

House of Representatives

Supplementary Order Paper

Tuesday, 9 December 2014

Ngāti Koroki Kahukura Claims Settlement Bill

Proposed amendments

Hon Christopher Finlayson, in Committee, to move the following amendments:

Clause 12

In *clause 12*, delete the definition of **Historic Places Trust** (page 18, lines 7 and 8).

Clause 16(2)

In *clause 16(2)*, replace “**section 15(4) and (5)**” (page 22, lines 34 and 35) with “**section 15(6) and (7)**”.

Clause 23(a)

In *clause 23(a)*, replace “the Historic Places Trust” (page 26, line 2) with “Heritage New Zealand Pouhere Taonga”.

Clause 26

Replace *clause 26* (page 27, lines 3 to 22) with:

26 Heritage New Zealand Pouhere Taonga and Environment Court to have regard to statutory acknowledgement

- (1) This section applies to an application made under section 44, 56, or 61 of the Heritage New Zealand Pouhere Taonga Act 2014 for an authority to undertake an activity that will or may modify or destroy an archaeological site within a statutory area.
- (2) On and from the effective date, Heritage New Zealand Pouhere Taonga must have regard to the statutory acknowledgement relating to the statutory area in exercising its powers under section 48, 56, or 62 of the Heritage New Zealand Pouhere Taonga Act 2014 in relation to the application.

- (3) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to the statutory area—
- (a) in determining whether the trustees are persons directly affected by the decision; and
 - (b) in determining, under section 59(1) or 64(1) of the Heritage New Zealand Pouhere Taonga Act 2014, an appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application.
- (4) In this section, **archaeological site** has the meaning given in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

Clause 29(1)

Replace *clause 29(1)(c)* (page 29, line 12) with:

- (c) Heritage New Zealand Pouhere Taonga; or

Clause 71

In *clause 71(1)*, replace the definition of **archaeological site** (page 53, lines 1 and 2) with:

archaeological site has the meaning given in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014

In *clause 71(1)*, replace the definition of **wāhi tapu** (page 54, lines 3 and 4) with:

wāhi tapu has the meaning given in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014

In *clause 71(2)*, replace “**and 79(3) and (5)**” (page 54, lines 9 and 10) with “**79(3) and (5), and 80(3)**”.

Clause 79(4)

In *clause 79(4)*, replace “**subsection (2)**” (page 60, lines 16 and 17) with “**subsection (3)**”.

Schedule 2

In *Schedule 2*, table headed “Properties vested in fee simple to be administered as Māori reservations”,—

- (a) item relating to Horahora Island, second column, replace “1.23 hectares, approximately, being Part Section 1 SO 326117. Part *Gazette* notice 5567426.1. Subject to survey. As shown on OTS–180–21.” (page 93) with “1.2327 hectares, more or less, being Section 3 SO 461172. Part *Gazette* notice 5567426.1.”:
- (b) item relating to Koroki Kahukura ki Piarere, second column, replace “4.60 hectares, approximately, being Part Section 1 SO 326117. Part Proclamation 5567426.1. Subject to survey. As shown on OTS–180–25.” (page 94) with “4.7089 hectares, more or less, being Section 6 SO 461172. Part *Gazette* notice 5567426.1.”:
- (c) item relating to Motu Aratau, second column, replace “9.9553 hectares, approximately, being Part Section 1 SO 326129 (formerly Closed Road

- and Part Section 10A Tautari Settlement). Part *Gazette* 1996, p 55. Subject to survey. As shown on OTS–180–05.” (page 94) with “11.1005 hectares, more or less, being Section 1 SO 462109. Part *Gazette* 1996, p 55.”:
- (d) item relating to Te Kiwa and Te Uira, second column, replace “1.04 hectares, approximately, being Part Section 1 SO 326117. Part *Gazette* notice 5567426.1. Subject to survey. As shown on OTS–180–22.” (page 94) with “0.0435 hectares, more or less, being Sections 1 and 2 SO 461172. Part *Gazette* notice 5567426.1.”:
- (e) item relating to Waitoa, second column, replace “13.4100 hectares, approximately, being Section 4 SO 326129. All *Gazette* 2003, p 2295. Subject to survey. As shown on OTS–180–19.” (page 95) with “12.4532 hectares, more or less, being Section 2 SO 462109. All *Gazette* 2003, p 2295.”:
- (f) item relating to Whanatangi and Ihaia, second column, replace “1.00 hectares, approximately, being Part Section 1 SO 326117. Part *Gazette* notice 5729973.1. Subject to survey. As shown on OTS–180–23.” (page 95) with “1.5337 hectares, more or less, being Sections 4 and 5 SO 461172. Part *Gazette* notice 5729973.1.”.

Explanatory note

This Supplementary Order Paper amends the Ngāti Koroki Kahukura Claims Settlement Bill (the **Bill**). This Supplementary Order Paper—

- amends the Bill to reflect the enactment of the Heritage New Zealand Pouhere Taonga Act 2014;
- makes some minor technical amendments to the Bill;
- updates the legal descriptions of certain properties described in the Bill as a consequence of recent survey work.

Departmental disclosure statement

The Ministry of Justice (Office of Treaty Settlements) considers that a departmental disclosure statement is not required to be prepared for this Supplementary Order Paper.