

NGĀTI MANAWA
and
THE SOVEREIGN
in right of New Zealand

DEED TO AMEND
NGĀTI MANAWA DEED OF SETTLEMENT

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THIS DEED is made on the day of 2012

BETWEEN

TE RŪNANGA O NGĀTI MANAWA (“Ngati Manawa”)

AND

THE SOVEREIGN in right of New Zealand (“the Crown”).

1. BACKGROUND

- A. Ngāti Manawa and the Crown are parties to a Deed of Settlement dated 12 December 2009 ("**Deed of Settlement**") and a Supplementary Deed of Settlement in Relation to the Rangitaiki River dated 17 February 2011.
- B. Ngāti Manawa and the Crown wish to enter this deed to formally record certain amendments to the Deed of Settlement, in accordance with clause 12.3 of the Deed of Settlement.

IT IS AGREED as follows:

EFFECTIVE DATE OF THIS DEED

- 1.1 This deed takes effect when it is signed by the parties.

AMENDMENTS TO THE DEED OF SETTLEMENT

- 1.2 The Deed of Settlement:

- 1.2.1 is amended by making the amendments set out in Schedule 1 to this Deed; but
- 1.2.2 remains unchanged except to the extent provided by this Deed.

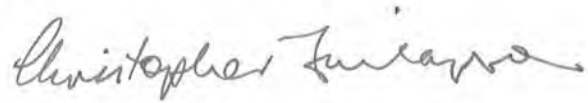
DEFINITIONS AND INTERPRETATION

- 1.3 Unless the context otherwise requires:

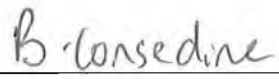
- 1.3.1 terms or expressions defined in the Deed of Settlement have the same meanings in this Deed; and
- 1.3.2 the rules of interpretation in the Deed of Settlement apply (with all appropriate changes) to this Deed.

SIGNED as a Deed on 14 May 2012

SIGNED for and on behalf of THE CROWN by the Minister for Treaty of Waitangi Negotiations in the presence of:

)
)
) 
)

Honourable Christopher Finlayson



Signature of Witness

Witness Name: BERNADETTE CONSIDINE

Occupation: PRIVATE SECRETARY


Address: WELLINGTON

DEED TO AMEND NGĀTI MANAWA DEED OF SETTLEMENT

SIGNED by the trustees of
TE RŪNANGA O NGĀTI MANAWA
in the presence of:

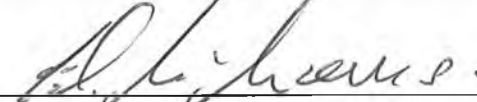
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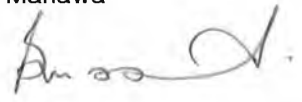

Maurice Toē Toē - Chairman, Te Rūnanga o Ngāti Manawa

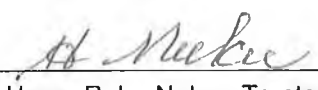

Kāhi Edwards – Trustee, Te Rūnanga o Ngāti Manawa


Leonard Grace - Trustee, Te Rūnanga o Ngāti Manawa

Robert Jenner - Trustee, Te Rūnanga o Ngāti Manawa

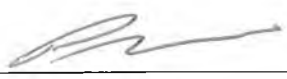

Patrick Tukuha McManus - Trustee, Te Rūnanga o Ngāti Manawa

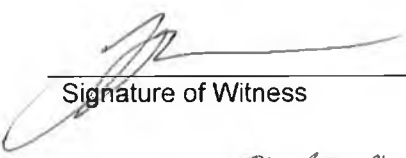

Bert Mark Messent - Trustee, Te Rūnanga o Ngāti Manawa


Henry Rehe Nuku - Trustee, Te Rūnanga o Ngāti Manawa

John Porima - Trustee, Te Rūnanga o Ngāti Manawa

Laurie Porima - Trustee, Te Rūnanga o Ngāti Manawa



Pouwhare Marino Rewi - Trustee, Te Rūnanga o Ngāti Manawa


Signature of Witness

Witness Name: *MARGARET MILNE PEARL GUSON*

Occupation: *SOLICITOR*

Address: *WELLINGTON*


Hiraani Stafford - Trustee, Te Rūnanga o Ngāti Manawa

Peter White - Trustee, Te Rūnanga o Ngāti Manawa

Schedule 1

AMENDMENTS TO THE DEED OF SETTLEMENT

Clause reference	Amendment
New 5.14A	<p>Insert after clause 5.14:</p> <p>"MEETINGS WITH POWER COMPANIES</p> <p>5.14A Within 6 months after the settlement date, the Minister for Treaty of Waitangi Negotiations will write to the Bay of Plenty Regional Council, Trustpower Limited and Bay of Plenty Electricity Limited for the purpose of facilitating a meeting between the governance entity, the Crown, the Bay of Plenty Regional Council and those power companies. The purpose of this meeting will be to discuss the impacts of dams on the Rangitaiki River on the tuna population, and how tuna passage may be better facilitated."</p>
New 6.1.10A	<p>Insert after clause 6.1.10:</p> <p>"6.1.10A the reserve created by clause 6.1.10 is named Fort Galatea Historic Reserve;"</p>
New 6.1.17A	<p>Insert after clause 6.1.17:</p> <p>"6.1.17A the reserve created by clause 6.1.17 is named Te Ana a Maru Historic Reserve;"</p>
6.2.1	<p>Replace clause 6.2.1 with:</p> <p>"6.2.1 part of the Kani Rangi park site which is Lot 2 DP 408130 ceases to be Crown forest land; and"</p>
6.8	<p>Replace "Crown" with "Minister of Conservation"</p> <p>Replace "6 months" with "12 months"</p>
13.6 Definition of "Crown forestry licence", paragraph (c)	<p>Replace paragraph (c) with:</p> <p>"(c) in respect of Ōruatewehi pā site, Motumako site, Puketapu pā site, Ngātamawāhine nohoanga site, Kaiwhatiwhati pā site, and part of Kāramuramu site, the Kaingaroa/Northern Boundary Block Crown forestry licence held, as at the date of the deed of settlement, in computer interest register SA60D/550, or any such licence(s) in replacement of the Crown forestry licence, registered prior to the settlement date in relation to such sites;"</p>
Part 6 of the schedule, Conservation deed of recognition	<p>Add the Director-General of Conservation as a party to the Conservation deed of recognition</p>
Part 10 of the schedule	<p>Replace all references in the encumbrance column to:</p> <p>"[Together with the right of way easement to be created. Bonisch Road]"</p> <p>with:</p> <p>"Together with the right of way to be created - Bonisch Road"</p>

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Clause reference	Amendment
<p>Part 10 of the schedule Ōruatewehi pā site</p>	<p>Replace "[to issue under CNI]" in the legal description with "507550"</p> <p>Replace the first encumbrance with:</p> <p>"Subject to the Crown forestry licence (B349022.1) held, as at the date of the deed of settlement, in computer interest register SA60D/550 (varied by B475395.7, B475395.8, B475395.10 and B558475.47), or any such licence(s) in replacement of the Crown forestry licence (B349022.1) registered prior to settlement date in relation to the Ōruatewehi Pā site"</p> <p>Insert "Subject to the right of way marked D on DP 392102 and B and C on SO 378328 in favour of Section 1 SO 378328 to be created"</p> <p>Replace the reference in the sixth encumbrance to "Computer Register 482467" with "Computer Interest Register 501615".</p>
<p>Part 10 of the schedule Kiorenuī site</p>	<p>Replace:</p> <p>"238 hectares, approximately, being Part Lot 1 DP 418752 (formerly Part Lot 1 DPS 64349) and Lot 2 DPS 68046. Part Computer Freehold Register [to issue under CNI] and Part Lot 1 DPS 47427. Part Computer Freehold Register [to issue under CNI]. Subject to survey.</p> <p>As shown on OTS-076-002"</p> <p>with:</p> <p>"238 hectares, approximately, being Part Lot 1 DP 418752 (formerly Part Lot 1 DPS 64349). Part Computer Freehold Register 507533 and Lot 2 DPS 68046 and Part Lot 1 DPS 47427. Part Computer Freehold Register 512595. Subject to survey.</p> <p>As shown on OTS-076-002"</p> <p>Replace the last encumbrance with:</p> <p>"Together with the right of way to be created - Bonisch Road"</p>
<p>Part 10 of the schedule Kāramuramu site</p>	<p>Replace "[to issue under CNI]" in the legal description of CNI Forest Land Area with "507550"</p> <p>Replace the first encumbrance with:</p> <p>"Subject to the Crown forestry licence (B349022.1) held, as at the date of the deed of settlement, in computer interest register SA60D/550 (varied by B475395.7, B475395.8, B475395.10 and B558475.47), or any such licence(s) in replacement of the Crown forestry licence (B349022.1) registered prior to settlement date in relation to the Kāramuramu site."</p> <p>Replace:</p> <p>"Subject to a right of way in gross over Lot 2 DPS 65988 in favour of Her Majesty the Queen held in Computer Interest Register 501615"</p> <p>with:</p> <p>"Subject to the right of way created by easement instrument 8276169.1 and held in computer interest register 501615"</p>
<p>Part 10 of the schedule Motumako site</p>	<p>Replace "[to issue under CNI]" in the legal description with "507550"</p> <p>Replace the first encumbrance with:</p> <p>"Subject to the Crown forestry licence (B349022.1) held, as at the date of the deed of settlement, in computer interest register SA60D/550 (varied by B475395.7, B475395.8, B475395.10 and B558475.47), or any such licence(s) in replacement of the Crown forestry licence (B349022.1) registered prior to settlement date in relation to the Motumako site"</p>

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Part 10 of the schedule Te Ana a Maru rock art site	Replace "[to issue under CNI]" in the legal description with "512595" Insert as the last encumbrance: "Together with the right of way to be created - Bonisch Road"
Part 10 of the schedule Tūtūtārata papakainga site	Replace "[to issue under CNI]" in the legal description with "507554" Replace: "Subject to right of way easement [to be created under CNI]" with: "Subject to the right of way created by easement instrument 8567094.1" Insert as the last encumbrance: "Together with the right of way to be created - Bonisch Road"
Part 10 of the schedule Pekepeke pā site	Replace the first "[to issue under CNI]" in the legal description with "507533" Replace the second "[to issue under CNI]" in the legal description with "512595" Replace the last encumbrance with: "Together with the right of way to be created - Bonisch Road"
Part 10 of the schedule Puketapu pā site	Replace "[to issue under CNI]" in the legal description with "507550" Replace the first encumbrance with: "Subject to the Crown forestry licence (B349022.1) held, as at the date of the deed of settlement, in computer interest register SA60D/550 (varied by B475395.7, B475395.8, B475395.10 and B558475.47), or any such licence(s) in replacement of the Crown forestry licence (B349022.1) registered prior to settlement date in relation to the Puketapu pā site"
Part 10 of the schedule Pukemoremore site	Replace "[to issue under CNI]" in the legal description with "507547" Insert as the last encumbrance: "Together with the right of way to be created - Bonisch Road"
Part 10 of the schedule Ngātamawāhine nohoanga site	Replace "[to issue under CNI]" in the legal description with "507550" Replace the first encumbrance with: "Subject to the Crown forestry licence (B349022.1) held, as at the date of the deed of settlement, in computer interest register SA60D/550 (varied by B475395.7, B475395.8, B475395.10 and B558475.47), or any such licence(s) in replacement of the Crown forestry licence (B349022.1) registered prior to settlement date in relation to the Ngātamawāhine nohoanga site."
Part 10 of the schedule Kaiwhatiwhati pā site	Replace "[to issue under CNI]" in the legal description with "507550" Replace the first encumbrance with: "Subject to the Crown forestry licence (B349022.1) held, as at the date of the deed of settlement, in computer interest register SA60D/550 (varied by B475395.7, B475395.8, B475395.10 and B558475.47), or any such licence(s) in replacement of the Crown forestry licence (B349022.1) registered prior to settlement date in relation to the Kaiwhatiwhati pā site."

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Clause reference	Amendment
Part 10 of the schedule Ahiweka pā site	Replace "[to issue under CNI]" in the legal description with "507547" Insert as the last encumbrance: "Together with the right of way to be created - Bonisch Road"
Part 10 of the schedule Ahiwhakamura kainga site	Replace "[to issue under CNI]" in the legal description with "507547" Insert as the last encumbrance: "Together with the right of way to be created - Bonisch Road"
Part 10 of the schedule Te Rake pā site	Replace "[to issue under CNI]" in the legal description with "507554"
Part 10 of the schedule Kani Rangī park site	Replace the legal description with: "7.7570 hectares, more or less, being Lots 1, 2, 3 and 4 DP 408130. Part computer freehold register SA39C/765" Replace the encumbrances with: "Subject to the protective covenant certificate B239929.2 (affects Lot 2 DP 408130). Subject to the right of way in gross over Lots 1 and 2 DP 408130 and shown A and B on DP 408130 in favour of KT1 CO, KT2 CO and NZSF Timber Investments (NO4) Limited to be created. Together with the right of way created by easement instrument 8212199.1 and held in computer interest register 482467 (affects Lot 2 DP408130). Together with the right of way easement created by easement instrument 8241609.1."
Part 10 of the schedule	Renumber existing "Part 10" to "Part 10A" and all existing references to "Part 10" in the deed shall be read as "Part 10A"
Covenant relating to Bonisch Road and the Kaingaroa Road Network	Insert the Deed of Covenant relating to Bonisch Road and Kaingaroa Forest Road Network as new Part 10 of the schedule
Part 12 of the schedule Kāramuramu easement, clause 2, line 2	Insert "in gross" after "easement" and before "on the terms and conditions contained in this Instrument"