

House of Representatives
Supplementary Order Paper

Tuesday, 23 September 2008

Affiliate Te Arawa Iwi and Hapu Claims Settlement
Bill

Proposed amendments

Hon Dr Michael Cullen, in Committee, to move the following amendments:

Clause 5

Subclause (4)(b): to omit “9” (line 30 on page 12) and substitute “specified”.

Clause 112

Subclause (3)(a): to insert before “section 24” (line 17 on page 67) “the rest of”.

Subclause (4): to insert after “exempt from” (line 37 on page 67) “the rest of”.

Subclause (5): to insert after “exempt from” (line 6 on page 68) “the rest of”.

Clause 117(1)

To omit “any part” (line 22 on page 71) and substitute “all, or the part”.

New clauses 130A and 130B

To insert the following clauses after *clause 130* (after line 9 on page 82):

130A Public access to continue

- (1) Clause 6.2 of the Crown forestry licence (which relates to public entry for recreational purposes) continues to apply even though the Crown is no longer the licensor under the licence because the licensed land has been transferred to the trustees under **section 124**.
- (2) A notification to the same effect as described in **subsection (1)** must—
 - (a) be recorded against each computer freehold register for the licensed land; and
 - (b) on application by the registered proprietor, be removed from each computer freehold register for the licensed land on the expiry of the Crown forestry licence.

130B Public right of way easements may be granted

- (1) A public right of way easement may be granted under section 8 of the Crown Forest Assets Act 1989, and is enforceable in accordance with its terms, despite its subject matter.
- (2) Sections 26 and 27 of the Crown Forest Assets Act 1989 apply, subject to any necessary modifications, to any variation, renewal, or cancellation under section 8(b) of that Act of a public right of way easement.
- (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 under this section.
- (4) In this section, **public right of way easement** means an easement in gross granted in relation to the licensed land, as described in clause 12.36 of the deed of settlement.

Schedule 1: Part 1

Paragraph (b)(i) of the definition of Tuhourangi Ngati Wahiao: to insert after “Ngati Tionga,” (line 36 on page 88 and line 1 on page 89) “Ngati Tukiterangi,”.

Schedule 3

Part 1: to add the following item (page 97):

Part Lake Rotoiti Scenic Reserve	As shown on SO 410514
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Schedule 6

Part 5: to add the following item (page 106):

Lake Rotoma School	<i>South Auckland Land District—Rotorua District</i> 1.5996 hectares, more or less, being Lot 1 DP 34929 and Section 5 Block X Rotoma Survey District. All computer freehold register SA900/237 and Part <i>Gazette</i> 1937 page 1137.	Subject to a lease referred to in section 109(2) .
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Explanatory note

This Supplementary Order Paper amends the Affiliate Te Arawa Iwi and Hapu Claims Settlement Bill.

Clause 5(4)(b) is amended to reflect the addition of a statutory area.

Clause 112(3), (4), and (5) is amended to clarify that subsection (2A) of section 24 of the Conservation Act 1987 is not included in the reference to that section in those subclauses.

Clause 117(1) is amended to exclude the possibility of a transfer of a part of a reserve only.

New clauses 130A and 130B provide for public access, and the grant of a public right of way easement, over the licensed land. These provisions give effect to clause 12.38 of the deed of settlement.

Paragraph (b) of the definition of Tuhourangi Ngati Wahiao in *Part 1 of Schedule 1* is amended to include the Ngati Tukiterangi subgroup. The lack of a reference to the subgroup in the Bill was an unintended omission.

Another statutory area, Part Lake Rotoiti Scenic Reserve, is added to *Part 1 of Schedule 3*, in relation to which a statutory acknowledgement is given.

Another school site, Lake Rotoma School, is added to *Part 5 of Schedule 6*.
