

House of Representatives  
**Supplementary Order Paper**

**Tuesday, 9 December 2014**

**Ngāti Hauā Claims Settlement Bill**

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*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 26, lines 3 and 4).

*Clause 32(a)*

In *clause 32(a)*, replace “the Historic Places Trust” (page 37, line 18) with “Heritage New Zealand Pouhere Taonga”.

*Clause 35*

Replace *clause 35* (page 38, line 21 to page 39, line 5) with:

**35 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 38(1)*

Replace *clause 38(1)(c)* (page 40, line 32) with:

- (c) Heritage New Zealand Pouhere Taonga; or

*Clause 62(1)*

Delete *clause 62(1)* (page 50, line 2).

*Clause 63*

Delete *clause 63* (page 50, line 11 to page 51, line 14).

*Clause 72(2)*

Delete *clause 72(2)* (page 54, lines 14 and 15).

*Clause 73*

Replace *clause 73(1) and (2)* (page 54, lines 17 to 25) with:

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

*Schedule 3*

In the *Schedule 3 heading*, delete “**63**,” (page 96, line 1).

In *Schedule 3*, replace the *Part 1 heading* (page 96, lines 3 to 5) with:

*Properties vested in fee simple to be administered as  
reserves*

In *Schedule 3, Part 1*, replace the item relating to Pukemako site A (page 98) with:

Pukemako site A	<i>South Auckland Land District—Waipa District</i> 63.9108 hectares, more or less, being Lots 1 and 2 DP 467321 and Parts Section 3 Block VI Cambridge Survey District. All computer freehold register 637892.	Subject to being a scenic reserve, as referred to in <b>section 62(4)</b> . Subject to a right of way easement created by deed of easement 7798890.9 and held in computer interest register 420420. The easement created by deed of easement 7798890.9 is subject to sec-
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tion 243(a) of the Resource Management Act 1991.

Subject to an unregistered low impact scientific study permit with concession number CA-31615-OTH to Landcare Research New Zealand Limited (affects Lot 2 DP 467321 and Parts Section 3 Block VI Cambridge Survey District).

Subject to section 59 of the Land Act 1948 (affects Lot 1 DP 467321).

Subject to section 241(2) of the Resource Management Act 1991 (affects DP 467321).

Together with a right to convey electricity created by easement instrument 7798890.8 (affects Lot 1 DP 467321).

The easements created by easement instrument 7798890.8 are subject to section 243(a) of the Resource Management Act 1991.

Together with a right to convey electricity, telecommunications, and computer media created by easement instrument 8013322.5 (affects Lot 1 DP 467321).

The easements created by easement instrument 8013322.5 are subject to section 243(a) of the Resource Management Act 1991.

In *Schedule 3*, delete *Part 2* (page 99).

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### Explanatory note

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

- makes amendments to reflect the enactment of the Heritage New Zealand Pouhere Taonga Act 2014;
- removes provisions that provided for the possibility that an exchange of land, which was contemplated when the Bill was introduced and which related to parts of a cultural redress property, would not be completed before the settlement date because the exchange has now been completed:

- updates the legal description of the cultural redress property described in the Bill as a consequence of the exchange of land and 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.

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