

Our Ref DOIA 24-234

27 March 2024



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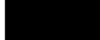
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Tēnā koe ,

Response to your official information request

Thank you for your official information request received 6 March 2024, requesting confirmation someone has applied to South Wairarapa District Council (SWDC) to survey hydro parcel 4106053. And if so that the SDWC Māori Standing Committee has been made aware of this given the significance the Otairua River has to mana whenua, and the potential breach of Te Tiriti o Waitangi obligations.

This request was transferred from SWDC to Land Information New Zealand (LINZ), as this is a process covered by the Land Transfer Act 2017.

The Process for an applicant to claim dry stream bed

The Registrar General of Land (RGL) has published material setting out key criteria and processes to be followed when someone seeks to issue a title for dry stream bed. Please see a copy of the standard below (available on the LINZ website).

https://www.linz.govt.nz/sites/default/files/doc/boundary_changes_-_accretion_and_dry_beds_rivers_and_streams_standard_2018.pdf

Item 6 of the standard sets out requirements for an application for dry stream bed, and this is expanded on in the guidance (link below).

https://www.linz.govt.nz/sites/default/files/application_to_bring_land_under_the_act_-_dry_riverbeds_and_streambeds_guideline_2018_0.pdf

There are evidentiary requirements which must be met to establish the land is dry land to which the applicant believes they're entitled to. In addition, the land must be adequately defined on an appropriate survey plan.

If it appears to the RGL an applicant may be entitled to have title issued, then the RGL gives notice of this both publicly and to interested parties. Interested parties include

those listed in part 1.2.2 of the guidance (link above), as well as relevant Iwi representatives in respect of any Treaty Settlement Accord or Deed of Recognition for the river as advised by the Commissioner of Crown Lands. The guidance also covers the process for consideration of objections if these are received (please see page 12 and 13).

Hydro Parcel 4106053

I can confirm LINZ received a Survey plan relating to hydro parcel 4106053. This was submitted August 2023 and returned to the Surveyor in September 2023 for compliance issues to be resolved.

At the date of this letter, the plan has not been re-submitted to LINZ. It should be noted if the plan is re-submitted and meets requirements for plan approval, an application is still then required to be lodged and assessed as set out in the published standard and guidance, this would then include undertaking relevant notice requirements.

If you wish to discuss this response with us, please feel free to contact Patrick Griffin – Lead Advisor, Property Rights pgriffin@linz.govt.nz

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note, this response letter outlining our decision on your request, **with your personal details withheld**, and any attached documentation will be published on the Toitū Te Whenua Land Information New Zealand website. This is likely to be published by 30 April 2024

Nāku noa, nā



Scott Warman

Group Manager Titles