

**TE ATIWA**

**and**

**THE TRUSTEES OF TE KOTAHITANGA O TE ATIWA TRUST**

**and**

**THE CROWN**

---

**DEED OF SETTLEMENT:**

**ATTACHMENTS**

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TE ATIWA DEED OF SETTLEMENT:  
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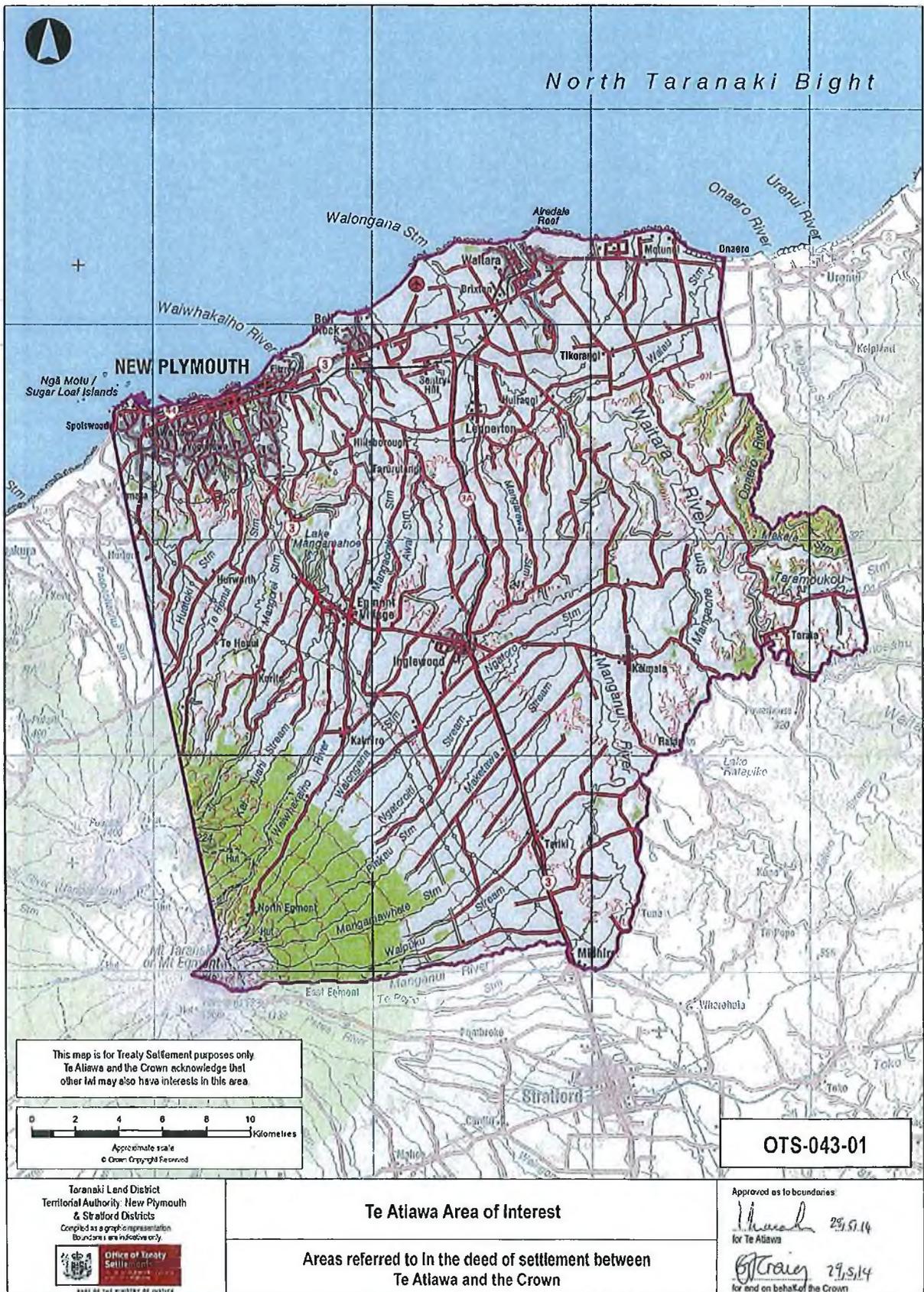
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1. AREA OF INTEREST

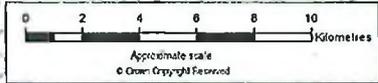
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TE ATIWA DEED OF SETTLEMENT:  
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1. AREA OF INTEREST



This map is for Treaty Settlement purposes only  
Te Atiawa and the Crown acknowledge that  
other iwi may also have interests in this area.



OTS-043-01

Taranaki Land District  
Territorial Authority: New Plymouth  
& Stratford Districts  
Compiled as a graphic representation  
Boundaries are indicative only.

OFFICE OF TREATY SETTLEMENT  
PART OF THE MINISTRY OF JUSTICE

**Te Atiawa Area of Interest**

Areas referred to in the deed of settlement between  
Te Atiawa and the Crown

Approved as to boundaries:  
*Uhuah* 29.5.14  
for Te Atiawa  
*OTC* 29.5.14  
for and on behalf of the Crown

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TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

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2. DEED PLANS

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TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

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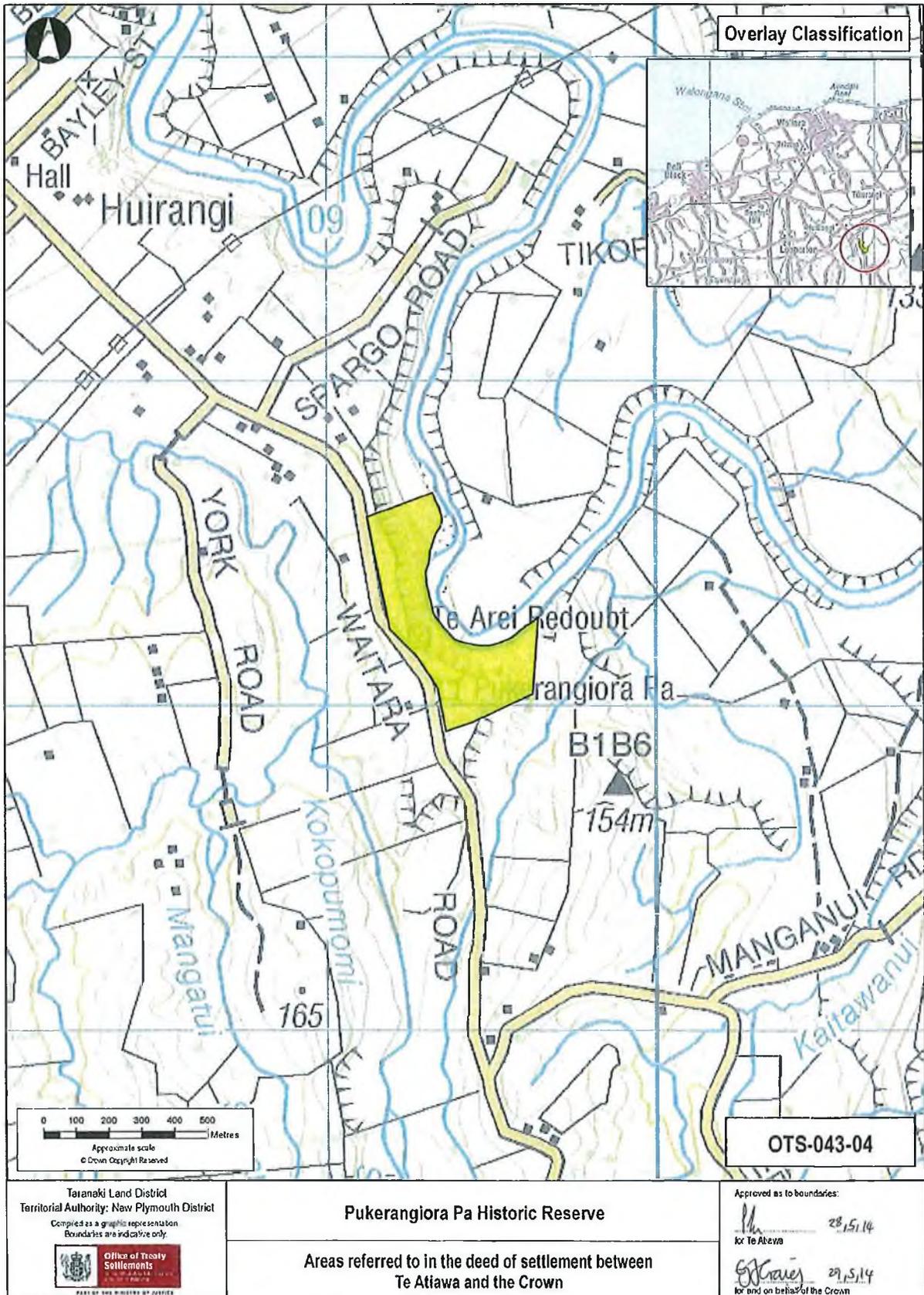
2.1 OVERLAY SITES

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TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.1: OVERLAY SITES

PUKERANGIORA PA HISTORIC RESERVE (OTS-043-04)

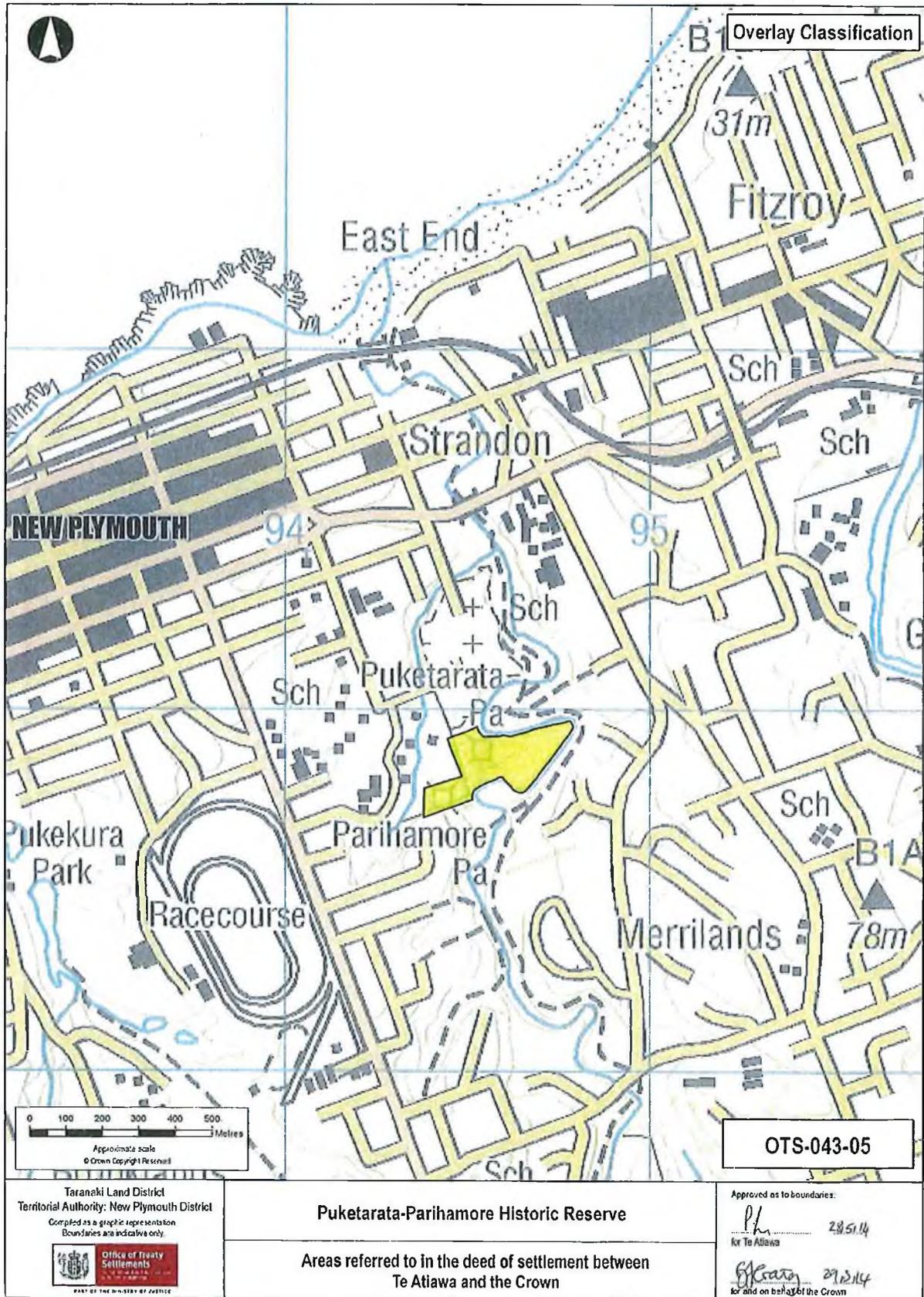


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TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.1: OVERLAY SITES

PUKETARATA-PARIHAMORE HISTORIC RESERVE (OTS-043-05)

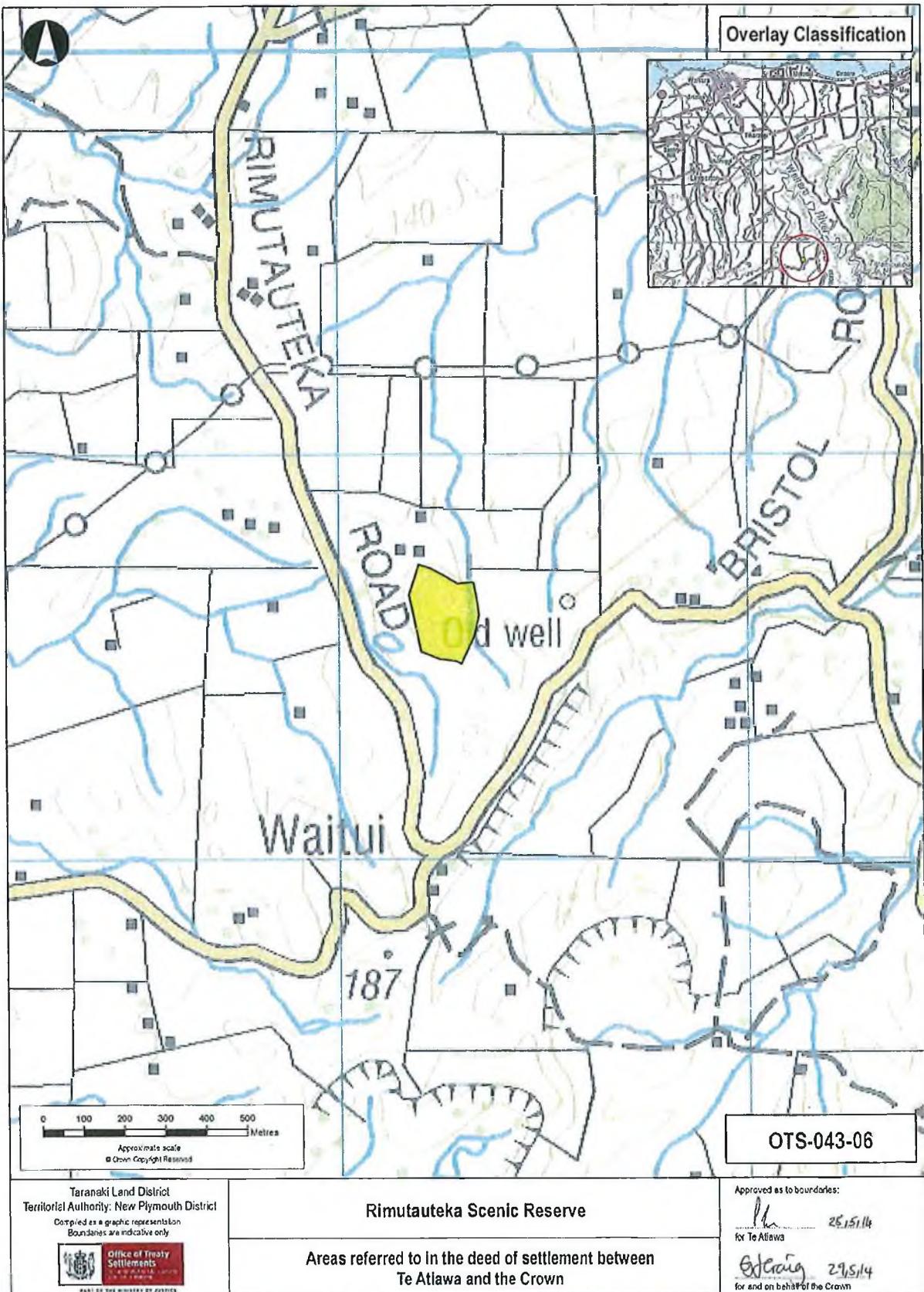


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TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.1: OVERLAY SITES

RIMUTAUTEKA SCENIC RESERVE (OTS-043-06)



TE ATIWA DEED OF SETTLEMENT:  
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2.1: OVERLAY SITES

WAITARA SCENIC RESERVE (OTS-043-07)



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TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

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2.2 STATUTORY AREAS

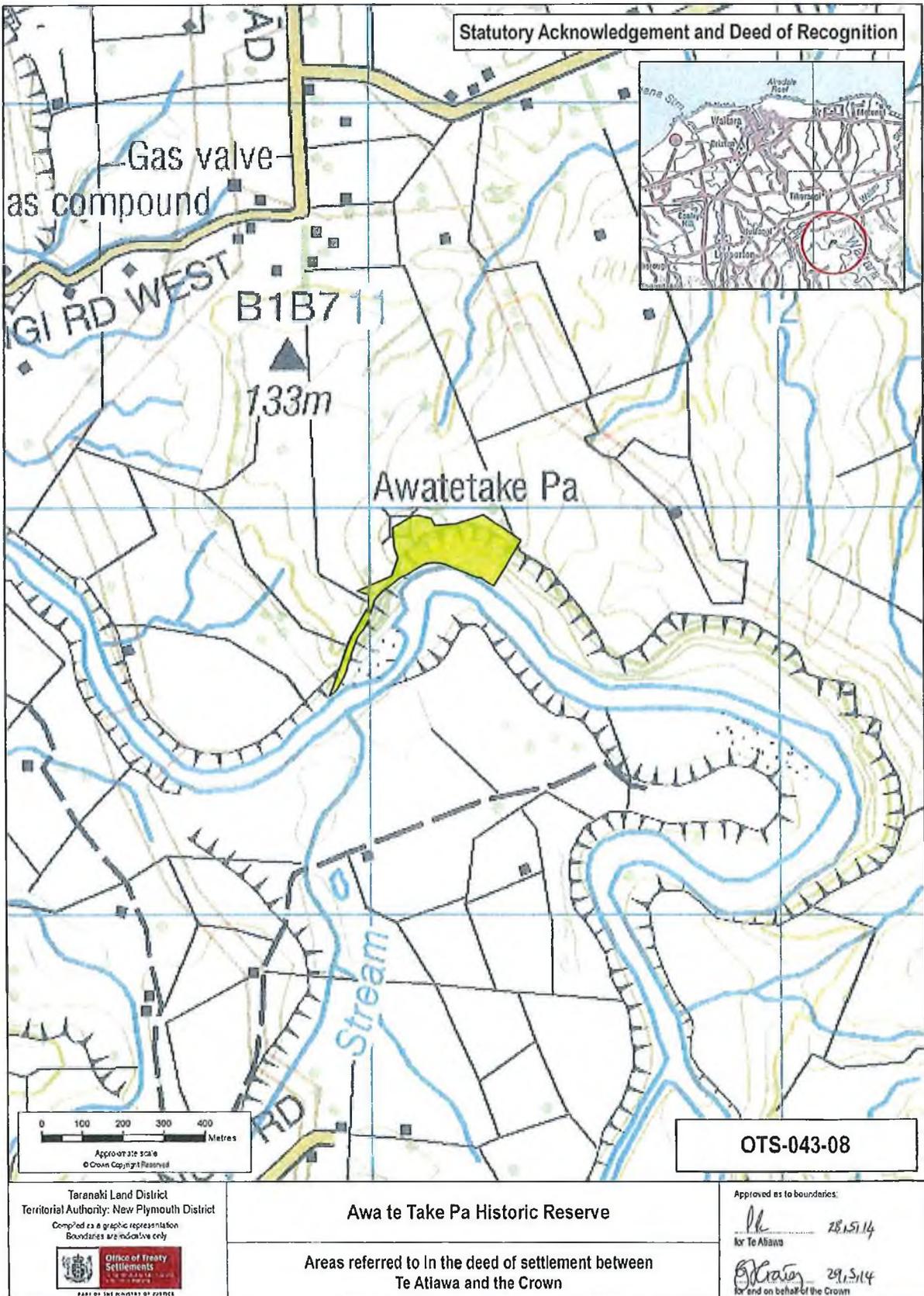
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TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

AWA TE TAKE PA HISTORIC RESERVE (OTS-043-08)

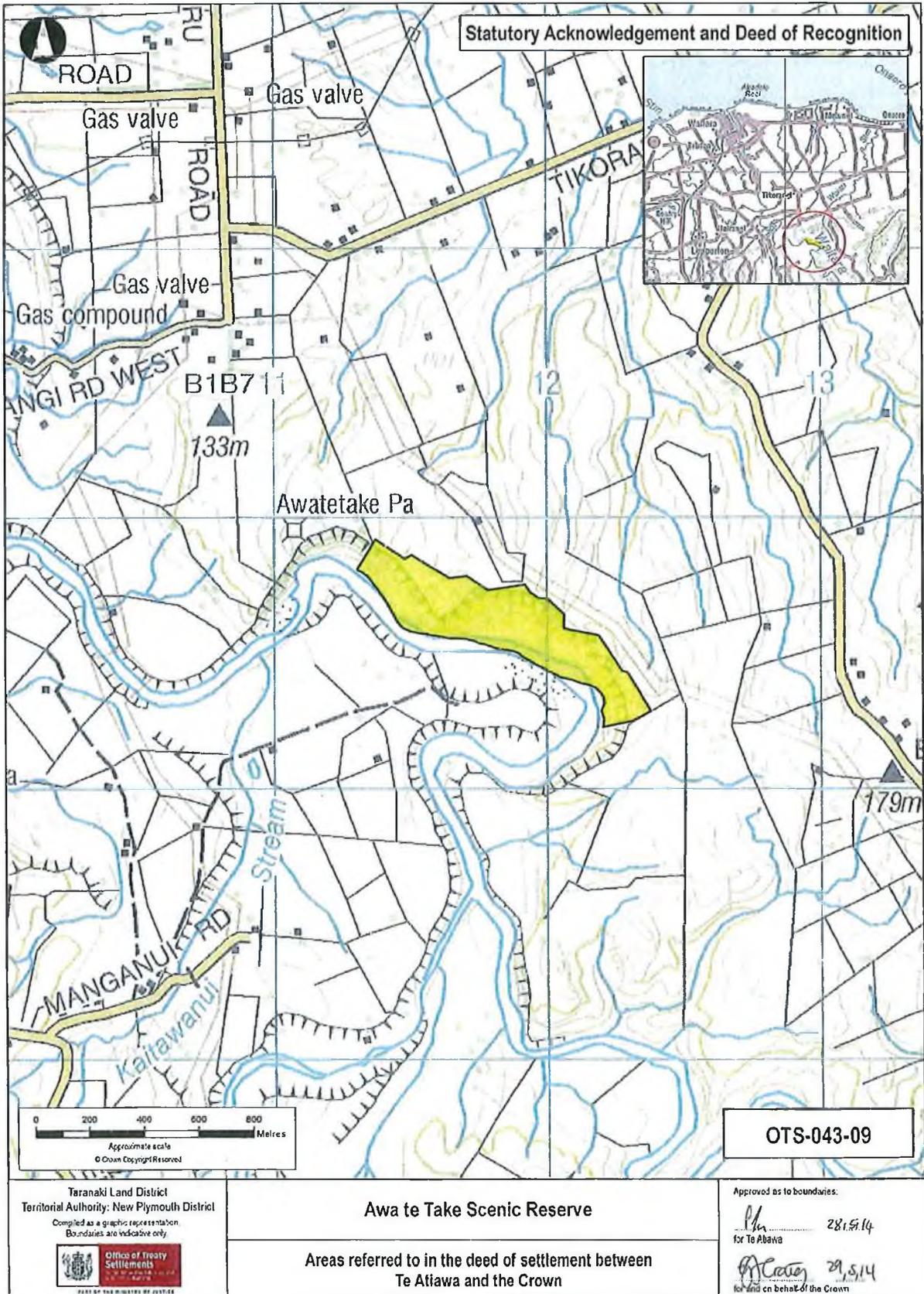


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TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

AWA TE TAKE SCENIC RESERVE (OTS-043-09)



Taranaki Land District  
Territorial Authority: New Plymouth District  
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Boundaries are indicative only



Awa te Take Scenic Reserve

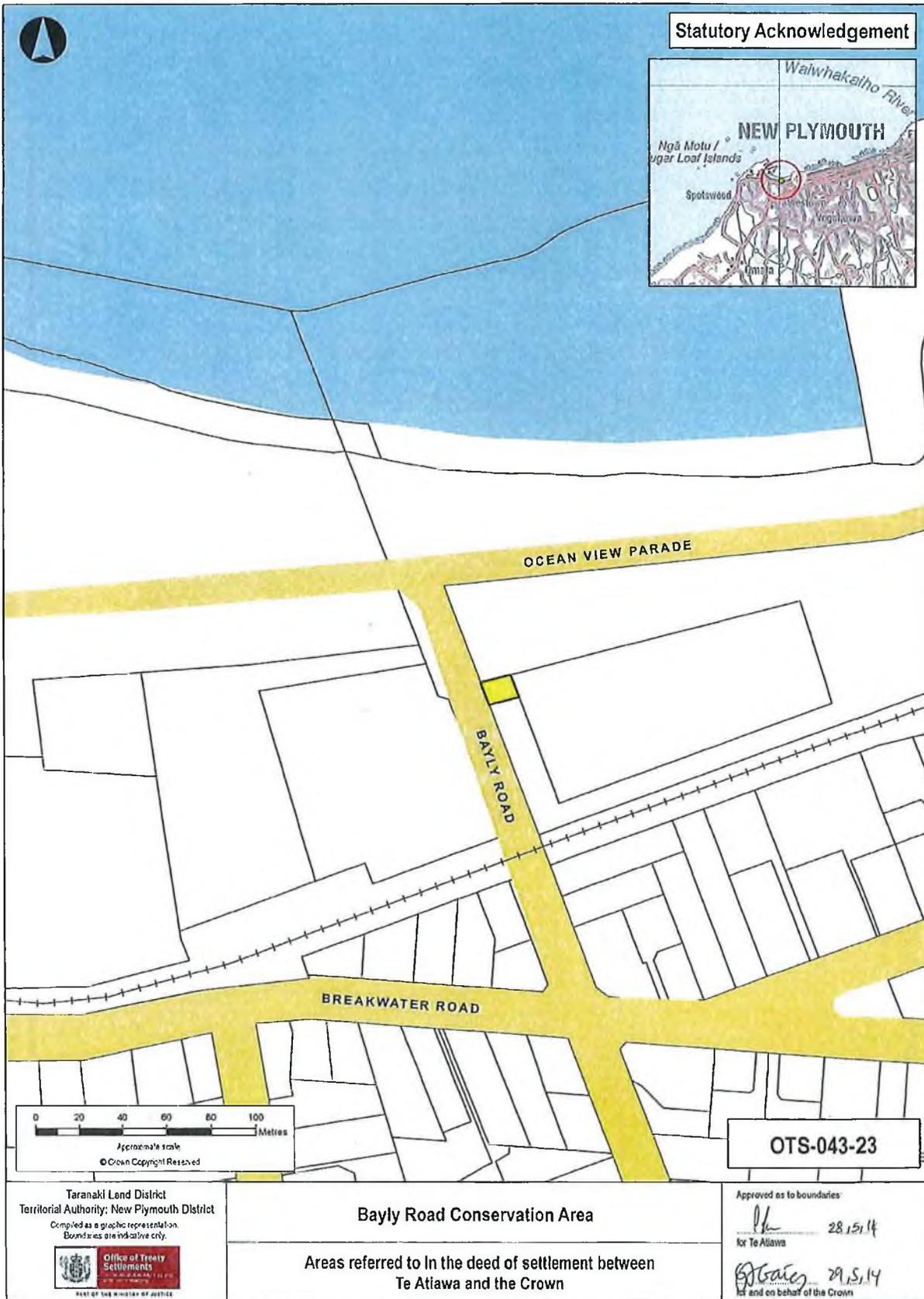
Areas referred to in the deed of settlement between  
Te Atiawa and the Crown

Approved as to boundaries:  
for Te Atiawa 28.5.14  
for and on behalf of the Crown 29.5.14

TE ATIWA DEED OF SETTLEMENT:  
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2.2: STATUTORY AREAS

BAYLY ROAD CONSERVATION AREA (OTS-043-23)



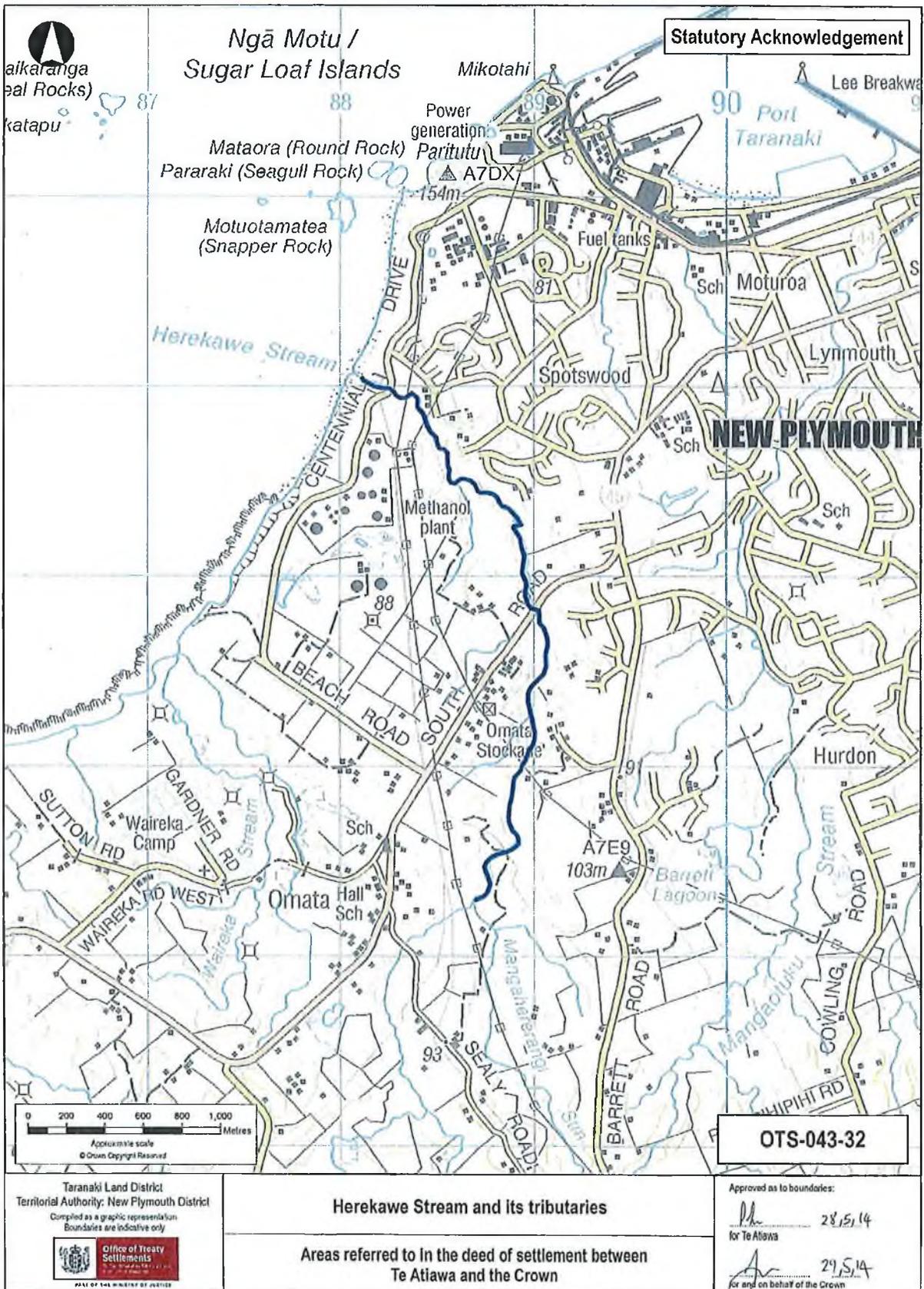
*Amigo*



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2.2: STATUTORY AREAS

HEREKAWE STREAM AND ITS TRIBUTARIES (OTS-043-32)



Taranaki Land District  
Territorial Authority: New Plymouth District  
Compiled as a graphic representation  
Boundaries are indicative only

Office of Treaty Settlements  
PART OF THE MINISTRY OF JUSTICE

**Herekawe Stream and its tributaries**

Areas referred to in the deed of settlement between  
Te Atiwa and the Crown

Approved as to boundaries:

*[Signature]* 28.5.14  
for Te Atiwa

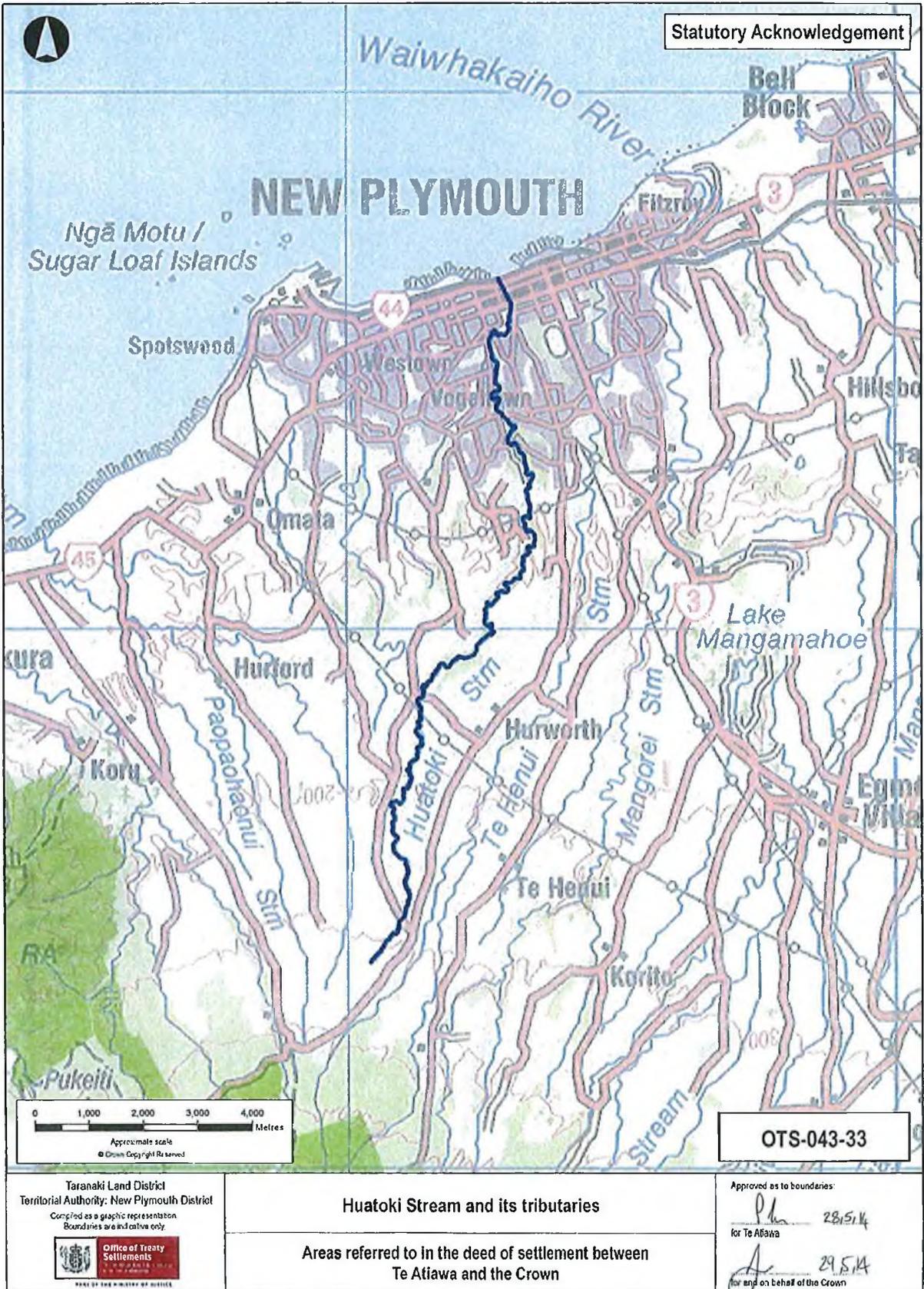
*[Signature]* 29.5.14  
for and on behalf of the Crown

*[Handwritten signature]*

TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

HUATOKI STREAM AND ITS TRIBUTARIES (OTS-043-33)



Taranaki Land District  
Territorial Authority: New Plymouth District  
Compiled as a graphic representation  
Boundaries are indicative only

  
OFFICE OF TREATY SETTLEMENTS  
MINISTRY OF JUSTICE

**Huatoki Stream and its tributaries**

Areas referred to in the deed of settlement between  
Te Atiawa and the Crown

Approved as to boundaries:

*[Signature]* 28.5.14  
for Te Atiawa

*[Signature]* 29.5.14  
for and on behalf of the Crown

*u*  
*M. Kingi*

TE ATIWA DEED OF SETTLEMENT:  
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2.2: STATUTORY AREAS

HUATOKI STREAM MARGINAL STRIP (OTS-043-24)



Taranaki Land District  
Territorial Authority: New Plymouth District  
Copied as a graphic representation  
Boundaries are indicative only.



PART OF THE NUMBER OF PAGES

Huatoki Stream Marginal Strip

Areas referred to in the deed of settlement between  
Te Atiawa and the Crown

Approved as to boundaries:

*P. H.* 28.10.14  
for Te Atiawa

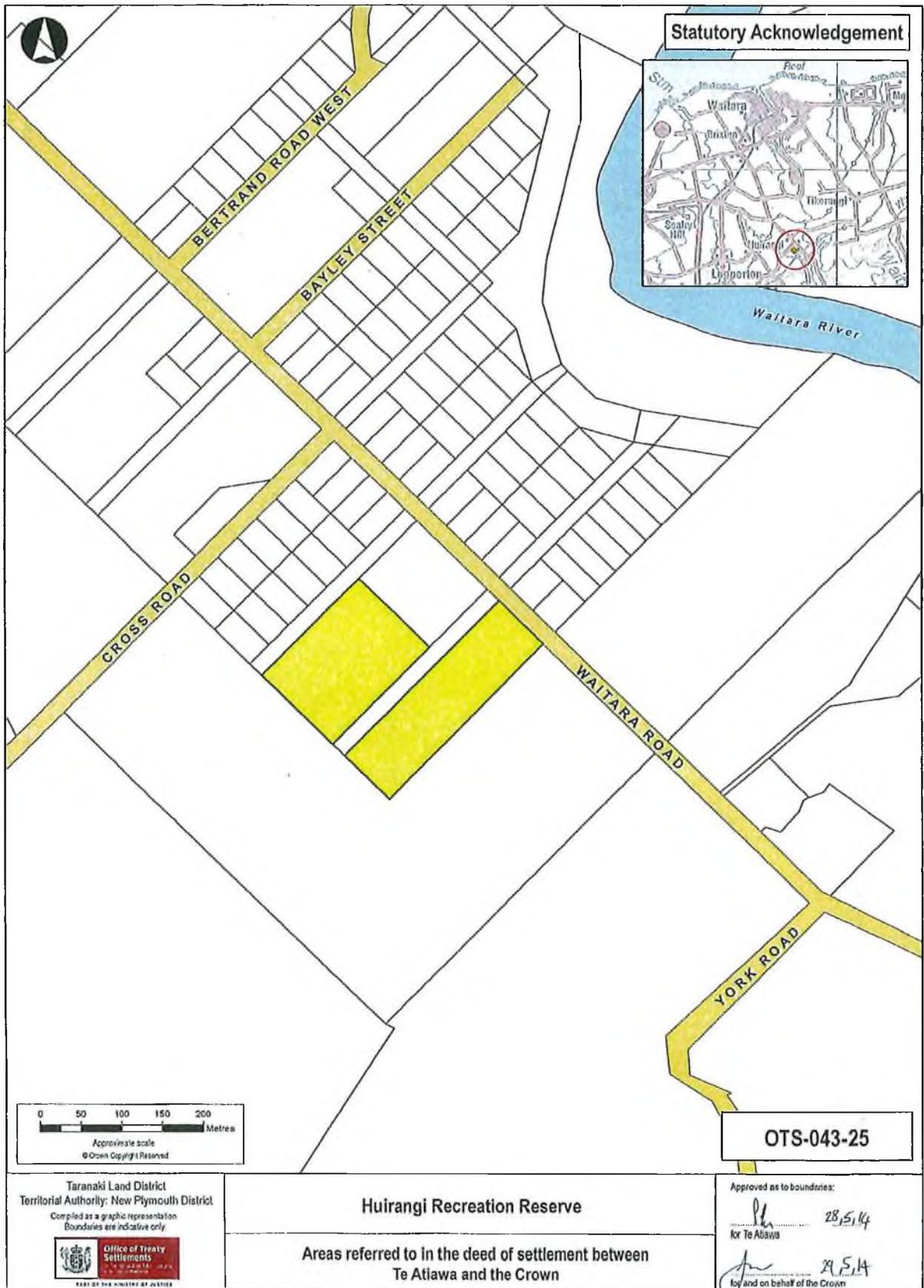
*S. Craig* 29.5.14  
for and on behalf of the Crown

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TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

HUIRANGI RECREATION RESERVE (OTS-043-25)

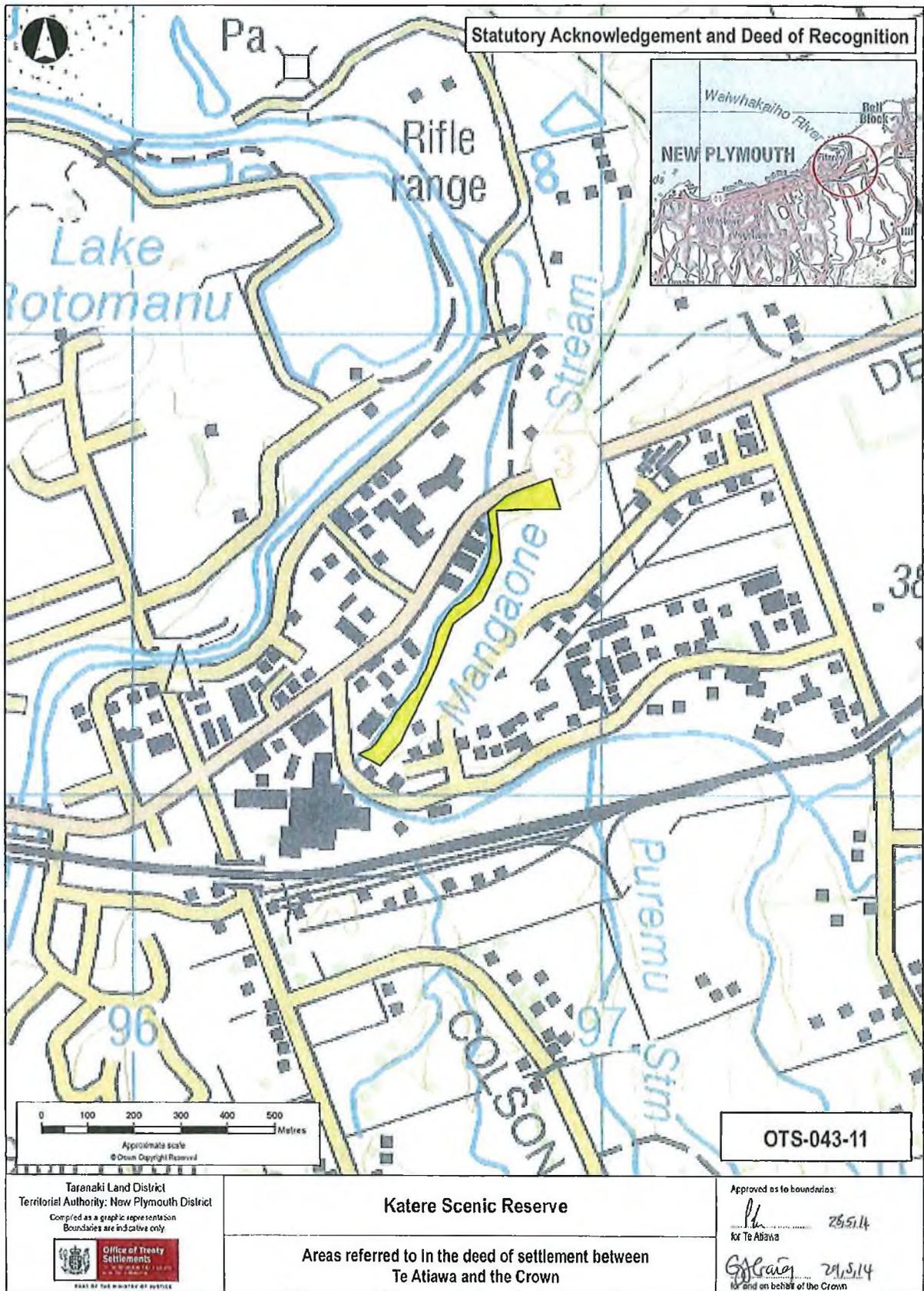


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TE ATIWA DEED OF SETTLEMENT:  
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2.2: STATUTORY AREAS

KATERE SCENIC RESERVE (OTS-043-11)



TE ATIWA DEED OF SETTLEMENT:  
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2.2: STATUTORY AREAS

KOWHANGAMOKU STREAM AND ITS TRIBUTARIES (OTS-043-34)



Taranaki Land District  
Territorial Authority: New Plymouth District  
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Boundaries are indicative only

Office of Treaty Settlements  
PART OF THE DEPARTMENT OF JUSTICE

**Kowhangamoku Stream and its tributaries**

Areas referred to in the deed of settlement between  
Te Atiawa and the Crown

Approved as to boundaries:

*[Signature]* 28.5.14  
for Te Atiawa

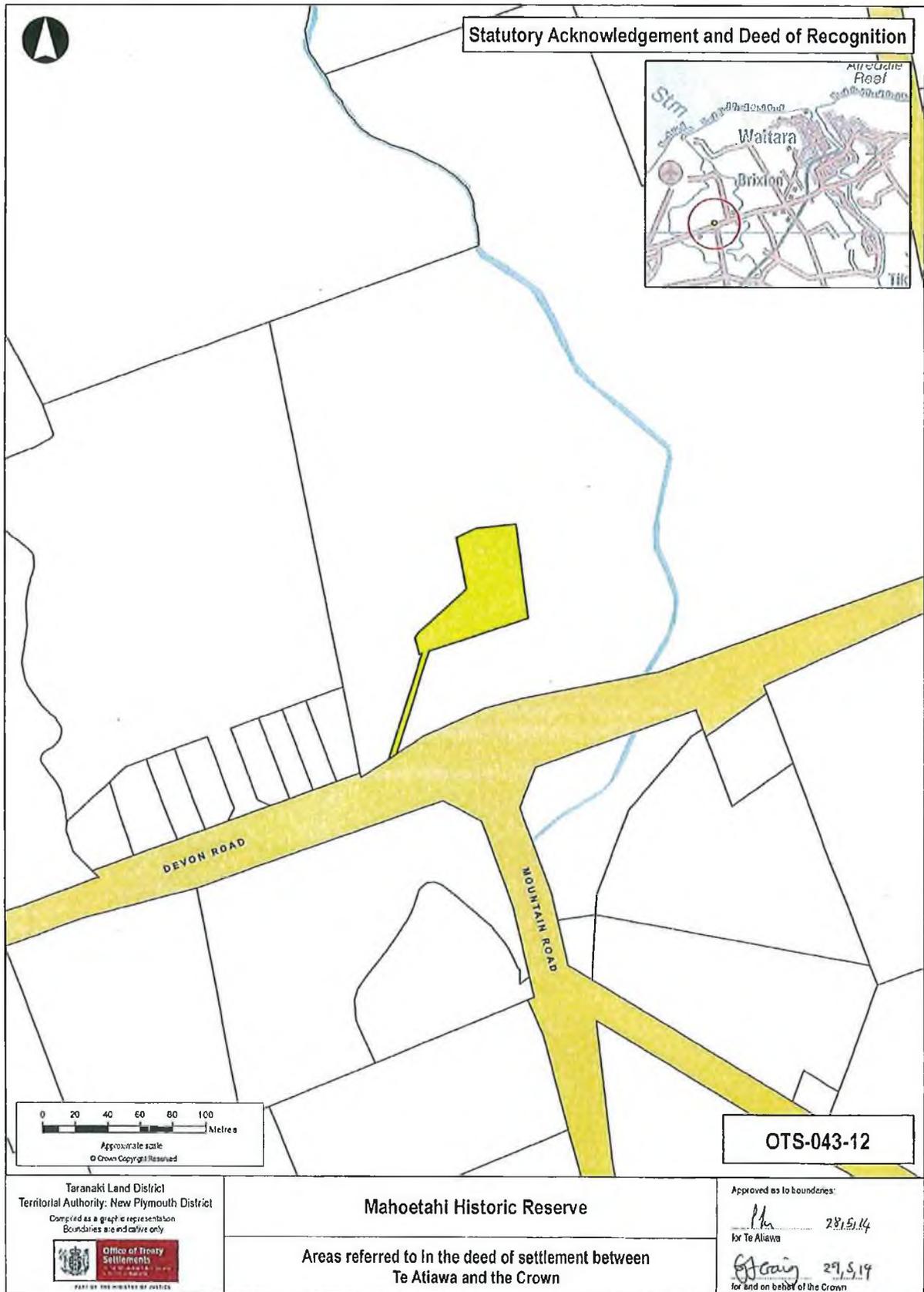
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for and on behalf of the Crown

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TE ATIWA DEED OF SETTLEMENT:  
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2.2: STATUTORY AREAS

MAHOETAHI HISTORIC RESERVE (OTS-043-12)

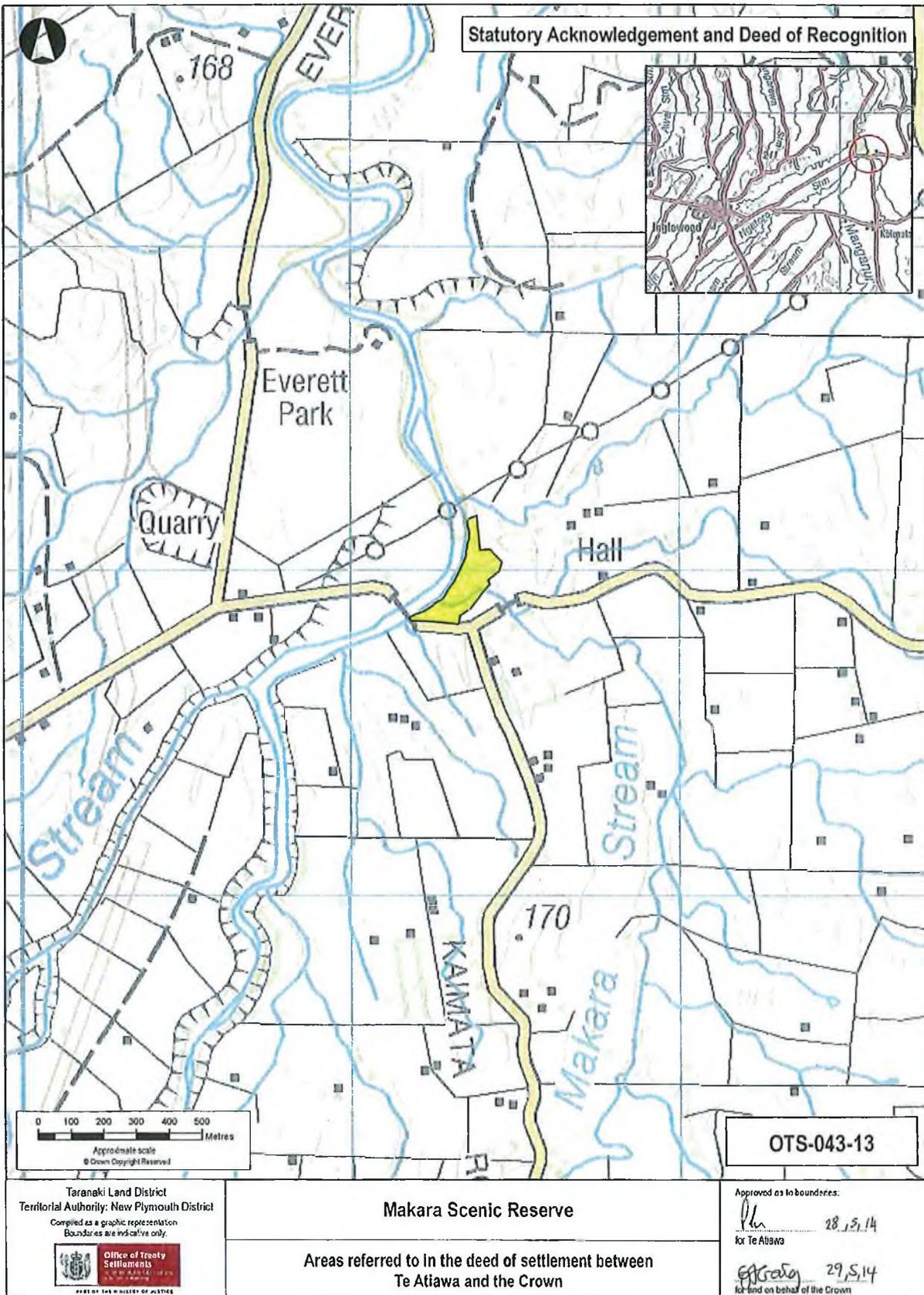


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TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

MAKARA SCENIC RESERVE (OTS-043-13)

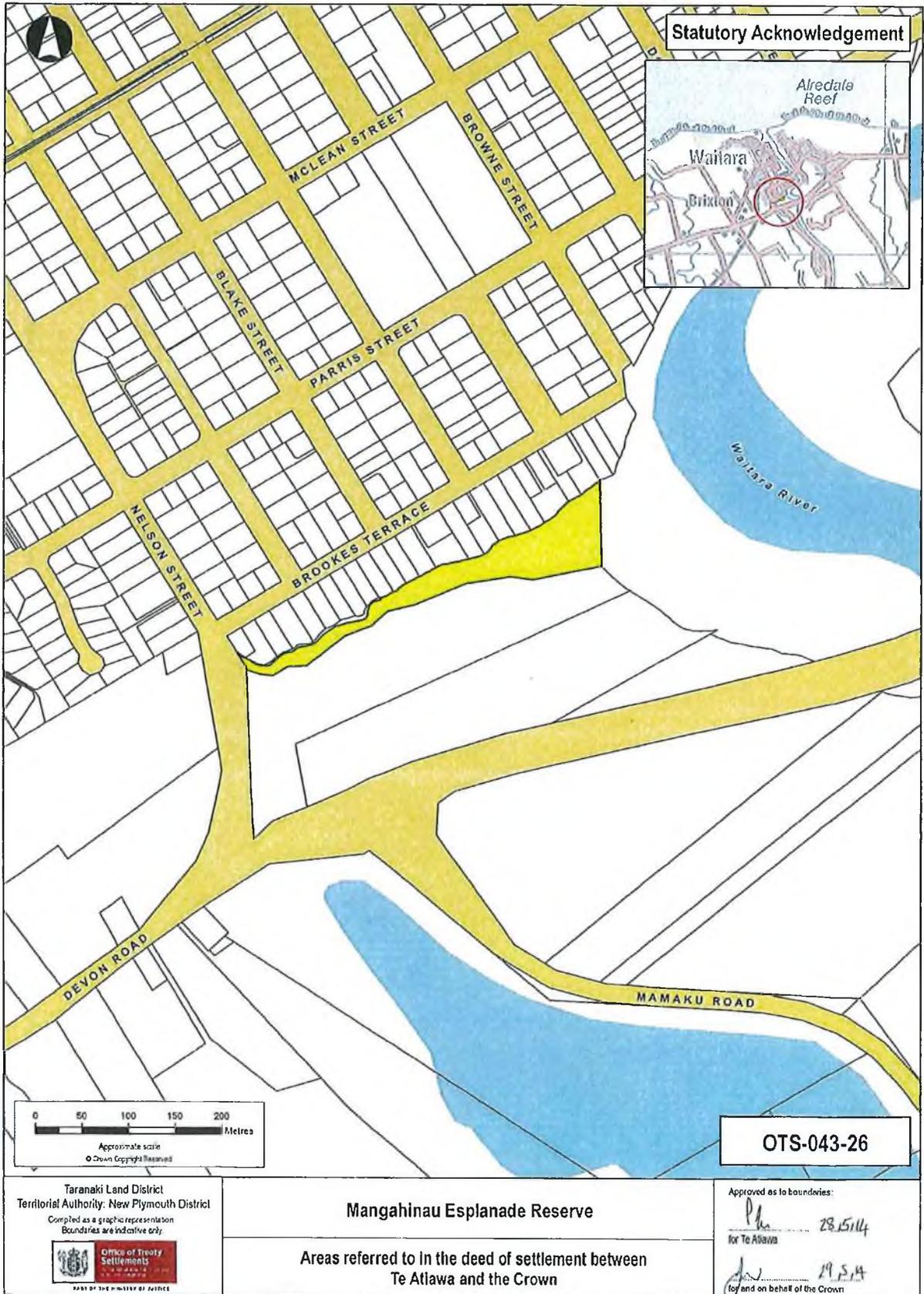


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TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

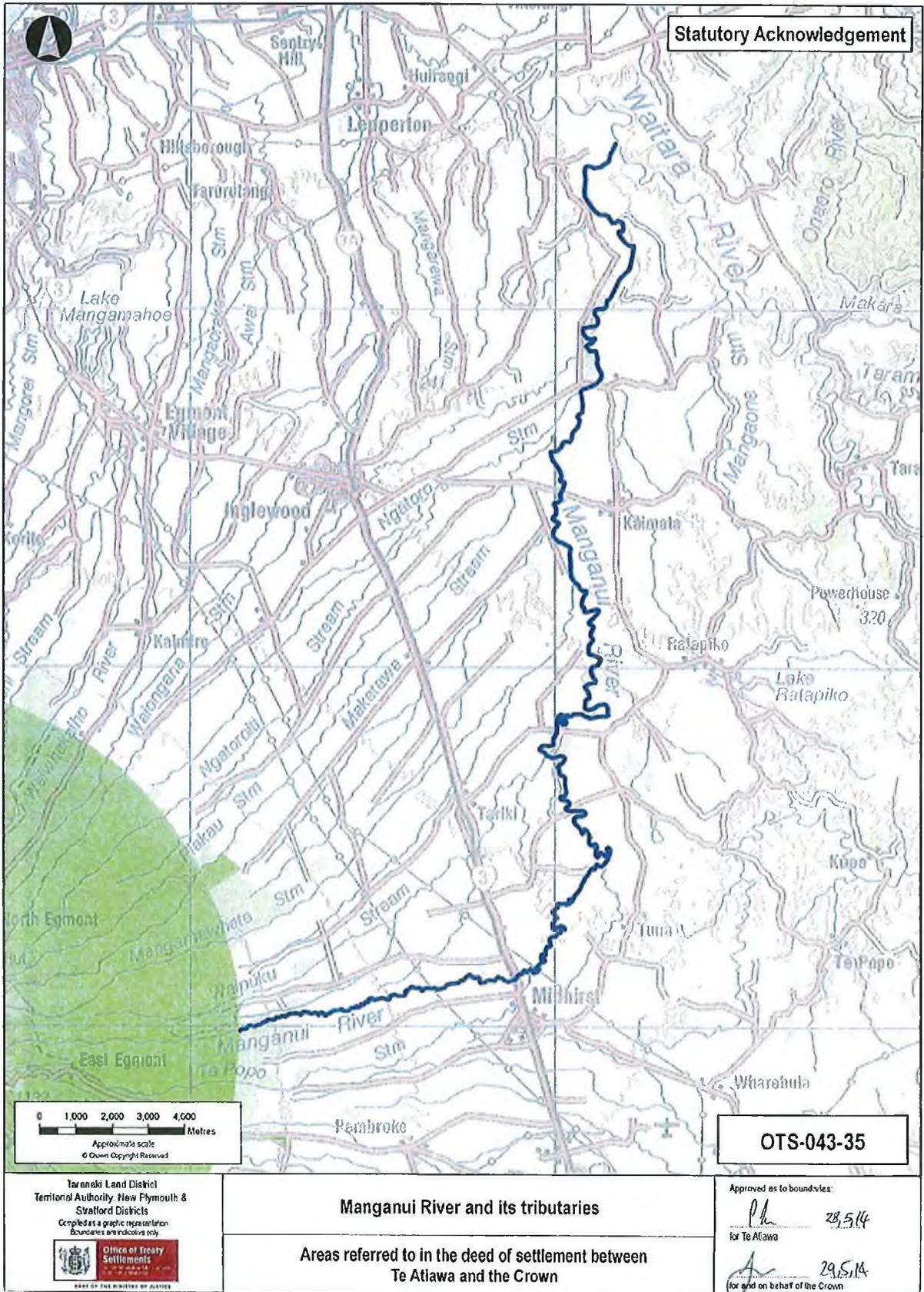
MANGAHINAU ESPLANADE RESERVE (OTS-043-26)



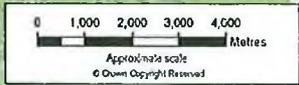
TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

MANGANUI RIVER AND ITS TRIBUTARIES (OTS-043-35)



Statutory Acknowledgement



OTS-043-35

Taranaki Land District  
Territorial Authority: New Plymouth & Stratford Districts  
Compiled as a graphic representation  
Boundaries are indicative only



OFFICE OF TREATY SETTLEMENTS  
MINISTRY OF JUSTICE

Manganui River and its tributaries

Areas referred to in the deed of settlement between  
Te Atiawa and the Crown

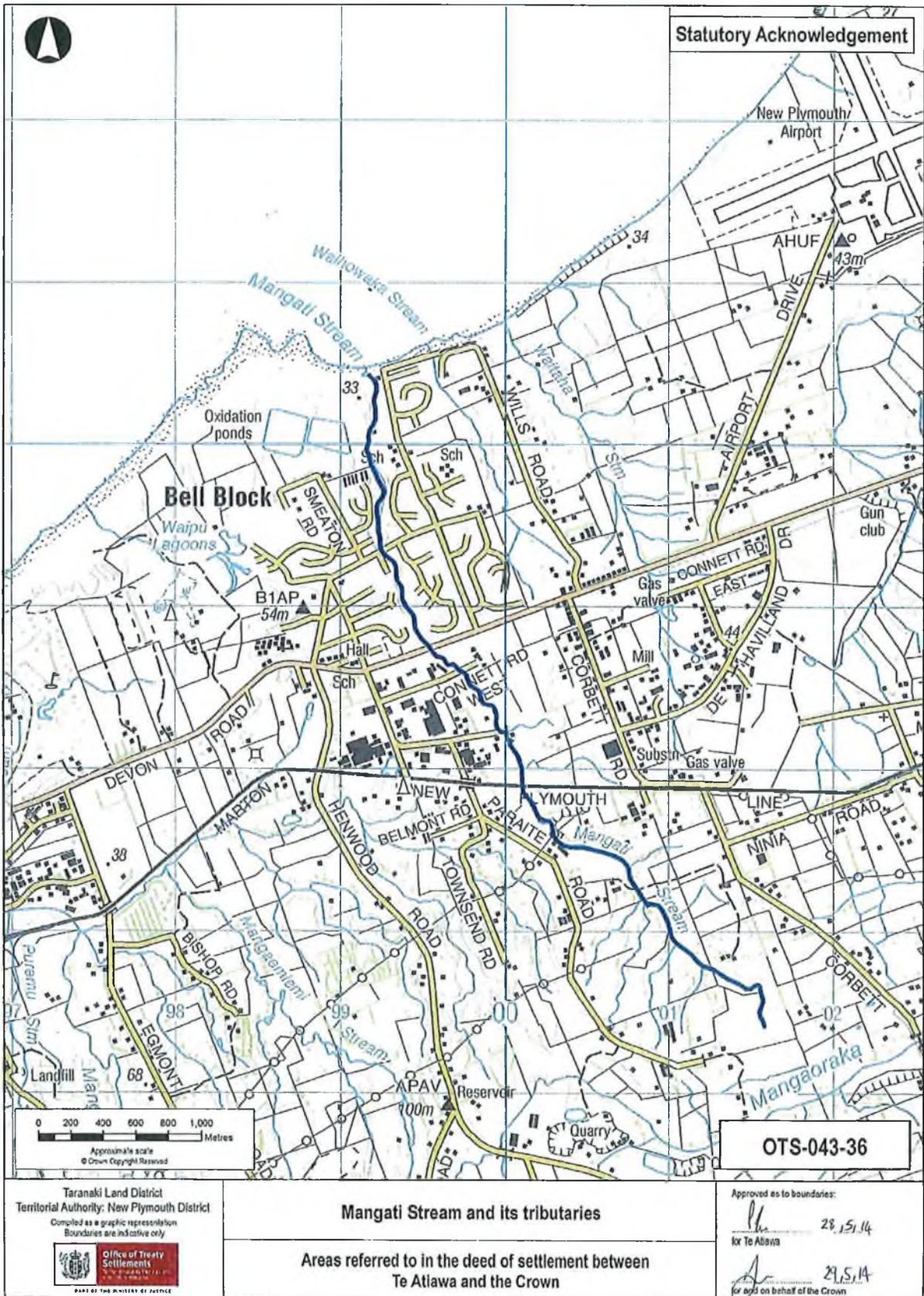
Approved as to boundaries:  
for Te Atiawa 28.5.14  
for and on behalf of the Crown 29.5.14

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M.K.G.

TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

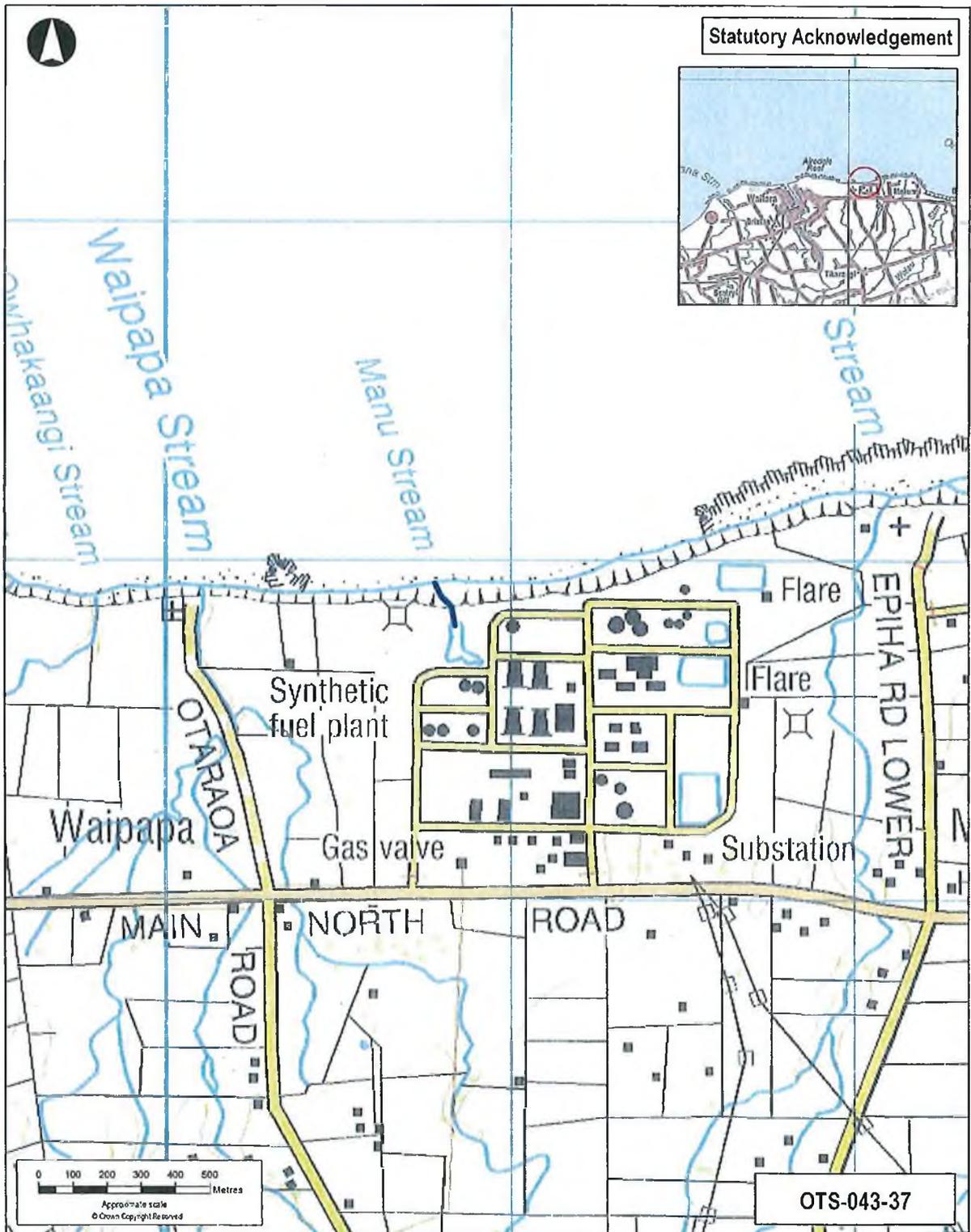
MANGATI STREAM AND ITS TRIBUTARIES (OTS-043-36)



TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

MANU STREAM AND ITS TRIBUTARIES (OTS-043-37)



Taranaki Land District  
Territorial Authority: New Plymouth District  
Compiled as a graphic representation  
Boundaries indicative only



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DEPT OF THE MINISTER OF JUSTICE

**Manu Stream and tributaries**

Areas referred to in the deed of settlement between  
Te Atiawa and the Crown

Approved as to boundaries:

*[Signature]* 28.15.14  
for Te Atiawa

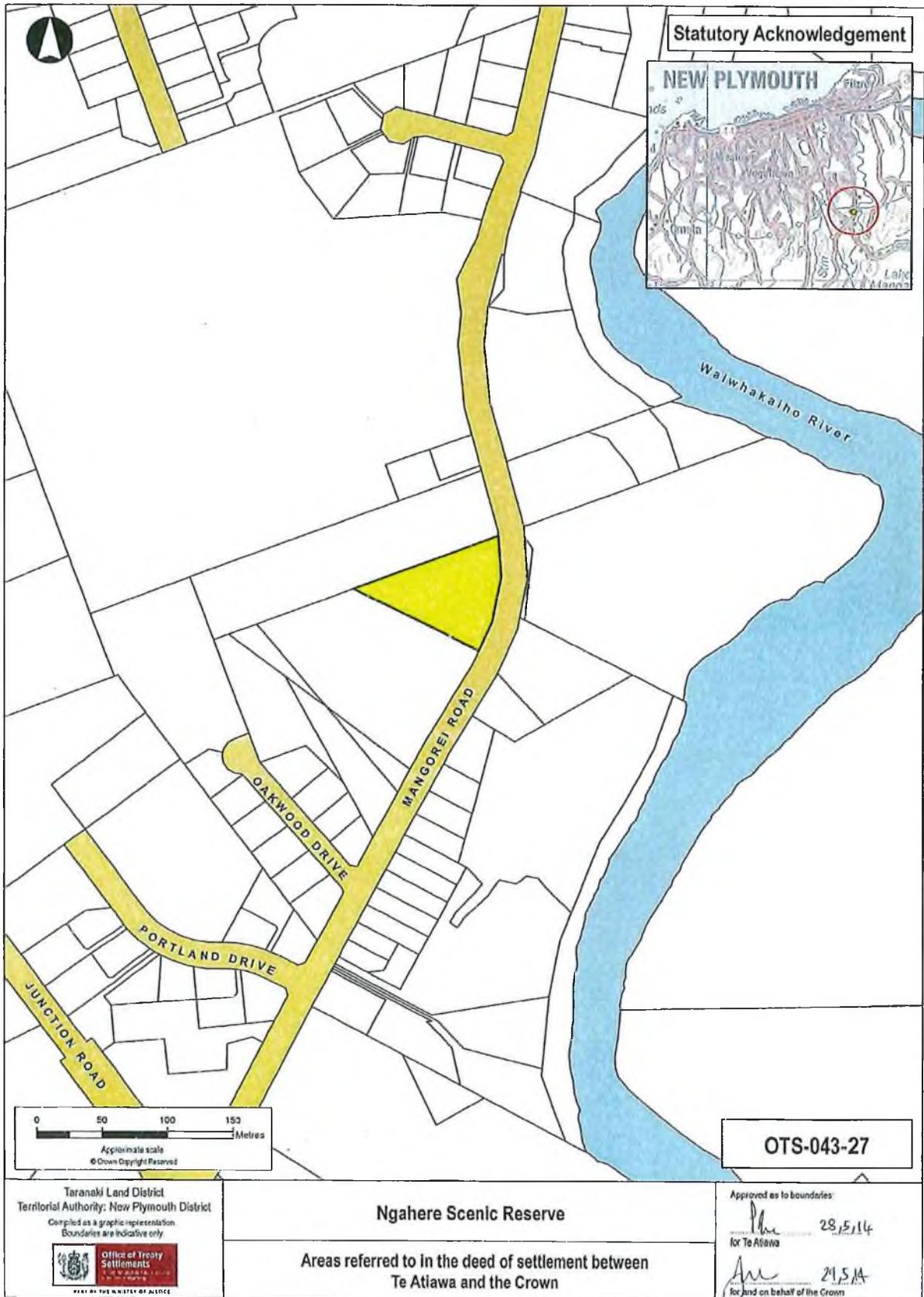
*[Signature]* 29.5.14  
for and on behalf of the Crown



TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

NGAHERE SCENIC RESERVE (OTS-043-27)

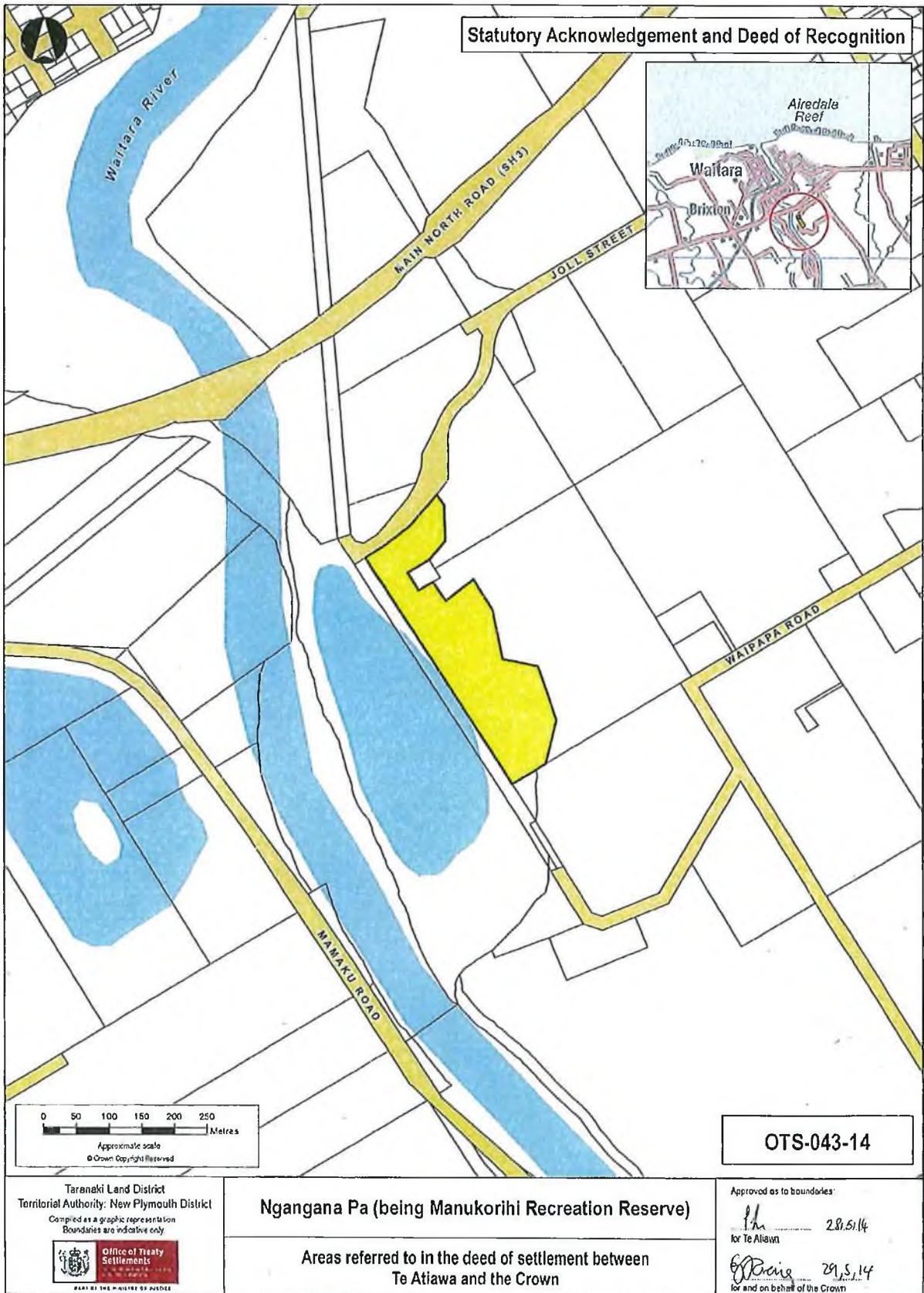


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TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

NGANGANA PA (BEING MANUKORIHI RECREATION RESERVE) (OTS-043-14)



Statutory Acknowledgement and Deed of Recognition

OTS-043-14

Tarekai Land District  
Territorial Authority: New Plymouth District  
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Boundaries are indicative only



Ngangana Pa (being Manukorihi Recreation Reserve)

Areas referred to in the deed of settlement between  
Te Atiawa and the Crown

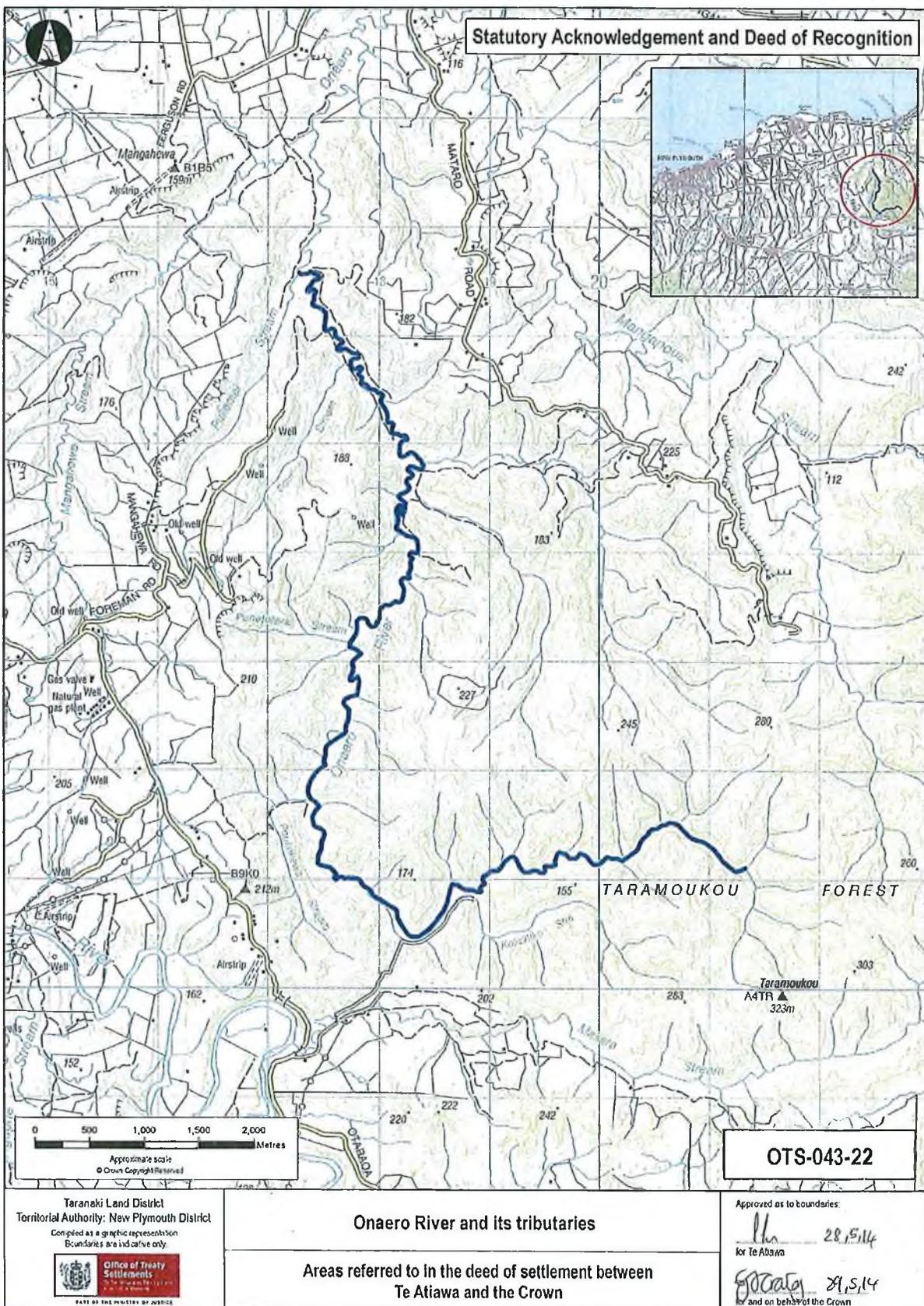
Approved as to boundaries:  
*[Signature]* 28.5.14  
 for Te Atiawa  
*[Signature]* 29.5.14  
 for and on behalf of the Crown

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TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

ONAERO RIVER AND ITS TRIBUTARIES (OTS-043-22)

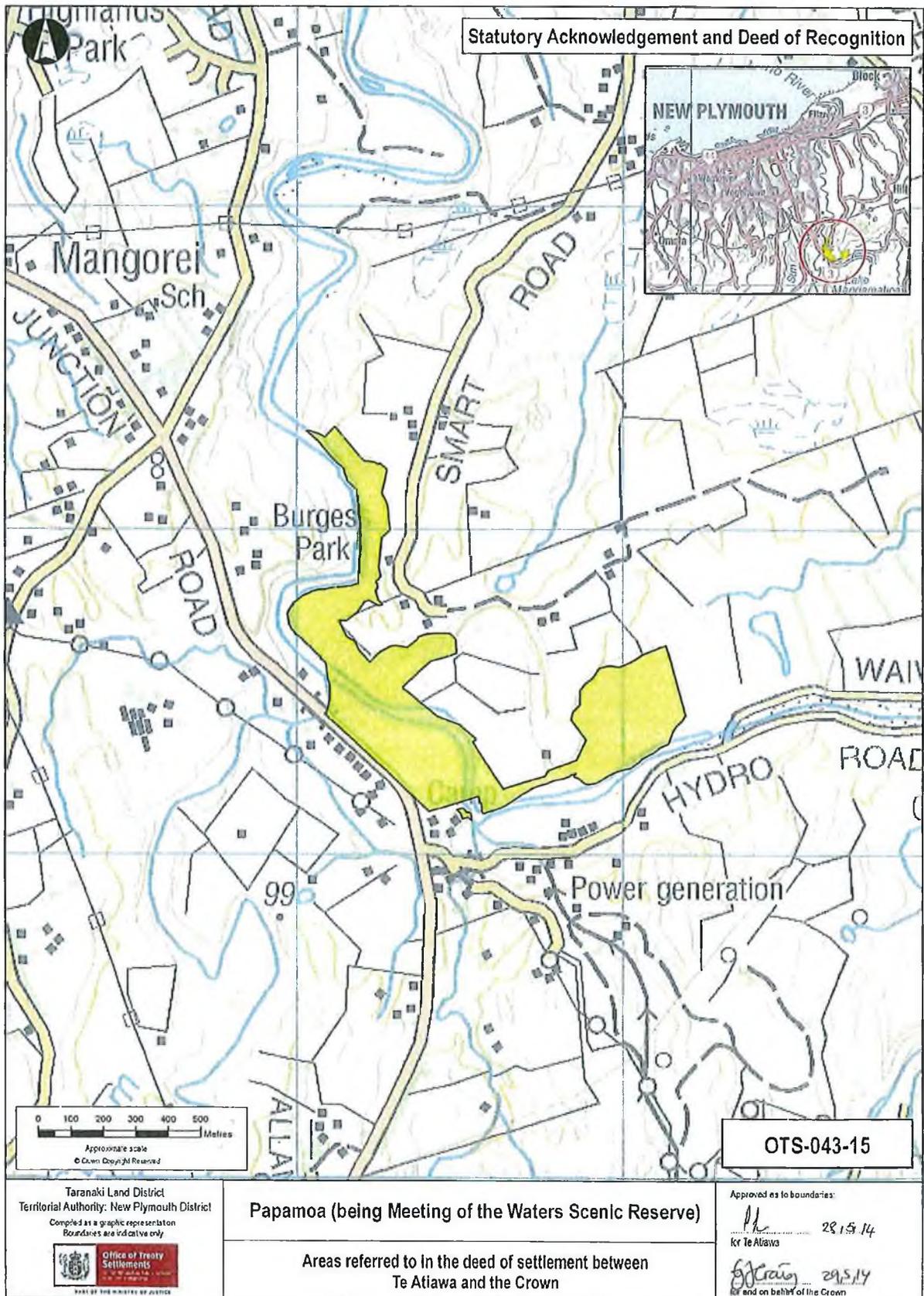


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TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

PAPAMOIA (BEING MEETING OF THE WATERS SCENIC RESERVE) (OTS-043-15)



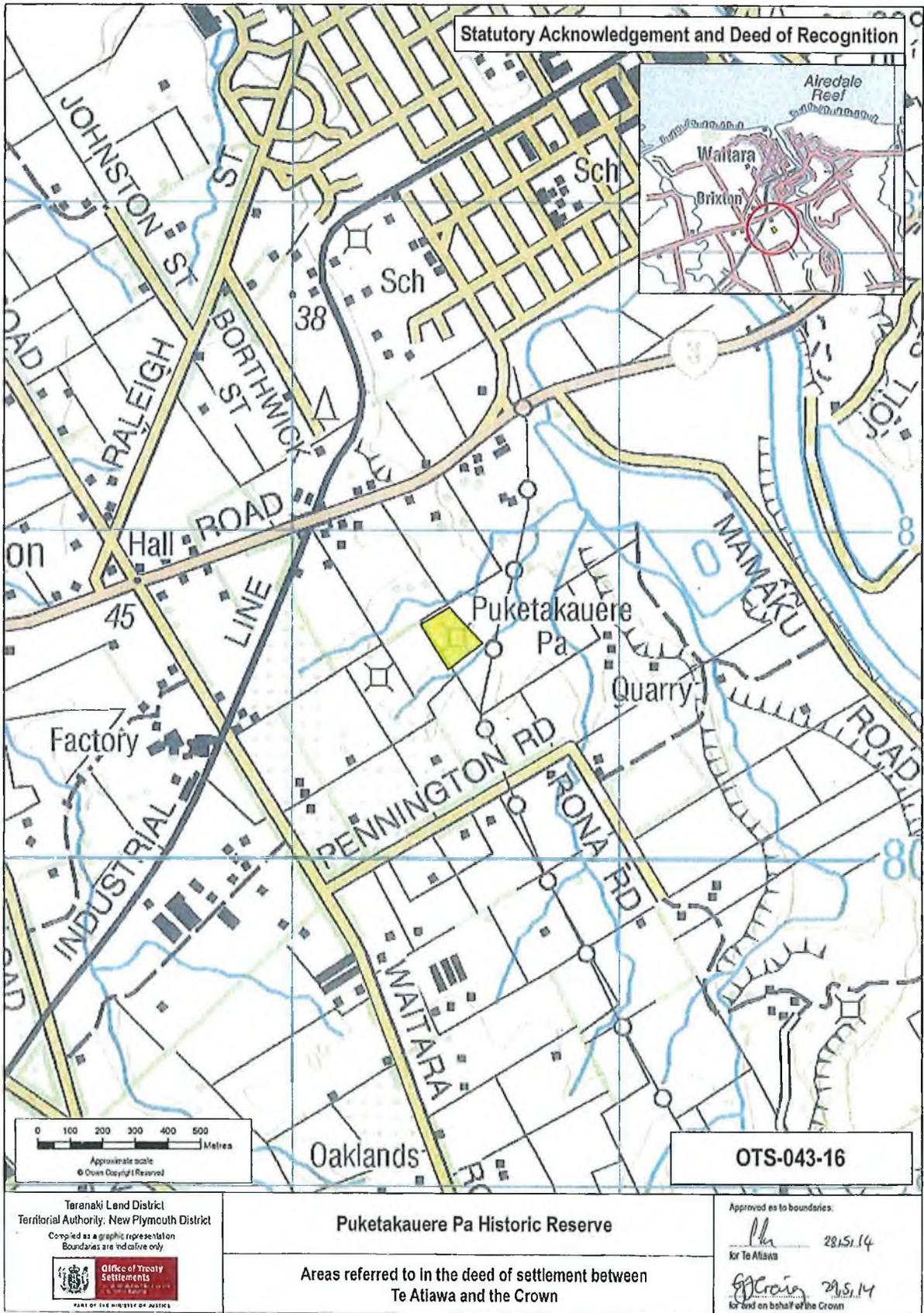
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TE ATIWA DEED OF SETTLEMENT:  
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2.2: STATUTORY AREAS

PUKETAKAUERE PA HISTORIC RESERVE (OTS-043-16)



Taranaki Land District  
Territorial Authority: New Plymouth District  
Compiled as a graphic representation  
Boundaries are indicative only

  
PART OF THE MINISTRY OF JUSTICE

**Puketakauere Pa Historic Reserve**

Areas referred to in the deed of settlement between  
Te Atiawa and the Crown

Approved as to boundaries:  
*[Signature]* 28.5.14  
for Te Atiawa

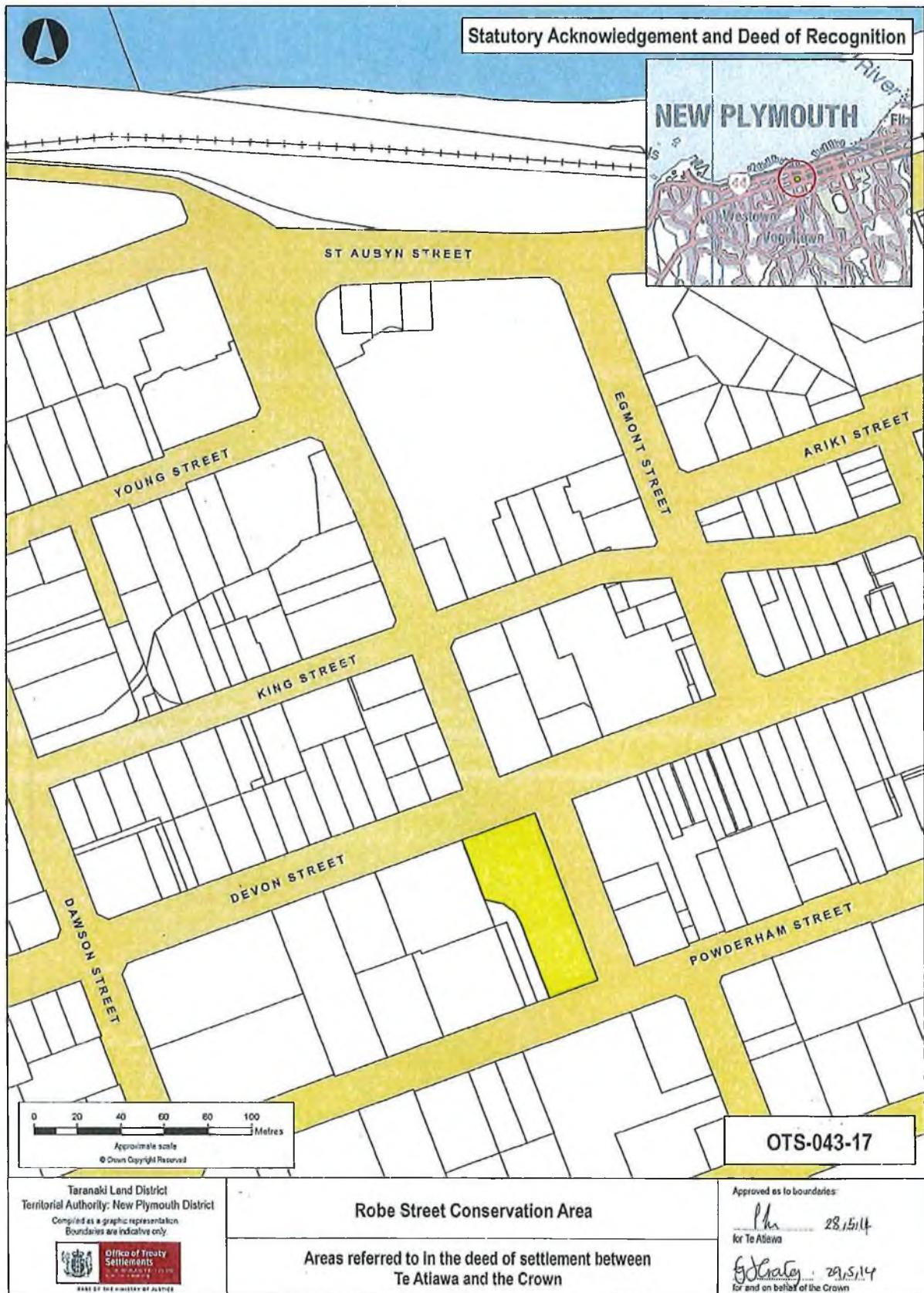
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for and on behalf of the Crown

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TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

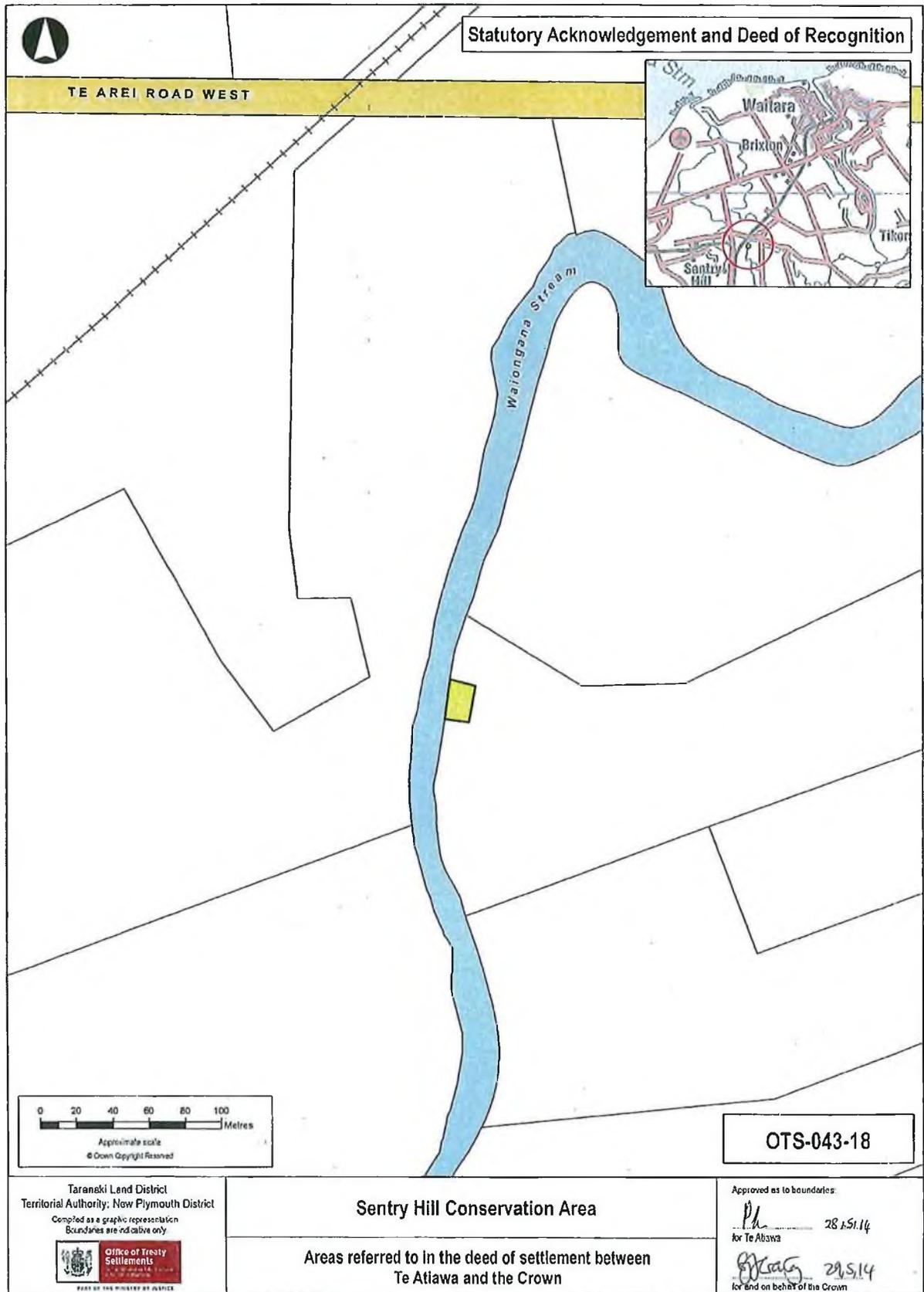
ROBE STREET CONSERVATION AREA (OTS-043-17)



TE ATIWA DEED OF SETTLEMENT:  
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2.2: STATUTORY AREAS

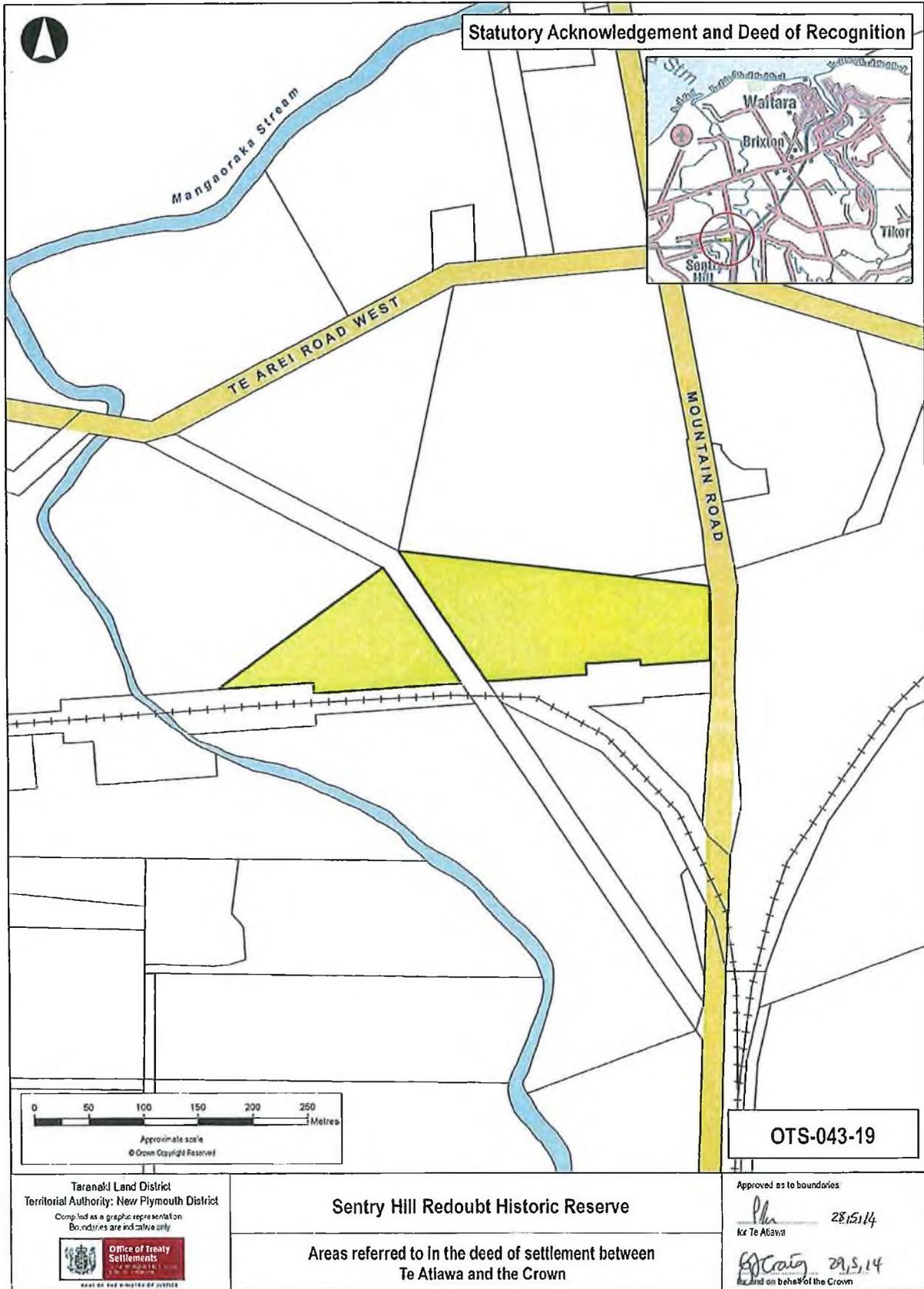
SENTRY HILL CONSERVATION AREA (OTS-043-18)



TE ATIWA DEED OF SETTLEMENT:  
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2.2: STATUTORY AREAS

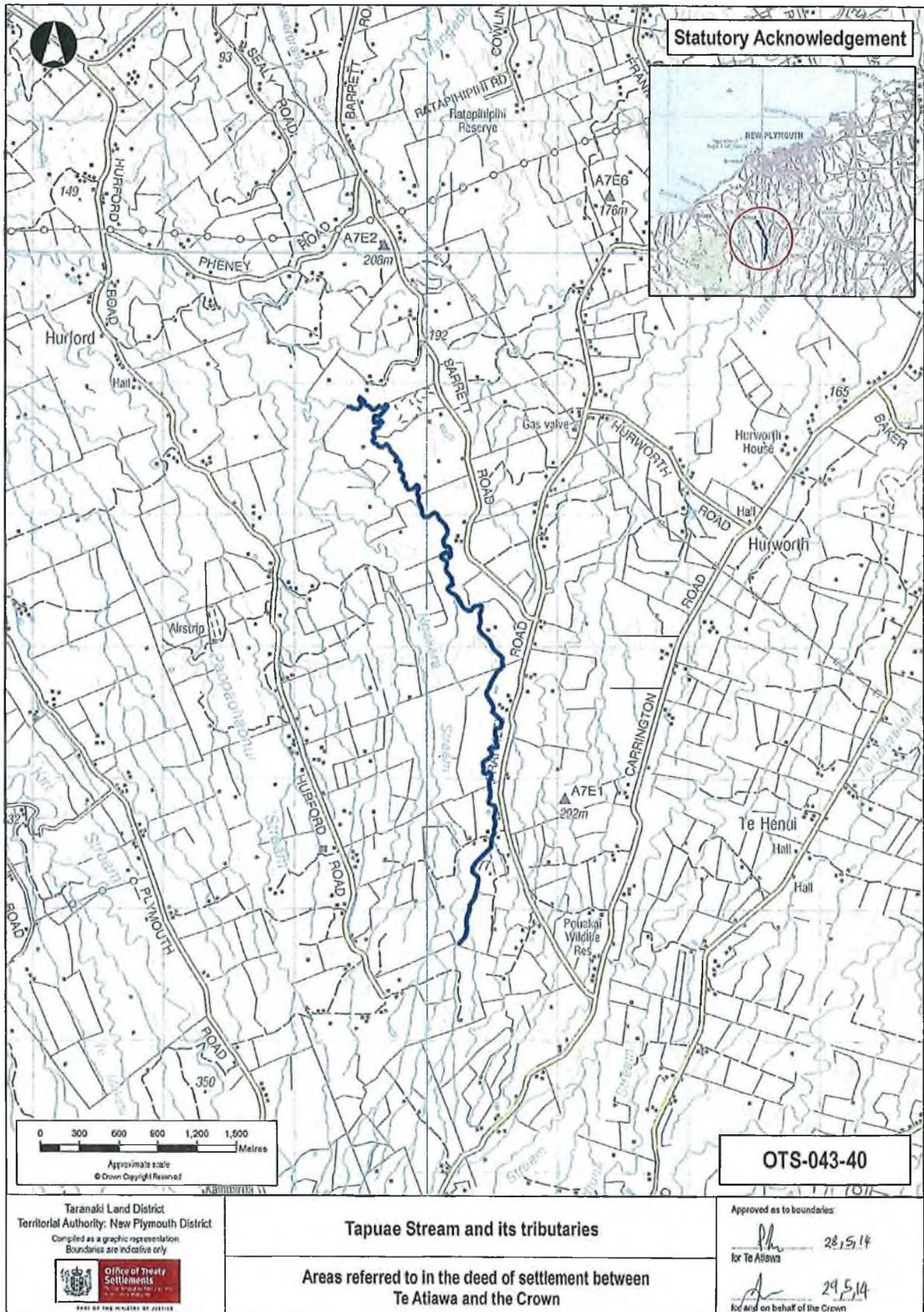
SENTRY HILL REDOUBT HISTORIC RESERVE (OTS-043-19)



TE ATIWA DEED OF SETTLEMENT:  
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2.2: STATUTORY AREAS

TAPUAE STREAM AND ITS TRIBUTARIES (OTS-043-40)



Taranaki Land District  
Territorial Authority: New Plymouth District  
Compiled as a graphic representation.  
Boundaries are indicative only.

**Tapuae Stream and its tributaries**

Areas referred to in the deed of settlement between  
Te Atiawa and the Crown

Approved as to boundaries:

*[Signature]* 28.5.14  
for Te Atiawa

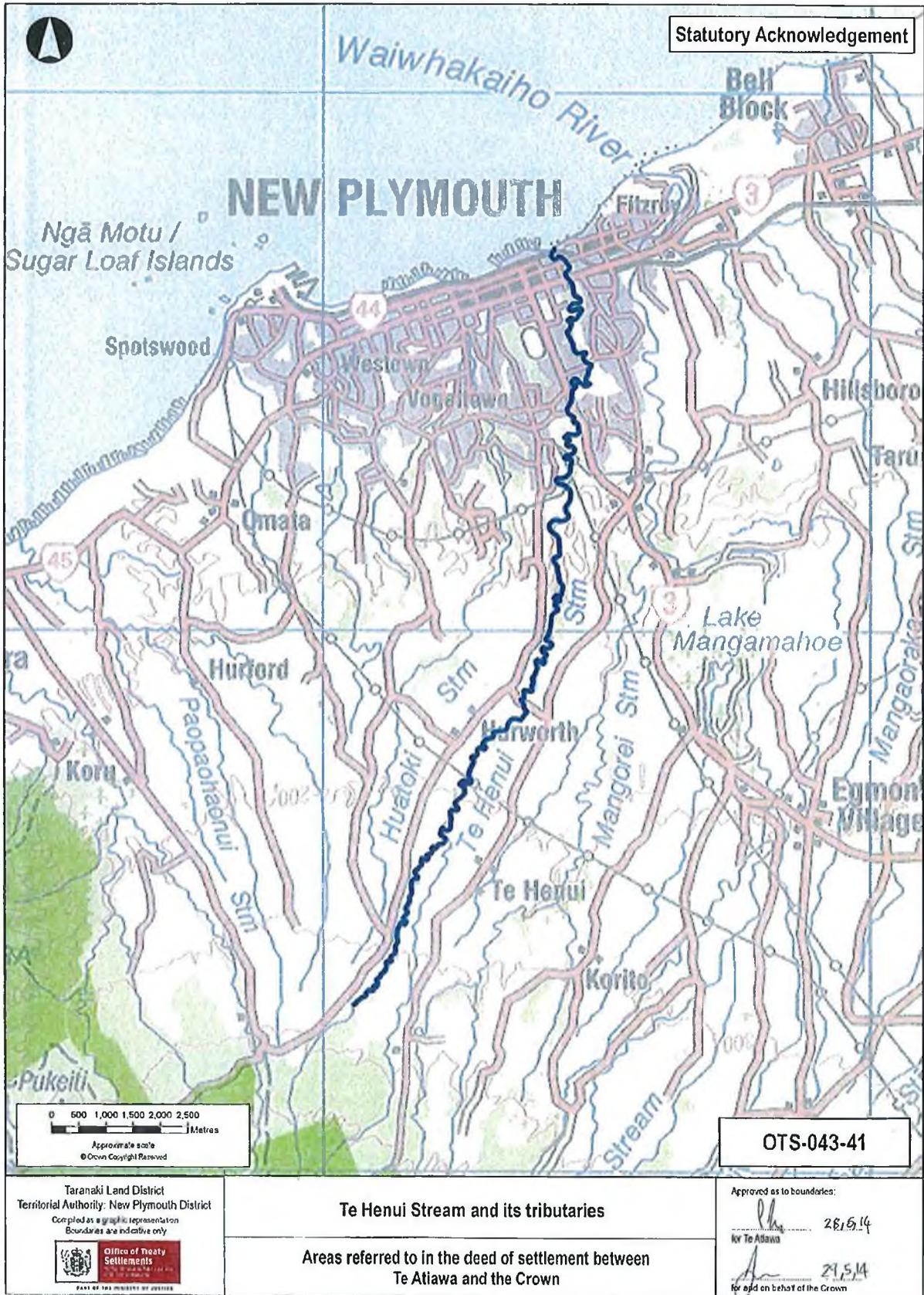
*[Signature]* 29.5.14  
for and on behalf of the Crown

*[Handwritten signature]*

TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

TE HENUI STREAM AND ITS TRIBUTARIES (OTS-043-41)

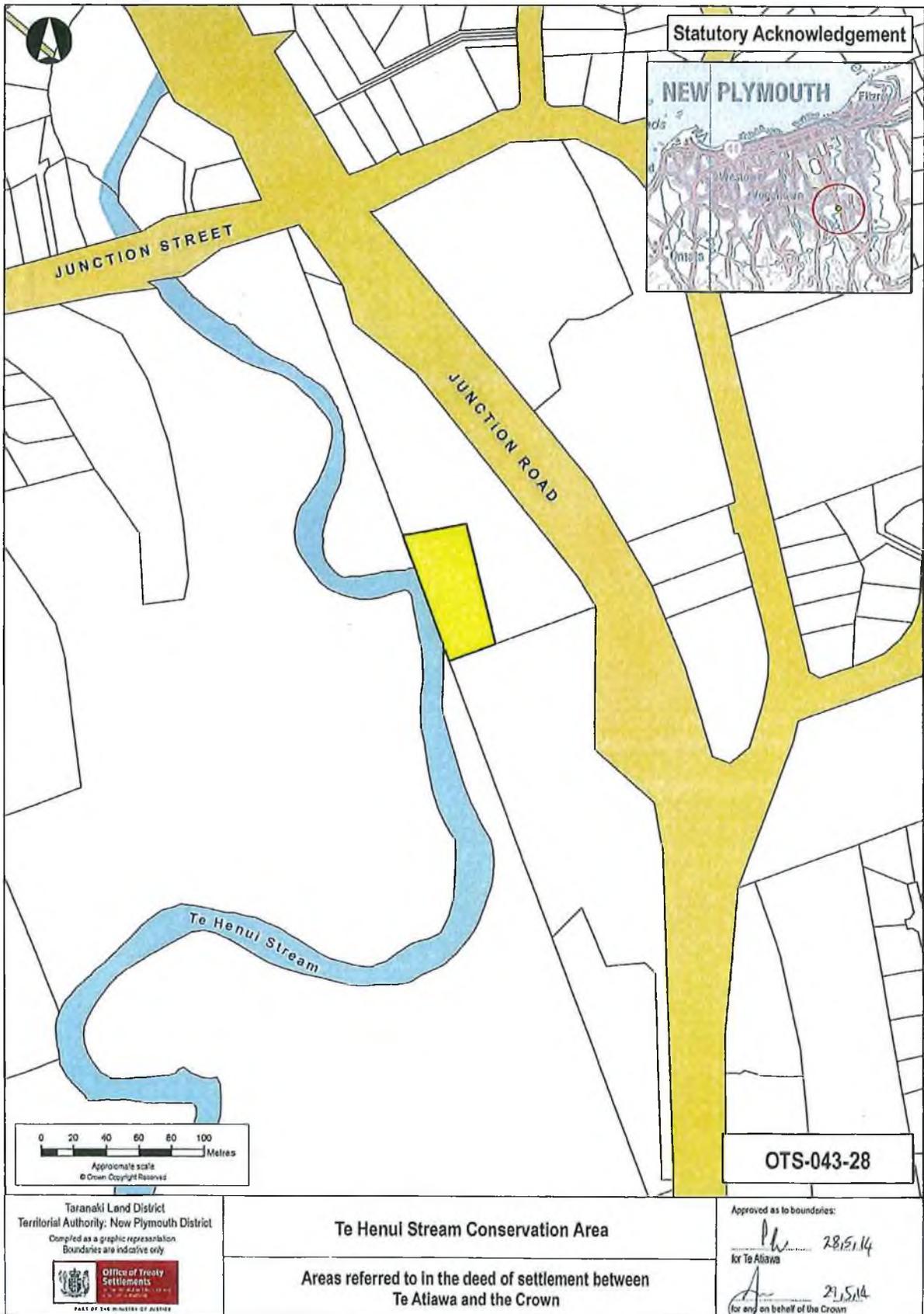


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TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

TE HENUI STREAM CONSERVATION AREA (OTS-043-28)

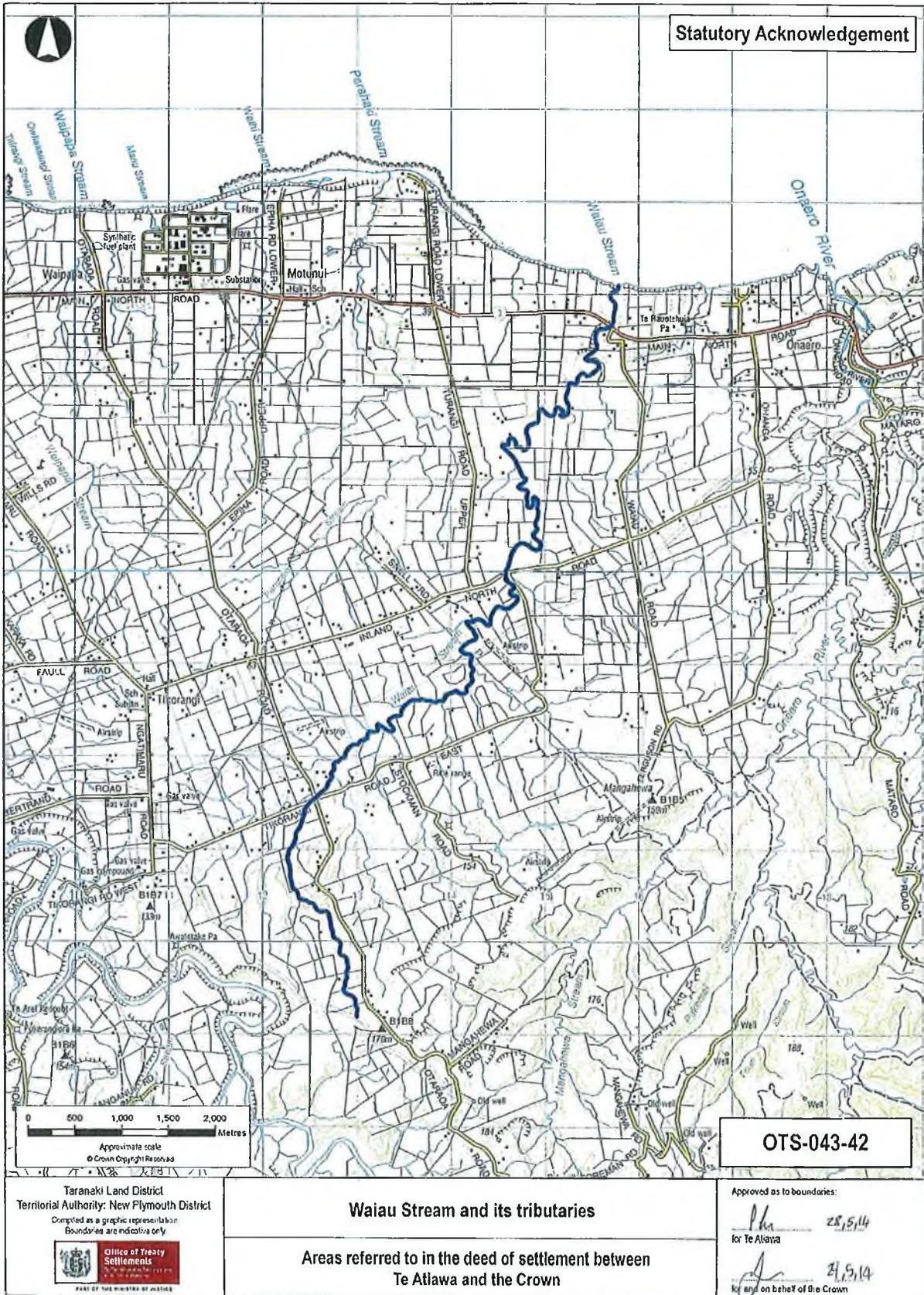


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TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

WAIUAU STREAM AND ITS TRIBUTARIES (OTS-043-42)



Taranaki Land District  
Territorial Authority: New Plymouth District  
Compiled as a graphic representation  
Boundaries are indicative only



Waiua Stream and its tributaries

Areas referred to in the deed of settlement between  
Te Atiawa and the Crown

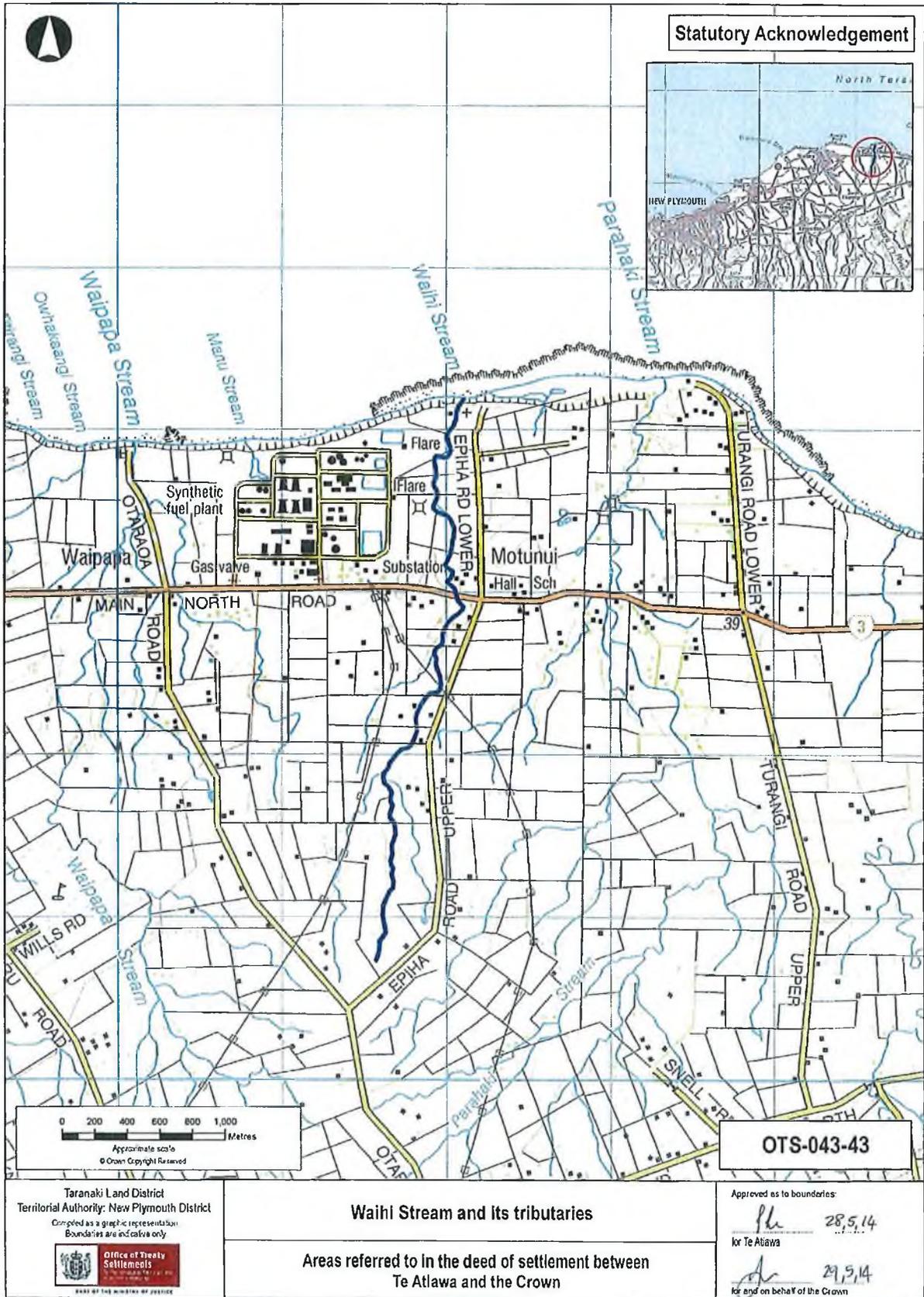
Approved as to boundaries:  
*[Signature]* 25, 5, 14  
for Te Atiawa  
*[Signature]* 24, 5, 14  
for and on behalf of the Crown

*[Handwritten signature]*

TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

WAIHI STREAM AND ITS TRIBUTARIES (OTS-043-43)



Taranaki Land District  
Territorial Authority: New Plymouth District  
Compiled as a graphic representation  
Boundaries are indicative only



Waihi Stream and its tributaries

Areas referred to in the deed of settlement between  
Te Atiawa and the Crown

Approved as to boundaries:  
*[Signature]* 28.5.14  
for Te Atiawa  
*[Signature]* 29.5.14  
for and on behalf of the Crown

TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

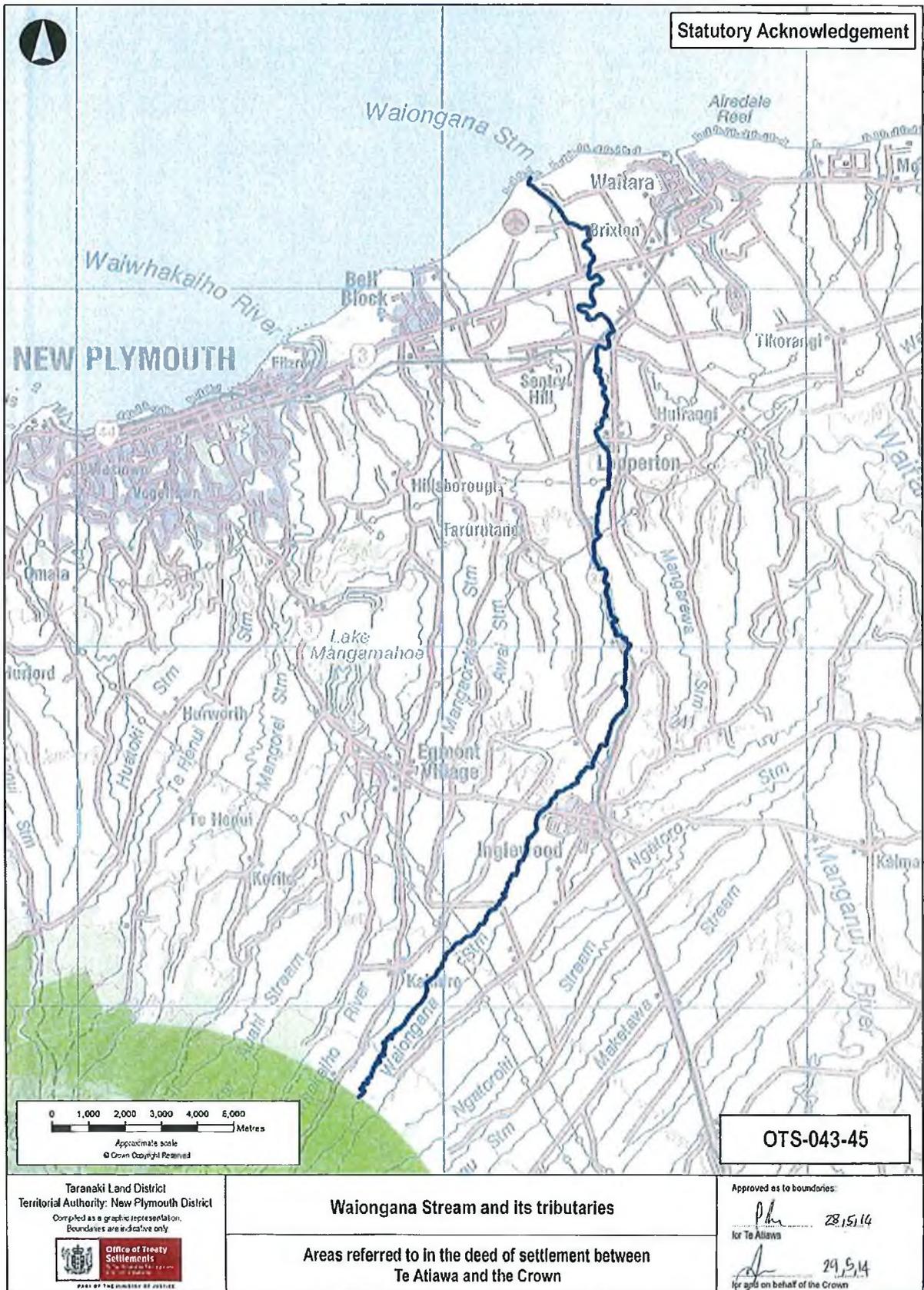
WAIHOWAKA STREAM AND ITS TRIBUTARIES (OTS-043-44)



TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

WAIONGANA STREAM AND ITS TRIBUTARIES (OTS-043-45)



TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

WAIONGANA STREAM CONSERVATION AREA (OTS-043-29)



Taranaki Land District  
Territorial Authority: New Plymouth District  
Copied as a graphic representation  
Boundaries are indicative only



OFFICE OF TREATY SETTLEMENTS  
PART OF THE HISTORY OF AUSTRIA

**Waiongana Stream Conservation Area**

Areas referred to in the deed of settlement between  
Te Atiawa and the Crown

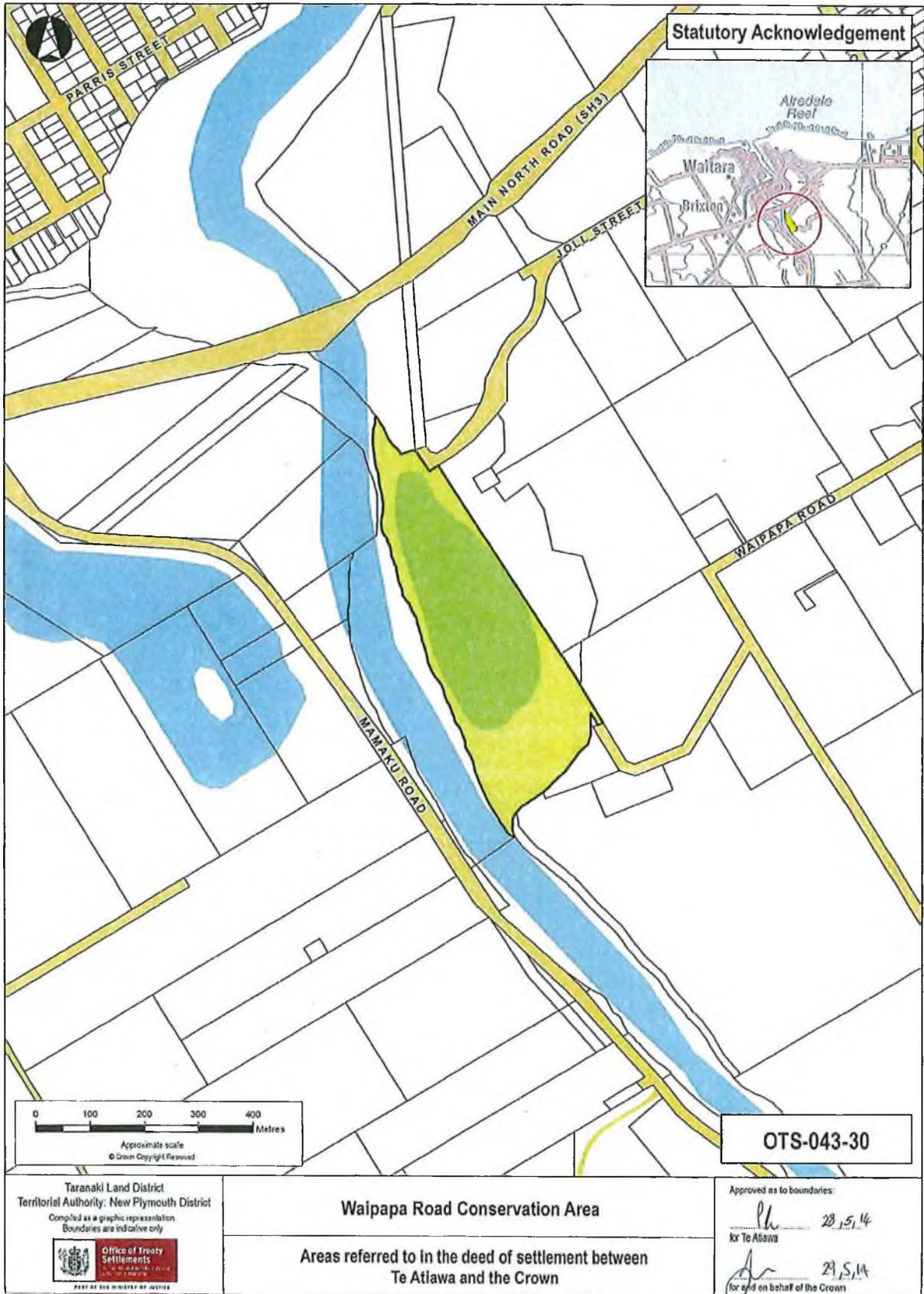
Approved as to boundaries:  
for Te Atiawa 28.5.14  
for and on behalf of the Crown 29.5.14

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TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

WAIKAPA ROAD CONSERVATION AREA (OTS-043-30)

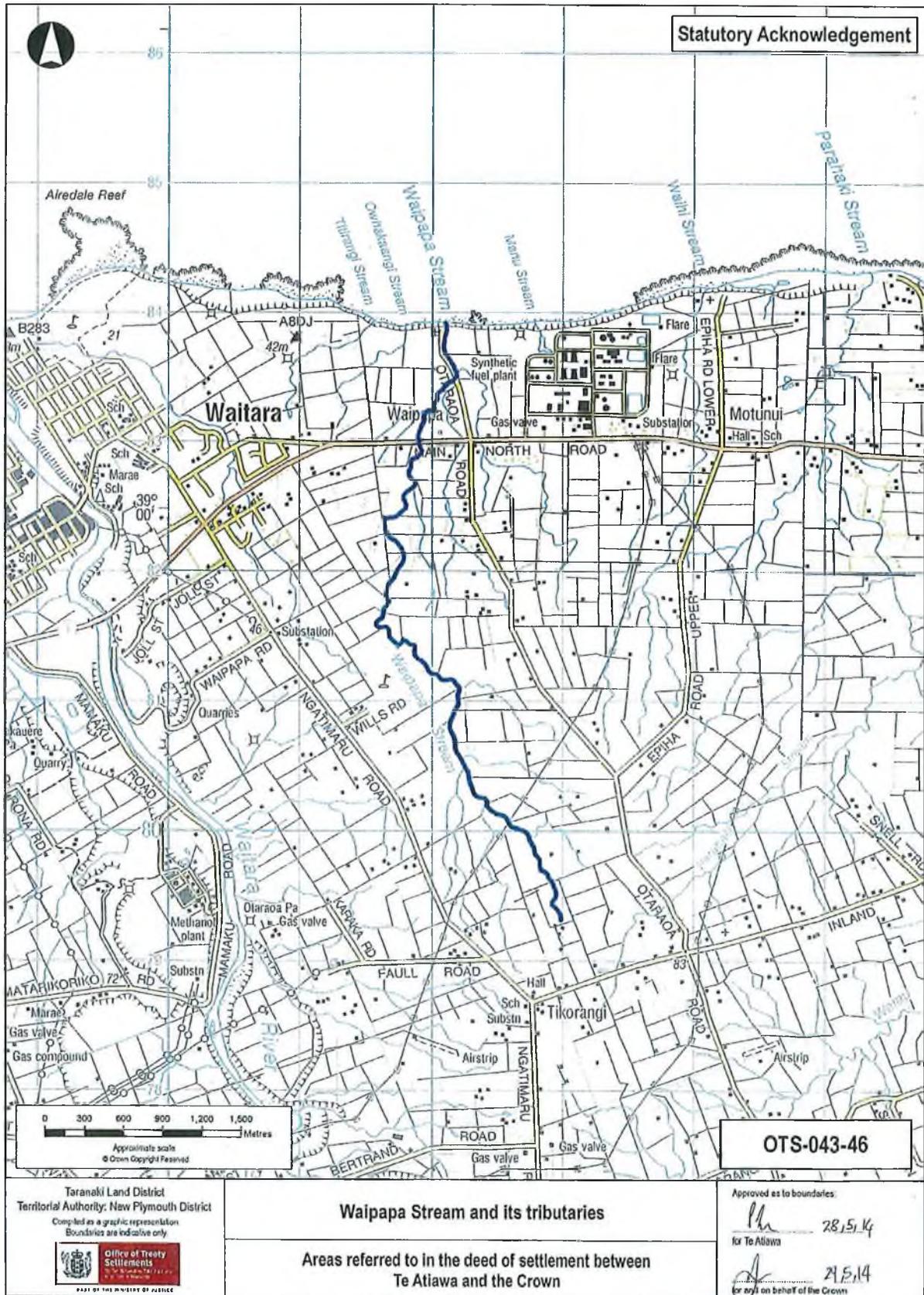


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TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

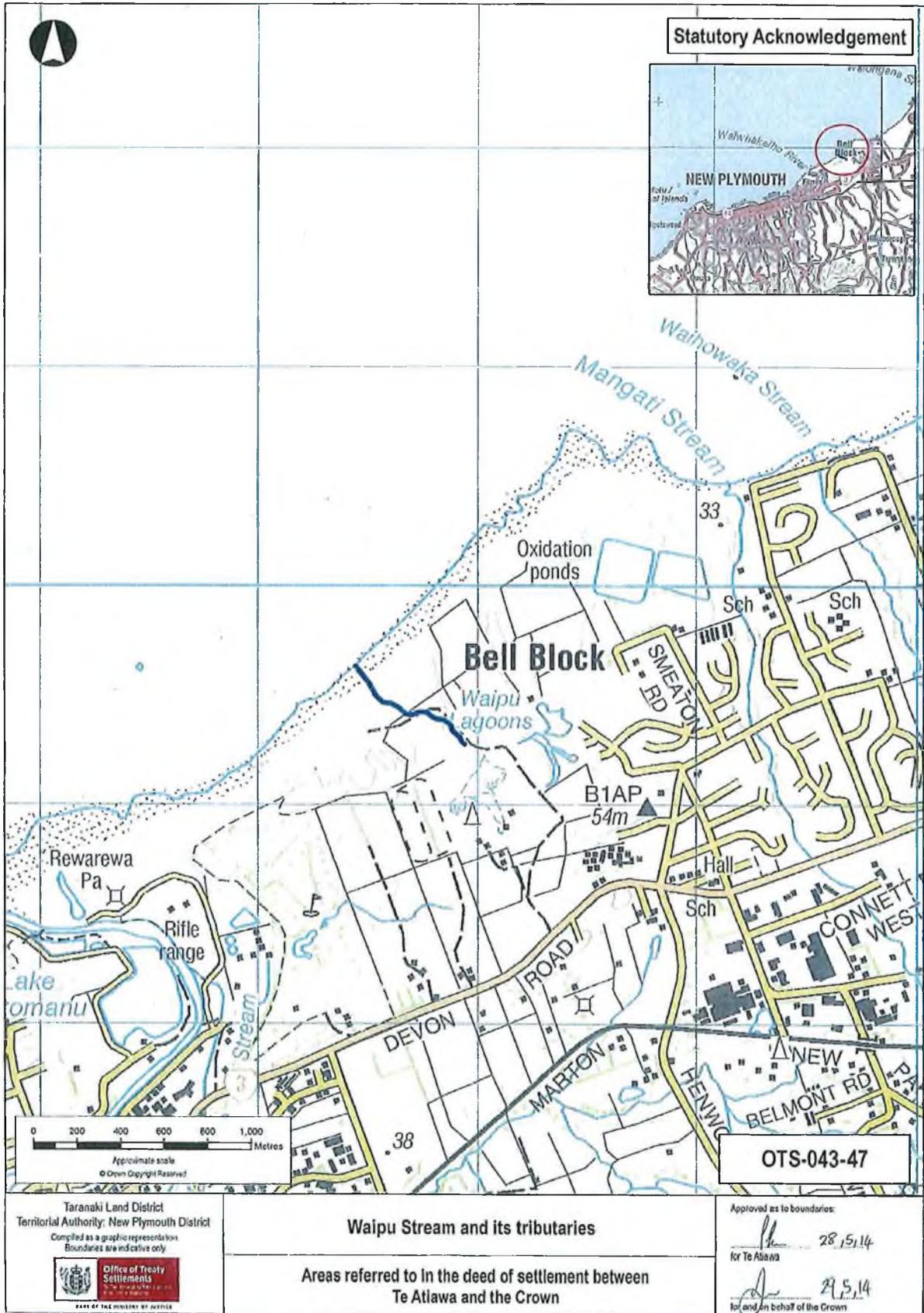
WAIKAPA STREAM AND ITS TRIBUTARIES (OTS-043-46)



TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

WAIPU STREAM AND ITS TRIBUTARIES (OTS-043-47)



Taranaki Land District  
Territorial Authority: New Plymouth District  
Compiled as a graphic representation  
Boundaries are indicative only

Office of Treaty Settlements  
PART OF THE MINISTRY OF JUSTICE

**Waipu Stream and its tributaries**

Areas referred to in the deed of settlement between  
Te Atiawa and the Crown

Approved as to boundaries:

*[Signature]* 28.5.14  
for Te Atiawa

*[Signature]* 29.5.14  
for and on behalf of the Crown

*[Handwritten signature]*

TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

WAITAHA STREAM AND ITS TRIBUTARIES (OTS-043-48)



Taranaki Land District  
Territorial Authority: New Plymouth District  
Compiled as a graphic representation  
Boundaries are indicative only

  
OFFICE OF TREATY SETTLEMENTS  
DEPT OF THE MINISTRY OF JUSTICE

**Waitaha Stream and its tributaries**

Areas referred to in the deed of settlement between  
Te Atiwa and the Crown

OTS-043-48

Approved as to boundaries:

*Ph* 28.5.14  
for Te Atiwa

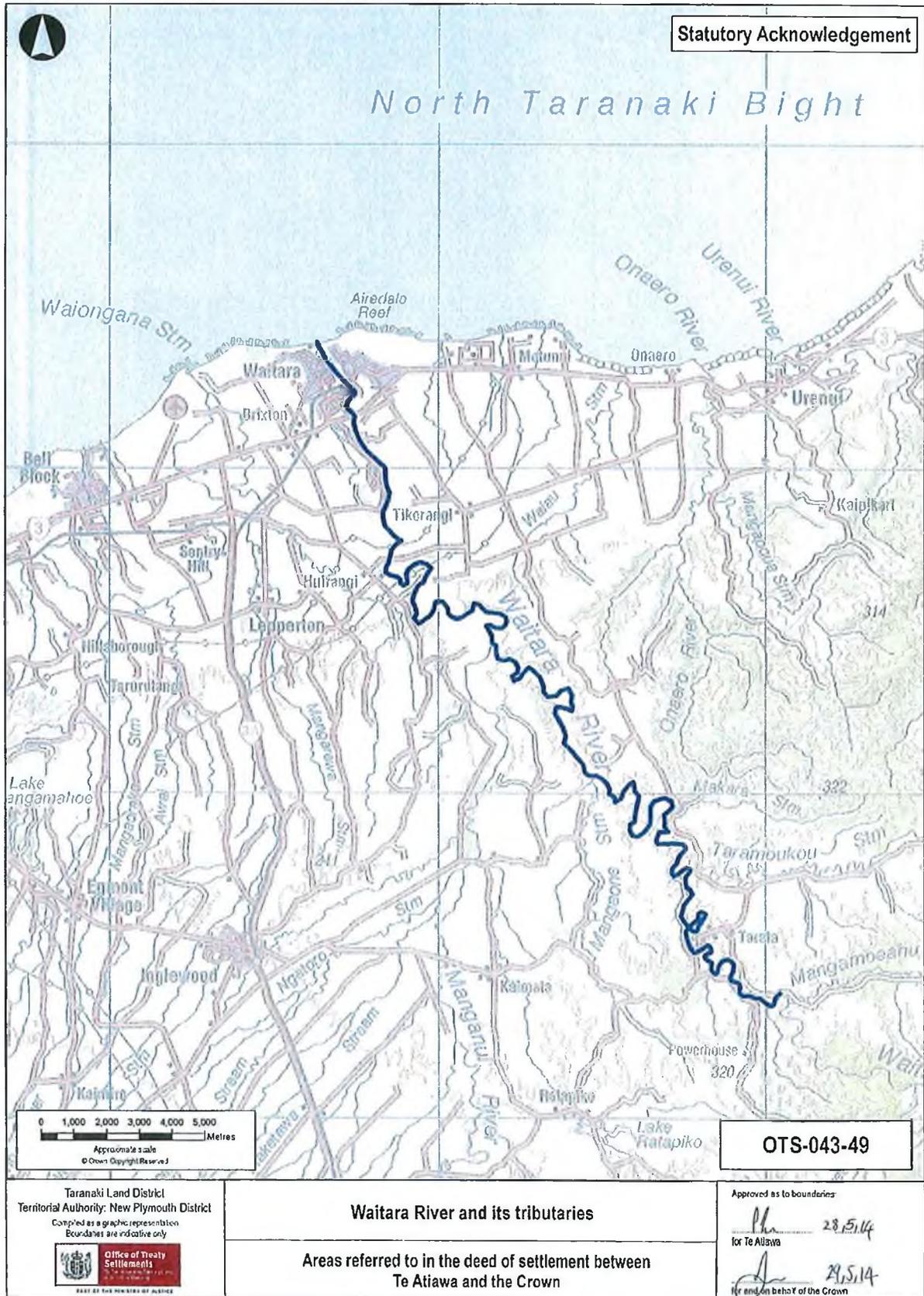
*A* 29.5.14  
for and on behalf of the Crown

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TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

WAITARA RIVER AND ITS TRIBUTARIES (OTS-043-49)



Taranaki Land District  
Territorial Authority: New Plymouth District  
Compiled as a graphic representation  
Boundaries are indicative only

  
OFFICE OF TREATY SETTLEMENTS  
PART OF THE MINISTRY OF JUSTICE

**Waitara River and its tributaries**

Areas referred to in the deed of settlement between  
Te Atiawa and the Crown

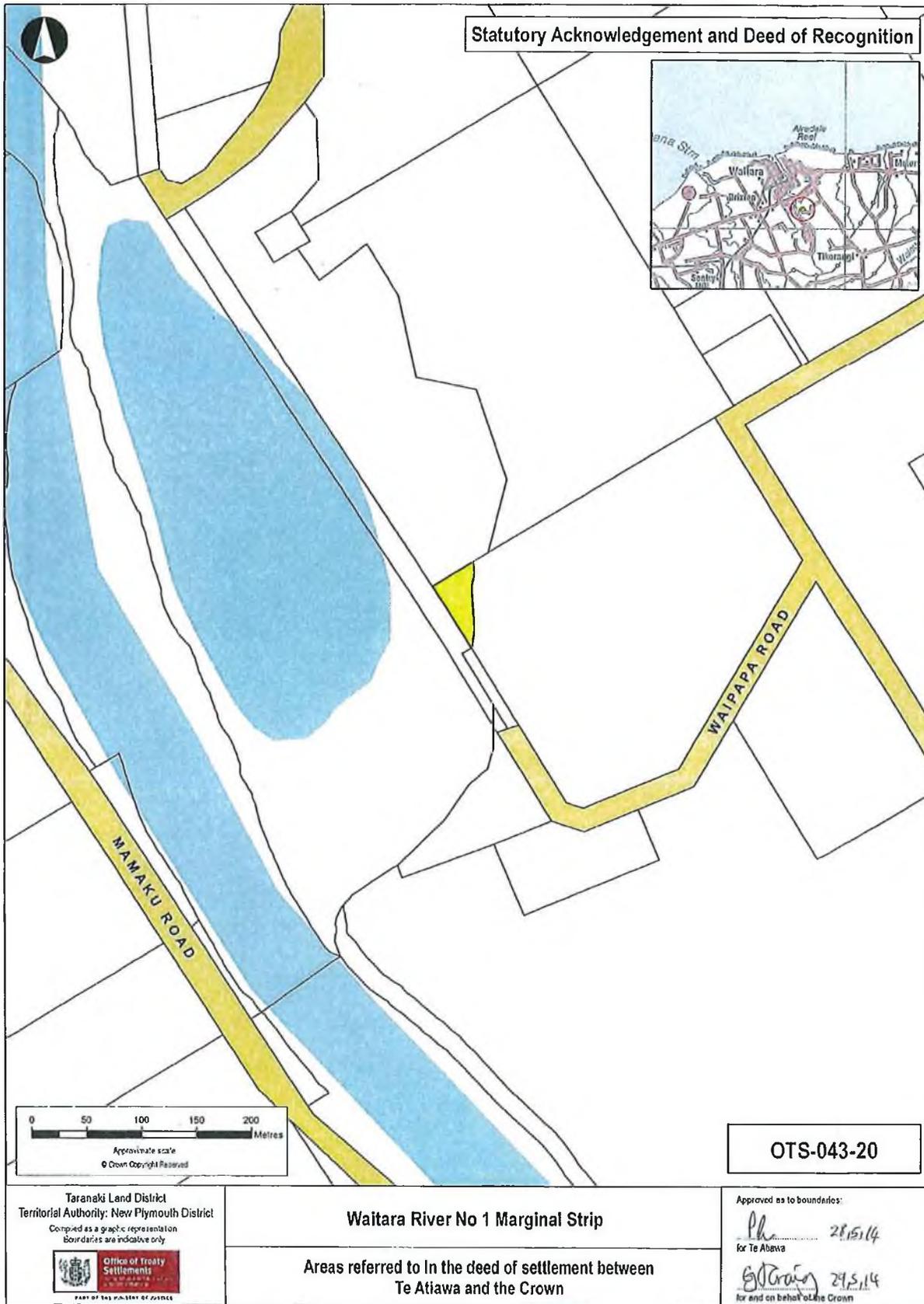
Approved as to boundaries:  
Plh 28.5.14  
for Te Atiawa  
A 29.5.14  
for and on behalf of the Crown

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TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

WAITARA RIVER NO 1 MARGINAL STRIP (OTS-043-20)

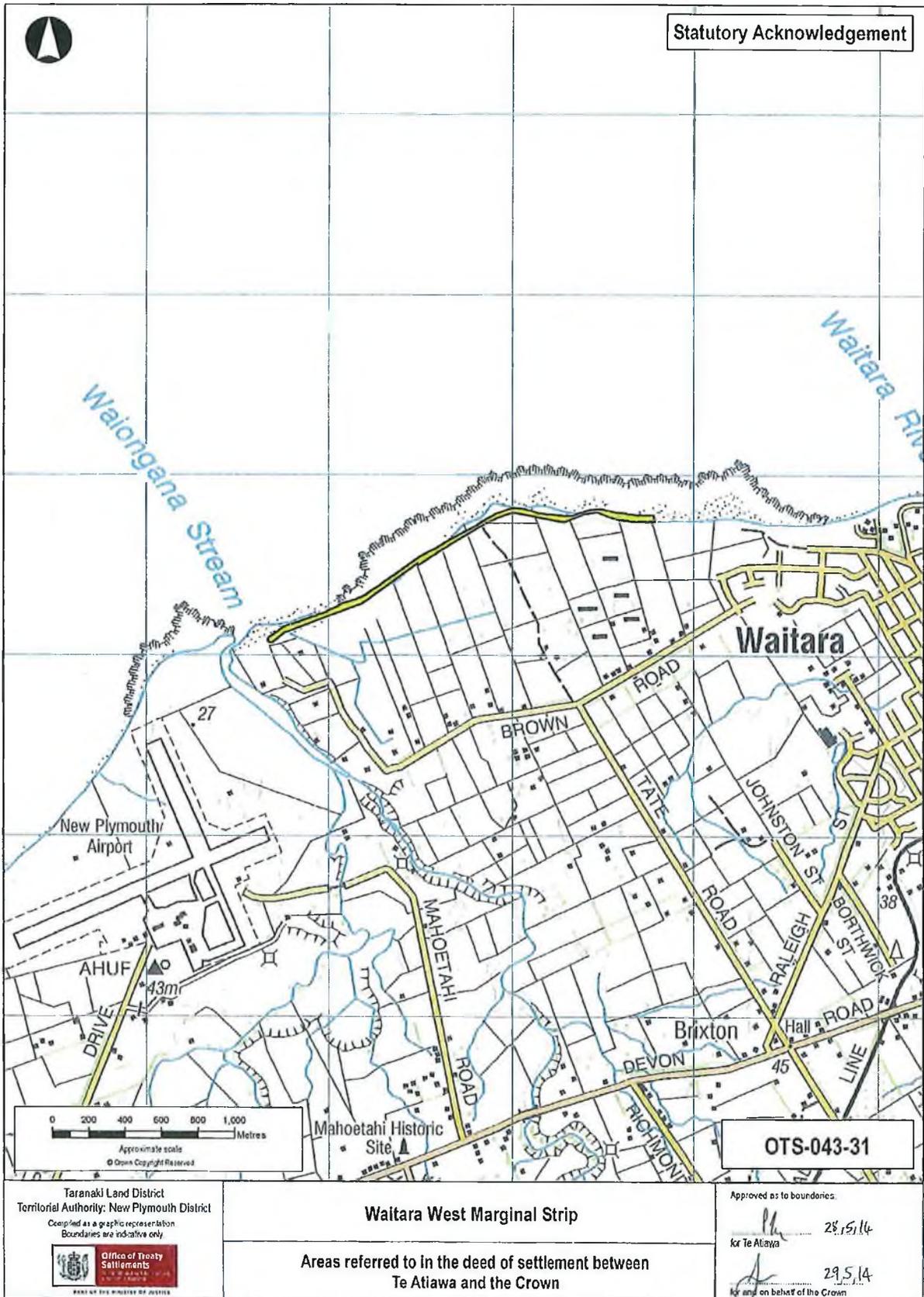


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*Ed Crown*

TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

WAITARA WEST MARGINAL STRIP (OTS-043-31)



Taranaki Land District  
Territorial Authority: New Plymouth District  
Compiled as a graphic representation  
Boundaries are indicative only

  
OFFICE OF TREATY SETTLEMENTS  
MINISTRY OF JUSTICE

**Waitara West Marginal Strip**

Areas referred to in the deed of settlement between  
Te Atiawa and the Crown

Approved as to boundaries:

*[Signature]* 28.5.14  
for Te Atiawa

*[Signature]* 29.5.14  
for and on behalf of the Crown

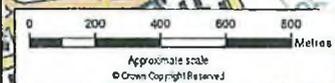
TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

WAIWHAKAIHO RIVER MOUTH (CROWN LAND CONSERVATION AREA) (OTS-043-21)



Statutory Acknowledgement and Deed of Recognition



OTS-043-21

Taranaki Land District  
Territorial Authority: New Plymouth District  
Compiled as a graphic representation  
Boundaries are indicative only.



Waiwhakaiho River Mouth (Crown Land Conservation Area)

Areas referred to in the deed of settlement between  
Te Atiawa and the Crown

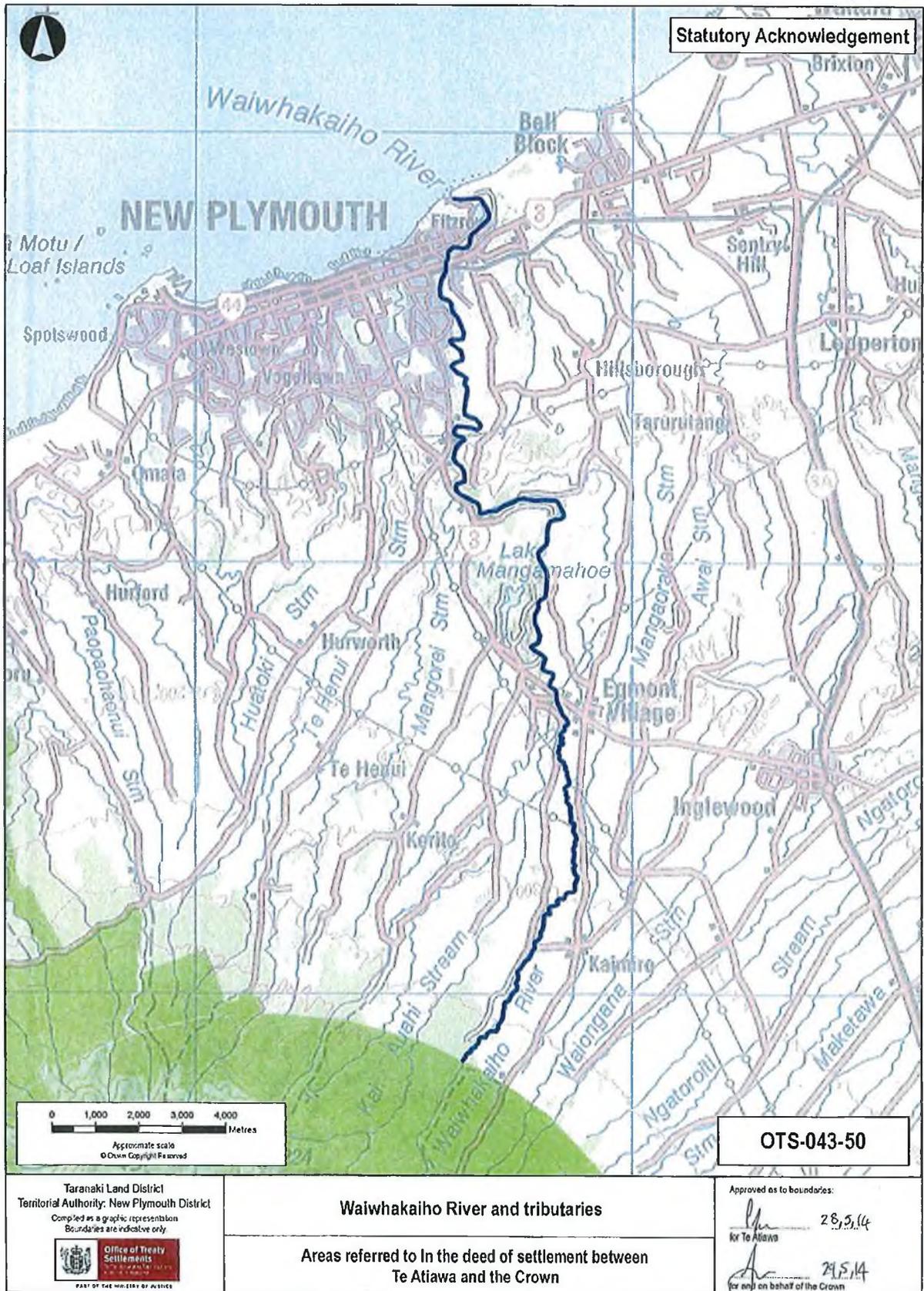
Approved as to boundaries:  
for Te Atiawa

for and on behalf of the Crown

TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

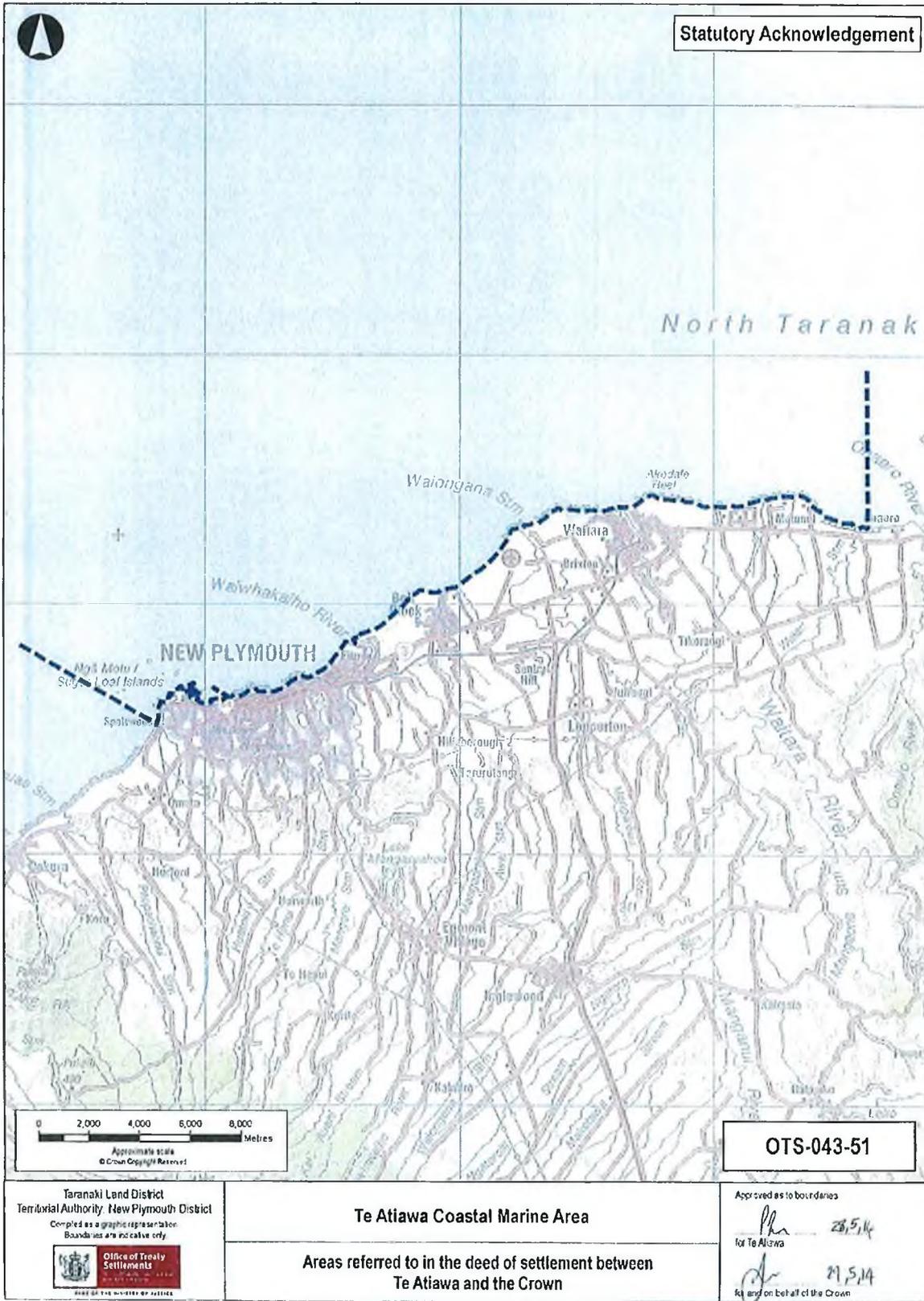
WAIWHAKAIHO RIVER AND ITS TRIBUTARIES (OTS-043-50)



TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS

TE ATIWA COASTAL MARINE AREA (OTS-043-51)



Taranaki Land District  
Territorial Authority: New Plymouth District  
Compiled as a graphic representation.  
Boundaries are not cative only.



OFFICE OF TREATY SETTLEMENTS  
BASED ON THE UNIVERSITY OF JEFFERSON

**Te Atiawa Coastal Marine Area**

Areas referred to in the deed of settlement between  
Te Atiawa and the Crown

Approved as to boundaries  
for Te Atiawa  
for and on behalf of the Crown

*[Signature]* 28.5.14  
*[Signature]* 29.5.14

*[Handwritten signature]*

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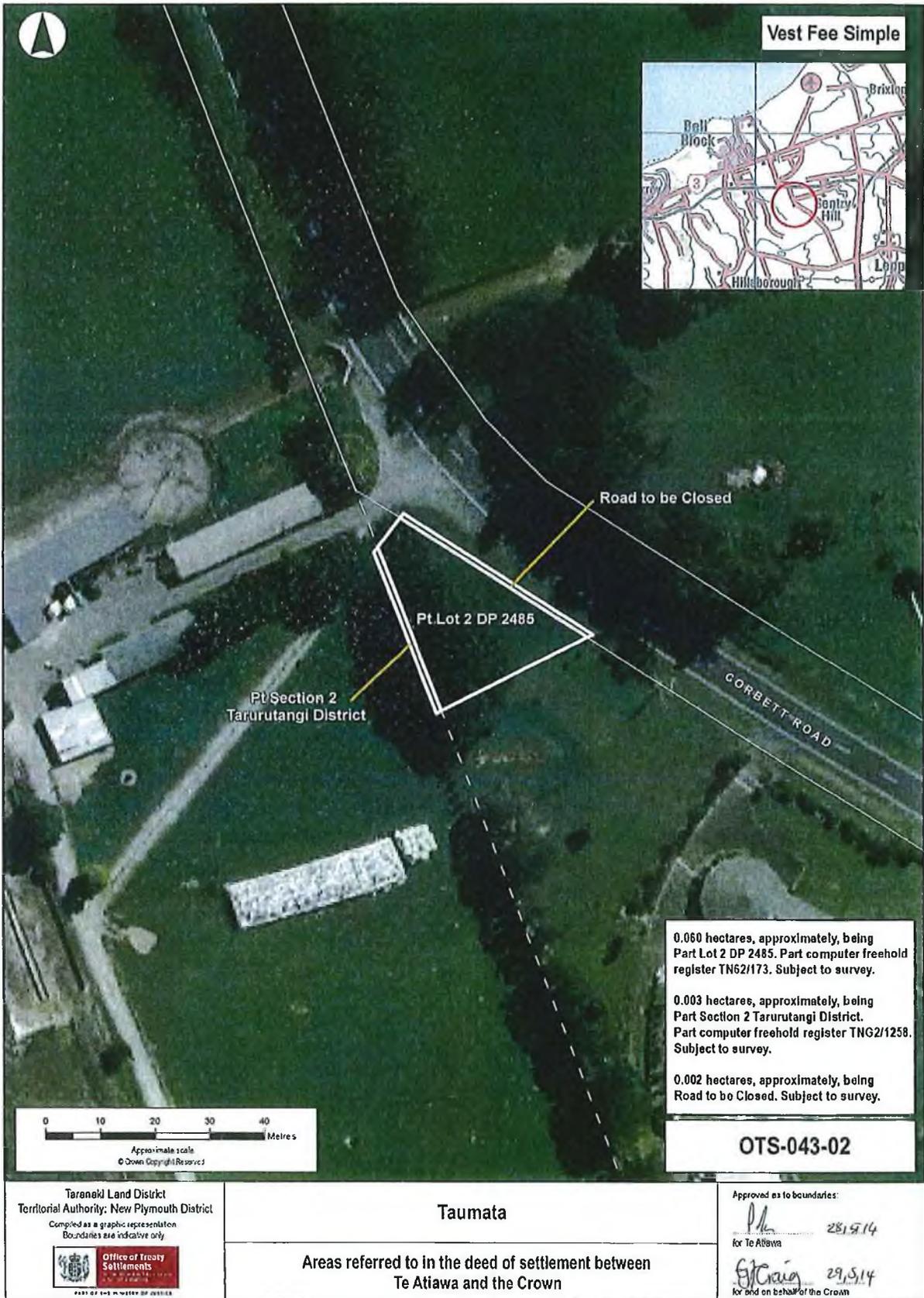
2.3 CULTURAL REDRESS PROPERTIES

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TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.3: CULTURAL REDRESS PROPERTIES

TAUMATA (OTS043-02)

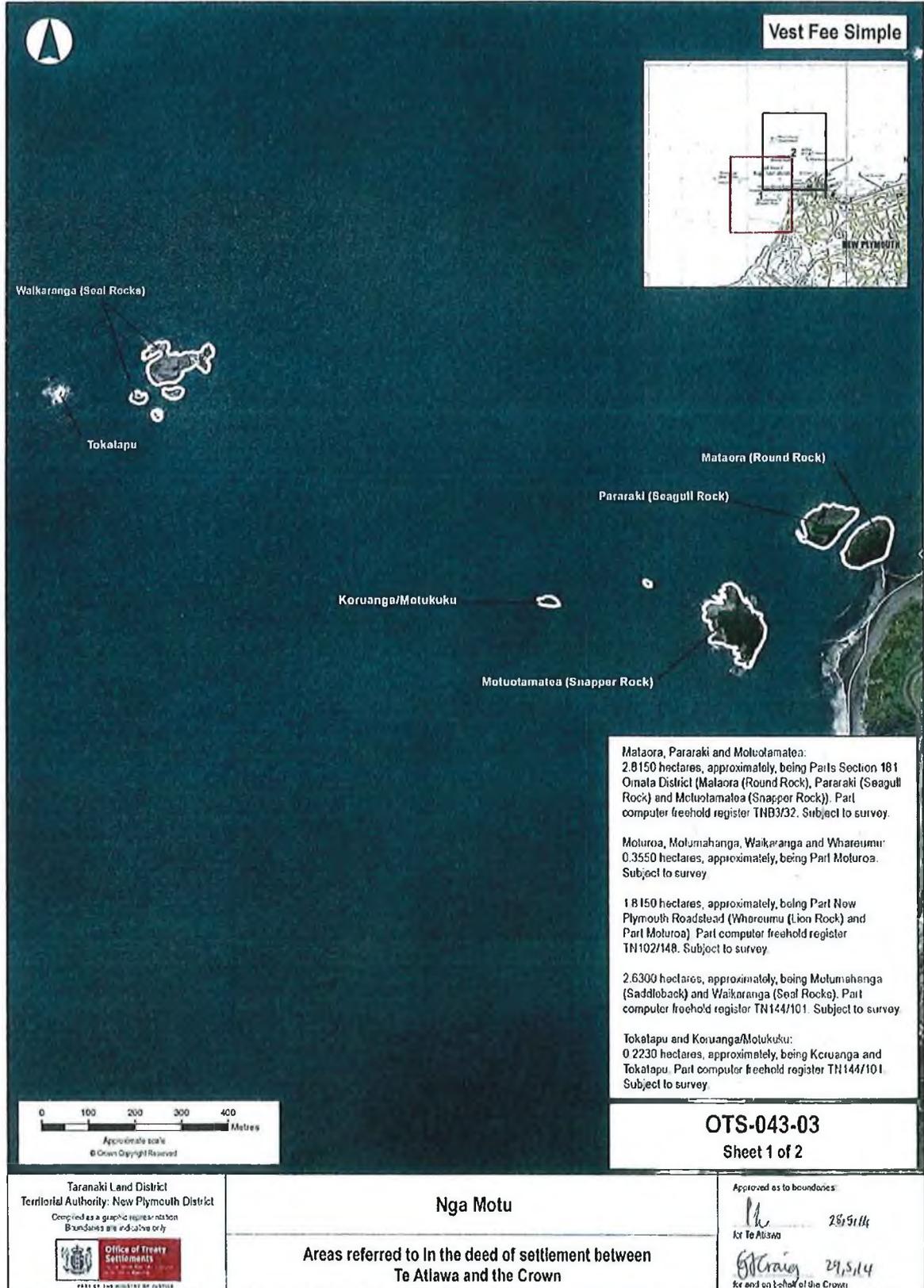




TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.3: CULTURAL REDRESS PROPERTIES

MATAORA, PARARAKI AND MOTUOTAMATEA (OTS -043-03)  
MOTUROA, MOTUMAHANGA, WAIKARANGA AND WHAREUMU (OTS-043-03)  
TOKATAPU AND KORUANGA/MOTUKUKU (OTS-043-03)



TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

2.2: STATUTORY AREAS



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**3. EXCLUSIVE RFR LAND**

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**TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS**

**3: EXCLUSIVE RFR LAND**

Land Holding Agency	Department of Conservation	
Property Name/ Identifier	Address	Legal Description
Marginal Strip Adjoining Waitara River	Waitara	1.26 hectares, approximately, being Part Section 92 Waitara East District (SO 10715).
Joe Gibbs Scenic Reserve	Inglewood	1.2318 hectares, more or less, being Lot 1 DP 5674. All computer freehold register TN143/107. 0.8658 hectares, more or less, being Lot 1 DP 5703 and Section 2 SO 399483. All computer freehold register 513166.
P G Nops Scenic Reserve	Inglewood	0.4856 hectares, more or less, being Lots 1 and 3 DP 8128. All <i>Gazette</i> Notice 128866. 0.1922, hectares, more or less, being Lot 2 DP 8128. All <i>Gazette</i> Notice 130510. 0.9257 hectares, more or less, being Lot 5 DP 8128. Part <i>Gazette</i> 1957, page 2161.
Manukorihi Recreation Reserve	Waitara	4.3726 hectares, more or less, being Lot 4 DP 16045.
Mangahināu Esplanade Reserve	Waitara	0.6865 hectares, more or less, being Section 1 SO 13396. Part <i>Gazette</i> Notice 411501.2. 0.6400 hectares, more or less, being Section 1 SO 12766. Part <i>Gazette</i> Notice 384743.
Bayly Road Conservation Area	New Plymouth	0.0155 hectares, more or less, being Section 227 Fitzroy District. All <i>Gazette</i> Notice 137967.
Robe Street Conservation Area	New Plymouth	0.2361 hectares, more or less, being Parts Reserve I Town of New Plymouth. Part <i>Gazette</i> Notice 187622.
Road Conservation Area	New Plymouth	0.0035 hectares, more or less, being Section 894 Grey District (SO 7893).
Waiwhakaiho River Mouth (Crown Land Conservation Area)	New Plymouth	6.5331 hectares, approximately, being Crown Land (SO 9538).
Te Henui Stream Conservation Area	New Plymouth	0.2714 hectares, approximately, being Parts Lot 2 DP 7594. Part <i>Gazette</i> Notice 178316.

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**TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS**

**3: EXCLUSIVE RFR LAND**

Land Holding Agency	Department of Conservation	
Property Name/ Identifier	Address	Legal Description
Junction Road Conservation Area	New Plymouth	0.1800 hectares, approximately, being Part Section 75 Grey District (DP 5001). Balance Deeds Index 14/25.
Umutekai Conservation Area	New Plymouth	10.5500 hectares, more or less, being Land Reserved from Sale SO 12205 (Formerly Part Section 160 Hua and Waiwakaiho Hundred).
Waiwakaiho Road Conservation Area	New Plymouth	2.5690 hectares, more or less, being Section 279 Hua and Waiwakaiho Hundred (SO 10962).
Meeting of the Waters Scenic Reserve	New Plymouth	<p>5.0780 hectares, more or less, being Sections 1 and 2 SO 13359. All <i>Gazette</i> Notice 399138.2.</p> <p>1.9071 hectares, more or less, being Lot 1 DP 11674. All computer freehold register TND3/440.</p> <p>0.0278 hectares, approximately, being Allotment 1 DP 4790. All computer freehold register TN117/245. Limited as to parcels.</p> <p>16.4404 hectares, more or less, being Section 237 and Part Sections 236 and 238 Hua and Waiwakaiho Hundred. All Proclamation 198.</p> <p>8.5236 hectares, more or less, being Section 239 and Part Sections 236 and 238 Hua and Waiwakaiho Hundred. All Proclamation 203.</p> <p>0.4047 hectares, more or less, being Part Section 238 Hua and Waiwakaiho Hundred. All <i>Gazette</i> Notice 298946.1.</p> <p>0.0506 hectares, more or less, being Lot 1 DP 5700. All Proclamation W8707.</p> <p>1.4060 hectares, more or less, being Section 1 SO 13168. All <i>Gazette</i> Notice 416695.2.</p>
Mangamahoe Recreation Reserve	Egmont Village	1.7107 hectares, more or less, being Part Section 284 Hua and Waiwakaiho Hundred. Balance computer interest register 246844.
Manganui River Conservation Area	Inglewood	0.97 hectares, approximately, being Crown Land Block I Huiroa Survey District (shown as Ford Reserve on DP 20344 and SO 11281).
Davis Road Conservation Area	Inglewood	0.0405 hectares, more or less, being River Bank Reserve (shown green on SO 10351). Part <i>Gazette</i> Notice 280965.2.

TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

3: EXCLUSIVE RFR LAND

Land Holding Agency	Department of Conservation	
Property Name/ Identifier	Address	Legal Description
Waipapa Road Conservation Area	Waitara	1.0318 hectares, more or less, being Section 1 SO 12909. All computer freehold register TNH3/892.  11.9945 hectares, more or less, being Section 95 Waitara East District (SO 11893).  0.0821 hectares, more or less, being Section 3 SO 12909. All computer freehold register TNH3/894.
Tate Road Conservation Area	Waitara	1.18 hectares, approximately, being Crown Land (SO 12714).
Waiongana Stream Conservation Area	Waitara	0.39 hectares, approximately, being Part Crown Land Block III Paritutu Survey District (DP 346613).
Awa te Take Scenic Reserve	Lepperton	22.6624 hectares, more or less, being Section 63 Tikorangi District. Part <i>Gazette</i> Notice 148849.
Awa te Take Pa Historic Reserve	Lepperton	0.3769 hectares, more or less, being Section 98 Tikorangi District and Section 2 Block IX Waitara Survey District. All Proclamation 308A.  3.7433 hectares, more or less, being Section 99 Tikorangi District. Part <i>Gazette</i> 1905, p 543.
Pukerangiora Pa Historic Reserve	Lepperton	14.5687 hectares, more or less, being Section 267 Huirangi District. All Proclamation 313.
Puketakauere Pa Historic Reserve	Waitara	1.7894 hectares, more or less, being Lot 1 DP 14412. All computer freehold register TNG1/1332.
Rimutauteka Scenic Reserve	Inglewood	2.9729 hectares, more or less, being Lot 1 DP 12873. All computer freehold register TNE4/951.
Everett Park Scenic Reserve	Inglewood	67.1778 hectares, more or less, being Sections 13, 18 and 19 Block XIII Waitara Survey District. All <i>Gazette</i> 1919, p 3511.  7.2843 hectares, more or less, being Section 27 Block XIII Waitara Survey District. All <i>Gazette</i> Notice 117661.  2.6254 hectares, more or less, being Lot 1 DP 9109. All Transfer 131379.  8.5389 hectares, more or less, being Lot 1 DP 14208. All computer freehold register TNG1/876.
Mahoetahi Historic Reserve	Waitara	0.3176 hectares, more or less, being Lots 1 and 2 DP 15006 and Lot 1 DP 9284. All computer freehold register TNH1/717.
Waitaha Stream Recreation Reserve	Bell Block	1.9420 hectares, more or less, being Section 54 Bell District. All <i>Gazette</i> Notice 289107.2.

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**TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS**

**3: EXCLUSIVE RFR LAND**

Land Holding Agency	Department of Conservation	
Property Name/ Identifier	Address	Legal Description
Sentry Hill Redoubt Historic Reserve	Sentry Hill	3.5185 hectares, more or less, being Sections 153 and 154 Waitara West District. All <i>Gazette</i> Notice 193311.
Bowden Scenic Reserve	Bell Block	0.3590 hectares, more or less, being Lot 4 DP 12845. All computer freehold register TNF1/63.  1.2060 hectares, more or less, being Section 218 Hua District. All computer freehold register TND4/662, all <i>Gazette</i> Notice 210801 and balance <i>Gazette</i> Notice 183000.
Cantlop Scenic Reserve	New Plymouth	1.2753 hectares, more or less, being Lot 2 DP 6054. All <i>Gazette</i> Notice 126307.
Mangaoraka Stream Marginal Strip	Tarurutangi	0.3 hectares, approximately, being Crown Land (SO 8854).
Katere Scenic Reserve	New Plymouth	0.0071 hectares, more or less, being Sections 2 and 3 SO 13364. Part <i>Gazette</i> Notice 408401.1.  2.2522 hectares, more or less, being Section 16 SO 436795. All computer interest register 646580.
Ngahere Scenic Reserve	New Plymouth	0.4990 hectares, more or less, being Section 932 Grey District. All <i>Gazette</i> Notice 134526.
Puketarata-Parihamore Historic Reserve	New Plymouth	3.9963 hectares, more or less, being Section Y New Plymouth Town Belt. All computer freehold register TN59/80.  0.8987 hectares, more or less, being Section 1 New Plymouth Town Belt. All <i>Gazette</i> Notice 231601.1.
Waitara West Marginal Strip	Waitara	6.37 hectares, approximately, being Crown Land (shown red on SO 14572).  1.39 hectares, approximately, being Crown Land (ML 758).
Huatoki Stream Marginal Strip	New Plymouth	0.2610 hectares, approximately, being Crown Land (SO 12166).
Waitara Scenic Reserve	Waitara	2.3070 hectares, more or less, being Section 1 SO 13429. Part <i>Gazette</i> Notice 411501.2.
Sentry Hill Conservation Area	Lepperton	0.0304 hectares, more or less, being Part Section 107 Waitara West District. All <i>Gazette</i> 1996, p 1949.
Waitara River No 1 Marginal Strip	Waitara	0.15 hectares, approximately, being Part Old Waitara River Bed Waitara East District (SO 12909).

**TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS**

**3: EXCLUSIVE RFR LAND**

Land Holding Agency	Department of Conservation	
Property Name/ Identifier	Address	Legal Description
Waingongoro River No 3 Marginal Strip	Waiongana	0.24 hectares, approximately, being Crown Land (DP 17521).
Marsland Hill Historic Reserve	New Plymouth	3.1133 hectares, more or less, being Sections 2341 and 2459 Town of New Plymouth. All computer freehold register 582233.
Waiwakaiho River No 1 Marginal Strip	New Plymouth	1.67 hectares, approximately, being Crown Land (shown red on SO 8253).
Ngatoro Stream Marginal Strip	Inglewood	0.35 hectares, approximately, being River Bank Reserve Block I Huiroa Survey District (SO 8252).

Land Holding Agency	Land Information New Zealand	
Property Name/ Identifier	Address	Legal Description
2708579	Ambury Place, New Plymouth	0.0076 hectares, more or less, being Section 51 Grey District.
2708580	Egmont Road, New Plymouth	0.03 hectares, approximately, being Closed Road Hua District. Part Proclamation 1880.
2708648	Mountain Road SH 3A, (near Inglewood)	0.2959 hectares, more or less, being Crown Land (shown orange on SO 10352). All Gazette Notice 280965.3.
2708699	Between Grey and Queen Streets, Waitara	0.3271 hectares, more or less, being Lot 1 DP 317881. All computer freehold register 70112.
2708768	SH 3A, Sentry Hill	0.0500 hectares, approximately, being Part Section 97 Waitara West District. 0.5580 hectares, more or less, being Part Section 97 Waitara West District. Part computer freehold register TN24/208.
2708798	Mountain Road, SH 3, Inglewood	0.7664 hectares, more or less, being Part Section 28 Moa District. All computer freehold register TN5/292.
2708800	Morley Street, New Plymouth	0.0014 hectares, approximately, being Part Section 152 Town of New Plymouth.
2713368	Egmont / Waiwakaiho Roads, New Plymouth	0.3153 hectares, more or less, being Section 3 SO 13552. 0.8670 hectares, more or less, being Section 2 SO 13552.

**TE ATIWA DEED OF SETTLEMENT:  
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**3: EXCLUSIVE RFR LAND**

Land Holding Agency	Land Information New Zealand	
Property Name/ Identifier	Address	Legal Description
Former New Plymouth Prison site	Robe St, New Plymouth	3.5839 hectares, more or less, being Section 1 SO 13324 and Section 1 SO 13406. All computer freehold register TNJ4/731.

Land Holding Agency	Ministry of Education	
Property Name/ Identifier	Address	Legal Description
Teacher's Residence	1 Kapui Place, Waitara.	0.0695 hectares, more or less, being Lot 34 DP 11395. All computer freehold register TNH3/533.
Former Fitzroy School Playground	51 Record Street, New Plymouth	0.1641 hectares, more or less, being Lot 1 DP 20505. All computer freehold register TNL2/120.
Waitara High School	Princess Street, Waitara	1.9252 hectares, more or less, being Lots 4 and 5 DP 6373. All computer freehold register TN157/264. 0.0628 hectares, more or less, being Lot 32 DP 11588. All computer freehold register TND2/1417. 0.1201 hectares, approximately, being Lot 5 Deeds Plan 32. All computer freehold register TNH3/539. Limited as to parcels. 0.1035 hectares, approximately, being Lot 13 Deeds Plan 32. All <i>Gazette</i> Notice 129723. Limited as to parcels. 3.2992 hectares, approximately, being Allotment 7 Deeds Plan 32. All computer freehold register TN128/58. Limited as to parcels. 3.2258 hectares, more or less, being Lot 1 DP 14008. Part <i>Gazette</i> Notice 305763.
New Plymouth Boys' High School	Coronation Avenue, New Plymouth	0.4977 hectares, more or less, being Parts Closed Street Town of New Plymouth, Parts Lot 34 DP 3096, Part Lot 2 DP 4489 and Part Section 2227 Town of New Plymouth. All <i>Gazette</i> Notice 140879. 0.0011 hectares, more or less, being Part Lots 1 and 2 DP 17224. All <i>Gazette</i> Notice 435126.1. 0.8895 hectares, more or less, being Part Section 2424 and Section 2425 Town of New Plymouth. Balance <i>Gazette</i> Notice 149011.
New Plymouth Girls' High School	60 Northgate, New Plymouth	1.0724 hectares, more or less, being Sections 2317, 2318, 2319, 2320, 2321, 2322 and 2353 and Part Sections 2323 and 2324 Town of New Plymouth, Closed Road SO 93410 and Part Section H New Plymouth Town Belt. Part <i>Gazette</i> 2007, p 1264.

**TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS**

**3: EXCLUSIVE RFR LAND**

Land Holding Agency	Ministry of Education	
Property Name/ Identifier	Address	Legal Description
		<p>0.1226 hectares, more or less, being Lots 3 and 4 DP 3271. All <i>Gazette</i> Notice 273496.</p> <p>0.0613 hectares, more or less, being Lot 5 DP 3271. All <i>Gazette</i> Notice 146346.</p> <p>1.1141 hectares, more or less, being Sections 1291A and 1368A and Part Sections 2352 and 2325 Town of New Plymouth and Parts Section H New Plymouth Town Belt. Part <i>Gazette</i> Notice 312657.</p> <p>0.0613 hectares, more or less, being Lot 25 DP 3271. All <i>Gazette</i> Notice 195883.</p> <p>0.1341 hectares, more or less, being Part Lot 1 DP 4404, Part Lot 3 DP 6143, Part Lot 2 DP 5606 and Part Lot 1 DP 6066. All Proclamation 1836.</p> <p>0.1670 hectares, more or less, being Part Section 2405 Town of New Plymouth. Balance Proclamation 2226.</p> <p>0.0499 hectares, more or less, being Lot 26 DP 3271. All <i>Gazette</i> Notice 143216.</p> <p>6.0629 hectares, more or less, being Lot 1 DP 5299, Parts Section G New Plymouth Town Belt, Lots 1, 2, 3, 4, 6 and 7 and Part Lot 5 DP 4898. Balance <i>Gazette</i> Notice 345658.</p> <p>0.2677 hectares, more or less, being Lot 1 DP 6686. All Proclamation 1949.</p>
Inglewood High School	129 Rata Street, Inglewood	<p>0.1343 hectares, more or less, being Part Section 104 Moa District. All computer freehold register TN109/38.</p> <p>9.9803 hectares, more or less, being Part Section 104 Moa District. All computer freehold register TN109/39.</p>
Bell Block School	31 Bell Block Court, Bell Block	<p>0.1543 hectares, approximately, being Part Section 22 Hua Village. Part <i>Gazette</i> Notice 310027.</p> <p>0.9634 hectares, more or less, being Lot 2 DP 740. Part <i>Gazette</i> Notice 310027.</p> <p>0.8936 hectares, more or less, being Part Section C Hua Village and Section 71 Hua Village. Balance <i>Gazette</i> Notice 307426.</p> <p>0.0149 hectares, more or less, being Section 1 SO 8736. All <i>Gazette</i> Notice 428036.2.</p>
Central School	40 Lemon Street, New Plymouth	1.4494 hectares, more or less, being Section 1 SO 13319 and Section 1 SO 14657. All computer freehold register TNL1/789.

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**TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS**

**3: EXCLUSIVE RFR LAND**

Land Holding Agency	Ministry of Education	
Property Name/ Identifier	Address	Legal Description
Devon Intermediate	400 Devon Street West, New Plymouth	0.0090 hectares, more or less, being Part Section 4 Fitzroy District. Part <i>Gazette</i> Notice 205510.  5.7596 hectares, more or less, being Part Section 1 SO 8012. Balance <i>Gazette</i> Notice 389357.
Egmont Village School	1052 Junction Road, Egmont Village	2.0709 hectares, more or less, being Part Section 213 Egmont Village. Balance <i>Gazette</i> Notice 410401.  0.0867 hectares, more or less, being Part Section 1 SO 12623. Balance <i>Gazette</i> Notice 425790.  0.1000 hectares, more or less, being Lot 1 DP 18825. All computer freehold register TNK2/509.
Former Motunui School site (in disposal)	533 Main North Road, Motunui	1.6020 hectares, more or less, being Part Lot 1 DP 2844. Balance computer freehold register TN72/225.
Fitzroy School	Barriball Street, New Plymouth	1.7393 hectares, more or less, being Lots 23, 32, 33, 34, 35, 36, 37, 38, 41 and 42 and Part Lot 43 Deeds 1. Part <i>Gazette</i> Notice 358441.
Highlands Intermediate	260A Coronation Avenue, New Plymouth	0.2137 hectares, more or less, being Lot 6 DP 4443. All computer freehold register 145299.  0.1418 hectares, more or less, being Lot 1 DP 21073. All computer freehold register TNL3/230.  5.8626 hectares, more or less, being Lot 1 DP 335457. All computer freehold register 145297.
Huirangi School	Bayley Street, Huirangi	0.8094 hectares, more or less, being Sections 83, 84, 104 and 105 Town of Huirangi. Part computer freehold register 567798.  0.4071 hectares, more or less, being Sections 81 and 82 Town of Huirangi. All computer freehold register TN152/120.
Inglewood School	33 Kelly Street, Inglewood	4.3984 hectares, more or less, being Lot 1 DP 5029. All computer freehold register 447264.
Lepperton School	2 Whitcombe Street, Lepperton	2.1129 hectares, more or less, being Sections 103, 104, 105, 106, 107, 114 and 115 Town of Lepperton and Lot 1 DP 20540. All computer freehold register TNL2/213.
Mangorei School	502 Mangorei Road, New Plymouth	2.0306 hectares, more or less, being Part Subdivision 1 Section 770 Grey District, Part Section 770 Grey District, Part Lots 1 and 2 DP 4932 and Part Lot 1 DP 9559. All <i>Gazette</i> Notice 171088.

**TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS**

**3: EXCLUSIVE RFR LAND**

Land Holding Agency	Ministry of Education	
Property Name/ Identifier	Address	Legal Description
Manukorihi Intermediate	Manukorihi Road, Waitara	6.1806 hectares, more or less, being Parts Manukorihi 3A, 3B, 4, 5, 6, 7, 8 and 9 and Manukorihi 10, 11, 12, 13, 14, 15, 16 and 20. Balance Proclamation 163395.
Marfell School	Endeavour Street, New Plymouth	1.8489 hectares, more or less, being Lot 42 DP 8521. All Proclamation 115029.
Merrilands School	Kauri Street, New Plymouth	2.3006 hectares, more or less, being Lot 60 DP 8146. All Proclamation 102331.
Moturoa School	Pioneer Road, New Plymouth	1.6187 hectares, more or less, being Section 857 Grey District. All computer freehold register TN133/296.
Norfolk School	Norfolk Road, Inglewood	2.1499 hectares, approximately, being Part Section 68 Moa District. Balance computer freehold register TN19/295.
Puketapu School	Dillon Drive, Bell Block	3.0510 hectares, more or less, being Lot 1 DP 13135. All computer freehold registers TNE3/1277 and TNE1/1289.
Tikorangi School	356 Ngatimaru Road, Tikorangi	0.8076 hectares, more or less, being Allotments 1 and 2 DP 5039. All computer freehold register TN128/14.  0.4603 hectares, approximately, being Part Section 23 Tikorangi District. All Proclamation 2126.
Vogeltown School	37 Huatoki Street, New Plymouth	2.8852 hectares, more or less, being Part Lot 1 DP 6148, Part Lot G DP 4295, Part Sections 60 and 836 Grey District, Section 849 Grey District, Lot 6 and Part Lot 7 DP 1977 and Part Lot 1 DP 6025. Part <i>Gazette</i> Notice 358443.
Waitara Central School	12 Cracraft Street, Waitara	1.2495 hectares, more or less, being Block CXVIII Town of Waitara West. All computer freehold register 408915.  0.6070 hectares, more or less, being Section 1 SO 7805. All computer freehold register 346960.  1.2444 hectares, more or less, being Lot 2 DP 357694. All computer freehold register 234583.
Waitara East School	Richmond Street, Waitara	0.5030 hectares, more or less, being Block LXIV and Part Sections 10 and 12 Block XXXII Town of Waitara East. All <i>Gazette</i> Notice 245179.  2.1886 hectares, more or less, being Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 Block XLII Town of Waitara East, Sections 2, 4, 6, 8, 10 and 12 Block XLI Town of Waitara East and Part Closed Road Town of Waitara East. All Proclamation 2012.

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**TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS**

**3: EXCLUSIVE RFR LAND**

Land Holding Agency	Ministry of Education	
Property Name/ Identifier	Address	Legal Description
Waitoriki School	Lincoln Road, Inglewood	2.0234 hectares, more or less, being Part Section 237 Block I Huiroa Survey District. All computer freehold register TN52/164.
Welbourn School	Arawa Street, New Plymouth	0.8173 hectares, more or less, being Section 913 Grey District. Part <i>Gazette</i> 1952, p 402. 2.4768 hectares, more or less, being Part Subdivision 1 Section 50 Grey District and Lot 5 DP 20099. All computer freehold register TNL1/336. 0.1490 hectares, more or less, being Part Section 83 Grey District. Part <i>Gazette</i> Notice 452429A.2.
West End School	Bonithon Avenue, New Plymouth	2.2711 hectares, more or less, being Lots 1 and 2 DP 4797. All computer interest register 254494.
Westown School	Sanders Avenue, New Plymouth	1.5338 hectares, more or less, being Part Allotment 45 DP 4277. Balance computer freehold register TN105/216. 0.3713 hectares, more or less, being Part Section 21 Fitzroy District. All Proclamation 1917.
Woodleigh School	85 Brois Street, New Plymouth	0.2868 hectares, more or less, being Part Subdivision 1 Subdivision A1 Section 43 Fitzroy District. Balance Proclamation 2032. 0.0040 hectares, more or less, being Part Lot 1 DP 6870. All Proclamation 2350. 2.0935 hectares, approximately, being Part Lot 1 DP 5329. Part Proclamation 2007. 0.2053 hectares, more or less, being Section 248 Fitzroy District. All <i>Gazette</i> Notice 320001.2.
New Plymouth Playcentre	15 Hori Street, New Plymouth	0.0809 hectares, more or less, being Lot 28 DP 2258. All <i>Gazette</i> Notice 249526.
Marfell Kindergarten	2A Cook Street, New Plymouth	0.1166 hectares, more or less, being Lot 43 DP 8520. All <i>Gazette</i> Notice 123021.
Merrilands Kindergarten	49A Lismore Street, New Plymouth	0.1421 hectares, more or less, being Lot 39 DP 7734. All <i>Gazette</i> Notice W9500. 0.0181 hectares, more or less, being Parts Lot 120 and Part Lot 125 DP 11872. All <i>Gazette</i> Notice 256254.
Taranaki Activity Centre	334 Frankley Road, New Plymouth	0.0972 hectares, more or less, being Lot 2 DP 16216. All computer freehold register TNH3/780.

**TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS**

**3: EXCLUSIVE RFR LAND**

Land Holding Agency	Ministry of Justice	
Property Name/ Identifier	Address	Legal Description
New Plymouth High / District Court	96 Powderham Street, New Plymouth	0.1825 hectares, more or less, being Sections 1 and 2 SO 13315. All computer freehold register TNJ4/127.

Land Holding Agency	New Zealand Police	
Property Name/ Identifier	Address	Legal Description
Bell Block Police Station	31 Wynyard Street, Bell Block	0.0911 hectares, more or less, being Lot 2 DP 8276. All transfer 375964.4.
Fitzroy Police Station	14 Clemow Road, New Plymouth	0.0137 hectares, more or less, being Lot 2 DP 7437. All <i>Gazette</i> Notice 324943.
Inglewood Police Station	4 Brookes Street, Inglewood	0.1029 hectares, more or less, being Part Section 382 Town of Inglewood. Balance <i>Gazette</i> Notice 346708.
New Plymouth Central Police Station	95 Powderham Street, New Plymouth	0.3765 hectares, more or less, being Lot 1 DP 19249. All computer freehold register TNK3/358.
Westown Police Station	54 Tukapa Street, New Plymouth	0.0647 hectares, more or less, being Allotment 2 DP 4942. All computer freehold register TN118/14.
Waitara Police Station	23 Domett Street, Waitara	0.1022 hectares, more or less, being Lots 1 and 2 DP 7715. All computer freehold register TNJ2/295.

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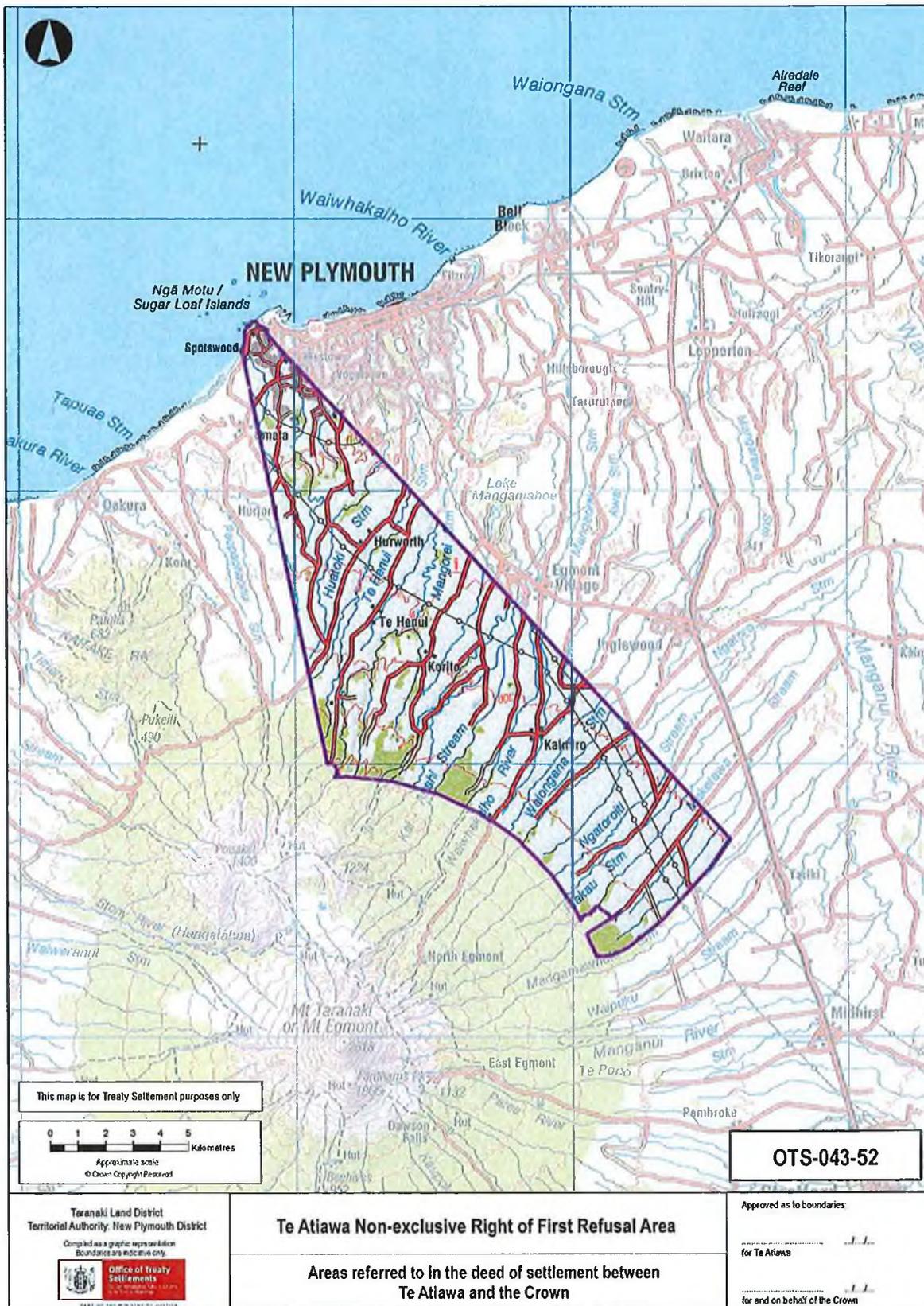
**4. NON-EXCLUSIVE RFR AREA**

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TE ATIWA DEED OF SETTLEMENT:  
ATTACHMENTS

4: NON-EXCLUSIVE RFR AREA



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5. DRAFT SETTLEMENT BILL

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# **Te Atiawa Claims Settlement Bill**

Government Bill

## **Explanatory note**

### **General policy statement**

This Bill gives effect to the deeds of settlement in which the Crown and Te Atiawa agree to the final settlement of the historical Treaty of Waitangi claims of that iwi.

### **Clause by clause analysis**

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*Hon Christopher Finlayson*

## **Te Atiawa Claims Settlement Bill**

Government Bill

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**The Parliament of New Zealand enacts as follows:**

- 1 Title**  
This Act is the Te Atiawa Claims Settlement Act **2014**.
- 2 Commencement**  
This Act comes into force on the day after the date on which it receives the Royal assent.

**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 and apology given by the Crown to Te Atiawa in the deed of settlement; and
- (b) to give effect to certain provisions of the deed of settlement that settles the historical claims of Te Atiawa.

**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

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- (d) records the text of the acknowledgements and apology given by the Crown to Te Atiawa, as recorded in the deed of settlement; and
  - (e) defines terms used in this Act, including key terms such as Te Atiawa 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 conservation, fisheries, and taonga tuturu on the terms set out in the documents schedule; and
    - (ii) provisions relating to Taranaki Regional Council and Iwi participation; and
    - (iii) a statutory acknowledgement by the Crown of the statements made by Te Atiawa of their cultural, historical, spiritual, and traditional association with certain statutory areas and the effect of that acknowledgement, together with deeds of recognition for the specified areas; and
    - (iv) an overlay classification applying to specified areas of land; and
    - (v) 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) the transfer of deferred selection properties; and

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- (b) a right of first refusal over exclusive RFR land and non-exclusive RFR land.
- (5) There are 4 schedules, as follows:
  - (a) **Schedule 1** describes the statutory areas to which the statutory acknowledgement relates and those for which deeds of recognition are issued:
  - (b) **Schedule 2** describes the overlay areas to which the overlay classification applies:
  - (c) **Schedule 3** describes the cultural redress properties:
  - (d) **Schedule 4** sets out provisions that apply to notices given in relation to RFR land.

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

- 7 Summary of historical account, acknowledgements, and apology**
- (1) **Section 7A** summarises the historical account in the deed of settlement, setting out the basis for the acknowledgements and apology.
  - (2) **Sections 8 and 9** record the text of the acknowledgements and apology given by the Crown to Te Atiawa in the deed of settlement.
  - (3) The acknowledgements and apology are to be read together with the historical account recorded in part 2 of the deed of settlement.
- 7A Summary of historical account**
- (1) From 1840, Te Atiawa came under significant pressure to sell their land. In the 1840s and 1850s, Crown agents sought to purchase Te Atiawa land despite being aware of disagreement among Maori over land sales. By the mid 1850s, Crown purchasing had contributed to enmity and fighting within Te Atiawa, resulting in the loss of life of some Te Atiawa people. In 1860, the Crown deemed resistance to the survey of the Pekapeka block at Waitara, led by the Te Atiawa rangatira Wiremu Kingi Te Rangitake, to be an act of rebellion, and

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commenced hostilities against him and his followers. A peace agreement was negotiated after one year of fighting.

- (2) Conflict resumed in 1863, and over the following 2 years a number of engagements were fought in the Te Atiawa rohe, resulting in the destruction of property and the loss of life. In 1865, the Crown proclaimed 1.2 million acres of Taranaki land confiscated, including all of the Te Atiawa rohe. The confiscations were indiscriminate in that they deprived both “loyal” and “rebel” Māori of the ownership and use of their lands.
- (3) In 1866, the Compensation Court began the process by which confiscated land would be returned to “loyal” Māori. However, most of the readily usable land in northern Taranaki had already been granted to European settlers. By 1880 most of the Compensation Court’s awards to Te Atiawa individuals had not been implemented. The compensation process created uncertainty and distress among the people of Te Atiawa as to where they were to live and whether they had security of title.
- (4) By the late 1870s, many Te Atiawa people were supporting Te Whiti o Rongomai and Tohu Kakahi and the movement for Māori peace and independence that they had established at Parihaka in central Taranaki. Between 1879 and 1880, many Te Atiawa people participating in campaigns of peaceful resistance initiated at Parihaka were arrested and exiled to South Island prisons where they were detained in harsh conditions without trial. Some Te Atiawa people who were arrested did receive trials but were then detained beyond the terms of their court-imposed sentences. Some died while in prison. In November 1881, Te Atiawa people were displaced from Parihaka after more than 1 500 Crown troops invaded and dismantled the settlement.
- (5) In the early 1880s, the West Coast Commissions investigated Māori grievances, including the failure to implement compensation awards, and returned a limited amount of land to Te Atiawa. However, virtually all of the land granted to Te Atiawa was under non-customary individualised title, and much of it was rough or inaccessible. In addition, the reserves were not returned to Te Atiawa outright, but were placed under the control of the Public Trustee, who then sold or leased in perpetuity



large areas to European farmers. In 1963, the titles of all remaining Taranaki reserves were amalgamated, leaving owners without specific interests in customary land. Today, less than 5 percent of the area that was reserved for Māori is in Māori freehold ownership.

- (6) During the twentieth century, Crown efforts to address Taranaki Māori grievances failed to do so. Some were limited in their scope, and others provided for compensation payments that were not discussed with Te Atiawa and other Taranaki Māori. The Taranaki Maori Claims Settlement Act 1944 stated that the sums were a full settlement of claims relating to the confiscations and Parihaka. There is no evidence that Te Atiawa or other iwi agreed to this.
- (7) Te Atiawa has also experienced significant distress at the degradation of their environment, including the loss of indigenous plants and animals, and the pollution of waterways and important offshore fishing reefs.

## **8 Acknowledgements**

- (1) The Crown acknowledges that despite previous efforts made in the twentieth century, it has failed to deal in an appropriate way with the grievances of Te Atiawa, and that the recognition of these grievances is long overdue. The Crown hereby recognises the legitimacy of the historical grievances of Te Atiawa and makes the following acknowledgements.
- (2) The Crown acknowledges that by the early 1850s, Te Atiawa people were participating successfully in the emerging Taranaki trading economy.
- (3) The Crown acknowledges that—
  - (a) it carried out purchases in the Te Atiawa rohe despite being aware of significant disagreement among Maori over those sales; and
  - (b) its purchasing contributed to discord, enmity, and fighting within hapu of Te Atiawa, resulting in the loss of life; and
  - (c) the cumulative effect of the Crown's actions in continuing to purchase land in Taranaki created tensions that eventually led to the outbreak of war between the Crown and Maori in Taranaki; and



- (d) Te Atiawa suffered loss of life and the destruction of homes, property, and cultivations during the Taranaki wars; and
  - (e) the Taranaki wars constituted an injustice and were in breach of the Treaty of Waitangi and its principles.
- (4) The Crown acknowledges that—
- (a) it unfairly treated Te Atiawa as being in rebellion; and
  - (b) the confiscations of 1865 were indiscriminate in extent and application and had a devastating effect on the welfare, economy, culture, and social development of Te Atiawa; and
  - (c) as a result of the confiscations, Te Atiawa were deprived of access to their wahi tapu and sites of ancestral significance, traditional sources of food and other resources on that land; and
  - (d) the confiscations were wrongful and unjust, and were in breach of the Treaty of Waitangi and its principles.
- (5) The Crown acknowledges that the prejudicial effects of the confiscations were compounded by the inadequacies in the Compensation Court process, including long delays in the promised return of land to Te Atiawa individuals. These delays left many Maori, including Te Atiawa, uncertain about the status of their lands and without security about where they were to live.
- (6) The Crown acknowledges that—
- (a) it imprisoned members of Te Atiawa and other Maori of Taranaki for their participation in the peaceful resistance campaign initiated at Parihaka in 1879 and 1880; and
  - (b) it promoted legislation that “suspended the ordinary course of law”, and as a result,—
    - (i) most prisoners, including many Te Atiawa people, were detained without trial; and
    - (ii) some of those Te Atiawa prisoners who did receive trials were detained beyond the expiration of their court-imposed sentences; and
  - (c) the ongoing detention of these Te Atiawa prisoners assumed the character of an indefinite detention; and



- (d) the imprisonment of Taranaki Maori in South Island gaols for political reasons inflicted unwarranted hardships on them and their whanau and hapu; and
  - (e) the treatment of these political prisoners—
    - (i) was wrongful, a breach of natural justice, and deprived them of basic human rights; and
    - (ii) was a breach of the Treaty of Waitangi and its principles.
- (7) The Crown acknowledges that—
- (a) large numbers of Te Atiawa people were residing at Parihaka when it invaded the settlement in 1881; and
  - (b) it inflicted serious damage on the prosperous Maori village of Parihaka and the people residing there, forcibly dispersed many of the inhabitants, and assaulted the human rights of the people; and
  - (c) these actions caused great distress and were a complete denial of the Maori right to develop and sustain autonomous communities in a peaceful manner; and
  - (d) its treatment of Te Atiawa people at Parihaka was unconscionable and unjust and that these actions constituted a breach of the Treaty of Waitangi and its principles.
- (8) The Crown acknowledges that—
- (a) the West Coast Commissions were inadequate in their scope and therefore did not fully address the injustices perpetrated by the confiscations; and
  - (b) the reserves created for Te Atiawa by the second West Coast Commission in the 1880s were—
    - (i) virtually all returned under uncustomary individualised title; and
    - (ii) mainly situated in rough inaccessible bush; and
    - (iii) insufficient for the present and future needs of Te Atiawa.
- (9) The Crown acknowledges that its actions with respect to the West Coast Settlement Reserves, considered cumulatively, including the imposition of a regime of perpetually renewable leases and the sale of large quantities of land by the Public and Maori Trustee,—

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- (a) ultimately deprived Te Atiawa of the control and ownership of the lands reserved for them in Taranaki; and
  - (b) were in breach of the Treaty of Waitangi and its principles.
- (10) The Crown acknowledges that the lands and other resources confiscated from Te Atiawa have made a significant contribution to the wealth and development of New Zealand.
- (11) The Crown acknowledges that its nationalisation of petroleum resources in New Zealand in 1937 caused a great sense of grievance within Te Atiawa that is still held today.
- (12) The Crown acknowledges that the people of Te Atiawa have experienced significant distress at the degradation of their environment, including the loss or displacement of indigenous plants and animals, and the pollution of waterways and important offshore fishing reefs.
- (13) The Crown recognises the efforts and struggles of Te Atiawa in pursuit of their claims for redress and compensation against the Crown for 140 years.
- (14) The Crown acknowledges that its breaches of the Treaty of Waitangi and its principles during the nineteenth and twentieth centuries have together significantly undermined the traditional systems of authority and economic capacity of Te Atiawa, and the physical, cultural, and spiritual wellbeing of its people. The Crown acknowledges that it has failed to protect the rangatiratanga of Te Atiawa, in breach of its obligations under Article Two of the Treaty of Waitangi.

## **9 Apology**

- (1) The Crown offers the following apology to the tupuna, the descendants, the hapu and the whanau of Te Atiawa.
- (2) The Crown regrets its actions which caused enmity and fighting among Te Atiawa, and which ultimately led to war between Taranaki Maori and the Crown. The Crown unreservedly apologises for its actions during the Taranaki Wars which resulted in the destruction of your property, hardship, and the loss of life of your people.
- (3) The Crown is sorry for the immense prejudice it caused by confiscating the lands of Te Atiawa. The raupatu was indis-



criminate, unjust, and unconscionable. The Crown deeply regrets the damage this caused to the economy and society of Te Atiawa.

- (4) The Crown profoundly regrets its unjust treatment of those Te Atiawa people it imprisoned for taking part in campaigns of peaceful resistance. The Crown sincerely apologises to those tupuna it exiled hundreds of kilometres from their homes, to the whanau who grieved in their absence, to their descendents, and to Te Atiawa.
- (5) The Crown deeply regrets and unreservedly apologises for its unconscionable actions at Parihaka, and for the damage those actions caused to the community and to those Te Atiawa people who resided there.
- (6) The Crown is remorseful that its failure to uphold the Treaty of Waitangi has undermined the social structures, autonomy, culture, and well-being of Te Atiawa. The Crown solemnly apologises to Te Atiawa for all its breaches of the Treaty of Waitangi and its principles.
- (7) Through this settlement and this apology, the Crown hopes to relieve the burden of grievance that Te Atiawa has carried for so many years, and to assist the process of healing. The Crown looks forward to building a relationship of mutual trust and co-operation with Te Atiawa based on respect for the Treaty of Waitangi and its principles.

#### *Interpretation provisions*

#### **10 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.

#### **11 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

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**Commissioner of Crown Lands** means the Commissioner of Crown Lands appointed under 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 60**

**deed of recognition**—

- (a) means a deed of recognition issued under **section 36** by—
  - (i) the Minister of Conservation and the Director-General; or
  - (ii) the Commissioner of Crown Lands; and
- (b) includes any amendments made under **section 36(4)**

**deed of settlement**—

- (a) means the deed of settlement dated 9 August 2014 and signed by—
  - (i) the Honourable Christopher Finlayson, Minister for Treaty of Waitangi Negotiations, and the Honourable Simon William English, Minister of Finance, for and on behalf of the Crown; and

- (ii) Wikitoria Keenan, Maria Maraea Kingi, Raymond Holswich, and Peter Moeahu, for and on behalf of Te Atiawa; and
  - (iii) Kura Ann Denness, Maria Maraea Kingi, Liana Huia Poutu, Tanya Kim Skelton, and Andrea Moana Williams, being the trustees of Te Kotahitanga o Te Atiawa; 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 79**

**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

**exclusive RFR land** has the meaning given in **section 85**

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

**historical claims** has the meaning given in **section 13**

**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 Te Atiawa** means an individual referred to in **section 12(1)(a)**

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

**non-exclusive RFR land** has the meaning given in **section 85**

**overlay classification** has the meaning given in **section 41**

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

**regional council** has the meaning given in section 2(1) of the Resource Management Act 1991

**Registrar-General** means the Registrar-General of Land appointed under 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 12(1)(a)**; or
  - (ii) 1 or more members of Te Atiawa; or
  - (iii) 1 or more of the whanau, hapu, or groups referred to in **section 12(1)(c)**

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

**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 5 of Part 3**

**RFR land** has the meaning given in **section 86**

**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 27**

**Te Kahui o Taranaki Trust** means the trust of that name established by a trust deed dated 28 June 2013

**Te Kotahitanga o Te Atiawa Trust** means the trust of that name established by a trust deed dated 31 March 2014

**tikanga** means customary values and practices

**trustees of Te Kahui o Taranaki Trust** means the trustees, acting in their capacity as trustees, of Te Kahui o Taranaki Trust

**trustees of Te Kotahitanga o Te Atiawa Trust** and **trustees** mean the trustees, acting in their capacity as trustees, of Te Kotahitanga o Te Atiawa Trust

**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 Taranaki and Wellington.

## **12 Meaning of Te Atiawa**

(1) In this Act, **Te Atiawa**—

- (a) means the collective group composed of individuals who are descended from 1 or more Te Atiawa tupuna; and
- (b) includes those individuals; and
- (c) includes every whanau, hapu, or group to the extent that it is composed of those individuals, including the following groups:
  - (i) Manukorihi;
  - (ii) Ngati Rahiri;
  - (iii) Ngati Tawhirikura;
  - (iv) Ngati Tuparikino;
  - (v) Ngati te Whiti;
  - (vi) Otaraua;
  - (vii) Pukerangiora;
  - (viii) Puketapu.

(2) In this section and **section 13**,—

**area of interest** means the area shown as the Te Atiawa area of interest in part 1 of the attachments

**customary rights** means rights exercised according to tikanga Maori, 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) Maori customary adoption in accordance with Te Atiawa tikanga

**Te Atiawa tupuna** means an individual who—

- (a) exercised customary rights by virtue of being descended from—
  - (i) Te Awanui-a-Rangi; or
  - (ii) a recognised tupuna of a group listed in **subsection (1)(c)(i) to (viii)**; and
- (b) exercised the customary rights predominantly in relation to the area of interest at any time after 6 February 1840.

### 13 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 Te Atiawa 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 Te Atiawa or a representative entity, including each

- of the following claims, to the extent that **subsection (2)** applies to the claim:
- (i) Wai 54 (Nga Iwi o Taranaki claim):
  - (ii) Wai 126 (Motunui Plant and Petrocorp claim):
  - (iii) Wai 133 (Kaipakopako Lands claim):
  - (iv) Wai 141 (Te Atiawa claim):
  - (v) Wai 576 (Rawiri Te Ngaere Descendants and Jesse Kingi Whanau Trust claim):
  - (vi) Wai 667 (Manutahi Block claim):
  - (vii) Wai 771 (Nga Motu Lands, Fisheries, Foreshore and Seabed claim):
  - (viii) Wai 796 (Petroleum claim):
  - (ix) Wai 871 (Ngati Rahiri Petroleum claim); and
- (b) any 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 Te Atiawa or a representative entity:
- (i) Wai 131 (Taranaki Maori Trust Board claim) (Hamiora Raumati and others):
  - (ii) Wai 143 (Taranaki claims) (Taranaki Consolidated Claims).
- (4) However, the historical claims do not include—
- (a) a claim that a member of Te Atiawa, or a whanau, hapu, or group referred to in **section 12(1)(c)**, had or may have that is founded on a right arising by virtue of being descended from an ancestor who is not a Te Atiawa tupuna; or
  - (b) 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.

*Historical claims settled and jurisdiction of courts, etc, removed*

**14 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.

*Amendment to Treaty of Waitangi Act 1975*

**15 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 “**Te Atiawa Iwi Claims Settlement Act 2014, section 14(4) and (5)**”.

*Resumptive memorials no longer to apply*

**16 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 deferred selection property on and from the date of its transfer to the trustees; or
  - (c) to the exclusive RFR land; or
  - (d) to land in the non-exclusive RFR area; or
  - (e) for the benefit of Te Atiawa or a representative entity.
- (2) The enactments are—
  - (a) Part 3 of the Crown Forest Assets Act 1989;
  - (b) sections 211 to 213 of the Education Act 1989;

- (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.

**17 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 subject to a resumptive memorial recorded under an enactment listed in **section 16(2)**; and
  - (b) is all or part of—
    - (i) a cultural redress property;
    - (ii) a deferred selection property;
    - (iii) the exclusive RFR land; and
  - (c) is solely within the non-exclusive RFR area.
- (2) The chief executive of LINZ must issue a certificate as soon as is reasonably practicable after—
  - (a) the settlement date, for a cultural redress property, the exclusive RFR land, or the land within the exclusive RFR area; or
  - (b) the date of transfer of the property to the trustees, for a deferred selection property.
- (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 16(2)** on a computer register identified in the certificate, but only in respect of each allotment described in the certificate.

*Miscellaneous matters*

**18 Rule against perpetuities does not apply**

- (1) The rule against perpetuities and the provisions of the Perpetuities Act 1964—

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- (a) do not prescribe or restrict the period during which—
    - (i) Te Kotahitanga o Te Atiawa 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 Te Atiawa 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.

**19 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**

**20 Interpretation**

In this subpart,—

**protocol—**

- (a) means each of the following protocols issued under **section 21(1)(a)**:
  - (i) the conservation protocol;
  - (ii) the fisheries protocol;
  - (iii) the taonga tuturu protocol; and
- (b) includes any amendments made under **section 21(1)(b)**

**responsible Minister** means,—

- (a) for the conservation protocol, the Minister of Conservation;
- (b) for the fisheries protocol, the Minister for Primary Industries;
- (c) for the taonga tuturu protocol, the Minister for Arts, Culture and Heritage;
- (d) for any other protocol, any other Minister of the Crown authorised by the Prime Minister to exercise powers and perform functions in relation to the protocol.

*General provisions applying to protocols*

**21 Issuing, amending, and cancelling protocols**

- (1) Each responsible Minister—
  - (a) must issue a protocol to the trustees on the terms set out in part 4 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.

**22 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, hapu, marae, whanau, or other representative of tangata whenua; or
  - (b) the responsibilities of a responsible Minister or a department of State; or

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- (c) the legal rights of Te Atiawa or a representative entity.

### 23 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)**.

### *Conservation*

### 24 Conservation protocol

- (1) The Director-General must note a summary of the terms of the conservation protocol in any conservation management strategy, conservation management plan, freshwater fisheries management plan, or national park management plan that affects the conservation protocol area.
- (2) The noting of the summary is—
- (a) for the purpose of public notice only; and
- (b) not an amendment to a strategy or plan for the purposes of section 171 of the Conservation Act 1987 or section 46 of the National Parks Act 1980.
- (3) The conservation protocol does not have the effect of granting, creating, or providing evidence of—
- (a) rights relating to the common marine and coastal area; or
- (b) an estate or interest in land held, managed, or administered under the conservation legislation; or
- (c) an interest in, or rights relating to, flora or fauna managed or administered under the conservation legislation.
- (4) In this section,—

**common marine and coastal area** has the meaning given in section 9(1) of the Marine and Coastal Area (Takutai Moana) Act 2011

**conservation protocol area** means the area shown on the map attached to the conservation protocol.

### *Fisheries*

#### **25 Fisheries protocol**

- (1) The chief executive of the department of State responsible for the administration of the Fisheries Act 1996 must note a summary of the terms of the fisheries protocol in any fisheries plan that affects the fisheries 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 fisheries 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

**fisheries protocol area** means the area shown on the map attached to the fisheries protocol, together with the adjacent waters.

*Taonga tuturu***26 Taonga tuturu protocol**

- (1) The taonga tuturu protocol does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to, taonga tuturu.
- (2) In this section, **taonga tuturu**—
  - (a) has the meaning given in section 2(1) of the Protected Objects Act 1975; and
  - (b) includes nga taonga tuturu, as defined in section 2(1) of that Act.

**Subpart 2—Statutory acknowledgement and deeds of recognition****27 Interpretation**

In this subpart,—

**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**, for a statutory area, means the statement—

- (a) made by Te Atiawa of their particular cultural, historical, spiritual, and traditional association with the statutory area; and
- (b) set out in part 2 of the documents schedule

**statutory acknowledgement** means the acknowledgement made by the Crown in **section 28** in respect of the statutory areas, on the terms set out in this subpart

**statutory area** means an area described in **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***28 Statutory acknowledgement by the Crown**

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

**29 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 30 to 32**; 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 33 and 34**; and
- (c) to enable the trustees and any member of Te Atiawa to cite the statutory acknowledgement as evidence of the association of Te Atiawa with a statutory area, in accordance with **section 35**.

**30 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.

**31 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.

**32 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.

**33 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 28 to 32, 34, and 35**; 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.

**34 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.

### **35 Use of statutory acknowledgement**

- (1) The trustees and any member of Te Atiawa may, as evidence of the association of Te Atiawa 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 Te Atiawa are precluded from stating that Te Atiawa 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.

*Deeds of recognition*

**36 Issuing and amending deeds of recognition**

- (1) This section applies in respect of the statutory areas listed in **Part 2 of Schedule 1**.
- (2) The Minister of Conservation and the Director-General must issue a deed of recognition in the form set out in part 3 of the documents schedule for the statutory areas administered by the Department of Conservation.
- (3) The Commissioner of Crown Lands must issue a deed of recognition in the form set out in part 3 of the documents schedule for the statutory areas administered by the Commissioner.
- (4) The person or persons who issue a deed of recognition may amend the deed, but only with the written consent of the trustees.

*General provisions relating to statutory  
acknowledgement and deeds of recognition*

**37 Application of statutory acknowledgement and deed of recognition to river or stream**

- (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

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- (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 a deed of recognition applies to a river or stream, including a tributary, that part of the deed—
  - (a) applies only to 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; and
  - (b) does not apply to—
    - (i) a part of the bed of the river or stream that is not owned and managed by the Crown; or
    - (ii) the bed of an artificial watercourse.

### **38 Exercise of powers and performance of functions and duties**

- (1) The statutory acknowledgement and a deed of recognition 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 Te Atiawa with a statutory area than that person would give if there were no statutory acknowledgement or deed of recognition for the statutory area.
- (3) **Subsection (2)** does not limit **subsection (1)**.
- (4) This section is subject to—
  - (a) the other provisions of this subpart; and
  - (b) any obligation imposed on the Minister of Conservation, the Director-General, or the Commissioner of Crown Lands by a deed of recognition.

### **39 Rights not affected**

- (1) The statutory acknowledgement and a deed of recognition—
  - (a) do not affect the lawful rights or interests of a person who is not a party to the deed of settlement; or

- (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.
- (2) This section is subject to the other provisions of this subpart.

*Consequential amendment to Resource  
Management Act 1991*

**40 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 “Te Atiawa Iwi Claims Settlement Act **2014**”.

Subpart 3—Overlay classification

**41 Interpretation**

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 area**—

- (a) means an area that is declared under **section 42(1)** to be subject to the overlay classification; but
- (b) does not include an area that is declared under **section 53(1)** to be no longer subject to the overlay classification

**overlay classification** means the application of this subpart to each overlay area

**protection principles**, for an overlay area, means the principles set out for the area in part 1 of the documents schedule, or as those principles are amended under **section 44(3)**

**specified actions**, for an overlay area, means the actions set out for the area in part 1 of the documents schedule

**statement of values**, for an overlay area, means the statement—

- (a) made by Te Atiawa of their values relating to their cultural, historical, spiritual, and traditional association with the overlay area; and

- (b) set out in part 1 of the documents schedule.

**42 Declaration of overlay classification and the Crown's acknowledgement**

- (1) Each area described in **Schedule 2** is declared to be subject to the overlay classification.
- (2) The Crown acknowledges the statements of values for the overlay areas.

**43 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 45**; and
- (b) to enable the taking of action under **sections 46 to 51**.

**44 Agreement on protection principles**

- (1) The trustees and the Minister of Conservation may agree on, and publicise, protection principles that are intended to prevent the values stated in the statement of values for an overlay area from being harmed or diminished.
- (2) The protection principles set out in part 1 of the documents schedule are to be treated as having been agreed by the trustees and the Minister of Conservation.
- (3) The trustees and the Minister of Conservation may agree in writing on any amendments to the protection principles.

**45 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 area, the Authority or Board must have particular regard to—
  - (a) the statement of values for the area; and
  - (b) the protection principles for the area.

- (2) Before approving a strategy or plan that relates to an overlay area, 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 area; and
    - (ii) any matters in the implementation of the protection principles for the area.
- (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 area, the Authority must, before approving the strategy, give the trustees an opportunity to make submissions in relation to those concerns.

**46 Noting of overlay classification in strategies and plans**

- (1) The application of the overlay classification to an overlay area must be noted in any conservation management strategy, conservation management plan, or national park management plan affecting the area.
- (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.

**47 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 42** that the overlay classification applies to the overlay areas; and
  - (b) the protection principles for each overlay area.
- (2) Any amendment to the protection principles agreed under **section 44(3)** must be notified by the Minister in the *Gazette* as soon as practicable after the amendment has been agreed in writing.

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- (3) The Director-General may notify in the *Gazette* any action (including any specified action) taken or intended to be taken under **section 48 or 49**.

**48 Actions by Director-General**

- (1) The Director-General must take action in relation to the protection principles that relate to an overlay area, 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.

**49 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 area.
- (2) The Director-General must consult 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.

**50 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 49(1)**;
- (b) to regulate or prohibit activities or conduct by members of the public in relation to an overlay area;
- (c) to create offences for breaches of regulations made under **paragraph (b)**;
- (d) to prescribe the following fines:
- (i) for an offence referred to in **paragraph (c)**, a fine not exceeding \$5,000; and

- (ii) for a continuing offence, an additional amount not exceeding \$50 for every day on which the offence continues.

#### 51 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 49(1)**;
- (b) to regulate or prohibit activities or conduct by members of the public in relation to an overlay area;
- (c) to create offences for breaches of bylaws made under **paragraph (b)**;
- (d) to prescribe the following fines:
  - (i) for an offence referred to in **paragraph (c)**, a fine not exceeding \$1,000; and
  - (ii) for a continuing offence, an additional amount not exceeding \$50 for every day on which the offence continues.

#### 52 Existing classification of overlay areas

- (1) This section applies if 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 purpose of the national park, conservation area, or reserve; or
  - (b) the classification of the land as a national park, conservation area, or reserve.

#### 53 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 area 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 area.

**54 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 area than that person would give if the area 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.

**55 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 area.
- (2) This section is subject to the other provisions of this subpart.

## Subpart 4—Official geographic names

**56 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

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

**57 Official geographic names**

- (1) A name specified in the second column of the table in clause 5.20 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.

**58 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 57**.
- (2) The notices must state that each official geographic name became an official geographic name on the settlement date.

**59 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.

### Subpart 5—Vesting of cultural redress properties

#### 60 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**:

*Property vested in fee simple*

(a) Taumata:

*Properties jointly vested in fee simple*

(b) Mataora (Round Rock), Pararaki (Seagull Rock), and Motuotamatea (Snapper Rock):

(c) Motumahanga (Saddleback), Moturoa, Waikaranga (Seal Rocks) and Whareumu (Lion Rock):

(d) Tokatapu and Koruanga/Motukuku

**jointly vested property** means each of the properties named in **paragraphs (b) to (d)** of the definition of cultural redress property.

*Property vested in fee simple*

#### 61 Taumata

- (1) This section takes effect only if an unconditional agreement for sale and purchase between the Crown and the registered proprietor of computer freehold register TNG2/1258 that relates to the areas shown as A and B on OTS-043-02A (subject to survey) exists on settlement date.
- (2) The reservation of the areas shown as A and C on OTS-043-02A (subject to survey) as a historic reserve subject to the Reserves Act 1977 is revoked.
- (3) The road shown as D on OTS-043-02A (subject to survey) is stopped and vests in the Crown as Crown land subject to the Land Act 1948.
- (4) The area shown as B on OTS-043-02A (subject to survey) vests in the Crown as Crown land subject to the Land Act 1948.
- (5) The fee simple estate in the area shown as A on OTS-043-02A (subject to survey) vests in the registered proprietors of computer freehold register TNG2/1258.

- (6) As soon as practicable after an order is produced for a computer freehold register, the Registrar-General must create, in the name of the registered proprietors of computer freehold register TNG2/1258, 1 computer freehold register for—
  - (a) the fee simple estate in the area shown as A on OTS-043-02A (subject to survey); and
  - (b) the balance of the land in computer freehold register TNG2/1258 (after the vesting by **subsection (4)**).
- (7) The fee simple estate in Taumata (which includes an area that forms part of Taumata Historic Reserve) vests in the trustees.
- (8) **Subsections (1) to (7)** do not take effect until the trustees have provided the Crown with a registrable easement in gross for a right to locate, access, and maintain monuments on the terms and conditions set out in part 7 of the documents schedule.
- (9) For the purposes of **subsection (7)** the legal description for Taumata is set out in **Part 1 of Schedule 3**.
- (10) **Sections 69(1) and 71** apply to the vesting in the registered proprietors of computer freehold register TNG2/1258 by **subsection (5)**.

**62 Vesting and alternative description for Taumata in specified circumstances**

- (1) This section takes effect only if the unconditional agreement for sale and purchase referred to in **section 61(1)** does not exist on settlement date.
- (2) The reservation of the area shown C on OTS-043-02A (subject to survey) as a historic reserve subject to the Reserves Act 1977 is revoked.
- (3) The road shown D on OTS-043-02A (subject to survey) is stopped and vests in the Crown as Crown land subject to the Land Act 1948.
- (4) The fee simple estate in Taumata (which includes an area that forms part of Taumata Historic Reserve) vests in the trustees.
- (5) **Subsections (1) to (4)** do not take effect until the trustees have provided the Crown with a registrable easement in gross for a right to locate, access, and maintain monuments on the

terms and conditions set out in part 7 of the documents schedule.

- (6) For the purposes of **subsection (4)** the legal description for Taumata is set out in **Part 2 of Schedule 3**.

*Properties jointly vested in fee simple*

**63 Mataora (Round Rock), Pararaki (Seagull Rock), and Motuotamatea (Snapper Rock)**

- (1) The Paritutu Centennial Park Act 1968 ceases to apply to—
- (a) Mataora (Round Rock); and
  - (b) Pararaki (Seagull Rock); and
  - (c) Motuotamatea (Snapper Rock).
- (2) The declaration of Mataora (Round Rock), Pararaki (Seagull Rock), and Motuotamatea (Snapper Rock) as wildlife refuges under section 14 of the Wildlife Act 1953 is revoked.
- (3) Section 7(1) and (3) of the Sugar Loaf Islands Marine Protected Area Act 1991 ceases to apply to Mataora (Round Rock), Pararaki (Seagull Rock), and Motuotamatea (Snapper Rock).
- (4) Mataora (Round Rock), Pararaki (Seagull Rock), and Motuotamatea (Snapper Rock) vest in the Crown as Crown land subject to the Land Act 1948.
- (5) The fee simple estate in Mataora (Round Rock), Pararaki (Seagull Rock), and Motuotamatea (Snapper Rock) vests as undivided half shares in the following as tenants in common:
- (a) a share vests in the trustees; and
  - (b) a share vests in the trustees of Te Kahui o Taranaki Trust.
- (6) Mataora (Round Rock), Pararaki (Seagull Rock), and Motuotamatea (Snapper Rock)—
- (a) are declared to be wildlife refuges subject to section 14 of the Wildlife Act 1953; and
  - (b) are subject to section 7(1) and (3) of the Sugar Loaf Islands Marine Protection Area Act 1991.
- (7) Despite the vesting of Mataora (Round Rock), Pararaki (Seagull Rock), and Motuotamatea (Snapper Rock) by **subsection (5)** or any subsequent transfer of them,—

- (a) Mataora (Round Rock), Pararaki (Seagull Rock), and Motuotamatea (Snapper Rock) are managed as if they were held by the Crown as a conservation area under the Conservation Act 1987; and
- (b) any interests in land that affect Mataora (Round Rock), Pararaki (Seagull Rock), and Motuotamatea (Snapper Rock) must be dealt with for the purposes of registration as if the Crown were the registered proprietor of Mataora (Round Rock), Pararaki (Seagull Rock), and Motuotamatea (Snapper Rock).

**64 Moturoa, Motumahanga (Saddleback), Waikaranga (Seal Rocks) and Whareumu (Lion Rock)**

- (1) Section 7(1) and (2) of the Sugar Loaf Islands Marine Protected Area Act 1991 ceases to apply to—
  - (a) Moturoa; and
  - (b) Motumahanga (Saddleback); and
  - (c) Waikaranga (Seal Rocks); and
  - (d) Whareumu (Lion Rock).
- (2) Moturoa, Motumahanga (Saddleback), Waikaranga (Seal Rocks), and Whareumu (Lion Rock) vest in the Crown as Crown land under the Land Act 1948.
- (3) The fee simple estate in Moturoa, Motumahanga (Saddleback), Waikaranga (Seal Rocks) and Whareumu (Lion Rock) vests as undivided half shares in the following as tenants in common:
  - (a) a share vests in the trustees; and
  - (b) a share vests in the trustees of Te Kahui o Taranaki Trust.
- (4) Moturoa, Motumahanga (Saddleback), Waikaranga (Seal Rocks), and Whareumu (Lion Rock) are subject to section 7(1) and (2) of the Sugar Loaf Islands Marine Protection Area Act 1991.
- (5) Despite the vesting of Moturoa, Motumahanga (Saddleback), Waikaranga (Seal Rocks), and Whareumu (Lion Rock) by **subsection (3)** or any subsequent transfer of them,—
  - (a) Moturoa, Motumahanga (Saddleback), Waikaranga (Seal Rocks), and Whareumu (Lion Rock) are managed

- as if they were held by the Crown as a conservation area under the Conservation Act 1987; and
- (b) any interests in land that affect Moturoa, Motumahanga (Saddleback), Waikaranga (Seal Rocks), and Whareumu (Lion Rock) must be dealt with for the purposes of registration as if the Crown were the registered proprietor of Moturoa, Motumahanga (Saddleback), Waikaranga (Seal Rocks), and Whareumu (Lion Rock).

**65 Tokatapu and Koruanga/Motukuku**

- (1) Section 7(1) and (3) of the Sugar Loaf Islands Marine Protection Area Act 1991 ceases to apply to Tokatapu and Koruanga/Motukuku.
- (2) Tokatapu and Koruanga/Motukuku vest in the Crown as Crown land subject to the Land Act 1948.
- (3) The fee simple estate in Tokatapu and Koruanga/Motukuku vests as undivided half shares in the following as tenants in common:
  - (a) a share vests in the trustees; and
  - (b) a share vests in the trustees of Te Kahui o Taranaki Trust.
- (4) Tokatapu and Koruanga/Motukuku are subject to section 7(1) and (3) of the Sugar Loaf Islands Marine Protected Area Act 1991.
- (5) Despite the vesting of Tokatapu and Koruanga/Motukuku by **subsection (3)** or any subsequent transfer of them,—
  - (a) Tokatapu and Koruanga/Motukuku are managed as if they were held by the Crown as a conservation area under the Conservation Act 1987; and
  - (b) any interests in land that affect Tokatapu and Koruanga/Motukuku must be dealt with for the purposes of registration as if the Crown were the registered proprietor of Tokatapu and Koruanga/Motukuku.



*General provisions applying to vesting of  
cultural redress properties*

- 66 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**.
- 67 Vesting of share of fee simple estate in property**  
In **sections 68 to 71**, a reference to the vesting of a cultural redress property, or the vesting of the fee simple estate in a cultural redress property, includes the vesting of an undivided share of the fee simple estate in the property.
- 68 Registration of ownership**
- (1) This section applies to a cultural redress property vested in the trustees under this subpart.
  - (2) **Subsection (3)** applies to cultural redress property (other than a jointly vested 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 5 of the deed of settlement.
  - (4) **Subsection (5)** applies to a cultural redress property (other than a jointly vested property), but only to the extent that **subsection (2)** does not apply to the 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) For a jointly vested property, the Registrar-General must, in accordance with a written application by an authorised person,—
- (a) create a computer freehold register for an undivided half share of the fee simple estate in the property in the names 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.
- (7) **Subsections (5) and (6)** are subject to the completion of any survey necessary to create a computer freehold register.
- (8) 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.
- (9) In this section, **authorised person** means a person authorised by the Secretary for Justice.

**69 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 jointly vested property.
- (3) If a jointly vested property ceases to be a conservation area under this subpart, the vesting of the property is no longer exempt from section 24 (except subsection (2A)) of the Conservation Act 1987 for all or part of that property.
- (4) **Subsections (2) and (3)** do not limit **subsection (1)**.

**70 Matters to be recorded on computer freehold register**

- (1) The Registrar-General must record on the computer freehold register—
- (a) for a jointly vested 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 63(7)(b), 64(5)(b), 65(5)(b), and 69(3)**; and
  - (b) 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 jointly vested property, if the conservation status 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 any computer freehold register created under **section 68** 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 63(7)(b), 64(5)(b), 65(5)(b), and 69(3)**; or
  - (b) part of the property, the Registrar-General must ensure that the notifications referred to in **paragraph (a)** remain only on any computer freehold register, created under **section 68** or derived from a computer freehold register created under that section, for the part of the property that remains a conservation area.
- (4) The Registrar-General must comply with an application received in accordance with **subsection (3)(a)**.

#### 71 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.

#### 72 Names of Crown protected areas discontinued

- (1) **Subsection (2)** applies to the land, or the part of the land, in a cultural redress property 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.

#### 73 Subsequent transfer of a jointly vested property

The registered proprietors of a jointly vested property may transfer the fee simple estate in a jointly vested property only if—

- (a) the transferors of the jointly vested property 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 jointly vested property is accompanied by a certificate given by the transferees, or the transferees' solicitor, verifying that **paragraphs (a) and (b)** apply.

**Subpart 6—Regional Council representation****74 Interpretation**

In this subpart,—

**committee** means either or both of the following committees of the Council:

- (a) the committee responsible for policy and planning functions;
- (b) the committee responsible for regulatory functions

**iwi of Taranaki** means—

- (a) Ngati Tama; and
- (b) Ngati Mutunga; and
- (c) Ngati Ruanui; and
- (d) Nga Rauru Kitahi; and
- (e) Taranaki Iwi; and
- (f) Ngati Maru; and
- (g) Ngaruahine; and
- (h) Te Atiawa.

**75 Purpose and objectives**

- (1) The purpose of this subpart is to provide an effective mechanism for the iwi of Taranaki to contribute to the decision-making process of the Council.
- (2) The objectives of this subpart are to encourage and enable the iwi of Taranaki—
  - (a) to participate directly in the decision-making processes of the Council; and
  - (b) to contribute directly to a wide range of the Council's policy, regulatory, and advocacy functions; and
  - (c) to have an effective and workable representation that is cost-effective for the Council and of benefit to both the Council and the iwi of Taranaki.

**76 Iwi representation on Council committee**

- (1) The iwi of Taranaki may nominate—
  - (a) 3 iwi members for appointment to the committee of the Council that is responsible for policy and planning functions; and

- (b) 3 iwi members for appointment to the committee of the Council that is responsible for regulatory functions.
- (2) The Council must appoint the members nominated under **subsection (1)** to the appropriate committee.
- (3) The members appointed under **subsection (2)**—
  - (a) have the same status as members appointed by the Council under clause 31 of Schedule 7 of the Local Government Act 2002; and
  - (b) are entitled to the same remuneration and expenses as are payable to the other members of the committee.

#### 77 Duties of iwi-appointed members

Committee members appointed under **section 76(2)**—

- (a) must act in the interests of the committee to which they are appointed; and
- (b) must bring the perspectives of the iwi to the committee.

#### 78 Change in committee structure

- (1) This subpart does not prevent the Council from adopting a different structure for a committee, including a structure that may result in a committee being discontinued, or some or all of the functions of a committee being removed, modified, or carried out by a new or an existing committee.
- (2) However,—
  - (a) before making any change to the structure of a committee, the Council must consult the iwi of Taranaki; and
  - (b) the Council must ensure that any changes to the structure of a committee do not diminish the nature of the representation of the iwi of Taranaki that is set out in the deed of settlement.
- (3) Any dispute about the effect of a change to the structure of a committee on the representation of the iwi of Taranaki must be referred to—
  - (a) the chief executive of Te Kotahitanga o Te Atiawa Trust; and
  - (b) the chief executive of the governance entity for any of the other iwi of Taranaki that are participating in the arrangements; and

- (c) the chief executive of the Council.
- (4) Those chief executives must work towards the resolution of the dispute in a manner that reflects the purpose and objectives set out in **section 75**.

### Part 3 Commercial redress

#### 79 Interpretation

In **subparts 1 to 3**,—

**deferred selection property** means a property described in part 3 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 for a deferred selection property, in part 3 of the property redress schedule.

#### Subpart 1—Transfer of deferred selection properties

#### 80 The Crown may transfer properties

- (1) To give effect to part 6 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 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.
- (2) **Subsection (3)** applies to a deferred selection property that is subject to a resumptive memorial recorded under any enactment listed in **section 16(2)**.
- (3) As soon as is reasonably practicable after the date on which a deferred selection property is transferred to the trustees, the chief executive of the land holding agency must give written notice of that date to the chief executive of LINZ for the purposes of **section 17** (which relates to the cancellation of resumptive memorials).

**81 Minister of Conservation may grant easements**

- (1) The Minister of Conservation may grant any easement over a conservation area or reserve that is required to fulfil the terms of the deed of settlement in relation to a commercial redress property or deferred selection property.
- (2) Any such easement is—
  - (a) enforceable in accordance with its terms, despite Part 3B of the Conservation Act 1987; and
  - (b) to be treated as having been granted in accordance with Part 3B of that Act; and
  - (c) registrable under section 17ZA(2) of that Act, as if it were a deed to which that provision applied.

**82 Computer freehold registers for deferred selection properties**

- (1) This section applies to a deferred selection property that is to be transferred to the trustees under **section 80**.
- (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 **section 83**, **authorised person** means a person authorised by the chief executive of the land holding agency for the relevant property.

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

- (1) For the purposes of **section 82**, the authorised person may grant a covenant for the later creation of a computer freehold register for any 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.

**84 Application of other enactments**

- (1) This section applies to the transfer to the trustees of the fee simple estate in a 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 80**, 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)**.

Subpart 2—Right of first refusal over RFR  
land

*Preliminary provisions*

**85 Interpretation**

In this subpart and **Schedule 4**,—

**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 any other 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 (other than in **section 108**),—

- (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

**exclusive RFR land** means land that is described in part 3 of the attachments that, on the settlement date, is—

- (a) vested in the Crown; or
- (b) held in fee simple by the Crown

**expiry date**, in relation to an offer, means its expiry date under **sections 89(2)(a) and 90**

**non-exclusive RFR area** means the area shown on OTS-043-52

**non-exclusive RFR land** means the land that is within the non-exclusive RFR area that, on the settlement date, is—

- (a) vested in the Crown; or
- (b) held in fee simple by the Crown; or
- (c) a reserve vested in an administering body that derived title to the reserve from the Crown and that would, on the application of section 25 or 27 of the Reserves Act 1977, revert in the Crown

**notice** means a notice given under this subpart

**offer** means an offer by an RFR landowner, made in accordance with **section 89**, to dispose of RFR land to the trustees of any offer trust

**offer trust** means the trust specified for each of the following types of RFR land (or land obtained in exchange for the disposal of that land):

- (a) for exclusive RFR land, the trustees of Te Kotahitanga o Te Atiawa Trust;
- (b) for non-exclusive RFR land,—
  - (i) the trustees of Te Kotahitanga o Te Atiawa Trust; and
  - (ii) the trustees of Te Kahui o Taranaki Trust

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

**recipient trust** means the trust specified for each of the following types of RFR land (or land obtained in exchange for the disposal of that land):

- (a) for exclusive RFR land, the trustees of Te Kotahitanga o Te Atiawa;
- (b) for non-exclusive RFR land, the offer trust whose trustees accept an offer to dispose of the land under **section 92**

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

**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 95(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 96(1)**

**RFR period** means,—

- (a) for exclusive RFR land, the period of 172 years on and from the settlement date;
- (b) for non-exclusive RFR land, the period of 172 years on and from the settlement date

**subsidiary** has the meaning given in section 5 of the Companies Act 1993.

## 86 Meaning of RFR land

- (1) In this subpart, **RFR land** means—
  - (a) exclusive RFR land; and
  - (b) non-exclusive RFR land; and
  - (c) any land obtained in exchange for a disposal of RFR land under **section 100(1)(c) or 101**.
- (2) Land ceases to be RFR land if—
  - (a) the fee simple estate in the land transfers from the RFR landowner to—

- (i) the trustees of a recipient trust or their nominee (for example, under **section 80** in the case of a deferred selection property or under a contract formed under **section 93**); or
- (ii) any other person (including the Crown or a Crown body) under **section 88(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 97 to 103** (which relate to permitted disposals of RFR land); or
  - (ii) under any matter referred to in **section 104(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 113**; or
- (d) the RFR period for the land ends.

**87 Taranaki Iwi participation under this subpart**

The trustees of Te Kahui o Taranaki Trust are eligible to participate as an offer trust under this subpart only on and from the settlement date defined in the legislation that settles the historical claims of Taranaki Iwi.

*Restrictions on disposal of RFR land*

**88 Restrictions on disposal of RFR land**

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

- (a) under any of **sections 94 to 103**; or
- (b) under any matter referred to in **section 104(1)**; or
- (c) in accordance with a waiver or variation given under **section 113**; or
- (d) within 2 years after the expiry date of an offer by the RFR landowner to dispose of the land to the trustees of an offer trust if the offer to the trustees was—
  - (i) made in accordance with **section 89**; 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 91**; and
- (iv) not accepted under **section 92**.

*Trustees' right of first refusal*

**89 Requirements for offer**

- (1) An offer by an RFR landowner to dispose of RFR land to the trustees of an offer trust must be by notice to the trustees of the 1 or more offer trusts.
- (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 statement that identifies the RFR land as exclusive RFR land or non-exclusive RFR land; and
  - (d) a street address for the land (if applicable); and
  - (e) a street address, postal address, and fax number or electronic address for the trustees of an offer trust to give notices to the RFR landowner in relation to the offer.

**90 Expiry date of offer**

- (1) The expiry date of an offer must be on or after the date that is 40 working days after the date on which the trustees of the 1 or more offer trusts receive notice of the offer.
- (2) However, the expiry date of an offer may be on or after the date that is 20 working days after the date on which the trustees of the 1 or more offer trusts receive notice of the offer if—
  - (a) the trustees of the offer trust 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.
- (3) For an offer of non-exclusive RFR land, if the RFR landowner has received notices of acceptance from the trustees of 2 offer trusts at the expiry date specified in the notice given under

**section 89(1)**, the expiry date is extended for the trustees of those 2 offer trusts to the date that is the 20th working day after the date on which the trustees receive the RFR landowner's notice given under **section 92(4)**.

**91 Withdrawal of offer**

The RFR landowner may, by notice to the trustees of the 1 or more offer trusts, withdraw an offer at any time before it is accepted.

**92 Acceptance of offer**

- (1) The trustees of an offer trust 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 of an offer trust must accept all the RFR land offered, unless the offer permits them to accept less.
- (3) In the case of an offer of non-exclusive RFR land, the offer is accepted if, at the end of the expiry date, the RFR landowner has received notice of acceptance from the trustees of only 1 offer trust.
- (4) In the case of an offer of non-exclusive RFR land, if the RFR landowner has received, at the expiry date specified in the notice of offer given under **section 89**, notices of acceptance from the trustees of 2 offer trusts, the RFR landowner has 10 working days in which to give notice to the trustees of those 2 offer trusts—
  - (a) specifying the offer trusts from whose trustees acceptance notices have been received; and
  - (b) stating that the offer may be accepted by the trustees of only 1 of those offer trusts before the end of the 20th working day after the day on which the RFR landowner's notice is received under this subsection.

**93 Formation of contract**

- (1) If the trustees of an offer trust 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 those 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 of the recipient trust.
- (3) Under the contract, the trustees of the recipient trust may nominate any person other than those trustees (the **nominee**) to receive the transfer of the RFR land.
- (4) The trustees of the recipient trust 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 of the recipient trust nominate a nominee, the trustees remain liable for the obligations of the transferee under the contract.

*Disposals to others but land remains RFR land*

**94 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 143(5) or 206 of the Education Act 1989.

**95 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.

**96 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*

**97 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.

**98 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

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- (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.

**99 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.

**100 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(e) of the Public Works Act 1981.

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**101 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.

**102 Disposal for charitable purposes**

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

**103 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***104 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 of an offer trust; 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*

**105 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.

**106 Notice to trustees of offer trusts of disposal of RFR land to others**

- (1) An RFR landowner must give the trustees of the 1 or more offer trusts notice of the disposal of RFR land by the landowner to a person other than the trustees of an offer trust 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 88**; and

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- (f) if the disposal is to be made under **section 88(d)**, a copy of any written contract for the disposal.

**107 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 of a recipient trust or their nominee (for example, under **section 80** in the case of a deferred selection property or under a contract formed under **section 93**); or
    - (ii) any other person (including the Crown or a Crown body) under **section 88(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 97 to 103**; or
    - (ii) under any matter referred to in **section 104(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 113**.
- (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.

**108 Notice to governance entities if disposal of certain RFR land being considered**

- (1) This section applies if an RFR landowner is considering whether to dispose, in a way that may require an offer under this subpart, of non-exclusive RFR land.
- (2) The RFR landowner must give notice to the relevant governance entity that, if the landowner decides to dispose of the land,

the landowner may be required to offer the land to the governance entity under this subpart.

- (3) The notice must be given immediately before the RFR landowner commences the processes under 1 of the following, as relevant:
- (a) section 52 of the Land Act 1948; or
  - (b) section 23 of the New Zealand Railways Corporation Restructuring Act 1990; or
  - (c) section 40 of the Public Works Act 1981 (providing the tests in section 40(1) of that Act are met); or
  - (d) any other enactment that regulates or applies to the disposal of the land.
- (4) The notice must—
- (a) specify the legal description of the land; and
  - (b) identify any computer register that contains the land; and
  - (c) specify the street address for the land or, if it does not have a street address, include a description or a diagram with enough information to enable a person not familiar with the land to locate it.
- (5) to avoid doubt, a notice given under this section does not, of itself, mean that an obligation has arisen under—
- (a) section 207(4) of the Education Act 1989 (concerning the application of sections 40 to 42 of the Public Works Act 1981 to transfers of land under the Education Act 1989); or
  - (b) sections 23(1) and 24(4) of the New Zealand Railways Corporation Restructuring Act 1990 (concerning the disposal of land of the Corporation); or
  - (c) section 40 of the Public Works Act 1981 (concerning the requirement to offer back surplus land to a previous owner), or that section as applied by another enactment.
- (6) In this section, **dispose** means to transfer the fee simple estate in the land.

#### 109 Notice requirements

**Schedule 4** applies to notices given under this subpart by or to—

- (a) an RFR landowner; or

- (b) the trustees of an offer trust or trustees of a recipient trust.

*Right of first refusal recorded on computer registers*

**110 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 105** 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 of the 1 or more offer trusts 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 86**; and
  - (b) subject to this subpart (which restricts disposal, including leasing, of the land).

**111 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 107**, 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 of the 1 or more offer trusts 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 110** for the land described in the certificate.

**112 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 110**; 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 of the 1 or more offer trusts 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 110** from any computer register identified in the certificate.

*General provisions applying to right of first refusal*

**113 Waiver and variation**

- (1) The trustees of the 1 or more offer trusts 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 of the 1 or more offer trusts 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.

**114 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.

**115 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 4** apply to the assignees (instead of to the RFR holder) as if the assignees were the trustees of the relevant offer trust, 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 of an offer trust under this subpart, because—

- (a) they are the trustees of 1 or more offer trusts; or
- (b) they have previously been assigned those rights and obligations under this section.

### Subpart 3—Waitara endowment land

#### **116 Waitara endowment land**

- (1) This section applies to any Waitara endowment land sold under a sale and purchase agreement entered into by the trustees and the Council.
- (2) Sections 140 and 141 of the Local Government Act 2002 (which relate to the disposal of endowment land) do not apply.
- (3) The reservation of any land as a reserve subject to the Reserves Act 1977 is revoked and sections 24 and 25 of that Act (which relate to the revocation of reserves) do not apply to the revocation.
- (4) Immediately before registration of the transfer of the land from the Council to the trustees—
  - (a) the Waitara Borough Reserves Vesting Act 1909 ceases to apply to the land; and
  - (b) the Waitara Harbour Act 1940 ceases to apply to the land and to any proceeds from the sale of the land.
- (5) The transfer instrument must include a statement that the land is no longer subject to the Acts referred to in **subsection (4)**.
- (6) The Registrar-General must, upon registration of the transfer, remove from the computer freehold register for the land any memorial stating that the land is subject to an Act referred to in **subsection (4)**.
- (7) In this section,—

**Council** means the New Plymouth District Council

**Waitara endowment land** means the fee simple estate in any land that is vested in the Council—

- (a) by the Waitara Harbour Act 1940;
- (b) by the Waitara Borough Reserves Vesting Act 1909.

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## Schedule 1 Statutory areas

ss 27, 36

### Part 1

#### Areas subject to statutory acknowledgement

Statutory area	Location
Bayly Road Conservation Area	As shown on OTS-043-23
Herekawe Stream and its tributaries	As shown on OTS-043-32
Huatoki Stream and its tributaries	As shown on OTS-043-33
Huatoki Stream Marginal Strip	As shown on OTS-043-24
Huirangi Recreation Reserve	As shown on OTS-043-25
Kowhangamoku Stream and its tributaries	As shown on OTS-043-34
Mangahinau Esplanade Reserve	As shown on OTS-043-26
Manganui River and its tributaries	As shown on OTS-043-35
Mangati Stream and its tributaries	As shown on OTS-043-36
Manu Stream and its tributaries	As shown on OTS-043-37
Motukari Stream and its tributaries	As shown on OTS-043-38
Ngahere Scenic Reserve	As shown on OTS-043-27
Parahaki Stream and its tributaries	As shown on OTS-043-39
Tapuae Stream and its tributaries	As shown on OTS-043-40
Te Atiawa Coastal Marine Area	As shown on OTS-043-51
Te Henui Stream and its tributaries	As shown on OTS-043-41
Te Henui Stream Conservation Area	As shown on OTS-043-28
Waiiau Stream and its tributaries	As shown on OTS-043-42
Waihi Stream and its tributaries	As shown on OTS-043-43
Waihowaka Stream and its tributaries	As shown on OTS-043-44
Waiongana Stream and its tributaries	As shown on OTS-043-45
Waiongana Stream Conservation Area	As shown on OTS-043-29
Waipapa Road Conservation Area	As shown on OTS-043-30
Waipapa Stream and its tributaries	As shown on OTS-043-46
Waipu Stream and its tributaries	As shown on OTS-043-47
Waitaha Stream and its tributaries	As shown on OTS-043-48
Waitara River and its tributaries	As shown on OTS-043-49
Waitara West Marginal Strip	As shown on OTS-043-31
Waiwhakaiho River and its tributaries	As shown on OTS-043-50

## Part 2

## Areas also subject to deed of recognition

<b>Statutory area</b>	<b>Location</b>
Awa te take Pa Historic Reserve	As shown on OTS-043-08
Awa te take Scenic Reserve	As shown on OTS-043-09
Everett Park Scenic Reserve	As shown on OTS-043-10
Katere Scenic Reserve	As shown on OTS-043-11
Mahoetahi Historic Reserve	As shown on OTS-043-12
Makara Scenic Reserve	As shown on OTS-043-13
Ngangana Pa (being Manukorihi Recreation Reserve)	As shown on OTS-043-14
Onaero River and its tributaries	As shown on OTS-043-22
Papamoā (being Meeting of the Waters Scenic Reserve)	As shown on OTS-043-15
Puketakauere Pa Historic Reserve	As shown on OTS-043-16
Robe Street Conservation Area	As shown on OTS-043-17
Sentry Hill Conservation Area	As shown on OTS-043-18
Sentry Hill Redoubt Historic Reserve	As shown on OTS-043-19
Waitara River No 1 Marginal Strip	As shown on OTS-043-20
Waiwhakaiho River mouth (Crown Land Conservation Area)	As shown on OTS-043-21

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## Schedule 2

### Overlay areas

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Overlay area	Location	Description
Pukerangiora Pa Historic Reserve	As shown on OTS-043-04	<i>Taranaki Land District—New Plymouth District</i> 14.5687 hectares, more or less, being Section 267 Huirangi District. Part Proclamation 313.
Puketarata-Parihamore Historic Reserve	As shown on OTS-043-05	<i>Taranaki Land District—New Plymouth District</i> 3.9963 hectares, more or less, being Section Y New Plymouth Town Belt. All computer freehold register TN59/80.  0.8987 hectares, more or less, being Section 1 New Plymouth Town Belt. All Gazette notice 231601.1.
Rimutauteka Scenic Reserve	As shown on OTS-043-06	<i>Taranaki Land District—New Plymouth District</i> 2.9729 hectares, more or less, being Lot 1 DP 12873. All computer freehold register TNE4/951.
Waitara Scenic Reserve	As shown on OTS-043-07	<i>Taranaki Land District—New Plymouth District</i> 2.3070 hectares, more or less, being Section 1 SO 13429. all Gazette notice 411501.2.

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**Schedule 3**  
**Cultural redress properties**

ss 60, 61, 62, 66

Part 1  
Property vested in fee simple

Name of property	Description	Interests
Taumata	<i>Taranaki Land District—New Plymouth District</i> 0.060 hectares, approximately, being Part Lot 2 DP 2485. Part computer freehold register TN62/173. Subject to survey. 0.003 hectares, approximately, being part Section 2 Tarurutangi District. Part computer freehold register TNG2/1258. Subject to survey. 0.002 hectares, approximately, being Road to be closed. Subject to survey. As shown on OTS-043-02.	Subject to a right to locate, access, and maintain monuments as referred to in <b>section 61</b> .

Properties jointly vested in fee simple

Name of property	Description	Interests
Mataora (Round Rock), Pararaki (Seagull Rock), and Motuotamatea (Snapper Rock)	<i>Taranaki Land District—New Plymouth District</i> 2.8150 hectares, approximately, being parts Section 181 Omata District Mataora (Round Rock), Pararaki (Seagull Rock), and Motuotamatea (Snapper Rock). Part computer freehold register TNB3/32. Subject to survey. As shown on OTS-043-03.	Subject to being a wildlife refuge held in <i>Gazette</i> notice 194666. Subject to section 7(1) and (3) of Sugar Loaf Islands Marine Protected Area Act 1991.

## Part 1—continued

Name of property	Description	Interests
Moturoa, Motumahanga (Saddleback), Waikaranga (Seal Rocks), and Whareumu (Lion Rock)	<p><i>Taranaki Land District—New Plymouth District</i></p> <p>0.3550 hectares, approximately, being Part Moturoa. Subject to survey.</p> <p>1.8150 hectares, approximately, being Part New Plymouth Roadstead (Whareumu (Lion Rock) and Part Moturoa). Part computer freehold register TN102/148. Subject to survey.</p> <p>2.6300 hectares, approximately, being Motumahanga (Saddleback) and Waikaranga (Seal Rocks). Part computer freehold register TN144/101. Subject to survey.</p> <p>As shown on OTS-043-03.</p>	Subject to section 7(1) and (2) of Sugar Loaf Islands Marine Protected Area Act 1991.
Tokatapu and Koruanga/Motukuku	<p><i>Taranaki Land District—New Plymouth District</i></p> <p>0.2230 hectares, approximately, being Koruanga/Motukuku and Tokatapu. Part computer freehold register TN144/101. Subject to survey.</p> <p>As shown on OTS-043-03.</p>	Subject to section 7(1) and (3) of Sugar Loaf Islands Marine Protected Area Act 1991.

## Part 2

Alternative description of Taumata if  
section 62(1) applies

Name of property	Description	Interests
Taumata	<i>Taranaki Land District—New Plymouth District</i> 0.060 hectares, approximately, being Part Lot 2 DP 2485. Part computer freehold register TN62/173. Subject to survey. 0.002 hectares, approximately, being road to be closed. Subject to survey. As shown marked “C” and “D” on OTS-043-02A.	Subject to a right to locate, access, and maintain monuments as referred to in <b>section 62</b> .



**Schedule 4**

ss 85, 109

**Notices in relation to RFR land****1 Requirements for giving notice**

A notice by or to an RFR landowner or the trustees under **sub-part 5 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 89**, 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 105 or 107**, sent 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 that must be given in writing and signed, as required by **clause 1(a)**, may be given by electronic means provided the notice is given with an electronic signature that satisfies section 22(1)(a) and (b) of the Electronic Transactions Act 2002.

**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 second 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.

