

Pire Whakataunga Kerēme a Ngāti Rāhiri Tumutumu

Pire Kāwantanga

E ai ki tā te Komiti Whiriwhiri Take Māori i pūrongo ai

Pepa Whakamahuki

Tūtohunga

Kua mātaitia e te Komiti Whiriwhiri Take Māori te Ngāti Rāhiri Tumutumu Claims Settlement Bill, ā, e tūtohi nei kia whakaaetia. E tūtohi katoa ana ki ngā menamana katoa.

Whakatakinga

Mā tēnei pire e whai mana ana ai ētahi wāhanga motuhake o tētahi whakaaetanga whakataunga i waitohutia e te Karauna me Ngāti Rāhiri Tumutumu i te 26 Hepetema 2025 ki te whakatau i ngā kerēme Tiriti o Waitangi.

He iwi nō Te Ika-a-Māui a Ngāti Rāhiri Tumutumu, e whakapaetia ana ka eke ōna uri ki te 510 mema. E kapi mai ana i ō rātou whenua whaipānga ko Te Aroha, ko te taupae o Kaimai ki Katikati me Te Puna, ki ngā mānia o Hauraki, ā, ki Te Tara-o-te-ika-a-Māui

Kei te Wāhanga Tuatahi e whakarārangi mai ana ko tētahi kōrero hītori me ā te Karauna mihi, whakapāha hoki. Kei te Wāhanga 2 e whakarārangi mai ana ko te puretumu ā-ahurea, ā, kei te Wāhanga 3 e whakarārangi mai ana ko ngā puretumu ā-arumoni.

Whakatātaretanga ā-ture

Hei wāhanga o ā mātou whakaarohanga mō te pire, kua mātaitia e mātou tōna hāngai ki ngā mātāpomo o te ture kounga. E hiahia nei mātou kia aro i te Whare ētahi take e hāngai ana ki ngā whiti 89 ki 91, koia ka āta kōrerohia hei te haerenga o tēnei pūrongo whakamahuki.

Tūtohunga menamana

E kapi mai ana i tēnei pepa whakamahuki ētahi o ngā menamana e tūtohi nei mātou ki te pire ka whakatakina. Kāore mātou e kōrero i ngā menamana iti, ngā kōiriiringa menamana rānei.

Me whakapuaki tika e te kōrero hītori i a maunga Te Aroha

E noho nei a Te Aroha maunga me ngā whenua i tōna take (Te Aroha) hei wāhanga matua o ngā kerēme Ngāti Rāhiri Tumutumu. E ai ki te whakaaetanga whakataunga:

E ai ki ngā kōrero tuku iho a Ngāti Rāhiri Tumutumu, i mua i te taenga mai o tauīwi ki Te Aroha, i te noho Ngāti Rāhiri Tumutumu ki ngā whenua i te taha o Te Aroha maunga, i a rātou anō te mana kaitiaki, ā, nō reira mai hoki tō rātou mana whenua, me tō rātou orange i tō rātou rohe.¹

I tōna tikanga, me hāngai tēnei takinga kupu ki te whakarāpopototanga o te kōrero hītori. Heoi anō, kei te whiti 8(1) e kī ana, “i te noho a Ngāti Rāhiri Tumutumu ki ngā whenua o runga o Te Aroha, me ngā whenua i ōna taha”—kaua ko “Te Aroha **maunga**”. E tūtohi nei mātou kia panonitia te whiti kia hāngai ake ai te takinga kupu kei te whakaaetanga whakataunga. Ka pā tā mātou tūtohunga ki te tuhinga reo Ingarihi tahi me te tuhinga reo Māori o te whiti 8(1).

Ngā rawa whakahaumarutanga waipuke a Te Kaunihera ā-Rohe o Waikato

I raro i a whiti 31, ka tukuna katoatia atu ngā whenua o Omaha ki ngā tarahatī o Ngāti Tumutumu Trust hei whenua rāhui. Nā te Kaunihera ā-Rohe o Waikato ētahi rawa whakahaumarutanga waipuke kei ngā whenua tonu rānei, kei tūtata rānei o ngā whenua o Omaha. I kī mai te kaunihera ki a mātou he rawa hira nui mō te whakahaumarutanga i ngā papa kāinga kei tūtata me te rokiroki i ngā āheinga pupuri-wai. I tūtohi rā kia whakahoungia a whiti 31 kia whakahaumarutia tōna wātea atu, te whakahaeretanga iho, me ngā mana e ai ki ngā rawa whakahaumarutanga waipuke.

E tūtohi nei mātou kia whakahoungia te whiti 31 mā te whakauru atu i:

- tētahi whiti hou, (7A)(a), ki te rokiroki i te mautanga a te Kaunihera ā-Rohe o Waikato o ngā rawa whakahaumarutanga waipuke kei te whenua o Omaha
- tētahi whiti hou, (7A)(b), ki te rokiroki i te mana me te haepapa ki te tomo, ki te tiaki, me te whakahaere hoki i raro i te Soil Conservation and Rivers Control Act 1941
- tētahi whiti hou, (7C), e whakarārangi ana i ngā mahi me tutuki i te kaunihera tōmua mai i te whakatinanatanga o aua mana, haepapa hoki

¹ Ngāti Rāhiri Tumutumu, the Trustees of the Ngāti Tumutumu Trust, and the Crown, Deed of Settlement of Historical Claims, 26 Hepetema 2025, kōwae 2.2.

- tētahi whiti hou, (7B), kia whai wāhi mai ai tētahi whakaaetanga māramatanga i waenganui i te kaunihera me Ngāti Rāhiri Tumutumu mō te tomonga a te kaunihera ki te whenua.

I whakamōhiotia mai mātou kua kōrero tahi a Te Tari Whakatau | the Office of Treaty Settlements and Takutai Moana ki ngā tarahatī o Ngāti Rāhiri Tumutumu mō tēnei tono. E mārama ana mātou kua tohu mai ngā tarahatī i tā rātou tautoko atu.

Ētahi take kē atu i whakaaroarohia

I whakaaroarohia e mātou ētahi take maha, ā, e hiahia ana mātou ki te whakatakoto mai kia whā ngā take i raro iho nei.

Te hononga motuhake o te iwi me te maunga

E aro nei i a mātou he tokomaha ngā kaitāpae i pīrangī kia whakarahia ake te mana o te hononga motuhake, hononga tāngaengae hoki o Ngāti Rāhiri Tumutumu ki a Te Aroha maunga.

E aro nei i a mātou he maunga rangatira tēnei ki ngā iwi katoa o Hauraki. E kapi ana i tētahi pūkei puretumu takitini, e whai wāhi atu nei a Ngāti Rāhiri Tumutumu, koia ko te whakaaetanga me te pire o Pare Hauraki Collective Redress. Ko tētahi wāhanga o tēnei puretumu ko te whakawhitinga o te 1,000 heketea o te maunga ki ngā iwi katoa o Hauraki.

I whakaputaina e Te Rōpū Whakamana i te Tiriti o Waitangi tāna pūrongo, Te Aroha Maunga Settlement Process Report, i te tau 2015 nō muri tata i tētahi rongonga kōhukihuki. E aro ana i a mātou nō muri mai i whakaae te Karauna me Ngāti Rāhiri Tumutumu ki tētahi “classification as an overlay area”, tae atu ki te tukuna o ngā whenua maha i ngā pīnaki o te maunga, otirā, i te whakarohenga o te maunga katoa (i Kaimai Mamaku Conservation Park).²

E whakapae ana mātou, i te mutunga iho, e tohu kē ana te whakataunga i te hononga motuhake i waenganui i a Ngāti Rāhiri Tumutumu me Te Aroha maunga. Hāunga i te whakatika i a whiti 8(1) i te pire, kāore mātou e tūtohi panonitanga kē atu e pā ana ki te maunga.

Tautoko mō Ngāti Tumutumu Trust

Tokomaha ngā kaitāpae i tuku i ō rātou āwangawanga mō te hātepe tuku mana me te apataki o te whakahaerenga ā-iwi (PSGE). I rongo amuamu mātou mō te korenga o ngā hui ki te hāpori me te iti hoki o te whakapono ki ngā kaiwhiriwhiri me ngā tarahatī.

² I raro i te wāhanga 83, ko te tikanga o te “classification as an overlay area” ko tā te iwi tauākī mātāpono me ngā mātāpono tiaki i ngā wāhi me tuku whakaaro atu i ngā whakaaroarotanga o ngā rautaki me ngā mahere whakahaere e pā ana te wāhi. Mō ētahi kōrero kē atu, tirohia te Wāhanga 2, wāhanga mātāmuri 3 o te pire.

I whai te Karauna i tētahi hātepe kua kōkiri noatia, e tika ai tā Ngāti Tumutumu Trust whakamanatanga hei PSGE. I whakapūmautia te PSGE me te whakaaetanga whakataunga i te tau 2017. Heoi, he maha ngā tau i pahemo i waenga i te whakamanatanga me te hainatanga tūturu o te whakaaetanga whakataunga i te tau 2025. I roa hoki tēnei. I te tōroa i te mea o te nuinga o ngā whakawakanga e pā ana ki ngā pānga inaki i te rohe o Hauraki me ngā tikanga o muri mai hei whakatau i ngā awangawanga o ngā iwi inaki. E mōhio ana mātou i whakatauhia ngā take kāore he whakarerekētanga nui ki te whakatika hapa e whakaarohia ana i whakamanahia e te iwi i te tau 2017.

Kua whakahaeretia te tarahiti mai i te tau 2018 i mua i te whakataunga. Hei tauira, kāore ano kia whakatū i ngā hui-a-tau, kāore hoki e hiahia kia pera kia kotahi tau i muri i te ra whakataunga.³ Heoi ano, i puta te kōrero ki a mātou kua kaha tonu te tarahiti me te mahi tahi me ngā mema i roto i ngā huarahi rerekē.

I runga i te tukaru o ētahi o ngā kaiwhakatakoto kōrero, i harikoa mātou ki te mōhio ake kei te whakawhanake te tarahiti i tētahi huarahi whakawhitiwhiti kōrero, tae atu ki ngā wānanga o ia marama hei tautoko kia mōhio ai ngā kaikerēme ki ngā āhuatanga. I ako mātou ko te wānanga tuatahi i whakaritea mō Hui-tanguru 2026 ki te kōrero i ngā whakapapa me ngā tikanga whakataunga Tiriti.

Ahako he iti noa ngā kōrero mō te tarahiti ki te whakawhiti kōrero ki ngā mema i waenga i te 2018 me te 2025, ko te ngūtanga o te whakatakaroa te take i rewa ake ai te hēmanawa. Ki te titiro a ētahi mema o te iwi, kua raruraru mena kīhai i rongo i te paku aha mō ngā tau e waru, ā, mea rawa ake kua hainatia te whakaaetanga whakataunga, ā, kua toka te ture.

Ki ō mātou whakaaro kua mau i te Karauna te iro o ngā uauatanga i puta mai i te roanga o te whakatakaroa i waenganui i nga taumata whakataunga Tiriti mō tēnei kēhi. I koa mātou ki te mōhio kei te whai whakaaro me pēhea e whakahaeretia tikatia ai ngā whakatōroatanga o te tau koroī.

Inā koa, ka kite mātou ko ngā whakataunga tarahiti e āta whakatakoto ana ka tū ngā pōti PSGE i muri i te whakamanatanga o te pire whakataunga. E harikoa ana mātou kei te whakaaro te Karauna mēnā ka whakahau pōti kaitiaki i muri mai i te kotahi tau mai i te rā whakataunga, i te wā tarahiti kotahi rānei (te tikanga e toru tau) mai i te whakatūranga o te tarahiti. E whakatenatena ana mātou kia ahu whakamua i tēnei mahi kia taea ai e ngā whakaaetanga whakataunga ā muri ake nei te whakarite i ngā pōti kaitiaki mehemea ka roa rawa ngā whakatōroatanga.

Ngā tirohanga rerekē mō te ingoa tika o te iwi me te ingoa PSGE

He maha ngā kōrero i tae mai ki a mātou mō te ingoa tika o te iwi. I whakamōhiohia mātou ko Ngāti Tumutumu kē te ingoa tika mō te iwi, ehara i a Ngāti Rāhiri Tumutumu.

³ Ka whakarite te rārangi 12 o te pire kia tū te rā whakataunga kia 60 rā mahi hei muri i te whakamanatanga o te pire.

I whakahē ētahi atu kaitāpae ki te ingoa PSGE, te Ngāti Tumutumu Trust. I kī rātou me whakauru a “Rāhiri” ki te ingoa tarahiti.

Ki ō mātou nei whakaaro kāore e tika kia whakatauhia e te Pāremata te ingoa iwi me te ingoa o te PSGE. He take rāroto ēnei mā ngā mema o te hapori kaikerēme hei matapaki. Kāore te ingoa e pā ki te kaha o ngā mema o te iwi ki te whai hua mai i te whakataunga.

Ture mātāmuri

I tuhi mai te Komiti Arotake Waeture ki a mātou mō ngā take e rua i roto ngā rārangi 89, 90, me te 91. Kāore ēnei take e motuhake ki tēnei pire—e pā ana hoki ki ētahi atu ture whakataunga. Kua whakarāpopotohia e mātou ngā take i raro iho nei.

Ko ngā ture me ngā ture whakahaere e pā ana ki aua take

Ko ngā rarangi 89 me te 90 ka ahei te hanga i ngā tikanga me ngā ture, ture tuarua mō ngā kaupapa rite tonu (hei whakarite mō te whakatinanatanga o ngā rautaki me ngā mahere e pā ana ki te waahi whakakikorua me te whakahaere, te aukati rānei i ngā mahi a ngā mema o te iwi whanui e pā ana ki te rohe whakakikorua). Ka patai te Komiti Arotake Waeture mehemea ka hiahiatia ngā whiringa e rua.

Ko te whakatau a te Kaunihera kia kaua e whai mana ture

Ka whakaaetia e te rarangi 91 he Ota a te Kaunihera e whakaatu ana kua kore te wāhi whakakikorua i raro i te whakarōpūtanga whakakikorua. I te nuinga o te wā, ka whakaarohia ngā Whakataunga i te Kaunihera hei ture mātāmuri, ā, kua tohua pērātia i roto i te pire. Heoi, i tohutohua mai ki a mātou ehara i te mea me tautuhi te āheinga o roto i te whiti 91 (me ngā rārangi rite i roto i ngā ture whakataunga Tiriti o mua) hei ture mātāmuri he whakawhāititia nōna hei turaki i te pānga ā-ture o ngā waeture i hangaia i raro i te rārangi 88. Ki tā te Komiti Arotake Waeture he rerekē tēnei huarahi, ā, kei te hiahia ki ētahi atu kōrero.

He whakarāpopoto o ngā ture mātāmuri i roto i ngā ture whakataunga

I kī mai te Komiti Arotake Waeture kua whakatuwherahia he kōrero mō ngā mana ki te hanga ture tuarua i roto i ngā ture whakataunga Tiriti. Kua kite mātou kua whakatakotohia e Te Tari Whakatau ōna whakaaro mō ēnei take i roto i tana pūrongo tari mō tēnei pire.⁴ Kei te rikarika te ngākau kia ako i ngā whakaaro o te Komiti Arotake Waeture mō ngā take e rua i runga ake nei.

⁴ Te Tari Whakatau | Office of Treaty Settlements and Takutai Moana, Ngāti Rāhiri Tumutumu Claims Settlement Bill Departmental Report, 26 Hanuere 2026, ngā whiti 53–73.

Āpītitanga

Tukanga komiti

I tukuna te Pire Whakataunga i ngā Kerēme a Ngāti Rāhiri Tumutumu ki tēnei komiti i te 4 o Noema 2025. I whakahau te Whare kia whakahokia mai te pire i mua i te 6 o Maehe 2026.

I karanga mātou mō ngā tuku kōrero mō te pire me te rā kati o te 3 o Hakihea 2025. I riro mai, ā, i whakaarohia e mātou ngā tukunga mai i ngā roopu me ngā tangata takitahi e 332. I rongorongo mātou i ngā taunakitanga a-waha mai i ngā kaiwhakatakoto kōrero 12 i ngā huihuinga i Te Aroha me Te Whanganui-a-Tara i te 15 me te 17 o Hakihea 2025. Kei te pirangi mātou ki te mihi ki ngā mahi a ngā kaiwhakatakoto kōrero katoa me te mihi ki a rātou mō o raatau mahi.

He tohutohu mō te pire nā Te Tari Whakatau | the Office of Treaty Settlements and Takutai Moana. Nā te Tari o te Karaka i tuku tohutohu mō te kounga o te ture o te pire. I awhina te Tari Kaunihera Paremata ki te tuhi ture. I pūrongohia e te Komiti Arotake Ture ki a mātou mō ngā mana kei roto i ngā rarangi 89, 90, me 91.

Mema Komiti

David MacLeod (Heamana)

Steve Abel

Georgie Dansey (mai i te 11 o Pepuere 2026)

Greg Fleming

Paulo Garcia (mai i te 11 o Pepuere 2026)

Hon Willie Jackson (mai i te 18 Pepuere 2026)

Oriini Kaipara

Dana Kirkpatrick (tae atu ki te 11 o Pepuere 2026)

Rima Nakhle

Rt Hon Adrian Rurawhe (tae atu ki te 6 o Pēpuere 2026)

Hon Jan Tinetti (tae atu ki te 18 Pepuere 2026)

Ngā rauemi e whai pānga ana

Ko ngā puka i riro mai hei tohutohu, ā, ko ngā taunakitanga kei te paetukutuku a te Pāremata.

Ngāti Rāhiri Tumutumu Claims Settlement Bill

Government Bill

As reported from the Māori Affairs Committee

Commentary

Recommendation

The Māori Affairs Committee has examined the Ngāti Rāhiri Tumutumu Claims Settlement Bill and recommends that it be passed. We recommend all amendments unanimously.

Introduction

This bill would give effect to certain aspects of a deed of settlement signed by the Crown and Ngāti Rāhiri Tumutumu on 26 September 2025 to settle historical Treaty of Waitangi claims.

Ngāti Rāhiri Tumutumu are a North Island iwi with an estimated 510 members. Their area of interest includes Te Aroha, the Kaimai range to Katikati and Te Puna, the Hauraki Plains, and Coromandel Peninsula.

Part 1 of the bill sets out a historical account and the Crown's acknowledgements and apology. Part 2 provides for cultural redress and Part 3 provides for commercial redress.

Legislative scrutiny

As part of our consideration of the bill, we have examined its consistency with principles of legislative quality. We wish to bring to the House's attention some issues relating to clauses 89 to 91, which we discuss in more detail later in this commentary.

Proposed amendments

This commentary covers some of the amendments we recommend to the bill as introduced. We do not discuss very minor or technical amendments.

Historical account should correctly reference Te Aroha maunga

Te Aroha maunga (mountain) and the land at its base (Te Aroha) are central to the Ngāti Rāhiri Tumutumu claims. According to the deed of settlement:

Ngāti Rāhiri Tumutumu tradition records that before Europeans came to Te Aroha, Ngāti Rāhiri Tumutumu lived on the lands on and surrounding Te Aroha maunga, where they exercised kaitiakitanga, and from which they drew mana and sustenance.⁵

This wording should be correctly reflected in the bill’s summary of the historical account. However, clause 8(1) states that the iwi “lived on the lands on and surrounding Te Aroha”—not “Te Aroha **maunga**”. We recommend changing the subclause to accurately reflect the wording in the deed of settlement. Our recommendation applies to both the English and Māori versions of clause 8(1).

Flood protection assets owned by the Waikato Regional Council

Under clause 31, the Omaha whenua would be vested in the trustees of the Ngāti Tumutumu Trust in fee simple as a reserve. The Waikato Regional Council owns and maintains several flood protection assets on and adjacent to the Omaha whenua. The council told us that the assets are critical to protecting adjacent properties and maintaining water-catchment functions. It proposed amending clause 31 to protect its access to, management of, and powers in relation to the flood protection assets.

We recommend amending clause 31 by inserting:

- new subclause (7A)(a), to preserve the Waikato Regional Council’s ownership of the flood protection assets on the Omaha whenua
- new subclause (7A)(b), to preserve the council’s access, management, and operational powers and responsibilities under the Soil Conservation and Rivers Control Act 1941
- new subclause (7C), which sets out what the council must do before exercising those powers and responsibilities
- new subclause (7B), to provide for a memorandum of understanding between the council and Ngāti Rāhiri Tumutumu about council access to the land.

We were advised that Te Tari Whakatau | the Office of Treaty Settlements and Takutai Moana has consulted with Ngāti Rāhiri Tumutumu trustees on this proposal. We understand that the trustees have indicated their support for it.

Other issues considered

We have considered several other matters and wish to mention four of them below.

⁵ Ngāti Rāhiri Tumutumu, the Trustees of the Ngāti Tumutumu Trust, and the Crown, Deed of Settlement of Historical Claims, 26 September 2025, para 2.2.

Special relationship between iwi and maunga

We acknowledge that several submitters wanted more recognition of Ngāti Rāhiri Tumutumu's special, enduring relationship with Te Aroha maunga.

We note that the maunga is significant to all Hauraki iwi. A separate collective redress package, which Ngāti Rāhiri Tumutumu is part of, comprises the Pare Hauraki Collective Redress deed and bill. Part of that redress is the transfer of 1,000 hectares of the maunga to all Hauraki iwi.

The Waitangi Tribunal released its Te Aroha Maunga Settlement Process Report in 2015 following an urgent hearing. We note that the Crown and Ngāti Rāhiri Tumutumu subsequently agreed a range of redress measures, including the vesting of several lands on the lower slopes of the maunga and an overlay classification area on the maunga (in Kaimai Mamaku Conservation Park).⁶

We think that, overall, the settlement already reflects the special relationship between Ngāti Rāhiri Tumutumu and Te Aroha maunga. Aside from correcting clause 8(1) in the bill, we do not recommend other changes relating to the maunga.

Support for Ngāti Tumutumu Trust

Many submitters expressed concerns about the mandating process and the membership of the post-settlement governance entity (PSGE). We heard complaints about a lack of community engagement and a lack of trust in the negotiators and trustees.

The Crown followed established process to make sure that the Ngāti Tumutumu Trust was ratified as the appropriate PSGE. The PSGE and the deed of settlement were ratified in 2017. However, many years passed between ratification and the actual signing of the deed of settlement in 2025. This was unusually long. The delay was mainly due to litigation about overlapping interests in the Hauraki area and subsequent processes to resolve concerns of overlapping iwi. We understand that the issues were eventually resolved without significant changes to the proposed redress that was ratified by the iwi in 2017.

The trust has operated since 2018 in a pre-settlement phase. For example, it has not held annual general meetings and is not required to do so until a year after the settlement date.⁷ Even so, we were advised that the trust has remained active and engaged with members in various ways.

Given the dissatisfaction expressed by some submitters, we were pleased to learn that the trust is now developing a communications approach, including monthly wānanga

⁶ Under section 83, classification as an overlay area means that the iwi's statement of values and protection principles for the area must be given particular regard during the consideration of conservation management strategies and plans relating to the area. For more detail, see Part 2, subpart 3 of the bill.

⁷ Clause 12 of the bill provides that the settlement date is 60 working days after the bill comes into force.

to help claimants understand what is happening. We learnt that the first wānanga was planned for February 2026 to cover whakapapa and Treaty settlement processes.

Although there was very little information for the trust to communicate to members between 2018 and 2025, the apparent silence over a long period would have contributed to dissatisfaction. From the perspective of some iwi members, it could have been troubling to not hear much for eight years then suddenly find that the deed of settlement is signed and legislation has appeared.

We think the Crown has learned from difficulties caused by the long delay between Treaty settlement milestones in this case. We were glad to learn that it is considering how to best manage potential delays in future.

In particular, we note that trust deeds tend to specify that PSGE elections be held after a settlement bill is passed. We are pleased that the Crown is considering whether to require trustee elections to be held after either one year from the settlement date or one standard trust term (usually three years) from the establishment of the trust. We urge it to progress this work so that future deeds of settlement can provide for trustee elections to take place if delays are long.

Differing views about correct iwi name and PSGE name

We received many submissions on the correct name of the iwi. We were told that Ngāti Tumutumu is the correct name of the iwi, not Ngāti Rāhiri Tumutumu.

Other submitters objected to the name of the PSGE, the Ngāti Tumutumu Trust. They submitted that “Rāhiri” should be included in the trust name.

We do not consider it appropriate for Parliament to decide the iwi name and the name of the PSGE. These are internal matters for members of the claimant community to discuss. The name does not materially affect the ability of iwi members to benefit from the settlement.

Secondary legislation

The Regulations Review Committee wrote to us about two issues in clauses 89, 90, and 91. The issues are not specific to this bill—they also apply to other settlement legislation. We have summarised the issues below.

Regulations and bylaws covering the same matters

Clauses 89 and 90 would allow the making of, respectively, regulations and bylaws for exactly the same purposes (to provide for the implementation of strategies and plans relating to the overlay area and to regulate or prohibit activities by members of the public in relation to the overlay area). The Regulations Review Committee questions whether both options are needed.

Order in Council not to have legislative effect

Clause 91 would allow an Order in Council to be made declaring that the overlay area was no longer subject to the overlay classification. Usually, Orders in Council are considered secondary legislation and are identified as such in the bill. However,

we were advised that the power in clause 91 (and similar clauses in previous Treaty settlement legislation) does not need to be identified as secondary legislation because it is limited to undoing the legislative effect of regulations made under clause 88. The Regulations Review Committee finds this approach unusual and wanted more information.

Briefing on secondary legislation in settlement legislation

The Regulations Review Committee told us that it has opened a briefing on powers to make secondary legislation in Treaty settlement legislation. We note that Te Tari Whakatau has presented its views on these matters in its departmental report on this bill.⁸ We look forward to eventually learning the views of the Regulations Review Committee on both matters above.

⁸ Te Tari Whakatau | Office of Treaty Settlements and Takutai Moana, Ngāti Rāhiri Tumutumu Claims Settlement Bill Departmental Report, 26 January 2026, paragraphs 53–73.

Appendix

Committee process

The Ngāti Rāhiri Tumutumu Claims Settlement Bill was referred to this committee on 4 November 2025. The House instructed us to report the bill back no later than 6 March 2026.

We called for submissions on the bill with a closing date of 3 December 2025. We received and considered submissions from 332 interested groups and individuals. We heard oral evidence from 12 submitters at hearings in Te Aroha and Wellington on 15 and 17 December 2025 respectively. We wish to acknowledge the efforts of all submitters and thank them for their engagement.

Advice on the bill was provided by Te Tari Whakatau | the Office of Treaty Settlements and Takutai Moana. The Office of the Clerk provided advice on the bill's legislative quality. The Parliamentary Counsel Office assisted with legal drafting. The Regulations Review Committee reported to us on the powers contained in clauses 89, 90, and 91.

Committee membership

David MacLeod (Chairperson)

Steve Abel

Georgie Dansey (from 11 February 2026)

Greg Fleming

Paulo Garcia (from 11 February 2026)

Hon Willie Jackson (from 18 February 2026)

Oriini Kaipara

Dana Kirkpatrick (until 11 February 2026)

Rima Nakhle

Rt Hon Adrian Rurawhe (until 6 February 2026)

Hon Jan Tinetti (until 18 February 2026)

Related resources

The documents we received as advice and evidence are available on the Parliament website.

Key to symbols used in reprinted bill

As reported from a select committee

text inserted unanimously

~~text deleted unanimously~~

Hon Paul Goldsmith

Ngāti Rāhiri Tumutumu Claims Settlement Bill

Government Bill

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Ngāti Rāhiri Tumutumu Claims Settlement Act **2024**.

2 Commencement

This Act comes into force on the day after Royal assent.

Part 1

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

Preliminary matters

- | | | |
|----------|--|----------|
| 3 | Purpose | 5 |
| | The purpose of this Act is— | |
| | (a) to record the acknowledgements and apology given by the Crown to Ngāti Rāhiri Tumutumu in the deed of settlement; and | |
| | (b) to give effect to certain provisions of the deed of settlement that settles the historical claims of Ngāti Rāhiri Tumutumu. | 10 |
| 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— | 15 |
| | (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. | 20 |
| 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— | 25 |
| | (a) sets out the purpose of this Act; and | |
| | (b) provides that the provisions of this Act take effect on the settlement date unless a provision states otherwise; and | |
| | (c) specifies that the Act binds the Crown; and | |
| | (d) sets out a summary of the historical account, and records the text of the acknowledgements and apology given by the Crown to Ngāti Rāhiri Tumutumu, as recorded in the deed of settlement; and | 30 |
| | (e) defines terms used in this Act, including key terms such as Ngāti Rāhiri Tumutumu and historical claims; and | |
| | (f) provides that the settlement of the historical claims is final; and | 35 |

- (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 limit on the duration of a trust; and
 - (v) access to the deed of settlement.
- (3) **Part 2** provides for cultural redress, including— 10
 - (a) cultural redress requiring vesting in the trustees of the fee simple estate in certain cultural redress properties; and
 - (b) cultural redress that does not involve the vesting of land, namely,—
 - (i) an overlay classification applying to a certain area of land; and
 - (ii) a statutory acknowledgement by the Crown of the statements made by Ngāti Rāhiri Tumutumu of their cultural, historical, spiritual, and traditional association with certain statutory areas and the effect of that acknowledgement, together with a deed of recognition for those areas; and 15
 - (iii) protocols for primary industries and taonga tūturu on the terms set out in the documents schedule. 20
- (4) **Part 3** provides for commercial redress, including,—
 - (a) in **subpart 1**, the transfer of land; and
 - (b) in **subpart 2**, the vesting of certain Crown owned minerals and related matters. 25
- (5) There are 4 schedules, as follows:
 - (a) **Schedule 1** describes the cultural redress properties:
 - (b) **Schedule 2** describes the Te Aroha Domain land:
 - (c) **Schedule 3** describes the overlay area to which the overlay classification applies: 30
 - (d) **Schedule 4** describes the statutory areas to which the statutory acknowledgement relates and for which a deed of recognition is issued.

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

7 Summary of historical account, acknowledgements, and apology

- (1) **Section 8** summarises the historical account in the deed of settlement, setting out the basis for the acknowledgements and apology. 35

- (2) **Sections 9 and 10** record the text of the acknowledgements and apology given by the Crown to Ngāti Rāhiri Tumutumu 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.

8 Summary of historical account

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- (1) Ngāti Rāhiri Tumutumu tradition records that before Europeans came to Te Aroha, Ngāti Rāhiri Tumutumu lived on the lands on and surrounding Te Aroha Maunga.
- (2) In 1863, the Crown initiated war with Māori in the Waikato when its armed forces crossed the Mangatāwhiri Stream. Ngāti Rāhiri Tumutumu sent men to fight Crown forces in Waikato. The Crown regarded Māori who fought against it as rebels and as punishment confiscated 290,000 acres of land in the Tauranga district between 1865 and 1868. This included lands in which Ngāti Rāhiri Tumutumu had interests. It subsequently returned 240,000 acres to Māori in individualised title. 10
- (3) In 1864, the Crown purchased the Katikati and Te Puna blocks. Ngāti Rāhiri Tumutumu had interests in some of those lands and received payment of £500. The 1866 deed for the blocks provided for reserves containing wāhi tapu and urupā but there is no evidence that those reserves were made. After the Crown acquired the Katikati and Te Puna blocks, Ngāti Rāhiri Tumutumu retained no lands in Tauranga Moana. 15
- (4) In 1871, the Native Land Court overturned an earlier decision and awarded the Aroha block to Hauraki iwi including Ngāti Rāhiri Tumutumu. Between 1872 and 1877, the Crown purchased much of the Aroha block from other iwi. Ngāti Rāhiri Tumutumu objected to other iwi receiving payment for land they considered to be theirs. In 1878, following an investigation by the Native Land Court, the entire block was awarded to the Crown, subject to the provision of reserves for Ngāti Rāhiri Tumutumu. 20
- (5) The Crown retained the hot springs near Te Aroha when the Omaha Reserve was granted to Ngāti Rāhiri Tumutumu in 1878. According to Ngāti Rāhiri Tumutumu traditions, the land was gifted to the Crown by the iwi, who would have ongoing rights to use the springs. By the early twentieth century, however, Māori no longer had free access to the springs or input into the management of this tapu site. 25
- (6) In 1880, the Crown negotiated a lease with Ngāti Rāhiri Tumutumu to open a goldfield on the Omaha Reserve. As part of that agreement, the Crown promised to build a township at Te Aroha with a reserve for Ngāti Rāhiri Tumutumu. In 1882, streets within the township on Māori reserved land were declared public roads. Ngāti Rāhiri Tumutumu received no compensation for this. 30

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- (7) Between 1884 and 1894, the Crown, local authorities, and private buyers progressively acquired Māori interests in Te Aroha. By the 1920s, the Crown had purchased almost all of the reserve land awarded to Ngāti Rāhiri Tumutumu. In the early twentieth century the Crown used special legislation to acquire further land in Te Aroha. 5
- (8) Crown developments in the Te Aroha area continued in the 1960s. They included the construction of a road to the summit of Te Aroha and the granting of a mining licence to a private company. The mine site became severely polluted and the damage to this tapu land has caused ongoing distress to Ngāti Rāhiri Tumutumu. 10
- (9) By the end of the twentieth century, less than 3% of the land in the Aroha block remained in Māori ownership. Ngāti Rāhiri Tumutumu's resulting marginalisation, including the loss of te reo Māori, sickness, and socio-economic deprivation, caused much suffering for the iwi. With limited opportunities in their rohe, many Ngāti Rāhiri Tumutumu moved to cities. This undermined the ability of Ngāti Rāhiri Tumutumu to sustain their culture and identity and to pass mātauranga Māori on to their mokopuna. 15

He whakarāpopototanga o ngā kōrero tuku iho e pā ana ki ngā kerēme a ngāti rāhiri tumutumu

- (1) E kī ana ngā tutuku a Ngāti Rāhiri Tumutumu, i mua atu i te taenga mai o te Pākehā ki Te Aroha, i te noho a Ngāti Rāhiri Tumutumu ki ngā whenua o runga o Te Aroha Maunga, me ngā whenua i ōna taha. 20
- (2) I te marama o Hūrae 1863 ka huakina e te Karauna tana pakanga ki te iwi Māori o Waikato, i te whakawhitinga o ana ope hōia i te awa o Mangatāwhiri. Ka tukua e Ngāti Rāhiri Tumutumu he tangata ki te whawhai ki ngā hōia o te Karauna i Waikato. E ai ki te Karauna ko ngāi Māori i whawhai ki a ia he iwi tutū, ā, hei whakawhiu i aua hapū ka murua e ia 290,000 eka o ngā whenua i te rohe o Tauranga i waenga i ngā tau 1865 me 1868. Kei roto i ēnei whenua ētahi i whai pānga ai a Ngāti Rāhiri Tumutumu ki roto. Nō muri mai ka whakahokia e ia ētahi 240,000 eka ki te Māori hei whenua taitara takitahi. 25 30
- (3) I te tau 1864 i hokona e te Karauna ngā poraka o Katikati me Te Puna. I whai pānga anō a Ngāti Rāhiri Tumutumu ki ētahi o ēnei whenua, ā, i whiwhi ia i te utu £500. I raro i te tīti o 1866 mō aua poraka, tōna tikanga kia wehea he rāhui mō ngā wāhi tapu me ngā urupā, engari kāore he tohu i muri i tērā kua hangaia aua rāhui. I muri i te hoko a te Karaunga i ngā poraka o Te Puna-Katikati, kāore kau he whenua i toe mai mō Ngāti Rāhiri Tumutumu i te rohe o Tauranga Moana. 35
- (4) I te tau 1871 ka huripokina e te Kōti Whakawā Whenua Māori tētahi whakataua o mua, ā, ka whakawhiwhia te poraka o Aroha ki ngā iwi o Hauraki, tae atu ki a Ngāti Rāhiri Tumutumu. I waenga i ngā tau 1872 me 1877 i hokona e te Karauna te nuinga o te poraka o Aroha i ētahi atu iwi. I whakahē anō a Ngāti Rāhiri Tumutumu ki te whiwhinga o ētahi atu iwi i te utu mō te whenua i mea 40

rā rātou nō rātou kē anō. I te tau 1878 ka whakawhiwhia e te Kōti Whakawā Whenua Māori te katoa o te poraka ki te Karauna, mēnā ka whakatūria he rāhui motuhake mō Ngāti Rāhiri Tumutumu.

- (5) I puritia ngā puia i te takiwā o te Aroha e te Karauna, i te karātītanga o te Rāhui o Omahu ki a Ngāti Rāhiri i te tau 1878. E ai ki ngā kōrero tuku iho a Ngāti Rāhiri Tumutumu i takohatia aua whenua ki te Karauna e te iwi, me te kī, ka noho tonu ngā mōtika katoa ki te iwi kia whakamahi ia i aua puia. Engari nō te taenga ki ngā tau tuatahi o te rau tau rua tekau kāore i tino whakawāteatia ngā puia kia kore-utu mā ngāi Māori, ā, kāore ō rātou mana whakahaere i tēnei wāhi tapu.

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- (6) I te tau 1880 ka tau tētahi kirimana i waenga i te Karauna me Ngāti Rāhiri Tumutumu hei huaki i tētahi keringa kōura ki te Rāhui o Omahu. Hei wāhanga o tēnei kirimana, i takoto te kī taurangi a te Karauna ka hangaia e ia tētahi tāone i Te Aroha, me tētahi rāhui mō Ngāti Rāhiri Tumutumu. I te tau 1882 ka whakapuakina e te Karauna ko ngā tiriti katoa i roto i te tāone i runga i ngā whenua rāhui Māori, he rori tūmatanui. Kāore kē a Ngāti Rāhiri Tumutumu i whiwhi kāpiheihana mō tēnei whakapuaki.

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- (7) I waenga i ngā tau 1884 me 1894 kua oti te hoko haere ngā pānga whenua Māori maha i Te Aroha e te Karauna, e ngā mana ā-takiwā me ngā kaihoko tūmataiti. Nō te taenga ki te ngahuru tau 1920 kua oti te nuinga o ngā whenua rāhui i whakawhiwhia ki a Ngāti Rāhiri Tumutumu te hoko e te Karauna. I ngā tau tuatahi o te rau tau rua tekau ka whakaurua e te Karauna ētahi ture motuhake hei whakawhānui i tāna tango i ētahi atu pānga i te tāone o Te Aroha.

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- (8) I haere tonu ngā whanaketanga a te Karauna i te rohe o Te Aroha i te ngahuru tau 1960. Hei wāhi o aua mahi, ka hangaia he rori ki te tihi o te Aroha, ā, ka tukua hoki he raihana keringa ki tētahi kamupene tūmataiti. I noho ko ngā tūkinotanga a te keringa kōura me te rarunga o ēnei whenua tapu hei mamaetanga tino nui mā Ngāti Rāhiri Tumutumu.

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- (9) Ka tae nei ki te mutunga o te rau tau rua tekau, he iti iho i te toru ōrau o ngā whenua o te poraka o Aroha i te noho tonu ki ngā ringaringa o te iwi Māori. Nā ngā hekenga o Ngāti Rāhiri Tumutumu i aua tau, tae atu ki te ngaromanga o te reo Māori, te kore e kake ki ngā taumata i ngā kura, te māuiui, me te rarunga i te taha orange, i taumaha ai, i tino mamae ai te iwi. Nā te iti o ngā whāinga wāhi i tō rātou rohe, ka wehe atu te tini o Ngāti Rāhiri Tumutumu ki te kimi mahi i roto i ngā tāone. Nā konei i uaua ai te mahi a Ngāti Rāhiri Tumutumu ki te hapāi i āna tikanga me ōna āhuatanga, tae atu ki tōna kaha ki te tuku atu i te mātauranga Māori ki ā rātou mokopuna.

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9 Acknowledgements

- (1) The Crown acknowledges that Ngāti Rāhiri Tumutumu has well-founded and legitimate grievances, and that until now it has failed to address those in an appropriate manner. The Crown's provision of redress to Ngāti Rāhiri Tumutumu for those historical grievances is long overdue.

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- (2) The Crown acknowledges that the Tauranga raupatu and the subsequent Tauranga District Lands Acts 1867 and 1868 compulsorily extinguished all customary interests within the confiscation district, including those of Ngāti Rāhiri Tumutumu, and this was unjust and breached te Tiriti o Waitangi/the Treaty of Waitangi and its principles. 5
- (3) The Crown acknowledges that—
- (a) it failed to actively protect Ngāti Rāhiri Tumutumu interests in lands they wished to retain when it initiated the purchase of Te Puna and Katikati blocks in 1864 without investigating the rights of Ngāti Rāhiri Tumutumu; and 10
 - (b) it also failed to actively protect Ngāti Rāhiri Tumutumu interests in land they wished to retain when it did not carry out its agreement in the 1866 Te Puna Katikati deed to set aside reserves, including certain wāhi tapu sites, and left Ngāti Rāhiri Tumutumu alienated from their ancestral lands in Tauranga; and 15
 - (c) these actions breached te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- (4) The Crown acknowledges that—
- (a) it introduced the native land laws without consulting Ngāti Rāhiri Tumutumu and the individualisation of title imposed on Ngāti Rāhiri Tumutumu lands, including sacred sites such as Te Aroha, was inconsistent with tikanga Ngāti Rāhiri Tumutumu; and 20
 - (b) Ngāti Rāhiri Tumutumu whānau and hapū had no choice but to participate in the Native Land Court system to protect their interests in their lands and to integrate land into the modern economy; and 25
 - (c) the operation and impact of the native land laws, in particular the awarding of land to individual Ngāti Rāhiri Tumutumu rather than to their iwi or hapū, made those lands more susceptible to partition, fragmentation, and alienation; and
 - (d) this contributed to the further erosion of the traditional tribal structures of Ngāti Rāhiri Tumutumu, which were based on collective tribal and hapū custodianship of land, and the Crown failed to take adequate steps to protect those structures and this was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles. 30
- (5) The Crown acknowledges that it deprived some Ngāti Rāhiri Tumutumu individuals of control of their land without their consent when it proclaimed a goldfield in Te Aroha, and that this failure to respect their legal rights was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles. 35
- (6) The Crown acknowledges that valuable mineral resources on lands leased and sold by Ngāti Rāhiri Tumutumu provided economic benefits to the nation. 40
- (7) The Crown acknowledges that—

-
- (a) it continued to control lands in Hauraki owned by Ngāti Rāhiri Tumutumu, which were leased to settlers through residence site licences for many years after the decline of the gold mining industry in the region; and
- (b) it failed for many decades to regularly revise rents for residence site licence lands, and that Ngāti Rāhiri Tumutumu received rents well below market value for the lease of their lands as a consequence of this failure; and 5
- (c) it promoted legislation that converted residence site licences to leases in perpetuity, leaving Ngāti Rāhiri Tumutumu no alternative but to sell their lands to the Crown; and 10
- (d) these actions deprived Ngāti Rāhiri Tumutumu of their rangatiratanga over land subject to residence site licences and breached te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- (8) The Crown acknowledges that once it acquired Te Aroha springs it did not make provision for Ngāti Rāhiri Tumutumu's relationship with this tapu site, and this lack of recognition is a long-standing grievance for Ngāti Rāhiri Tumutumu. 15
- (9) The Crown acknowledges that Ngāti Rāhiri Tumutumu were rendered virtually landless due to the cumulative effect of Crown actions and omissions, including— 20
- (a) the purchasing of the Omahu, Wairakau, and Manawaru reserve blocks, which had been established to ensure that Ngāti Rāhiri Tumutumu retained sufficient land for their future needs; and
- (b) the taking of lands under public works legislation that were of particular significance to Ngāti Rāhiri Tumutumu; and 25
- (c) the promotion of legislation, in 1911, to override Ema Lipsey's will, which enabled the sale of land to the Crown that she had intended to remain with Ngāti Rāhiri Tumutumu.
- (10) The Crown further acknowledges that its failure to ensure that Ngāti Rāhiri Tumutumu retained sufficient lands for its present and future needs was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles. 30
- (11) The Crown acknowledges that environmental changes and pollution since the nineteenth century have been a source of distress and grievance for Ngāti Rāhiri Tumutumu. In particular, the Crown acknowledges that— 35
- (a) gold mining on Te Aroha from 1880 caused pollution, and this has caused harm to the well-being of Ngāti Rāhiri Tumutumu; and
- (b) further mining for copper, zinc, and lead on Te Aroha maunga from 1966 to 1973 caused substantial environmental damage, and has left the Tui mine site as one of the most polluted sites in Aotearoa New Zealand; and 40

- (c) the damage done to Te Aroha maunga is an ongoing and deeply felt grievance for Ngāti Rāhiri Tumutumu.
- (12) The Crown acknowledges that public works takings have impeded the ability of Ngāti Rāhiri Tumutumu to maintain and foster spiritual connections with their ancestral lands. 5
- (13) The Crown acknowledges that through the alienation of most of their land Ngāti Rāhiri Tumutumu have lost control over many of their significant sites and resources. This has had an ongoing impact on the ability of Ngāti Rāhiri Tumutumu to maintain spiritual connections to their ancestral lands, undermined their economic base, and eroded their capacity to fulfil their kaitiaki responsibilities. 10
- (14) The Crown acknowledges the harm endured by many Ngāti Rāhiri Tumutumu tamariki from decades of Crown policies that strongly discouraged the use of te reo Māori in schools. The Crown also acknowledges the detrimental effects this had on Māori language proficiency and fluency and the impact on the intergenerational transmission of te reo Māori and knowledge of mātauranga Māori practices. 15
- (15) The Crown acknowledges that the health of Ngāti Rāhiri Tumutumu has been worse than that of many other New Zealanders, and they have not had the same opportunities in life that many other New Zealanders have enjoyed. 20
- (16) The Crown recognises that through its actions and omissions it has contributed to the economic and spiritual hardship and marginalisation of Ngāti Rāhiri Tumutumu in their rohe.

Ngā Whakaaetanga

- (1) Kei te whakaae te Karauna ki ngā nawe whai take, whai tikanga hoki, o Ngāti Rāhiri Tumutumu, waihoki, tae mai ki nāianeī kāore anō kia whakatikaina ō mua hē, kia ea i runga i te tika. Kua roa rawa te iwi e tatari ana ki te whakaeanga i ngā hara a te Karauna o mua, mō ngā nawe tuku iho o Ngāti Rāhiri Tumutumu. 25
- (2) Kei te whakaae te Karauna ko ēnei mahi, arā, te raupatu i Tauranga me ngā Ture o muri mai, arā, ngā Ture e kīa nei te Tauranga District Lands Acts 1867 me 1868, i murua katoatia ai ngā pānga tuku iho i te rohe muru raupatu, tae atu ki ērā o Ngāti Rāhiri Tumutumu ki ō rātou whenua, ā, i tino hē tēnei mahi, he takahanga hoki i te Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono. 30
- (3) Kei te whakaae te Karauna— 35
- (a) kāore i tika tāna tiaki i ngā pānga o Ngāti Rāhiri Tumutumu i hiahia rā rātou ki te pupuru i tāna tahuritanga i te hoko o ngā poraka o Te Puna me Katikati i te tau 1864 me tana kore e āta wherawhera mārire i ngā mōtika o Ngāti Rāhiri Tumutumu i te tuatahi;
- (b) kāore i tika tana tiaki i ngā pānga o Ngāti Rāhiri Tumutumu ki ngā whenua i hiahia rā rātou ki te pupuru i tāna korenga e whakatinana i te 40

- kirimana o te tīti o Te Puna Katikati o 1866, hei whakatū rāhui, tae atu ki ētahi wāhi tapu, ā, i noho tauwehe anō a Ngāti Rāhiri Tumutumu i ō rātou whenua tuku iho i Tauranga; ā,
- (c) ko ēnei mahi hei takahanga i te Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono. 5
- (4) Kei te whakaae te Karauna—
- (a) ka whakaurua e ia ētahi ture whenua Māori, kāore i kōrero ki a Ngāti Rāhiri Tumutumu i te tuatahi, ā, ko te taitara takitahi i ngā whenua o Ngāti Rāhiri Tumutumu, tae atu ki ngā wāhi tapu pēnei me Te Aroha, i taupatupatu ki ngā tikanga a Ngāti Rāhiri Tumutumu; 10
- (b) kāore he putanga mō ngā whānau me ngā hapū o Ngāti Rāhiri Tumutumu, i tua atu i te whakauru atu ki ngā whakaritenga o te Kōti Whenua Māori, hei kaupare i ō rātou pānga, hei urutomo hoki ki te ōhanga o te ao hōu;
- (c) ko te hāpainga me te pānga o ngā ture whenua Māori, otirā, te whakawhiwhinga taitara takitahi te mea matua, ki ngā tāngata takitahi o Ngāti Rāhiri Tumutumu, hāunga ia te iwi me te hapū, te take i wāhia ai, i marara ai, i ngaro rawa ai aua whenua; ā 15
- (d) nā konei i horohoro ai ngā kaupapa whakahaere o te iwi o Ngāti Rāhiri Tumutumu, i takea mai hoki ōna tikanga tuku iho i te pupuru ā-iwi, ā-hapū hoki i te whenua, ā kīhai te Karauna i anga mai ki te tiaki i aua ritenga, i aua kaupapa hoki, ā, he takahanga anō tēnei o Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono. 20
- (5) Kei te whakaae te Karauna i raruraru ētahi o ngā tāngata takitahi o Ngāti Rāhiri Tumutumu i te rironga atu o ō rātou whenua, kāore hoki aua tāngata i whakaae i te tuatahi, i te whakapuakitanga a te Karauna i te keringa kōura i Te Aroha, ā, ka noho tāna kore e hāpai i ō rātou mōtika ā-ture hei takanga anō o te Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono. 25
- (6) Kei te whakaae te Karauna nā ngā rawa matū i ngā whenua i rīhitia, i hokona rānei e Ngāti Rāhiri Tumutumu i hua ake ai he painga ā-ōhanga mō te motu katoa. 30
- (7) Kei te whakaae te Karauna—
- (a) i whakahaere tonu ia i ngā whenua o Ngāti Rāhiri Tumutumu i Hauraki i rīhitia ki ngā manene nā runga i ngā raihana whenua kāinga noho mō ngā tau tini i muri mai i te hekenga o ngā mahi keri kōura i te rohe; 35
- (b) i ngoikore ia i tāna korenga e hoki mai ki te whakahōu i ngā rēti, mō ngā ngahuru tau tini, mō ngā raihana whenua kāinga noho, ā, i whiwhi a Ngāti Rāhiri Tumutumu i ngā rēti i raro rawa i tō te ao hokohoko whānui mō ngā rīhi whenua, nā tēnei ngoikorenga te take;

- (c) i whakaurua mai e ia he ture hei huri i ngā raihana whenua kāinga noho hei rīhi mutunga kore, ā, nā konei kāore he huarahi kē atu i wātea ki a Ngāti Rāhiri Tumutumu i te hokonga o ō rātou whenua e te Karauna; ā
- (d) ko ēnei mahi i tango i te rangatiranga o Ngāti Rāhiri Tumutumu ki ō rātou whenua i raro i aua raihana whenua kāinga noho, ā, he takahanga anō tēnei i te Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono. 5
- (8) Kei te whakaae te Karauna, i muri i tāna hoko i ngā puia i Te Aroha kāore i whakaritea he tikanga hei tiaki i te pānga tuku iho o Ngāti Rāhiri Tumutumu ki tēnei wāhi tapu, ā, ko tēnei korenga e whakaae ki aua here tētahi nawe nui mā Ngāti Rāhiri Tumutumu i ngā whakatupuranga maha. 10
- (9) Kei te whakaae te Karauna nā ēnei mahi kua tata whenua kore tonu a Ngāti Rāhiri Tumutumu, nā ngā mahi hē pūputu a te Karauna, tae atu ki āna korenga e mahi i ngā mahi e tika ana, tae atu ki:
- (a) tāna hoko i ngā poraka rāhui o Omahu, o Wairākau, me Manawaru, i whakatūria rā kia nui anō ngā whenua mō ō rātou hiahia ā raurangi; 15
- (b) tāna tangohanga i ētahi whenua i raro i ngā ture mahi tūmatanui, i noho hei whenua rangatira mō Ngāti Rāhiri Tumutumu; ā
- (c) te hāpainga o tētahi ture i te tau 1911, hei pēhi atu i ngā whakapuaki o te wira a Ema Lipsey, i āhei ai ōna whenua i hiahia rā ia kia noho tūturu ki a Ngāti Rāhiri Tumutumu te hoko rawa. 20
- (10) Nā ngā mahi hē a te Karuana, arā, tāna kore e whakarite tikanga e mau ai tētahi rahinga whenua tōtika mō Ngāti Rāhiri Tumutumu o aua wā, mō raurangi hoki, he tika tēnei kia kīa he takahanga o Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono.
- (11) Kei te whakaae te Karauna ko ngā huringa i te taiao me ngā takakinotanga i ngā whenua me ngā wai, mai i te rau tau tekau mā iwa tētahi take pouritanga nui, tētahi nawe nui hoki mō Ngāti Rāhiri Tumutumu. Otirā kei te whakaae te Karauna: 25
- (a) nā ngā mahi keri kōura i Te Aroha mai i 1880 ka takakinotia te whenua, ā, ka whara te hauora o Ngāti Rāhiri Tumutumu i tēnei mahi; 30
- (b) nā ētahi atu mahi keri konukura, konutea me te konumatā i Te Aroha maunga mai i 1966 ki 1973 ka tino tūkinotia te taiao, ā, kua noho te keringa kōura Tūi hei wāhi tino kino rawa atu te takakinotanga i Aotearoa New Zealand; ā
- (c) ko te takakinotanga i Te Aroha maunga tētahi nawe mauroa, take whakamamae hoki mō Ngāti Rāhiri Tumutumu. 35
- (12) Kei te whakaae te Karauna nā ngā tangohanga mō ngā mahi tūmatanui i uaua ai te mahi a Ngāti Rāhiri Tumutumu ki te whakamahana, ki te whakapipiri hoki ki ngā herenga tuku iho i ō rātou whenua.
- (13) Kei te whakaae te Karauna nā te rironga atu o te nuinga o ō rātou whenua kua riro atu hoki te mana whakahaere mā Ngāti Rāhiri Tumutumu i te nuinga o ō 40

rātou wāhi tapu me ō rātou rawa. Kua tino pā hoki tēnei ki te kaha o Ngāti Rāhiri Tumutumu ki te whakapipiri atu ki ō rātou whenua tuku iho, kua turakina hoki tōna puna ora, tōna puna kai hoki, ā, kua whakapōrarurarutia āna mahi kaitiaki i tōna rohe anō.

- (14) Kei te whakaae te Karauna ki ngā mahi tūkino i pā ki ngā tamariki o Ngāti Rāhiri Tumutumu, i kore ai e whakaaetia e ngā kaupapa here o te Karauna kia kōrero Māori i roto i ngā kura. Kei te whakaae hoki te Karauna ki ngā pānga kino o aua kaupapa here ki te mōhiotanga me te matatau ki te reo, me te pānga o ēnei āhuatanga ki te tukunga ā-reanga o te reo Māori, me te mātauranga Māori. 5 10
- (15) Kei te whakaae te Karauna kua hē kē atu te hauora o Ngāti Rāhiri Tumutumu i tō te nuinga o ngā tāngata o Aotearoa, ā, kāore i ōrite ngā huarahi i wātea ki ōna uri ki ō te nuinga o ngā tāngata o Aotearoa.
- (16) Kei te whakaae te Karauna nā āna mahi, hapanga hoki i taumaha kē atu ai ngā raruraru ā-ōhanga, ā-wairua mā te iwi, ā, i pareā ai hoki a Ngāti Rāhiri Tumutumu ki tahaki i tōna āke rohe. 15

10 Apology

Crown apology

The text of the apology offered by the Crown to Ngāti Rāhiri Tumutumu, as set out in the deed of settlement, is as follows: 20

- “(a) The Crown’s acts and omissions, in the history of its relationship with Ngāti Rāhiri Tumutumu, have led to warfare, confiscation, and the loss of the lands which had sustained you for generations.
- (b) In promoting laws and policies which led to the alienation of your whenua and irreversible damage to your sacred taonga Te Aroha maunga, the Crown has caused significant and lasting harm to Ngāti Rāhiri Tumutumu. The Crown’s acts and omissions have caused you great social, cultural, and economic hardship, and severely undermined your ability to foster mātauranga Māori and te reo Māori, and to maintain your kaitiaki responsibilities in your rohe. For its actions which harmed Ngāti Rāhiri Tumutumu, and for its breaches of te Tiriti o Waitangi/the Treaty of Waitangi and its principles, the Crown unreservedly apologises. 25 30
- (c) The Crown seeks to atone for these injustices and begin a process of healing. Let this settlement mark a new phase in the Crown’s relationship with Ngāti Rāhiri Tumutumu based on trust and mutual respect, and in keeping with the principles of te Tiriti o Waitangi/the Treaty of Waitangi.” 35

He Whakapāha

Tēnei te Karauna te tuku whakapāha atu nei ki a koutou, Ngāti Rāhiri Tumutumu, ki ō koutou tūpuna, mokopuna anō hoki: 40

- “(a) Nā ngā mahi a te Karauna, otirā nā āna korenga e mahi i ngā mahi e tika ana, i roto i tōna mōhiotanga ki a Ngāti Rāhiri Tumutumu i roto i ngā whakatupuranga, i ara ake ai te pakanga, te muru raupatu me te ngaromanga atu o ngā whenua i noho hei wai-ū mā koutou mō ngā whakatuputanga maha. 5
- (b) I tāna mahi ki te whakatairanga ture, kaupapa here hoki i ngaro rawa ai ō whenua, me ngā tūkinotanga rongoā-kore i tō koutou taonga tapu, i Te Aroha maunga, kua tino whara, kua raruraru mō ngā tau tini noa iho a Ngāti Rāhiri Tumutumu, arā, i ngā mahi a te Karauna. Nā ngā mahi me ngā hapanga a te Karauna i tino whara koutou, i te taha pāpori, i te taha tikanga, i te taha ōhanga, i tino uaua ai tā koutou tukutuku i te mātauranga Māori me te reo Māori, waihoki tō koutou kaha ki te kawē i ngā tikanga kaitiaki i tōu rohe. Mō ēnei mahi, i whara ai a Ngāti Rāhiri Tumutumu, me āna takahanga i te Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono, ka tino whakapāha atu te Karauna. 10 15
- (c) E rapu tikanga ana te Karauna ki te whakaea i ēnei hara, ki te whakamahu hoki i ngā nawe. Ko te hiahia kia tīmata i tēnei rā tētahi hononga hou mā te Karauna ki a Ngāti Rāhiri Tumutumu, kia noho ko te whakawhirinaki me te pono hei kaupapa matua, i runga anō i ngā mātāpono o te Tiriti o Waitangi/the Treaty of Waitangi.” 20

Interpretation provisions

11 Interpretation of Act generally

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

12 Interpretation

- (1) In this Act, unless the context otherwise requires,—

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

attachments means the attachments to the deed of settlement

Commissioner of Crown Lands means the Commissioner of Crown Lands appointed in accordance with section 24AA of the Land Act 1948 30

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 35

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

council means the Matamata-Piako District Council

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

cultural redress property has the meaning given in **section 22**

deed of recognition—

- (a) means the deed of recognition issued under **section 103** by the Minister of Conservation and the Director-General; and 5
- (b) includes any amendments made under **section 103(3)**

deed of settlement—

- (a) means the deed of settlement dated 26 September 2025 and signed by—
 - (i) the Honourable Paul Goldsmith, Minister for Treaty of Waitangi Negotiations, and Nicola Willis, Minister of Finance for and on behalf of the Crown; and 10
 - (ii) Nicola Jane Scott and Jill Lisa Taylor for and on behalf of Ngāti Rāhiri Tumutumu; and
 - (iii) Nicola Jane Scott, Daniel John Braid, Michael Francis Barker, Mike Lobb, and Norm Hill being trustees of the Ngāti Tumutumu Trust; and 15
- (b) includes—
 - (i) the schedules of, and attachments to, the deed; and
 - (ii) any amendments to the deed or its schedules and attachments 20

deferred selection property has the meaning given in **section 113**

Director-General means the Director-General of Conservation

documents schedule means the documents schedule of the deed of settlement

early release commercial property means the property described in part 3 of the property redress schedule 25

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

historical claims has the meaning given in **section 14**

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

jointly vested property has the meaning given in **section 22** 30

LINZ means Land Information New Zealand

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

member of Ngāti Rāhiri Tumutumu means an individual referred to in **section 13(1)(a)** 35

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

Ngāti Tumutumu Trust means the trust of that name established by a trust deed dated 22 August 2018

overlay classification has the meaning given in **section 79**

property redress schedule means the property redress schedule of the deed of settlement 5

record of title has the meaning given in section 5(1) of the Land Transfer Act 2017

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

Registrar-General has the meaning given to Registrar in section 5(1) of the Land Transfer Act 2017 10

representative entity means—

- (a) the trustees; and
- (b) any person, including any trustee, acting for or on behalf of—
 - (i) the collective group referred to in **section 13(1)(a)**; or 15
 - (ii) 1 or more members of Ngāti Rāhiri Tumutumu; or
 - (iii) 1 or more of the whānau, hapū, or groups referred to in **section 13(1)(b)**

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

reserve property has the meaning given in **section 22** 20

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

settlement date means the date that is 60 working days after the date on which this Act comes into force

statutory acknowledgement has the meaning given in **section 94** 25

tikanga means customary values and practices

trustees of the Ngāti Tumutumu Trust and **trustees** mean the trustees, acting in their capacity as trustees, of the Ngāti Tumutumu Trust

working day means a day other than—

- (a) Saturday, Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, and Labour Day: 30
- (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: 35
- (d) the days observed as the anniversaries of the provinces of Auckland and Wellington.

- (2) In this Act, 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.

13 Meaning of Ngāti Rāhiri Tumutumu

- (1) In this Act, **Ngāti Rāhiri Tumutumu** means— 5
- (a) the collective group composed of individuals who are descended from a Ngāti Rāhiri Tumutumu tūpuna (ancestor); and
 - (b) every whānau, hapū, or group to the extent that it is composed of individuals referred to in **paragraph (a)**, including the following Ngāti Rāhiri Tumutumu hapū: 10
 - (i) Ngāti Kopirimau:
 - (ii) Ngāti Rāhiri:
 - (iii) Ngāti Te Ruinga:
 - (iv) Ngāti Hue:
 - (v) Ngāti Tumutumu: 15
 - (vi) Ngāti Kotopara:
 - (vii) Ngāti Te Atua:
 - (viii) Ngāti Te Kaha:
 - (ix) Ngāti Haumia:
 - (x) Ngāti Tau; and 20
 - (c) every individual referred to in **paragraph (a)**.
- (2) In this section and **section 14**,—
- area of interest** means the area shown as the Ngāti Rāhiri Tumutumu area of interest in part 1 of the attachments
- customary rights** means rights exercised according to tikanga Māori, including— 25
- (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 30
 - (b) legal adoption; or
 - (c) whangai (Māori customary adoption in accordance with Ngāti Rāhiri Tumutumu tikanga)
- Ngāti Rāhiri Tumutumu tūpuna** (ancestor) means an individual who—
- (a) exercised customary rights by virtue of being descended from— 35
 - (i) Te Ruinga or Rāhiri; and

- (ii) a recognised ancestor of a group listed in **subsection (1)(b)**; and
- (b) exercised the customary rights predominantly in relation to the area of interest at any time after 6 February 1840.

14 Meaning of historical claims

- (1) In this Act, **historical claims**— 5
 - (a) means the claims described in **subsection (2)**; and
 - (b) includes the claims described in **subsection (3)**; but
 - (c) does not include the claims described in **subsection (4)**.
- (2) The historical claims are every claim that Ngāti Rāhiri Tumutumu or a representative entity had on or before the settlement date, or may have after the settlement date, and that— 10
 - (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 15
 - (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. 20
- (3) The historical claims include—
 - (a) every claim to the Waitangi Tribunal that relates exclusively to Ngāti Rāhiri Tumutumu or a representative entity, including each of the following claims, to the extent that **subsection (2)** applies to the claim:
 - (i) Wai 663 (Te Aroha Lands claim): 25
 - (ii) Wai 695 (Te Aroha Land and Mountain claim):
 - (iii) Wai 1737 (Descendants of Harete Te Wharau claim); and
 - (b) every other claim to the Waitangi Tribunal, including each of the following, to the extent that **subsection (2)** applies to the claim and the claim relates to Ngāti Rāhiri Tumutumu or a representative entity: 30
 - (i) Wai 100 (Hauraki claim):
 - (ii) Wai 373 (Maramarua State Forest claim):
 - (iii) Wai 374 (Auckland Central Railways Land claim):
 - (iv) Wai 650 (Athenree Forest and Surrounding Lands claim).
- (4) However, the historical claims do not include— 35

- (a) a claim that a member of Ngāti Rāhiri Tumutumu, or a whānau, hapū, or group referred to in **section 13(1)(b)**, had or may have that is founded on a right arising by virtue of being descended from an ancestor who is not a Ngāti Rāhiri Tumutumu tūpuna; or
- (b) a claim that a representative entity had or may have that is based on a claim referred to in **paragraph (a)**. 5
- (5) **Subsection (2)** is not limited by **subsection (3)**.
- (6) 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. 10

Historical claims settled and jurisdiction of courts, etc, removed

15 Settlement of historical claims final

- (1) The historical claims are settled.
- (2) The settlement of the historical claims is final, and, on and from the settlement date, the Crown is released and discharged from all obligations and liabilities in respect of those claims. 15
- (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— 20
 - (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. 25
- (5) **Subsection (4)** does not exclude the jurisdiction of a court, a tribunal, or any other judicial body in respect of the interpretation or implementation of—
 - (a) the deed of settlement; or
 - (b) this Act.

Amendment to Treaty of Waitangi Act 1975 30

16 Amendment to Treaty of Waitangi Act 1975

- (1) This section amends the Treaty of Waitangi Act 1975.
- (2) In Schedule 3, insert in its appropriate alphabetical order:
Ngāti Rāhiri Tumutumu Claims Settlement Act **2024, section 15(4) and (5)**

*Resumptive memorials no longer to apply***17 Certain enactments do not apply**

- (1) The enactments listed in **subsection (2)** do not apply—
- (a) to a cultural redress property (other than a jointly vested property); or
 - (b) to a jointly vested property on and from the date of its vesting in the trustees; or 5
 - (c) to a deferred selection property on and from the date of its transfer to the trustees; or
 - (d) to the early release commercial property; or
 - (e) for the benefit of Ngāti Rāhiri Tumutumu or a representative entity. 10
- (2) The enactments are—
- (a) Part 3 of the Crown Forest Assets Act 1989;
 - (b) sections 568 to 570 of the Education and Training Act 2020;
 - (c) Part 3 of the New Zealand Railways Corporation Restructuring Act 1990: 15
 - (d) sections 27A to 27C of the State-Owned Enterprises Act 1986;
 - (e) sections 8A to 8HJ of the Treaty of Waitangi Act 1975.

18 Resumptive memorials to be cancelled

- (1) The chief executive of LINZ must issue to the Registrar-General 1 or more certificates that specify the legal description of, and identify the record of title for, each allotment that— 20
- (a) is all or part of—
 - (i) a cultural redress property;
 - (ii) a deferred selection property;
 - (iii) the early release commercial property; and 25
 - (b) is subject to a resumptive memorial recorded under an enactment listed in **section 17(2)**.
- (2) The chief executive of LINZ must issue a certificate as soon as is reasonably practicable after—
- (a) the settlement date, for a cultural redress property (other than a jointly vested property), or the early release commercial property; or 30
 - (b) the date of the vesting of the property in the trustees, for a jointly vested property; or
 - (c) the date of transfer of the property to the trustees, for a deferred selection property. 35
- (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 record of title identified in the certificate; and
 - (b) cancel each memorial recorded under an enactment listed in **section 17(2)** on a record of title identified in the certificate, but only in respect of each allotment described in the certificate. 5

Miscellaneous matters

19 Limit on duration of trusts does not apply

- (1) A limit on the duration of a trust in any rule of law, and a limit in the provisions of any Act, including section 16 of the Trusts Act 2019,— 10
- (a) do not prescribe or restrict the period during which—
 - (i) the Ngāti Tumutumu Trust may exist in law; or
 - (ii) the trustees may hold or deal with property or income derived from property; and 15
 - (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 the Ngāti Tumutumu Trust is or becomes a charitable trust, the trust may continue indefinitely under section 16(6)(a) of the Trusts Act 2019. 20

20 Status of Ngāti Tumutumu Trust under Te Ture Whenua Maori Act 1993

- (1) The Ngāti Tumutumu Trust is not a trust constituted in respect of—
- (a) any Maori land for the purposes of section 236(1)(b) of Te Ture Whenua Maori Act 1993; or 25
 - (b) any General land owned by Maori for the purposes of section 236(1)(c) of that Act.
- (2) In this section, **General land owned by Maori** and **Maori land** have the meanings given in section 4 of Te Ture Whenua Maori Act 1993.

21 Access to deed of settlement 30

The chief executive of the Office of Treaty Settlements and Takutai Moana—Te Tari Whakatau must make copies of the deed of settlement available—

- (a) for inspection free of charge, and for purchase at a reasonable price, at that Office in Wellington between 9 am and 5 pm on any working day; and 35
- (b) free of charge on an internet site maintained by or on behalf of that Office.

Part 2

Cultural redress

Subpart 1—Vesting of cultural redress properties

22 Interpretation

In this subpart,— 5

cultural redress property means each of the following properties, and each property means the land of that name described in **Schedule 1**:

Properties vested in fee simple

- (a) Kahumaro whenua:
- (b) Miro Street property: 10
- (c) Te Ruinga whenua:
- (d) Waihou property:
- (e) Waiorongomai property:
- (f) Waterford Road property:
- (g) Windridge property: 15

Properties vested in fee simple to be administered as reserves

- (h) Omaha whenua:
- (i) Te Awe whenua:
- (j) Te Mokena Hou whenua:
- (k) Tumutumu whenua: 20
- (l) Wairakau whenua:

Properties vested in fee simple subject to conservation covenant

- (m) Paewai:
- (n) Pukewhakataratara:
- (o) Takaihuehue: 25
- (p) Wahine Rock property:

Properties jointly vested in fee simple subject to conservation covenant

- (q) Ngā Tukituki a Hikawera:
- (r) Tangitū

jointly vested property means each of the properties named in **paragraphs (q) and (r)** of the definition of cultural redress property 30

Ngāti Maru Rūnanga Trust means the trust of that name established by a trust deed dated 15 October 2013

Ngāti Tamaterā Treaty Settlement Trust means the trust of that name established by a trust deed dated 22 October 2013 35

reserve property means each of the properties named in **paragraphs (h) to (l)** of the definition of cultural redress property.

Properties vested in fee simple

23 Kahumaro whenua

- (1) Despite section 20(1) of the Soil Conservation and Rivers Control Act 1941, the fee simple estate in the Kahumaro whenua vests in the trustees. 5
- (2) After the vesting referred to in **subsection (1)**,—
 - (a) the Kahumaro whenua continues to be—
 - (i) a soil conservation reserve subject to the Soil Conservation and Rivers Control Act 1941; and 10
 - (ii) under the control and management of the Waikato Regional Council; and
 - (b) the Kahumaro whenua must not be alienated by the trustees (except as provided in **section 26**) for so long as it remains a soil conservation reserve; but 15
 - (c) section 20 (except subsection (3)) of the Soil Conservation and Rivers Control Act 1941 ceases to apply to the property.
- (3) If the Waikato Regional Council considers that all or any part of the Kahumaro whenua is no longer required as a soil conservation reserve, the Minister for the Environment may by notice in the *Gazette* declare that all or the part of the land is no longer— 20
 - (a) a soil conservation reserve; or
 - (b) subject to the Soil Conservation and Rivers Control Act 1941.
- (4) To avoid doubt, if **subsection (3)** applies, the fee simple estate in all or the part of the Kahumaro whenua remains vested in the trustees. 25

24 Miro Street property

- (1) The reservation of the Miro Street property as a local purpose (youth hostel) reserve subject to the Reserves Act 1977 is revoked.
- (2) The fee simple estate in the Miro Street property vests in the trustees.

25 Te Ruinga whenua

30

- (1) Despite section 20(1) of the Soil Conservation and Rivers Control Act 1941, the fee simple estate in the Te Ruinga whenua vests in the trustees.
- (2) After the vesting referred to in **subsection (1)**,—
 - (a) the Te Ruinga whenua continues to be—
 - (i) a soil conservation reserve subject to the Soil Conservation and Rivers Control Act 1941; and 35

- (ii) under the control and management of the Waikato Regional Council; and
 - (b) the Te Ruinga whenua must not be alienated by the trustees (except as provided in **subsection (5) or section 26**) for so long as it remains a soil conservation reserve; but 5
 - (c) section 20 (except subsection (3)) of the Soil Conservation and Rivers Control Act 1941 ceases to apply to the property.
 - (3) If the Waikato Regional Council considers that all or any part of the Te Ruinga whenua is no longer required as a soil conservation reserve, the Minister for the Environment may by notice in the *Gazette* declare that all or the part of the land is no longer— 10
 - (a) a soil conservation reserve; or
 - (b) subject to the Soil Conservation and Rivers Control Act 1941.
 - (4) To avoid doubt, if **subsection (3)** applies, the fee simple estate in all or the part of the Te Ruinga whenua remains vested in the trustees. 15
 - (5) **Subsections (1) to (4)** do not take effect until the trustees have provided the council with a registrable right of way easement in gross on the terms and conditions set out in part 5.8 of the documents schedule.
- 26 Transfer of Te Ruinga whenua and Kahumaro whenua if trustees change**
- (1) This section applies to the Te Ruinga whenua and the Kahumaro whenua while the property is a soil conservation reserve subject to the Soil Conservation and Rivers Control Act 1941. 20
 - (2) The registered owners of the property may transfer the fee simple estate in the land in each site if—
 - (a) the transferors of the property are or were the trustees of the Ngāti Tumutumu Trust; and 25
 - (b) the transferees are the trustees of that 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 property is accompanied by a certificate given by the transferees, or the transferees' lawyer, verifying that **paragraphs (a) and (b)** apply. 30
- 27 Waihou property**
- (1) The Waihou property ceases to be a conservation area under the Conservation Act 1987. 35
 - (2) The fee simple estate in the Waihou property vests in the trustees.

28 Waiorongomai property

- (1) The Waiorongomai property (being part of Kaimai Mamaku Conservation Park) ceases to be part of the Park and a conservation area under the Conservation Act 1987.
- (2) The fee simple estate in the Waiorongomai property vests in the trustees. 5

29 Waterford Road property

The fee simple estate in the Waterford Road property vests in the trustees.

30 Windridge property

- (1) The Windridge property (being part of Kaimai Mamaku Conservation Park) ceases to be part of the Park and a conservation area under the Conservation Act 1987. 10
- (2) The fee simple estate in the Windridge property vests in the trustees.

Properties vested in fee simple to be administered as reserves

31 Omahu whenua

- (1) The reservation of the Omahu whenua as a recreation reserve subject to the Reserves Act 1977 is revoked. 15
- (2) The fee simple estate in the Omahu whenua vests in the trustees.
- (3) The Omahu whenua is declared a reserve and classified as a recreation reserve subject to section 17 of the Reserves Act 1977.
- (4) The reserve is named Omahu Recreation Reserve. 20
- (5) The council is the administering body of the reserve, and the Reserves Act 1977 applies to the reserve as if the reserve were vested in the council under section 26 of that Act.
- (6) **Subsections (1) to (5)** do not take effect until the trustees have provided the council with a registrable easement in gross for a right of way and rights to convey and drain water on the terms and conditions set out in part 5.7 of the documents schedule. 25
- (7) Despite the provisions of the Reserves Act 1977, the easement—
 - (a) is enforceable in accordance with its terms; and
 - (b) is to be treated as having been granted in accordance with the Reserves Act 1977. 30
- (7A) Despite the vesting of the Omahu whenua by **subsection (2)**,—
 - (a) the flood protection assets in or on the Omahu whenua that are owned by the Waikato Regional Council immediately before the vesting remain the property of that Council; and 35

- (b) the powers and responsibilities of the Waikato Regional Council under the Soil Conservation and Rivers Control Act 1941 continue, including—
- (i) maintaining, accessing, repairing, and constructing flood protection assets owned by the Waikato Regional Council in or on the Omaha whenua; and 5
 - (ii) accessing flood protection assets owned by the Waikato Regional Council in or on land adjoining the Omaha whenua.
- (7B) The parties must use reasonable endeavours before the settlement date to enter into a memorandum of understanding that sets out the process they will apply in order to notify and agree access arrangements under which the Waikato Regional Council exercises its rights to access the Omaha whenua and the adjacent land for the purpose of carrying out its flood protection responsibilities. 10
- (7C) Before the Waikato Regional Council exercises a power or responsibility described in **subsection (7A)(b)**, the Council must— 15
- (a) give reasonable notice to the trustees of the access required for the Council’s planned flood protection works; and
 - (b) advise the trustees on the scope and timing of its proposal; and
 - (c) unless the Council considers that the urgency of the circumstances precludes it, discuss any matters of concern to the trustees with them, with a view to resolving those concerns before accessing the land of the trustees. 20
- (7) Despite the provisions of the Reserves Act 1977, the easement—
- (a) is enforceable in accordance with its terms; and 25
 - (b) is to be treated as having been granted in accordance with the Reserves Act 1977.

32 Te Awe whenua

- (1) The reservation of the part of the Te Awe whenua that is a local purpose (water conservation) reserve subject to the Reserves Act 1977 is revoked. 30
- (2) The reservation of the part of the Te Awe whenua that is a local purpose (quarry) reserve subject to the Reserves Act 1977 is revoked.
- (3) The fee simple estate in the Te Awe whenua vests in the trustees.
- (4) The Te Awe whenua is declared a reserve and classified as a local purpose (water conservation) reserve subject to section 23 of the Reserves Act 1977. 35
- (5) The reserve is named Te Awe Local Purpose (Water Conservation) Reserve.
- (6) The council is the administering body of the reserve, and the Reserves Act 1977 applies to the reserve as if the reserve were vested in the council under section 26 of that Act.

- (7) **Subsections (1) to (6)** do not take effect until the trustees have provided the council with a registrable easement in gross for a right of way and rights to convey and drain water on the terms and conditions set out in part 5.7 of the documents schedule.
- (8) Despite the provisions of the Reserves Act 1977, the easement— 5
- (a) is enforceable in accordance with its terms; and
- (b) is to be treated as having been granted in accordance with the Reserves Act 1977.
- 33 Te Mokena Hou whenua**
- (1) The reservation of the Te Mokena Hou whenua (being Te Aroha Mountain Scenic Reserve) as a scenic reserve subject to the Reserves Act 1977 is revoked. 10
- (2) The fee simple estate in the Te Mokena Hou whenua vests in the trustees.
- (3) The Te Mokena Hou whenua is declared a reserve and classified as a scenic reserve for the purposes specified in section 19(1)(a) of the Reserves Act 1977. 15
- (4) The reserve is named Te Mokena Hou Scenic Reserve.
- (5) The council is the administering body of the reserve as if the council were appointed to control and manage the reserve under section 28 of the Reserves Act 1977.
- 34 Future interests relating to Te Mokena Hou whenua reserve land** 20
- (1) In this section and **section 35, Te Mokena Hou whenua reserve land and reserve land** mean all or the part of the Te Mokena Hou whenua that remains a reserve under the Reserves Act 1977.
- (2) This section applies to the Te Mokena Hou whenua reserve land, but only while the trustees are the owners and the council is the administering body of that land. 25
- Interests in land*
- (3) Despite the council being the administering body, the trustees may, as if they were the administering body of the reserve land,— 30
- (a) accept, grant, or decline to grant any interest in land that affects the reserve land; or
- (b) renew or vary such an interest.
- (4) If a person wishes to obtain an interest in land in the reserve land, or renew or vary such an interest, the person must apply under this section, in writing, through the council. 35
- (5) The council must—
- (a) advise the trustees of any application received under **subsection (4)**; and

- (b) undertake the administrative processes required by the Reserves Act 1977 in relation to each application.
- (6) Before the trustees determine an application, the trustees must consult the council.
- Interests that are not interests in land* 5
- (7) The council may—
 - (a) accept, grant, or decline to grant an interest that is not an interest in land that affects the reserve land; or
 - (b) renew or vary such an interest.
- Application of Reserves Act 1977* 10
- (8) The Reserves Act 1977, except section 59A of that Act, applies to the accepting, granting, or declining of any interests under **subsection (3) or (7)**, or the renewing or varying of such interests.
- 35 Administration of Te Mokena Hou whenua reserve land**
- (1) This section applies only while the trustees are the owners of the reserve land. 15
- (2) The trustees and the council may jointly—
 - (a) agree that the council no longer be the administering body of the reserve land; and
 - (b) notify the Minister of Conservation (the **Minister**) in writing of the agreement. 20
- (3) The Minister must, not later than 20 working days after receiving the notice, publish a notice in the *Gazette* declaring that—
 - (a) the council is no longer the administering body of the reserve land; and
 - (b) the trustees are the administering body of the reserve land.
- (4) The Minister may, at the Minister’s sole discretion, revoke the appointment of the council as the administering body of the reserve land if requested in writing to do so by the trustees or the council. 25
- (5) Before making a decision under **subsection (4)**, the Minister must consult the trustees and the council.
- (6) When the Minister has determined a request, the Minister must— 30
 - (a) notify the trustees and the council in writing of the Minister’s decision; and
 - (b) if the Minister decides to revoke the appointment of the council as the administering body of the reserve land, publish a notice in the *Gazette* not later than 20 working days after giving notice under **paragraph (a)** declaring that— 35
 - (i) the council is no longer the administering body of the reserve land; and

(ii) the trustees are the administering body of the reserve land.

- (7) The trustees are the administering body of the reserve land on and from the date on which a notice is published under **subsection (3) or (6)(b)**.

36 Tumutumu whenua

- (1) The reservation of the Tumutumu whenua as a recreation reserve subject to the Reserves Act 1977 is revoked. 5
- (2) The fee simple estate in the Tumutumu whenua vests in the trustees.
- (3) The Tumutumu whenua is declared a reserve and classified as a recreation reserve subject to section 17 of the Reserves Act 1977.
- (4) The reserve is named Tumutumu Recreation Reserve. 10
- (5) The council is the administering body of the reserve, and the Reserves Act 1977 applies to the reserve as if the reserve were vested in the council under section 26 of that Act.
- (6) **Subsections (1) to (5)** do not take effect until the trustees have provided the council with a registrable easement in gross for a right of way and rights to convey and drain water on the terms and conditions set out in part 5.7 of the documents schedule. 15
- (7) Despite the provisions of the Reserves Act 1977, the easement—
- (a) is enforceable in accordance with its terms; and
- (b) is to be treated as having been granted in accordance with the Reserves Act 1977. 20

37 Wairakau whenua

- (1) The reservation of the Wairakau whenua (being part of Wairakau Scenic Reserve) as a scenic reserve subject to the Reserves Act 1977 is revoked.
- (2) The fee simple estate in the Wairakau whenua vests in the trustees. 25
- (3) The Wairakau whenua is declared a reserve and classified as a scenic reserve for the purposes specified in section 19(1)(a) of the Reserves Act 1977.
- (4) The reserve is named Wairakau Scenic Reserve.

Properties vested in fee simple subject to conservation covenant

38 Paewai 30

- (1) Paewai (being part of Kaimai Mamaku Conservation Park) ceases to be part of the Park and a conservation area under the Conservation Act 1987.
- (2) The fee simple estate in Paewai vests in the trustees.
- (3) **Subsections (1) and (2)** do not take effect until the trustees have provided the Crown with a registrable covenant in relation to Paewai on the terms and conditions set out in part 5.1 of the documents schedule. 35

- (4) The covenant is to be treated as a conservation covenant for the purposes of—
 - (a) section 77 of the Reserves Act 1977; and
 - (b) section 27 of the Conservation Act 1987.

39 Pukewhakataratara

- (1) Pukewhakataratara (being part of Kaimai Mamaku Conservation Park) ceases to be part of the Park and a conservation area under the Conservation Act 1987. 5
- (2) The fee simple estate in Pukewhakataratara vests in the trustees.
- (3) **Subsections (1) and (2)** do not take effect until the trustees have provided the Crown with—
 - (a) a registrable covenant in relation to Pukewhakataratara on the terms and conditions set out in part 5.2 of the documents schedule; and 10
 - (b) a registrable right of way easement in gross on the terms and conditions set out in part 5.10 of the documents schedule.
- (4) The covenant is to be treated as a conservation covenant for the purposes of—
 - (a) section 77 of the Reserves Act 1977; and 15
 - (b) section 27 of the Conservation Act 1987.

40 Takaihuehue

- (1) Takaihuehue (being part of Kaimai Mamaku Conservation Park) ceases to be part of the Park and a conservation area under the Conservation Act 1987.
- (2) The fee simple estate in Takaihuehue vests in the trustees. 20
- (3) **Subsections (1) and (2)** do not take effect until the trustees have provided the Crown with a registrable covenant in relation to Takaihuehue on the terms and conditions set out in part 5.3 of the documents schedule.
- (4) The covenant is to be treated as a conservation covenant for the purposes of—
 - (a) section 77 of the Reserves Act 1977; and 25
 - (b) section 27 of the Conservation Act 1987.

41 Wahine Rock property

- (1) The Wahine Rock property (being part of Kaimai Mamaku Conservation Park) ceases to be part of the Park and a conservation area under the Conservation Act 1987. 30
- (2) The fee simple estate in the Wahine Rock property vests in the trustees.
- (3) **Subsections (1) and (2)** do not take effect until the trustees have provided the Crown with a registrable covenant in relation to the Wahine Rock property on the terms and conditions set out in part 5.4 of the documents schedule.
- (4) The covenant is to be treated as a conservation covenant for the purposes of— 35
 - (a) section 77 of the Reserves Act 1977; and

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

Properties jointly vested in fee simple subject to conservation covenant

42 Ngā Tukituki a Hikawera

- (1) This section takes effect on and from the latest of the following dates:
 - (a) the settlement date: 5
 - (b) the settlement date under the Ngāti Maru settlement legislation:
 - (c) the settlement date under the Ngāti Tamaterā settlement legislation.
- (2) Ngā Tukituki a Hikawera (being part of Kaimai Mamaku Conservation Park) ceases to be part of the Park and a conservation area under the Conservation Act 1987. 10
- (3) The fee simple estate in Ngā Tukituki a Hikawera vests as undivided third shares in the specified groups of trustees as tenants in common as follows:
 - (a) a share vests in the trustees under this paragraph; and
 - (b) a share vests in the trustees of the Ngāti Maru Rūnanga Trust under the Ngāti Maru settlement legislation; and 15
 - (c) a share vests in the trustees of the Ngāti Tamaterā Treaty Settlement Trust under the Ngāti Tamaterā settlement legislation.
- (4) **Subsections (2) and (3)** do not take effect until the trustees referred to in **subsection (3)** have jointly provided the Crown with a registrable covenant in relation to Ngā Tukituki a Hikawera on the terms and conditions set out in part 5.6 of the documents schedule. 20
- (5) The covenant is to be treated as a conservation covenant for the purposes of—
 - (a) section 77 of the Reserves Act 1977; and
 - (b) section 27 of the Conservation Act 1987.
- (6) In this section and **section 43**,— 25

Ngāti Maru settlement legislation means legislation that—

 - (a) settles the historic claims of Ngāti Maru; and
 - (b) provides for the vesting of an undivided one-third share of the fee simple estate in Ngā Tukituki a Hikawera and Tangitū in the trustees of the Ngāti Maru Rūnanga Trust 30

Ngāti Tamaterā settlement legislation means legislation that—

 - (a) settles the historical claims of Ngāti Tamaterā; and
 - (b) provides for the vesting of an undivided one-third share of the fee simple estate in Ngā Tukituki a Hikawera and Tangitū in the trustees of the Ngāti Tamaterā Treaty Settlement Trust. 35

43 Tangitū

- (1) This section takes effect on and from the latest of the following dates:
 - (a) the settlement date;
 - (b) the settlement date under the Ngāti Maru settlement legislation;
 - (c) the settlement date under the Ngāti Tamaterā settlement legislation. 5
- (2) Tangitū (being part of Kaimai Mamaku Conservation Park) ceases to be part of the Park and a conservation area under the Conservation Act 1987.
- (3) The fee simple estate in Tangitū vests as undivided third shares in the specified groups of trustees as tenants in common as follows:
 - (a) a share vests in the trustees under this paragraph; and 10
 - (b) a share vests in the trustees of the Ngāti Maru Rūnanga Trust under the Ngāti Maru settlement legislation; and
 - (c) a share vests in the trustees of the Ngāti Tamaterā Treaty Settlement Trust under the Ngāti Tamaterā settlement legislation.
- (4) **Subsections (2) and (3)** do not take effect until the trustees referred to in **subsection (3)** have jointly provided the Crown with— 15
 - (a) a registrable covenant in relation to Tangitū on the terms and conditions set out in part 5.5 of the documents schedule; and
 - (b) a registrable right of way easement in gross on the terms and conditions set out in part 5.9 of the documents schedule. 20
- (5) The covenant is to be treated as a conservation covenant for the purposes of—
 - (a) section 77 of the Reserves Act 1977; and
 - (b) section 27 of the Conservation Act 1987.

*General provisions applying to vesting of cultural redress properties***44 Properties vest subject to or together with interests 25**

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 1**.

45 Interests in land for certain reserve properties 30

- (1) This section applies to all or the part of each reserve property listed in **subsection (2)** that remains a reserve under the Reserves Act 1977 (the **reserve land**), but only while the reserve land has an administering body that is treated as if the land were vested in it. 30
- (2) The reserve properties are—
 - (a) Omaha whenua: 35
 - (b) Te Awe whenua:

- (c) Tumutumu whenua.
- (3) If the reserve property is affected by an interest in land listed for the property in **Schedule 1**, the interest applies as if the administering body were the grantor, or the grantee, as the case may be, of the interest in respect of the reserve land.
- (4) Any interest in land that affects the reserve land must be dealt with for the purposes of registration as if the administering body were the registered owner of the reserve land. 5
- (5) However, **subsections (3) and (4)** do not affect the registration of the easements referred to in **sections 31(6), 32(7), and 36(6)**.
- (6) **Subsections (3) and (4)** continue to apply despite any subsequent transfer of the reserve land under **section 55**. 10

46 Interests that are not interests in land

- (1) This section applies if a cultural redress property is subject to an interest (other than an interest in land) that is listed for the property in **Schedule 1**, and for which there is a grantor, whether or not the interest also applies to land outside the cultural redress property. 15
- (2) The interest applies as if the owners of the cultural redress property were the grantor of the interest in respect of the property, except to the extent that **subsection (3)** applies.
- (3) If all or part of the cultural redress property is reserve land to which **section 45** applies, the interest applies as if the administering body of the reserve land were the grantor of the interest in respect of the reserve land. 20
- (4) The interest applies—
- (a) until the interest expires or is terminated, but any subsequent transfer of the cultural redress property must be ignored in determining whether the interest expires or is or may be terminated; and 25
 - (b) with any other necessary modifications; and
 - (c) despite any change in status of the land in the property.

47 Registration of ownership

- (1) This section applies to a cultural redress property vested in the trustees under this subpart. 30
- (2) **Subsection (3)** applies to a cultural redress property (other than a jointly vested property or the Te Awe whenua), but only to the extent that the property is all of the land contained in a record of title for a fee simple estate.
- (3) The Registrar-General must, on written application by an authorised person,— 35
- (a) register the trustees as the owners of the fee simple estate in the property; and

- (b) record any entry on the record of title 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) 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
- (b) the Te Awe whenua.
- (5) The Registrar-General must, in accordance with a written application by an authorised person,—
- (a) create a record of title for the fee simple estate in the property in the name of the trustees; and 10
- (b) record on the record of title any interests that are registered, noted, or to be noted 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 record of title for an undivided third share of the fee simple estate in the property in the names of the trustees; and 15
- (b) record on the record of title any interests that are registered, noted, or to be noted and that are described in the application.
- (7) **Subsections (5) and (6)** are subject to the completion of any survey necessary to create a record of title. 20
- (8) A record of title must be created under this section as soon as is reasonably practicable after the date on which the property vests, but not later than—
- (a) 24 months after that date; or
- (b) any later date that is agreed in writing,—
- (i) in the case of a property other than a jointly vested property, by the Crown and the trustees; or 25
- (ii) in the case of a jointly vested property, by the Crown, the trustees, and the other persons in whom the property is jointly vested.
- (9) In this section, **authorised person** means a person authorised by—
- (a) the chief executive of LINZ for the following properties: 30
- (i) Kahumaro whenua:
- (ii) Te Ruinga whenua:
- (iii) Waterford Road property:
- (b) the Director-General for all other properties.
- 48 Application of Part 4A of Conservation Act 1987** 35
- (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) a reserve property; or
 - (b) Kahumaro whenua; or 5
 - (c) Te Ruinga whenua.
- (3) If the reservation of a reserve property under this subpart is revoked for all or part of the property, the vesting of the property is no longer exempt from section 24 (except subsection (2A)) of the Conservation Act 1987 for all or that part of the property. 10
- (4) If all or any part of the Kahumaro whenua or the Te Ruinga whenua ceases to be a soil conservation reserve subject to the Soil Conservation and Rivers Control Act 1941 (*see sections 23(3) and 25(3)* of this Act), the vesting of the property is no longer exempt from section 24 (except subsection (2A)) of the Conservation Act 1987 for all or that part of the property. 15
- (5) **Subsections (2) to (4)** do not limit **subsection (1)**.

49 Matters to be recorded on record of title

- (1) The Registrar-General must record on the record of title—
 - (a) for a reserve 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 20
 - (ii) that the land is subject to—
 - (A) **sections 48(3) and 53**; and
 - (B) **section 45(4)**, in the case of the Omahu whenua, the Te Awe whenua, and the Tumutumu whenua; and 25
 - (b) for the Kahumaro whenua and the Te Ruinga whenua,—
 - (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—
 - (A) **sections 26 and 48(4)**; and 30
 - (B) **section 23(2)**, in the case of the Kahumaro whenua; and
 - (C) **section 25(2)**, in the case of the Te Ruinga whenua; and
 - (c) for any other cultural redress property, that the land is subject to Part 4A of the Conservation Act 1987.
- (2) A notation 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. 35

- (3) For a reserve property, if the reservation of the property under this subpart is revoked for—
- (a) all of the property, the Director-General must apply in writing to the Registrar-General to remove from the record of title for the property the notations that— 5
 - (i) section 24 of the Conservation Act 1987 does not apply to the property; and
 - (ii) the property is subject to **sections 48(3) and 53**; and
 - (iii) the property is subject to **section 45(4)**, in the case of the Omaha whenua, the Te Awe whenua, and the Tumutumu whenua; 10
or
 - (b) part of the property, the Registrar-General must ensure that the notations referred to in **paragraph (a)** remain only on the record of title for the part of the property that remains a reserve.
- (4) **Subsections (5) and (6)** apply if all or part of the Kahumaro whenua or the Te Ruinga whenua is declared to no longer be a soil conservation reserve subject to the Soil Conservation and Rivers Control Act 1941 (*see sections 23(3) and 25(3)* of this Act). 15
- (5) If all of the property ceases to be a soil conservation reserve, a person authorised by the ~~chief executive of the Ministry~~ Secretary for the Environment must apply in writing to the Registrar-General to remove from the record of title for the property the notations that— 20
- (a) section 24 of the Conservation Act 1987 does not apply to the property; and
 - (b) the property is subject to **sections 26 and 48(4)**; and 25
 - (c) the property is subject to **section 23(2)**, in the case of the Kahumaro whenua; and.
 - (d) the property is subject to **section 25(2)**, in the case of the Te Ruinga whenua.
- (6) If part of the property ceases to be a soil conservation reserve, the Registrar-General must ensure that the notations referred to in **subsection (5)** remain only on the record of title for the part of the property that remains a soil conservation reserve. 30
- (7) The Registrar-General must comply with an application received in accordance with **subsection (3)(a) or (5)**. 35
- (8) In this section, **Secretary for the Environment** has the meaning given to the term **Secretary** in section 2 of the Environment Act 1986.

50 Application of other enactments

- (1) The Crown Minerals Act 1991 applies, subject to **subpart 2 of Part 3**, in relation to the vesting of the fee simple estate in a cultural redress property under this subpart.
- (2) The permission of a local authority 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. 5
- (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. 10
- (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. 15

51 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 date on which the property vests, 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. 20
- (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. 25

*Further provisions applying to reserve properties***52 Application of other enactments to reserve properties**

- (1) The trustees are the administering body of a reserve property, except as provided for in **sections 31, 32, 33, and 36**.
- (2) Sections 78(1)(a), 79 to 81, and 88 of the Reserves Act 1977 do not apply in relation to a reserve property. 30
- (3) If the reservation of a reserve property under this subpart is revoked under section 24 of the Reserves Act 1977 for all or part of the property, section 25(2) of that Act applies to the revocation, but not the rest of section 25 of that Act.
- (4) A reserve property is not a Crown protected area under the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008, despite anything in that Act. 35

- (5) A reserve property must not have a name assigned to it or have its name changed under section 16(10) of the Reserves Act 1977 without the written consent of the owners of the property, and section 16(10A) of that Act does not apply to the proposed name.
- (6) While the council is the administering body of 1 or more of the Omaha whenua, the Te Awe whenua, the Te Mokena Hou whenua, or the Tumutumu whenua (the **properties**),— 5
- (a) **subsection (2)** does not apply to the properties; and
 - (b) the council must, to the extent that it is reasonably practicable to distinguish the revenue derived from the properties from any other revenue received by the council,— 10
 - (i) hold the revenue received from the properties by the council in its capacity as the administering body; and
 - (ii) account for that revenue separately from any other revenue of the council; and 15
 - (iii) use that revenue only in relation to the properties that continue to be administered by the council.

53 Subsequent transfer of reserve land

- (1) This section applies to all or the part of a reserve property that remains a reserve under the Reserves Act 1977 after the property has vested in the trustees under this subpart. 20
- (2) The fee simple estate in the reserve land may be transferred only in accordance with **section 54 or 55**.
- (3) In this section and **sections 54 to 56**, **reserve land** means the land that remains a reserve as described in **subsection (1)**. 25

54 Transfer of reserve land to new administering body

- (1) The registered owners of the reserve land may apply in writing to the Minister of Conservation for consent to transfer the fee simple estate in the reserve land to 1 or more persons (the **new owners**).
- (2) The Minister of Conservation must give written consent to the transfer if the registered owners satisfy the Minister that the new owners are able— 30
- (a) to comply with the requirements of the Reserves Act 1977; and
 - (b) to perform the duties of an administering body under that Act.
- (3) The Registrar-General must, upon receiving the required documents, register the new owners as the owners of the fee simple estate in the reserve land. 35
- (4) The **required documents** are—
- (a) a transfer instrument to transfer the fee simple estate in the reserve land to the new owners, including a notification that the new owners are to

- hold the reserve land for the same reserve purposes as those for which it was held by the administering body immediately before the transfer; and
- (b) the written consent of the Minister of Conservation to the transfer of the reserve land; and
 - (c) the written consent of the administering body of the reserve land, if the trustees are transferring the reserve land but are not the administering body; and 5
 - (d) any other document required for the registration of the transfer instrument.
- (5) The new owners, from the time of their registration under this section,— 10
- (a) are the administering body of the reserve land; and
 - (b) hold the reserve land for the same reserve purposes as those for which it was held by the administering body immediately before the transfer.
- (6) A transfer that complies with this section need not comply with any other requirements. 15

55 Transfer of reserve land if trustees change

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

- (a) the transferors of the reserve land are or were the trustees of a trust; and
- (b) the transferees are the trustees of the same trust, after any new trustee has been appointed to the trust or any transferor has ceased to be a trustee of the trust; and 20
- (c) the instrument to transfer the reserve land is accompanied by a certificate given by the transferees, or the transferees' lawyer, verifying that **paragraphs (a) and (b)** apply. 25

56 Reserve land not to be mortgaged

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

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

- (1) This section applies to any bylaw, or any prohibition or restriction on use or access, that an administering body or the Minister of Conservation made or imposed under the Conservation Act 1987 or the Reserves Act 1977 in relation to a reserve property before the property was vested in the trustees under this subpart. 30
- (2) The bylaw, prohibition, or restriction remains in force until it expires or is revoked under the Conservation Act 1987 or the Reserves Act 1977. 35

Subpart 2—Te Aroha Domain land

*Interpretation***58 Interpretation**

In this subpart,—

agreed date means the date or dates specified under the agreed terms for the vesting of all or any part of the Te Aroha Domain land 5

agreed terms means the terms and conditions under which any Te Aroha Domain land vests under this subpart as agreed by—

- (a) the Crown; and
- (b) the trustees; and 10
- (c) the council (except if **section 60(1)(c)** applies)

joint management body means the body established by **section 72**

Minister means the Minister of Conservation

reserve land means all or any part of the vested land that remains a reserve under the Reserves Act 1977 15

Te Aroha Domain land has the meaning given in **section 59(3)**

vested land means all or any part of the Te Aroha Domain land that is vested in the trustees under this subpart.

*Notation on record of title***59 Record of title for Te Aroha Domain land to be noted** 20

- (1) The Registrar-General must, as soon as is reasonably practicable after the settlement date, note on the record of title for the Te Aroha Domain land that this subpart applies to the land in the record of title.
- (2) However, if the fee simple estate in all or any part of the Te Aroha Domain land vests in the trustees in accordance with this subpart, the Registrar-General must remove the notation made under **subsection (1)** from the record of title for the land that has vested. 25
- (3) In this subpart, **Te Aroha Domain land** means the land described by that name in **Schedule 2** or as may be resurveyed from time to time on a survey plan approved by LINZ. 30

*Circumstances when Te Aroha Domain land may vest in trustees***60 Te Aroha Domain land may be vested in trustees**

- (1) This section applies if—

-
- (a) the council resolves that it considers that the reservation of all or any part of the Te Aroha Domain land as a reserve subject to the Reserves Act 1977 should be revoked; or
 - (b) the council resolves that it considers that all or any part of the Te Aroha Domain land should vest in the trustees subject to the land continuing to be a reserve under the Reserves Act 1977; or 5
 - (c) the vesting of all or any part of the Te Aroha Domain land in the council is cancelled under section 27 of the Reserves Act 1977.
 - (2) The Minister, after consulting the council and trustees as relevant, must decide whether the land to be vested in the trustees— 10
 - (a) is no longer required as a reserve under the Reserves Act 1977; or
 - (b) should continue to be a reserve under that Act.
 - (3) If **subsection (2)(a)** applies, on the agreed date and in accordance with the agreed terms,—
 - (a) the reservation of all or the part of the Te Aroha Domain land as a reserve subject to the Reserves Act 1977 is revoked; and 15
 - (b) the fee simple estate in that land vests in the trustees.
 - (4) If **subsection (2)(b)** applies, on the agreed date and in accordance with the agreed terms,—
 - (a) the reservation of all or the part of the Te Aroha Domain land as a reserve subject to the Reserves Act 1977 is revoked; and 20
 - (b) the fee simple estate in that land vests in the trustees; and
 - (c) the land is declared a reserve and classified according to the classification specified in the agreed terms and subject to the Reserves Act 1977.
 - (5) If **subsection (4)** applies, the administering body is one of the following, as specified in the agreed terms: 25
 - (a) the trustees:
 - (b) the council, as if it were appointed to control and manage the reserve under section 28 of the Reserves Act 1977:
 - (c) the council, and the Reserves Act 1977 applies as if the reserve were vested in the council under section 26 of that Act: 30
 - (d) the joint management body.
 - (6) If **subsection (1)(c)** applies, on the agreed date and in accordance with the agreed terms, the reservation of all or the part of the Te Aroha Domain land as a reserve subject to the Reserves Act 1977 is revoked and— 35
 - (a) the fee simple estate in that land vests in the trustees; or

- (b) the fee simple estate in that land vests in the trustees and the land is declared a reserve and classified according to the classification specified in the agreed terms and subject to the Reserves Act 1977.
- (7) If **subsection (6)(b)** applies, the trustees are the administering body of the reserve. 5
- 61 Notification in *Gazette***
- (1) The Minister must publish a notice in the *Gazette* as soon as practicable after the date on which all or any part of the Te Aroha Domain land vests in the trustees.
- (2) The notice must specify— 10
- (a) the legal description of the land; and
 - (b) the date on which the land vested; and
 - (c) if the land has been vested as a reserve subject to the Reserves Act 1977,—
 - (i) the reserve classification under that Act for the land; and 15
 - (ii) the name of the reserve; and
 - (iii) the administering body of the reserve.
- General provisions applying to vesting of Te Aroha Domain land*
- 62 Land vests subject to or together with interests**
- The vested land is subject to, or has the benefit of, any interests— 20
- (a) that apply to the land immediately before its vesting:
 - (b) that are required to be granted under the agreed terms.
- 63 Interests in land if Te Aroha Domain land is to be administered as reserve**
- (1) This section applies to the reserve land, but only if the administering body of the reserve land— 25
- (a) is the joint management body; or
 - (b) is the council, if it is treated as if the reserve land were vested in it.
- (2) If the reserve land is affected by an interest in land at the time the land vests, the interest applies as if the administering body were the grantor, or the grantee, as the case may be, of the interest in respect of the reserve land. 30
- (3) Any interest in land that affects the reserve land must be dealt with for the purposes of registration as if the joint management body or the council, as the case may be, were the registered owner of the reserve land.
- (4) However, **subsections (2) and (3)** do not affect the registration of an interest required to be granted by the trustees under the agreed terms. 35

- (5) **Subsections (2) and (3)** continue to apply to the reserve land despite any subsequent transfer of the land under **section 76**.

64 Interests that are not interests in land

- (1) This section applies if the vested land is subject to an interest (other than an interest in land) at the time the land vests, and for which there is a grantor, whether or not the interest also applies to land outside the vested land. 5
- (2) The interest applies as if the trustees were the grantor of the interest in respect of the vested land, except to the extent that **subsection (3)** applies.
- (3) If the vested land is reserve land to which **section 63** applies, the interest applies as if the administering body of the reserve land were the grantor of the interest in respect of the reserve land. 10
- (4) The interest applies—
- (a) until the interest expires or is terminated, but any subsequent transfer of the vested land must be ignored in determining whether the interest expires or is or may be terminated; and 15
 - (b) with any other necessary modifications; and
 - (c) despite any change in status of the vested land.

65 Registration of ownership

- (1) **Subsection (2)** applies to the extent that the vested land is all of the land contained in a record of title for a fee simple estate. 20
- (2) The Registrar-General must, on written application by an authorised person,—
- (a) register the trustees as the owners of the fee simple estate in the vested land; and
 - (b) record any entry on the record of title and do anything else necessary to give effect to this subpart and to part 5 of the deed of settlement. 25
- (3) **Subsection (4)** applies to the vested land to the extent that **subsection (2)** does not apply to the land.
- (4) The Registrar-General must, in accordance with a written application by an authorised person,—
- (a) create a record of title for the fee simple estate in the vested land in the name of the trustees; and 30
 - (b) record on the record of title any interests that are registered, noted, or to be noted and that are described in the application.
- (5) **Subsection (4)** is subject to the completion of any survey necessary to create a record of title. 35
- (6) A written application under **subsection (2) or (4)** must include a copy of the notice published in the *Gazette* under **section 61**.

- (7) A record of title must be created under this section as soon as is reasonably practicable after the date on which the land vests.
- (8) In this section, **authorised person** means a person authorised by the Director-General.
- 66 Matters to be recorded on record of title for vested land** 5
- (1) The Registrar-General must record on the record of title for the vested land that the land is subject to Part 4A of the Conservation Act 1987.
- (2) If the vested land is reserve land, the Registrar-General must also record on the record of title for that land that the land is subject to—
- (a) **section 74**; and 10
- (b) **section 63(3)**, in the case of land with an administering body referred to in **section 63(1)**.
- (3) A notation made under **subsection (1)** that the vested 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. 15
- (4) If a body referred to in **section 63(1)** is no longer the administering body of the reserve land, the Director-General must apply in writing to the Registrar-General to remove from the record of title for the land the notation that the land is subject to **section 63(3)**.
- (5) If the reservation of the vested land under this subpart is revoked for— 20
- (a) all of the land, the Director-General must apply in writing to the Registrar-General to remove from the record of title for the land the notations that—
- (i) the land is subject to **section 74**; and
- (ii) the land is subject to **section 63(3)**, if relevant and if that notation has not been removed under **subsection (4)**; or 25
- (b) part of the land, the Registrar-General must ensure that the notations referred to in **paragraph (a)** remain only on the record of title for the part of the land that remains a reserve.
- (6) The Registrar-General must comply with an application received in accordance with **subsection (4) or (5)(a)**. 30
- 67 Application of other enactments**
- (1) The vesting of the fee simple estate in all or any part of the Te Aroha Domain land in the trustees 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. 35
- (2) The Crown Minerals Act 1991 applies, subject to **subpart 2 of Part 3**, in relation to the vesting of the fee simple estate in all or any part of the Te Aroha Domain land in the trustees.

- (3) 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 agreed terms.
- (4) Sections 24 and 25 of the Reserves Act 1977 do not apply to the revocation, under this subpart, of the reserve status of all or any part of the Te Aroha Domain land to be vested in the trustees. 5
- (5) Section 11 and Part 10 of the Resource Management Act 1991 do not apply to—
 - (a) the vesting of the fee simple estate in all or any part of the Te Aroha Domain land under this subpart; or 10
 - (b) any matter incidental to, or required for the purpose of, the vesting.

General provisions applying to reserve land

68 Application of other enactments to reserve land

- (1) If the trustees are the administering body of the reserve land, sections 78(1)(a), 79 to 81, and 88 of the Reserves Act 1977 do not apply in relation to that land. 15
- (2) If the reservation of the reserve land under this subpart is revoked under section 24 of the Reserves Act 1977 for all or part of the land, section 25(2) of that Act applies to the revocation, but not the rest of section 25 of that Act.
- (3) The reserve land is not a Crown protected area under the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008, despite anything in that Act. 20
- (4) The reserve land must not have a name assigned to it or have its name changed under section 16(10) of the Reserves Act 1977 without the written consent of the owners of the property, and section 16(10A) of that Act does not apply to the proposed name. 25
- (5) If the joint management body is the administering body of the reserve land,—
 - (a) Part 4 of the Reserves Act 1977, which relates to financial provisions, applies to the joint management body as if it were a local authority; and
 - (b) the council must, to the extent that it is reasonably practicable to distinguish the revenue derived from the reserve land from any other revenue received by the council,— 30
 - (i) hold the revenue received from the reserve land by the joint management body in its capacity as the administering body; and
 - (ii) account for that revenue separately from any other revenue of the council; and 35
 - (iii) use that revenue, under the direction of the joint management body, but only in relation to the reserve land that continues to be administered by the joint management body.

- (6) If the council is the administering body of the reserve land, the council must, to the extent that it is reasonably practicable to distinguish the revenue derived from that land from any other revenue received by the council,—
- (a) hold the revenue received from the reserve land by the council in its capacity as the administering body; and 5
 - (b) account for that revenue separately from any other revenue of the council; and
 - (c) use that revenue only in relation to the reserve land that continues to be administered by the council.

Council appointed to control and manage reserve land 10

69 Reserve land administered by council

Sections 70 and 71 apply if the council is to be the administering body of the reserve land as if the council were appointed to control and manage the reserve land under section 28 of the Reserves Act 1977.

70 Future interests relating to reserve land 15

- (1) This section applies to the reserve land, but only while the trustees are the owners and the council is the administering body of that land.

Interests in land

- (2) Despite the council being the administering body, the trustees may, as if they were the administering body of the reserve land,— 20
- (a) accept, grant, or decline to grant any interest in land that affects the reserve land, or renew or vary such an interest; and
 - (b) renew or vary any existing interest in land.
- (3) A person must apply under this section, in writing, through the council—
- (a) to obtain a new interest in land that affects the reserve land, or renew or vary such an interest; and 25
 - (b) to renew or vary an existing interest in land.
- (4) The council must—
- (a) advise the trustees of any application received under **subsection (3)**; and 30
 - (b) undertake the administrative processes required by the Reserves Act 1977 in relation to each application.
- (5) Before the trustees determine an application, the trustees must consult the council.

Interests that are not interests in land 35

- (6) The council may—

- (a) accept, grant, or decline to grant an interest that is not an interest in land and that affects the reserve land, or renew or vary such an interest; and
- (b) renew or vary any existing interest that is not an interest in land.

Application of Reserves Act 1977

- (7) The Reserves Act 1977, except section 59A of that Act, applies to the accepting, granting, or declining of any interests under **subsection (2) or (6)**, or the renewing or varying of such interests. 5
- (8) In this section, **existing interest** means an interest that affects the reserve land at the time it vests in the trustees.

71 Administration of reserve land 10

- (1) This section applies only while the trustees are the owners of the reserve land.
- (2) The trustees and the council may jointly—
 - (a) agree that the council no longer be the administering body of the reserve land; and
 - (b) notify the Minister in writing of that agreement. 15
- (3) The Minister must, not later than 20 working days after receiving the notice, publish a notice in the *Gazette* declaring that—
 - (a) the council is no longer the administering body of the reserve land; and
 - (b) the trustees are the administering body of the reserve land.
- (4) The Minister may, at the Minister's sole discretion, revoke the appointment of the council as the administering body of the reserve land if requested in writing to do so by the trustees or the council. 20
- (5) Before making a decision under **subsection (4)**, the Minister must consult the trustees and the council.
- (6) When the Minister has determined a request, the Minister must— 25
 - (a) notify the trustees and the council in writing of the Minister's decision; and
 - (b) if the Minister decides to revoke the appointment of the council as the administering body of the reserve land, publish a notice in the *Gazette* not later than 20 working days after giving notice under **paragraph (a)**, 30
 - (i) the council is no longer the administering body of the reserve land; and
 - (ii) the trustees are the administering body of the reserve land.
- (7) The trustees are the administering body of the reserve land on and from the date on which a notice is published under **subsection (3) or (6)(b)**. 35

*Joint management body***72 Reserve land administered jointly**

- (1) This section applies if the reserve land is to be administered jointly by the trustees and the council.
- (2) A joint management body is established for the reserve land. 5
- (3) The following are appointers for the purposes of this section:
 - (a) the trustees; and
 - (b) the council.
- (4) Each appointer must appoint 2 members to the joint management body.
- (5) At least 1 of the members appointed by the council must be an elected member of the council. 10
- (6) A member is appointed only if the appointer gives written notice with the following details to the other appointers:
 - (a) the full name, address, and other contact details of the member; and
 - (b) the date on which the appointment takes effect, which must be not earlier than the date of the notice. 15
- (7) An appointment ends after 3 years or when the appointer replaces the member by making another appointment.
- (8) Despite **subsection (7)**, each term of a member referred to in **subsection (5)** ends on the same day as the term of office of that member ends before a triennial general election under the Local Electoral Act 2001. 20
- (9) A member may be appointed, reappointed, or discharged at the discretion of the appointer.

73 Application of Reserves Act 1977 to joint management body

- (1) If the joint management body is the administering body of the reserve land, the Reserves Act 1977 applies to the reserve land as if the reserve land were vested in that body (as if the body were trustees) under section 26 of that Act. 25
- (2) However, the joint management body may exercise or perform, as if it were a local authority, a power or function that the Minister has delegated to local authorities under section 10 of the Reserves Act 1977, but only to the extent that the power or function is relevant to the reserve land. 30
- (3) Except as provided in **subsections (1) and (2)**, sections 32 to 34 of the Reserves Act 1977 apply to the joint management body (the **body**) as if it were a board.
- (4) The following provisions apply despite the specified requirements of the Reserves Act 1977: 35

- (a) despite section 32(1) of that Act, the first meeting of the body must be held not later than 6 months after the date on which the land vests in the trustees:
- (b) despite section 32(5) of that Act, the trustees must appoint the chairperson and the council must appoint the deputy chairperson of the body: 5
- (c) despite section 32(7) of that Act,—
 - (i) no casting vote may be exercised and the members must strive to reach a consensus; but
 - (ii) if a consensus cannot be reached within a reasonable time, a decision must be made by majority vote: 10
- (d) despite section 32(8) and (9) of that Act, all members must be present for all business of the body:
- (e) despite section 32(10) of that Act, the members must strive to reach a consensus but, if a consensus cannot be reached within a reasonable time, the question must be determined by majority vote: 15
- (f) despite section 41(1) of that Act, any management plan in force for the Te Aroha Domain land immediately before the date on which the land vests continues to apply to that land.
- (5) In this section, **consensus** means the absence of a formally recorded dissent by a member at a meeting of the body. 20

Further provisions applying to reserve land

74 Subsequent transfer of reserve land

The fee simple estate in the reserve land may be transferred only in accordance with **section 75 or 76**.

75 Transfer of reserve land to new administering body 25

- (1) The registered owners of the reserve land may apply in writing to the Minister for consent to transfer the fee simple estate in the reserve land to 1 or more persons (the **new owners**).
- (2) The Minister must give written consent to the transfer if the registered owners satisfy the Minister that the new owners are able— 30
 - (a) to comply with the requirements of the Reserves Act 1977; and
 - (b) to perform the duties of an administering body under that Act.
- (3) The Registrar-General must, upon receiving the required documents, register the new owners as the owners of the fee simple estate in the reserve land.
- (4) The required documents are— 35
 - (a) a transfer instrument to transfer the fee simple estate in the reserve land to the new owners, including a notification that the new owners are to

- hold the reserve land for the same reserve purposes as those for which it was held by the administering body immediately before the transfer; and
- (b) the written consent of the Minister to the transfer of the reserve land; and
 - (c) the written consent of the administering body of the reserve land, if the trustees are transferring the reserve land and are not the administering body; and 5
 - (d) any other document required for the registration of the transfer instrument.
- (5) The new owners, from the time of their registration under this section,—
- (a) are the administering body of the reserve land; and 10
 - (b) hold the reserve land for the same reserve purposes as those for which it was held by the administering body immediately before the transfer.
- (6) A transfer that complies with this section need not comply with any other requirements.
- 76 Transfer of reserve land if trustees change 15**
- The registered owners of the reserve land may transfer the fee simple estate in the reserve land if—
- (a) the transferors of the reserve land are or were the trustees of a trust; and
 - (b) the transferees are the trustees of the same trust, after any new trustee has been appointed to the trust or any transferor has ceased to be a trustee of the trust; and 20
 - (c) the instrument to transfer the reserve land is accompanied by a certificate given by the transferees, or the transferees' lawyer, verifying that **paragraphs (a) and (b)** apply.
- 77 Reserve land not to be mortgaged 25**
- The owners of the reserve land must not mortgage, or give a security interest in, the reserve land.
- 78 Saving of bylaws, etc, in relation to reserve land**
- (1) This section applies to any bylaw, or any prohibition or restriction on use or access, that an administering body or the Minister of Conservation made or imposed under the Conservation Act 1987 or the Reserves Act 1977 in relation to the reserve land before the land was vested in the trustees under this subpart. 30
 - (2) The bylaw, prohibition, or restriction remains in force until it expires or is revoked under the Conservation Act 1987 or the Reserves Act 1977.

Subpart 3—Overlay classification

79 Interpretation

In this subpart,—

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

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

overlay area—

(a) means the area that is declared under **section 80(1)** to be subject to the overlay classification; but

10

(b) does not include an area that is declared under **section 91(1)** to be no longer subject to the overlay classification

overlay classification means the application of this subpart to the overlay area **protection principles**, for the overlay area,—

(a) means the principles agreed by the trustees and the Minister of Conservation, as set out for the area in part 1 of the documents schedule; and

15

(b) includes any principles as they are amended by the written agreement of the trustees and the Minister of Conservation

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

20

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

(a) made by Ngāti Rāhiri Tumutumu 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.

80 Declaration of overlay classification and the Crown's acknowledgement

25

(1) The area described in **Schedule 3** is declared to be subject to the overlay classification.

(2) The Crown acknowledges the statement of values for the overlay area.

81 Purposes of overlay classification

The only purposes of the overlay classification are—

30

(a) to require the New Zealand Conservation Authority and relevant Conservation Boards to comply with the obligations in **section 83**; and

(b) to enable the taking of action under **sections 84 to 89**.

82 Effect of protection principles

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

35

83 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 the overlay area, the Authority or Board must have particular regard to— 5
 - (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 the overlay area, the New Zealand Conservation Authority or a Conservation Board must— 10
 - (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 15
 - (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 the overlay area, the Authority must, before approving the strategy, give the trustees an opportunity to make submissions in relation to those concerns. 20

84 Noting of overlay classification in strategies and plans

- (1) The application of the overlay classification to the overlay area must be noted in any conservation management strategy, conservation management plan, or national park management plan affecting the area. 25
- (2) The noting of the overlay classification is—
 - (a) for the purposes 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. 30

85 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 80** that the overlay classification applies to the overlay area; and 35
 - (b) the protection principles for the overlay area.

- (2) An amendment to the protection principles, as agreed by the trustees and the Minister of Conservation, must be notified by the Minister in the *Gazette* as soon as practicable after the amendment has been agreed in writing.
- (3) The Director-General may notify in the *Gazette* any action (including any specified action) taken or intended to be taken under **section 86 or 87**. 5

86 Actions by Director-General

- (1) The Director-General must take action in relation to the protection principles that relate to the 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. 10
- (3) The Director-General must notify the trustees in writing of any action that the Director-General intends to take.

87 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 the overlay area. 15
- (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. 20

88 Regulations

- (1) 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: 25
 - (a) to provide for the implementation of objectives included in a strategy or plan under **section 87(1)**;
 - (b) to regulate or prohibit activities or conduct by members of the public in relation to the overlay area: 30
 - (c) to create offences for breaches of regulations made under **paragraph (b)**;
 - (d) to prescribe the following fines for an offence referred to in **paragraph (c)**:
 - (i) a fine not exceeding \$5,000; and 35
 - (ii) if the offence is a continuing one, an additional amount not exceeding \$500 for every day on which the offence continues.

- (2) Regulations made under this section are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

89 Bylaws

- (1) The Minister of Conservation may make bylaws for 1 or more of the following purposes: 5
- (a) to provide for the implementation of objectives included in a strategy or plan under **section 87(1)**:
 - (b) to regulate or prohibit activities or conduct by members of the public in relation to the overlay area:
 - (c) to create offences for breaches of bylaws made under **paragraph (b)**: 10
 - (d) to prescribe the following fines for an offence referred to in **paragraph (c)**:
 - (i) a fine not exceeding \$5,000; and
 - (ii) if the offence is a continuing one, an additional amount not exceeding \$500 for every day on which the offence continues. 15
- (2) Bylaws made under this section are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

90 Effect of overlay classification on overlay area

- (1) This section applies if, at any time, the overlay classification applies to any land in— 20
- (a) a national park under the National Parks Act 1980; or
 - (b) a conservation area under the Conservation Act 1987; or
 - (c) a reserve under the Reserves Act 1977.
- (2) The overlay classification does not affect—
- (a) the status of the land as a national park, conservation area, or reserve; or 25
 - (b) the classification or purpose of a reserve.

91 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 the overlay area is no longer subject to the overlay classification. 30
- (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 35
 - (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— 5
 - (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.
- (4) The Minister of Conservation must ensure that an order made under this section is published in the *Gazette*. 10

92 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 the overlay area than that person would give if the area were not subject to the overlay classification. 15
- (3) **Subsection (2)** does not limit **subsection (1)**.
- (4) This section is subject to the other provisions of this subpart. 20

93 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, the overlay area. 25
- (2) This section is subject to the other provisions of this subpart.

Subpart 4—Statutory acknowledgement and deed of recognition

94 Interpretation

In this subpart,— 30

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 Ngāti Rāhiri Tumutumu of their particular cultural, historical, spiritual, and traditional association with the statutory area; and 35
- (b) set out in part 2 of the documents schedule

statutory acknowledgement means the acknowledgement made by the Crown in **section 95** in respect of the statutory areas, on the terms set out in this subpart

statutory area means an area described in **Schedule 4**, the general location of which is indicated on the deed plan for that area

5

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.

10

Statutory acknowledgement

95 Statutory acknowledgement by the Crown

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

96 Purposes of statutory acknowledgement

The only purposes of the statutory acknowledgement are—

15

(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 97 to 99**; 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 100 and 101**; and

20

(c) to enable the trustees and any member of Ngāti Rāhiri Tumutumu to cite the statutory acknowledgement as evidence of the association of Ngāti Rāhiri Tumutumu with a statutory area, in accordance with **section 102**.

25

97 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.

30

(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.

35

98 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. 5
- (3) **Subsection (2)** does not limit the obligations of the Environment Court under the Resource Management Act 1991. 10

99 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. 15
- (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. 20
- (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 25
 - (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. 30

100 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— 35
 - (a) a copy of **sections 95 to 99, 101, and 102**; 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. 5

101 Provision of summary or notice to trustees

- (1) Each relevant consent authority must, 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: 10
- (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. 15
- (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(4) 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— 20
- (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. 25
- (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 30
 - (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: 35
 - (b) under section 95E of that Act, whether the trustees are affected persons in relation to an activity.

102 Use of statutory acknowledgement

- (1) The trustees and any member of Ngāti Rāhiri Tumutumu may, as evidence of the association of Ngāti Rāhiri Tumutumu 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— 5
- (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. 10
- (2) The content of a statement of association is not, because 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 15
 - (c) any other person who is entitled to participate in those proceedings.
- (3) However, the bodies and persons specified in **subsection (2)** may take the statutory acknowledgement into account.
- (4) To avoid doubt,—
- (a) neither the trustees nor members of Ngāti Rāhiri Tumutumu are precluded from stating that Ngāti Rāhiri Tumutumu has an association with a statutory area that is not described in the statutory acknowledgement; and 20
 - (b) the content and existence of the statutory acknowledgement do not limit any statement made. 25

*Deed of recognition***103 Issuing and amending deed of recognition**

- (1) This section applies in respect of the statutory areas listed in **Schedule 4**.
- (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. 30
- (3) The Minister of Conservation and the Director-General may amend the deed of recognition, but only with the written consent of the trustees.

General provisions relating to statutory acknowledgement and deed of recognition

104 Exercise of powers and performance of functions and duties

- (1) The statutory acknowledgement and the 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. 5
- (2) A person, in considering a matter or making a decision or recommendation under an enactment or a bylaw, must not give greater or lesser weight to the association of Ngāti Rāhiri Tumutumu with a statutory area than that person would give if there were no statutory acknowledgement or deed of recognition for the statutory area. 10
- (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 or the Director-General by the deed of recognition. 15

105 Rights not affected

- (1) The statutory acknowledgement and the 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; and 20
 - (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

106 Amendment to Resource Management Act 1991 25

- (1) This section amends the Resource Management Act 1991.
- (2) In Schedule 11, insert in its appropriate alphabetical order:
Ngāti Rāhiri Tumutumu Claims Settlement Act **2025**

Subpart 5—Protocols

107 Interpretation 30

In this subpart,—

protocol—

- (a) means each of the following protocols issued under **section 108(1)(a)**:
 - (i) the primary industries protocol:
 - (ii) the taonga tūturu protocol: 35

- (b) includes any amendments made under **section 108(1)(b)**
responsible Minister means the 1 or more Ministers who have responsibility under a protocol.

General provisions applying to protocols

- 108 Issuing, amending, and cancelling protocols** 5
- (1) The 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— 10
- (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.
- 109 Protocols subject to rights, functions, and duties** 15
- A protocol does 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 20
- (ii) to interact with or consult a person that the Crown considers appropriate, including any iwi, hapū, marae, whānau, or other representative of tangata whenua; or
- (b) the responsibilities of the responsible Minister or a department of State; or 25
- (c) the legal rights of Ngāti Rāhiri Tumutumu or a representative entity.
- 110 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. 30
- (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 35

- (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)**.

Primary industries

111 Primary industries protocol

- (1) The chief executive of the Ministry for Primary Industries must note a summary of the terms of the primary industries protocol in the fisheries plan that affect the primary industries protocol area. 5
- (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. 10
- (3) The primary industries protocol does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to, assets or other property rights (including in respect of fish, aquatic life, or seaweed) that are held, managed, or administered under any of the following enactments: 15
- (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,— 20
- fisheries plan** means a plan approved or amended under section 11A of the Fisheries Act 1996
- primary industries protocol area** means the area shown on the map attached to the primary industries protocol, together with the adjacent waters.

Taonga tūturu 25

112 Taonga tūturu protocol

- (1) The taonga tūturu protocol does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to, taonga tūturu.
- (2) In this section, **taonga tūturu**— 30
- (a) has the meaning given in section 2(1) of the Protected Objects Act 1975; and
 - (b) includes ngā taonga tūturu, as defined in section 2(1) of that Act.

Part 3

Commercial redress

Subpart 1—Transfer of deferred selection properties

113 Interpretation

In this subpart,—

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

land holding agency means the land holding agency specified in part 4 of the property redress schedule.

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114 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

15

(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 17(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 18** (which relates to the cancellation of resumptive memorials).

20

115 Records of title for deferred selection properties

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(1) This section applies to each deferred selection property that is to be transferred to the trustees under **section 114**.

(2) However, this section applies only to the extent that—

(a) the property is not all of the land contained in a record of title for a fee simple estate; or

30

(b) there is no record of title for the fee simple estate in all or part of the property.

(3) The Registrar-General must, in accordance with a written application by an authorised person,—

(a) create a record of title for the fee simple estate in the property in the name of the Crown; and

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- (b) record on the record of title any interests that are registered, noted, or to be noted and that are described in the application; but
 - (c) omit any statement of purpose from the record of title.
- (4) **Subsection (3)** is subject to the completion of any survey necessary to create a record of title. 5
- (5) In this section and **section 116**, **authorised person** means a person authorised by the chief executive of the land holding agency for the relevant property.
- 116 Authorised person may grant covenant for later creation of records of title**
- (1) For the purposes of **section 115**, the authorised person may grant a covenant for the later creation of a record of title for a fee simple estate in a deferred selection property. 10
- (2) Despite the Land Transfer Act 2017,—
 - (a) the authorised person may request the Registrar-General to register the covenant under that Act by creating a record of title that records an interest; and 15
 - (b) the Registrar-General must comply with the request.
- 117 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. 20
- (3) The Crown Minerals Act 1991 applies subject to **subpart 2**.
- (4) The permission of a local authority 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. 25
- (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. 30
- (6) In exercising the powers conferred by **section 114**, 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—Vesting of certain Crown owned minerals and related matters 35
- 118 Application and interpretation**
- (1) This subpart applies to—

-
- (a) the land vested in the trustees under **subpart 1 of Part 2**; and
- (b) the land vested in the trustees under **subpart 2 of Part 2**; and
- (c) land transferred to the trustees under **section 114**; and
- (d) the early release commercial property transferred to the trustees.
- (2) In this subpart, unless the context otherwise requires,— 5
- actual amount** means the amount payable in respect of vested minerals in accordance with **sections 125 and 129**
- chief executive** has the meaning given in section 2(1) of the Crown Minerals Act 1991
- Crown owned mineral** has the meaning given in section 2(1) of the Crown Minerals Act 1991 10
- existing privilege** has the meaning given in section 2(1) of the Crown Minerals Act 1991
- mineral** has the meaning given in section 2(1) of the Crown Minerals Act 1991
- Minister** has the meaning given in section 2(1) of the Crown Minerals Act 1991 15
- permit area** means—
- (a) the area of land over which any prospecting, exploration, or mining permit is granted under the Crown Minerals Act 1991; or
- (b) the area of land over which an existing privilege exists 20
- privilege**, in relation to any mineral,—
- (a) means an existing privilege; and
- (b) also means a prospecting, exploration, or mining permit granted under the Crown Minerals Act 1991, and its associated mining operations (within the meaning of section 2(1) of that Act) 25
- relevant land** means land referred to in **subsection (1)**
- representative amount** means the amount—
- (a) payable in accordance with **section 125**; and
- (b) calculated in accordance with **section 126**
- royalties** has the meaning given in section 2(1) of the Crown Minerals Act 1991 30
- section 10 minerals** means the minerals named in section 10 of the Crown Minerals Act 1991
- vested minerals** means the minerals referred to in **section 120(1) and (2)**
- year** means a period of 12 months beginning on 1 January and ending on 31 December. 35

*Existing rights preserved***119 Certain existing rights preserved**

The following privileges, rights, obligations, functions, and powers (including those preserved by the transitional provisions in Part 2 of the Crown Minerals Act 1991) continue as if **section 120** had not been enacted:

- (a) privileges in existence immediately before—
 - (i) the property is vested or transferred as referred to in **section 120(1)**; or
 - (ii) the transfer of the early release commercial property to the trustees: 10
- (b) rights that may be exercised under the Crown Minerals Act 1991 by the holders of those privileges or any other person:
- (c) subsequent rights and privileges granted to those holders or any other person following the exercise of the rights referred to in **paragraph (b)** (including those provided for by section 32 of the Crown Minerals Act 1991): 15
- (d) the obligations on those holders or any other person imposed by or under the Crown Minerals Act 1991:
- (e) the Crown's performance and exercise of its functions and powers under the Crown Minerals Act 1991 in relation to any of the matters referred to in **paragraphs (a) to (d)**. 20

*Certain minerals vested or transferred under this subpart***120 Vested minerals no longer to be reserved to the Crown**

- (1) Despite section 11 of the Crown Minerals Act 1991,—
 - (a) when land referred to in **section 118(1)(a)** is vested in the trustees, any Crown owned minerals in that land (other than section 10 minerals) vest with the land: 25
 - (b) when land referred to in **section 118(1)(b)** is vested in the trustees, any Crown owned minerals in that land (other than section 10 minerals) vest with the land: 30
 - (c) when land referred to in **section 118(1)(c)** is transferred to the trustees, any Crown owned minerals in that land (other than section 10 minerals) transfer with the land.
- (2) Despite section 11 of the Crown Minerals Act 1991, on the settlement date any Crown owned minerals (other than section 10 minerals) in the land referred to in **section 118(1)(d)** become the property of the trustees if, on that date, they own the land. 35

- (3) However, if a share in any relevant land is vested in or transferred to the trustees, the trustees own a share of any Crown owned minerals (other than section 10 minerals) in the same proportion as the shares in which they own the relevant land.
- (4) To avoid doubt, the vesting or transfer of land referred to in **section 118(1)** is subject to any mineral interests or rights to which, immediately before the commencement of this subpart, any person other than the Crown was entitled under the Land Transfer Act 2017 or any other Act, whether or not such interests or rights are recorded on the record of title for the land. 5
- 121 Application of Crown Minerals Act 1991** 10
- (1) Nothing in this subpart—
- (a) limits section 10 of the Crown Minerals Act 1991; or
- (b) affects other lawful rights to subsurface minerals.
- (2) **Section 49A** of the Crown Minerals Act 1991 applies to the land described in **section 118(1)**. 15

Registration

- 122 Notation of mineral ownership on records of title (other than for early release commercial property)**
- (1) This section, instead of section 86 of the Crown Minerals Act 1991, applies to land referred to in **section 118(1)(a) to (c)** at the time of its vesting or transfer. 20
- (2) An instrument lodged in respect of that land must include a request to the Registrar-General to record on any record of title for the land that the land is subject to **section 120** of the Ngāti Rāhiri Tumutumu Claims Settlement Act **2025**. 25
- (3) The Registrar-General must comply with a request received under **subsection (2)**.
- (4) In this section, **instrument** means—
- (a) a written application lodged under **section 47(3), (5), or (6)**, as applicable, in respect of land referred to in **section 118(1)(a)**; or 30
- (b) a written application lodged under **section 65** in respect of land referred to in **section 118(1)(b)**; or
- (c) a transfer instrument lodged in respect of land referred to in **section 118(1)(c)**.

123 Notation of mineral ownership on record of title for early release commercial property

- (1) This section, instead of section 86 of the Crown Minerals Act 1991, applies to land referred to in **section 118(1)(d)** if that land is owned by the trustees on the settlement date. 5
- (2) As soon as is reasonably practicable after the settlement date, a person authorised by the chief executive of LINZ must make a written request to the Registrar-General—
 - (a) to record on the record of title for the land that the land is subject to **section 120** of the Ngāti Rāhiri Tumutumu Claims Settlement Act **2025**; and 10
 - (b) to remove from the record of title for the land the notation that the land is subject to section 11 of the Crown Minerals Act 1991.
- (3) The Registrar-General must comply with a request received under **subsection (2)**. 15

Amounts payable in respect of vested minerals

124 Purpose and scope of arrangement for payments

- (1) The purpose of **sections 125 to 129** is to provide that the rights to vested minerals include the payment by the Crown, in relation to the vested minerals, of— 20
 - (a) the representative amount; or
 - (b) if **section 129(2)** applies, the actual amount.
- (2) Payments made under **subsection (1)** must be made to the trustees.
- (3) The representative amount or the actual amount payable is based on the amount of royalties paid to the Crown in the preceding year or years for which an application is made under **section 130** in respect of the vested minerals. 25
- (4) Payment of the representative amount or the actual amount, as appropriate, discharges the obligations of the Crown under this subpart in respect of any royalties paid to the Crown in respect of the vested minerals.

125 Obligation to pay representative or actual amount 30

- (1) The chief executive, on receiving an application under **section 130**, must pay the representative amount or the actual amount, as appropriate, in respect of vested minerals to the trustees.
- (2) **Subsection (1)** applies even if the trustees have sold all or any of the relevant land or vested minerals, and the chief executive is not required to transfer payments to, or otherwise deal with, any new owner of the vested minerals. 35
- (3) The requirement to pay the representative amount or the actual amount applies—

- (a) only if the Crown has been paid royalties in respect of the vested minerals in the year or years preceding the year in which an application is made under **section 130**; and
- (b) only in respect of a period of not more than 8 years after the date on which those royalties were received by the Crown. 5
- (4) This section is subject to **section 128** (shared ownership of land), **section 130** (application for payment of representative amount), and **section 132** (other conditions applying to payments).

Calculation of amount payable

126 Calculation of representative amount 10

The representative amount payable under **section 125** is calculated using the following formula:

$$\text{\$r} \times (\text{a} \div \text{pa})$$

where—

- a is the area of relevant land within or overlapping the permit area 15
- pa is the total permit area of a privilege that is within or overlaps the relevant land
- \\$r is the total amount of royalties paid to the Crown in respect of the vested minerals, for the years applied for under **section 130**, in respect of a privilege whose permit area is within or overlaps the relevant land. 20

Example

If—

- a is 4 sq kms; and
 - pa is 20 sq kms; and
 - \\$r is \$1,500; then 25
- $\$1,500 \times (4 \div 20) = \$300.$

127 Calculation of representative amount if more than 1 permit area

If more than 1 permit area is within or overlaps the relevant land,—

- (a) the representative amounts must be separately calculated for each permit area in accordance with **section 126**; and 30
- (b) the total representative amount payable to the trustees in respect of the vested minerals for the permit areas is the sum of the separate amounts calculated under **paragraph (a)**.

128 Calculation of representative amount if relevant land held in shares

If the relevant land is held in shares, the representative amount payable to the trustees in respect of the vested minerals is calculated using the following formula:

$$\text{\$r} \times (\text{a} \div \text{pa}) \times \% \quad 5$$

where—

a, pa, and \$r have the meanings given to those terms in **section 126**

% is the percentage of the vested minerals owned in each share at the time the relevant land is vested in or transferred to the trustees.

Example

10

If—

- a is 4 sq kms; and
- pa is 20 sq kms; and
- \$r is \$1,500; and
- the vested minerals are owned in 20% shares; then

15

$$\text{\$1,500} \times (4 \div 20) \times 20\% = \text{\$60}.$$

129 When actual amount may be paid

- (1) When an application is received under **section 130**, the Minister must determine whether the information is sufficient to identify the actual amount paid to the Crown as royalties in respect of vested minerals in the year or years applied for. 20
- (2) If the Minister is satisfied that there is sufficient information to determine the actual amount referred to in **subsection (1)**, the Minister must pay to the trustees the actual amount to which the application relates in respect of those vested minerals instead of the representative amount that would otherwise be payable. 25
- (3) If there is not sufficient information to enable the Minister to make a determination under **subsection (1)**, the chief executive must determine the representative amount payable in accordance with this subpart.
- (4) If the relevant land is owned in shares, any payment of the actual amount in respect of the vested minerals must be made in the same proportion as the proportion of the shares held in the relevant land at the time the land is vested in or transferred to the trustees. 30

*Application for payment of representative amount***130 Application requirements**

35

- (1) The trustees (but no other person or body) may apply for payment of the representative amount.

- (2) Applications must be made—
- (a) in writing to the chief executive; and
 - (b) not more than once a year; and
 - (c) not later than 31 March in respect of the preceding year or years applied for. 5
-
- Example relating to paragraph (c)**
- The trustees may apply—
- by 31 March 2023 for a payment relating to the year 2022:
 - by 31 March 2028 for a payment relating to the years 2022 to 2027.
-
- (3) An application must not relate to any year earlier than 8 years before the date of the application. 10
- (4) An application must contain the information necessary to establish—
- (a) that the relevant land is or was owned by the trustees (for example, a copy of the record of title for the land); and
 - (b) the date on which the vested minerals in the relevant land became the property of the trustees; and 15
 - (c) the shares (if any) in which the land is held; and
 - (d) the year or years to which the application relates; and
 - (e) the details of the trustees for the purpose of enabling payment to be made. 20
- (5) No payment may be made unless an application is made under this section.
- (6) The chief executive may request further information from the trustees—
- (a) to establish the information required under **subsection (4)**:
 - (b) to enable the Minister to determine whether the actual amount or the representative amount is to be paid. 25

131 Advice to be given to trustees

The chief executive must—

- (a) consider the application, including whether the information is sufficient to enable the Minister to determine the actual amount under **section 129**; and 30
- (b) advise the trustees in writing of the amount that the trustees are to be paid.

132 Other conditions applying to payments

- (1) Payment of the representative amount or actual amount, as the case requires,—
- (a) must be made as soon as is reasonably practicable after 31 March in each year; but 35

- (b) must not be made more than once a year.
- (2) For the first year of payment of the representative amount or actual amount, the payment must be calculated—
 - (a) from the date on which the vested minerals in the relevant land became the property of the trustees (the **vesting date**); and
 - (b) in proportion to the number of days that have elapsed in that year on and from the vesting date.
- (3) Interest is not payable on the amounts paid under this subpart, irrespective of the period to which an amount relates.

Status of certain information

133 Confidentiality of information disclosed or received

- (1) Any information disclosed to the trustees by the Crown under this subpart is a disclosure permitted under section 90A of the Crown Minerals Act 1991.
- (2) Information about the royalties paid to the Crown in respect of the vested minerals may be disclosed to the trustees in fulfilment of the obligations of the Crown under this subpart.
- (3) Information disclosed under **subsection (2)** is confidential to the trustees, subject to any legal obligations that the trustees may have to disclose the information, such as any statutory reporting requirements.

Consequential amendments to Crown Minerals Act 1991

134 Amendments to Crown Minerals Act 1991

- (1) This section amends the Crown Minerals Act 1991.
- (2) After section 25(6)(b), insert:
 - (c) **section 119** of the Ngāti Rāhiri Tumutumu Claims Settlement Act **2025**.
- (3) After section ~~32(7)(b)~~ 32(7)(c), insert:
 - (ed) the trustees referred to in **section 118(1)** of the Ngāti Rāhiri Tumutumu Claims Settlement Act **2025**, subject to **section 119** of that Act.
- (4) Replace section 49A(3) with:
 - (3) The Acts are—
 - (a) the Ngāti Pāoa Claims Settlement Act **2025**; and
 - (b) the Ngāti Rāhiri Tumutumu Claims Settlement Act **2025**.
- (5) In Schedule 6, insert in its appropriate alphabetical order:
 - The land described in **section 118(1)** of the Ngāti Rāhiri Tumutumu Claims Settlement Act **2025**.

Schedule 1

Cultural redress properties

ss 22, 44, 45, 46

Properties vested in fee simple

Name of property	Description	Interests
Kahumaro whenua	<i>South Auckland Land District— Matamata-Piako District</i> 55.6060 hectares, more or less, being Sections 1, 2, 3, and 4 SO 52800. All <i>Gazette</i> notice H509919.	
Miro Street property	<i>South Auckland Land District— Matamata-Piako District</i> 0.1513 hectares, more or less, being Section 169 Block LIII Town of Te Aroha. All <i>Gazette</i> 1963, p 414.	
Te Ruinga whenua	<i>South Auckland Land District— Matamata-Piako District</i> 24.6960 hectares, more or less, being Section 1 SO 52060. All <i>Gazette</i> notice H426305.	Subject to the right of way easement in gross referred to in section 25(5) . Subject to an unregistered memorandum of agreement for a right to convey water (dated 23 October 1991).
Waihou property	<i>South Auckland Land District— Matamata-Piako District</i> 0.7127 hectares, more or less, being Section 1 SO 527362. Part <i>Gazette</i> 1879, p 913.	
Waiorongomai property	<i>South Auckland Land District— Matamata-Piako District</i> 3.0000 hectares, more or less, being Section 7 SO 512808. Part <i>Gazette</i> 1975, p 2328.	
Waterford Road property	<i>South Auckland Land District— Western Bay of Plenty District</i> 0.0706 hectares, more or less, being Section 3 SO 59335. Part <i>Gazette</i> 1984, p 3102. 0.0478 hectares, more or less, being Sections 5 and 6 SO 59335. Part <i>Gazette</i> notice B104924.	
Windridge property	<i>South Auckland Land District— Western Bay of Plenty District</i> 13.3076 hectares, more or less, being Section 1 SO 529833. Part <i>Gazette</i> 1975, p 2328.	

Properties vested in fee simple to be administered as reserves

Name of property	Description	Interests
Omahu whenua	<i>South Auckland Land District— Matamata-Piako District</i> 86.1000 hectares, more or less, being Section 1 SO 529392. Part record of title SA43A/929 for the fee simple estate.	Subject to being a recreation reserve, as referred to in section 31(3). Subject to the easement in gross for a right of way and rights to convey and drain water referred to in section 31(6). Subject to an unregistered licence to occupy in favour of I Mayall dated 11 October 2010.
Te Awe whenua	<i>South Auckland Land District— Matamata-Piako District</i> 32.5000 hectares, more or less, being Section 2 SO 529392. All record of title SA25C/819 for the fee simple estate and balance <i>Gazette</i> 1927, p 2909.	Subject to being a local purpose (water conservation) reserve, as referred to in section 32(4). Subject to the easement in gross for a right of way and rights to convey and drain water referred to in section 32(7).
Te Mokena Hou whenua	<i>South Auckland Land District— Matamata-Piako District</i> 2.4180 hectares, more or less, being Section 147 Block IX Aroha Survey District. All <i>Gazette</i> notice S308051. 44.9049 hectares, more or less, being Section 143 Block IX Aroha Survey District. All <i>Gazette</i> 1927, p 2930. 6.9128 hectares, more or less, being Section 4 Block XLIX Town of Te Aroha and Section 141 Block IX Aroha Survey District. All <i>Gazette</i> notice S92730.	Subject to being a scenic reserve, as referred to in section 33(3).
Tumutumu whenua	<i>South Auckland Land District— Matamata-Piako District</i> 18.6155 hectares, more or less, being Part Section 15 Block IX Aroha Survey District. All record of title 561059 for the fee simple estate. 16.7945 hectares, more or less, being Section 116 Block IX Aroha Survey District. All record of title 551945 for the fee simple estate.	Subject to being a recreation reserve, as referred to in section 36(3). Subject to the easement in gross for a right of way and rights to convey and drain water referred to in section 36(6) (affects record of title 561059).
Wairakau whenua	<i>South Auckland Land District— Matamata-Piako District</i> 2.8500 hectares, more or less, being Section 1 SO 529834. Part <i>Gazette</i> notice H308154.	Subject to being a scenic reserve, as referred to in section 37(3). Subject to an unregistered concession (easement) with concession number BP-27807-

Name of property	Description	Interests
		OTH to Van Marrewijk Farms Limited.
		Subject to an unregistered concession (grazing licence) with concession number BP-27806-GRA to Van Marrewijk Farms Limited.

Properties vested in fee simple subject to conservation covenant

Name of property	Description	Interests
Paewai	<i>South Auckland Land District— Western Bay of Plenty District</i> 2.5590 hectares, more or less, being Section 8 SO 511886. Part Gazette 1975, p 2328.	Subject to the conservation covenant referred to in section 38(3) .
Pukewhakataratara	<i>South Auckland Land District— Western Bay of Plenty District and Matamata-Piako District</i> 19.3700 hectares, more or less, being Section 1 SO 591071. Part Gazette 1975, p 2328.	Subject to the conservation covenant referred to in section 39(3)(a) . Subject to the right of way easement in gross referred to in section 39(3)(b) .
Takaihuehue	<i>South Auckland Land District— Western Bay of Plenty District</i> 2.0130 hectares, more or less, being Section 7 SO 511886. Part Gazette 1975, p 2328.	Subject to the conservation covenant referred to in section 40(3) .
Wahine Rock property	<i>South Auckland Land District— Western Bay of Plenty District and Matamata-Piako District</i> 7.6820 hectares, more or less, being Section 2 SO 511886. Part Gazette 1975, p 2328.	Subject to the conservation covenant referred to in section 41(3) .

Properties jointly vested in fee simple subject to conservation covenant

Name of property	Description	Interests
Ngā Tukituki a Hikawera	<i>South Auckland Land District— Western Bay of Plenty District and Matamata-Piako District</i> 8.6190 hectares, more or less, being Section 1 SO 511886. Part Gazette 1975, p 2328.	Subject to the conservation covenant referred to in section 42(4) .
Tangitū	<i>South Auckland Land District— Western Bay of Plenty District and Matamata-Piako District</i> 7.5410 hectares, more or less, being Section 3 SO 511886. Part Gazette 1975 p 2328.	Subject to the conservation covenant referred to in section 43(4)(a) . Subject to the right of way easement in gross referred to in section 43(4)(b) .

Schedule 2

Te Aroha Domain land

s 59**Name of land**

Te Aroha Domain land

Description*South Auckland Land District—Matamata-Piako District*

8.0937 hectares, more or less, being Section 16 Block IX Aroha Survey District. All record of title 550617 for the fee simple estate.

Schedule 3

Overlay area

s 80**Overlay area**

Part Kaimai Mamaku Conservation Park

Location

The area coloured yellow on OTS-100-422

Schedule 4
Statutory areas

ss 94, 103

Areas subject to both statutory acknowledgement and deed of
recognition

5

Statutory area	Location
Part Maurihero Scenic Reserve	As shown on OTS-100-423
Wairakau Scenic Reserve	As shown on OTS-100-421

Legislative history

29 October 2025	Introduction (Bill 217–1)
4 November 2025	First reading and referral to Māori Affairs Committee