

MORIORI

and

THE TRUSTEES OF THE MORIORI IMI SETTLEMENT TRUST

and

THE CROWN

**DEED TO AMEND
MORIORI DEED OF SETTLEMENT**

DEED TO AMEND MORIORI DEED OF SETTLEMENT

THIS DEED is made on the day of 20

BETWEEN

MORIORI

and

THE TRUSTEES OF THE MORIORI IMI SETTLEMENT TRUST ("governance entity")

AND

THE CROWN

1. BACKGROUND

- A. Moriori and the Crown are parties to a Deed of Settlement dated 14 February 2020 ("**Deed of Settlement**").
- B. Moriori, the governance entity and the Crown wish to enter this deed to formally record certain amendments to the Deed of Settlement, in accordance with clause 5.1 of the General Matters Schedule to the Deed of Settlement.

IT IS AGREED as follows:

EFFECTIVE DATE OF THIS DEED

- 1.1 This deed takes effect when it is properly executed 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 the schedules 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.

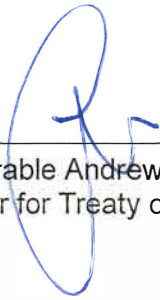
COUNTERPARTS

- 1.4 This deed may be signed in counterparts which together shall constitute one agreement binding on the parties, notwithstanding that both parties are not signatories to the original or same counterpart.

DEED TO AMEND MORIORI DEED OF SETTLEMENT

SIGNED as a Deed to Amend on 17 day of NOVEMBER 20 21

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



Honourable Andrew James Little,
Minister for Treaty of Waitangi Negotiations



Signature of Witness

SEREANA PERRY

Witness Name

PUBLIC SERVANT

Occupation

PARLIAMENT BUILDINGS, WELLINGTON

Address

SIGNED by the Trustees of the
Mori Mori Imi Settlement Trust
in the presence of:



WITNESS

Signature

Name: Susan Thorpe

Occupation: Archaeologist

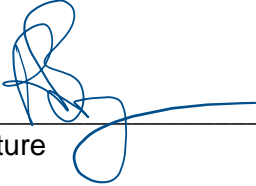
Address: 2350 Owenga Rd, Rēkohu



Maui Ashley Solomon

SIGNED by the Trustees of the
Mori Mori Imi Settlement Trust
in the presence of:

WITNESS



Signature



Paul Te Teira Solomon

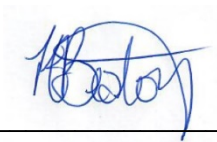
Name: Robert Bryson

Occupation: Health and Safety Inspector

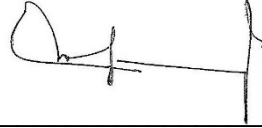
Address: 41 Crawford Street, Dunedin 9016

SIGNED by the Trustees of the
Mori Mori Imi Settlement Trust
in the presence of:

WITNESS



Signature



Thomas Henry Lanauze

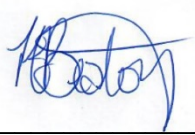
Name: Heather Beaton

Occupation: Tcheki Admin

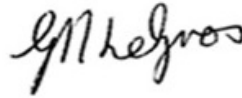
Address: 45 Halifax Drive, WAIPU 0510

SIGNED by the Trustees of the
Mori Mori Imi Settlement Trust
in the presence of:

WITNESS



Signature



Grace Ngaroimata LeGros

Name: Heather Beaton

Occupation: Tchieki Admin

Address: 45 Halifax Drive, WAIPU 0510

SIGNED by the Trustees of the
Moriore Imi Settlement Trust
in the presence of:

WITNESS



Signature



Sharon Anne Elizabeth Wadsworth

Name: Tahlia Failauga

Occupation: Full time worker - Telehealth

Address: 156 Redoubt Road, Flatbush,
Auckland 2109.

SCHEDULE 1

AMENDMENTS TO THE DEED OF SETTLEMENT

Deed of Settlement

Current part and reference	Amendment
Clause 1.16	Replace "Kahu" with "Kāhu".
Clause 1.23	Replace "Te Whanga" with "Te Whānga" in each instance it appears.
Clause 1.15	Replace "Hirawana" with "Hirawanu".
Clause 1.31	Replace "Kahu" with "Kāhu".
Clause 1.32	Replace "Kahu" with "Kāhu".
Clause 1.34	Replace "kōmi" with "kōimi".
Clause 1.46	Replace "Te Whanga" with "Te Whānga".
Clause 1.46	Replace "Rongomaiwhenua peoples– " with "Rongomaiwhenua peoples – ".
Clause 1.49	Replace "Mei-tawhiti" with "Mei-Tawhiti".
Clause 1.50	Replace "Orupuke" with "Ōropuke".
Clause 1.53	Combine clauses 1.53 and 1.54 to read- <p style="margin-left: 40px;">"Nunuku cried out to the warring factions: "ko ro patu ko ro kei tangata me tapu toake" - cease your fighting and lay down your weapons; from this day forward forget the taste of human flesh. Are you fish who eat their own young? Nunuku continued: You may continue to fight with wooden staffs the thickness of my two thumbs but upon first blood being drawn fighting must cease."</p> and renumber the following clauses.
Clause 1.58 (renumbered clause 1.57)	Replace "Te Whanga lagoon" with "Te Whānga Lagoon".
Clause 1.59 (renumbered clause 1.58)	Replace "ahī kā" with "ahi kā".
Clause 1.64 (renumbered clause 1.63)	Replace "Maui" with "Māui".
Clause 1.71 (renumbered clause 1.70)	Replace "T'CHAP" where it appears in the heading above clause 1.71 with "TCHAP'".

DEED TO AMEND MORIORI DEED OF SETTLEMENT

SCHEDULE 1: AMENDMENTS TO THE DEED OF SETTLEMENT

Clause 1.79 (renumbered clause 1.78)	Replace “Te Whanga” with “Te Whānga”.										
Clause 1.89 (renumbered clause 1.88)	Replace “Rēkohu Repor” with “Rēkohu Report”.										
Clause 4.6.4(a)	Replace “disposed of” with “transferred”. Replace “section 93” with “section 98”.										
Clause 4.6.5	Replace “any allotment solely within the shared RFR area” with “any shared RFR land transferred under a contract formed under section 98 of the draft settlement bill”.										
Heading of clause 5.10	Delete “S” from “DEEDS”.										
Clause 5.10	Replace “Each deed of recognition” with “The deed of recognition”.										
Heading of clause 5.13.4	Replace “ <i>an easement</i> ” with “ <i>easements</i> ”.										
Clause 5.13.4(d)	Insert “registrable” before “right of way”.										
Clause 5.16.4	Replace “is” with “are”.										
Clause 5.28	Replace “Paihūhī” with “Paihīhī”.										
Clause 5.29	Replace “Paihūhī” with “Paihīhī”.										
Clause 5.30	Replace “Paihūhī” with “Paihīhī”.										
Clause 5.32	Replace “Paihūhī” with “Paihīhī”.										
Clause 5.45	Replace “sections 60” with “section 60”.										
Clause 5.50.1	Replace table with: <table border="1" style="margin-left: 40px;"> <thead> <tr> <th>Existing name</th> <th>Official or recorded geographic name</th> </tr> </thead> <tbody> <tr> <td>Canister Cove Scenic Reserve</td> <td>Waikokopu / Canister Cove Scenic Reserve</td> </tr> <tr> <td>JM Barker (Hapupu) Historic Reserve</td> <td>Hāpūpū/J M Barker Historic Reserve</td> </tr> <tr> <td>Ocean Mail Scenic Reserve</td> <td>Manaua / Ocean Mail Scenic Reserve</td> </tr> <tr> <td>Waipaua Scenic Reserve</td> <td>Waipāua Scenic Reserve</td> </tr> </tbody> </table>	Existing name	Official or recorded geographic name	Canister Cove Scenic Reserve	Waikokopu / Canister Cove Scenic Reserve	JM Barker (Hapupu) Historic Reserve	Hāpūpū/J M Barker Historic Reserve	Ocean Mail Scenic Reserve	Manaua / Ocean Mail Scenic Reserve	Waipaua Scenic Reserve	Waipāua Scenic Reserve
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Waipaua Scenic Reserve	Waipāua Scenic Reserve										
Clause 6.5	Delete the clause and renumber the following clauses.										
Clause 6.7	Replace the cross reference with “clauses 6.7 to 6.9”.										
Clause 6.10.1	Replace the cross reference with “clause 6.7”.										
Clause 6.10.2	Replace the cross reference with “clause 6.8.1”.										

DEED TO AMEND MORIORI DEED OF SETTLEMENT

SCHEDULE 1: AMENDMENTS TO THE DEED OF SETTLEMENT

Clause 7.5.1	Replace “Te Whanga” with “Te Whānga”.
Clause 7.7.1	Replace “Te Whanga” with “Te Whānga”.
Clause 7.9	Replace “Te Whanga” with “Te Whānga”.

General Matters Schedule

Current part and reference	Amendment				
Paragraph 5.5	Insert the following row into the table under the headings shown below: <table border="1" style="margin-left: 40px; margin-top: 10px;"> <thead> <tr> <th style="text-align: left;">Name used in Deed</th> <th style="text-align: left;">Official geographic name or recorded name</th> </tr> </thead> <tbody> <tr> <td>Te Whānga Lagoon</td> <td>Te Whanga Lagoon</td> </tr> </tbody> </table>	Name used in Deed	Official geographic name or recorded name	Te Whānga Lagoon	Te Whanga Lagoon
Name used in Deed	Official geographic name or recorded name				
Te Whānga Lagoon	Te Whanga Lagoon				
Part 6 paragraph 6.1	In the definition of “ financial and commercial redress ”, replace “clauses 6.1 to 6.6” with “clauses 6.1 to 6.9”.				

Property Redress Schedule

Current part and reference	Amendment
Part 3 Part Waitangi site 6	Replace the reference note with - <i>“As shown bordered orange on the Part Waitangi site 6 diagram in part 4A of the attachments.”.</i>
Paragraph 4.12	Replace “The valuation report must comply with the International Valuation Standards [2017], or explain where it is at variance with those standards.” with - “The valuation report must comply with the latest International Valuation Standards that apply on the valuation date or explain where it is at variance with those standards.”.
Part 4 Appendix- Valuation Instructions	Under the heading “ INTRODUCTION ”, in subparagraph (a), replace “clause 6.13” with “6.3”.
Part 4 Appendix- Valuation Instructions	Under the heading “ REQUIREMENTS FOR YOUR VALUATION ”, replace paragraph (a) immediately following “Your valuation is –”, with - “to assess market value on the basis of market value as defined in the latest editions of the Australia and New Zealand Valuation and Property Standards, and the International Valuation Standards that apply on the valuation date; and”.

DEED TO AMEND MORIORI DEED OF SETTLEMENT

SCHEDULE 1: AMENDMENTS TO THE DEED OF SETTLEMENT

Current part and reference	Amendment
Part 4 Appendix-Valuation Instructions	Under the heading “ REQUIREMENTS FOR YOUR VALUATION REPORT ”, replace the first paragraph with- “We require a full valuation report in accordance with the latest editions of the Australia and New Zealand Valuation and Property Standards and the International Valuation Standards that apply on the valuation date, including- ”.
Part 4 Appendix-Valuation Instructions	Replace the paragraph immediately after subparagraph (g) with - “Your report must comply with the minimum requirements set out in the latest International Valuation Standard, Market Value Basis of Valuation, and other relevant standards, that apply on the valuation date.”.

Documents Schedule

Current part and reference	Amendment
Part 1	Replace “Te Whanga” with “Te Whānga” in the first paragraph under the heading “ Statement of Values for Moriori ”.
Part 1	Replace “Te Whanga” with “Te Whānga” in the first bullet point under the heading “ Rēkohu ”.
Part 2	Replace “Te Whanga lagoon” with “Te Whānga Lagoon” in the third paragraph under the heading “ Part Awatea (as shown on Deed Plan OMCR-064-07) ”.
Part 2	Replace “Te Whanga lagoon” with “Te Whānga Lagoon” in the second paragraph under the heading “ Henga Scenic Reserve (as shown on Deed Plan OMCR-064-10) ”.
Part 2	Replace “Te Whanga lagoon” with “Te Whānga Lagoon” in the third paragraph under the heading “ Lake Huro Marginal Strip (as shown on Deed Plan OMCR-064-11) ”.
Part 2	Replace “Te Whanga lagoon” with “Te Whānga Lagoon” in the third paragraph under the heading “ Te Awatea Scenic Reserve (as shown on Deed Plan OMCR-064-16) ”.
Part 2	Replace “Te Whanga” with “Te Whānga” in the first paragraph under the heading “ Wharekauri Station Reserve 103 (as shown on Deed Plan OMCR-064-20) ”.
Part 3	Replace “Te Whanga lagoon” with “Te Whānga Lagoon” in the third paragraph under the heading “ Statement of Association – Awatea ”.

DEED TO AMEND MORIORI DEED OF SETTLEMENT

SCHEDULE 1: AMENDMENTS TO THE DEED OF SETTLEMENT

Current part and reference	Amendment
Part 7 Clause 1 of deed relating to Waihere Block and Glory Block, Pitt Island	In the definition of " occupation rights ", in paragraph (a) replace "50491-GRA" with "50492-GRA" and, in paragraph (b), replace "50492-GRA" with "50491-GRA".
Part 7 Clause 5.2 of deed relating to Waihere Block and Glory Block, Pitt Island	Delete ", or as soon as practicable after that date," in the first instance it appears.

Attachments Schedule

Current part and reference	Amendment
New Part 4A	Insert new Part 4A, being map of Part Waitangi site 6, as attached at Schedule 2 to this deed, between parts 4 and 5.

SCHEDULE 2

