiations for land in their rohe. Following the invasion of Crown forces in the Waikato in 1863, Ngāti Tūwharetoa were drawn into the fighting because of their whakapapa connections and allegiance to the Kīngitanga. The war marked the beginning of widespread disruption to the social, political, and economic structures of Ngāti Tūwharetoa life. A number of Ngāti Tūwharetoa people lost their lives in these battles.
- (2) In the 1860s, the Crown introduced a series of native land laws, which provided for the individualisation of Māori land holdings that had previously been held in tribal tenure. This induced profound change to systems of Māori customary land tenure, and contributed to the alienation of Ngāti Tūwharetoa whenua by undermining tribal control over their land. Crown purchasing of Ngāti Tūwharetoa land also began in the 1860s and became increasingly intensive through the 1870s and 1880s. By 1900, the Crown had acquired more than 430 000 acres of Ngāti Tūwharetoa land. Today, much of this land remains in Crown ownership and forms large portions of the public conservation estate.
- (3) In the 1880s, the Crown sought to establish a national park around Tongariro Maunga. In 1887, Horonuku Te Heuheu Tukino IV made a tuku of the 3 volcanic peaks to protect and preserve the mountains for Ngāti Tūwharetoa, other iwi, and all New Zealanders. The Ariki's intention was to enter into a partnership with the Queen; however, legal ownership of the mountain peaks was vested solely in the Crown, which began a process whereby Ngāti Tūwharetoa's authority over the taonga in the Tongariro National Park has been greatly reduced.
- (4) From the 1890s, trout and other exotic fish were introduced into Lake Taupo and the waterways of Tongariro, which significantly depleted indigenous freshwater fish species and forced Ngāti Tūwharetoa to rely on introduced fish species for food, hospitality, trade, and koha. In 1926, the Crown acquired the beds of Lake Taupo and its tributaries, which it held for 66 years before they were returned to Ngāti Tūwharetoa in 1992.
- (5) Throughout the 20th century, the Crown's prolonged imposition of orders against private alienation of lands owned by Ngāti Tūwharetoa locked up much of the iwi's land and resources (particularly indigenous timber), and precluded the iwi from developing these assets.
- (6) Since the 1870s, the Crown took Ngāti Tūwharetoa land for a variety of public works, many of which disrupted or uprooted their communities. Many of these public works have been of considerable benefit to the people of New Zealand but have polluted, destroyed, or irreparably harmed many of the natural resources within Ngāti Tūwharetoa's rohe. For example, in 1941 the Crown installed control gates on the Waikato River at the outlet from Lake Taupo, which flooded Ngāti Tūwharetoa land and destroyed many cultural and geothermal taonga. Between 1964 and 1984, the Crown constructed a hydro-electric

tric power scheme around the Tongariro Maunga, which radically re-engineered the natural waterways of the volcanic plateau and has had wide-ranging and deeply felt impacts upon Ngāti Tūwharetoa. The Crown's use of Lake Rotoaira as a storage reservoir for the scheme resulted in its substantial ecological destruction.

- (7) Economic marginalisation, unemployment, and underdevelopment have contributed to the extensive outward migration of Ngāti Tūwharetoa peoples as they have left their rohe in search of opportunities elsewhere.

He kupu whakawhāiti i te horopaki o ngā kōrero neherā mō te kokoraho a Ngāti Tūwharetoa

- (1) Nō mua i te tau 1860 i aukati a Ngāti Tūwharetoā i ngā hiahia a te Karauna ki te hoko mai i ngā whenua o taua rohe. Mai i te urutomo a ngā hōia a te Karauna ki Waikato i te tau 1863, ka tōia mai a Ngāti Tūwharetoa ki roto i taua pakanga, he whakapapa piritata nō rātou ki te Kīngitanga. Ka tohua e taua pakanga te tīmatatanga o te mahi whakapōrearea ki te hāpori, ki te tōrangapū, ki te tikanga ohaoha hoki o Ngāti Tūwharetoa. He nui ngā tūpuna o Ngāti Tūwharetoa i hinga ai i aua pakanga.
- (2) Nō ngā tau 1860, nā te Karauna nāna i whakatō i ētahi ture whenua Māori, nā whai anō i wehewehetia ai aua whenua Māori, ka mahue te tikanga o mua mā te iwi e tiaki. Nā reira i panonitia ai te tikanga Māori e pā ana ki te whenua Māori, nā whai anō i mōriroriro atu ai a Ngāti Tūwharetoa i ōna whenua, ka whakahawea i te mana whakahaere a te iwi. Nō te tau 1860 tīmatahia ai te hoko a te Karauna i ngā whēnua o Ngāti Tūwharetoa ka piki atu te rironga mai i ngā tau 1870 me 1880. Nō te tau 1900, ka riro atu ai ngā whenua neke atu i te 430 000 eka o ngā whenua o Ngāti Tūwharetoa. I ēnei rā, ko te nuinga o ngā whenua kei roto tonu i ngā ringaringa o te Karauna e whakakapi ana i ngā whenua rāhui o Te Karauna.
- (3) Nō ngā tau 1880, ka kimihia atu e te Karauna he tikanga hou kia whakatūria ake ai he rāhui whenua mō te maunga o Tongariro. Nō te tau 1887, nā Te Heuheu Horonuku, arā, nā Tūkinu te tuarima, nāna tonu ngā tihi tapu o te kāhui maunga ko Tongariro ko Ruapehu me Ngaruahoe i tuku hei whenua rāhui e puritia ai te mana tiaki o Ngāti Tūwharetoa mō ngā iwi katoa o Aotearoa. Ko te whakaaro nui a Te Ariki, kia tino tūhono atu ai ki te Kuini o Ingarangi heoi anō i tukua te mana whakahaere ki te Karauna, nā reira i tīmatahia ai tētahi tikanga whakaheke i te mana o Ngāti Tūwharetoa ki te whenua rāhui e pā ana ki te kāhui maunga.
- (4) Nō ngā tau 1890, ka whakaurua atu ai ngā momo ika he taraute, me ētahi atu ika rāwaho ki roto i te moana o Taupō, me ngā awa o Tongariro, ka mutu, ka patua ngā momo ika māori tūturu nō ngā wai hōhonu, ka huri ngā tūpuna ki te manaaki manuhiri ki ngā marae ki ngā ika rāwaho hei kai, hei tauhokohoko, hei takoha hoki. Nō te tau 1926, ka riro te takere o te moana o Taupō me ōna manga hoki, waihoki i puritia ake ai e te Karauna, nō te tau 1992 ka whakahokia atu ki Ngāti Tūwharetoa.

- (5) Hei ngā tau maha o te rautau rua tekau, ko ngā herenga a te Karauna nāna i aukati i ngā whenua tūpuna o Ngāti Tūwharetoa ka taiapatia ai aua whenua aua rākau ngahere hoki ka mauheretia ngā ringaringa o te iwi kia kore ai e whakatupuria ake ai aua rawa whenua.
- (6) Mai i ngā tau 1870, nā te Karauna i muru ai ngā whenua o Ngāti Tūwharetoa mō ngā mahi a te hāpori, ka mutu ka raru te iwi ka mahue te noho ka haere atu, ka ngaro aua hāpori rā. Te tini o ēnei kaupapa tumatanui, nā whai anō, i tino whai painga ngā iwi katoa o Aotearoa, waihoki ka whakaparua, ka whakamatea, ka whakahāweatia ngā āhuatanga o ngā waiariki me ngā ngāwhā ki roto i te rohe o Ngāti Tūwharetoa. Hei taura ake nō te tau 1941, ka hangaia mai e te Karauna he tataua ki Nukuhau ki Taupō ki te putanga mai o ngā wai o Taupō ki te awa tonu o Waikato. Nā reira i waipuketia ai ngā whenua o Ngāti Tūwharetoa, ka tūkinotia ai ngā taonga ngā waiariki me ngā ngāwhā hoki. Ki waenganui i ngā tau 1964 me 1984, nā te Karauna i hanga mai he wharehiko ā-awa huri noa i te rekereke o Tongariro Maunga, nāna i tino panonitia ai te huarahi o ngā awa me ngā manga i ngā māniaroa o te koraha o Rangipō. Ka nui te pānga o ēnei āhuatanga hou ki te iwi whānui o Ngāti Tūwharetoa. Ko tā te Karauna he whakamahi i te moana o Rotoaira hei mātāpuna wai, nā reira i tūkinotia ai te taiao o taua moana.
- (7) Nā te whakaiti i te tikanga ohaoha a te iwi, me te kore whai mahi ki aua takiwā, nā te kore tipu o ngā pākihi kei aua hāpori ko tōna mutunga iho ka mahue te noho, ka wehe atu rātou i ngā rohe o Ngāti Tūwharetoa. Ka haere ki wāhi kē, rapu huarahi hou hei oranga mō rātou.

9 Acknowledgements

- (1) The Crown recognises that every generation of Ngāti Tūwharetoa since 1840 has been adversely affected by the Crown's failure to uphold its obligations under te Tiriti o Waitangi/the Treaty of Waitangi. The Crown's recognition of Ngāti Tūwharetoa's grievances is long overdue. Accordingly, the Crown now makes the following acknowledgements.

Treaty of Waitangi/te Tiriti o Waitangi

- (2) The Crown acknowledges that Ngāti Tūwharetoa Ariki Mananui Te Heuheu Tukino II refused to sign te Tiriti o Waitangi/the Treaty of Waitangi. Nevertheless, the Crown further acknowledges that the undertakings it made to Māori in te Tiriti o Waitangi/the Treaty of Waitangi apply to Ngāti Tūwharetoa. The Crown hereby recognises the legitimacy of Ngāti Tūwharetoa's grievances and historical claims.

Pre-1865 Crown purchasing

- (3) The Crown acknowledges that—
 - (a) it included land within the boundary of the 1851 Ahuriri purchase in which Ngāti Tūwharetoa had interests, without obtaining any Ngāti Tūwharetoa consent to this transaction; and

- (b) it did not pay Ngāti Tūwharetoa for this land until after the Crown had represented this transaction as a completed purchase; and
- (c) this was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

Warfare

- (4) The Crown acknowledges that,—
 - (a) following the invasion of its armed forces in the Waikato in 1863, some hapū of Ngāti Tūwharetoa were drawn into the fighting because of their whakapapa connections and allegiance to the Kīngitanga; and
 - (b) members of Ngāti Tūwharetoa were wounded and killed during the siege and battle at Orakau in 1864, and the loss of these tribal leaders created a profound sense of grief for Ngāti Tūwharetoa, which is still felt to this day.
- (5) The Crown acknowledges that the Ngāti Tūwharetoa rangatira Maniapoto and Te Rangitahau, who had whakapapa links to a number of neighbouring iwi and hapū, were caught up in the Crown's unjustified attack on Ōmarunui in 1866. Te Rangitahau was detained on the Chatham Islands without trial and in harsh conditions for nearly 2 years. These actions were unjust and a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- (6) The Crown acknowledges that—
 - (a) its military forces partook in looting at Tokaanu in the aftermath of the fighting at Tauranga-Taupo and Tokaanu in 1869, and engaged in tactics that damaged and depleted some of Ngāti Tūwharetoa's kāinga and cultivations; and
 - (b) a number of Ngāti Tūwharetoa lost their lives during the battle at Te Pōrere in 1869; and
 - (c) it constrained the movement of Horonuku Te Heuheu Tukino IV and his whānau at Pākōwhai in Napier from October 1869 to July 1870, where he was kept under the surveillance of Hawke's Bay chiefs following his surrender after his involvement alongside Te Kooti in the battle of Te Pōrere; and
 - (d) after fighting had ended, some of its military forces engaged in looting in Tapuacharuru, and in one instance of profound disrespect, exhumed the bones of a Māori chief while seeking taonga from his grave.
- (7) The Crown acknowledges that the wars of the 1860s disrupted the social, political, and economic patterns of Ngāti Tūwharetoa.

Raupatu

- (8) The Crown acknowledges that—

- (a) between 1867 and 1870 it compulsorily extinguished Ngāti Tūwharetoa customary interests within the Mohaka-Waikare confiscation district; and
 - (b) legislation was not amended until the 1920s to enable the Native Land Court to investigate, and ultimately award, Ngāti Tūwharetoa interests at the Te Matai No. 2 block; and
 - (c) it never returned the other land in the confiscation district in which Ngāti Tūwharetoa held customary interests; and
 - (d) its extinguishment of Ngāti Tūwharetoa's customary interests and retention of some of this land breached te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- (9) The Crown acknowledges that it unjustly excluded Ngāti Tūwharetoa from the title it awarded for Tarawera when it returned this land to individual Māori following the Mohaka-Waikare confiscation. Although some Ngāti Tūwharetoa were awarded interests in Tarawera in 1924 after the Crown wrongly concluded that the block was outside the boundaries of the confiscation, the Crown took steps in 1952 to restore the pre-1924 position. The unjust exclusion of Ngāti Tūwharetoa from the ownership of Tarawera was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

Native land laws

- (10) The Crown acknowledges that—
- (a) it did not consult Ngāti Tūwharetoa before introducing land laws in the 19th century that established the Native Land Court and provided for the individualisation of Māori land holdings that had previously been held in tribal tenure; and
 - (b) it allowed a Native Land Court hearing for Pakaututu to proceed at Napier in 1869 at a time when a number of Ngāti Tūwharetoa refugees had fled their homes to avoid warfare; and
 - (c) between 1865 and 1873 the native land laws provided for legal ownership of Māori land to be awarded to a maximum of 10 individuals who were legally able to treat this land as their property. The native land laws did not prevent the alienation of land awarded under these provisions without the consent of the wider community of owners. This meant the operation of the native land laws did not meet the Crown's obligations to actively protect Ngāti Tūwharetoa interests and breached te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- (11) The Crown acknowledges Ngāti Tūwharetoa grievances about the impact of the native land system on the Taupōnui-a-Tia block, which the iwi considered their “Rohe Pōtae”, and for which they sought to define the external boundary of Ngāti Tūwharetoa tribal lands. In particular, the Crown acknowledges that the native land system caused division among hapū, which Ngāti Tūwharetoa wanted to avoid. The Crown also acknowledges the expense of the native land

system, especially the cost of surveying, led to the sale of a large amount of the Taupōnui-a-Tia block to the Crown. The costs were so excessive that more than half of some of the blocks created during the subdivision of Taupōnui-a-Tia had to be sold to the Crown, and this was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

- (12) The Crown acknowledges that the native land laws failed to offer an effective form of tribal title to facilitate Ngāti Tūwharetoa's tribal control over their lands until 1894, and this was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- (13) The Crown acknowledges that the individualised titles obtained from Native Land Court processes for Taupōnui-a-Tia and other blocks made Ngāti Tūwharetoa lands more susceptible to partition, fragmentation, and alienation, and this led to the erosion of Ngāti Tūwharetoa's tribal structures. The Crown's failure to protect these structures was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

19th century Crown purchasing

- (14) The Crown acknowledges that the combined effect of it—
 - (a) paying advances of rent to secure Ngāti Tūwharetoa agreement to lease land blocks before the Native Land Court had determined the ownership of these blocks, or before the Court had resolved defects in titles it had previously determined; and
 - (b) declining to pay regular rentals until after the Native Land Court had determined ownership of these blocks or resolved defects in their titles; and
 - (c) preventing Ngāti Tūwharetoa from securing the titles they needed to receive regular rentals for a number of years by suspending the operation of the Native Land Court between 1873 and 1877; and
 - (d) imposing monopoly powers which prevented Ngāti Tūwharetoa from drawing economic benefit from their land while it was subject to Crown negotiations; and
 - (e) withdrawing from the lease arrangements after 1877, and refusing to lift its monopoly powers until after Ngāti Tūwharetoa had repaid the Crown's initial advances of rent; and
 - (f) meant that the Crown purchased land from Ngāti Tūwharetoa that they would have preferred to lease, and that the Crown's unreasonable approach to negotiations breached te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- (15) The Crown acknowledges that the large quantity of land the Crown acquired for settlement from Ngāti Tūwharetoa included sites of particular significance to the iwi that were never used for settlement and now form part of the public conservation estate.

Wharewaka

- (16) The Crown acknowledges that it failed to honour an agreement to reserve an important fishing site at Wharewaka when it purchased Tauhara Middle Block in 1875, and this was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

Tongariro and Tongariro National Park

- (17) The Crown acknowledges the profound significance of Tongariro Maunga to Ngāti Tūwharetoa. The Crown also acknowledges that through his tuku in 1887, Horonuku Te Heuheu Tukino IV sought to create a shared responsibility with the Crown to protect and preserve the mountains for Ngāti Tūwharetoa, for other iwi, and for all New Zealanders. The Crown further acknowledges that—
- (a) Horonuku intended to retain Ngāti Tūwharetoa’s mana in relation to the maunga by entering into a partnership with the Queen, and not to make an unconditional gift; however, legal ownership of the mountains was vested solely in the Crown and it has not always honoured its reciprocal obligations; and
 - (b) this began a process whereby Ngāti Tūwharetoa’s authority over the taonga and their ability to exercise their kaitiakitanga has been greatly reduced. In particular, the Crown acknowledges that legislation for the governance of Tongariro National Park failed to maintain a regime that reflected the spirit of the 1887 tuku by—
 - (i) excessively diluting the role of Ngāti Tūwharetoa in the administration of Tongariro National Park by appointing increasing numbers of non-Māori members to the Tongariro National Park Board; and
 - (ii) unilaterally abolishing Tūreiti Te Heuheu Tukino V’s trusteeship on the Board between 1914 and 1922; and
 - (iii) this was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles; and
 - (c) it failed to fulfil the requests Horonuku Te Heuheu made in 1887 that the Crown facilitate the removal of Mananui Te Heuheu Tukino II’s remains from Tongariro Maunga, and erect a memorial to Mananui Te Heuheu. These failures were inconsistent with the Crown’s duty to act in good faith, and were a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- (18) The Crown acknowledges that changes to the natural environment through commercial development and the introduction of exotic species have caused great distress to Ngāti Tūwharetoa because they are unable to exercise their kaitiakitanga to safeguard the tapu of the taonga within the Tongariro National Park from physical and cultural degradation.

- (19) The Crown acknowledges that it breached te Tiriti o Waitangi/the Treaty of Waitangi and its principles by failing to purchase from, to identify, to consult with, or to compensate the Ngāti Tūwharetoa owners of some lands that were included in the proclamation that established Tongariro National Park in 1907.

Ketetahi Springs

- (20) The Crown acknowledges the spiritual importance of the Ketetahi Springs to Ngāti Tūwharetoa, and that—
- (a) the certificate of title for the Ketetahi Springs block did not accurately reflect the area identified by the owners to be reserved from the Tongariro No. 1C block and the Tongariro National Park, and took many decades to remedy; and
 - (b) until as late as 1958, the Crown pursued the purchase of Ketetahi Springs despite the clear intention of its Ngāti Tūwharetoa owners to retain the whole of the Springs in private ownership; and
 - (c) the Tongariro Alpine Crossing Track was constructed across the Ketetahi Springs block, and tourists have trespassed on Ngāti Tūwharetoa's privately held property; and
 - (d) all of these actions have been a source of grievance and distress for Ngāti Tūwharetoa.

Tokaanu Native Township

- (21) The Crown acknowledges that—
- (a) it compulsorily took 135 acres, including Maunganamu and Māraakerake Springs, for use as roads and public reserves in Tokaanu Township under the provisions of the Native Townships Act 1895, which did not require the Crown to pay compensation for these takings; and
 - (b) it converted a number of leases of Ngāti Tūwharetoa-owned land at Tokaanu to perpetual leases without the consent of Ngāti Tūwharetoa; and
 - (c) much of it was flooded after hydro-electric power developments in the 1940s, and parts of it were transformed into a swamp of no economic value; and
 - (d) its attempt to establish the township was a failure.
- (22) The Crown acknowledges that it breached te Tiriti o Waitangi/the Treaty of Waitangi by failing to implement agreed arrangements by which it would return ownership of the Māraakerake thermal bathing pool to Ngāti Kurauia. This issue had been a critical feature of the Native Township negotiations. This had adverse social, cultural, and economic repercussions, which have caused a deep sense of grievance amongst Ngāti Kurauia that is still held today.

20th century purchasing

- (23) The Crown acknowledges that its approach to land purchase negotiations caused Ngāti Tūwharetoa to lose development opportunities because the Crown imposed monopoly powers for a number of years over land that many Ngāti Tūwharetoa owners had no interest in selling. In particular, the Crown acknowledges that its approach to land purchase negotiations did not live up to the standards of good faith required of the Crown under the Treaty and its principles when—
- (a) it made a sham of provisions in the native land legislation that provided for collective decision making about land alienations by meetings of the assembled owners when it purchased individual interests in Ngāti Tūwharetoa land blocks after meetings of the assembled owners had rejected Crown offers; and
 - (b) it unreasonably maintained monopoly powers for long periods of time over large areas of land that became the Pihanga Scenic Reserve, despite the Ngāti Tūwharetoa owners having shown no interest in selling these lands; and
 - (c) its maintenance of monopoly powers over the Pihanga lands led to the gift of Mount Pihanga, a sacred taonga and tupuna wahine of Ngāti Tūwharetoa.

Trout

- (24) The Crown acknowledges that it facilitated the introduction of trout into Lake Taupo (Taupomoana) and the waterways of Tongariro, significantly depleting the indigenous freshwater fish species, a vital resource upon which Ngāti Tūwharetoa depended for food, hospitality, trade, and koha.
- (25) The Crown further acknowledges the distress felt by Ngāti Tūwharetoa because they are no longer able to fully exercise their customary fishing rights.

Tongariro Timber Company

- (26) The Crown acknowledges that—
- (a) Ngāti Tūwharetoa regarded the indigenous timber industry as a significant economic opportunity that allowed the retention of land whilst providing capital for economic development. Ngāti Tūwharetoa actively sought to establish a sawmilling venture, the Tongariro Timber Company, to provide employment and long-term development opportunities for their hapū and communities; and
 - (b) following the Crown's change to the specifications required for the proposed Tongariro Timber Company rail line in 1921, investors were discouraged from investing in the venture, which contributed to the ultimate failure of the Company; and
 - (c) without consulting Ngāti Tūwharetoa, the Crown passed legislation requiring the land owners to pay the Egmont Box Company the sum of

£23,500, even though there were doubts as to the extent of the owners' legal liability for the company's losses, and this led Te Ariki Hoani Te Heuheu Tūkino VI to take unsuccessful legal proceedings to the Privy Council at great cost to the iwi; and

- (d) many Ngāti Tūwharetoa families and communities suffered severe socio-economic hardship and deprivation as a consequence of the Tongariro Timber Company's failure and the loss of anticipated development opportunities.

1926 acquisition of Lake Taupo (Taupomoana)

- (27) The Crown acknowledges Ngāti Tūwharetoa's sense of grievance arising from—
 - (a) the Crown's acquisition of the beds of Lake Taupo (Taupomoana) and its tributaries and the Waikato River (from Lake Taupo to, and including, the Huka Falls) in 1926, and the right to use the waters; and
 - (b) the Crown's ownership of the beds of Lake Taupo (Taupomoana) and its tributaries and the Waikato River (from Lake Taupo to, and including, the Huka Falls) for 66 years before they were returned to Ngāti Tūwharetoa and its hapū in 1992.

Public works takings

- (28) The Crown acknowledges that it used statutory powers more than 700 times to compulsorily acquire nearly 23 000 acres of Ngāti Tūwharetoa land between 1870 and 1992, including for defence purposes and hydro-electric power generation schemes. In some cases, the Crown did not pay compensation, or only did so after a long delay. The Crown further acknowledges that it did not always return land to Ngāti Tūwharetoa once it had become surplus to the Crown's requirements.

Land development schemes

- (29) The Crown acknowledges that some of the Māori land development schemes instituted in the central North Island for the benefit of Ngāti Tūwharetoa did not provide the economic opportunities and benefits that Ngāti Tūwharetoa expected, and that their operation deprived Ngāti Tūwharetoa of the effective control of their lands for many decades.

Waikato Hydro-electric Power Scheme

- (30) The Crown acknowledges—
 - (a) that the people of New Zealand have benefited from the installation of the control gates at the head of the Waikato River on Lake Taupo (Taupomoana)'s northern shores, the use of the lake as a reservoir, and the establishment of dams and hydro-electric power stations along the Waikato River; and
 - (b) Ngāti Tūwharetoa's distress over the construction of the control gates, which led to the dredging of the lake bar and the excavation of a channel

parallel to the original river, and forever altered the landscape and hydrology at Nukuhau; and

- (c) that from 1941 to 1947 the control gates kept Lake Taupo (Taupomoana)'s waters at a sustained high level, and they were held at unseasonably high levels until 1987, which inundated some of the land surrounding the lake, as well as geothermal taonga and caves housing Ngāti Tūwharetoa kōiwi; and
- (d) as a result of Lake Taupo (Taupomoana)'s higher water level, many Ngāti Tūwharetoa taonga, wāhi tapu, burial caves, puna, beaches, papakāinga, geothermal springs used for bathing and cooking, fishing rocks and farm land located alongside or in the lake and its tributaries were damaged or submerged, and at Waihi, the marae was flooded, the coastline reduced, and puia damaged; and
- (e) in the 1960s, during the construction of the Aratiatia Power Station, the Crown used 30 acres of fertile land known as the Cherry Grove as a “muck disposal area”; and
- (f) these lake-level fluctuations had an adverse impact upon Ngāti Tūwharetoa's economic well-being, and cultural and spiritual values.

Kawerau pulp and paper mill

- (31) The Crown acknowledges that—
- (a) the freshwater spring Te Wai Ū o Tūwharetoa is a wāhi tapu and a significant mahinga kai and geothermal resource for Ngāti Tūwharetoa Te Atua Reretahi who consider it to be the life-giving water that fed Tūwharetoa as an infant. The relationship of the iwi with, and respect for, Te Wai Ū o Tūwharetoa gives rise to their responsibilities to protect the mana (authority) and mauri (life force) of the spring; and
 - (b) the nearby site of Waitahanui pā and urupā are also wāhi tapu for the iwi. Ngāti Tūwharetoa consider all these taonga, along with Lake Rotoitipaku, to be inextricably linked because of their association with the eponymous ancestor Tūwharetoa; and
 - (c) Waitahanui pā and urupā and Lake Rotoitipaku were sited on the land blocks that the Tasman Pulp and Paper Company leased for the pulp and paper mill's effluent disposal in the 1970s. Since their lease to the company, significant contamination has occurred to the site, causing a sense of anguish and grievance for Ngāti Tūwharetoa Te Atua Reretahi that is still felt today; and
 - (d) the loss of control over their lands while they were under trusteeship and subject to the lease has prejudiced Ngāti Tūwharetoa Te Atua Reretahi, and impeded their ability to exercise control over their taonga and wāhi tapu and maintain and foster spiritual connections to their ancestral lands; and

- (e) the Crown failed to adequately protect significant taonga and wāhi tapu of Ngāti Tūwharetoa ki Kawerau from pollution when other reasonably practicable alternatives were available to mitigate against pollution. This Crown failure was in breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

Waimarino River/Korohe Marae

- (32) The Crown acknowledges that it breached te Tiriti o Waitangi/the Treaty of Waitangi by failing to respect Ngāti Hine's rangatiratanga over their lands when its contractors repeatedly trespassed across the hapū's land to obtain gravel from the Waimarino River, and cleared vegetation and erected a crushing and screening plant on Ngāti Hine's land without seeking the consent of the Māori owners. The Crown further acknowledges that these actions caused severe dust and noise pollution, and disrupted the everyday lives of Ngāti Hine, and had adverse social and cultural repercussions that have caused a deep sense of grievance amongst the hapū which is still held today.

Tongariro Power Development Scheme

- (33) The Crown acknowledges that the waterways and lakes of the volcanic plateau, particularly Te Moana o Rotoaira (Lake Rotoaira), in the Tongariro Power Development Scheme have made a significant and valuable contribution to the wealth and development of the New Zealand nation, but that many of the scheme's benefits have come at great cost to those Ngāti Tūwharetoa hapū who whakapapa to Lake Rotoaira and depend upon it for physical and spiritual sustenance. The scheme has radically re-engineered the natural waterways of the volcanic plateau, and its impacts have been wide-ranging and deeply felt by Ngāti Tūwharetoa.
- (34) The Crown acknowledges that—
 - (a) some of the waterways and lakes of the volcanic plateau have suffered environmental degradation, and that the populations and health of some native species of flora and fauna have diminished as a result; and
 - (b) the diversion of water through Lake Rotoaira as part of the Tongariro Power Development Scheme dramatically changed the flow of water in the Tongariro River and the volume of water held in Lake Rotoaira, and resulted in the environmental degradation of the lake's ecology, water quality, and fisheries; and
 - (c) the merging of waters in Lake Rotoaira is considered by Ngāti Tūwharetoa to be inconsistent with the mauri of the waterways of Tongariro Maunga; and
 - (d) the environmental degradation of Lake Rotoaira, and the disruption to the water quality and ecology of many of the waterways involved in the Tongariro Power Development Scheme has been, and remains, a source of profound distress to Ngāti Tūwharetoa.

- (35) The Crown acknowledges that the construction and operation of the Tongariro Power Development Scheme—
- (a) has had a destructive impact on the cultural and spiritual well-being of Ngāti Tūwharetoa; and
 - (b) has mixed the waterways of Tongariro Maunga with one another, and is considered by Ngāti Tūwharetoa to be inconsistent with the mauri of those waters; and
 - (c) has caused distress and remains a significant grievance for Ngāti Tūwharetoa.

- (36) The Crown acknowledges that the excavation of the Tokaanu Tailrace destroyed Te Waiariki pā and urupā, and māra (gardens).

Otukou and Huimako Bluff

- (37) The Crown acknowledges that its blasting at Huimako Bluff destroyed Ngāti Hikairo kōiwi and wāhi tapu and caused profound anguish for Ngāti Hikairo. The Crown further acknowledges the distress caused by the relocation of the Te Ūpoko-ō-Taitaia papa kāinga to Pāpākai as a result of the quarrying work.
- (38) The Crown acknowledges that it failed to compensate the Ngāti Hikairo owners for the value of the materials taken from Huimako Bluff after a court decision, in relation to another taking, indicated the Crown's compensation policy was unlawful, and this was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

Lake Rotoaira

- (39) The Crown acknowledges that—
- (a) it did not conduct all aspects of negotiations between 1964 and 1972 for the establishment of the Tongariro Power Development Scheme in a manner that reached the standards expected of good faith negotiations; and
 - (b) it failed to actively protect Ngāti Tūwharetoa's interests when it entered into the 1972 Lake Rotoaira Trust Deed, which exempted it from paying compensation for damage to the lake and its fishery, despite being aware that the Tongariro Power Development Scheme would detrimentally impact the lake; and
 - (c) it did not prevent or mitigate the Tongariro Power Development Scheme's destructive ecological impact upon Lake Rotoaira, with the result that its owners were unable to derive an income from its fishery; and
 - (d) these failures were breaches of te Tiriti o Waitangi/the Treaty of Waitangi and its principles that have been a source of profound distress for Ngāti Tūwharetoa.

Taupo Basin Reserves Scheme

- (40) The Crown acknowledges that the Taupo Basin Reserves Scheme hindered the development of a significant amount of Ngāti Tūwharetoa's land around Lake Taupo (Taupomoana) for around 20 years in order to conserve the water quality of the lake.

Geothermal taonga

- (41) The Crown acknowledges that the geothermal resource is a taonga of immeasurable spiritual and cultural importance to Ngāti Tūwharetoa, and that many of the geothermal features that lie within Ngāti Tūwharetoa's rohe were central to their traditional way of life.
- (42) The Crown acknowledges that many of the geothermal features that lie within Ngāti Tūwharetoa's rohe are of immeasurable importance to the iwi, and that many treasured geothermal sites have been polluted or destroyed, including—
- (a) Wairākei, where the construction of the Wairākei Power Station resulted in profound negative disruption and damage to the Wairākei geothermal field, which has resulted in extreme distress for Ngāti Tūwharetoa; and
 - (b) the Ōnekeneke Valley, where thermal springs have been significantly degraded as a result of urban and commercial development and the construction of the Wairākei Power Station, and the Waipahihi geothermal stream is no longer able to sustain the needs of the Waipahihi marae and is a significant grievance for Ngāti Tūwharetoa; and
 - (c) the Tokaanu-Waihi-Hipaua geothermal field, where the raising of Lake Taupo (Taupomoana)'s water levels in the 1940s flooded, diluted, or saturated many significant geothermal springs along the shore of the lake, rendering some inaccessible, and changing the chemistry and temperature of others; and
 - (d) the Crown further acknowledges that the pollution and destruction of many of these geothermal features has also irreparably harmed their inherent mauri, and remains a source of profound anguish and grievance for Ngāti Tūwharetoa.

Contribution to New Zealand

- (43) The Crown acknowledges that the taonga of Ngāti Tūwharetoa have been of considerable benefit to the people of New Zealand, and that Ngāti Tūwharetoa have made a significant contribution to the New Zealand nation through the leadership of Te Whare o Te Heuheu on the national and international stage.

10 Apology

The text of the apology offered by the Crown to Ngāti Tūwharetoa, as set out in the deed of settlement, is as follows:

- “(a) To the resilient iwi that is Ngāti Tūwharetoa, to your Ariki, your beloved tūpuna, your hapū, and your whānau, the Crown offers this long overdue

apology: the Crown unreservedly apologises for the ways it has dishonoured its obligations to you under te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

- (b) Ngāti Tūwharetoa’s relationship with the Crown is one characterised by your iwi’s generosity of spirit. Time and again, your hapū have shared taonga precious to you for the benefit of your fellow New Zealanders. At other times, the Crown has taken your whenua and your resources from you. The Crown regrets, profoundly, its actions, omissions, and policies that have debilitated Ngāti Tūwharetoa’s social, cultural, spiritual, political, and economic structures. The Crown understands, and is deeply remorseful that, by removing the ability of your whānau and hapū to safeguard your whenua and taonga, your ability to nurture yourselves has been hindered.
- (c) In particular, the Crown apologises for the grief Ngāti Tūwharetoa feel over the loss of their warriors in wars with the Crown, specifically at Orakau and Te Pōrere.
- (d) The Crown acknowledges that your great Ariki, Horonuku Te Heuheu Tukino IV, could never unconditionally “gift” the peaks of Tongariro Maunga because he could not own them—indeed, it is the mountains that own Ngāti Tūwharetoa. The Crown expresses deep remorse, therefore, that it did not always honour the reciprocal obligations established by Horonuku’s tuku of the peaks of Tongariro Maunga in 1887, with which the Ariki had intended to protect the sacred maunga.
- (e) The Crown sincerely apologises for failing to protect Ngāti Tūwharetoa from the partitioning, fragmentation, and alienation of your iwi’s whenua, facilitated by the operation of the Native Land Court. The social, political, and economic upheaval you have suffered as a consequence has led to great economic hardship and lost opportunities for Ngāti Tūwharetoa.
- (f) The Crown is deeply sorry that the geothermal and hydro-electric power generation schemes it has constructed in your rohe, for the benefit of all New Zealanders, have come at great cost for Ngāti Tūwharetoa. These schemes have caused environmental degradation to the waterways and lakes of the central North Island, which are, to Ngāti Tūwharetoa, akin to veins which sustain the beating heart of Te Ika a Maūi—Lake Taupo (Taupomoana). The Crown is profoundly remorseful that its actions forever changed the character of Lake Rotoaira and its fishery, and denigrated its sacred mauri. The Crown also humbly apologises for the destruction and defilement the construction of these schemes has had upon Ngāti Tūwharetoa’s kōiwi and sacred spaces.
- (g) Through this settlement, and with this apology, the Crown recognises how your resilience as hapū and as an iwi depends upon your deep connection to the whenua and your desire to protect it. The Crown looks for-

ward to building an enduring relationship of mutual trust and co-operation with Ngāti Tūwharetoa based on te Tiriti o Waitangi/the Treaty of Waitangi and its principles, and to support you in the revitalisation of ngā hapū o Ngāti Tūwharetoa.”

He kupu whakapāha mai i te Karauna ki a Ngāti Tūwharetoa

- “(a) Ki te iwi rangatira o Ngāti Tūwharetoa, ki te Ariki, ki ō tūpuna, ki ō hapū me tō whānau ka tāpae tōmuri rawa atu tēnei kupu whakapāha, ka tino whakamā te Karauna me te kupu whakapāha mō ngā tūkinotanga me ngā hara ki a koe i raro i te mana o te Tiriti o Waitangi/the Treaty of Waitangi me ana mātāpono.
- (b) Ko te whanaungatanga o Ngāti Tūwharetoa ki te Karauna e whakaaturia ana i te wairua mākohakoha a te iwi. Mai rā anō nā ō hapū maha i tohatoha i ngā taonga tapu ki a koe, hei painga mō ngā iwi katoa o Aotearoa. Tērā ētahi wā anō kua murua e te Karauna o whenua, o rawa hoki. E tino whakamā ana te Karauna ki ana nei mahi, ki ngā kaupapa here ki ngā hapū hoki, nāna i rautami i ngā tikanga ā-wairua, ā-hinengaro, ā-hapori, ā-ahurea, ā-tōrangapū, ā-oahoha ki ngā pūnaha maha. Tino mārama rawa te Karauna tino hinapōuri kau ana mō te āhua o te muru i ēnei tikanga ā-whānau, ā-hapori kia pūmautia ai hei hunga tiaki i ngā taonga me te whenua, otira, hei whakapakari ake ai i te oranga o te iwi.
- (c) Waihoki e tino kaha ana te whakapāha a te Karauna ki a Ngāti Tūwharetoa mō te matenga o ō koutou tūpuna toa i riro i te mura o te ahi i ngā pakanga ki Ōrākau, ki Te Pōrere hoki.
- (d) E whakaae ana te Karauna e kore e taea e te Arikiniui Horonuku Te Heuheu Tūkino IV te takoha kau atu i ngā tihi tapu o Tongariro, i te mea he taonga tapu tēnei nō te iwi whānui tonu, ko ngā maunga taniwha e titiro iho ana ki ngā iwi, me kī, ko te maunga ko te iwi, ko te iwi anō ko taua maunga tapu. Ka nui te whakamā o te Karauna i tana kore manaaki i ngā tikanga here i te tuku a Horonuku i ngā tihi tapu o Tongariro maunga i te tau 1887, ko tā te Arikiniui, he whakarāhui i te tapu o tēnei kāhui maunga.
- (e) E whakapāha ana anō te Karauna mō te kore tiaki i a Ngāti Tūwharetoa, mō te whakawehewehe, mō te muru raupatu i ngā whenua tūpuna a te iwi, he tinihanga nā Te Kooti Whenua Māori. Nā ēnei āhuatanga kino i pā te taumahatanga ki te hapori, ki ngā mahi torangapu, ki ngā mahi oahoha hoki, ka mutu ka rongō i te uauatanga o te wā pōhara, ka ngaro ngā painga me ngā rawa i a Ngāti Tūwharetoa.
- (f) Tino matapōuri ana te Karauna mō ngā rawa o Papatūānuku, arā, ko ngā wharehiko ā-ngāwhā, ko ngā wharehiko ā-awa, kua oti kē te hanga ki tō rohe, hei painga mō ngā tāngata katoa o Aotearoa kāti ake, he utu nui tā Ngāti Tūwharetoa mō ēnei momo whakahaere. Nā ēnei tū kaupapa

hanga hiko kua matemate haere ngā awa me ngā roto ki te puku o te whenua e ai ki a Ngāti Tūwharetoa e rite ana ki ngā ia toto e kapakapa ana ki te manawa o Te Ika-a-Māui ki Taupō moana. Tino hōhonu te whakamā o te Karauna mō te tūkinotanga o Rotoaira, me kī e kore nei a muri e hokia, tūturu ake kua rerekē a Rotoaira me ana tini ika, ka mutu kua takahia tōna mauri tapu. Āpiti atu i tēnā, ka tino hūmārie rawa atu te Karauna me tana kupu whakapāha mō te tukinotanga me te whakaparahako e pā ana ki te whakatū ake i ēnei pūnaha, nāna nei i takahi atu ai i ngā kōiwi me ngā wāhi tapu o Ngāti Tūwharetoa.

- (g) Nā te whakataunga kokoraho me tēnei kupu whakapāha, e tino mōhio ana te Karauna ki te mana whakapūmau a Ngāti Tūwharetoa ki ōna whenua tuku iho. E titiro whakamua ana te Karauna ki tētahi tatau pounamu e mau ana ki te mana me te tapu o Ngāti Tūwharetoa i runga anō i ngā mātāpono o Te Tiriti o Waitangi, me te tautoko atu i te mahi whakarauora i ngā hapū maha o Ngāti Tūwharetoa.”

Interpretation

11 Interpretation of Act generally

It is the intention of Parliament that the provisions of this Act are interpreted in a manner that best furthers the agreements expressed in the deed of settlement.

12 Interpretation

In this Act, unless the context otherwise requires,—

administering body has the meaning given in section 2(1) of the Reserves Act 1977

aquatic life has the meaning given in section 2(1) of the Conservation Act 1987

attachments means the attachments to the deed of settlement

commercial redress property has the meaning given in section 126

Commissioner of Crown Lands means the Commissioner of Crown Lands appointed in accordance with section 24AA of the Land Act 1948

computer register—

- (a) has the meaning given in section 4 of the Land Transfer (Computer Registers and Electronic Lodgement) Amendment Act 2002; and
- (b) includes, where relevant, a certificate of title issued under the Land Transfer Act 1952

consent authority has the meaning given in section 2(1) of the Resource Management Act 1991

conservation area has the meaning given in section 2(1) of the Conservation Act 1987

conservation legislation means—

- (a) the Conservation Act 1987; and
- (b) the enactments listed in Schedule 1 of that Act

conservation management plan has the meaning given in section 2(1) of the Conservation Act 1987

conservation management strategy has the meaning given in section 2(1) of the Conservation Act 1987

Crown has the meaning given in section 2(1) of the Public Finance Act 1989

cultural redress property has the meaning given in section 68

deed of settlement—

- (a) means the deed of settlement dated 8 July 2017 and signed by—
 - (i) the Honourable Christopher Finlayson, Minister for Treaty of Waitangi Negotiations, the Honourable Steven Joyce, Minister of Finance, and the Honourable Te Ururoa Flavell, Minister for Māori Development, for and on behalf of the Crown; and
 - (ii) Sir Tumu Te Heuheu Tūkino VIII, Te Ariki o Ngāti Tūwharetoa, for and on behalf of Ngāti Tūwharetoa; and
- (b) includes—
 - (i) the schedules of, and attachments to, the deed; and
 - (ii) any amendments to the deed or its schedules and attachments

deferred selection property has the meaning given in section 126

Director-General means the Director-General of Conservation

documents schedule means the documents schedule of the deed of settlement

effective date means the date that is 6 months after the settlement date

historical claims has the meaning given in section 14

interest means a covenant, easement, lease, licence, licence to occupy, tenancy, or other right or obligation affecting a property

LINZ means Land Information New Zealand

local authority has the meaning given in section 5(1) of the Local Government Act 2002

member of Ngāti Tūwharetoa means an individual referred to in section 13(2)(b)

national park management plan has the meaning given to management plan in section 2 of the National Parks Act 1980

Ngāti Tūwharetoa has the meaning given in section 13

Ngāti Tūwharetoa tikanga means the tikanga of Ngāti Tūwharetoa

overlay classification has the meaning given in section 48

property redress schedule means the property redress schedule of the deed of settlement

Registrar-General means the Registrar-General of Land appointed in accordance with section 4 of the Land Transfer Act 1952

representative entity means—

- (a) the trustees; and
- (b) any person, including any trustee, acting for or on behalf of—
 - (i) the collective group referred to in section 13(2)(b); or
 - (ii) 1 or more members of Ngāti Tūwharetoa; or
 - (iii) 1 or more of the hapū, whānau, or groups referred to in section 13(2)(a)

reserve has the meaning given in section 2(1) of the Reserves Act 1977

reserve property has the meaning given in section 68

resource consent has the meaning given in section 2(1) of the Resource Management Act 1991

RFR means the right of first refusal provided for by subpart 4 of Part 3

RFR area has the meaning given in section 141

RFR land has the meaning given in section 142

settlement date means the date that is 40 working days after the date on which this Act comes into force

statutory acknowledgement has the meaning given in section 28

taonga tūturu—

- (a) has the meaning given in section 2(1) of the Protected Objects Act 1975; and
- (b) includes ngā taonga tūturu, as defined in section 2(1) of that Act

Te Kotahitanga o Ngāti Tūwharetoa means the trust of that name established by a trust deed dated 11 April 2017

tikanga means customary law, values, and practices

Tongariro Trout Hatchery and Freshwater Ecology Centre Trust means the trust of that name that—

- (a) must be established before settlement date with its trustees appointed in accordance with clause 7.33.1 of the deed of settlement; and
- (b) on settlement date will be the administering body of the properties described in sections 104(2) and 198(1)

trustees of Te Kotahitanga o Ngāti Tūwharetoa and **trustees** mean the trustees, acting in their capacity as trustees, of Te Kotahitanga o Ngāti Tūwharetoa

working day means a day other than—

- (a) Saturday, Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, and Labour Day:
- (b) if Waitangi Day or Anzac Day falls on a Saturday or Sunday, the following Monday:
- (c) a day in the period commencing with 25 December in any year and ending with the close of 15 January in the following year:
- (d) the days observed as the anniversaries of the provinces of Auckland and Wellington.

13 Meaning of Ngāti Tūwharetoa

- (1) In this Act, **Ngāti Tūwharetoa** means te iwi me ngā hapū o Ngāti Tūwharetoa.
- (2) In this section, **te iwi me ngā hapū o Ngāti Tūwharetoa** means—
 - (a) any hapū, whānau, or group to the extent that it is composed of individuals referred to in paragraph (b), including the following hapū:
 - (i) Ngāti Haa:
 - (ii) Ngāti Hikairo:
 - (iii) Ngāti Hine:
 - (iv) Ngāti Hinemihi:
 - (v) Ngāti Hinerau:
 - (vi) Ngāti Hineure:
 - (vii) Ngāti Kurauia:
 - (viii) Ngāti Manunui:
 - (ix) Ngāti Moekino:
 - (x) Ngāti Parekaawa:
 - (xi) Ngāti Rauhoto:
 - (xii) Ngāti Rongomai:
 - (xiii) Ngāti Ruingārangi:
 - (xiv) Ngāti Tarakaiahi:
 - (xv) Ngāti Te Kohera:
 - (xvi) Ngāti Te Maunga:
 - (xvii) Ngāti Te Rangiita:
 - (xviii) Ngāti Te Urunga:
 - (xix) Ngāti Tūrangitukua:
 - (xx) Ngāti Turumākina:
 - (xxi) Ngāti Tūtemohuta:

- (xxii) Ngāti Tūtetawhā:
- (xxiii) Ngāti Waewae:
- (xxiv) Ngāti Wairangi:
- (xxv) Ngāti Whēro:
- (xxvi) Te Kapa o Te Rangiita; and
- (b) the collective group composed of individuals who are descended from a Ngāti Tūwharetoa tupuna; and
- (c) every individual referred to in paragraph (b); but
- (d) does not include—
 - (i) Ngāti Tūwharetoa ki Kawerau (Bay of Plenty); or
 - (ii) any member of Ngāti Hineuru who trace descent to Ngāti Tūwharetoa only through the tupuna Hineuru.
- (3) In this section and section 14,—
 - area of interest** means the area shown as the Ngāti Tūwharetoa area of interest in part 1 of the attachments
 - customary rights** means rights exercised according to tikanga Māori, including—
 - (a) rights to occupy land; and
 - (b) rights in relation to the use of land or other natural or physical resources
 - descended** means that a person is descended from another person by—
 - (a) birth; or
 - (b) legal adoption; or
 - (c) Māori customary adoption in accordance with Ngāti Tūwharetoa tikanga
 - Ngāti Tūwharetoa tupuna** means an individual who—
 - (a) exercised customary rights by virtue of being descended from—
 - (i) Ngātoroirangi through the eponymous tupuna Tūwharetoa; or
 - (ii) any other recognised ancestor of a hapū listed in subsection (2)(b); and
 - (b) exercised the customary rights predominantly in relation to the area of interest at any time after 6 February 1840.

14 Meaning of historical claims

- (1) In this Act, **historical claims**—
 - (a) means the claims described in subsection (2); and
 - (b) includes the claims described in subsection (3); but
 - (c) does not include the claims described in subsection (4).

- (2) The historical claims are every claim that Ngāti Tūwharetoa or a representative entity had on or before the settlement date, or may have after the settlement date, and that—
- (a) is founded on a right arising—
 - (i) from the Treaty of Waitangi or its principles; or
 - (ii) under legislation; or
 - (iii) at common law (including aboriginal title or customary law); or
 - (iv) from a fiduciary duty; or
 - (v) otherwise; and
 - (b) arises from, or relates to, acts or omissions before 21 September 1992—
 - (i) by or on behalf of the Crown; or
 - (ii) by or under legislation.
- (3) The historical claims include—
- (a) a claim to the Waitangi Tribunal that relates exclusively to Ngāti Tūwharetoa or a representative entity, including each of the following claims, to the extent that subsection (2) applies to the claim:
 - (i) Wai 18 (Lake Taupo Claim):
 - (ii) Wai 37 (Ōkahukura Block):
 - (iii) Wai 43 (Nukuhau):
 - (iv) Wai 61 (Kaimanawa to Rotoaira Lands):
 - (v) Wai 75 (The Hauhungaroa & Other Blocks Claim):
 - (vi) Wai 80 (Waihaha Lands):
 - (vii) Wai 92 (Effects of Taupo Basin Reserves Scheme, Hydroelectric Power Development, and Local Government):
 - (viii) Wai 114 (Lake Taupo Fisheries):
 - (ix) Wai 170 (Wairākei Lands):
 - (x) Wai 178 (Lake Rotoaira):
 - (xi) Wai 226 (Tūwharetoa Geothermal):
 - (xii) Wai 269 (Kaingaroa Forest):
 - (xiii) Wai 359 (Hautu and Rangipō Prison Farms Claim):
 - (xiv) Wai 376 (Paenoa Te Akau Lands):
 - (xv) Wai 398 (Tauhara Middle Block):
 - (xvi) Wai 416 (Rangatira No. 7 Block):
 - (xvii) Wai 480 (Conservation Management Strategy for Tongariro/ Taupo Conservancy):
 - (xviii) Wai 490 (Tokaanu Hot Springs Reserve):

- (xix) Wai 500 (Tauhara Middle No. 1 Block):
- (xx) Wai 502 (Tongariro National Park):
- (xxi) Wai 570 (Tauranga-Taupo No. 1 & No. 2B Blocks):
- (xxii) Wai 592 (Tauhara Middle No. 4A103, 4A104 & 4A1N Blocks):
- (xxiii) Wai 604 (Runanga No. 2C2B1 & 2C2B2 Blocks):
- (xxiv) Wai 629 (Rangatira A143 Block):
- (xxv) Wai 641 (Ngāti Hine Hapū):
- (xxvi) Wai 665 (Tauhara Middle Block):
- (xxvii) Wai 669 (Tauhara Middle Block):
- (xxviii) Wai 670 (Tauhara Middle Block):
- (xxix) Wai 711 (Tauhara Middle No. 4 Block (Rotoakui Reserve)):
- (xxx) Wai 782 (Taupo Basin Reserves Scheme, Tauhara Middle Blocks):
- (xxxix) Wai 797 (Lands and Geothermal Resources at Wairākei, Oruanui, Ohaaki, Tauhara, Atiamuri and Other Areas):
- (xxxii) Wai 801 (Te Hatepe and Hinemaiaia Rivers):
- (xxxiii) Wai 802 (Tokaanu Police Station):
- (xxxiv) Wai 833 (Te Moana Rotoaira and Resources):
- (xxxv) Wai 834 (Runanga No. 1 and Tauhara Middle No. 4 Blocks Claim):
- (xxxvi) Wai 838 (Ngāti Te Rangiita Lands and Resources):
- (xxxvii) Wai 841 (Greater Taupo Region):
- (xxxviii) Wai 933 (Lake Rotoaira and Wairehu Stream):
- (xxxix) Wai 965 (Taurewa No. 1 Block):
- (xl) Wai 998 (Crown Negotiation re Whanganui River):
- (xli) Wai 1006 (Land in Taupōnui-a-Tia Rohe):
- (xlii) Wai 1027 (Land on North Side of Lake Taupo):
- (xliii) Wai 1044 (Ngāti Te Ika of Ngāti Hikairo ki Tūwharetoa Lands and Resources):
- (xliv) Wai 1077 (Oruanui and Associated Blocks):
- (xlv) Wai 1193 (Parekaawa Lands):
- (xlvi) Wai 1206 (Ngāti Te Kohera Lands and Resources):
- (xlvii) Wai 1207 (Te Tihoi No. 3 Block):
- (xlviii) Wai 1260 (Ngāti Waewae Claim):
- (xlix) Wai 1262 (Ngāti Hikairo ki Tongariro Claim):

- (l) Wai 1264 (Lands in the Tongariro National Park):
 - (li) Wai 1378 (Tauhara Land Blocks Claim):
 - (lii) Wai 1417 (Puketapu 3B7B Trust Claim):
 - (liii) Wai 1447 (Ngāti Hinemihi Lands and Resources Claim):
 - (liv) Wai 1602 (Ngāti Te Kohera Lands and Resources):
 - (lv) Wai 1605 (Lands and Resources):
 - (lvi) Wai 1790 (Hiruharama Lands (Subritzky) Claim):
 - (lvii) Wai 1836 (Ngāti Rauhoto Lands and Resources):
 - (lviii) Wai 1869 (Descendants of Matiu Te Hokowhitu Waahi Tapu Claim):
 - (lix) Wai 1876 (Hautu 3F1 Block (Heremaia) Claim):
 - (lx) Wai 1915 (Tokaanu Lands (Milne) Claim):
 - (lxi) Wai 2069 (Descendants of Rex Te Rangi Ita Petera Taumata (Dunn) Lands Claim):
 - (lxii) Wai 2094 (Owners of Waituhi Kuratau 1B1 Lands (Mareikura) Claim):
 - (lxiii) Wai 2095 (Descendants of Hingaia Huruaio Lands (Lord) Claim):
 - (lxiv) Wai 2098 (Ngāti Te Maunga hapū Lands and Resources):
 - (lxv) Wai 2142 (Lands and Resources Outside the Turangi Township):
 - (lxvi) Wai 2192 (Ngā Uri o Te Upoko o Tataia (Wanikau) Claim):
 - (lxvii) Wai 2287 (Lands and Resources):
 - (lxviii) Wai 2288 (Tauhara Middle Block (Tahau) Claim):
 - (lxix) Wai 2315 (Ngāti Rongomai Lands (Johnson, Lee, Riddell & Barlow) Claim):
 - (lxx) Wai 2318 (Ngāti Mananui Access to Land Claim):
 - (lxxi) Wai 2454 (Tauhara 14 Middle Trust Housing Scheme Claim):
 - (lxxii) Wai 2455 (The Paurini Reserve (Lakeshore Reserves Act) Claim):
 - (lxxiii) Wai 2461 (Parakiri Reserve Land Claim):
 - (lxxiv) Wai 2464 (Tauhara Middle No. 4 and Rotoakui Reserve Claim):
 - (lxxv) Wai 2467 (The Taupo Control Gates Land Claim):
 - (lxxvi) Wai 2469 (Pahautea Severance (Public Works) Claim); and
- (b) every other claim to the Waitangi Tribunal, including each of the following claims, to the extent that subsection (2) applies to the claim and the claim relates to Ngāti Tūwharetoa or a representative entity:
- (i) Wai 216 (Te Matai No. 1 & 2 Blocks):

- (ii) Wai 318 (Whaiti Kuranui 2D4 & Other Blocks Claim):
 - (iii) Wai 358 (Tatua & Tuhingamata West Forestry Lands):
 - (iv) Wai 445 (Tauhara Middle Block):
 - (v) Wai 575 (Ngāti Tūwharetoa Comprehensive Claim):
 - (vi) Wai 628 (Tahorakuri No. 2 Block):
 - (vii) Wai 651 (Te Reu Reu Land Claim):
 - (viii) Wai 781 (Atiamuri, Rotokawa, Te Haroto, Southern Kaimanawa Range, Shores of Lake Taupo, Rangitaiki and Waikato Riverbeds and their Tributaries to Kawerau, Numerous Geothermal Sources, the Kaingaroa Forest and Rotoakui Reserve):
 - (ix) Wai 786 (Atiamuri Ki Kaimanawa (Rameka) Claim):
 - (x) Wai 786 (Tauhara Hapū Lands and Resources):
 - (xi) Wai 791 (Volcanic Interior Plateau):
 - (xii) Wai 832 (Tauhara Middle Block):
 - (xiii) Wai 1059 (Te Rohe Pōtae):
 - (xiv) Wai 1195 (Parakiri and Associated Land Blocks Claim):
 - (xv) Wai 1196 (Tongariro National Park Scheme Lands):
 - (xvi) Wai 1451 (Tatua and Rangatira Blocks):
 - (xvii) Wai 1452 (Lands and Resources):
 - (xviii) Wai 1472 (Ngāti Wairangi Lands and Resources):
 - (xix) Wai 1874 (Descendants of Paora Hapi Lands Claim):
 - (xx) Wai 2077 (Ngāti Rahurahu Lands (Hiko) Claim):
 - (xxi) Wai 2291 (Lands and Resources):
 - (xxii) Wai 2197 (Rangitikei River Lands (Heitia) Claim):
 - (xxiii) Wai 2453 (The Halletts Bay Whānau (Native Land Act) Claim):
 - (xxiv) Wai 2498 (Rangitoto Tuhua 67B4C1B (Mato) Claim).
- (4) However, the historical claims do not include—
- (a) a claim that a member of Ngāti Tūwharetoa, or a hapū, whānau, or group referred to in section 13(2)(a), had or may have that is founded on a right arising by virtue of being descended from an ancestor who is not an ancestor of Ngāti Tūwharetoa; or
 - (b) a claim that is based on descent from the ancestor Raukawa; or
 - (c) a claim that a representative entity had or may have that is based on a claim referred to in paragraph (a).
- (5) A claim may be a historical claim whether or not the claim has arisen or been considered, researched, registered, notified, or made on or before the settlement date.

- (6) This Act will provide for the settlement in full of Wai 21 (Te Wai Ū o Tūwharetoa claim).

Historical claims settled and jurisdiction of courts, etc, removed

15 Settlement of historical claims final

- (1) The historical claims are settled.
- (2) The settlement of the historical claims is final, and, on and from the settlement date, the Crown is released and discharged from all obligations and liabilities in respect of those claims.
- (3) Subsections (1) and (2) do not limit the deed of settlement.
- (4) Despite any other enactment or rule of law, on and from the settlement date, no court, tribunal, or other judicial body has jurisdiction (including the jurisdiction to inquire or further inquire, or to make a finding or recommendation) in respect of—
- (a) the historical claims; or
 - (b) the deed of settlement; or
 - (c) this Act; or
 - (d) the redress provided under the deed of settlement or this Act.
- (5) Subsection (4) does not exclude the jurisdiction of a court, tribunal, or other judicial body in respect of the interpretation or implementation of the deed of settlement or this Act.
- (6) Subsection (4) does not exclude the jurisdiction of the Waitangi Tribunal in so far as it relates to the steps that are necessary for the Tribunal to complete its inquiries and report on the following:
- (a) the Te Rohe Pōtae District Inquiry (Wai 898):
 - (b) the Taihape: Rangitīkei ki Rangipō District Inquiry (Wai 2180) and Porirua ki Manawatu Inquiry (Wai 2200) to the extent that it relates to Ngāti Tūwharetoa's claims.

Amendment to Treaty of Waitangi Act 1975

16 Amendment to Treaty of Waitangi Act 1975

- (1) This section amends the Treaty of Waitangi Act 1975.
- (2) In Schedule 3, insert in its appropriate alphabetical order:
Ngāti Tūwharetoa Claims Settlement Act 2018, section 15(4) and (5)

Resumptive memorials no longer to apply

17 Certain enactments do not apply

- (1) The enactments listed in subsection (2) do not apply—

- (a) to a cultural redress property; or
 - (b) to a commercial redress property; or
 - (c) to land within the RFR area; or
 - (d) for the benefit of Ngāti Tūwharetoa or a representative entity.
- (2) The enactments are—
- (a) Part 3 of the Crown Forest Assets Act 1989:
 - (b) sections 568 to 570 of the Education and Training Act 2020:
 - (c) Part 3 of the New Zealand Railways Corporation Restructuring Act 1990:
 - (d) sections 27A to 27C of the State-Owned Enterprises Act 1986:
 - (e) sections 8A to 8HJ of the Treaty of Waitangi Act 1975.

Section 17(2)(b): replaced, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

18 Resumptive memorials to be cancelled

- (1) The chief executive of LINZ must issue to the Registrar-General 1 or more certificates that specify the legal description of, and identify the computer register for, each allotment that—
- (a) is all or part of—
 - (i) a cultural redress property:
 - (ii) a commercial redress property; or
 - (b) is solely within the RFR area; and
 - (c) is subject to a resumptive memorial recorded under an enactment listed in section 17(2).
- (2) The chief executive of LINZ must issue a certificate, as soon as is reasonably practicable after the settlement date, for a cultural redress property, a commercial redress property, or each allotment that is solely within the RFR area.
- (3) Each certificate must state that it is issued under this section.
- (4) As soon as is reasonably practicable after receiving a certificate, the Registrar-General must—
- (a) register the certificate against each computer register identified in the certificate; and
 - (b) cancel each memorial recorded under an enactment listed in section 17(2) on a computer register identified in the certificate, but only in respect of each allotment described in the certificate.

*Miscellaneous matters***19 Rule against perpetuities does not apply**

- (1) The rule against perpetuities and the provisions of the Perpetuities Act 1964—
- (a) do not prescribe or restrict the period during which—
 - (i) Te Kotahitanga o Ngāti Tūwharetoa may exist in law; or
 - (ii) the trustees may hold or deal with property or income derived from property; and
 - (b) do not apply to a document entered into to give effect to the deed of settlement if the application of that rule or the provisions of that Act would otherwise make the document, or a right conferred by the document, invalid or ineffective.
- (2) However, if Te Kotahitanga o Ngāti Tūwharetoa is, or becomes, a charitable trust, the application (if any) of the rule against perpetuities or of any provision of the Perpetuities Act 1964 to that trust must be determined under the general law.

20 Access to deed of settlement

The chief executive of the Ministry of Justice must make copies of the deed of settlement available—

- (a) for inspection free of charge, and for purchase at a reasonable price, at the head office of the Ministry of Justice in Wellington between 9 am and 5 pm on any working day; and
- (b) free of charge on an Internet site maintained by or on behalf of the Ministry of Justice.

Part 2**Cultural redress**

Subpart 1—Protocols

21 Interpretation

In this subpart,—

protocol—

- (a) means each of the following protocols issued under section 22(1)(a):
 - (i) the Crown minerals protocol;
 - (ii) the primary industries protocol;
 - (iii) the taonga tūturu protocol; and
- (b) includes any amendments made under section 22(1)(b)

responsible Minister means,—

- (a) for the Crown minerals protocol, the Minister of Energy and Resources:
- (b) for the primary industries protocol, the 1 or more Ministers who have responsibility under the protocol:
- (c) for the taonga tūturu protocol, the Minister for Arts, Culture and Heritage:
- (d) for any protocol, any other Minister of the Crown authorised by the Prime Minister to exercise powers and perform functions and duties in relation to the protocol.

General provisions applying to protocols

22 Issuing, amending, and cancelling protocols

- (1) Each responsible Minister—
 - (a) must issue a protocol to the trustees on the terms set out in part 5 of the documents schedule; and
 - (b) may amend or cancel that protocol.
- (2) The responsible Minister may amend or cancel a protocol at the initiative of—
 - (a) the trustees; or
 - (b) the responsible Minister.
- (3) The responsible Minister may amend or cancel a protocol only after consulting, and having particular regard to the views of, the trustees.

23 Protocols subject to rights, functions, and duties

Protocols do not restrict—

- (a) the ability of the Crown to exercise its powers and perform its functions and duties in accordance with the law and Government policy, for example, the ability—
 - (i) to introduce legislation and change Government policy; and
 - (ii) to interact with or consult a person the Crown considers appropriate, including any iwi, hapū, marae, whānau, or other representative of tangata whenua; or
- (b) the responsibilities of a responsible Minister or a department of State; or
- (c) the legal rights of Ngāti Tūwharetoa or a representative entity.

24 Enforcement of protocols

- (1) The Crown must comply with a protocol while it is in force.
- (2) If the Crown fails to comply with a protocol without good cause, the trustees may enforce the protocol, subject to the Crown Proceedings Act 1950.

- (3) Despite subsection (2), damages or other forms of monetary compensation are not available as a remedy for a failure by the Crown to comply with a protocol.
- (4) To avoid doubt,—
 - (a) subsections (1) and (2) do not apply to guidelines developed for the implementation of a protocol; and
 - (b) subsection (3) does not affect the ability of a court to award costs incurred by the trustees in enforcing the protocol under subsection (2).

Crown minerals

25 Crown minerals protocol

- (1) The chief executive of the department of State responsible for the administration of the Crown Minerals Act 1991 must note a summary of the terms of the Crown minerals protocol in—
 - (a) a register of protocols maintained by the chief executive; and
 - (b) the minerals programmes that affect the Crown minerals protocol area, but only when those programmes are changed.
- (2) The noting of the summary is—
 - (a) for the purpose of public notice only; and
 - (b) not a change to the minerals programmes for the purposes of the Crown Minerals Act 1991.
- (3) The Crown minerals protocol does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to, Crown minerals.
- (4) In this section,—

Crown mineral means a mineral, as defined in section 2(1) of the Crown Minerals Act 1991,—

- (a) that is the property of the Crown under section 10 or 11 of that Act; or
- (b) over which the Crown has jurisdiction under the Continental Shelf Act 1964

Crown minerals protocol area means the area shown on the map attached to the Crown minerals protocol, together with the adjacent waters

minerals programme has the meaning given in section 2(1) of the Crown Minerals Act 1991.

Primary industries

26 Primary industries protocol

- (1) The chief executive of the Ministry for Primary Industries must note a summary of the terms of the primary industries protocol in any fisheries plan that affects the primary industries protocol area.
- (2) The noting of the summary is—
 - (a) for the purpose of public notice only; and
 - (b) not an amendment to a fisheries plan for the purposes of section 11A of the Fisheries Act 1996.
- (3) The primary industries protocol does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to, assets or other property rights (including in respect of fish, aquatic life, or seaweed) that are held, managed, or administered under any of the following enactments:
 - (a) the Fisheries Act 1996;
 - (b) the Maori Commercial Aquaculture Claims Settlement Act 2004;
 - (c) the Maori Fisheries Act 2004;
 - (d) the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992.

- (4) In this section,—

fisheries plan means a plan approved or amended under section 11A of the Fisheries Act 1996

primary industries protocol area means the area shown on the map attached to the primary industries protocol, together with the adjacent waters.

Taonga tūturu

27 Taonga tūturu protocol

The taonga tūturu protocol does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to, taonga tūturu.

Subpart 2—Statutory acknowledgement and geothermal statutory acknowledgement

28 Interpretation

In this subpart,—

geothermal energy has the meaning given in section 2(1) of the Resource Management Act 1991

geothermal resource—

- (a) means the geothermal energy and the geothermal water within each of the geothermal fields described in Part 2 of Schedule 1, the general location of which is indicated on the deed plan for each field; but
- (b) does not include any geothermal energy or geothermal water above the ground on land that is not owned by the Crown

geothermal statutory acknowledgement means the acknowledgement made by the Crown in section 38 in respect of the geothermal resource, on the terms set out in this subpart

geothermal water has the meaning given in section 2(1) of the Resource Management Act 1991

relevant consent authority, for a statutory area, means a consent authority of a region or district that contains, or is adjacent to, the statutory area

statement of association,—

- (a) for a statutory area, means the statement—
 - (i) made by Ngāti Tūwharetoa of their particular cultural, historical, spiritual, and traditional association with the statutory area; and
 - (ii) set out in part 4 of the documents schedule; and
- (b) for the geothermal resource, means the statement—
 - (i) made by Ngāti Tūwharetoa of their particular cultural, historical, spiritual, and traditional association with, and their use of, the geothermal resource; and
 - (ii) set out in part 4 of the documents schedule

statutory acknowledgement means the acknowledgement made by the Crown in section 29 in respect of the statutory areas, on the terms set out in this subpart

statutory area means an area described in Part 1 of Schedule 1, the general location of which is indicated on the deed plan for that area

statutory plan—

- (a) means a district plan, regional coastal plan, regional plan, regional policy statement, or proposed policy statement as defined in section 43AA of the Resource Management Act 1991; and
- (b) includes a proposed plan, as defined in section 43AAC of that Act.

*Statutory acknowledgement***29 Statutory acknowledgement by the Crown**

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

30 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 31 to 33; 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 34 and 35; and
- (c) to enable the trustees and any member of Ngāti Tūwharetoa to cite the statutory acknowledgement as evidence of the association of Ngāti Tūwharetoa with a statutory area, in accordance with section 36.

31 Relevant consent authorities to have regard to statutory acknowledgement

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

32 Environment Court to have regard to statutory acknowledgement

- (1) This section applies to proceedings in the Environment Court in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.
- (2) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 274 of the Resource Management Act 1991, whether the trustees are persons with an interest in the proceedings greater than that of the general public.
- (3) Subsection (2) does not limit the obligations of the Environment Court under the Resource Management Act 1991.

33 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.

34 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 information attached to a statutory plan must include—
 - (a) a copy of sections 29 to 33, 35, and 36; and
 - (b) descriptions of the statutory areas wholly or partly covered by the plan; and
 - (c) the statement of association for each statutory area.
- (3) The attachment of information to a statutory plan under this section is for the purpose of public information only and, unless adopted by the relevant consent authority as part of the statutory plan, the information is not—
 - (a) part of the statutory plan; or
 - (b) subject to the provisions of Schedule 1 of the Resource Management Act 1991.

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 a statutory area:
 - (a) if the application is received by the consent authority, a summary of the application; or
 - (b) if notice of the application is served on the consent authority under section 145(10) of the Resource Management Act 1991, a copy of the notice.
- (2) A summary provided under subsection (1)(a) must be the same as would be given to an affected person by limited notification under section 95B of the

Resource Management Act 1991 or as may be agreed between the trustees and the relevant consent authority.

- (3) The summary must be provided—
 - (a) as soon as is reasonably practicable after the relevant consent authority receives the application; but
 - (b) before the relevant consent authority decides under section 95 of the Resource Management Act 1991 whether to notify the application.
- (4) A copy of a notice must be provided under subsection (1)(b) not later than 10 working days after the day on which the consent authority receives the notice.
- (5) The trustees may, by written notice to a relevant consent authority,—
 - (a) waive the right to be provided with a summary or copy of a notice under this section; and
 - (b) state the scope of that waiver and the period it applies for.
- (6) This section does not affect the obligation of a relevant consent authority to decide,—
 - (a) under section 95 of the Resource Management Act 1991, whether to notify an application:
 - (b) under section 95E of that Act, whether the trustees are affected persons in relation to an activity.

36 Use of statutory acknowledgement

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

- (a) neither the trustees nor members of Ngāti Tūwharetoa are precluded from stating that Ngāti Tūwharetoa 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.

37 Application of statutory acknowledgement to river, stream, or lake

- (1) If any part of the statutory acknowledgement applies to a river or stream, including a tributary, that part of the acknowledgement—
 - (a) applies only to—
 - (i) the continuously or intermittently flowing body of fresh water, including a modified watercourse, that comprises the river or stream; and
 - (ii) the bed of the river or stream, which is the land that the waters of the river or stream cover at their fullest flow without flowing over the banks of the river or stream; but
 - (b) does not apply to—
 - (i) a part of the bed of the river or stream that is not owned by the Crown; or
 - (ii) an artificial watercourse.
- (2) If any part of the statutory acknowledgement applies to a lake,—
 - (a) that part of the acknowledgement applies only to—
 - (i) the body of fresh water in the lake; and
 - (ii) the bed of the lake; and
 - (b) that part of the acknowledgement does not apply to any part of the bed of the lake that is not owned by the Crown; and
 - (c) that part of the acknowledgement does not apply,—
 - (i) in the case of a lake not controlled by artificial means, to any land that the waters of the lake do not cover at their highest level without overflowing the banks of the lake; or
 - (ii) in the case of a lake controlled by artificial means, to any land that the waters of the lake do not cover at the maximum operating level; or
 - (iii) to any river, stream, or watercourse, whether artificial or otherwise, draining into or out of a lake.
- (3) In this section,—

lake means a body of fresh water that is entirely or nearly surrounded by land, and includes a lake controlled by artificial means

maximum operating level means the level of water prescribed for an activity carried out in or on a lake under a resource consent or a rule in a regional plan or proposed plan within the meaning of the Resource Management Act 1991.

Geothermal statutory acknowledgement

38 Geothermal statutory acknowledgement by the Crown

The Crown acknowledges the statement of association for the geothermal resource.

39 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 40 and 41; 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 applications to the trustees, in accordance with sections 42 and 43; and
- (c) enable the trustees and any member of Ngāti Tūwharetoa to cite the geothermal statutory acknowledgement as evidence of the association of Ngāti Tūwharetoa with the geothermal resource, in accordance with section 44.

40 Relevant consent authorities to have regard to geothermal statutory acknowledgement

- (1) This section applies 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, a relevant consent authority must have regard to the geothermal statutory acknowledgement in deciding, under section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to the activity.
- (3) Subsection (2) does not limit the obligations of a relevant consent authority under the Resource Management Act 1991.

41 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 in deciding, under section 274 of the

Resource Management Act 1991, whether the trustees are persons with an interest in the proceedings greater than that of the general public.

- (3) Subsection (2) does not limit the obligations of the Environment Court under the Resource Management Act 1991.

42 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 geothermal resource.
- (2) The information attached to a statutory plan must include—
- (a) a copy of sections 38 to 41, 43, and 44; and
 - (b) a description of the geothermal resource wholly or partly covered by the plan; and
 - (c) the statement of association for the geothermal resource.
- (3) The attachment of information to a statutory plan under this section is for the purpose of public information only and, unless adopted by the relevant consent authority as part of the statutory plan, the information is not—
- (a) part of the statutory plan; or
 - (b) subject to the provisions of Schedule 1 of the Resource Management Act 1991.

43 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 notice of the application is served on the consent authority under section 145(10) of the Resource Management Act 1991, a copy of the notice.
- (2) A summary provided under subsection (1)(a) must be the same as would be given to an affected person by limited notification under section 95B of the Resource Management Act 1991 or as may be agreed between the trustees and the relevant consent authority.
- (3) The summary must be provided—
- (a) as soon as is reasonably practicable after the relevant consent authority receives the application; but
 - (b) before the relevant consent authority decides under section 95 of the Resource Management Act 1991 whether to notify the application.

- (4) A copy of a notice must be provided under subsection (1)(b) not later than 10 working days after the day on which the consent authority receives the notice.
- (5) The trustees may, by written notice to a relevant consent authority,—
 - (a) waive the right to be provided with a summary or copy of a notice under this section; and
 - (b) state the scope of that waiver and the period it applies for.
- (6) This section does not affect the obligation of a relevant consent authority to decide,—
 - (a) under section 95 of the Resource Management Act 1991, whether to notify an application:
 - (b) under section 95E of that Act, whether the trustees are affected persons in relation to an activity.

44 Use of geothermal statutory acknowledgement

- (1) The trustees and any member of Ngāti Tūwharetoa may, as evidence of the association of Ngāti Tūwharetoa 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 Resource Management Act 1991.
- (2) The content of a statement of association is not, by virtue of the geothermal statutory acknowledgement, binding as fact on—
 - (a) the bodies referred to in subsection (1); or
 - (b) parties to proceedings before those bodies; or
 - (c) any other person who is entitled to participate in those proceedings.
- (3) However, the bodies and persons specified in subsection (2) may take the geothermal statutory acknowledgement into account.
- (4) To avoid doubt,—
 - (a) neither the trustees nor members of Ngāti Tūwharetoa are precluded from stating that Ngāti Tūwharetoa has an association with the 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.

General provisions relating to statutory acknowledgement and geothermal statutory acknowledgement

45 Exercise of powers and performance of functions and duties

- (1) The statutory acknowledgement and the geothermal statutory acknowledgement do not affect, and must not be taken into account by, a person exercising a power or performing a function or duty under an enactment or a bylaw.
- (2) A person, in considering a matter or making a decision or recommendation under an enactment or a bylaw, must not give greater or lesser weight to the association of Ngāti Tūwharetoa with—
 - (a) a statutory area than that person would give if there were no statutory acknowledgement for the statutory area; or
 - (b) the geothermal resource than that person would give if there were no geothermal statutory acknowledgement for the geothermal resource.
- (3) Subsection (2) does not limit subsection (1).
- (4) This section is subject to other provisions in this subpart.

46 Rights not affected

- (1) The statutory acknowledgement and the geothermal statutory acknowledgement—
 - (a) do not affect the lawful rights or interests of a person who is not a party to the deed of settlement; and
 - (b) do not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to, a statutory area or the geothermal resource.
- (2) This section is subject to the other provisions of this subpart.

Consequential amendment to Resource Management Act 1991

47 Amendment to Resource Management Act 1991

- (1) This section amends the Resource Management Act 1991.
- (2) In Schedule 11, insert in its appropriate alphabetical order:
Ngāti Tūwharetoa Claims Settlement Act 2018

Subpart 3—Overlay classification

48 Interpretation

- (1) In this Act, **overlay classification** means the application of this subpart to each overlay site.
- (2) In this subpart,—

Conservation Board means a board established under section 6L of the Conservation Act 1987

New Zealand Conservation Authority means the Authority established by section 6A of the Conservation Act 1987

overlay site—

- (a) means a site that is declared under section 49(1) to be subject to the overlay classification; but
- (b) does not include an area or part of an area that is declared under section 60(1) to be no longer subject to the overlay classification

protection principles, for an overlay site,—

- (a) means the principles agreed by the trustees and the Minister of Conservation, as set out for the area in part 3 of the documents schedule; and
- (b) includes any principles as they are amended by the written agreement of the trustees and the Minister of Conservation

specified actions, for an overlay site, means the actions set out for the site in part 3 of the documents schedule

statement of values, for an overlay site, means the statement—

- (a) made by Ngāti Tūwharetoa of their values relating to their cultural, historical, spiritual, and traditional association with the overlay site; and
- (b) set out in part 2 of the documents schedule.

49 Declaration of overlay classification and the Crown's acknowledgement

- (1) The sites described in Schedule 2 are declared to be subject to the overlay classification.
- (2) The Crown acknowledges the statement of values for each overlay site.

50 Purposes of overlay classification

The only purposes of the overlay classification are—

- (a) to require the New Zealand Conservation Authority and relevant Conservation Boards to comply with the obligations in section 52; and
- (b) to enable the taking of action under sections 53 to 58.

51 Effect of protection principles

The protection principles are intended to prevent the values stated in the statement of values for an overlay site from being harmed or diminished.

52 Obligations on New Zealand Conservation Authority and Conservation Boards

- (1) When the New Zealand Conservation Authority or a Conservation Board considers a conservation management strategy, conservation management plan, or

- national park management plan that relates to an overlay site, the Authority or Board must have particular regard to—
- (a) the statement of values for the site; and
 - (b) the protection principles for the site.
- (2) Before approving a strategy or plan that relates to an overlay site, the New Zealand Conservation Authority or a Conservation Board must—
- (a) consult the trustees; and
 - (b) have particular regard to the views of the trustees as to the effect of the strategy or plan on—
 - (i) any matters in the implementation of the statement of values for the overlay site; and
 - (ii) any matters in the implementation of the protection principles for the overlay site.
- (3) If the trustees advise the New Zealand Conservation Authority in writing that they have significant concerns about a draft conservation management strategy in relation to an overlay site, the Authority must, before approving the strategy, give the trustees an opportunity to make submissions in relation to those concerns.

53 Noting of overlay classification in strategies and plans

- (1) The application of the overlay classification to an overlay site must be noted in any conservation management strategy, conservation management plan, or national park management plan affecting the overlay site.
- (2) The noting of the overlay classification is—
 - (a) for the purpose of public notice only; and
 - (b) not an amendment to the strategy or plan for the purposes of section 171 of the Conservation Act 1987 or section 46 of the National Parks Act 1980.

54 Notification in *Gazette*

- (1) The Minister of Conservation must notify in the *Gazette*, as soon as practicable after the settlement date,—
 - (a) the declaration made by section 49 that the overlay classification applies to a site; and
 - (b) the protection principles for each overlay site.
- (2) An amendment to the protection principles, as agreed by the trustees and the Minister of Conservation, must be notified by the Minister in the *Gazette* as soon as practicable after the amendment has been agreed in writing.
- (3) The Director-General may notify in the *Gazette* any action (including any specified action) taken or intended to be taken under section 55 or 56.

55 Actions by Director-General

- (1) The Director-General must take action in relation to the protection principles that relate to each overlay site, including the specified actions.
- (2) The Director-General retains complete discretion to determine the method and extent of the action to be taken.
- (3) The Director-General must notify the trustees in writing of any action intended to be taken.

56 Amendment to strategies or plans

- (1) The Director-General may initiate an amendment to a conservation management strategy, conservation management plan, or national park management plan to incorporate objectives for the protection principles that relate to an overlay site.
- (2) The Director-General must consult the relevant Conservation Boards before initiating the amendment.
- (3) The amendment is an amendment for the purposes of section 17I(1) to (3) of the Conservation Act 1987 or section 46(1) to (4) of the National Parks Act 1980.

57 Regulations

The Governor-General may, by Order in Council made on the recommendation of the Minister of Conservation, make regulations for 1 or more of the following purposes:

- (a) to provide for the implementation of objectives included in a strategy or plan under section 56(1):
- (b) to regulate or prohibit activities or conduct by members of the public in relation to an overlay site:
- (c) to create offences for breaches of regulations made under paragraph (b):
- (d) to prescribe the following fines for an offence referred to in paragraph (c):
 - (i) a fine not exceeding \$5,000; and
 - (ii) if the offence is a continuing one, an additional amount not exceeding \$500 for every day on which the offence continues.

58 Bylaws

The Minister of Conservation may make bylaws for 1 or more of the following purposes:

- (a) to provide for the implementation of objectives included in a strategy or plan under section 56(1):
- (b) to regulate or prohibit activities or conduct by members of the public in relation to an overlay site:

- (c) to create offences for breaches of bylaws made under paragraph (b):
- (d) to prescribe the following fines for an offence referred to in paragraph (c):
 - (i) a fine not exceeding \$5,000; and
 - (ii) if the offence is a continuing one, an additional amount not exceeding \$500 for every day on which the offence continues.

59 Effect of overlay classification on overlay site

- (1) This section applies if, at any time, the overlay classification applies to any land in—
 - (a) a national park under the National Parks Act 1980; or
 - (b) a conservation area under the Conservation Act 1987; or
 - (c) a reserve under the Reserves Act 1977.
- (2) The overlay classification does not affect—
 - (a) the status of the land as a national park, conservation area, or reserve; or
 - (b) the classification or purpose of a reserve.

60 Termination of overlay classification

- (1) The Governor-General may, by Order in Council made on the recommendation of the Minister of Conservation, declare that all or part of an overlay site is no longer subject to the overlay classification.
- (2) The Minister of Conservation must not make a recommendation for the purposes of subsection (1) unless—
 - (a) the trustees and the Minister of Conservation have agreed in writing that the overlay classification is no longer appropriate for the relevant area; or
 - (b) the relevant area is to be, or has been, disposed of by the Crown; or
 - (c) the responsibility for managing the relevant area is to be, or has been, transferred to a different Minister of the Crown or the Commissioner of Crown Lands.
- (3) The Crown must take reasonable steps to ensure that the trustees continue to have input into the management of a relevant area if—
 - (a) subsection (2)(c) applies; or
 - (b) there is a change in the statutory management regime that applies to all or part of the overlay site.

61 Exercise of powers and performance of functions and duties

- (1) The overlay classification does not affect, and must not be taken into account by, any person exercising a power or performing a function or duty under an enactment or a bylaw.

- (2) A person, in considering a matter or making a decision or recommendation under legislation or a bylaw, must not give greater or lesser weight to the values stated in the statement of values for an overlay site than that person would give if the site were not subject to the overlay classification.
- (3) Subsection (2) does not limit subsection (1).
- (4) This section is subject to the other provisions of this subpart.

62 Rights not affected

- (1) The overlay classification does not—
 - (a) affect the lawful rights or interests of a person who is not a party to the deed of settlement; or
 - (b) have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to, an overlay site.
- (2) This section is subject to the other provisions of this subpart.

Subpart 4—Official geographic names

63 Interpretation

In this subpart,—

Act means the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008

Board has the meaning given in section 4 of the Act

Mission Bay Recreation Reserve means the land comprising 5.3362 hectares, more or less, being Sections 12 and 13 Block IV Tokaanu Survey District. Part *Gazette* notice H050268

official geographic name has the meaning given in section 4 of the Act.

64 Official geographic names

- (1) A name specified in the second column of the table in clause 8.29 of the deed of settlement is the official geographic name of the feature described in the third and fourth columns of that table.
- (2) Each official geographic name is to be treated as if it were an official geographic name that takes effect on the settlement date by virtue of a determination of the Board made under section 19 of the Act.

65 Publication of official geographic names

- (1) The Board must, as soon as practicable after the settlement date, give public notice, in accordance with section 21(2) and (3) of the Act, of each official geographic name specified under section 64(1).
- (2) The notice must state that each official geographic name became an official geographic name on the settlement date.

66 Subsequent alteration of official geographic names

- (1) In making a determination to alter the official geographic name of a feature named under this subpart, the Board—
 - (a) need not comply with section 16, 17, 18, 19(1), or 20 of the Act; but
 - (b) must have the written consent of the trustees.
- (2) To avoid doubt, the Board must give public notice of a determination made under subsection (1) in accordance with section 21(2) and (3) of the Act.

67 Name change for Crown protected area

- (1) The name of the Mission Bay Recreation Reserve is changed to Ōtaiātoa Bay Recreation Reserve.
- (2) The new name given to the reserve under subsection (1) is to be treated as if—
 - (a) it were an official geographic name that takes effect on the settlement date; and
 - (b) it had first been reviewed and concurred with by the Board under subpart 3 of Part 2 of the Act.
- (3) The Board must, as soon as practicable after the settlement date,—
 - (a) give public notice of the new name in accordance with section 21(2) and (3) of the Act; but
 - (b) state in the notice that the new name became an official geographic name on the settlement date.
- (4) The official geographic name of a reserve named under this section must not be changed in accordance with subpart 3 of Part 2 of the Act without the written consent of the trustees, and any requirements under that subpart or another enactment for public notice of or consultation about the proposed name do not apply.

Subpart 5—Vesting of cultural redress properties**68 Interpretation**

In this subpart,—

cultural redress property means each of the following properties, and each property means the land of that name described in Schedule 3:

Properties vested in fee simple

- (1) Aratiatia site A:
- (2) Aratiatia site B:
- (3) Five Mile Bay site A:
- (4) Five Mile Bay site C:
- (5) Hautū property:

- (6) Karapiti property:
- (7) Karetoto property:
- (8) Parakiri site A:
- (9) Puanga Street property:
- (10) Part Former Tauranga Taupo School property:
- (11) Tawera Street property:
- (12) Te Huka North property:
- (13) Tokaanu Market property:
Properties vested in fee simple to be administered as reserves

- (14) Atahaka property:
- (15) Five Mile Bay site B:
- (16) Five Mile Bay site D:
- (17) Maunganamu property:
- (18) Motutere property:
- (19) Ngā Puna Wai Ariki ki Tokaanu property:
- (20) Ōmoho property:
- (21) Ōnekeneke property:
- (22) Oruatua property:
- (23) Paaka property:
- (24) Parakiri site B:
- (25) Parikaranga property:
- (26) Tauhara property:
- (27) Taupo Courthouse property:
- (28) Tauranga Taupō property:
- (29) Te Huka property:
- (30) Te Kōwhai property:
- (31) Te Rapa property:
- (32) Te Iringa o te Pouraka property:

Properties vested in fee simple subject to conservation covenant

- (33) Tauhara Mountain property:
- (34) Te Huka South property

geothermal interest means each of the following interests:

- (a) the Aratiatia (Polo) Flat Lease registered as L 7474333.1 and held in computer interest register 370401, in relation to Aratiatia site A:

- (b) the Wairakei Geothermal Encumbrance registered as ENC 8702593.5 and held in computer interest register 549545, in relation to Aratiatia site A, Aratiatia site B, and the Karapiti property:
- (c) the South Wairakei Forest 2011 Geothermal and Electricity Easement, 2050 Geothermal and Electricity Easement, and 2060 Geothermal and Electricity Easement, in relation to the Karapiti property:
- (d) the Wairakei Geothermal and Electricity Easement registered as E 8702593.6 and held in computer interest register 549546, and a variation registered as VE 8702593.7, in relation to the geothermal properties

geothermal property means each of the following properties:

- (a) Aratiatia site A:
- (b) Aratiatia site B:
- (c) Karapiti property:
- (d) Karetoto property:
- (e) Te Huka North property:
- (f) Te Huka South property

reserve property means each of the properties named in paragraphs (14) to (32) of the definition of cultural redress property.

Properties vested in fee simple

69 Aratiatia site A

The fee simple estate in Aratiatia site A vests in the trustees.

70 Aratiatia site B

The fee simple estate in Aratiatia site B vests in the trustees.

71 Five Mile Bay site A

- (1) The reservation of Five Mile Bay site A (being part of Five Mile Bay Recreation Reserve) as a recreation reserve subject to the Reserves Act 1977 is revoked.
- (2) The fee simple estate in Five Mile Bay site A vests in the trustees.

72 Five Mile Bay site C

- (1) The reservation of Five Mile Bay site C (being part of Five Mile Bay Recreation Reserve) as a recreation reserve subject to the Reserves Act 1977 is revoked.
- (2) The fee simple estate in Five Mile Bay site C vests in the trustees.

- (3) Subsections (1) and (2) do not take effect until the trustees have provided the Crown with a registrable covenant restricting building height on the terms and conditions set out in part 8.5 of the documents schedule.

73 Hautū property

- (1) The part of the Hautū property that is a conservation area under the Conservation Act 1987 ceases to be a conservation area.
- (2) The Hautū property ceases to be subject to Part 2 of the Maori Affairs Restructuring Act 1989.
- (3) The memorial noted on computer freehold register 768840 that the land is subject to section 5 of the Native Purposes Act 1939 must not be noted on the register created under section 113(5) for the Hautū property.
- (4) The fee simple estate in the Hautū property vests in the trustees.

74 Karapiti property

- (1) The fee simple estate in the Karapiti property vests in the trustees.
- (2) The Commissioner of Crown Lands must provide the trustees with a registrable right of way easement on the terms and conditions set out in part 8.1 of the documents schedule.
- (3) The improvements of the permit holder listed in Schedule 1 of the recreation permit granted under the Land Act 1948 to the Craters of the Moon Trust do not vest in the trustees despite the vesting under subsection (1).

75 Karetoto property

The fee simple estate in the Karetoto property vests in the trustees.

76 Parakiri site A

- (1) The reservation of Sections 1 and 3 SO 519771 as a recreation reserve subject to the Reserves Act 1977 is revoked.
- (2) The fee simple estate in Parakiri site A vests in the trustees.
- (3) Subsection (2) does not take effect until the trustees have provided—
 - (a) the Crown with a registrable lease on the terms and conditions set out in part 8.2 of the documents schedule; and
 - (b) the Taupo District Council with a registrable easement in gross for a right to convey water, a right to drain water, a right to drain sewage, and a pedestrian right of way on the terms and conditions set out in part 8.3 of the documents schedule; and
 - (c) Unison Networks Limited with a registrable easement in gross for a right to convey electricity and a right to convey telecommunications and electronic data on the terms and conditions set out in part 8.4 of the documents schedule.

- (4) Section 3 SO 519771 is vested in the Taupo District Council as a road pursuant to Part 21 of the Local Government Act 1974.
- (5) Section 116(3) applies to the revocation of the reserve status of Section 3 SO 519771 by subsection (1) as if the land were a cultural redress property.
- (6) Sections 114(1) and 116(1) and (4) apply to the vesting of Section 3 SO 519771 by subsection (4) as if the land being vested were a cultural redress property.

77 Puanga Street property

- (1) The reservation of the Puanga Street property (being Puanga Street Recreation Reserve) as a recreation reserve subject to the Reserves Act 1977 is revoked.
- (2) The fee simple estate in the Puanga Street property vests in the trustees.

78 Part Former Tauranga Taupo School property

The fee simple estate in the Part Former Tauranga Taupo School property vests in the trustees.

79 Tawera Street property

- (1) The reservation of the part of the Tawera Street property that is a reserve subject to the Reserves Act 1977 is revoked.
- (2) The part of the Tawera Street property that is a conservation area under the Conservation Act 1987 ceases to be a conservation area.
- (3) The fee simple estate in the Tawera Street property vests in the trustees.
- (4) Any improvements in or on the Tawera Street property do not vest in the trustees despite the vesting under subsection (3).

80 Te Huka North property

The fee simple estate in the Te Huka North property vests in the trustees.

81 Tokaanu Market property

- (1) The reservation of the Tokaanu Market property as a reserve subject to the Reserves Act 1977 is revoked.
- (2) The fee simple estate in the Tokaanu Market property vests in the trustees.

Properties vested in fee simple to be administered as reserves

82 Atahaka property

- (1) The Atahaka property ceases to be a conservation area under the Conservation Act 1987.
- (2) The fee simple estate in the Atahaka property vests in the trustees.
- (3) The Atahaka property is declared a reserve and classified as a historic reserve subject to section 18 of the Reserves Act 1977.

- (4) The reserve is named Atahaka Historic Reserve.

83 Five Mile Bay site B

- (1) The reservation of Five Mile Bay site B (being part of Five Mile Bay Recreation Reserve) as a recreation reserve subject to the Reserves Act 1977 is revoked.
- (2) The fee simple estate in Five Mile Bay site B vests in the trustees.
- (3) Five Mile Bay site B is declared a reserve and classified as a scenic reserve for the purposes specified in section 19(1)(a) of the Reserves Act 1977.
- (4) The reserve is named Five Mile Bay Scenic Reserve.

84 Five Mile Bay site D

- (1) The reservation of Five Mile Bay site D (being part of Five Mile Bay Recreation Reserve) as a recreation reserve subject to the Reserves Act 1977 is revoked.
- (2) The fee simple estate in Five Mile Bay site D vests in the trustees.
- (3) Five Mile Bay site D is declared a reserve and classified as a recreation reserve subject to section 17 of the Reserves Act 1977.
- (4) The reserve is named Five Mile Bay Recreation Reserve.

85 Application of Freedom Camping Act 2011 to Five Mile Bay Recreation Reserve (Five Mile Bay site D)

- (1) In this section, **reserve** means the Five Mile Bay Recreation Reserve that is referred to in section 84(4) (Five Mile Bay site D).
- (2) The Freedom Camping Act 2011 (the **Act**) applies to the reserve and the administering body of the reserve in the following manner:
- (a) the reserve must be treated as if it were conservation land:
 - (b) each reference in the Act to the Director-General or the Department must be treated as if it were a reference to the administering body:
 - (c) if property is seized and impounded and not returned under the Act, section 40(5) of the Act does not apply to any proceeds from the disposal of that property:
 - (d) section 31(2) of the Act does not apply to infringement fees resulting from infringement notices issued for infringement offences alleged to have been committed in the reserve:
 - (e) a notice under section 17(1)(b) of the Act (defining conservation land where freedom camping is prohibited) must be consistent with any reserve management plan for the reserve before it is published in accordance with section 18 of the Act.
- (3) Despite subsection (2)(e), a notice published under section 17(1)(b) of the Act that is in force immediately before the settlement date and applies to the

reserve continues to have effect until it is replaced by a notice that complies with subsection (2)(e).

- (4) In subsection (2)(e), **reserve management plan** means a plan that has been approved under section 41 of the Reserves Act 1977.

86 Maunganamu property

- (1) The reservation of the Maunganamu property (being part of Tokaanu Thermal Park Recreation Reserve) as a recreation reserve subject to the Reserves Act 1977 is revoked.
- (2) The fee simple estate in the Maunganamu property vests in the trustees.
- (3) The Maunganamu property is declared a historic reserve subject to section 18 of the Reserves Act 1977.
- (4) The reserve is named Maunganamu Historic Reserve.

87 Motutere property

- (1) The reservation of the Motutere property (being Motutere Scenic Reserve) as a scenic reserve subject to the Reserves Act 1977 is revoked.
- (2) The fee simple estate in the Motutere property vests in the trustees.
- (3) The right of way reserved by section 14(3) of the Maori Land Amendment and Maori Land Claims Adjustment Act 1926 is cancelled to the extent that it relates to the Motutere property.
- (4) The Motutere property is declared a reserve and classified as a scenic reserve for the purposes specified in section 19(1)(a) of the Reserves Act 1977.
- (5) The reserve is named Motutere Scenic Reserve.

88 Ngā Puna Wai Ariki ki Tokaanu property

- (1) The reservation of those parts of the Ngā Puna Wai Ariki ki Tokaanu property (being part of Tokaanu Thermal Park Recreation Reserve) that are a recreation reserve subject to the Reserves Act 1977 is revoked.
- (2) The road shown as Sections 3 and 4 on SO 517953 is stopped.
- (3) Section 345(3) of the Local Government Act 1974 does not apply to the stopping of the road.
- (4) Sections 3, 4, and 5 SO 517953 vest in the Crown as Crown land subject to the Land Act 1948.
- (5) The fee simple estate in the Ngā Puna Wai Ariki ki Tokaanu property vests in the trustees.
- (6) The Ngā Puna Wai Ariki ki Tokaanu property is declared a reserve and classified as a recreation reserve subject to section 17 of the Reserves Act 1977.
- (7) The reserve is named Ngā Puna Wai Ariki ki Tokaanu Recreation Reserve.

89 Ōmoho property

- (1) The reservation of Lots 1 and 2 DP 51475 (being Waihi Road Recreation Reserve) as a recreation reserve subject to the Reserves Act 1977 is revoked.
- (2) The Ōmoho property (other than the part referred to in subsection (1)) vests in the Crown as Crown land subject to the Land Act 1948.
- (3) The fee simple estate in the Ōmoho property vests in the trustees.
- (4) The right of way reserved by section 14(3) of the Maori Land Amendment and Maori Land Claims Adjustment Act 1926 is cancelled to the extent that it relates to the Ōmoho property.
- (5) The Ōmoho property is declared a reserve and classified as a historic reserve subject to section 18 of the Reserves Act 1977.
- (6) The reserve is named Ōmoho Historic Reserve.
- (7) Section 116(3) applies to the revocation of the reserve status of Lots 1 and 2 DP 51475 by subsection (1) as if all of the land were a cultural redress property.

90 Ōnekeneke property

- (1) The Ōnekeneke property ceases to be a conservation area under the Conservation Act 1987.
- (2) The fee simple estate in the Ōnekeneke property vests in the trustees.
- (3) The Ōnekeneke property is declared a reserve and classified as a recreation reserve subject to section 17 of the Reserves Act 1977.
- (4) The reserve is named Ōnekeneke Recreation Reserve.

91 Validation and continuation of lease and defined terms for purposes of sections 91 to 94

- (1) The current lease—
 - (a) is declared to have been validly renewed under section 170 of the Land Act 1948 from 1 January 1998; and
 - (b) continues despite section 90(3) of this Act; and
 - (c) is subject to sections 130 to 151 (except section 143(1)) and sections 170 to 170B of the Land Act 1948 in the manner set out in subsection (2).
- (2) The provisions of the Land Act 1948 referred to in subsection (1)(c) apply to the current lease as if—
 - (a) the references to the Board, the Commissioner of Crown Lands, and the Department were references to the lessor; and
 - (b) the references to the Crown or Her Majesty were references to the lessor; and
 - (c) the words “, with the approval of the Minister,” were removed from section 146(1).

- (3) A reference in the current lease to the Commissioner of Crown Lands or to Her Majesty means the lessor except in clause (a) (following clause 8) of the lease where the references to Her Majesty and to the Commissioner of Crown Lands mean the Crown.
- (4) In this section and sections 92 to 94, unless the context otherwise requires,—
- agreed value** means the value of the improvements determined in accordance with section 93(3)(a) or (4)
- current lease** means the lease held in record of title SA5C/328 as renewed by instrument B458150.2
- improvements** has the meaning given to it by section 2 of the Land Act 1948
- property** means Ōnekeneke Recreation Reserve
- the lessee** means the lessee from time to time under the current lease
- the lessor** means the lessor under the current lease.

92 Further matters relating to lease and property

- (1) This section takes effect when it commences.
- (2) On the commencement of this section,—
- (a) any right of renewal of the current lease under an enactment or referred to in an instrument ceases to have effect; and
- (b) the provisions of the Land Act 1948 referred to in section 91(1)(c) (other than those specified in paragraphs (c) and (d) of this subsection) cease to apply to the current lease; and
- (c) sections 132A, 133, 138, and 145 to 148 of the Land Act 1948 apply to the current lease until its expiry or termination; and
- (d) section 137(1) and (2) of the Land Act 1948 applies for the purpose of section 93(5)(b); and
- (e) the Reserves Act 1977 applies to any new lease in respect of the property or part of the property except that, despite that Act,—
- (i) the lessor may grant a lease for a term not exceeding 60 years; and
- (ii) the lease may include a provision that further similar terms may be granted if the terms and conditions of the lease have been complied with.

93 Matters relating to improvements on expiry of current lease

- (1) This section takes effect when it commences.
- (2) The lessor must, no later than 9 months before the expiry of the current lease, give the lessee a written notice that—
- (a) lists all of the improvements that the lessor considers to be owned by the lessee; and

- (b) sets out the value attributed to those improvements by the lessor.
- (3) The lessee must, within 3 months after receiving a notice under subsection (2), give the lessor a written notice indicating that—
 - (a) the lessee agrees to the list of improvements and the value attributed to them by the lessor; or
 - (b) the lessee elects to have the list of improvements and their value determined by the Land Valuation Tribunal instead.
- (4) If the lessee does not give the lessor notice under subsection (3) within the time specified in that subsection, the lessee is deemed to have agreed to the list of improvements and the value attributed to them in the notice given under subsection (2).
- (5) On the expiry of the current lease, unless the lessor and the lessee agree otherwise,—
 - (a) the lessee may remove some or all of the improvements owned by the lessee; and
 - (b) if any of the lessee's improvements have not been removed, the lessor must, subject to section 137(1) and (2) of the Land Act 1948, pay the lessee for those improvements in accordance with the agreed value or the value determined by the Land Valuation Tribunal; and
 - (c) if the lessor pays the lessee for any improvements, the lessor may recover the cost of the improvements from a lessee under a new lease in respect of the property or part of the property.

94 Determination by Land Valuation Tribunal

- (1) This section takes effect when it commences.
- (2) The lessor must, as soon as practicable after receiving notice under section 93(3)(b), apply for the list of improvements and their value to be determined by the Land Valuation Tribunal.
- (3) The application must be filed in the Environment Court and must include a copy of the notices given under section 93(2) and (3)(b).
- (4) The Land Valuation Tribunal has jurisdiction to hear and determine the application.
- (5) The Land Valuation Proceedings Act 1948 and the Land Valuation Tribunals Rules 1977 apply to the application with any necessary modifications.
- (6) The decision of the Land Valuation Tribunal is final and binding on both parties.

95 Oruatua property

- (1) The reservation of the part of the Oruatua property (being Oruatua Reserve) that is a reserve subject to the Reserves Act 1977 is revoked.

- (2) That part of Section 1 SO 517279 and the area of 3.9640 hectares shown as Taupo-Nui-A-Tia on SO 517279 that were formerly Part Tauranga Taupo 1B1 cease to be a conservation area under the Conservation Act 1987.
- (3) The right of way reserved by section 14(3) of the Maori Land Amendment and Maori Land Claims Adjustment Act 1926 is cancelled to the extent that it relates to the Oruatua property.
- (4) The fee simple estate in the Oruatua property vests in the trustees.
- (5) The Oruatua property is declared a reserve and classified as a scenic reserve for the purposes specified in section 19(1)(a) of the Reserves Act 1977.
- (6) The reserve is named Oruatua Scenic Reserve.

96 Paaka property

- (1) The reservation of Part Section 4 and Section 6 Block I Waitahanui Survey District (being Hatepe Recreation Reserve) as a recreation reserve subject to the Reserves Act 1977 is revoked.
- (2) The fee simple estate in the Paaka property vests in the trustees.
- (3) The right of way reserved by section 14(3) of the Maori Land Amendment and Maori Land Claims Adjustment Act 1926 is cancelled to the extent that it relates to the Paaka property.
- (4) The Paaka property is declared a reserve and classified as a recreation reserve subject to section 17 of the Reserves Act 1977.
- (5) The reserve is named Paaka Recreation Reserve.
- (6) Section 116(3) applies to the revocation of the reserve status of Part Section 4 and Section 6 Block I Waitahanui Survey District by subsection (1) as if all of the land were a cultural redress property.

97 Parakiri site B

- (1) The reservation of Parts Section 6 Block XXXIV Town of Taupo as a recreation reserve subject to the Reserves Act 1977 is revoked.
- (2) The fee simple estate in Parakiri site B vests in the trustees.
- (3) The right of way reserved by section 14(3) of the Maori Land Amendment and Maori Land Claims Adjustment Act 1926 is cancelled to the extent that it relates to the Parakiri site B.
- (4) Parakiri site B is declared a reserve and classified as a recreation reserve subject to section 17 of the Reserves Act 1977.
- (5) The reserve is named Parakiri Recreation Reserve.
- (6) The Taupo District Council is the administering body of the reserve, and the Reserves Act 1977 applies to the reserve as if the reserve were vested in the Council under section 26 of that Act.

- (7) Subsection (6) continues to apply despite any subsequent transfer under section 121.
- (8) Any improvements in or on Parakiri site B do not vest in the trustees despite the vesting under subsection (2).
- (9) Subsections (1) to (8) do not take effect until the trustees have provided—
 - (a) the Crown with a registrable lease and a registrable easement in gross for a right to convey water, a right to drain water, a right to convey electricity, a right to convey telecommunications and computer media, a right to drain sewage, and a right to collect and dispose refuse on the terms set out in parts 8.12 (for the lease) and 8.13 (for the easement) of the documents schedule; and
 - (b) the Taupo District Council with a registrable easement in gross for a right to convey water, a right to drain sewage, and a right to drain water on the terms and conditions set out in part 8.3 of the documents schedule; and
 - (c) Unison Networks Limited with a registrable easement in gross for a right to convey electricity and a right to convey telecommunications and electronic data on the terms and conditions set out in part 8.4 of the documents schedule.
- (10) Despite the provisions of the Reserves Act 1977, the lease and the easements—
 - (a) are enforceable in accordance with their terms; and
 - (b) are to be treated as having been granted in accordance with the Reserves Act 1977.
- (11) Section 116(3) applies to the revocation of the reserve status of Parts Section 6 Block XXXIV Town of Taupo by subsection (1) as if all of the land were a cultural redress property.

98 Ownership of improvements on Parakiri site B

- (1) Despite the vesting of the Parakiri site B under section 97,—
 - (a) improvements owned by the Taupo District Council may remain on Parakiri site B without the consent of, and without charge by, the trustees; and
 - (b) the improvements may, subject to subsection (2), be accessed, used, occupied, repaired, maintained, removed, demolished, or replaced by the Council (or any person with the consent of the Council) at any time without the consent of, and without charge by, the trustees; and
 - (c) the trustees are not liable under any enactment or rule of law for any matter in relation to improvements for which they would, apart from this section, be liable by reason of their ownership of Parakiri site B.
- (2) If an improvement is replaced under subsection (1)(b), the replacement must be of the same size and in the same location as that improvement.

99 Parikaranga property

- (1) The reservation of the Parikaranga property (being part of Motuoapa Scenic Reserve) as a scenic reserve subject to the Reserves Act 1977 is revoked.
- (2) The fee simple estate in the Parikaranga property vests in the trustees.
- (3) The Parikaranga property is declared a reserve and classified as a historic reserve subject to section 18 of the Reserves Act 1977.
- (4) The reserve is named Parikaranga Historic Reserve.

100 Tauhara property

- (1) The reservation of the Tauhara property (being Broadlands Road Geo-thermal Scenic Reserve) as a scenic reserve subject to the Reserves Act 1977 is revoked.
- (2) The fee simple estate in the Tauhara property vests in the trustees.
- (3) The Tauhara property is declared a reserve and classified as a scientific reserve subject to section 21 of the Reserves Act 1977.
- (4) The reserve is named Tauhara Scientific Reserve.

101 Taupo Courthouse property

- (1) The reservation of the Taupo Courthouse property as a historic reserve subject to the Reserves Act 1977 is revoked.
- (2) The fee simple estate in the Taupo Courthouse property vests in the trustees.
- (3) The Taupo Courthouse property is declared a reserve and classified as a historic reserve subject to section 18 of the Reserves Act 1977.
- (4) The reserve is named Taupo Courthouse Historic Reserve.

102 Tauranga Taupō property

- (1) The Tauranga Taupō property ceases to be a conservation area under the Conservation Act 1987.
- (2) The fee simple estate in the Tauranga Taupō property vests in the trustees.
- (3) The right of way reserved by section 14(3) of the Maori Land Amendment and Maori Land Claims Adjustment Act 1926 is cancelled to the extent that it relates to the Tauranga Taupō property.
- (4) The Tauranga Taupō property is declared a reserve and classified as a recreation reserve subject to section 17 of the Reserves Act 1977.
- (5) The reserve is named Tauranga Taupō Recreation Reserve.

103 Te Huka property

- (1) The fee simple estate in the Te Huka property vests in the trustees.

- (2) The Te Huka property is declared a reserve and classified as a scenic reserve for the purposes specified in section 19(1)(a) of the Reserves Act 1977.
- (3) The reserve is named Te Huka Scenic Reserve.
- (4) Subsections (1) to (3) do not take effect until the trustees have provided—
 - (a) the Crown with a registrable easement in gross for a right of way on the terms and conditions set out in part 8.14 of the documents schedule; and
 - (b) the Crown with a registrable easement in gross for a right to convey water, a right to convey electricity, a right to drain sewage, and a right to drain water on the terms and conditions set out in part 8.15 of the documents schedule; and
 - (c) the Taupo District Council with a registrable easement in gross for a right to drain sewage on the terms and conditions set out in part 8.16 of the documents schedule; and
 - (d) Unison Networks Limited with a registrable easement in gross for a right to convey electricity and a right to convey telecommunications and electronic data on the terms and conditions set out in part 8.17 of the documents schedule.
- (5) Despite the provisions of the Reserves Act 1977, the easements—
 - (a) are enforceable in accordance with their terms; and
 - (b) are to be treated as having been granted in accordance with the Reserves Act 1977.

104 Te Kōwhai property

- (1) The fee simple estate in the Te Kōwhai property vests in the trustees.
- (2) The Te Kōwhai property is declared a reserve and classified as a recreation reserve subject to section 17 of the Reserves Act 1977.
- (3) The reserve is named Te Kōwhai Recreation Reserve.
- (4) The Tongariro Trout Hatchery and Freshwater Ecology Centre Trust is the administering body of the reserve, and the Reserves Act 1977 applies to the reserve as if the reserve were vested in that trust under section 26 of that Act.
- (5) Subsection (4) continues to apply despite any subsequent transfer under section 121.
- (6) Subsections (1) to (5) do not take effect until the trustees of the Tongariro Trout Hatchery and Freshwater Ecology Centre Trust—
 - (a) have provided the Crown with a licence to occupy on the terms and conditions set out in part 8.8 of the documents schedule; and
 - (b) have provided the Tongariro National Trout Centre Society Incorporated with a licence to occupy on the terms and conditions set out in part 8.9 of the documents schedule; and

- (c) have provided the Tongariro National Trout Centre Society Incorporated with a registrable lease on the terms and conditions set out in part 8.10 of the documents schedule; and
 - (d) have provided the Tongariro National Trout Centre Society Incorporated with a registrable easement for a right of way on the terms and conditions set out in part 8.11 of the documents schedule; and
 - (e) are incorporated as a board under the Charitable Trusts Act 1957.
- (7) Despite the provisions of the Reserves Act 1977, the lease, the licences to occupy, and the easement—
- (a) are enforceable in accordance with their terms; and
 - (b) are to be treated as having been granted in accordance with the Reserves Act 1977.

105 Te Rapa property

- (1) The reservation of the Te Rapa property (being Waihi Road Scenic Reserve) as a scenic reserve subject to the Reserves Act 1977 is revoked.
- (2) The fee simple estate in the Te Rapa property vests in the trustees.
- (3) The Te Rapa property is declared a reserve and classified as a historic reserve subject to section 18 of the Reserves Act 1977.
- (4) The reserve is named Te Rapa Historic Reserve.

106 Te Iringa o te Pouraka property

- (1) The reservation of Sections 7 and 12 Block VII Puketi Survey District (being the Waiotaka Scenic Reserve) as a scenic reserve subject to the Reserves Act 1977 is revoked.
- (2) The road shown as Sections 3, 4, 5, and 6 on SO 517957 is stopped and vests in the Crown as Crown land subject to the Land Act 1948.
- (3) Sections 7, 8, 9, and 12 SO 517957 are declared to be a road, limited access road, and State Highway pursuant to section 88(2) of the Government Roding Powers Act 1989, and remain vested in the Crown.
- (4) The right of way reserved by section 14(3) of the Maori Land Amendment and Maori Land Claims Adjustment Act 1926 is cancelled to the extent that it relates to the Te Iringa o te Pouraka property.
- (5) The fee simple estate in the Te Iringa o te Pouraka property vests in the trustees.
- (6) The Te Iringa o te Pouraka property is declared a reserve and classified as a scenic reserve for the purposes specified in section 19(1)(a) of the Reserves Act 1977.
- (7) The reserve is named Te Iringa o te Pouraka Scenic Reserve.

- (8) Section 116(3) applies to the revocation of the reserve status of Sections 7 and 12 Block VII Puketū Survey District by subsection (1) as if all of the land were a cultural redress property.

107 Five-year right of entry onto Te Iringa o te Pouraka property by Crown

- (1) Despite the vesting of the Te Iringa o te Pouraka property under section 106(5), the Crown may enter the Te Iringa o te Pouraka property, with or without motor vehicles, machinery, implements of any kind, or dogs, for any of the following purposes:
- (a) species management:
 - (b) monitoring pest plants or pest animals:
 - (c) controlling pest plants or pest animals:
 - (d) restoration of wetlands.
- (2) The right of entry conferred by this section expires on the close of the date that is 5 years after the commencement of this section.
- (3) If the Crown enters the Te Iringa o te Pouraka property under subsection (1), it must first give notice to the trustees unless—
- (a) the Crown enters in circumstances that the Crown and the trustees have agreed for which notice is not required; or
 - (b) the Crown is responding to a known or suspected incursion of a pest animal.
- (4) If the Crown enters the property under subsection (1), it must give notice to the trustees, orally or by electronic means (as the Crown and the trustees agree), at least 24 hours before entering or, if that is not practicable,—
- (a) before entering, if practicable; or
 - (b) as soon as possible after entering.
- (5) In this section, the **Crown** includes any person authorised by the Crown.

Properties vested in fee simple subject to conservation covenants

108 Tauhara Mountain property

- (1) The reservation of the Tauhara Mountain property (being Tauhara Mountain Scenic Reserve) as a scenic reserve subject to the Reserves Act 1977 is revoked.
- (2) The fee simple estate in the Tauhara Mountain property vests in the trustees.
- (3) Subsections (1) and (2) do not take effect until the trustees have provided the Crown with a registrable covenant in relation to the Tauhara Mountain property on the terms and conditions set out in part 8.6 of the documents schedule.
- (4) The covenant is to be treated as a conservation covenant for the purposes of—
- (a) section 77 of the Reserves Act 1977; and

- (b) section 27 of the Conservation Act 1987.

109 Te Huka South property

- (1) The fee simple estate in the Te Huka South property vests in the trustees.
- (2) Subsection (1) does not take effect until the trustees have provided the Crown with a registrable covenant in relation to the Te Huka South property on the terms and conditions set out in part 8.7 of the documents schedule.
- (3) The covenant is to be treated as a conservation covenant for the purposes of—
 - (a) section 77 of the Reserves Act 1977; and
 - (b) section 27 of the Conservation Act 1987.

General provisions applying to vesting of cultural redress properties

110 Properties vest subject to or together with interests

Each cultural redress property vested under this subpart is subject to, or has the benefit of, any interests listed for the property in the third column of the table in Schedule 3.

111 Interests in land for certain reserve properties

- (1) This section applies to all or the part of Parakiri site B or the Te Kōwhai property that remains a reserve under the Reserves Act 1977 (the **reserve land**), but only while the reserve land has an administering body that is treated as if the land were vested in it.
- (2) If Parakiri site B or the Te Kōwhai property is affected by an interest in land listed for the property in Schedule 3, the interest applies as if the administering body were the grantor, or the grantee, as the case may be, of the interest in respect of the reserve land.
- (3) Any interest in land that affects the reserve land must be dealt with for the purposes of registration as if the administering body were the registered proprietor of the reserve land.
- (4) However, subsections (2) and (3) do not affect the registration of the lease and easements referred to in section 97(9).
- (5) Subsections (2) and (3) continue to apply despite any subsequent transfer of the reserve land under section 121.

112 Interests that are not interests in land

- (1) This section applies if a cultural redress property is subject to an interest (other than an interest in land) that is listed for the property in Schedule 3, and for which there is a grantor, whether or not the interest also applies to land outside the cultural redress property.

- (2) The interest applies as if the owners of the cultural redress property were the grantor of the interest in respect of the property, except to the extent that subsection (3) applies.
- (3) If all or part of the cultural redress property is reserve land to which section 111 applies, the interest applies as if the administering body of the reserve land were the grantor of the interest in respect of the reserve land.
- (4) The interest applies—
 - (a) until the interest expires or is terminated, but any subsequent transfer of the cultural redress property must be ignored in determining whether the interest expires or is or may be terminated; and
 - (b) with any other necessary modifications; and
 - (c) despite any change in status of the land in the property.

113 Registration of ownership

- (1) This section applies to a cultural redress property vested in the trustees under this subpart.
- (2) Subsection (3) applies to a cultural redress property (other than Five Mile Bay site C, the Hautū property, the Ngā Puna Wai Ariki ki Tokaanu property, the Oruatua property, the Taupo Courthouse property, and the Te Kōwhai property), but only to the extent that the property is all of the land contained in a computer freehold register.
- (3) The Registrar-General must, on written application by an authorised person,—
 - (a) register the trustees as the proprietors of the fee simple estate in the property; and
 - (b) record any entry on the computer freehold register and do anything else necessary to give effect to this subpart and to part 8 of the deed of settlement.
- (4) Subsection (5) applies to—
 - (a) a cultural redress property but only to the extent that subsection (2) does not apply to the property;
 - (b) the following properties:
 - (i) Five Mile Bay site C;
 - (ii) the Hautū property;
 - (iii) the Ngā Puna Wai Ariki ki Tokaanu property;
 - (iv) the Oruatua property;
 - (v) the Taupo Courthouse property;
 - (vi) the Te Kōwhai property.
- (5) The Registrar-General must, in accordance with a written application by an authorised person,—

- (a) create a computer freehold register for the fee simple estate in the property in the name of the trustees; and
 - (b) record on the computer freehold register any interests that are registered, notified, or notifiable and that are described in the application.
- (6) Subsection (5) is subject to the completion of any survey necessary to create a computer freehold register.
- (7) A computer freehold register must be created under this section as soon as is reasonably practicable after the settlement date, but not later than—
- (a) 24 months after the settlement date; or
 - (b) any later date that may be agreed in writing by the Crown and the trustees.
- (8) In this section, **authorised person** means,—
- (a) for the following properties, a person authorised by the chief executive of LINZ:
 - (i) Aratiatia site A:
 - (ii) Aratiatia site B:
 - (iii) Te Huka property:
 - (iv) Karapiti property:
 - (v) Karetoto property:
 - (vi) Te Huka North property:
 - (vii) Part Former Tauranga Taupo School property:
 - (viii) Te Huka South property:
 - (b) for the Hautū property, a person authorised by the chief executive of the Ministry of Justice:
 - (c) for the Te Kōwhai property, 2 persons who make a joint application, with 1 person authorised by the chief executive of LINZ and the other person authorised by the Director-General:
 - (d) for all other properties, a person authorised by the Director-General.

114 Application of Part 4A of Conservation Act 1987

- (1) The vesting of the fee simple estate in a cultural redress property in the trustees under this subpart is a disposition for the purposes of Part 4A of the Conservation Act 1987, but sections 24(2A), 24A, and 24AA of that Act do not apply to the disposition.
- (2) Section 24 of the Conservation Act 1987 does not apply to the vesting of a reserve property or a geothermal property.
- (3) The marginal strip reserved by section 24 of the Conservation Act 1987 from the vesting of the Puanga Street property is reduced to a width of 10 metres.

- (4) If the reservation of a reserve property under this subpart is revoked for all or part of the property, the vesting of the property is no longer exempt from section 24 (except subsection (2A)) of the Conservation Act 1987 for all or that part of the property.
- (5) If all geothermal interests are surrendered for all or part of a geothermal property, the vesting of the property is no longer exempt from section 24 (except subsection (2A)) of the Conservation Act 1987 for all or that part of the property.
- (6) Subsections (2) to (5) do not limit subsection (1).

115 Matters to be recorded on computer freehold register

- (1) The Registrar-General must record on the computer freehold register,—
 - (a) for a reserve property other than Parakiri site B and the Te Kōwhai property,—
 - (i) that the land is subject to Part 4A of the Conservation Act 1987, but that section 24 of that Act does not apply; and
 - (ii) that the land is subject to sections 114(4) and 119; and
 - (b) for Parakiri site B and the Te Kōwhai property,—
 - (i) that the land is subject to Part 4A of the Conservation Act 1987, but that section 24 of that Act does not apply; and
 - (ii) that each property is subject to sections 111(3), 114(4), and 119; and
 - (c) for the Puanga Street property, that the land is subject to Part 4A of the Conservation Act 1987 but that the marginal strip is reduced to a width of 10 metres; and
 - (d) for a geothermal property,—
 - (i) that the land is subject to Part 4A of the Conservation Act 1987, but that section 24 of that Act does not apply; and
 - (ii) that the land is subject to section 114(5); and
 - (e) for any other cultural redress property, that the land is subject to Part 4A of the Conservation Act 1987.
- (2) A notification made under subsection (1) that land is subject to Part 4A of the Conservation Act 1987 is to be treated as having been made in compliance with section 24D(1) of that Act.
- (3) For a reserve property other than Parakiri site B and the Te Kōwhai property, if the reservation of the property under this subpart is revoked for—
 - (a) all of the property, the Director-General must apply in writing to the Registrar-General to remove from the computer freehold register for the property the notifications that—

- (i) section 24 of the Conservation Act 1987 does not apply to the property; and
 - (ii) the property is subject to sections 114(4) and 119; or
 - (b) part of the property, the Registrar-General must ensure that the notifications referred to in paragraph (a) remain only on the computer freehold register for the part of the property that remains a reserve.
- (4) If the reservation under this subpart of Parakiri site B and the Te Kōwhai property is revoked for—
 - (a) all of the property, the Director-General must apply in writing to the Registrar-General to remove from the computer freehold register for the property the notifications that—
 - (i) section 24 of the Conservation Act 1987 does not apply; and
 - (ii) the property is subject to sections 111(3), 114(4), and 119; or
 - (b) part of the property, the Registrar-General must ensure that the notifications referred to in paragraph (a) remain only on the computer freehold register for the part of the property that remains a reserve.
- (5) The following applies if all geothermal interests are surrendered for all or part of a geothermal property:
 - (a) if none of the property remains subject to a geothermal interest, the registered proprietors of the property must apply in writing to the Registrar-General to remove the notifications from the property that—
 - (i) section 24 of the Conservation Act 1987 does not apply; and
 - (ii) the land is subject to section 114(5);
 - (b) if part of the property remains subject to a geothermal interest, the Registrar-General must ensure the notifications referred to in paragraph (a) remain on the computer freehold register for the part of the property subject to the geothermal interests.
- (6) The Registrar-General must comply with an application received in accordance with subsection (3)(a), (4)(a), or (5)(a).

116 Application of other enactments

- (1) The vesting of the fee simple estate in a cultural redress property under this subpart does not—
 - (a) limit section 10 or 11 of the Crown Minerals Act 1991; or
 - (b) affect other rights to subsurface minerals.
- (2) The permission of a council under section 348 of the Local Government Act 1974 is not required for laying out, forming, granting, or reserving a private road, private way, or right of way required to fulfil the terms of the deed of settlement in relation to a cultural redress property.

- (3) Sections 24 and 25 of the Reserves Act 1977 do not apply to the revocation, under this subpart, of the reserve status of a cultural redress property.
- (4) Section 11 and Part 10 of the Resource Management Act 1991 do not apply to—
 - (a) the vesting of the fee simple estate in a cultural redress property under this subpart; or
 - (b) any matter incidental to, or required for the purpose of, the vesting.

117 Names of Crown protected areas discontinued

- (1) Subsection (2) applies to a cultural redress property or the land referred to in sections 96(1) and 106(1) that, immediately before the settlement date, was all or part of a Crown protected area.
- (2) The official geographic name of the Crown protected area is discontinued in respect of the land, or the part of the land, and the Board must amend the Gazetteer accordingly.
- (3) In this section, **Board**, **Crown protected area**, **Gazetteer**, and **official geographic name** have the meanings given in section 4 of the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008.

Further provisions applying to reserve properties

118 Application of other enactments to reserve properties

- (1) The trustees are the administering body of a reserve property, except as provided for in sections 97 and 104.
- (2) Sections 78(1)(a), 79 to 81, and 88 of the Reserves Act 1977 do not apply in relation to a reserve property.
- (3) If the reservation of a reserve property under this subpart is revoked under section 24 of the Reserves Act 1977 for all or part of the property, section 25(2) of that Act applies to the revocation, but not the rest of section 25 of that Act.
- (4) A reserve property is not a Crown protected area under the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008, despite anything in that Act.
- (5) A reserve property (except for Parakiri site B and the Te Kōwhai property) must not have a name assigned to it or have its name changed under section 16(10) of the Reserves Act 1977 without the written consent of the owners of the property, and section 16(10A) of that Act does not apply to the proposed name.
- (6) As long as the Te Kōwhai property or Parakiri site B is declared a reserve subject to the Reserves Act 1977 and has an administering body that is treated as if the reserve were vested in it,—

- (a) the Te Kōwhai property or Parakiri site B (as the case may require) must not have a name assigned to it or have its name changed under section 16(10) of the Reserves Act 1977 without the written consent of the owners of the property and the administering body; and
 - (b) section 16(10A) of that Act does not apply to the proposed name.
- (7) Subsection (2) does not apply to Parakiri site B and the Te Kōwhai property.

119 Subsequent transfer of reserve land

- (1) This section applies to all or the part of a reserve property that remains a reserve under the Reserves Act 1977 after the property has vested in the trustees under this subpart.
- (2) The fee simple estate in the reserve land may be transferred only in accordance with section 120 or 121.
- (3) In this section and sections 120 to 122, **reserve land** means the land that remains a reserve as described in subsection (1).

120 Transfer of reserve land to new administering body

- (1) The registered proprietors of the reserve land may apply in writing to the Minister of Conservation for consent to transfer the fee simple estate in the reserve land to 1 or more persons (the **new owners**).
- (2) The Minister of Conservation must give written consent to the transfer if the registered proprietors satisfy the Minister that the new owners are able—
 - (a) to comply with the requirements of the Reserves Act 1977; and
 - (b) to perform the duties of an administering body under that Act.
- (3) The Registrar-General must, upon receiving the required documents, register the new owners as the proprietors of the fee simple estate in the reserve land.
- (4) The required documents are—
 - (a) a transfer instrument to transfer the fee simple estate in the reserve land to the new owners, including a notification that the new owners are to hold the reserve land for the same reserve purposes as those for which it was held by the administering body immediately before the transfer; and
 - (b) the written consent of the Minister of Conservation to the transfer of the reserve land; and
 - (c) the written consent of the administering body of the reserve land, if the trustees are transferring the land and are not the administering body; and
 - (d) any other document required for the registration of the transfer instrument.
- (5) The new owners, from the time of their registration under this section,—
 - (a) are the administering body of the reserve land; and

- (b) hold the reserve land for the same reserve purposes as those for which it was held by the administering body immediately before the transfer.
- (6) A transfer that complies with this section need not comply with any other requirements.

121 Transfer of reserve land where trustees change

The registered proprietors of the reserve land may transfer the fee simple estate in the reserve land if—

- (a) the transferors of the reserve land are or were the trustees of a trust; and
- (b) the transferees are the trustees of the same trust, after any new trustee has been appointed to the trust or any transferor has ceased to be a trustee of the trust; and
- (c) the instrument to transfer the reserve land is accompanied by a certificate given by the transferees, or the transferees' solicitor, verifying that paragraphs (a) and (b) apply.

122 Reserve land not to be mortgaged

The owners of reserve land must not mortgage, or give a security interest in, the reserve land.

123 Saving of bylaws, etc, in relation to reserve properties

- (1) This section applies to any bylaw, or any prohibition or restriction on use or access, that an administering body or the Minister of Conservation made or imposed under the Conservation Act 1987 or the Reserves Act 1977 in relation to a reserve property before the property was vested in the trustees under this subpart.
- (2) The bylaw, prohibition, or restriction remains in force until it expires or is revoked under the Conservation Act 1987 or the Reserves Act 1977.

Relationship agreements

124 Relationship agreement between trustees and Ministry for the Environment

The trustees and the Ministry for the Environment must, if they have not already done so before the settlement date, enter into a relationship agreement on the settlement date on the terms and conditions set out in part 6 of the documents schedule.

125 Te Piringa agreement between trustees, Minister, and Director-General

The trustees and the Minister of Conservation and the Director-General must, if they have not already done so before the settlement date, enter into a partnership agreement on the settlement date on the terms and conditions set out in part 7 of the documents schedule.

Part 3

Commercial redress

126 Interpretation

In subparts 1 to 4,—

commercial redress property means a property described in part 3 of the property redress schedule

Crown forest land has the meaning given in section 2(1) of the Crown Forest Assets Act 1989

Crown forestry assets has the meaning given in section 2(1) of the Crown Forest Assets Act 1989

Crown forestry licence—

- (a) has the meaning given in section 2(1) of the Crown Forest Assets Act 1989; and
- (b) in relation to the licensed land, means the licence described in the fourth column of the table in part 3 of the property redress schedule

Crown forestry rental trust means the forestry rental trust referred to in section 34 of the Crown Forest Assets Act 1989

Crown forestry rental trust deed means the trust deed made on 30 April 1990 establishing the Crown forestry rental trust

deferred selection property means the property described in table 1 of part 4 of the property redress schedule for which the requirements for transfer under the deed of settlement have been satisfied

land holding agency means the land holding agency specified,—

- (a) for a commercial redress property, in part 3 of the property redress schedule; or
- (b) for the deferred selection property, in table 1 of part 4 of the property redress schedule

licensed land—

- (a) means the property described as licensed land in part 3 of the property redress schedule; but
- (b) excludes—
 - (i) trees growing, standing, or lying on the land; and
 - (ii) improvements that have been—
 - (A) acquired by a purchaser of the trees on the land; or
 - (B) made by the purchaser or the licensee after the purchaser has acquired the trees on the land

licensee means the registered holder of the Crown forestry licence

licensor means the licensor of the Crown forestry licence

protected site means any area of land situated in the licensed land that—

- (a) is wāhi tapu or a wāhi tapu area within the meaning of section 6 of the Heritage New Zealand Pouhere Taonga Act 2014; and
- (b) is, at any time, entered on the New Zealand Heritage List/Rārangi Kōrero as defined in section 6 of that Act

right of access means the right conferred by section 138

Tauhara Recreation Reserve means the property described by that name in part 3 of the property redress schedule

Taurewa Station means the property described by that name in part 3 of the property redress schedule

Waipapa Road Conservation Area means the property described by that name in table 1 of part 4 of the property redress schedule.

Subpart 1—Transfer of commercial redress properties and deferred selection properties

127 The Crown may transfer properties

To give effect to part 9 of the deed of settlement, the Crown (acting by and through the chief executive of the land holding agency) is authorised—

- (a) to transfer the fee simple estate in a commercial redress property or the deferred selection property to the trustees; and
- (b) to sign a transfer instrument or other document, or do anything else, as necessary to effect the transfer.

128 Tauhara Recreation Reserve

- (1) The reservation of Tauhara Recreation Reserve as a recreation reserve subject to section 17 of the Reserves Act 1977 is revoked immediately before the transfer of the fee simple estate in the property under section 127.
- (2) Sections 24 and 25 of the Reserves Act 1977 do not apply to the revocation.
- (3) The official geographic name of Tauhara Recreation Reserve is discontinued in respect of the land and the Board must amend the Gazetteer accordingly.
- (4) In subsection (3), **Board**, **Gazetteer**, and **official geographic name** have the meanings given in section 4 of the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008.

129 Waipapa Road Conservation Area

- (1) This section takes effect only if the Waipapa Road Conservation Area becomes a deferred selection property.
- (2) The transfer of the fee simple estate in the property does not take effect under section 127 until the trustees have provided the Taupo District Council with a

registrable easement in gross to drain and convey water, to drain and convey stormwater, and to convey sewage on the terms and conditions set out in part 8.18 of the documents schedule.

- (3) The Waipapa Road Conservation Area ceases to be a conservation area under the Conservation Act 1987 immediately before transfer of the fee simple estate in the property under section 127.

130 Computer freehold registers for commercial redress properties and deferred selection property

- (1) This section applies to each of the following properties that is to be transferred to the trustees under section 127:
 - (a) a commercial redress property (other than licensed land);
 - (b) the deferred selection property.
- (2) However, this section applies only to the extent that—
 - (a) the property is not all of the land contained in a computer freehold register; or
 - (b) there is no computer freehold register for all or part of the property.
- (3) The Registrar-General must, in accordance with a written application by an authorised person,—
 - (a) create a computer freehold register for the fee simple estate in the property in the name of the Crown; and
 - (b) record on the computer freehold register any interests that are registered, notified, or notifiable and that are described in the application; but
 - (c) omit any statement of purpose from the computer freehold register.
- (4) Subsection (3) is subject to the completion of any survey necessary to create a computer freehold register.
- (5) In this section and sections 131 and 132, **authorised person** means a person authorised by the chief executive of the land holding agency for the relevant property.

131 Computer freehold register for licensed land

- (1) This section applies to licensed land that is to be transferred to the trustees under section 127.
- (2) The Registrar-General must, in accordance with a written application by an authorised person,—
 - (a) create a computer freehold register in the name of the Crown for the fee simple estate in the property; and
 - (b) record on the computer freehold register any interests that are registered, notified, or notifiable and that are described in the application; but
 - (c) omit any statement of purpose from the computer freehold register.

- (3) Subsection (2) is subject to the completion of any survey necessary to create a computer freehold register.

132 Authorised person may grant covenant for later creation of computer freehold register

- (1) For the purposes of sections 130 and 131, the authorised person may grant a covenant for the later creation of a computer freehold register for any commercial redress property or deferred selection property.
- (2) Despite the Land Transfer Act 1952,—
- (a) the authorised person may request the Registrar-General to register the covenant under that Act by creating a computer interest register; and
 - (b) the Registrar-General must comply with the request.

133 Application of other enactments

- (1) This section applies to the transfer to the trustees of the fee simple estate in a commercial redress property or deferred selection property.
- (2) The transfer is a disposition for the purposes of Part 4A of the Conservation Act 1987, but sections 24(2A), 24A, and 24AA of that Act do not apply to the disposition.
- (3) The transfer does not—
- (a) limit section 10 or 11 of the Crown Minerals Act 1991; or
 - (b) affect other rights to subsurface minerals.
- (4) The permission of a council under section 348 of the Local Government Act 1974 is not required for laying out, forming, granting, or reserving a private road, private way, or right of way required to fulfil the terms of the deed of settlement in relation to the transfer.
- (5) Section 11 and Part 10 of the Resource Management Act 1991 do not apply to the transfer or to any matter incidental to, or required for the purpose of, the transfer.
- (6) In exercising the powers conferred by section 127, the Crown is not required to comply with any other enactment that would otherwise regulate or apply to the transfer.
- (7) Subsection (6) is subject to subsections (2) and (3).
- (8) The marginal strip reserved by section 24 of the Conservation Act 1987 from the transfer of Tauhara Recreation Reserve is reduced to a width of 3 metres.
- (9) The Registrar-General must record the reduction of the marginal strip on the computer freehold register.

134 Taurewa Station

- (1) This section applies on and from the commencement date of this Act.

- (2) The chief executive of the Ministry of Justice is authorised to—
 - (a) accept, on behalf of her Majesty the Queen, a transfer of Taurewa Station from Landcorp Holdings Limited to Her Majesty the Queen; and
 - (b) sign the transfer instrument or other document, or do anything else, as necessary to effect the transfer.
- (3) For the purposes of the transfer of Taurewa Station under subsection (2), section 42 of the Land Act 1948 does not apply in relation to any computer freehold register for Taurewa Station.

Subpart 2—Licensed land

135 Licensed land ceases to be Crown forest land

- (1) The licensed land ceases to be Crown forest land upon the registration of the transfer of the fee simple estate in the land to the trustees.
- (2) However, the Crown, courts, and tribunals must not do or omit to do anything if that act or omission would, between the settlement date and the date of registration, be permitted by the Crown Forest Assets Act 1989 but be inconsistent with this subpart, part 9 of the deed of settlement, or part 6 of the property redress schedule.

136 Trustees are confirmed beneficiaries and licensors of licensed land

- (1) The trustees are the confirmed beneficiaries under clause 11.1 of the Crown forestry rental trust deed in relation to the licensed land.
- (2) The effect of subsection (1) is that—
 - (a) the trustees are entitled to the rental proceeds payable for the licensed land to the trustees of the Crown forestry rental trust under the Crown forestry licence since the commencement of the licence; and
 - (b) all the provisions of the Crown forestry rental trust deed apply on the basis that the trustees are the confirmed beneficiaries in relation to the licensed land.
- (3) The Crown must give notice under section 17(4)(b) of the Crown Forest Assets Act 1989 in respect of the Crown forestry licence, even though the Waitangi Tribunal has not made a recommendation under section 8HB(1)(a) of the Treaty of Waitangi Act 1975 for the return of the licensed land.
- (4) Notice given by the Crown under subsection (3) has effect as if—
 - (a) the Waitangi Tribunal made a recommendation under section 8HB(1)(a) of the Treaty of Waitangi Act 1975 for the return of the licensed land; and
 - (b) the recommendation became final on the settlement date.
- (5) The trustees are the licensors under the Crown forestry licence as if the licensed land were returned to Māori ownership—

- (a) on the settlement date; and
 - (b) under section 36 of the Crown Forest Assets Act 1989.
- (6) However, section 36(1)(b) of the Crown Forest Assets Act 1989 does not apply to the licensed land.

137 Effect of transfer of licensed land

- (1) Section 136 applies whether or not—
- (a) the transfer of the fee simple estate in the licensed land has been registered; or
 - (b) the processes described in clause 17.4 of the Crown forestry licence have been completed.
- (2) To the extent that the Crown has not completed the processes referred to in subsection (1)(b) before the settlement date, it must continue those processes—
- (a) on and after the settlement date; and
 - (b) until the processes are completed.
- (3) For the period starting on the settlement date and ending on the completion of the processes referred to in subsections (1) and (2), the licence fee payable under the Crown forestry licence in respect of the licensed land is the amount calculated in the manner described in paragraphs 6.23 and 6.24 of part 6 of the property redress schedule.
- (4) However, the calculation of the licence fee under subsection (3) is overridden by any agreement made by the trustees as licensor, the licensee, and the Crown.
- (5) On and from the settlement date, references to the prospective proprietors in clause 17.4 of the Crown forestry licence must, in relation to the licensed land, be read as references to the trustees.

Subpart 3—Access to protected sites

138 Right of access to protected sites

- (1) The owner of land on which a protected site is situated and any person holding an interest in, or right of occupancy to, that land must allow Māori for whom the protected site is of special cultural, historical, or spiritual significance to have access across the land to each protected site.
- (2) The right of access may be exercised by vehicle or by foot over any reasonably convenient routes specified by the owner.
- (3) The right of access is subject to the following conditions:
- (a) a person intending to exercise the right of access must give the owner reasonable notice in writing of his or her intention to exercise that right; and

- (b) the right of access may be exercised only at reasonable times and during daylight hours; and
- (c) a person exercising the right of access must observe any conditions imposed by the owner relating to the time, location, or manner of access that are reasonably required—
 - (i) for the safety of people; or
 - (ii) for the protection of land, improvements, flora and fauna, plant and equipment, or livestock; or
 - (iii) for operational reasons.

139 Right of access over licensed land

- (1) A right of access over licensed land is subject to the terms of any Crown forestry licence.
- (2) However, subsection (1) does not apply if the licensee has agreed to the right of access being exercised.
- (3) An amendment to a Crown forestry licence is of no effect to the extent that it would—
 - (a) delay the date from which a person may exercise a right of access; or
 - (b) adversely affect a right of access in any other way.

140 Right of access to be recorded on computer freehold register

- (1) This section applies to the transfer to the trustees of the licensed land.
- (2) The transfer instrument for the transfer must include a statement that the land is subject to a right of access to any protected sites on the land.
- (3) The Registrar-General must, upon the registration of the transfer of the land, record on the computer freehold register for the land that the land is subject to a right of access to protected sites on the land.

Subpart 4—Right of first refusal over RFR land

141 Interpretation

In this subpart and Schedule 5,—

control, for the purposes of paragraph (d) of the definition of Crown body, means,—

- (a) for a company, control of the composition of its board of directors; and
- (b) for another body, control of the composition of the group that would be its board of directors if the body were a company

Crown body means—

- (a) a Crown entity, as defined in section 7(1) of the Crown Entities Act 2004; and

- (b) a State enterprise, as defined in section 2 of the State-Owned Enterprises Act 1986; and
- (c) the New Zealand Railways Corporation; and
- (d) a company or body that is wholly owned or controlled by 1 or more of the following:
 - (i) the Crown;
 - (ii) a Crown entity;
 - (iii) a State enterprise;
 - (iv) the New Zealand Railways Corporation; and
- (e) a subsidiary or related company of a company or body referred to in paragraph (d)

dispose of, in relation to RFR land,—

- (a) means—
 - (i) to transfer or vest the fee simple estate in the land; or
 - (ii) to grant a lease of the land for a term that is, or will be (if any rights of renewal or extension are exercised under the lease), 50 years or longer; but
- (b) to avoid doubt, does not include—
 - (i) to mortgage, or give a security interest in, the land; or
 - (ii) to grant an easement over the land; or
 - (iii) to consent to an assignment of a lease, or to a sublease, of the land; or
 - (iv) to remove an improvement, a fixture, or a fitting from the land

expiry date, in relation to an offer, means its expiry date under sections 144(2)(a) and 145

notice means a notice given under this subpart

offer means an offer by an RFR landowner, made in accordance with section 144, to dispose of RFR land to the trustees

public work has the meaning given in section 2 of the Public Works Act 1981

related company has the meaning given in section 2(3) of the Companies Act 1993

RFR area means the area shown on SO 513557

RFR landowner, in relation to RFR land,—

- (a) means the Crown, if the land is vested in the Crown or the Crown holds the fee simple estate in the land; and
- (b) means a Crown body, if the body holds the fee simple estate in the land; and

- (c) includes a local authority to which RFR land has been disposed of under section 150(1); but
- (d) to avoid doubt, does not include an administering body in which RFR land is vested—
 - (i) on the settlement date; or
 - (ii) after the settlement date, under section 151(1)

RFR period means the period of 174 years on and from the settlement date
subsidiary has the meaning given in section 5 of the Companies Act 1993.

142 Meaning of RFR land

- (1) In this subpart, **RFR land**—
 - (a) means the land that is within the RFR area, other than the land specified in subsection (2), that on the settlement date—
 - (i) is vested in the Crown; or
 - (ii) is held in fee simple by the Crown; or
 - (iii) is a reserve vested in an administering body that derived title to the reserve from the Crown that would, on the application of section 25 or 27 of the Reserves Act 1977, revert in the Crown; and
 - (b) includes any land obtained in exchange for a disposal of RFR land under section 155(1)(c) or 156; but
 - (c) does not include a commercial redress property.
- (2) The land referred to in subsection (1)(a) is—
 - (a) any Collective RFR property; and
 - (b) any Ngāti Tūrangitukua RFR property; and
 - (c) Part No 2 playing fields/Toi Ohomai Institute of Technology Limited Campus, Horomatangi Street, Taupo.
- (3) Land ceases to be RFR land if—
 - (a) the fee simple estate in the land transfers from the RFR landowner to—
 - (i) the trustees or their nominee (for example, under section 127 in the case of the deferred selection property or under a contract formed under section 148); or
 - (ii) any other person (including the Crown or a Crown body) under section 143(d); or
 - (b) the fee simple estate in the land transfers or vests from the RFR landowner to or in a person other than the Crown or a Crown body—
 - (i) under any of sections 152 to 158 (which relate to permitted disposals of RFR land); or

- (ii) under any matter referred to in section 159(1) (which specifies matters that may override the obligations of an RFR landowner under this subpart); or
 - (c) the fee simple estate in the land transfers or vests from the RFR landowner in accordance with a waiver or variation given under section 167; or
 - (d) the RFR period for the land ends.
- (4) In this section,—

CNI Forests Iwi Collective Deed means the Deed of Settlement of the Historical Claims of CNI (Central North Island) Forests Iwi Collective to the Central North Island Forests Land, between the CNI (Central North Island) Forests Iwi Collective and the Crown, dated 25 June 2008

Collective RFR property means a property within the meaning of Collective RFR property in the CNI Forests Iwi Collective Deed

Ngāti Tūrangitukua RFR property means a property described in section 5 of the Deed of Settlement between Her Majesty the Queen in right of New Zealand and Ngāti Tūrangitukua dated 26 September 1998

Part No 2 playing fields/Toi Ohomai Institute of Technology Limited Campus, Horomatangi Street, Taupo means the property being 1.6192 hectares, more or less, being Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 Block XIX Town of Taupo. All *Gazette* 1951, p 1840.

Section 142(2)(c): amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Section 142(4) **Part No 2 playing fields/Toi Ohomai Institute of Technology Limited Campus, Horomatangi Street, Taupo**: inserted, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Section 142(4) **Part No 2 playing fields/Wairiki Bay of Plenty Polytechnic Campus, Horomatangi Street, Taupo**: repealed, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Restrictions on disposal of RFR land

143 Restrictions on disposal of RFR land

An RFR landowner must not dispose of RFR land to a person other than the trustees or their nominee unless the land is disposed of—

- (a) under any of sections 149 to 158; or
- (b) under any matter referred to in section 159(1); or
- (c) in accordance with a waiver or variation given under section 167; or
- (d) within 2 years after the expiry date of an offer by the RFR landowner to dispose of the land to the trustees if the offer to the trustees was—
 - (i) made in accordance with section 144; and

- (ii) made on terms that were the same as, or more favourable to the trustees than, the terms of the disposal to the person; and
- (iii) not withdrawn under section 146; and
- (iv) not accepted under section 147.

Trustees' right of first refusal

144 Requirements for offer

- (1) An offer by an RFR landowner to dispose of RFR land to the trustees must be by notice to the trustees.
- (2) The notice must include—
 - (a) the terms of the offer, including its expiry date; and
 - (b) the legal description of the land, including any interests affecting it, and the reference for any computer register for the land; and
 - (c) a street address for the land (if applicable); and
 - (d) a street address, postal address, and fax number or electronic address for the trustees to give notices to the RFR landowner in relation to the offer.

145 Expiry date of offer

- (1) The expiry date of an offer must be on or after the date that is 20 working days after the date on which the trustees receive notice of the offer.
- (2) However, the expiry date of an offer may be on or after the date that is 10 working days after the date on which the trustees receive notice of the offer if—
 - (a) the trustees received an earlier offer to dispose of the land; and
 - (b) the expiry date of the earlier offer was not more than 6 months before the expiry date of the later offer; and
 - (c) the earlier offer was not withdrawn.

146 Withdrawal of offer

The RFR landowner may, by notice to the trustees, withdraw an offer at any time before it is accepted.

147 Acceptance of offer

- (1) The trustees may, by notice to the RFR landowner who made an offer, accept the offer if—
 - (a) it has not been withdrawn; and
 - (b) its expiry date has not passed.
- (2) The trustees must accept all the RFR land offered, unless the offer permits them to accept less.

148 Formation of contract

- (1) If the trustees accept an offer by an RFR landowner to dispose of RFR land, a contract for the disposal of the land is formed between the RFR landowner and the trustees on the terms in the offer.
- (2) The terms of the contract may be varied by written agreement between the RFR landowner and the trustees.
- (3) Under the contract, the trustees may nominate any person (the **nominee**) to receive the transfer of the RFR land.
- (4) The trustees may nominate a nominee only if—
 - (a) the nominee is lawfully able to hold the RFR land; and
 - (b) notice is given to the RFR landowner on or before the day that is 10 working days before the day on which the transfer is to settle.
- (5) The notice must specify—
 - (a) the full name of the nominee; and
 - (b) any other details about the nominee that the RFR landowner needs in order to transfer the RFR land to the nominee.
- (6) If the trustees nominate a nominee, the trustees remain liable for the obligations of the transferee under the contract.

Disposals to others but land remains RFR land

149 Disposal to the Crown or Crown bodies

- (1) An RFR landowner may dispose of RFR land to—
 - (a) the Crown; or
 - (b) a Crown body.
- (2) To avoid doubt, the Crown may dispose of RFR land to a Crown body in accordance with section 563 of the Education and Training Act 2020.

Section 149(2): amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

150 Disposal of existing public works to local authorities

- (1) An RFR landowner may dispose of RFR land that is a public work or part of a public work, in accordance with section 50 of the Public Works Act 1981, to a local authority, as defined in section 2 of that Act.
- (2) To avoid doubt, if RFR land is disposed of to a local authority under subsection (1), the local authority becomes—
 - (a) the RFR landowner of the land; and
 - (b) subject to the obligations of an RFR landowner under this subpart.

151 Disposal of reserves to administering bodies

- (1) An RFR landowner may dispose of RFR land in accordance with section 26 or 26A of the Reserves Act 1977.
- (2) To avoid doubt, if RFR land that is a reserve is vested in an administering body under subsection (1), the administering body does not become—
 - (a) the RFR landowner of the land; or
 - (b) subject to the obligations of an RFR landowner under this subpart.
- (3) However, if RFR land vests back in the Crown under section 25 or 27 of the Reserves Act 1977, the Crown becomes—
 - (a) the RFR landowner of the land; and
 - (b) subject to the obligations of an RFR landowner under this subpart.

Disposals to others where land may cease to be RFR land

152 Disposal in accordance with obligations under enactment or rule of law

An RFR landowner may dispose of RFR land in accordance with an obligation under any enactment or rule of law.

153 Disposal in accordance with legal or equitable obligations

An RFR landowner may dispose of RFR land in accordance with—

- (a) a legal or an equitable obligation that—
 - (i) was unconditional before the settlement date; or
 - (ii) was conditional before the settlement date but became unconditional on or after the settlement date; or
 - (iii) arose after the exercise (whether before, on, or after the settlement date) of an option existing before the settlement date; or
- (b) the requirements, existing before the settlement date, of a gift, an endowment, or a trust relating to the land.

154 Disposal under certain legislation

An RFR landowner may dispose of RFR land in accordance with—

- (a) section 54(1)(d) of the Land Act 1948; or
- (b) section 34, 43, or 44 of the Marine and Coastal Area (Takutai Moana) Act 2011; or
- (c) section 355(3) of the Resource Management Act 1991; or
- (d) an Act that—
 - (i) excludes the land from a national park within the meaning of the National Parks Act 1980; and

- (ii) authorises that land to be disposed of in consideration or part consideration for other land to be held or administered under the Conservation Act 1987, the National Parks Act 1980, or the Reserves Act 1977.

155 Disposal of land held for public works

- (1) An RFR landowner may dispose of RFR land in accordance with—
 - (a) section 40(2) or (4) or 41 of the Public Works Act 1981 (including as applied by another enactment); or
 - (b) section 52, 105(1), 106, 114(3), 117(7), or 119 of the Public Works Act 1981; or
 - (c) section 117(3)(a) of the Public Works Act 1981; or
 - (d) section 117(3)(b) of the Public Works Act 1981 if the land is disposed of to the owner of adjoining land; or
 - (e) section 23(1) or (4), 24(4), or 26 of the New Zealand Railways Corporation Restructuring Act 1990.
- (2) To avoid doubt, RFR land may be disposed of by an order of the Maori Land Court under section 134 of Te Ture Whenua Maori Act 1993, after an application by an RFR landowner under section 41(1)(e) of the Public Works Act 1981.

156 Disposal for reserve or conservation purposes

An RFR landowner may dispose of RFR land in accordance with—

- (a) section 15 of the Reserves Act 1977; or
- (b) section 16A or 24E of the Conservation Act 1987.

157 Disposal for charitable purposes

An RFR landowner may dispose of RFR land as a gift for charitable purposes.

158 Disposal to tenants

The Crown may dispose of RFR land—

- (a) that was held on the settlement date for education purposes to a person who, immediately before the disposal, is a tenant of the land or all or part of a building on the land; or
- (b) under section 67 of the Land Act 1948, if the disposal is to a lessee under a lease of the land granted—
 - (i) before the settlement date; or
 - (ii) on or after the settlement date under a right of renewal in a lease granted before the settlement date; or
- (c) under section 93(4) of the Land Act 1948.

*RFR landowner obligations***159 RFR landowner's obligations subject to other matters**

- (1) An RFR landowner's obligations under this subpart in relation to RFR land are subject to—
 - (a) any other enactment or rule of law except that, in the case of a Crown body, the obligations apply despite the purpose, functions, or objectives of the Crown body; and
 - (b) any interest or legal or equitable obligation—
 - (i) that prevents or limits an RFR landowner's disposal of RFR land to the trustees; and
 - (ii) that the RFR landowner cannot satisfy by taking reasonable steps; and
 - (c) the terms of a mortgage over, or security interest in, RFR land.
- (2) Reasonable steps, for the purposes of subsection (1)(b)(ii), do not include steps to promote the passing of an enactment.

*Notices about RFR land***160 Notice to LINZ of RFR land with computer register after settlement date**

- (1) If a computer register is first created for RFR land after the settlement date, the RFR landowner must give the chief executive of LINZ notice that the register has been created.
- (2) If land for which there is a computer register becomes RFR land after the settlement date, the RFR landowner must give the chief executive of LINZ notice that the land has become RFR land.
- (3) The notice must be given as soon as is reasonably practicable after a computer register is first created for the RFR land or after the land becomes RFR land.
- (4) The notice must include the legal description of the land and the reference for the computer register.

161 Notice to trustees of disposal of RFR land to others

- (1) An RFR landowner must give the trustees notice of the disposal of RFR land by the landowner to a person other than the trustees or their nominee.
- (2) The notice must be given on or before the date that is 20 working days before the day of the disposal.
- (3) The notice must include—
 - (a) the legal description of the land, including any interests affecting it; and
 - (b) the reference for any computer register for the land; and
 - (c) the street address for the land (if applicable); and

- (d) the name of the person to whom the land is being disposed of; and
- (e) an explanation of how the disposal complies with section 143; and
- (f) if the disposal is to be made under section 143(d), a copy of any written contract for the disposal.

162 Notice to LINZ of land ceasing to be RFR land

- (1) This section applies if land contained in a computer register is to cease being RFR land because—
 - (a) the fee simple estate in the land is to transfer from the RFR landowner to—
 - (i) the trustees or their nominee (for example, under section 127 in the case of the deferred selection property, or under a contract formed under section 148); or
 - (ii) any other person (including the Crown or a Crown body) under section 143(d); or
 - (b) the fee simple estate in the land is to transfer or vest from the RFR landowner to or in a person other than the Crown or a Crown body—
 - (i) under any of sections 152 to 158; or
 - (ii) under any matter referred to in section 159(1); or
 - (c) the fee simple estate in the land is to transfer or vest from the RFR landowner in accordance with a waiver or variation given under section 167.
- (2) The RFR landowner must, as early as practicable before the transfer or vesting, give the chief executive of LINZ notice that the land is to cease being RFR land.
- (3) The notice must include—
 - (a) the legal description of the land; and
 - (b) the reference for the computer register for the land; and
 - (c) the details of the transfer or vesting of the land.

163 Notice requirements

Schedule 5 applies to notices given under this subpart by or to—

- (a) an RFR landowner; or
- (b) the trustees.

Right of first refusal recorded on computer registers

164 Right of first refusal to be recorded on computer registers for RFR land

- (1) The chief executive of LINZ must issue to the Registrar-General 1 or more certificates that specify the legal descriptions of, and identify the computer registers for,—

- (a) the RFR land for which there is a computer register on the settlement date; and
 - (b) the RFR land for which a computer register is first created after the settlement date; and
 - (c) land for which there is a computer register that becomes RFR land after the settlement date.
- (2) The chief executive must issue a certificate as soon as is reasonably practicable—
 - (a) after the settlement date, for RFR land for which there is a computer register on the settlement date; or
 - (b) after receiving a notice under section 160 that a computer register has been created for the RFR land or that the land has become RFR land, for any other land.
- (3) Each certificate must state that it is issued under this section.
- (4) The chief executive must provide a copy of each certificate to the trustees as soon as is reasonably practicable after issuing the certificate.
- (5) The Registrar-General must, as soon as is reasonably practicable after receiving a certificate issued under this section, record on each computer register for the RFR land identified in the certificate that the land is—
 - (a) RFR land, as defined in section 142; and
 - (b) subject to this subpart (which restricts disposal, including leasing, of the land).

165 Removal of notifications when land to be transferred or vested

- (1) The chief executive of LINZ must, before registration of the transfer or vesting of land described in a notice received under section 162, issue to the Registrar-General a certificate that includes—
 - (a) the legal description of the land; and
 - (b) the reference for the computer register for the land; and
 - (c) the details of the transfer or vesting of the land; and
 - (d) a statement that the certificate is issued under this section.
- (2) The chief executive must provide a copy of each certificate to the trustees as soon as is reasonably practicable after issuing the certificate.
- (3) If the Registrar-General receives a certificate issued under this section, he or she must, immediately before registering the transfer or vesting described in the certificate, remove from the computer register identified in the certificate any notification recorded under section 164 for the land described in the certificate.

166 Removal of notifications when RFR period ends

- (1) The chief executive of LINZ must, as soon as is reasonably practicable after the RFR period ends in respect of any RFR land, issue to the Registrar-General a certificate that includes—
 - (a) the reference for each computer register for that RFR land that still has a notification recorded under section 164; and
 - (b) a statement that the certificate is issued under this section.
- (2) The chief executive must provide a copy of each certificate to the trustees as soon as is reasonably practicable after issuing the certificate.
- (3) The Registrar-General must, as soon as is reasonably practicable after receiving a certificate issued under this section, remove any notification recorded under section 164 from any computer register identified in the certificate.

General provisions applying to right of first refusal

167 Waiver and variation

- (1) The trustees may, by notice to an RFR landowner, waive any or all of the rights the trustees have in relation to the landowner under this subpart.
- (2) The trustees and an RFR landowner may agree in writing to vary or waive any of the rights each has in relation to the other under this subpart.
- (3) A waiver or an agreement under this section is on the terms, and applies for the period, specified in it.

168 Disposal of Crown bodies not affected

This subpart does not limit the ability of the Crown, or a Crown body, to sell or dispose of a Crown body.

169 Assignment of rights and obligations under this subpart

- (1) Subsection (3) applies if the RFR holder—
 - (a) assigns the RFR holder's rights and obligations under this subpart to 1 or more persons in accordance with the RFR holder's constitutional document; and
 - (b) has given the notices required by subsection (2).
- (2) The RFR holder must give notices to each RFR landowner that—
 - (a) state that the RFR holder's rights and obligations under this subpart are being assigned under this section; and
 - (b) specify the date of the assignment; and
 - (c) specify the names of the assignees and, if they are the trustees of a trust, the name of the trust; and
 - (d) specify the street address, postal address, and fax number or electronic address for notices to the assignees.

- (3) This subpart and Schedule 5 apply to the assignees (instead of to the RFR holder) as if the assignees were the trustees, with any necessary modifications.
- (4) In this section,—
- constitutional document** means the trust deed or other instrument adopted for the governance of the RFR holder
- RFR holder** means the 1 or more persons who have the rights and obligations of the trustees under this subpart, because—
- (a) they are the trustees; or
 - (b) they have previously been assigned those rights and obligations under this section.

Part 4 Other redress

Subpart 1—Te Kōpua Kānapanapa

Interpretation

170 Interpretation

In this subpart, subparts 2 and 3, and Schedule 6, unless the context otherwise requires,—

appointers means the trustees, the Waikato Regional Council, or the Taupo District Council, as the case may require

elected council member means a member of a local authority within the meaning of paragraph (c) of the definition of member in section 5(1) of the Local Government Act 2002

hearing commissioner means a person accredited under section 39A of the Resource Management Act 1991

local authority means the Waikato Regional Council or the Taupo District Council, as the case may require

local government legislation means—

- (a) the Local Authorities (Members' Interests) Act 1968; and
- (b) the Local Government Act 2002; and
- (c) the Local Government Act 1974; and
- (d) the Local Government Official Information and Meetings Act 1987

overlapped catchment area means the overlapped catchment area set out in the attachments

register means the register of hearing commissioners referred to in section 185

RMA planning document—

- (a) means a regional policy statement, regional plan, or district plan within the meanings given in section 43AA of the Resource Management Act 1991; and
- (b) includes a proposed plan within the meaning of section 43AAC of that Act

Taupo Catchment means the Taupo Catchment area set out in part 2 of the attachments

Te Kaupapa Kaitiaki means the document referred to in section 173(2)(b)

Te Kōpua Kānapanapa means the entity established by section 171.

Te Kōpua Kānapanapa established

171 Establishment of Te Kōpua Kānapanapa

- (1) This section establishes Te Kōpua Kānapanapa.
- (2) Despite the membership of Te Kōpua Kānapanapa as described in section 175, Te Kōpua Kānapanapa is a joint committee of the Waikato Regional Council and Taupo District Council for the purposes of clause 30(1)(b) of Schedule 7 of the Local Government Act 2002.
- (3) Despite Schedule 7 of the Local Government Act 2002, Te Kōpua Kānapanapa—
 - (a) is a permanent committee; and
 - (b) must not be discharged except with the unanimous agreement of all the appointers.

Purpose, functions, and powers of Te Kōpua Kānapanapa

172 Purpose of Te Kōpua Kānapanapa and Ngāti Tūwharetoa's vision for Taupo Catchment

- (1) The purpose of Te Kōpua Kānapanapa is—
 - (a) to restore, protect, and enhance the environmental, cultural, and spiritual health and well-being of the Taupo Catchment for the benefit of Ngāti Tūwharetoa and all people in the Taupo Catchment (including future generations); and
 - (b) to provide strategic leadership on the sustainable and integrated management of the Taupo Catchment for the benefit of Ngāti Tūwharetoa and all people in the Taupo Catchment (including future generations); and
 - (c) to enable Ngāti Tūwharetoa to exercise mana and kaitiakitanga over the Taupo Catchment, in partnership with the local authorities; and
 - (d) to give effect to the vision in Te Kaupapa Kaitiaki.
- (2) In achieving its purpose, Te Kōpua Kānapanapa must—

- (a) respect Ngāti Tūwharetoa tikanga; and
 - (b) provide for the relationship of Ngāti Tūwharetoa and their culture and traditions with their ancestral lands, water, geothermal resources, sites, wāhi tapu, and other taonga.
- (3) Ngāti Tūwharetoa's vision is for a healthy Taupo Catchment that is capable of sustaining the whole community and that is managed in a manner that reflects Ngāti Tūwharetoa tikanga.
- (4) Ngāti Tūwharetoa's vision is founded on the following principles derived from tikanga:
- (a) the principle of mauri: the health and well-being of the Taupo Catchment reflects and nourishes the health and well-being of Ngāti Tūwharetoa;
 - (b) the principle of mana: the active protection and restoration of the relationship of Ngāti Tūwharetoa with the Taupo Catchment (including Ngāti Tūwharetoa's mana whakahaere and kaitiaki role);
 - (c) the principle of te whanake: the sustainable development of Ngāti Tūwharetoa's taonga, Ngāti Tūwharetoa, and the whole community;
 - (d) the principle of integrated management: the natural resources within the Taupo Catchment are interdependent and should be managed in an integrated manner.

173 Functions of Te Kōpua Kānapanapa

- (1) The principal function of Te Kōpua Kānapanapa is to achieve its purpose.
- (2) Te Kōpua Kānapanapa has the following specific functions:
- (a) to promote the restoration, protection, and enhancement of the environmental, cultural, and spiritual well-being of the Taupo Catchment; and
 - (b) to prepare and approve Te Kaupapa Kaitiaki in accordance with subpart 2 of this Part and Part 2 of Schedule 6; and
 - (c) to monitor the implementation and effectiveness of Te Kaupapa Kaitiaki; and
 - (d) to advise local authorities and relevant agencies regarding projects, initiatives, action, or research intended to restore, protect, or enhance the health and well-being of the Taupo Catchment; and
 - (e) to support the integrated and collaborative management of the Taupo Catchment; and
 - (f) to support the integrated management of the Taupo Catchment with the management of the Waikato River and the Whanganui River; and
 - (g) to engage with, seek advice from, and provide advice to local authorities and relevant agencies on matters relating to the health and well-being of the Taupo Catchment; and

- (h) to establish and maintain a register of accredited hearing commissioners; and
 - (i) to participate in any statutory or non-statutory process that concerns or has implications for the health and well-being of the Taupo Catchment, including by making submissions on planning or resource consent processes under the Resource Management Act 1991; and
 - (j) to take any other action that Te Kōpua Kānapanapa considers appropriate to achieving its purpose.
- (3) Te Kōpua Kānapanapa has discretion in any particular circumstance as to whether, how, and to what extent, it will perform any function specified in subsection (2).

174 General powers of Te Kōpua Kānapanapa

- (1) Te Kōpua Kānapanapa has all the powers reasonably necessary to carry out its functions—
- (a) in accordance with this subpart and subparts 2 and 3 and Schedule 6; and
 - (b) subject to paragraph (a), in accordance with local government legislation.
- (2) Te Kōpua Kānapanapa may perform any function of a local authority if and to the extent that that function has been delegated to it by a local authority.

Members

175 Appointment of members of Te Kōpua Kānapanapa

- (1) Te Kōpua Kānapanapa consists of 8 members appointed as follows:
- (a) 4 members appointed by the trustees:
 - (b) 2 members appointed by the Waikato Regional Council:
 - (c) 2 members appointed by the Taupo District Council.
- (2) When making their appointments, the trustees must have regard to achieving representation from throughout the Taupo Catchment.
- (3) The trustees must appoint 1 member from a shared hapū of Ngāti Raukawa and Ngāti Tūwharetoa.
- (4) Each member appointed by a local authority must be an elected council member of that authority.
- (5) In appointing a member to Te Kōpua Kānapanapa, an appointer must—
- (a) be satisfied that the person has the skills, knowledge, and experience to—
 - (i) participate effectively in Te Kōpua Kānapanapa; and
 - (ii) contribute to achieving the purpose of Te Kōpua Kānapanapa; and

- (b) have regard to the skills of any members already appointed, or to be appointed, to Te Kōpua Kānapanapa to ensure that the membership reflects a balanced mix of knowledge and experience in relation to the Taupo Catchment.

176 Duties of members

- (1) Each member of Te Kōpua Kānapanapa must—
 - (a) seek to achieve the purpose of Te Kōpua Kānapanapa; and
 - (b) without limiting paragraph (a), comply with the terms of appointment issued by the relevant appointer.
- (2) Part 1 of Schedule 6 has effect according to its terms.

177 Validity of acts not affected

Nothing done by Te Kōpua Kānapanapa is invalid because of—

- (a) a vacancy in the membership of Te Kōpua Kānapanapa at the time the thing was done; or
- (b) the subsequent discovery of a defect in the appointment of a person as a member.

Term of Te Kōpua Kānapanapa

178 Term of appointment of members

- (1) A member of Te Kōpua Kānapanapa—
 - (a) is appointed for a term of 3 years commencing on the 60th day after the polling day for the most recent triennial local government election unless the member resigns, is removed from office by the appointer of that member, or otherwise vacates office; and
 - (b) may be reappointed.
- (2) Despite subsection (1), the term of office of the first members of Te Kōpua Kānapanapa—
 - (a) commences on the settlement date; and
 - (b) ends on the 59th day after the polling day for the next triennial local government election following the settlement date.

179 Advisers and persons who may attend meetings of Te Kōpua Kānapanapa

- (1) Te Kōpua Kānapanapa may appoint 1 or more kaumatua or kuia who are knowledgeable in tikanga to attend meetings and provide advice as required.
- (2) Te Kōpua Kānapanapa may seek advice or guidance from—
 - (a) a person or an organisation with relevant skills, knowledge, or attributes to assist Te Kōpua Kānapanapa to perform its functions; and

- (b) a representative of a particular Ngāti Tūwharetoa hapū in respect of matters that are relevant to the area in which that hapū has or have mana whenua or mana moana; and
 - (c) a representative of Ngāti Rangī in respect of matters that are relevant to an overlapped catchment area between Ngāti Rangī and Ngāti Tūwharetoa; and
 - (d) a representative of the Ngāti Raukawa Settlement Trust in respect of matters that are relevant to an overlapped catchment area between Ngāti Raukawa and Ngāti Tūwharetoa.
- (3) A person or an organisation referred to in subsection (2)(a) or a representative referred to in subsection (2)(b) or (d) may attend a meeting of Te Kōpua Kānapanapa at the invitation of Te Kōpua Kānapanapa.
- (4) A representative of Ngāti Rangī may attend a meeting of Te Kōpua Kānapanapa at any time.
- (5) A representative of the Department of Conservation may attend a meeting of Te Kōpua Kānapanapa at which a matter of interest to the Department will be discussed.
- (6) A person who attends a meeting of Te Kōpua Kānapanapa by virtue of subsection (1), (2), (3), (4), or (5) does not have a vote at the meeting.

Subpart 2—Te Kaupapa Kaitiaki

180 Te Kaupapa Kaitiaki

- (1) The purpose of Te Kaupapa Kaitiaki is to identify the matters described in subsection (2) in order to—
- (a) promote the sustainable and integrated management of the Taupo Catchment environment for the benefit of Ngāti Tūwharetoa and all people in the Taupo Catchment (including future generations); and
 - (b) provide for the relationship of Ngāti Tūwharetoa and their culture and traditions with their ancestral lands, water, sites, geothermal resources, wāhi tapu, and other taonga; and
 - (c) respect Ngāti Tūwharetoa tikanga in the management of the Taupo Catchment.
- (2) The matters referred to in subsection (1) are—
- (a) the vision, objectives, desired outcomes, and values for the Taupo Catchment;
 - (b) any significant issues for the Taupo Catchment;
 - (c) any other matters relevant to the Taupo Catchment.
- (3) Te Kaupapa Kaitiaki must not contain rules or other methods.

- (4) In preparing and approving Te Kaupapa Kaitiaki, Te Kōpua Kānapanapa may consider any of the following, to the extent that it is relevant to the purpose of Te Kaupapa Kaitiaki:
 - (a) any information or document:
 - (b) any enactment.
- (5) Part 2 of Schedule 6 has effect according to its terms.

Obligations of local authorities and Environmental Protection Authority in relation to Te Kaupapa Kaitiaki

181 Obligations of local authority in relation to RMA planning documents

- (1) A local authority must recognise and provide for the vision, objectives, desired outcomes, and values of Te Kaupapa Kaitiaki each time the authority—
 - (a) prepares an RMA planning document; or
 - (b) reviews or varies an RMA planning document.
- (2) A local authority must comply with subsection (1)—
 - (a) to the extent that the RMA planning document relates to resource management issues in the Taupo Catchment; and
 - (b) to the extent that Te Kaupapa Kaitiaki is relevant to the RMA planning document; and
 - (c) in a manner that is consistent with the purpose of the Resource Management Act 1991.

182 Effect of Te Kaupapa Kaitiaki on RMA planning documents and resource consent applications

- (1) This section applies to the Environmental Protection Authority or a local authority when deciding or processing an application for a resource consent or a review of the conditions of a resource consent if the resource consent relates to an activity listed in section 184(1)(b)(i) to (vi).
- (2) Until the local authority has complied with its obligations under section 181 in relation to RMA planning documents, the Environmental Protection Authority or local authority must have particular regard to Te Kaupapa Kaitiaki.

183 Obligations of local authority in relation to long-term and annual plans under Local Government Act 2002

A local authority must, when preparing or approving any long-term or annual plan under the Local Government Act 2002, have particular regard to Te Kaupapa Kaitiaki to the extent that its content is relevant to any matter covered by the plan.

Subpart 3—Hearing commissioners

184 Application

- (1) This subpart applies to any application under the Resource Management Act 1991 for a resource consent or for a review of the conditions of a resource consent if the resource consent—
 - (a) has been, or is to be, notified in accordance with the Resource Management Act 1991; and
 - (b) relates to 1 or more of the following activities:
 - (i) using land in the Taupo Catchment:
 - (ii) taking heat or energy from water in the Taupo Catchment:
 - (iii) taking heat or energy from the material surrounding geothermal water in the Taupo Catchment:
 - (iv) taking, using, damming, or diverting water in the Taupo Catchment:
 - (v) making a point source discharge to Lake Taupo or its tributaries:
 - (vi) any activity listed in section 13(2A) of the Resource Management Act 1991 in relation to Lake Taupo or its tributaries:
 - (vii) any activity that the relevant authority considers appropriate for this subpart to apply to.
- (2) In this subpart, **relevant authority** means—
 - (a) a Minister who appoints a board of inquiry under Part 6AA of the Resource Management Act 1991; or
 - (b) a local authority that appoints 1 or more hearing commissioners for the purposes of Part 6 of the Resource Management Act 1991.

185 Register of hearing commissioners

- (1) Te Kōpua Kānapanapa may develop and maintain a register of hearing commissioners to hear and determine applications to which this subpart applies.
- (2) If Te Kōpua Kānapanapa develops a register, it must ensure that the register includes persons with skills, knowledge, and experience across a range of disciplines, including knowledge of tikanga and knowledge of the Taupo Catchment.

186 Appointment of hearing commissioners by relevant authority

- (1) The relevant authority must, on receipt of an application to which this subpart applies, inform Te Kōpua Kānapanapa of the application.
- (2) If the relevant authority decides, in accordance with the Resource Management Act 1991, to appoint hearing commissioners to hear the application, the Authority—

- (a) must have particular regard to any register developed under section 185; and
 - (b) may appoint 1 or more hearing commissioners listed on the register; and
 - (c) must be guided by the need for the hearing commissioner to have the appropriate skills, knowledge, and experience, including an appropriate knowledge of tikanga; and
 - (d) must be guided, if more than 1 hearing commissioner is appointed, by the need for the hearing panel to have an appropriate range of skills, knowledge, and experience; and
 - (e) must, if the relevant authority is a Minister appointing a board of inquiry under Part 6AA of the Resource Management Act 1991, comply with the requirements of sections 149J and 149K of that Act.
- (3) The relevant authority must, if requested by Te Kōpua Kānapanapa, provide Te Kōpua Kānapanapa with a written explanation of—
- (a) the reasons why it appointed a hearing commissioner in relation to a particular application; and
 - (b) how the authority has complied with subsection (2).

Subpart 4—Rangitaiki River Forum and Hawke’s Bay Regional Planning Committee

187 Membership of Rangitaiki River Forum

- (1) On the settlement date, the following appointments may be made to the membership of the Rangitaiki River Forum:
- (a) the trustees may appoint 1 person; and
 - (b) the Bay of Plenty Regional Council may appoint 1 person (who must be an elected council member of that council).
- (2) The Rangitaiki River Forum is the same body as the Rangitaiki River Forum established by section 104 of the Ngāti Manawa Claims Settlement Act 2012 and section 108 of the Ngāti Whare Claims Settlement Act 2012.
- (3) Subsection (1) applies despite the composition of the Rangitaiki River Forum provided for by section 108 of the Ngāti Manawa Claims Settlement Act 2012, section 112 of the Ngāti Whare Claims Settlement Act 2012, section 50 of the Tūhoe Claims Settlement Act 2014, and section 68 of the Hineuru Claims Settlement Act 2016.
- (4) All the provisions relating to the Rangitaiki River Forum set out in the Ngāti Manawa Claims Settlement Act 2012 and in the Ngāti Whare Claims Settlement Act 2012 apply to the appointment of a member by the trustees as if that member were appointed under those Acts.

188 Hawke’s Bay Regional Planning Committee Act 2015 amended

- (1) This section amends the Hawke’s Bay Regional Planning Committee Act 2015.
- (2) In section 4(1), repeal the definition of **trustees of the Ngati Tuwharetoa Hapu Forum Trust**.
- (3) In section 4(1), insert in its appropriate alphabetical order:
Te Kotahitanga o Ngāti Tūwharetoa means the trustees of the trust of that name established by a trust deed dated 11 April 2017
- (4) In section 11(1)(d), replace “Ngati Tuwharetoa Hapu Forum Trust” with “Te Kotahitanga o Ngāti Tūwharetoa”.

Subpart 5—Taonga tūturu

189 Interpretation

In this subpart, unless the context otherwise requires—

Accord area means the area set out in OTS-575-51 as shown in part 2 of the attachments

chief executive means the chief executive of the department that, the authority of the Prime Minister, is responsible for the administration of the Protected Objects Act 1975

overlapping areas of interest means the areas identified as overlapping areas of interest in OTS-575-52 as shown in part 2 of the attachments

trust means a charitable trust that—

- (a) before settlement date, must be established by trust deed with its trustees appointed in accordance with clause 7.10.2 of the deed of settlement; and
- (b) on settlement date, is responsible for establishing and managing a whare taonga for taonga tūturu to which section 190 applies

trustees means the trustees of the trust.

190 Taonga tūturu

- (1) This section applies to—
 - (a) taonga tūturu that, on or after the settlement date, is found within the Accord area; and
 - (b) taonga tūturu that,—
 - (i) is identified by the chief executive as being of Ngāti Tūwharetoa in origin; and
 - (ii) on or after the settlement date, is found anywhere else in New Zealand or within its territorial waters.
- (2) This section does not apply to taonga tūturu that is found in a customary marine title area.

- (3) The taonga tūturu must, until the ownership of taonga tūturu is determined under the Protected Objects Act 1975, be held in the interim custody of the trustees in accordance with any conditions agreed between the chief executive and the trustees.
- (4) If any taonga tūturu is provided to the trustees, the trustees must notify the chief executive in accordance with section 11(3) of the Protected Objects Act 1975 of the receipt of the taonga tūturu.
- (5) Despite subsection (3), if the chief executive considers, in his or her discretion, that it would be more appropriate in the circumstances for the taonga tūturu to be held in accordance with other arrangements (for example, where conservation treatment is required), the chief executive—
 - (a) must notify the trustees in writing in accordance with subsection (6); and
 - (b) must decide the arrangements for the taonga tūturu, after having regard to the views of the trustees; and
 - (c) must inform the trustees in writing of the final arrangements for the taonga tūturu.
- (6) The notice referred to in subsection (5) must—
 - (a) set out the proposed arrangements for the taonga tūturu; and
 - (b) give reasons for the proposed arrangements; and
 - (c) seek the views of the trustees on how to best identify the appropriate cultural protection for the taonga tūturu; and
 - (d) inform the trustees of their right to apply directly to the Maori Land Court to exercise its jurisdiction under section 12 of the Protected Objects Act 1975 in relation to the taonga tūturu.
- (7) The chief executive must inform the trustees in writing of any application to the Maori Land Court by any other person for the determination of any claim, whether at law or in equity, to the actual or traditional ownership, rightful possession, or custody of any taonga tūturu or to any right, title, estate, or interest in the taonga tūturu.

191 Trustees must inform interested iwi

- (1) The trustees must inform any interested iwi of—
 - (a) any taonga tūturu to which section 190 applies that the trustees hold or have received; and
 - (b) any arrangements under section 190 for the taonga tūturu.
- (2) In this section, **interested iwi** means any iwi that the trustees, after having regard to the overlapped areas of interest and any matters that the trustees consider relevant, consider should be informed of the matters described in subsection (1).

Subpart 6—Conservation management strategy affecting Manaaki Whenua Tūwharetoa

192 Interpretation

In this subpart, unless the context otherwise requires,—

conservation management strategy means a conservation management strategy approved or proposed to be approved under section 17F of the Conservation Act 1987

Director-General means the Director-General of Conservation

Manaaki Whenua Tūwharetoa—

- (a) means the area within the Ngāti Tūwharetoa area of interest that is shown in part 2 of the attachments; and
- (b) includes any identified area that is part of the Manaaki Whenua Tūwharetoa under section 194

Ngāti Tūwharetoa area of interest means the area identified in part 1 of the attachments

relevant mandated iwi representative or governance entity means, in relation to a conservation management strategy referred to in section 193(1), an iwi or governance entity that has an interest in or is likely to be affected by the strategy or proposed changes to or review of the strategy.

193 Director-General and trustees jointly responsible for conservation management strategy affecting Manaaki Whenua Tūwharetoa

- (1) This section applies to any conservation management strategy that applies (whether wholly or in part) to the Manaaki Whenua Tūwharetoa.
- (2) The trustees and the Director-General are, despite sections 17D and 17F of the Conservation Act 1987, jointly responsible for preparing, amending, or reviewing the conservation management strategy—
 - (a) only to the extent that it applies to the Manaaki Whenua Tūwharetoa; and
 - (b) in accordance with values that the trustees have developed with the Department of Conservation.
- (3) For the purpose of subsection (2), sections 17D and 17F of the Conservation Act 1987 apply as if each reference to those sections to the Director-General were a reference to the Director-General and Ngāti Tūwharetoa.
- (4) The Director-General must notify the trustees in writing if he or she intends to prepare, amend, or review a conservation management strategy for an area that relates to the Manaaki Whenua Tūwharetoa.

194 Future extension of Manaaki Whenua Tūwharetoa to include identified area

- (1) The trustees may, within 3 months of receiving notice under section 193(4) in respect of a conservation management strategy, propose to the Director-General that an additional area (the **identified area**) be included in the Manaaki Whenua Tūwharetoa—
 - (a) to enable the trustees to have joint responsibility with the Director-General in preparing, amending, or reviewing the conservation management strategy for that area; and
 - (b) to the extent that the strategy applies to the Ngāti Tūwharetoa area of interest.
- (2) Subsection (3) applies only if the trustees have—
 - (a) satisfied the Director-General that the trustees have, in relation to the identified area, obtained the written agreement of any relevant mandated iwi representative or governance entity that the trustees and the Director-General should have joint responsibility in respect of the conservation management strategy as described in subsection (1)(a); and
 - (b) given the Director-General a report setting out the process that was followed in identifying and consulting any relevant mandated iwi representative or governance entity; and
 - (c) given the Director-General evidence of the agreement referred to in paragraph (a) and any necessary information that the Director-General has requested for the purpose of paragraph (b).
- (3) If the Director-General is satisfied that the requirements of subsection (2) have been met and considers that the identified area could reasonably be considered to be part of the Manaaki Whenua Tūwharetoa, the Director-General must give notice in the *Gazette*—
 - (a) of the area of the Manaaki Whenua Tūwharetoa (including the identified area); and
 - (b) that the trustees and the Director-General are jointly responsible for preparing, amending, or reviewing, as the case may be, a conservation management strategy—
 - (i) that relates to any area within the Manaaki Whenua Tūwharetoa as described under paragraph (a); and
 - (ii) to the extent that that area is within the Manaaki Whenua Tūwharetoa.

195 Minister and trustees jointly responsible under section 17F of Conservation Act 1987

The trustees and the Minister are jointly responsible for carrying out the Minister's functions under section 17F of the Conservation Act 1987 in respect of

any conservation management strategy that applies (whether wholly or in part) to the Manaaki Whenua Tūwharetoa.

Subpart 7—Conservation Act 1987 amended

196 Conservation Act 1987 amended

- (1) This section amends the Conservation Act 1987.
- (2) Replace section 6P(5)(a) with:
 - (a) not more than 10 persons appointed under subsection (2); and
- (3) In section 6P(5)(b), after “Minister”, insert “; and”.
- (4) After section 6P(5)(b), insert:
 - (c) 1 person nominated by the trustees of Te Kotahitanga o Ngāti Tūwharetoa.
- (5) After section 6P(5), insert:
- (5A) The Minister must, before making an appointment under subsection (2) to the Board whose area of jurisdiction includes Tongariro National Park, also have regard to any endorsement by the trustees of Te Kotahitanga o Ngāti Tūwharetoa of a person to be a member of the Board.

Subpart 8—Trout Centre property

197 Interpretation

In this subpart, **Trout Centre property** means the land described in Schedule 4.

198 Trout Centre property

- (1) The Trout Centre property is declared a reserve and classified as a recreation reserve subject to section 17 of the Reserves Act 1977.
- (2) The Tongariro Trout Hatchery and Freshwater Ecology Centre Trust is the administering body of the reserve, and the Reserves Act 1977 applies to the reserve as if the reserve were vested in that trust under section 26 of that Act.
- (3) To avoid doubt, subsection (2) is not a disposition for the purposes of Part 4A of the Conservation Act 1987.
- (4) Subsections (1) and (2) do not take effect until the trustees of the Tongariro Trout Hatchery and Freshwater Ecology Centre Trust—
 - (a) have provided the Crown with a licence to occupy on the terms and conditions set out in part 8.8 of the documents schedule; and
 - (b) have provided the Tongariro National Trout Centre Society Incorporated with a licence to occupy on the terms and conditions set out in part 8.9 of the documents schedule; and

- (c) have provided the Tongariro National Trout Centre Society Incorporated with a registrable lease in relation to the Te Kōwhai property on the terms and conditions set out in part 8.10 of the documents schedule; and
 - (d) have provided the Tongariro National Trout Centre Society Incorporated with a registrable easement for a right of way on the terms and conditions set out in part 8.11 of the documents schedule; and
 - (e) are incorporated as a board under the Charitable Trusts Act 1957.
- (5) Despite the provisions of the Reserves Act 1977, the licences to occupy and the easement—
- (a) are enforceable in accordance with their terms; and
 - (b) are to be treated as having been granted in accordance with the Reserves Act 1977.

199 Interests in land for Trout Centre property

- (1) This section applies to all or the part of the Trout Centre property that remains a reserve under the Reserves Act 1977 (the **reserve land**), but only while the reserve land has an administering body that is treated as if the land were vested in it.
- (2) If the Trout Centre property is affected by an interest in land that is listed for the property in Schedule 4, the interest applies as if the administering body were the grantor, or the grantee, as the case may be, of the interest in respect of the property.
- (3) Any interest in land that affects the Trout Centre property must be dealt with for the purposes of registration as if the administering body were the registered proprietor of the Trout Centre property.

200 Interests that are not interests in land

- (1) This section applies if the Trout Centre property is subject to an interest (other than an interest in land) that is listed for the property in Schedule 4 and for which there is a grantor, whether or not the interest also applies to land outside the Trout Centre property.
- (2) The interest applies as if the owners of the Trout Centre property were the grantor of the interest in respect of the property, except to the extent that subsection (3) applies.
- (3) If all or part of the Trout Centre property is reserve land to which section 199 applies, the interest applies as if the administering body of the reserve land were the grantor of the interest in respect of the reserve land.
- (4) The interest applies—
 - (a) until the interest expires or is terminated, but any subsequent transfer of the Trout Centre property must be ignored in determining whether the interest expires or is or may be terminated; and

- (b) with any other necessary modifications; and
- (c) despite any change in status of the land in the property.

201 Registration of ownership of Trout Centre property

- (1) The Registrar-General must, on written application by a person authorised by the Director-General,—
 - (a) create a computer freehold register for the fee simple estate in the Trout Centre property in the name of the Crown; and
 - (b) record on the computer freehold register any interests that are registered, notified, or notifiable and that are described in the application.
- (2) The Registrar-General must record on the computer freehold register that the land is subject to section 199(3).
- (3) Subsection (1) is subject to the completion of any survey necessary to create a computer freehold register.
- (4) A computer freehold register must be created under this section as soon as is reasonably practicable after the settlement date, but not later than 24 months after the settlement date.

202 Matters to be removed from computer freehold register

- (1) If the reservation of the Trout Centre property under this subpart is revoked for—
 - (a) all of the property, the Director-General must apply in writing to the Registrar-General to remove from the computer freehold register for the property the notification that the property is subject to section 199(3);
 - (b) part of the property, the Registrar-General must ensure that the notification referred to in paragraph (a) remains only on the computer freehold register for the part of the property that remains a reserve.
- (2) The Registrar-General must comply with an application received in accordance with subsection (1)(a).

203 Application of other enactments

- (1) This section applies to the Trout Centre property while the property—
 - (a) has an administering body that is treated as if the property were vested in it; and
 - (b) remains a reserve under the Reserves Act 1977.
- (2) Despite section 25 of the Reserves Act 1977, if the reservation of the Trout Centre property under that Act is revoked, the Public Works Act 1981 continues to apply to the property.
- (3) The Trout Centre property must not have a name assigned to it or have its name changed under section 16(10) of the Reserves Act 1977 without the written

consent of the administering body, and section 16(10A) of that Act does not apply to the proposed name.

- (4) The Trout Centre property is not a Crown protected area under the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008 despite anything in that Act.

204 Taupo Fishery Regulations 2004 amended

- (1) This section amends the Taupo Fishery Regulations 2004.
- (2) After regulation 38(3), insert:
- (4) Despite anything to the contrary in these regulations, a person who has the prior written authority of Te Kotahitanga o Ngāti Tūwharetoa may for cultural purposes—
- (a) take trout from a designated raceway at the Tongariro National Trout Centre at any time; and
 - (b) have that trout in his or her possession.
- (5) In subclause (4),—
- cultural purposes**—
- (a) includes significant Ngāti Tūwharetoa hui, tangi, and other occasions; but
 - (b) does not include any commercial purpose
- designated raceway** means a raceway designated by the Director-General or his or her appointee
- Te Kotahitanga o Ngāti Tūwharetoa** has the meaning given to it by section 12 of the Ngāti Tūwharetoa Claims Settlement Act 2018.

Part 5

Consequential revocations

205 Taupo Landing Reserve Regulations 1938 revoked

The Taupo Landing Reserve Regulations 1938 (SR 1938/156) are revoked.

206 Tongariro Hatchery Anglers' Camping Ground Regulations 1954 revoked

The Tongariro Hatchery Anglers' Camping Ground Regulations 1954 (p 1994 *New Zealand Gazette*) are revoked.

Schedule 1 Statutory areas and geothermal fields

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Part 1 Statutory areas

Rivers

Statutory area	Location
Waiootaka River and its tributaries	As shown on OTS-575-47
Rangitāiki River and its tributaries within the Ngāti Tūwharetoa area of interest	As shown on OTS-575-42
Waikato River and its tributaries within the Ngāti Tūwharetoa area of interest	As shown on OTS-575-46

Lakes

Statutory area	Location
Lake Rotokawa	As shown on OTS-575-39
Lake Te Whaiiau	As shown on OTS-575-40
Lake Otamangakau	As shown on OTS-575-38

Mountains

Statutory area	Location
Titiraupenga Mountain	As shown on OTS-575-44
Pureora Mountain	As shown on OTS-575-41

Part 2 Geothermal fields

Geothermal fields	Location
Tokaanu-Waihi-Hipaua geothermal field	As shown on OTS-575-45
Horomatangi geothermal field	As shown on OTS-575-37
Wairakei-Tauhara geothermal field	As shown on OTS-575-48
Rotokawa geothermal field	As shown on OTS-575-43

Schedule 2

Overlay sites

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Overlay site	Location	Description
Part Pureora Forest Park within the Ngāti Tūwharetoa area of interest	As shown on OTS-575-35	<p><i>South Auckland Land District— Ruapehu and Taupo Districts</i></p> <p>23105 hectares, approximately, being Part Tihoi 3B8B5B, Section 1 Block Marotiri Survey District, Section 5 and Part Section 3 Block V Marotiri Survey District, Part Pouakani B9A, Part Section 1 Block IV Hurakia Survey District, Part Section 1 Block VIII Hurakia Survey District, Section 1 Block XII Hurakia Survey District, Sections 1 and 2 Block XVI Hurakia Survey District, Part Maraeroa A2, Part Waihaha 1, Waihaha 2, Waihaha 3A, Part Hauhungaroa 2D2, Part Hauhungaroa 9, Section 1 Block III Puketapu Survey District, Section 1 Block IV Puketapu Survey District and Section 1 Block VII Puketapu Survey District.</p> <p>2447 hectares, approximately, being Section 1 and Part Section 2 Block XIV Puketapu Survey District, Parts Section 1 Block XV Puketapu Survey District and Part Section 4 Block III Maungaku Survey District.</p>
Whenuakura	As shown on OTS-575-36	<p><i>South Auckland Land District— Ruapehu and Taupo Districts</i></p> <p>3315 hectares, approximately, being Part Hauhungaroa 2D2, Part Hauhungaroa 9, Hauhungaroa 10 and Hauhungaroa 11.</p>

Schedule 3 Cultural redress properties

ss 68, 110–112

Properties vested in fee simple

Name of property	Description	Interests
Aratiatia site A	<i>South Auckland Land District— Taupo District</i> 40.0000 hectares, more or less, being Section 1 SO 381263. Part <i>Gazette</i> 1887, p 675, and part <i>Gazette</i> 1886, p 778.	Subject to a lease in favour of Contact Energy Limited embodied in computer interest register 370401 and unregistered sublease in favour of Kiwitahi Trust. Subject to an encumbrance embodied in computer interest register 549545. Subject to a deed of easement embodied in computer interest register 549546, and varied by instrument 8702593.7. Subject to exemption from section 24 of the Conservation Act 1987 while Contact Energy Limited has an interest in the land by <i>Gazette</i> notice 8702593.8.
Aratiatia site B	<i>South Auckland Land District— Taupo District</i> 59.6000 hectares, more or less, being Section 2 SO 381263. Part <i>Gazette</i> 1887, p 675, and part <i>Gazette</i> 1886, p 778.	Subject to an encumbrance embodied in computer interest register 549545. Subject to a deed of easement embodied in computer interest register 549546 and varied by instrument 8702593.7. Subject to exemption from section 24 of the Conservation Act 1987 while Contact Energy Limited has an interest in the land by <i>Gazette</i> notice 8702593.8. Subject to an unregistered grazing permit in favour of Kiwitahi Trust (dated 1 April 2014). Subject to a deed of easement embodied in computer interest register 752770. Subject to an easement in gross in favour of Contact Energy Limited for the reinjection well and pipeline contained in instrument 9689785.2.
Five Mile Bay site A	<i>South Auckland Land District— Taupo District</i> 8.6000 hectares, more or less, being Section 1 SO 517278. Part <i>Gazette</i> 1994, p 1411.	Subject to an unregistered concession (permit) with concession number TW-31100- SSE to Taupo Half Marathon Society Incorporated.

Name of property	Description	Interests
Five Mile Bay site C	<p data-bbox="542 1500 941 1556"><i>South Auckland Land District— Taupo District</i></p> <p data-bbox="542 1556 941 1713">21.0000 hectares, more or less, being Section 3 SO 517278. Part <i>Gazette</i> 1994, p 1411 and all computer freehold registers 234767 and 234768.</p>	<p data-bbox="941 380 1329 504">Subject to an unregistered concession (permit) with concession number 38889-SSE to Lake Taupo Cycle Challenge.</p> <p data-bbox="941 504 1329 649">Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35130-FAU to Wildland Consultants Limited.</p> <p data-bbox="941 649 1329 772">Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35196-FAU to Marieke Lettink.</p> <p data-bbox="941 772 1329 918">Subject to an unregistered concession (permit) with concession number CA-31615-OTH to Landcare Research New Zealand Limited.</p> <p data-bbox="941 918 1329 1041">Subject to an unregistered permit with national permit number 35818-FAU to Animal Health Board Incorporated.</p> <p data-bbox="941 1041 1329 1187">Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited.</p> <p data-bbox="941 1187 1329 1377">Subject to an unregistered concession (permit) with concession numbers WC-27582-LAN and PAC-11-06-442 to Bus and Coach Association (New Zealand) Incorporated.</p> <p data-bbox="941 1377 1329 1500">Subject to an unregistered permit with permit number 36101-TEL to Spark New Zealand Trading Limited.</p> <p data-bbox="941 1500 1329 1590">Subject to the building height covenant referred to in section 72(3).</p> <p data-bbox="941 1590 1329 1736">Subject to an unregistered concession (permit) with concession number TW-31100-SSE to Taupo Half Marathon Society Incorporated.</p> <p data-bbox="941 1736 1329 1859">Subject to an unregistered concession (permit) with concession number 38889-SSE to Lake Taupo Cycle Challenge.</p> <p data-bbox="941 1859 1329 1955">Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35130-</p>

Name of property	Description	Interests
		FAU to Wildland Consultants Limited.
		Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35196-FAU to Marieke Lettink.
		Subject to an unregistered concession (permit) with concession number CA-31615-OTH to Landcare Research New Zealand Limited.
		Subject to an unregistered permit with national permit number 35818-FAU to Animal Health Board Incorporated.
		Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited.
		Subject to an unregistered concession (permit) with concession numbers WC-27582-LAN and PAC-11-06-442 to Bus and Coach Association (New Zealand) Incorporated.
		Subject to an unregistered permit with permit number 36101-TEL to Spark New Zealand Trading Limited.
		Subject to section 3 of the Geothermal Energy Act 1953 (affects the land formerly held in computer freehold registers 234767 and 234768).
		Subject to section 8 of the Atomic Energy Act 1945 (affects the land formerly held in computer freehold registers 234767 and 234768).
		Subject to section 3 of the Petroleum Act 1937 (affects the land formerly held in computer freehold registers 234767 and 234768).
		Subject to sections 5 and 261 of the Coal Mines Act 1979 (affects the land formerly held in computer freehold registers 234767 and 234768).
		Subject to sections 6 and 8 of the Mining Act 1971 (affects the land formerly held in computer freehold registers 234767 and 234768).

Name of property	Description	Interests
Hautū property	<p><i>Wellington Land District—Taupo District</i></p> <p>49.9194 hectares, more or less, being Sections 1 and 2 SO 489928. All computer freehold register 768840.</p> <p>0.2942 hectares, more or less, being Section 3 SO 489928. Part <i>Gazette</i> notice 643292.</p>	<p>Subject to an unregistered deed of lease for airfield purposes to Taupo District Council (dated 21 April 2010) (affects Section 1 SO 489928).</p> <p>Subject to an unregistered licence to occupy from Taupo District Council to Turangi Aero Club (affects Section 1 SO 489928).</p> <p>Subject to an unregistered grazing permit to Bryan Lawrance (dated 9 February 2015) (affects Sections 1 and 2 SO 489928).</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35130-FAU to Wildland Consultants Limited (affects Section 3 SO 489928).</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35196-FAU to Marieke Lettink (affects Section 3 SO 489928).</p> <p>Subject to an unregistered concession (permit) with concession number CA-31615-OTH to Landcare Research New Zealand Limited (affects Section 3 SO 489928).</p> <p>Subject to an unregistered permit with national permit number 35818-FAU to Animal Health Board Incorporated (affects Section 3 SO 489928).</p> <p>Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited (affects Section 3 SO 489928).</p> <p>Subject to an unregistered concession (permit) with concession numbers WC-27582-LAN and PAC-11-06-442 to Bus and Coach Association (New Zealand) Incorporated (affects Section 3 SO 489928).</p> <p>Subject to an unregistered permit with national permit number 36101-TEL to Spark New Zealand Trading Limited (affects Section 3 SO 489928).</p>

Name of property	Description	Interests
Karapiti property	<p><i>South Auckland Land District— Taupo District</i></p> <p>52.6570 hectares, more or less, being Sections 1 and 3 SO 519227. Part <i>Gazette</i> notice B263233.</p>	<p>Together with the right of way easement referred to in section 74(2).</p> <p>Subject to an encumbrance embodied in computer interest register 549545 (affects Part Section 8 SO 355555 only).</p> <p>Subject to a deed of easement embodied in computer interest register 549546, and varied by instrument 8702593.7.</p> <p>Subject to exemption from section 24 of the Conservation Act 1987 while Contact Energy Limited has an interest in the land by <i>Gazette</i> notice 8702593.8.</p> <p>Subject to an unregistered Land Act 1948 recreation permit for various tourism purposes to Craters of the Moon Trust (dated 14 May 2014).</p>
Karetoto property	<p><i>South Auckland Land District— Taupo District</i></p> <p>10.5250 hectares, more or less, being Section 7 SO 61681. Part <i>Gazette</i> notice B263233.</p>	<p>Subject to an unregistered Land Act 1948 recreation permit for horse trekking to Fearnley Tippet (dated 1 July 2008).</p> <p>Subject to a deed of easement embodied in computer interest register 549546, and varied by instrument 8702593.7.</p> <p>Subject to exemption from section 24 of the Conservation Act 1987 while Contact Energy Limited has an interest in the land by <i>Gazette</i> notice 8702593.8.</p> <p>Subject to a right to convey water easement embodied in computer interest register SA62B/662 (affects the part formerly Section 9 Block XIV Tatua Survey District).</p> <p>Subject to an unregistered Land Act 1948 grazing permit to Kīwitahi Trust (dated 14 October 2015).</p>
Parakiri site A	<p><i>South Auckland Land District— Taupo District</i></p> <p>0.7786 hectares, more or less, being Section 1 SO 519771. Part computer freehold register SA14C/1198.</p>	<p>Subject to the lease referred to in section 76(3)(a).</p> <p>Subject to the easement in gross for a right to convey water, a right to drain water, a right to drain sewage, and a pedestrian right of way referred to in section 76(3)(b).</p> <p>Subject to the easement in gross for a right to convey electricity and</p>

Name of property	Description	Interests
Puanga Street property	<i>Wellington Land District—Taupo District</i> 0.0575 hectares, more or less, being Section 1 SO 517282. Part Transfer A018969.	<p>a right to convey telecommunications and electronic data referred to in section 76(3)(c).</p> <p>Subject to an unregistered concession (permit) with concession number 35907-SSE to Ironman New Zealand Limited.</p> <p>Subject to an unregistered concession (permit) with concession number 37066-WAT to Leyland Nominees Limited.</p> <p>Subject to an unregistered concession (permit) with concession number TW-34293-SSE to Taupo Half Limited.</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35130-FAU to Wildland Consultants Limited.</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35196-FAU to Marieke Lettink.</p> <p>Subject to an unregistered concession (permit) with concession number CA-31615-OTH to Landcare Research New Zealand Limited.</p> <p>Subject to an unregistered permit with national permit number 35818-FAU to Animal Health Board Incorporated.</p> <p>Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited.</p> <p>Subject to an unregistered concession (permit) with concession numbers WC-27582-LAN and PAC-11-06-442 to Bus and Coach Association (New Zealand) Incorporated.</p> <p>Subject to an unregistered permit with national permit number 36101-TEL to Spark New Zealand Trading Limited.</p>
Part Former Tauranga Taupo School property	<i>South Auckland Land District—Taupo District</i> 0.8130 hectares, more or less, being Lot 2 DP 426118. All	<p>Together with a right to convey water created by instrument 9543481.2.</p> <p>The easement created by instrument 9543481.2 is subject to</p>

Name of property	Description	Interests
Tawera Street property	computer freehold register 502860.	<p>section 243(a) of the Resource Management Act 1991.</p> <p>Subject to consent notice 9543481.3.</p> <p>Subject to <i>Gazette</i> notice 5196208.1 declaring adjoining State Highway 1 to be a limited access road.</p>
Tawera Street property	<p><i>Wellington Land District—Taupo District</i></p> <p>0.2024 hectares, more or less, being Sections 18 and 20 Block II Tokaanu Township. Part <i>Gazette</i> 1899, p 1563.</p> <p>0.0562 hectares, more or less, being Section 4 SO 36340. Part Proclamation B255659.1.</p>	<p>Subject to an unregistered licence to occupy with licence number TT-28155-OTH to Tokaanu Brigadesmen Social Club.</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35130-FAU to Wildland Consultants Limited.</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35196-FAU to Marieke Lettink.</p> <p>Subject to an unregistered concession (permit) with concession number CA-31615-OTH to Landcare Research New Zealand Limited.</p> <p>Subject to an unregistered permit with national permit number 35818-FAU to Animal Health Board Incorporated.</p> <p>Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited.</p> <p>Subject to an unregistered concession (permit) with concession numbers WC-27582-LAN and PAC-11-06-442 to Bus and Coach Association (New Zealand) Incorporated.</p> <p>Subject to an unregistered permit with national permit number 36101-TEL to Spark New Zealand Trading Limited.</p> <p>Subject to <i>Gazette</i> notice 783787 declaring adjoining State Highway 41 to be a limited access road.</p>
Te Huka North property	<i>South Auckland Land District—Taupo District</i>	Subject to a deed of easement embodied in computer interest register 549546, and varied by instrument 8702593.7.

Name of property	Description	Interests
	2.1215 hectares, more or less, being Sections 3, 4, and 5 SO 61681. Part <i>Gazette</i> notice B263233.	Subject to exemption from section 24 of the Conservation Act 1987 while Contact Energy Limited has an interest in the land by <i>Gazette</i> notice 8702593.8.
Tokaanu Market property	<i>Wellington Land District—Taupo District</i> 0.4047 hectares, more or less, being Section 30 Block I Tokaanu Township. Part <i>Gazette</i> 1899, p 1563.	<p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35130-FAU to Wildland Consultants Limited.</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35196-FAU to Marieke Lettink.</p> <p>Subject to an unregistered concession (permit) with concession number CA-31615-OTH to Landcare Research New Zealand Limited.</p> <p>Subject to an unregistered permit with national permit number 35818-FAU to Animal Health Board Incorporated.</p> <p>Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited.</p> <p>Subject to an unregistered concession (permit) with concession numbers WC-27582-LAN and PAC-11-06-442 to Bus and Coach Association (New Zealand) Incorporated.</p> <p>Subject to an unregistered permit with national permit number 36101-TEL to Spark New Zealand Trading Limited.</p> <p>Subject to <i>Gazette</i> notice 783787 declaring adjoining State Highway 41 to be a limited access road.</p>

Properties vested in fee simple to be administered as reserves

Name of property	Description	Interests
Atahaka property	<i>South Auckland Land District—Taupo District</i> 3.6900 hectares, more or less, being Section 1 SO 59998. All computer interest register 79836.	<p>Subject to being a historic reserve, as referred to in section 82(3).</p> <p>Subject to an unregistered permit with national permit number 39984-GUI to Just MTB Limited.</p>

Name of property	Description	Interests
Five Mile Bay site B	<i>South Auckland Land District— Taupo District</i>	Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35130-FAU to Wildland Consultants Limited.
		Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35196-FAU to Marieke Lettink.
		Subject to an unregistered concession (permit) with concession number CA-31615-OTH to Landcare Research New Zealand Limited.
		Subject to an unregistered permit with national permit number 35818-FAU to Animal Health Board Incorporated.
		Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited.
		Subject to an unregistered concession (permit) with concession numbers WC-27582-LAN and PAC-11-06-442 to Bus and Coach Association (New Zealand) Incorporated.
		Subject to an unregistered permit with national permit number 36101-TEL to Spark New Zealand Trading Limited.
		Subject to being a scenic reserve, as referred to in section 83(3).
		Subject to an unregistered concession (permit) with concession number TW-31100-SSE to Taupo Half Marathon Society Incorporated.
		Subject to an unregistered concession (permit) with concession number 38889-SSE to Lake Taupo Cycle Challenge.
Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35130-FAU to Wildland Consultants Limited.		
Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35196-FAU to Marieke Lettink.		

Name of property	Description	Interests
Five Mile Bay site D	<p data-bbox="542 1108 941 1164"><i>South Auckland Land District— Taupo District</i></p> <p data-bbox="542 1176 941 1265">7.8970 hectares, more or less, being Section 2 SO 517278. Part <i>Gazette</i> 1994, p 1411.</p>	<p data-bbox="941 392 1332 526">Subject to an unregistered concession (permit) with concession number CA-31615-OTH to Landcare Research New Zealand Limited.</p> <p data-bbox="941 537 1332 649">Subject to an unregistered permit with national permit number 35818-FAU to Animal Health Board Incorporated.</p> <p data-bbox="941 660 1332 795">Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited.</p> <p data-bbox="941 806 1332 974">Subject to an unregistered concession (permit) with concession numbers WC-27582-LAN and PAC-11-06-442 to Bus and Coach Association (New Zealand) Incorporated.</p> <p data-bbox="941 985 1332 1097">Subject to an unregistered permit with national permit number 36101-TEL to Spark New Zealand Trading Limited.</p> <p data-bbox="941 1108 1332 1198">Subject to being a recreation reserve, as referred to in section 84(3).</p> <p data-bbox="941 1209 1332 1344">Subject to an unregistered sporting event concession with concession number TW-31100-SSE to Taupo Half Marathon Society Incorporated.</p> <p data-bbox="941 1355 1332 1467">Subject to an unregistered sporting event concession with concession number 38889-SSE to Lake Taupo Cycle Challenge.</p> <p data-bbox="941 1478 1332 1612">Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35130-FAU to Wildland Consultants Limited.</p> <p data-bbox="941 1624 1332 1736">Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35196-FAU to Marieke Lettink.</p> <p data-bbox="941 1747 1332 1881">Subject to an unregistered concession (permit) with concession number CA-31615-OTH to Landcare Research New Zealand Limited.</p> <p data-bbox="941 1892 1332 1955">Subject to an unregistered permit with national permit number</p>

Name of property	Description	Interests
Maunganamu property	<p><i>Wellington Land District—Taupo District</i></p> <p>24.1100 hectares, more or less, being Section 13 SO 436539. Part computer interest register 576786.</p> <p>5.7080 hectares, more or less, being Sections 1 and 4 SO 436539. All computer interest register 576804.</p>	<p>35818-FAU to Animal Health Board Incorporated.</p> <p>Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited.</p> <p>Subject to an unregistered concession (permit) with concession numbers WC-27582-LAN and PAC-11-06-442 to Bus and Coach Association (New Zealand) Incorporated.</p> <p>Subject to an unregistered permit with national permit number 36101-TEL to Spark New Zealand Trading Limited.</p> <p>Subject to being a historic reserve, as referred to in section 86(3).</p> <p>Subject to an unregistered concession (permit) with concession number TT-28787-GUI to Naturally Adventurous Limited.</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35130-FAU to Wildland Consultants Limited.</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35196-FAU to Marieke Lettink.</p> <p>Subject to an unregistered concession (permit) with concession number CA-31615-OTH to Landcare Research New Zealand Limited.</p> <p>Subject to an unregistered permit with national permit number 35818-FAU to Animal Health Board Incorporated.</p> <p>Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited.</p> <p>Subject to an unregistered concession (permit) with concession numbers WC-27582-LAN and PAC-11-06-442 to Bus and Coach Association (New Zealand) Incorporated.</p>

Name of property	Description	Interests
Motutere property	<p><i>South Auckland Land District— Taupo District</i></p> <p>108.0216 hectares, more or less, being Sections 6 and 7 Block II Tokaanu Survey District. Part <i>Gazette</i> notice H050268.</p>	<p>Subject to an unregistered permit with permit number 36101-TEL to Spark New Zealand Trading Limited.</p> <p>Subject to <i>Gazette</i> notice 783787 declaring adjoining State Highway 41 to be a limited access road.</p> <p>Subject to being a scenic reserve, as referred to in section 87(4).</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35130-FAU to Wildland Consultants Limited.</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35196-FAU to Marieke Lettink.</p> <p>Subject to an unregistered concession (permit) with concession number CA-31615-OTH to Landcare Research New Zealand Limited.</p> <p>Subject to an unregistered permit with national permit number 35818-FAU to Animal Health Board Incorporated.</p> <p>Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited.</p> <p>Subject to an unregistered concession (permit) with concession numbers WC-27582-LAN and PAC-11-06-442 to Bus and Coach Association (New Zealand) Incorporated.</p> <p>Subject to an unregistered permit with permit number 36101-TEL to Spark New Zealand Trading Limited.</p> <p>Subject to <i>Gazette</i> notice 5196208.1 declaring adjoining State Highway 1 to be a limited access road.</p>
Ngā Puna Wai Ariki ki Tokaanu property	<p><i>Wellington Land District—Taupo District</i></p> <p>23.5312 hectares, more or less, being Sections 1, 2, 3, 4, and 5 SO 517953. All computer</p>	<p>Subject to being a recreation reserve, as referred to in section 88(6).</p> <p>Subject to an unregistered concession (permit) with</p>

Name of property	Description	Interests
	<p>freehold register WN16B/1200 and part computer interest register 576786.</p>	<p>concession number TT-28787-GUI to Naturally Adventurous Limited.</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35130-FAU to Wildland Consultants Limited.</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35196-FAU to Marieke Lettink.</p> <p>Subject to an unregistered concession (permit) with concession number CA-31615-OTH to Landcare Research New Zealand Limited.</p> <p>Subject to an unregistered permit with national permit number 35818-FAU to Animal Health Board Incorporated.</p> <p>Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited.</p> <p>Subject to an unregistered concession (permit) with concession numbers WC-27582-LAN and PAC-11-06-442 to Bus and Coach Association (New Zealand) Incorporated.</p> <p>Subject to an unregistered permit with permit number 36101-TEL to Spark New Zealand Trading Limited.</p>
<p>Ōmoho property</p>	<p><i>Wellington Land District—Taupo District</i></p> <p>2.0145 hectares, more or less, being Sections 1 and 2 SO 517281. Part computer freehold register WN22A/245.</p>	<p>Subject to being a historic reserve, as referred to in section 89(5).</p> <p>Subject to an unregistered concession (permit) with concession number TT-28787-GUI to Naturally Adventurous Limited.</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35130-FAU to Wildland Consultants Limited.</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35196-FAU to Marieke Lettink.</p> <p>Subject to an unregistered concession (permit) with</p>

Name of property	Description	Interests
Ōnekeke property	<p data-bbox="542 1052 941 1108"><i>South Auckland Land District— Taupo District</i></p> <p data-bbox="542 1120 941 1232">7.2910 hectares, more or less, being Section 1 SO 516759. Part computer interest register 294514.</p>	<p data-bbox="941 392 1329 470">concession number CA-31615- OTH to Landcare Research New Zealand Limited.</p> <p data-bbox="941 481 1329 593">Subject to an unregistered permit with national permit number 35818-FAU to Animal Health Board Incorporated.</p> <p data-bbox="941 604 1329 739">Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited.</p> <p data-bbox="941 750 1329 918">Subject to an unregistered concession (permit) with concession numbers WC-27582- LAN and PAC-11-06-442 to Bus and Coach Association (New Zealand) Incorporated.</p> <p data-bbox="941 929 1329 1041">Subject to an unregistered permit with permit number 36101-TEL to Spark New Zealand Trading Limited.</p> <p data-bbox="941 1052 1329 1131">Subject to being a recreation reserve, as referred to in section 90(3).</p> <p data-bbox="941 1142 1329 1254">Subject to a lease comprised in computer interest register SA5C/328 as renewed by instrument B458150.2.</p> <p data-bbox="941 1265 1329 1411">Subject to a right of way and rights to convey water, gas, telecommunications and electricity, and drain water, created by instrument 6892809.7.</p> <p data-bbox="941 1422 1329 1556">Together with a right of way and rights to convey water, gas, telecommunications and electricity, and drain water created by easement instrument 6892809.7.</p> <p data-bbox="941 1568 1329 1646">Subject to a land covenant restricting building height created by instrument 6892809.7.</p> <p data-bbox="941 1657 1329 1736">Subject to a right in gross to drain and convey water created by instrument 6892809.8.</p> <p data-bbox="941 1747 1329 1859">Subject to an unregistered concession (permit) with concession number TT-28787-GUI to Naturally Adventurous Limited.</p> <p data-bbox="941 1870 1329 1964">Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35130-</p>

Name of property	Description	Interests
		<p>FAU to Wildland Consultants Limited.</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35196-FAU to Marieke Lettink.</p> <p>Subject to an unregistered concession (permit) with concession number CA-31615-OTH to Landcare Research New Zealand Limited.</p> <p>Subject to an unregistered permit with national permit number 35818-FAU to Animal Health Board Incorporated.</p> <p>Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited.</p> <p>Subject to an unregistered concession (permit) with concession numbers WC-27582-LAN and PAC-11-06-442 to Bus and Coach Association (New Zealand) Incorporated.</p> <p>Subject to an unregistered permit with permit number 36101-TEL to Spark New Zealand Trading Limited.</p> <p>Subject to an unregistered permit with national permit number 34616-RES to Waikato Regional Council.</p>
Oruatua property	<p><i>South Auckland Land District— Taupo District</i></p> <p>33.4720 hectares, more or less, being Section 1 SO 517279. Part <i>Gazette</i> 1933, p 2097 and all computer freehold registers SA50B/302, SA50C/279, and SA50C/280.</p>	<p>Subject to being a scenic reserve, as referred to in section 95(5).</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35130-FAU to Wildland Consultants Limited.</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35196-FAU to Marieke Lettink.</p> <p>Subject to an unregistered concession (permit) with concession number CA-31615-OTH to Landcare Research New Zealand Limited.</p> <p>Subject to an unregistered permit with national permit number</p>

Name of property	Description	Interests
Paaka property	<p><i>South Auckland Land District— Taupo District</i></p> <p>15.2730 hectares, more or less, being Section 7 SO 517954. Part <i>Gazette</i> notice H050268.</p> <p>1.9250 hectares, more or less, being Sections 2, 3, 4, 5, and 6 SO 517954. Part <i>Gazette</i> notice H139624.</p>	<p>35818-FAU to Animal Health Board Incorporated.</p> <p>Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited.</p> <p>Subject to an unregistered concession (permit) with concession numbers WC-27582-LAN and PAC-11-06-442 to Bus and Coach Association (New Zealand) Incorporated.</p> <p>Subject to an unregistered permit with permit number 36101-TEL to Spark New Zealand Trading Limited.</p> <p>Subject to being a recreation reserve, as referred to in section 96(4).</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35130-FAU to Wildland Consultants Limited.</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35196-FAU to Marieke Lettink.</p> <p>Subject to an unregistered concession (permit) with concession number CA-31615-OTH to Landcare Research New Zealand Limited.</p> <p>Subject to an unregistered permit with national permit number 35818-FAU to Animal Health Board Incorporated.</p> <p>Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited.</p> <p>Subject to an unregistered concession (permit) with concession numbers WC-27582-LAN and PAC-11-06-442 to Bus and Coach Association (New Zealand) Incorporated.</p> <p>Subject to an unregistered permit with national permit number 36101-TEL to Spark New Zealand Trading Limited.</p>

Name of property	Description	Interests
Parakiri site B	<p><i>South Auckland Land District— Taupo District</i></p> <p>1.8640 hectares, more or less, being Section 2 SO 519771. Part computer freehold register SA14C/1198.</p>	<p>Subject to an unregistered permit with national permit number 34616-RES to Waikato Regional Council.</p> <p>Subject to <i>Gazette</i> notice 5196208.1 declaring adjoining State Highway 1 to be a limited access road.</p> <p>Subject to being a recreation reserve, as referred to in section 97(4).</p> <p>Subject to the lease referred to in section 97(9)(a).</p> <p>Subject to the easement in gross for a right to convey water, a right to drain water, a right to convey electricity, a right to convey telecommunications and computer media, a right to drain sewage, and a right to collect and dispose refuse referred to in section 97(9)(a).</p> <p>Subject to the easement in gross for a right to convey water, a right to drain sewage, and a right to drain water referred to in section 97(9)(b).</p> <p>Subject to the easement in gross for a right to convey electricity and a right to convey telecommunications and electronic data referred to in section 97(9)(c).</p> <p>Subject to an unregistered concession (lease) with concession number 43106-OTH to Fish Cruise Lake Taupo Incorporated, and sublease with concession number 43106-OTH to Simon Dickie Adventures Limited.</p> <p>Subject to an unregistered concession (lease) with concession number TT-16703-OTH to Jolly & Allingham Limited, and assignment with concession number TT-16703-OTH to Taupo Troutcatcher Limited.</p> <p>Subject to an unregistered concession (licence) with concession number 45754-SER to Kiva Han Limited.</p> <p>Subject to an unregistered concession (permit) with concession number 35907-SSE to Ironman New Zealand Limited.</p>

Name of property	Description	Interests
		Subject to an unregistered concession (lease) with concession number TT-29419-OTH to Lake Taupo Yacht Club Incorporated.
		Subject to an unregistered concession (permit) with concession number 37066-WAT to Leyland Nominees Limited.
		Subject to an unregistered concession (permit) with concession number 40050-SSE to Swimming New Zealand Incorporated.
		Subject to an unregistered concession (permit) with concession number TW-34293-SSE to Taupo Half Limited.
		Subject to an unregistered concession (lease) with concession number TT-15987-OTH to Taupo's Floatplane Limited.
		Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35130-FAU to Wildland Consultants Limited.
		Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35196-FAU to Marieke Lettink.
		Subject to an unregistered concession (permit) with concession number CA-31615-OTH to Landcare Research New Zealand Limited.
		Subject to an unregistered permit with national permit number 35818-FAU to Animal Health Board Incorporated.
		Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited.
		Subject to an unregistered concession (permit) with concession numbers WC-27582-LAN and PAC-11-06-442 to Bus and Coach Association (New Zealand) Incorporated.
		Subject to an unregistered permit with permit number 36101-TEL to

Name of property	Description	Interests
Parikaranga property	<p><i>South Auckland Land District— Taupo District</i></p> <p>9.5100 hectares, more or less, being Section 1 SO 517280. Part <i>Gazette</i> notice H192606.1.</p>	<p>Spark New Zealand Trading Limited.</p> <p>Subject to being a historic reserve, as referred to in section 99(3).</p> <p>Subject to an unregistered concession (permit) with concession number TT-28787-GUI to Naturally Adventurous Limited.</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35130-FAU to Wildland Consultants Limited.</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35196-FAU to Marieke Lettink.</p> <p>Subject to an unregistered concession (permit) with concession number CA-31615-OTH to Landcare Research New Zealand Limited.</p> <p>Subject to an unregistered permit with national permit number 35818-FAU to Animal Health Board Incorporated.</p> <p>Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited.</p> <p>Subject to an unregistered concession (permit) with concession numbers WC-27582-LAN and PAC-11-06-442 to Bus and Coach Association (New Zealand) Incorporated.</p> <p>Subject to an unregistered permit with permit number 36101-TEL to Spark New Zealand Trading Limited.</p>
Tauhara property	<p><i>South Auckland Land District— Taupo District</i></p> <p>39.0167 hectares, more or less, being Section 10 SO 397435, and Sections 13 and 15 SO 438782. All computer freehold register 657075.</p>	<p>Subject to being a scientific reserve, as referred to in section 100(3).</p> <p>Subject to section 8 of the Atomic Energy Act 1945.</p> <p>Subject to sections 6 and 8 of the Mining Act 1971.</p> <p>Subject to section 3 of the Geothermal Energy Act 1953.</p> <p>Subject to section 3 of the Petroleum Act 1937.</p>

Name of property	Description	Interests
Taupo Courthouse property	<p data-bbox="587 1794 919 1854"><i>South Auckland Land District— Taupo District</i></p> <p data-bbox="587 1861 930 1951">0.3564 hectares, more or less, being Section 1 SO 516784. Balance <i>Gazette</i> 1968, p 264 and</p>	<p data-bbox="962 383 1294 443">Subject to sections 5 and 261 of the Coal Mines Act 1979.</p> <p data-bbox="962 450 1321 510">Subject to section 11 of the Crown Minerals Act 1991.</p> <p data-bbox="962 517 1305 600">Together with rights of way and rights to convey water created by Transfer 5197175.9.</p> <p data-bbox="962 607 1241 696">Subject to an encumbrance contained in instrument B406416.5.</p> <p data-bbox="962 703 1302 846">Subject to an unregistered concession (permit) with concession number CA-31615- OTH to Landcare Research New Zealand Limited.</p> <p data-bbox="962 853 1305 965">Subject to an unregistered permit with national permit number 35818-FAU to Animal Health Board Incorporated.</p> <p data-bbox="962 972 1326 1115">Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited.</p> <p data-bbox="962 1122 1302 1294">Subject to an unregistered concession (permit) with concession numbers WC-27582- LAN and PAC-11-06-442 to Bus and Coach Association (New Zealand) Incorporated.</p> <p data-bbox="962 1301 1321 1413">Subject to an unregistered permit with permit number 36101-TEL to Spark New Zealand Trading Limited.</p> <p data-bbox="962 1420 1310 1541">Some of the easements created by Transfer 5197175.9 are subject to section 243(a) of the Resource Management Act 1991.</p> <p data-bbox="962 1547 1289 1659">Section 107(14) and (15) of the Public Works Act 1981 affect Encumbrance B406416.5 (see Certificate 9743522.1).</p> <p data-bbox="962 1666 1326 1787">Subject to a geothermal exploitation and electricity right (in gross) and profit-a-prendre created by Transfer B406416.4.</p> <p data-bbox="962 1794 1321 1854">Subject to being a historic reserve, as referred to in section 101(3).</p> <p data-bbox="962 1861 1326 1973">Subject to an unregistered concession (lease) with concession number 3557-INS to Schools Out Limited.</p>

Name of property	Description	Interests
	all computer freehold register SA27B/312.	<p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35130-FAU to Wildland Consultants Limited.</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35196-FAU to Marieke Lettink.</p> <p>Subject to an unregistered concession (permit) with concession number CA-31615-OTH to Landcare Research New Zealand Limited.</p> <p>Subject to an unregistered permit with national permit number 35818-FAU to Animal Health Board Incorporated.</p> <p>Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited.</p> <p>Subject to an unregistered concession (permit) with concession numbers WC-27582-LAN and PAC-11-06-442 to Bus and Coach Association (New Zealand) Incorporated.</p> <p>Subject to an unregistered permit with permit number 36101-TEL to Spark New Zealand Trading Limited.</p> <p>Subject to section 5 of the Coal Mines Act 1979.</p> <p>Excepting pursuant to section 19 of the Public Works Act 1928 all mines of coal or other minerals not taken by Proclamation 7089.</p>
Tauranga Taupō property	<p><i>South Auckland Land District— Taupo District</i></p> <p>10.6240 hectares, more or less, being Section 2 SO 517279. Part <i>Gazette</i> 1933, p 2097.</p>	<p>Subject to being a recreation reserve, as referred to in section 102(4).</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35130-FAU to Wildland Consultants Limited.</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35196-FAU to Marieke Lettink.</p>

Name of property	Description	Interests
Te Huka property	<p data-bbox="587 1227 927 1285"><i>South Auckland Land District— Taupo District</i></p> <p data-bbox="587 1294 927 1384">11.1860 hectares, more or less, being Section 1 SO 500211. Part <i>Gazette</i> notice B263233.</p>	<p data-bbox="963 392 1334 526">Subject to an unregistered concession (permit) with concession number CA-31615-OTH to Landcare Research New Zealand Limited.</p> <p data-bbox="963 537 1334 649">Subject to an unregistered permit with national permit number 35818-FAU to Animal Health Board Incorporated.</p> <p data-bbox="963 660 1334 795">Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited.</p> <p data-bbox="963 806 1334 974">Subject to an unregistered concession (permit) with concession numbers WC-27582-LAN and PAC-11-06-442 to Bus and Coach Association (New Zealand) Incorporated.</p> <p data-bbox="963 985 1334 1097">Subject to an unregistered permit with permit number 36101-TEL to Spark New Zealand Trading Limited.</p> <p data-bbox="963 1108 1334 1220">Subject to <i>Gazette</i> notice H180664 declaring adjoining State Highway 1 to be a limited access road.</p> <p data-bbox="963 1232 1334 1288">Subject to being a scenic reserve, as referred to in section 103(2).</p> <p data-bbox="963 1299 1334 1377">Subject to the easement in gross for a right of way referred to in section 103(4)(a).</p> <p data-bbox="963 1388 1334 1556">Subject to the easement in gross for a right to convey water, a right to convey electricity, a right to drain sewage, and a right to drain water referred to in section 103(4)(b).</p> <p data-bbox="963 1568 1334 1646">Subject to the easement in gross for a right to drain sewage referred to in section 103(4)(c).</p> <p data-bbox="963 1657 1334 1825">Subject to the easement in gross for a right to convey electricity and a right to convey telecommunications and electronic data referred to in section 103(4)(d).</p> <p data-bbox="963 1836 1334 1892">Subject to restriction on use contained in instrument 8702593.7.</p> <p data-bbox="963 1904 1334 1964">Subject to an unregistered Land Act 1948 recreation permit for</p>

Name of property	Description	Interests
Te Kōwhai property	<p><i>Wellington Land District—Taupo District</i> 6.9600 hectares, more or less, being Section 3 SO 517959. Balance computer freehold register WN430/31 and Part <i>Gazette</i> notice 872300.</p>	<p>tourist related activities to Craters of the Moon Trust (dated 25 August 2016).</p> <p>Subject to being a recreation reserve, as referred to in section 104(2).</p> <p>Subject to the licence to occupy referred to in section 104(6)(a).</p> <p>Subject to the licence to occupy referred to in section 104(6)(b).</p> <p>Subject to the lease referred to in section 104(6)(c).</p> <p>Subject to the easement for a right of way referred to in section 104(6)(d).</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35130-FAU to Wildland Consultants Limited.</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35196-FAU to Marieke Lettink.</p> <p>Subject to an unregistered concession (permit) with concession number CA-31615-OTH to Landcare Research New Zealand Limited.</p> <p>Subject to an unregistered permit with national permit number 35818-FAU to Animal Health Board Incorporated.</p> <p>Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited.</p> <p>Subject to an unregistered concession (permit) with concession numbers WC-27582-LAN and PAC-11-06-442 to Bus and Coach Association (New Zealand) Incorporated.</p> <p>Subject to an unregistered permit with permit number 36101-TEL to Spark New Zealand Trading Limited.</p> <p>Subject to <i>Gazette</i> notice 149668.1 declaring adjoining State Highway 1 to be a limited access road.</p>

Name of property	Description	Interests
Te Rapa property	<p><i>Wellington Land District—Taupo District</i></p> <p>11.9908 hectares, more or less, being Lot 3 DP 51475. Part computer freehold register WN22A/245.</p>	<p>Subject to being a historic reserve, as referred to in section 105(3).</p> <p>Subject to an unregistered concession (permit) with concession number TT-28787-GUI to Naturally Adventurous Limited.</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35130-FAU to Wildland Consultants Limited.</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35196-FAU to Marieke Lettink.</p> <p>Subject to an unregistered concession (permit) with concession number CA-31615-OTH to Landcare Research New Zealand Limited.</p> <p>Subject to an unregistered permit with national permit number 35818-FAU to Animal Health Board Incorporated.</p> <p>Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited.</p> <p>Subject to an unregistered concession (permit) with concession numbers WC-27582-LAN and PAC-11-06-442 to Bus and Coach Association (New Zealand) Incorporated.</p> <p>Subject to an unregistered permit with permit number 36101-TEL to Spark New Zealand Trading Limited.</p> <p>Subject to <i>Gazette</i> notice 217620.1 declaring adjoining State Highway 41 to be a limited access road.</p>
Te Iringa o te Pouraka property	<p><i>Wellington Land District—Taupo District</i></p> <p>28.2325 hectares, more or less, being Sections 1, 2, 3, 4, 5, 6, 10, and 11 SO 517957. Part <i>Gazette</i> notice 258241.1.</p>	<p>Subject to being a scenic reserve, as referred to in section 106(6).</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35130-FAU to Wildland Consultants Limited.</p> <p>Subject to an unregistered Wildlife Act 1953 Authority permit with</p>

Name of property	Description	Interests
		<p data-bbox="963 383 1286 439">national permit number 35196-FAU to Marieke Lettink.</p> <p data-bbox="963 450 1302 589">Subject to an unregistered concession (permit) with concession number CA-31615-OTH to Landcare Research New Zealand Limited.</p> <p data-bbox="963 600 1307 712">Subject to an unregistered permit with national permit number 35818-FAU to Animal Health Board Incorporated.</p> <p data-bbox="963 723 1326 862">Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited.</p> <p data-bbox="963 873 1302 1041">Subject to an unregistered concession (permit) with concession numbers WC-27582-LAN and PAC-11-06-442 to Bus and Coach Association (New Zealand) Incorporated.</p> <p data-bbox="963 1052 1321 1162">Subject to an unregistered permit with permit number 36101-TEL to Spark New Zealand Trading Limited.</p> <p data-bbox="963 1173 1307 1285">Subject to <i>Gazette</i> notice 785958 declaring adjoining State Highway 1 to be a limited access road.</p>

Properties vested in fee simple subject to conservation covenants

Name of property	Description	Interests
Tauhara Mountain property	<p data-bbox="587 1406 919 1462"><i>South Auckland Land District—Taupo District</i></p> <p data-bbox="587 1473 919 1585">36.6900 hectares, more or less, being Section 20 Block III Tauhara Survey District. All <i>Gazette</i> notice H290359.</p>	<p data-bbox="963 1406 1278 1496">Subject to the conservation covenant referred to in section 108(3).</p> <p data-bbox="963 1507 1326 1646">Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35130-FAU to Wildland Consultants Limited.</p> <p data-bbox="963 1657 1326 1769">Subject to an unregistered Wildlife Act 1953 Authority permit with national permit number 35196-FAU to Marieke Lettink.</p> <p data-bbox="963 1780 1302 1915">Subject to an unregistered concession (permit) with concession number CA-31615-OTH to Landcare Research New Zealand Limited.</p>

Name of property	Description	Interests
Te Huka South property	<p data-bbox="587 1081 917 1137"><i>South Auckland Land District— Taupo District</i></p> <p data-bbox="587 1149 917 1232">18.0000 hectares, more or less, being Section 2 SO 61681. Part <i>Gazette</i> notice B263233.</p>	<p data-bbox="963 392 1329 504">Subject to an unregistered permit with national permit number 35818-FAU to Animal Health Board Incorporated.</p> <p data-bbox="963 515 1329 649">Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited.</p> <p data-bbox="963 660 1329 828">Subject to an unregistered concession (permit) with concession numbers WC-27582-LAN and PAC-11-06-442 to Bus and Coach Association (New Zealand) Incorporated.</p> <p data-bbox="963 840 1329 952">Subject to an unregistered permit with permit number 36101-TEL to Spark New Zealand Trading Limited.</p> <p data-bbox="963 963 1329 1075">Subject to <i>Gazette</i> notice S644904 declaring adjoining State Highway 5 to be a limited access road.</p> <p data-bbox="963 1086 1329 1164">Subject to the conservation covenant referred to in section 109(2).</p> <p data-bbox="963 1176 1329 1288">Subject to a deed of easement embodied in computer interest register 549546, and varied by instrument 8702593.7.</p> <p data-bbox="963 1299 1329 1433">Subject to exemption from section 24 of the Conservation Act 1987 while Contact Energy Limited has an interest in the land by <i>Gazette</i> notice 8702593.8.</p> <p data-bbox="963 1444 1329 1588">Subject to an unregistered Land Act 1948 recreation permit for non-commercial mountain bike activities to Bike Taupo Advocacy Group (dated 5 April 2004).</p>

Schedule 4

Trout Centre property

s 197

Description

Wellington Land District—Taupo District

1.2380 hectares, more or less, being Section 1 SO 517959. All Proclamation 527165.

7.5678 hectares, more or less, being Sections 2, 4, and 7 SO 517959. Balance Proclamation 1602.

1.9583 hectares, more or less, being Sections 5, 6, 8, and 9 SO 517959. All *Gazette* notice 898579.

Interests

Subject to being a recreation reserve, as referred to in section 198(1).

Subject to the licence to occupy referred to in section 198(4)(a).

Subject to the licence to occupy referred to in section 198(4)(b).

Subject to the easement for a right of way referred to in section 198(4)(d).

Subject to *Gazette* notice 149668.1 declaring adjoining State Highway 1 to be a limited access road.

Schedule 5

Notices in relation to RFR land

ss 141, 163, 169

1 Requirements for giving notice

A notice by or to an RFR landowner or the trustees under subpart 4 of Part 3 must be—

- (a) in writing and signed by—
 - (i) the person giving it; or
 - (ii) at least 2 of the trustees, for a notice given by the trustees; and
- (b) addressed to the recipient at the street address, postal address, fax number, or electronic address,—
 - (i) for a notice to the trustees, specified for the trustees in accordance with the deed of settlement, or in a later notice given by the trustees to the RFR landowner, or identified by the RFR landowner as the current address, fax number, or electronic address of the trustees; or
 - (ii) for a notice to an RFR landowner, specified by the RFR landowner in an offer made under section 144, or in a later notice given to the trustees, or identified by the trustees as the current address, fax number, or electronic address of the RFR landowner; and
- (c) for a notice given under section 160 or 162, addressed to the chief executive of LINZ at the Wellington office of LINZ; and
- (d) given by—
 - (i) delivering it by hand to the recipient's street address; or
 - (ii) posting it to the recipient's postal address; or
 - (iii) faxing it to the recipient's fax number; or
 - (iv) sending it by electronic means such as email.

2 Use of electronic transmission

Despite clause 1, a notice given in accordance with clause 1(a) may be given by electronic means as long as the notice is given with an electronic signature that satisfies section 226(1)(a) and (b) of the Contract and Commercial Law Act 2017.

3 Time when notice received

- (1) A notice is to be treated as having been received—
 - (a) at the time of delivery, if delivered by hand; or
 - (b) on the sixth day after posting, if posted; or

- (c) at the time of transmission, if faxed or sent by other electronic means.
- (2) However, a notice is to be treated as having been received on the next working day if, under subclause (1), it would be treated as having been received—
 - (a) after 5 pm on a working day; or
 - (b) on a day that is not a working day.

Schedule 6

Te Kōpua Kānapanapa

ss 170, 173, 174, 176, 180

Part 1

Membership, procedures, and other matters relating to Te Kōpua Kānapanapa

Vacancies and appointment of co-chairpersons

1 Vacancies

- (1) If there is a vacancy on Te Kōpua Kānapanapa, the relevant appointer must fill the vacancy as soon as is reasonably practicable.
- (2) The ability of Te Kōpua Kānapanapa to carry out its functions is not affected by any vacancy or a failure by an appointer to make an appointment or a replacement appointment.

2 Appointment of co-chairpersons

- (1) At its first meeting of each term, Te Kōpua Kānapanapa must appoint 2 members to be co-chairpersons,—
 - (a) one of whom must be appointed by the trustees; and
 - (b) one of whom must be appointed by the Waikato Regional Council or the Taupo Regional Council.
- (2) A co-chairperson—
 - (a) holds office for a term of up to 3 years unless, before his or her term as co-chairperson ends, he or she ceases to be a member of Te Kōpua Kānapanapa; and
 - (b) may be reappointed as a co-chairperson.
- (3) Subclause (2)(a) is subject to section 178(2).

3 Alternative members

- (1) An appointer may from time to time notify Te Kōpua Kānapanapa of the names of alternative members who may attend the meetings of Te Kōpua Kānapanapa if a member is not able to attend.
- (2) An alternative member may act in the place of the member.

4 Resignation and removal of members

- (1) A member may resign by giving written notice to that person's appointer and Te Kōpua Kānapanapa.

- (2) An appointer of a member may remove that member from Te Kōpua Kānapanapa by giving written notice to that member, Te Kōpua Kānapanapa, and the other appointers.

Procedures of Te Kōpua Kānapanapa and guiding principles

5 Procedures of Te Kōpua Kānapanapa

The procedures of Te Kōpua Kānapanapa are governed by the applicable provisions of the local government legislation and the standing orders.

6 Standing orders and guiding principles

- (1) At the first meeting of Te Kōpua Kānapanapa, Te Kōpua Kānapanapa must—
- (a) develop principles to guide the relationships and values of Te Kōpua Kānapanapa; and
 - (b) adopt a set of standing orders.
- (2) The standing orders—
- (a) must not contravene Part 4 of this Act or this schedule; and
 - (b) must respect the tikanga of Ngāti Tūwharetoa; and
 - (c) must not contravene any local government legislation.
- (3) Te Kōpua Kānapanapa may at any time amend the standing orders.
- (4) Each member of Te Kōpua Kānapanapa must comply with the standing orders and be guided by the principles referred to in subclause (1)(a).

Meetings of Te Kōpua Kānapanapa

7 Schedule of meetings to be agreed

- (1) At the first meeting of Te Kōpua Kānapanapa of each year, Te Kōpua Kānapanapa must agree to a schedule of the meetings of Te Kōpua Kānapanapa for that year.
- (2) Te Kōpua Kānapanapa must regularly review the schedule to ensure that it provides for sufficient meetings to enable Te Kōpua Kānapanapa to achieve its purpose and carry out its functions.

8 Conduct of meetings

- (1) The co-chairpersons must preside over the meetings of Te Kōpua Kānapanapa.
- (2) If one co-chairperson is unable to attend a meeting, the other co-chairperson must preside.

9 Quorum

The quorum for a meeting of Te Kōpua Kānapanapa is no fewer than 5 members, who must include—

- (a) at least 2 members appointed by the trustees; and

- (b) at least 1 member appointed by the Waikato Regional Council; and
- (c) at least 1 member appointed by the Taupo District Council; and
- (d) a co-chairperson.

Manner of operation

10 Manner of operation

Te Kōpua Kānapanapa must operate in a manner that—

- (a) respects the mana and roles of members and groups represented on Te Kōpua Kānapanapa; and
- (b) respects the tikanga of Ngāti Tūwharetoa; and
- (c) acknowledges, as appropriate, the mana of Ngāti Rangi in respect of the overlapped catchment area; and
- (d) recognises the interests of other iwi, local authorities, and entities with interests or statutory roles in the Taupo Catchment; and
- (e) is inclusive of those iwi with interests in the Taupo Catchment that are not represented on Te Kōpua Kānapanapa; and
- (f) acknowledges, as appropriate, that each hapū of Ngāti Tūwharetoa has mana whenua over their particular part of the Taupo Catchment; and
- (g) acknowledges, as appropriate, the interests of all communities in the Taupo Catchment.

Decision making

11 Decision making

- (1) All decisions of Te Kōpua Kānapanapa must be made by vote at a meeting of Te Kōpua Kānapanapa.
- (2) When making a decision, Te Kōpua Kānapanapa must strive to achieve consensus among those present and voting at the meeting.
- (3) Despite subclause (2), the co-chairpersons (or the co-chairperson present) may determine that a decision on a matter may be made with the support of a 75% majority of members present and voting at the meeting, but only if—
 - (a) consensus has not been achieved after the third vote on the matter; and
 - (b) the co-chairpersons (or the co-chairperson present) are of the opinion that—
 - (i) there has been reasonable discussion on the matter; and
 - (ii) consensus is unlikely to be achieved by further discussion.
- (4) Each co-chairperson has a deliberative vote but not a casting vote.
- (5) Members must approach decision making—

- (a) in accordance with section 172 (which relates to the purpose of Te Kōpua Kānapanapa) and clause 10; and
- (b) by working together in good faith and a spirit of co-operation; and
- (c) by striving to achieve Te Kōpua Kānapanapa's purpose while respecting that members have other statutory obligations and responsibilities.

Members who are also members of local authority

12 No disqualification of local authority members

A person who is a member of Te Kōpua Kānapanapa and also a member of a local authority is not disqualified from participating in any decision making of the local authority just because the person is a member of Te Kōpua Kānapanapa.

Conflicts of interest

13 Declaration of interest

- (1) A member of Te Kōpua Kānapanapa must disclose any actual or potential interest in a matter to Te Kōpua Kānapanapa.
- (2) Te Kōpua Kānapanapa must—
 - (a) maintain an interests register that records the actual or potential interests disclosed to Te Kōpua Kānapanapa; and
 - (b) decide whether any actual or potential interests that are disclosed to Te Kōpua Kānapanapa should prevent a member from participating in any decision making of Te Kōpua Kānapanapa; and
 - (c) consider, and if necessary take steps to manage, any actual or potential conflict of interest.
- (3) A member of Te Kōpua Kānapanapa has an actual or potential interest in a matter if that member—
 - (a) may derive a financial benefit from the matter; or
 - (b) is the spouse, civil union partner, de facto partner, child, or parent of a person who may derive a financial benefit from the matter; or
 - (c) has or may have a financial interest in a person to whom the matter relates; or
 - (d) is a partner, director, officer, or trustee of a person who has or may have a financial interest in a person to whom the matter relates; or
 - (e) is otherwise directly or indirectly interested in the matter.
- (4) However, a person is not interested in a matter if his or her interest is so remote or insignificant that it cannot reasonably be regarded as being likely to influence the person in carrying out his or her responsibilities as a member of Te Kōpua Kānapanapa.

- (5) However, a member of Te Kōpua Kānapanapa is not precluded from discussing or voting on a matter by virtue only that—
- (a) the member is affiliated to an iwi or a hapū that has customary interests in the Taupo Catchment; or
 - (b) the member has an interest in freehold Māori land; or
 - (c) the member is also a member of a local authority; or
 - (d) the economic, social, cultural, and spiritual values of an iwi or a hapū referred to in paragraph (a) and its relationships with Te Kōpua Kānapanapa are advanced by or reflected in—
 - (i) the subject matter under consideration; or
 - (ii) a decision or recommendation of Te Kōpua Kānapanapa; or
 - (iii) the participation of the member in the matter.
- (6) The affiliation of a member of Te Kōpua Kānapanapa to an iwi or a hapū that have interests in the Taupo Catchment is not in itself an interest that must be disclosed or recorded.
- (7) In this clause, **matter** means—
- (a) Te Kōpua Kānapanapa's performance of its functions and exercise of its powers; or
 - (b) an arrangement, agreement, contract, or concession that Te Kōpua Kānapanapa has entered into or is considering; or
 - (c) a concession or permit that Te Kōpua Kānapanapa has made or granted or is considering.

Administrative support

14 Waikato Regional Council to provide administrative support

- (1) The Waikato Regional Council is responsible for the administrative support of Te Kōpua Kānapanapa.
- (2) In subclause (1), **administrative support** includes the provision of those services that are required for Te Kōpua Kānapanapa to perform its functions under this Act, the Local Government Act 2002, or any other enactment that applies to the conduct of Te Kōpua Kānapanapa.
- (3) The Waikato Regional Council must, on behalf of Te Kōpua Kānapanapa,—
- (a) hold any funds belonging to Te Kōpua Kānapanapa; and
 - (b) account for the funds in a separate and identifiable manner; and
 - (c) spend the funds in accordance with any direction given by Te Kōpua Kānapanapa.

15 Appointers to provide technical support

An appointer must provide technical support to Te Kōpua Kānapanapa to the extent that it is reasonably practicable for the appointer to do so.

Reporting and review

16 Reporting

- (1) Each year Te Kōpua Kānapanapa must provide an annual report to the appointers.
- (2) The annual report—
 - (a) must describe the activities of Te Kōpua Kānapanapa,—
 - (i) for the first annual report, during the last 12 months; and
 - (ii) for each subsequent annual report, during the 12-month period commencing on the day after the last date to which the previous annual report applied; and
 - (b) must explain how those activities are relevant to Te Kōpua Kānapanapa's functions and powers.
- (3) Te Kōpua Kānapanapa must, at the request of the appointers, attend an annual meeting of the trustees and all other appointers and report on the work of Te Kōpua Kānapanapa for the last 12 months and the next 12-month period.

17 Review of Te Kōpua Kānapanapa

- (1) Te Kōpua Kānapanapa must commence a review of its performance no later than the date that is 3 years after the first Te Kaupapa Kaitiaki is approved.
- (2) The review must include consideration of the extent to which Te Kōpua Kānapanapa has achieved its purpose and performed its functions.
- (3) The appointers may, at a time they agree, carry out a subsequent review of the performance of Te Kōpua Kānapanapa in accordance with subclause (2).
- (4) Following a review of Te Kōpua Kānapanapa under subclause (1) or (3),—
 - (a) the appointers may make recommendations to Te Kōpua Kānapanapa on any matter arising from the review; and
 - (b) Te Kōpua Kānapanapa must consider the recommendations and the extent to which action is required to address the recommendations.

Part 2

Te Kaupapa Kaitiaki

Preparation of Te Kaupapa Kaitiaki

18 Preparation of Te Kaupapa Kaitiaki

- (1) Te Kōpua Kānapanapa must commence the preparation of Te Kaupapa Kaitiaki no later than 6 months after the settlement date.
- (2) In preparing Te Kaupapa Kaitiaki, Te Kōpua Kānapanapa must—
 - (a) ensure that the contents of Te Kaupapa Kaitiaki are consistent with the purpose as set out in section 180; and
 - (b) operate in an inclusive manner that encourages the participation of Ngāti Tūwharetoa hapū and entities, and other interested persons and organisations; and
 - (c) give Ngāti Rangi an opportunity to provide input into Te Kaupapa Kaitiaki in accordance with clauses 6.31.2 and 6.31.3 of the deed of settlement; and
 - (d) consider and document the potential alternatives to, and the potential benefits and costs of, the matters provided for in the draft Te Kaupapa Kaitiaki; and
 - (e) consult with the Department of Conservation; and
 - (f) review any documents developed by any existing governance groups made up of Ngāti Tūwharetoa representatives and local authorities; and
 - (g) consider whether relevant aspects of those documents should be incorporated into Te Kaupapa Kaitiaki; and
 - (h) ensure that each appointer is provided an opportunity and sufficient time to review the draft Te Kaupapa Kaitiaki before it is notified under clause 19(1).

Notification

19 Notification of Te Kaupapa Kaitiaki

- (1) After Te Kōpua Kānapanapa is satisfied with the draft Te Kaupapa Kaitiaki, it must—
 - (a) give public notice of the draft Te Kaupapa Kaitiaki in accordance with subclause (3); and
 - (b) make available for public inspection the draft Te Kaupapa Kaitiaki and any other document that Te Kōpua Kānapanapa considers relevant.
- (2) Te Kōpua Kānapanapa may, in addition to the requirement in subclause (1)(a), give public notice of the draft Te Kaupapa Kaitiaki by any other means it considers appropriate.

- (3) The public notice under subclause (1)(a) must—
 - (a) state that the draft Te Kaupapa Kaitiaki is available for inspection at the places and times specified in the notice; and
 - (b) invite submissions on the draft Te Kaupapa Kaitiaki and state how they may be made; and
 - (c) specify the date by which submissions must be received, which must be no earlier than 20 business days after the date of the notice.
- (4) For the first draft Te Kaupapa Kaitiaki, unless the appointers agree otherwise, Te Kōpua Kānapanapa must comply with this clause no later than the date that is 12 months after it has started preparing that document.

Approval

20 Approval of Te Kaupapa Kaitiaki

- (1) Te Kōpua Kānapanapa may, at its discretion, hold a hearing and invite those persons who made a submission to be heard at a time and place specified by Te Kōpua Kānapanapa.
- (2) Te Kōpua Kānapanapa must—
 - (a) consider any written (including electronic) or oral submission to the extent that the submission is within the purpose of Te Kaupapa Kaitiaki; and
 - (b) may amend the draft Te Kaupapa Kaitiaki.
- (3) After it has completed the process described in subclause (2), Te Kōpua Kānapanapa must approve Te Kaupapa Kaitiaki.
- (4) Te Kōpua Kānapanapa must—
 - (a) give public notice of the approved Te Kaupapa Kaitiaki in accordance with subclause (5); and
 - (b) make publicly available, in whatever manner it considers appropriate, a report identifying how it considered and dealt with submissions on Te Kaupapa Kaitiaki.
- (5) The public notice must state—
 - (a) where Te Kaupapa Kaitiaki is available for public inspection; and
 - (b) when Te Kaupapa Kaitiaki comes into force.
- (6) Te Kaupapa Kaitiaki—
 - (a) must be available for public inspection at the local offices of each local authority and at any other locations considered appropriate by Te Kōpua Kānapanapa; and
 - (b) comes into force on the date specified in the notice.

- (7) Te Kōpua Kānapanapa may, in addition to the requirement in subclause (4)(a), give public notice of Te Kaupapa Kaitiaki by any other means it considers appropriate.

21 Assistance from appointers

- (1) Te Kōpua Kānapanapa may request from an appointer reports or advice to assist in the preparation or approval of Te Kaupapa Kaitiaki (including the preparation of amendments under clause 22(2)(a)).
- (2) The relevant appointer must comply with a request if it is reasonably practicable to do so.

Review of Te Kaupapa Kaitiaki

22 Review of Te Kaupapa Kaitiaki

- (1) Te Kōpua Kānapanapa may at any time carry out a review of Te Kaupapa Kaitiaki, but must do so—
- (a) no later than 10 years after the previous review was completed; and
 - (b) in the case of the first Te Kaupapa Kaitiaki, no later than 5 years after it was approved.
- (2) If Te Kōpua Kānapanapa considers as a result of a review that—
- (a) a material change should be made to Te Kaupapa Kaitiaki, the amendment must be prepared and approved in accordance with clauses 18 to 21; and
 - (b) a non-material change should be made to Te Kaupapa Kaitiaki, Te Kōpua Kānapanapa may approve the amendment and give public notice of the document (as amended) in accordance with clause 20(5)(a).

Reprints notes

1 *General*

This is a reprint of the Ngāti Tūwharetoa Claims Settlement Act 2018 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Ngāti Tūwharetoa Claims Settlement Act Commencement Order 2021 (LI 2021/76)
Education and Training Act 2020 (2020 No 38): section 668