



# Te Rarawa Claims Settlement Act 2015 treaty settlement registration guideline

LINZG20757

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# Table of contents

Terms and definitions.....	4
General .....	4
Foreword.....	8
Introduction .....	8
Purpose .....	8
Scope.....	8
Intended use of guideline.....	8
References .....	8
1 Landonline settings to reflect statutory prohibitions on registration .....	9
Purpose .....	9
Trigger - Memorial about statutory prohibitions of future dealings .....	9
Action - Put Landonline setting that "prevents registration" against specified memorials .....	9
2 Removal of resumptive memorials .....	10
Trigger – receipt of s 18 (1) certificate.....	10
Execution by CE.....	10
Legislation .....	10
Action.....	11
3 Initial vesting of Cultural Redress Properties .....	12
Background - Vesting of all or specified shares .....	12
Joint ownership .....	12
Trigger – receipt of written application under s 59.....	13
Action.....	14
Where CFR - registration of Trustees (subject to preconditions in table).....	15
Where no CFR exists or CFR exists for part,.....	15
and/or .....	15
for Jointly Vested Properties .....	15
and/or.....	15
for the "Mangamuka Road, Mangamuka property": .....	15
- creation of CFR (subject to preconditions in table above) (ss 59(4) - (6)).....	15
Memorial formats - examples .....	16
Process for amending or removing memorials - on Reserve Properties upon subsequent revocation of reservation (not revocations within initial vesting process) s 61 .....	20
Trigger - application under s 61(3) re: a revocation of a reservation of a Reserve Property (other than a Jointly Vested Property or Te Tāpairu Hirahira o Kahakaharoa) .....	20
Action – Precondition to revocation .....	21
Trigger - application under s 61(4) re: a revocation of the reservation for Te Tāpairu Hirahira o Kahakaharoa .....	22
Action.....	23
Trigger - application under s 61(5) re: a revocation of a Reserve Property that <i>is</i> a Jointly Vested Property .....	23
Action.....	23
Trigger - Pukepoto School no longer subject to lease s 61(6).....	24
Action.....	24
Restrictions on transferring Reserve Land under ss 70 to 72.....	25
Transfer of Reserve Land to Administering Body (s 57).....	25
Trigger - receipt of documents for transfer of Reserve Land to new owners .....	25
Note: Continuation of "prevents registration" flag – eg prohibition against mortgage of Reserve Land under s 73.....	26
4 Commercial Redress .....	27
Background - Vesting of all or specified shares .....	27
Joint ownership .....	27

School House Sites - Broadwood Area School, Te Kura Taumata O Panguru p12 Matihetihe School (Other Commercial Redress Properties) and Kaitaia College (Deferred Selection Property) .....	28
Kaitaia College and Haumanga Road - Revocations of reserve (s172-3) .....	28
Properties Subject to a Lease (s173) .....	28
Requirements if Lease terminates or expires .....	29
Authorised Person .....	30
Crown may transfer properties s 164.....	30
Covenant for later creation of CFR under s 170(1).....	30
Trigger - s 167 application for a CFR for: .....	31
(see above re: covenant for the later creation of a CFR) .....	31
Action: create a CFR (s 167(3)(a)) (and register transfer).....	31
Trigger - s168 application for CFR for: .....	32
a <i>Commercial Redress Property</i> ; or .....	32
a <i>Deferred Selection Property</i> , .....	32
that is transferred to tenants in common (under s164) - s168.....	32
(except the <i>Peninsula Block</i> or the <i>Takahue Block</i> ) .....	32
(see above re: covenant for the later creation of a CFR) .....	32
Action - create a CFR ( <i>unless Shared Redress</i> or the <i>Peninsula Block</i> or the <i>Takahue Block</i> ) .....	32
Properties subject to lease (s175): if the lease terminates (s175) .....	33
Trigger - Application .....	33
Action.....	34
Memorials .....	34
Background .....	34
Trigger - application for CFR for Peninsula Block and Takahue Block with or without transfer .....	35
Action - create CFR for the Peninsula Block and Takahue Block .....	35
<b>5 Access to protected sites .....</b>	<b>37</b>
Right of access to protected sites under s 181 .....	37
Trigger Transfer of Peninsula Block or Takahue Block .....	37
Action - notation of right of access on CFR.....	37
Memorial.....	37
<b>6 Right of first refusal (RFR) .....</b>	<b>38</b>
Meaning of "dispose of" in relation to RFR land: .....	39
Restrictions on disposal of RFR Land.....	39
<b>Table 1 - Description of Cultural redress properties, vesting, reserve status, interests and memorials .....</b>	<b>41</b>

## Terms and definitions

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### General

- (a) For the purposes of this guideline, the terms and definitions in the Te Rarawa Claims Settlement Act 2015 (Act) apply, unless stated otherwise. Refer to ss 11 to 14, 22, 136, 163, and 182 of the Act for definitions of terms used in the sections relating to registration.
  - (b) Terms and abbreviations commonly used in this guideline are defined below
  - (c) Any reference to a section in this guideline is a reference to that section of the Act.
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Term/abbreviation	Definition
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Act	Te Rarawa Claims Settlement Act 2015
Attachments	See pp60-162 of <b>Te Rarawa Property Redress and Attachment Schedule</b>
Aupouri Forest	all the land described in CIR NA100A/1 (s 163) and subject to a Crown Forestry Licence. Defined in the Deed's <b>Property Redress Schedule</b> .
Authorised Person	An authorised person as defined in ss 59(10), or 167(6), as the case may be.
Beach Site	Any or all of the Cultural Redress Properties described as Beach Site A, Beach Site B, Beach Site C and Beach Site D.
Chief Executive (CE)	Chief Executive of Land Information New Zealand
CFR	Computer freehold register, as defined in s 2 of the Land Transfer Act 1952.

### Commercial Redress

Described in part 3 of the Act, and includes:

- **Commercial Redress Properties** (described on pp 7-21 of the **Property Redress Schedule** and pp92-101 of the **Attachments Schedule**):
  - **Licensed Land** being the "Peninsula Block" and the "Takahue Block" (pp7-10 Property Redress Schedule);
  - **Other Commercial Redress Properties** (p11-19 Property Redress Schedule) 27 properties (including 3 **School House Sites** (p20 Property Redress Schedule)), if preconditions satisfied – see p11-19 Attachments Schedule));
- **Deferred Selection Properties ("DSP")** (described on pp 21-22 of the **Property Redress Schedule**) (5 properties) *may* include 1 **DSP School House sites** (p 22 **Property Redress Schedule**), if preconditions satisfied; and
- **Right of Access** (to protected sites and being over **the Peninsula Block** (see s 163, and ss 179-181); and
- **Right of First Refusal** (see pp47-76 of **Attachments** and subpart

	4 of Part 3 of the Act). The boundaries are subject to survey.
Commercial Redress Properties	<b>Licensed Land</b> , and <b>Other Commercial Redress</b> . The boundaries are subject to survey. Defined in the Property Redress Schedule.
Crown forestry licence	Crown forestry licence as defined in s 134.
Cultural forest land properties	Defined in s 163, as: (a) Beach sites A, B, and C and Hukatere site B, as defined in s22; and (b) Hukatere Pā, as defined in section 22 of the Te Aupouri Claims Settlement Act 2015; and (c) Hukatere site A, as defined in section 22 of the Ngāi Takoto Claims Settlement Act 2015.
<b>Cultural Redress Property</b>	A property listed in s22 and described in Schedule 1 of the Act (reproduced in <a href="#">Table 1</a> ). The boundaries are subject to survey. For a general indication of the location of individual properties an internet search on the name, and Te Rarawa's Area of Interest shown on p4 of the Deed's Attachments (see web link below), may assist. <a href="http://nz01.terabyte.co.nz/ots/DocumentLibrary/NgaiTakotoAttachments[1].pdf">http://nz01.terabyte.co.nz/ots/DocumentLibrary/NgaiTakotoAttachments[1].pdf</a>
Deed	The Te Rarawa Deed of Settlement on behalf of Te Rarawa dated 27 October 2012 referred to in s3 of the Act and available on the OTS documents webpage for this settlement.
Deferred Selection Property	8 properties; and may include DSP School House sites. The boundaries are subject to survey. More detail in <b>Commercial Redress</b> .
Four Iwi	The following four iwi, together with two other iwi are collectively referred to as Muriwhenua: Ngāti Kuri, Te Aupouri, Ngāi Takoto and Te Rarawa
Jointly Vested Property	Defined in s 22 and relates to those Cultural Redress Properties which vest in Specified Groups of Trustees as tenants in common. See Joint ownership below.
Licensed Land	the <b>Peninsula Block</b> and the <b>Takahue Block</b> , being <b>Commercial Redress Properties</b> . The boundaries are subject to survey. More detail is in <b>Commercial Redress</b> .
LINZ	Land Information New Zealand
Other Commercial Redress Properties	The <b>Commercial Redress Properties</b> <i>other than</i> the <b>Licensed Land</b> . The boundaries are subject to survey.

	More detail in <b>Commercial Redress</b> .
OTS documents webpage for this settlement	On p3 of the Documents tab that appears on the top of this webpage: <a href="http://www.ots.govt.nz/">http://www.ots.govt.nz/</a>
Peninsula Block	Defined in s 163 being <i>part</i> of the <b>Aupouri Forest</b> . The boundaries are subject to survey. Together with the <b>Takahue Block</b> , it is the <b>Licensed Land</b> .
Property Redress Schedule	See p1-59 of <b>Te Rarawa Property Redress and Attachment Schedule</b> (pp1-59).
Relevant Trustees	Defined in s 163 in relation to: (a) the Peninsula Block and each Cultural Forest Land Property (except for the Takahue Block) as: (i) the trustees of each of the Peninsula Block settlement trusts (the Trustees, and the trustees of the Te Manawa O Ngāti Kuri Trust, and the trustees of the Te Rūnanga Nui o Te Aupouri Trust; and the trustees of Te Rūnanga o NgāiTakoto); and. (b) For the Takahue Block, the Trustees.
Reserve Property	Each of the properties named in (d) to (i), and (l) of the definition of Cultural Redress Property in the Act (s 22).
Resumptive Memorials	Memorials entered under any enactment referred to in s17.
RGL	Registrar-General of Land appointed under s 4 of the Land Transfer Act 1952
Right of Access	Defined in Subpart 4 of Part 3 of the Act. More detail in <b>Commercial Redress</b> .
Right of First Refusal (or RFR)	A right over many properties. Includes <i>Exclusive RFR Land, Shared RFR land and Balance RFR Land, and land obtained in exchange for a disposal of RFR land</i> (s 196(1)(c) of 197) More detail in <b>Commercial Redress</b> .
RMA	Resource Management Act 1991
School House Sites	3 properties, called Broadwood Area School House site, the Te Kura Taumata O Panguru School House site and the Matihetihe School House site, as described in table 2 of part 3 on p16 of the Deed's Property Redress Schedule, accessible via OTS documents webpage for this settlement.  Defined in Table 2 of Part 3 of the Deed's Property Redress Schedule – see Commercial Redress above.
settlement date	17 <sup>th</sup> December 2015, being the date that is 60 working days after the date on which the Act comes into force.
Shared Redress	Used in relation to Commercial Redress, in Subpart 1 of Part 3 of the Act (see s167), to refer to Commercial Redress Properties and Deferred Selection Properties which transfers to the Trustees and trustees of the Four Iwi (see Introduction below).

The relevant properties are:

*Commercial Redress Properties:* Peninsula Block, Corner Matthews Avenue and Melba St Kaitaia, Kaitaia Nurses Home Redan Road Kaitaia. Sweetwater 20 hectare shared area; and Dairy 2 North.

*Deferred Selection Properties (listed under "Joint DSP" in the Table referred to in the definition of Deferred Selection Property):* Kaitaia Intermediate, Kaitaia School, Kaitaia College, 42 Church Road, Kaitaia, Kaitaia Courthouse/

Specified Groups of Trustees	used in Part 2 of the Act (Cultural Redress) in the subsections relating to the vesting of various Cultural Redress Properties which do not vest wholly in "the Trustees". They are one or more (as specified) of the groups of trustees that represent the Four Iwi (see ss 46 – 49 and 51 and 54). In this Act, the only properties vesting in Specified Groups of Trustees are the "Jointly Vested Properties: See Joint ownership below.
Te Rarawa General, Legislative and Property Matters Schedule	A document containing schedules to the Deed. See: <a href="http://nz01.terabyte.co.nz/ots/DocumentLibrary/TeRarawa_Property_Atattachsched.pdf">http://nz01.terabyte.co.nz/ots/DocumentLibrary/TeRarawa_Property_Atattachsched.pdf</a>
Te Rarawa Property Redress and Attachment Schedule	A document containing both the <b>Property Redress Schedule</b> and the <b>Attachments:</b> <a href="http://nz01.terabyte.co.nz/ots/DocumentLibrary/TeRarawa_Property_AtattachSched.pdf">http://nz01.terabyte.co.nz/ots/DocumentLibrary/TeRarawa_Property_AtattachSched.pdf</a> Also accessible via OTS documents webpage for this settlement.
Takahue Block	Defined in s 134 being <i>part</i> of the Aupouri Forest. The boundaries are subject to survey. Together with the <b>Peninsula Block</b> , it is the <b>Licensed Land</b>
Titles Advisor	Staff in LINZ's Survey and Title Operations team employed as a Titles Advisor.
Trustees	trustees from time to time of Te Rūnanga o Te Rarawa acting in their capacity as trustees of of Te Rūnanga o Te Rarawa Trust as defined in s 12 of the Act

# Foreword

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- Introduction**
- (a) A Treaty settlement is an agreement between the Crown and a Maori claimant group to settle all of that claimant group's historical claims against the Crown.
  - (b) The process of settling claims made by is led by the Office of Treaty Settlements ("OTS") and innovative redress mechanisms are often developed in response to specific claimants' needs. Such new mechanisms are authorised by legislation specific to each settlement.
  - (c) Further information about what the claims relate to and the usual components of a treaty settlement can be found on the Office of Treaty Settlements website, [www.ots.govt.nz](http://www.ots.govt.nz) under "What is a Treaty Settlement".
  - (d) The Te Rarawa Claims Settlement Act 2015 (Act) came into force on 23rd September 2015.
  - (e) The land concerned is in the North Auckland Land Registration District.
  - (f) This Act is one of four that record the settlement of treaty claims for four of the six Muriwhenua iwi (the "Four Iwi").
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**Purpose** The Registrar-General of Land (RGL) has issued this guideline to ensure that applications received by Land Information New Zealand (LINZ) under the Act are dealt with correctly.

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**Scope** This document contains guidelines for compliance with the provisions of the Act that impact on the registration process. It covers the pre-requisitions for accepting dealings lodged for registration with the RGL, and the consequent registration requirements and memorial formats.

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**Intended use of guideline** The RGL has issued this guideline for employees of LINZ with delegated authority to exercise registration functions under the Land Transfer Act 1952.

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**References** The following documents are necessary for the application of this guideline:

- Deed of Settlement for Te Rarawa dated 27 October 2012
- Deed to Amend for Te Rarawa dated 6 February 2014
- The 2015 treaty settlement Act for each of the Four Iwi (defined above).
- Customer Services Technical Circular 2013.T06 - Registration of Treaty Claims Settlement Dealings.



# 1 Landonline settings to reflect statutory prohibitions on registration

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## Purpose

The purpose of this section is to highlight that a Landonline setting that stops registration must be put against each of the memorials for the statutory prohibitions.

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## Trigger -

Memorial about statutory prohibitions of future dealings

- (a) In relation to Cultural Redress Properties that are Reserve Properties Part 2 of the Act:
  - (i) prescribes processes that apply if the owners wish to transfer them at any time after the initial vesting (ss 70-72); and
  - (ii) prohibits owners of land from securing or mortgaging them (s 73).
- (b) In relation to RFR Land, Subpart 4 of Part 3 of the Act prescribes a process for recording a right of first refusal against some land (s 206).
- (c) Specific guidance on which land is affected, along with instructions about memorials that must be entered on the relevant CFRs, are in the sections on processing applications below.
- (d) As noted above, the purpose of this section is to stress that a Landonline setting which stops registration must be put against each of the relevant memorials for the statutory prohibitions referred to above.

**Action** - Put Landonline setting that "prevents registration" against specified memorials

When a computer register contains the following memorials:

'Subject to section 70 of the Te Rarawa Claims Settlement Act 2015'

'Subject to section 73 of the Te Rarawa Claims Settlement Act 2015 (which prohibits reserve land from being mortgaged)'

'*[certificate identifier]* Certificate under section 206 of the Te Rarawa Claims Settlement Act 2015 that the within land is RFR land as defined in section 183 of that Act and is subject to Subpart 4 of Part 3 of the Act (which restricts disposal, including leasing, of the land) *[date and time]*'

**Ensure the 'prevents registration' flag has been set for each of the memorials.**

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## 2 Removal of resumptive memorials

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**Trigger** – receipt of s 18 (1) certificate      Receipt of a certificate under s 18 (1) for the removal of certain memorials from a computer register.

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**Execution by CE**      (a) A statement in the certificate that the signatory is acting on delegation or authority of the CE shall be taken as evidence of the authority of the person to execute the certificate on behalf of the CE.  
(b) A template certificate has been approved by the RGL and is set out in Technical Circular 2013.T06.

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**Legislation**      Section 17(1) provides that certain legislative provisions do not apply:  
(a) to a Cultural Redress Property; or  
(b) to a Commercial Redress Property; or  
(c) to a Deferred Selection Property, on and from the date of its transfer to the Trustees; or  
(d) to the Exclusive RFR land or the Shared RFR land, on and from the RFR date for the land; or  
(e) for the benefit of the Te Rarawa or a representative entity.

Section 17(2) lists the legislative provisions as:

- (a) Part 3 of the Crown Forest Assets Act 1989; and
- (b) Sections 211 to 213 of the Education Act 1989; and
- (c) Part 3 of the New Zealand Railways Corporation Restructuring Act 1990; and
- (d) Sections 27A to 27C of the State Owned Enterprises Act 1986; and
- (e) Sections 8A to 8HJ of the Treaty of Waitangi Act 1975.

**Note:** These legislative provisions, being statutory notations, do not fall within the definition of 'encumbrance' in treaty settlement legislation, so must be brought down onto the computer registers created for the relevant entity or trustees. They are only to be noted as 'cancelled' as soon as reasonably practicable after receiving a certificate described below.

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## Removal of resumptive memorials, continued

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### Action

- (a) As soon as reasonably practicable after s 18 certificate is presented, and provided it specifies the legal description and CFR, and provided it states it is issued under s 18 of the Act, the RGL must:
- (i) remove each memorial on the current view of the CFR identified in the certificate which relates to an enactment referred to in s 17(2), and
  - (ii) Record the following memorial on the historic view of that register:  
  

*'[instrument number] Certificate under section 18(1) of the Te Rarawa Claims Settlement Act 2015 cancelling [memorial identifier] [date and time]'*
- (b) The Landonline registration code is RRSM (see T06 2013 Technical Circular), and
- (c) The standard registration fee is payable.

**Note:** If the existing memorial on the computer register refers to an Act in general, such as 'subject to the Crown Forest Assets Act 1989', the original notation remains, but the following should also be recorded:

*"Part [insert Part of the Relevant Act] of [the relevant Act mentioned in s17(2)] does not apply".*

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### 3 Initial vesting of Cultural Redress Properties

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**Background -**  
Vesting of all or  
specified shares

- (a) Cultural Redress Properties are defined and listed in s 22 of the Act. See also [Table 1](#).
- (b) Either:
  - (i) all of a Cultural Redress Property; or
  - (ii) in relation a Jointly Vested Property, an equal undivided share; vests in the Trustees as tenants in common.

[see [Joint ownership](#) below and Subpart 1 of Part 2 of the Act (ss 22, 26 – 29 and 33 -34)].

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**Joint ownership**

- (a) This Act is one of four that record the settlement of treaty claims for the Four Iwi.
- (b) Under this Act, “Jointly Vested Properties” are the only Cultural Redress Properties that vest in joint owners (as tenants in common – see ss 46-49, 51 and 54). Some of the Commercial Redress also vests jointly as tenants in common (eg the Peninsula Block), but that is separately explained in the relevant section of this guideline.
- (c) The joint owners of the Jointly Vested Property are the “Specified Groups of Trustees” - that term is used (but not defined) in the Act (ss 46-49, 51 and 54); to assist it has been defined in this guideline.
- (d) For example, ss 59(6) contains the registration process for recording the vesting in the Trustees (of Te Rarawa) of an equal undivided share in a Jointly Vested Property. The Trustees are authorised to apply for a CFR for their separate undivided share (ss 59(6)).
- (e) The vesting of a specified share of a Cultural Redress Property in the trustees of another Te Hiku o Te Ika iwi occur under the Act relevant to that iwi.
- (f) The applications and registration processes for recording the vesting of undivided specified shares in other iwi (including the creation of CFRs) under the Act relevant to that iwi may or may not have already occurred.

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## Initial vesting of Cultural Redress Properties, continued

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**Trigger** – receipt of written application under s 59

- (a) Receipt of a written application under s 59(3), (5), (6) or (7) by an Authorised Person to register the Trustees as proprietors of all (or a share of) the fee simple estate.
- (b) Section s 59(10) defines Authorised Person as a person authorised by—
  - (i) the CE for:
    - Hukatere site B;
    - Mangamuka Road property, Mangamuka;
    - Mangamuka Road property, Tutekēhua; and
    - Part former Awanui (Kaitaia) Riverbed.
  - (ii) the Secretary for Justice, for:
    - Mai i Waikanae ki Waikoropūpūnoa:
    - Mai i Hukatere ki Waimahuru:
    - Mai i Ngāpae ki Waimoho:
    - Kaitaia Domain:
    - Motukaraka site A:
    - Motukaraka site B:
    - Rotokakahi property:
    - Rotokakahi War Memorial property:
    - Tangonge property:
    - 12 Waiotehue Road:
    - Whangape property:
    - Whangape Road property
  - (iii) the Secretary for Education for Pukepoto School property; and
  - (iv) the Director-General of Conservation for all other Cultural Redress Properties.

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## Initial vesting of Cultural Redress Properties, continued

**Action** Provided the following statutory preconditions have been satisfied (where applicable):

Preconditions to vesting	Cultural Redress Property	Precondition to be satisfied before vesting takes effect	Refer to ...
	<b><i>Pukepoto School property</i></b>	The Trustees have provided the Crown with a registrable Lease.	s 29(3)
	<b><i>Whangape Road property</i></b>	The Trustees have provided the Far North District Council with a registrable right of way easement in gross as specified in s 37(2).	s 37(2)
	<b><i>Lake Tangonge site A</i></b>	The trustees referred to in subsection (2) have jointly provided the Crown with a registrable covenant	s 51(3)
	<b><i>Lake Tangonge site B</i></b>	Conservation covenants to the Crown to be treated as conservation covenants for the purposes of s 77 of the Reserves Act 1977 and s 27 of the Conservation Act 1987	s 52(3)
	<b><i>Motukaraka site B</i></b>	The trustees have provided the Crown with a registrable covenant in relation to Motukaraka site B	s 53(4)
	<b><i>Tangonge property</i></b>	Conservation covenants to the Crown to be treated as conservation covenants for the purposes of s 77 of the Reserves Act 1977 and s 27 of the Conservation Act 1987	s 54(2)
		Right of way easement as specified in s 54(2)(b)	

**Note:** The preconditions in the table above apply to the vesting. If they are not included in the registration application to effect the vesting, it should be queried with the lodging party. If it is still not provided, the matter should be referred to a Titles Advisor.

## Initial vesting of Cultural Redress Properties, continued

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**Where CFR -**  
registration of  
Trustees (subject  
to preconditions in  
table)

Provided the preconditions ([above](#)) have been satisfied (where applicable), then upon receipt of an application by an Authorised Person under s 59(3):

- (a) except in the case of the “Mangamuka Road Property, Mangamuka” or a Jointly Vested Property (s59(2)), where the Cultural Redress Property is all the land in a CFR:
  - (i) register the Trustees as the proprietors of all of the fee simple; and
  - (ii) make any entry and do all things necessary to give effect to Part 2 of subpart 1 the Act and part 9 of the Deed (see note below) (s 59(3)(b)). Also refer to [Table 1](#).
- (b) Standard registration fees apply.

**Note: see guidance notes below.**

Where **no CFR**  
exists or **CFR**  
**exists for part,**

and/or

for **Jointly**  
**Vested**  
**Properties**

and/or

**for the**  
**“Mangamuka**  
**Road,**  
**Mangamuka**  
**property”:**

- creation of CFR  
(subject to  
preconditions in  
table above) (ss  
59(4) - (6))

- (a) When the Cultural Redress Property is not all of the land in a CFR or no CFR exists for it, and for Jointly Vested Properties, and, for the “Mangamuka Road Property, Mangamuka”, and subject to the completion of any necessary survey and provided the preconditions ([above](#)) have been satisfied (where applicable):
  - (i) create one or more CFRs as requested in the application, in the name of the Trustees as the proprietors of:
    - (A) all, or
    - (B) in the case of a Jointly Vested Property (other than the Tangonge Property), an equal undivided ¼ share as tenants in common ; and
    - (C) in the case of the Tangonge Property. an equal undivided ½ share as tenants in common; and
  - of the fees simple; and
  - (ii) and enter any interests described in the application (see Guidance Notes below and [Table 1](#)). [ss 59(5)(b), 59(6)(b) and 59(7)(b)]
- (b) Standard registration fees apply.

**Note: see guidance notes below.**

## Initial vesting of Cultural Redress Properties, continued

Guidance Notes	
Note:	Action
<b>Schedule 1 of the Act may include unregistered instruments.</b>	<u>Only</u> the interests referred to in the application are required to be entered on the CFR.
<b>Memorial format examples</b>	See detailed guidance <a href="#">below</a> .
<b>Creating and revoking reserve status</b>	See <a href="#">below</a> for detailed guidance.
<b>Resumptive memorials shown on a prior CFR</b>	These <u>must be</u> brought down onto the new CFRs; they cannot be noted as 'cancelled' until a Certificate by the CE authorising the removal of the memorials under s 18(1) is lodged for registration. [s 18 (4)(b)]
<b>Council right of way consent</b> under s 348 of the Local Government	This is <u>not</u> required for the creation of rights of way to fulfil the terms of <b>the Deed</b> (s 62(2)).
<b>Subdivision approval</b>	This is <u>not</u> required for vestings of the fee simple in Cultural Redress Properties, because they are not subject to section 11 and Part 10 of the RMA (s 62(4)).

### Memorial formats - examples

- (a) The following is an example of a suitable memorial format to record the vesting on an existing CFR:

'[registration number] Application under section 59 ([insert sub/section]) of the Te Rarawa Claims Settlement Act 2015 vesting the within land in [*names of the trustees*] [*date and time*]'

- (a) Examples of other suitable memorial formats for other matters that must also be recorded on CFRs (under ss 60, 61, 62, 69, 70 and 73) are in the table below:

**Note: Ensure the "prevents registration" flag is set for any ss 70 and 73 memorials.**

**Note:** For descriptions of the actual properties that fall within the types of properties referred to below, see [Table 1](#) (at the back of this guideline). And to see and understand the boundaries of individual properties, see also the Deed's Property Redress Schedule and Attachments.

Type of Cultural Redress Property	Example of memorial format	Refer to:
For Reserve Properties (s22(15)-(26)), <b>except</b> Jointly Vested Properties (s22(23)-(26), (28) and (30)), <b>and except</b> Te Tāpairu Hirahira o Kahakaharoa (s22(22)) – <b>only</b> s22(15)-(22) reserve properties qualify:  being:	'Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply'  'Subject to sections 60(4), and 70 (which prevents reserve land being transferred except in accordance with s72 of the Te Rarawa Claims Settlement Act 2015) of the Te Rarawa Claims Settlement Act 2015 '	s 61(1)(a)
<i>Properties vested in fee simple to</i>	'Subject to section 11 of the Crown Minerals Act 1991'	



<p><i>be administered as reserves:</i></p> <p>Awanui River property (s22(15)); Epakauri site A (s22(16)); Epakauri site B (s22(17)); Kaitaia Domain (s22(18)); Rotokakahi War Memorial property (s22(19)); Tauroa Point site A (s22(20)); and Tauroa Point site D (s22(21)).</p>	<p>'Subject to section 73 of the Te Rarawa Claims Settlement Act 2015 (which prohibits reserve land from being mortgaged or charged for security)'</p> <p><b>Ensure the 'prevents registration' flag has been set for the s70 and s73 memorials</b></p>	
<p>For Reserve Property <b>Te Tāpairu Hirahira o Kahakaharoa</b> (s22(22)):</p> <p>being:</p> <p><i>Properties vested in fee simple to be administered as reserves:</i> Te Tāpairu Hirahira o Kahakaharoa (s22(22))</p>	<p>'Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply'</p> <p>'Subject to sections 56(4), 60(4) and 70 (which prevents reserve land being transferred except in accordance with s72 of the Te Rarawa Claims Settlement Act 2015) of the Te Rarawa Claims Settlement Act 2015 '</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p> <p>Subject to section 73 of the Te Rarawa Claims Settlement Act 2015 (which prohibits reserve land from being mortgaged or charged for security)'</p> <p><b>Ensure the 'prevents registration' flag has been set for the s70 and s73 memorials</b></p>	s 61(1)(b)
<p>For <b>Pukepoto School Property</b> (s22(7))</p> <p>being:</p> <p><i>Properties vested in fee simple:</i> Pukepoto School Property (s22(7))</p>	<p>Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply'</p> <p>'Subject to sections 60(5) (of the Te Rarawa Claims Settlement Act 2015) of the Te Rarawa Claims Settlement Act 2015 '</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p>	ss 61(1)(c) and 59(6)
<p>For <b>Whangape Property</b> (s22(13)) and <b>Whangape Road Property</b> (s22(14))</p> <p>being:</p> <p><i>Properties vested in fee simple:</i> <b>Whangape Property</b> (s22(13));and <b>Whangape Road Property</b> (s22(14)).</p>	<p>'Subject to Part 4A of the Conservation Act 1987 <b>but the marginal strip is reduced to a width of 3 metres'</b></p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p>	s 61(1)(d)
<p>For <b>Mapere</b> (s22(4))</p> <p>being:</p> <p><i>Properties vested in fee simple</i> <b>Mapere</b> (s22(4))</p>	<p>'Subject to Part 4A of the Conservation Act 1987 <b>but the marginal strip is reduced to a width of 3 metres in Section 3 SO 471338'</b></p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p>	s 61(1)(e)
<p>For a Jointly Vested Properties ((s22(23)-(26), (28), and (30)) <b>other than</b> the Tangonge</p>	<p>'Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply'</p>	s 61(1)(f) and s 59(6)

<p>Property (s22(30))*- only the <b>Beach Sites</b> (s22(23)-(26)) and <b>Lake Tangonge site A</b> qualify.</p> <p>However, as there is an additional s73 restriction and memorials for Reserve Properties (<b>the Beach sites</b>), Lake Tangonge site A, which is not a Reserve Property, is explained separately in the row below</p> <p>being:</p> <p><i>Properties vested in fee simple to be administered as reserves:</i></p> <p>Mai i Waikanae ki Waikoropūpūnoa (<b>Beach site A</b>) (s22(23));</p> <p>Mai i Hukatere ki Waimahuru (<b>Beach site B</b>) (s22(24));</p> <p>Mai i Ngāpae ki Waimoho (<b>Beach site C</b>) (s22(25)); and</p> <p>Mai i Waimimiha ki Ngāpae (<b>Beach site D</b>) (s22(26)).</p> <p>*Section 61(f) is explicitly limited to a "jointly vested property to which s59(6) applies"; s59(6) <u>only applies</u> to jointly Vested Properties "other than the Tangonge Property".</p>	<p>'Subject to sections 56(4), 60(4) and 70 (which prevents reserve land being transferred except in accordance with s72 of the Te Rarawa Claims Settlement Act 2015) of the Te Rarawa Claims Settlement Act 2015 '</p> <p>'Subject to section 73 of the Te Rarawa Claims Settlement Act 2015 (which prohibits reserve land from being mortgaged or charged for security)'</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p> <p><b>Ensure the 'prevents registration' flag has been set for the s70 and s73 memorials</b></p>	
<p>For a Jointly Vested Properties ((s22(23)-(26), (28), and (30)) <b>other than</b> the Tangonge Property (s22(30))*- only the <b>Beach Sites</b> (s22(23)-(26)) and <b>Lake Tangonge site A</b> qualify.</p> <p>However, as there is an additional s71 restriction and memorials for Reserve Properties (<b>the Beach sites</b>) they are explained separately in the row above, and Lake Tangonge site A, which is not a Reserve Property, is explained separately in this row.</p> <p>being:</p> <p><i>Properties vested in fee simple subject to conservation covenant:</i></p> <p>Lake Tangonge site A (s22(28))</p> <p>*Section 61(f) is explicitly limited to a "jointly vested property to which s59(6) applies"; s59(6) <u>only applies</u> to jointly Vested Properties "other than the Tangonge Property".</p>	<p>'Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply'</p> <p>'Subject to sections 56(4), 60(4) and 70 (which prevents reserve land being transferred except in accordance with s72 of the Te Rarawa Claims Settlement Act 2015) of the Te Rarawa Claims Settlement Act 2015 '</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p> <p><b>Ensure the 'prevents registration' flag has been set for the s70 memorial</b></p>	s 61(1)(f) and s 59(6)
<p>For the Tangonge Property* and any other Cultural Redress Property not previously referred to above</p>	<p>'Subject to Part 4A of the Conservation Act 1987'</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p>	s 61(1)(g)

<p>Being:</p> <p><i>Properties vested in fee simple:</i></p> <p>Hukatere site B (s22(1));  Mangamuka Road property,  Mangamuka (s22(2));  Mangamuka Road property,  Tūtekēhua (s22(3));  Motukaraka site A (s22(5));  Part former Awanui (Kaitaia)  Riverbed (s22(6))  Rotokakahi property (s22(8));  Tauroa Point site B (s22(9));  Tauroa Point site C (s22(10));  Te Oneroa a Tōhē-Clarke Road  property; (s22(11)); and  12 Waiotehue Road (s22(12).</p> <p><i>Properties vested in fee simple  subject to conservation covenant</i></p> <p>Motukaraka site B (s22(27));  Lake Tangonge site B (s22(29));  and  Tangonge property (s22(30))</p> <p>*whist this is a Jointly Vested  Property, it is not a Reserve  property (s22(30)) and not  previously referred to above.</p>		
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## Initial vesting of Cultural Redress Properties, continued

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### Changes of status for Reserve Properties- upon vesting -

revocation and re -  
conferring of  
reserve status;

and

ceasing of  
conservation area  
and conferring of  
reserve status  
ss 38 to 50

- (a) When an application is made in respect of a Reserve Property, the statutory action revoking the reserve (or, where applicable, the cessation of conservation area) must be captured before the registration of the trustees as registered proprietors.
  - (b) If the statutory action requires updating the cadastre survey system in any way, survey staff should be notified and requested to update the cadastre.
  - (c) When the vesting in the trustees has been registered, a memorial relating to the new reserve status must be noted on the current view of the relevant computer register.
- 

## Dealings subsequent to initial vesting – process for removal of memorials following revocations of reserve status of Cultural Reserve Properties (not revocations within initial vesting process)

### Process for amending or removing memorials - on

Reserve Properties  
upon subsequent  
revocation of  
reservation (not  
revocations within  
initial vesting  
process) s 61

- (a) The Act prescribes a process for amending or removing certain memorials (following revocations of reserve status that occur at any time subsequent to the revocation that occurs as part of the initial vesting process), for of all or part of a Reserve Property (which may be one or more CFRs).
  - (b) The application must be preceded by the normal documentation required for revoking reservations in terms of the Reserve Act 1977.
- 

### Trigger -

application under  
**s 61(3)** re: a  
revocation of a  
reservation of a  
Reserve Property  
(other than a  
Jointly Vested  
Property or Te  
Tāpairu Hirahira o  
Kahakaharoa)

An application from the Director-General of Conservation under s 61(3) to remove the memorials listed below from all or part of the CFR of a **Reserve Property other than a Jointly Vested Property or Te Tāpairu Hirahira o Kahakaharoa:**

'Section 24 of the Conservation Act 1987 does not apply to the property'; and

'Subject to section 60(4) and 70 of the Te Rarawa Claims Settlement Act 2015'.

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*continued on next page*

## Initial vesting of Cultural Redress Properties, continued

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**Action –**  
Precondition to  
revocation

(a) Provided the application is accompanied by the normal documentation required for revoking reservations in terms of the Reserves Act 1977:

(i) Where the application relates to **all** of the land in the CFR:

**Memorials**

(A) the approved format for the memorial on the historic view of the CFR which must record the cancellation is:

'[application identifier] Application under section 61(3) of Te Rarawa Claims Settlement Act 2015 revoking the reserve status of the within land [date and time]'

**and** the following notifications must be modified accordingly

from the memorial '*Subject to Part 4A of the Conservation Act 1977 but section 24 of that Act does not apply*' delete the words "*but section 24 of that act does not apply*"; and

delete the memorial '*Subject to sections 60(4) and 70 of the Te Rarawa Claims Settlement Act 2015*'; and

delete the memorial '*Subject to section 73 of Te Rarawa Claims Settlement Act 2015 (which prohibits reserve land from being mortgaged or charged for security)*'.

(B) The "prevents registration" flag for the ss 70 and 73 **must be** removed.

(ii) Where the application relates to **part of the land** in the CFR, the following memorials must be modified accordingly:

(A) The approved format for the memorial on the historic view of the CFR which must record the cancellation is:

'[application identifier] Application under section 61(3) of the Te Rarawa Claims Settlement Act 2015 revoking the reserve status as to part of the within land [date and time]'

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*continued on next page*

## Initial vesting of Cultural Redress Properties, continued

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**and** the following notifications must be modified accordingly:

add the words "Part of the within land is" to the beginning of the memorial 'Subject to Part 4A of the Conservation Act 1977 but section 24 of that Act does not apply', and

add the words "Part of the within land is" at the beginning of the memorial 'Subject to section 60(4) and 70 of the Te Rarawa Claims Settlement Act 2015', and

add the words "Part of the within land is" at the beginning of the memorial 'Subject to section 56 of Te Rarawa Claims Settlement Act 2015 (which prohibits reserve land from being mortgaged or charged for security)'.

- (B) Do not remove the "prevents registration" flag for the ss 70 and 73 memorials.

In the case of revocations of reserve status over **part of the land** in the CFR, the ss 70 and 73 reserve memorial may be amended (if possible) to clarify the part which remains reserve, but as noted above the "prevents registration" flag must remain against that memorial.

- (b) Standard registration fees apply.
- 

**Trigger -**  
application under  
**s 61(4)** re: a  
revocation of the  
reservation for **Te**  
**Tāpairu Hirahira**  
**o Kahakaharoa**

An application from the Director-General of Conservation under s61(4) to remove the memorials listed below from all or part of the CFR **for Te Tāpairu Hirahira o Kahakaharoa:**

'Section 24 of the Conservation Act 1987 does not apply to the property'; and

'Subject to section 56(4), 60(4) and 70 of the Te Rarawa Claims Settlement Act 2015'.

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*continued on next page*

## Initial vesting of Cultural Redress Properties, continued

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### Action

Provided the application is accompanied by the normal documentation required for revoking reservations in terms of the Reserves Act 1977:

- (a) the actions are the same as those referred to above for a "**Reserve Property (other than a Jointly Vested Property or Te Tāpairu Hirahira o Kahakaharoa)**" as they relate to all or part of the land, except:
  - (i) that the memorial on the historic view should refer to s 61(4) (rather than s 61(3)); and
  - (ii) references to 'Subject to section 60(4) and 70 of the Te Rarawa Claims Settlement Act 2015' should be read as if it included s 60(4) as well.

Standard registration fees apply.

**NOTE:** follow the applicable requirements regarding the "prevents registration" flag.

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**Trigger -** application under **s 61(5)** re: a revocation of a Reserve Property that **is** a Jointly Vested Property

An application from the Director-General of Conservation under s 61(4) to remove the memorials listed below from all or part of the CFR of a Reserve Property **that is a Jointly Vested Property:**

'Section 24 of the Conservation Act 1987 does not apply to the property'; and

'Subject to section 56(4), 60(4) and 70 of the Te Rarawa Claims Settlement Act 2015'.

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### Action

Provided the application is accompanied by the normal documentation required for revoking reservations in terms of the Reserves Act 1977:

- (a) the actions are the same as those referred to above above for a "**Reserve Property other than a Jointly Vested Property (or Te Tāpairu Hirahira o Kahakaharoa )**" as they relate to all or part of the land, except:
  - (i) that the memorial on the historic view should refer to s 61(5) (rather than s 61(3)); and
  - (iii) references to 'Subject to section 60(4) and 70 of the Te Rarawa Claims Settlement Act 2015' should be read as if it included s 60(4) as well.

(b) Standard registration fees apply.

**NOTE:** follow the applicable requirements regarding the "prevents registration" flag.

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## Dealings **subsequent** to initial vesting – **Pukepoto School** no longer subject to lease; removal of memorials

**Trigger - Pukepoto School no longer subject to lease s 61(6)**

An application from the Minister of Education under s61(6) to remove the memorials listed below from all or part of the CFR of the Pukepoto School, following termination or expiry of s 29 lease (and any renewal).

---

**Action**

Provided the application is accompanied by the normal documentation required for the removal of the lease in terms of the Land Transfer Act 1952:

- (a) Where the application relates to **all** of the land in the CFR:
- (i) the approved format for the memorial on the historic view of the CFR which must record the cancellation is:

*'[application identifier] Application under section 61(6) of Te Rarawa Claims Settlement Act 2015 cancelling lease [insert instrument number] of the within land [date and time]'*

**and** the following notifications must be modified accordingly

*from the memorial 'Subject to Part 4A of the Conservation Act 1977 but section 24 of that Act does not apply' ~~delete~~ the words "but section 24 of that act does not apply"; and*

*~~delete~~ the memorial 'Subject to sections 60(5) of the Te Rarawa Claims Settlement Act 2015'; and*

- (b) Where the application relates to **part of the land** in the CFR, the following memorials must be modified accordingly:

- (i) The approved format for the memorial on the historic view of the CFR which must record the cancellation is:

*'[application identifier] Application under section 61(6) of the Te Rarawa Claims Settlement Act 2015 cancelling lease [insert instrument number] as to part of the within land [date and time]'*

**and** the following notifications must be modified accordingly:

*add the words "Part of the within land is" to the beginning of the memorial 'Subject to Part 4A of the Conservation Act 1977 but section 24 of that Act does not apply', and*

*add the words "Part of the within land is" at the beginning of the memorial 'Subject to section 60(5) of the Te Rarawa Claims Settlement Act 2015'.*

- (c) The standard registration fees apply.
-



## Dealings **subsequent** to initial vesting – Transfer of Cultural Redress Properties

### **Restrictions on transferring Reserve Land under ss 70 to 72**

- (a) The fee simple in any land which remains a reserve after vesting under this Act may only be transferred in accordance with:
- (i) Sections 70 or 71 (in relation to Awanui River property, Epakauri site A, Epakauri site B, Kaitaia Domain, Rotokakahi War Memorial property, Tauroa Point site A, and Tauroa Point site D);  
[s70(2), read in conjunction with s70(1) and (4) and the definitions of “reserve property” in s22]]; and
  - (ii) section 72 (in relation to Te Tāpairu Hirahira o Kahakaharoa and in relation to the Beach Sites). [s70(2), as the Beach Sites are also Jointly Vested Properties].
- (b) These provisions enable:
- (i) transfers to Administering Bodies (which are defined in s22 of the Act by reference to the definition in the s 2(1) of the Reserves Act 1977) [s 71]; it envisages the transferees will be 1 or more persons;
  - (ii) transfers to reflect a change in trustees of an existing trust [s 72];

If there is any doubt whether ss 71 or 72 apply the matter should be escalated to a Titles Advisor for resolution.

### **Transfer of Reserve Land to Administering Body (s 57)**

To effect a transfer to an Administering Body, under s 71(1), the registered proprietors of the Reserve Land may apply in writing to the Minister of Conservation for consent to transfer the fee simple estate in the Reserve Land to one or more persons (the new owners).

### **Trigger** - receipt of documents for transfer of Reserve Land to new owners

Receipt by the RGL (ss 71(3) and 72) of:

- (a) In the case of a transfer to a new administering body under s71:
- (i) a transfer instrument to transfer the fee simple estate in Reserve Land to new owners, including a notification that the new owners are to hold the Reserve Land for the same reserve purposes as those for which it was held by the administering body immediately before the transfer (s71(4)(a)); and
  - (ii) the written consent of the Minister of Conservation to the transfer of the reserve land (s71(4)(b)); and
  - (iii) any other document required for the registration of the transfer instrument (s71(4)(c)).

*continued on next page*

- (b) In the case of a transfer to reflect a change in trustees under s72 the registered proprietor of reserve land may transfer the fee simple

estate in the reserve land if:

- (i) The transferors of the reserve land are or were the trustees of a trust (s72(a)); and
  - (ii) The transferees are the trustees of the same trust, after any new trustee has been appointed to the trust or any transferor has ceased to be a trustee of the trust (s 72(b)); and
  - (iii) the instrument to transfer the reserve land is accompanied by a certificate given by the transferees, or the transferees' solicitor, verifying that ss 72(a) and 72(b) apply (s 72(c)).
- 

**Action -  
registration of new  
owners**

- (a) Upon receipt of the documents required by ss 71 or 72 (see above), the RGL must register the new owners as the proprietors of the fee simple estate in the reserve land (s 71(3) or s 72).
- (b) Standard registration fees apply.
- (c) In the case of:
  - (i) a transfer under s 71, a transfer that complies with s 71 need not comply with any other requirements [s 71(6)]
  - (ii) a transfer under s 72, the transfer must be accompanied by a certificate referred to in the trigger section above.

**Note:  
Continuation of  
"prevents  
registration"  
flag - eg  
prohibition against  
mortgage of  
Reserve Land  
under s 73**

- (d) The memorials that prevented registration upon vesting, and for which a "prevents registration" flag have been set, continue to apply. For example, the transferees remain **prohibited from registering a mortgage or any other security interest** (charge) the Reserve Land.
  - (e) Ensure the "**prevents registration**" flag against relevant memorials (explained in Part 1 of this guideline) remain on the land.
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## 4 Commercial Redress

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### **Background -** Vesting of all or specified shares

- (a) Commercial Redress Properties, School House Sites and Deferred Selection Properties are:
    - (i) included in the Act's Commercial Redress (s 22);
    - (ii) defined in s 163; and
    - (iii) described in p7-23 of the Deed's [Property Redress Schedule](#).
  - (b) The boundaries are subject to survey.  
For a general indication of the location of individual properties an internet search on the name, and Te Rarawa's Area of Interest shown on p4 of the Deed's [Attachment Schedule](#), may assist.
  - (c) Rights of first refusal to acquire RFR Land properties are also included in the Act's Commercial Redress and defined in subpart 4 of Part 3 of the Act [ss 182-211].
- 

### **Joint ownership**

- (a) This Act is one of four that record the settlement of treaty claims for four Te Hiku o Te Ika iwi - the other ones are Ngāti Kuri Claims Settlement Act, Te Aupouri Claims Settlement Act 2015, and Ngāi Takoto Claims Settlement Act 2015.
  - (b) Under this Act, the Trustees take some Commercial Redress jointly (as tenants in common in the shares against the relevant property) with other "Relevant Trustees".
  - (c) The applications and registration processes for recording the vesting of undivided specified shares in other iwi (including the creation of CFRs) under the Act relevant to that iwi may or may not have already occurred.
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*continued on next page*

## Commercial Redress, continued

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**School House Sites** - Broadwood Area School, Te Kura Taumata O Panguru p12 Matihetihe School  
**(Other Commercial Redress Properties)** and Kaitaia College  
**(Deferred Selection Property)**

- (a) These are 3 of the 32 Commercial Redress Properties.
  - (b) Their definitions (see following paragraph) state they include related school house sites *if* clause 10.7 (or 10.21 for Kaitaia College) of the Deed applies.
  - (c) Clause 10.7 (and cl 20-21 respectively) says that if, within the period specified, the relevant Board of Trustees relinquishes a beneficial interest in the related School House site, the school house sites will be included.
  - (d) Except for Kaitaia College, they are defined in Table 1 of Part 3 (the Commercial Redress Properties) of the Deed's [Property Redress Schedule](#). The related School House sites are separately defined in Table 2 of Part 3 on p11-12.
  - (e) Kaitaia College is defined in Table 1 of Part 4 (the Deferred Selection Properties) on p21 of the Deed's [Property Redress Schedule](#). The related School House site is separately defined in Table 2 of Part 4 on p22.
  - (f) There is no statutory obligation on the RGL to assess whether the precondition for the inclusion of the relevant School House site has been met, and staff processing the registrations can rely on the description of the relevant sites in the Applications.
- 

**Kaitaia College and Haumanga Road** - Revocations of reserve **(s172-3)**

Immediately before the transfer to the Trustees, the reservation of any part of these properties as a **government purpose reserve for education purposes** subject to the Reserves Act 1977 is revoked  
**(s172-3)**

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**Properties Subject to a Lease (s173)**

These are those of the Commercial Redress Properties and Deferred Selection Properties being transferred to the Trustees which are:

- (a) held by the Ministry of Education; and
- (b) are, after transfer to the Trustees, subject to a lease back to the Crown.

**(s173(1))**

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*continued on next page*

## Commercial Redress, continued

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### Applications of statutory provisions

The following statutory provisions apply:

- (a) The transfer is a disposition for the purposes of Part 4A of the Conservation Act 1987, but section 24 of the Conservation Act 1987 does not apply to a transfer;
- (b) The transfer instrument **must** include a statement that the land is to become subject to section 174 on the registration of the transfer;
- (c) The Registrar-General must, on the registration of the transfer of the property, record on any computer freehold register for the property that—
- (d) the land is subject to [Part 4A](#) of the Conservation Act 1987, but that section 24 of that Act does not apply [s173(4)(a)], which is to be treated as having been made in compliance with section 24D(1) of the Conservation Act 1987 [s173(5)]; and
- (e) the land is subject to [section 174](#) of the Te Rarawa Claims Settlement Act 2015 (which contains requirements if lease terminates or expires).

### (s173)

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### Requirements if Lease terminates or expires

If the lease referred to in s 173(1)(c) (including renewal) in relation to the Properties Subject to a Lease (described above) terminates or expires without being renewed, then the following statutory provisions apply:

- (a) the transfer is no longer exempt from Section 24 (except subsection 2A) of the Conservation Act 1987; and
- (b) the registered proprietors must apply in writing to the RGL, to remove from the CFR the notifications that:
  - (A) section 24 of the Conservation Act 1987 does not apply; and
  - (B) the land is subject to [section 174](#) of the Te Rarawa Claims Settlement Act 2015 (which contains requirements if lease terminates or expires);
  - (C) in relation to all (or part) of the land (as applicable).
- (c) No registration fees apply (s 174(4)).

### (s 174)

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## Commercial Redress, continued

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### **Authorised Person**

Section 167(6) defines “Authorised Person” (in relation to commercial redress) as the chief executive of the land holding agency for the relevant property; these are specified for each property in the tables referred to above.

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### **Crown may transfer properties s 164**

- (a) To give effect to part 10 of the Deed, the Crown may transfer all or an undivided share of the fee simple in a Commercial Redress Property or a Deferred Selection Property, to the Trustees [s 164(1)(a) and 165]
- (b) If a transfer is lodged for registration pursuant to s 165 it must contain a statement that it is authorised under s 165.
- (c) CFRs will need to be issued for Commercial Redress Properties and Deferred Selection Properties transferred from the Crown to the Trustees (ss 167 to 169).
- (d) There are also special provisions for the transfers of:
  - (i) the Peninsula Block and the Takahue Block (s 169); and
  - (ii) the Kaitaia College and Haumanga Road properties (ss 172-73): and
  - (iii) properties for which the Ministry of Education is the land holding agency and which are subject to a lease back to the Crown (ss 172 and 173);

as outlined in the above section of this guideline.

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### **Covenant for later creation of CFR under s 170(1)**

Under **s 170** the Authorised Person may lodge a covenant for the later creation of a CFR for a Commercial Redress Property; in this situation a computer interest registered must be created and the covenant registered.

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## Transfer of Commercial Redress Properties

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**Trigger – s 167**  
application for a  
CFR for:

**a Commercial  
Redress  
Property** (*except  
the Takahue  
Block*); **or**

**a Deferred  
Selection  
Property**

*other than Shared  
Redress, the  
Peninsula Block or  
land that will be  
subject to a lease  
back (s173))* **s167**

(see [above](#) re:  
covenant for the  
later creation of a  
CFR)

- (a) A written application under s 167(3) or s167(4) by an Authorised Person to create a CFR for a Commercial Redress Property or Deferred Selection Property that is to be transferred to the Trustees (but no other person or entity), accompanied by a transfer to the Trustees stating it is authorised under s 164.
- (b) The relevant properties are listed in the definitions section of this guideline.

**Action:** create a  
CFR  
(**s 167(3)(a)**)  
(and register  
transfer)

- (a) Upon receipt of an application and transfer described above; and
- (b) provided no CFR exists for all of the property (or a CFR exists for only part of the property (**s 167(2)**); then
- (c) the RGL must:
  - (i) subject to completion of any necessary survey:
    - (A) in the case of Te Karae Station, create *two* CFRs (**s167(4)(a)**); and,
    - (B) in all other cases, create *one* CFR (**s167(3)(a)**);for the fee simple, in the name of the Crown, and without any statement of purpose (**s167(3)(c)** and **(4)(c)**); and
  - (ii) record any interests described in the application (**s167(3)(b)** and **(4)(b)**); and
  - (iii) register the transfer to the Trustees; and
  - (iv) record the following memorials on the CFR (**s171**):
    - 'Subject to Part 4A of the Conservation Act 1987 (but section 24(2A), 24A and 24AA of that Act does not apply)'
    - 'Subject to section 11 of the Crown Minerals Act 1991'; and

- (b) Standard registration fees apply.

**Note: See guidance notes below**

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**Trigger - s168**  
application for CFR  
for:

**a Commercial  
Redress  
Property;** or

**a Deferred  
Selection  
Property,**

that **is transferred**  
to tenants in  
common (under  
**s164) – s168**

(*except the  
Peninsula Block or  
the Takahue  
Block*)

(see [above](#) re:  
covenant for the  
later creation of a  
CFR)

- (a) A written application under **s168(2)** by an Authorised Person to create a CFR for either:
- (i) a Commercial Redress Property (*other than the Takahue Block and the Peninsula Block*); or
  - (ii) a Deferred Selection Property; and
- together with a transfer to the trustees as tenants in common (being "Shared Redress")
- (b) provided it is accompanied by:
- (i) in the case of a property to which **s173** applies (properties subject to lease), a transfer to the Trustees which states that:
    - (A) the land is to become subject to **s174** on the registration of the transfer; and
    - (B) it is authorised under **s173** and
  - (ii) in all other cases, a transfer to the Trustees.

**Action - create a  
CFR (*unless  
Shared Redress or  
the Peninsula  
Block or the  
Takahue Block*)**

- (a) Upon receipt of an application and transfer described above; and
- (b) provided no CFR exists for all of the property (or a CFR exists for only part of the property (**s168(2)**); and
- (c) in the case of a transfer of **Kaitaia College**, provided:
- (i) there is a revocation of the government purpose reserve for education purposes to the Reserve Act 1977 (refer above) accompanied by the normal documentation required for revoking reservations in terms of the Reserves Act 1977; [*insert link to guidance on process/memorials revoking reserves*]; and
- (d) in the case of a property to which **s173** applies (**properties subject to lease**) where the lease (or renewal) has not terminated or expired (in accordance with **s174** – see subsequent actions below):
- (i) provided the transfer to the Trustees states that:
    - (A) the land is to become subject to section 174 on the registration of the transfer; and
    - (B) it is authorised under 164.
- (e) the RGL must:
- (i) subject to completion of any necessary survey, create a CFR for the fee simple in the name of the Crown *without any statement*



*of purpose (168(2)(c)); and*

- (ii) record any interests described in the application (**s168(2)(b)**); and
- (iii) register the transfer to the Trustees; and
- (iv) record the following memorials on the CFR:
  - (A) in the case of a property to which s173 applies (properties subject to lease) record the following memorials on the CFR (**s173**):
    - 'Subject to Part 4A of the Conservation Act 1987 (but section 24 of that Act does not apply)'
    - 'Subject to section 145 of the Te Rarawa Claims Settlement Act 2015'
    - 'Subject to section 11 of the Crown Minerals Act 1991'
  - (B) in all other cases, record the following memorials on the CFR (**s171**):
    - 'Subject to Part 4A of the Conservation Act 1987 (but section 24(2A), 24A and 24AA of that Act does not apply)'
    - 'Subject to section 11 of the Crown Minerals Act 1991'; and

(f) Standard registration fees apply.

**Note:** in the case of a transfer of Kaitaia College, ss 24 and 25 of the Reserves Act 1977 do not apply to the required revocation of reserve status immediately prior to the transfer. (**s172(3)**).

**Note:** See guidance notes below

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**Properties subject to lease (s175):** if the lease terminates (s175)

- (a) If the lease relating to a Commercial Redress Property or a Deferred Selection Property for which the Ministry of Education is the land holding agency (or a renewal of that lease), terminates or expires without being renewed, in relation to all or part of the property that transferred subject to the lease.
  - (b) The transfer of the property is no longer exempt from section 24 (except subsection (2A)) of the Conservation Act 1987 in relation to all or part of the property (**s174(2)**).
- 

**Trigger - Application**

The registered proprietor of the property must apply in writing to the Registrar-General, to remove from the CFR the notifications that—

- (a) section 24 of the Conservation Act 1987 does not apply to the site; and
  - (b) the property is subject to s 174 of the Act.
-

## Transfer of Commercial Redress Properties, continued

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**Action** The Registrar-General must comply with an application received from the registered proprietor under subsection 174(3) free of charge to the applicant.

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**Memorials**

(a) When an application from the registered proprietor of commercial redress land or deferred selection land, to which s 144 applies, is presented under s 174(3), the approved format for the memorial on the historic view of the CFR which must record the application is:

'[application identifier] Application under section 174(3) of the Te Rarawa Claims Settlement Act 2015 removing [memorial identifiers] [date and time]'

(b) The following memorials must be modified accordingly

From the memorial "Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply" delete the words "but section 24 of that act does not apply"

Delete the memorial "'Subject to sections 174 of the Te Rarawa Claims Settlement Act 2015'

(c) If part of the property remains subject to the lease the memorials remain on the CFR and continue to have affect over the part still subject to the lease.

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## Transfer of Peninsula Block and Takahue Block (Licensed Land)

**Background** The Peninsula Block is the only *Commercial* Redress Property which the Deed provides for the Trustees to own jointly, as tenants in common in equal shares, with the trustees for the other 3 Te Hiku o Te Ika iwi who are: the trustees of Te Manawa\*, the trustees of Te Rūnanga o Ngāi Takoto and the trustees of Te Rūnanga Nui\* (together "the Relevant Trustees").

[\*Te Manawa relates to Ngāti Kuri Claims Settlement Act 2015; and Te Rūnanga Nui relates to Te Aupouri Claims Settlement Act 2015].

**Note:** It ceases to be Crown forest land on the registration of the transfer of the fee simple estate to the trustees (**175(1)**).

**Note:** Nothing can be registered or noted that would be consistent with the Crown Forest Assets Act 1989, but inconsistent with Subpart 2 of Part 3 of the Act or Part 9 of the deed of settlement or part 6 of the Property Redress Schedule (**s175(2)**).

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## Transfer of Peninsula Block and Takahue Block (Licensed Land)

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**Trigger -** application for CFR for Peninsula Block and Takahue Block with or without transfer

A written application under s **169(2)** by an Authorised Person to create a CFR for either the whole or an undivided share of the fee simple of the Peninsula Block or the Takahue Block; with or without a transfer of the fee simple:

as to the whole, to the *joint owners* as explained [above](#); or

as to an undivided share to *the Trustees*;

as tenants in common.

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**Action – create CFR** for the Peninsula Block and Takahue Block

(a) Upon receipt of an application under **s169(2)**:

(b) Provided any accompanying transfer of the Peninsula Block and the Takahue Block:

- (i) includes a statement that the land is subject to a right of access to any protected sites on that under [**s 181(2)**];
- (ii) and, where it relates to the Trustees share only, is to the Trustees; or to
- (iii) where it relates to the whole of the property, it is to the Relevant Trustees (as applicable) as tenants in common in equal shares.

(c) the RGL must:

- (i) Subject to the completion of any necessary survey, create a CFR for the whole or undivided share of the fee simple (as applicable) in the name of the Crown *without any statement of purpose* (**s169(2)(a)** and **(c)** and **169(3)**); and
- (ii) record any interests described in the application (**s169(2)(b)**); and

(d) where a transfer (in accordance with ss **164** and **165**) is also lodged, either:

- (i) in the case of a transfer of the whole to the *joint owners* as explained [above](#), register the transfer of the fee simple to them in equal undivided shares; or
- (ii) in the case of a transfer of an undivided share to the *Trustees* as explained [above](#), register the transfer of the undivided share in the fee simple to them; and

(e) record the following memorials on the CFR (**s171**):

'Subject to Part 4A of the Conservation Act 1987 (but section 24(2A), 24A and 24AA of that Act does not apply)'

'Subject to section 11 of the Crown Minerals Act 1991'

'Subject to section 181 of the Te Rarawa Claims Settlement Act 2015'

(provides a right of access over the within land)'

(f) Standard registration fees apply.

<b>Guidance Notes</b>	
<b>Note:</b>	<b>Action</b>
<b>The Deed</b>	Parts 3 -7 of the Property Redress Schedule and Part 10 of the Deed deal with matters that are covered in the Act relating to the vesting of Commercial Redress. There is nothing in those Parts that requires the RGL to do anything more than is required under the Act
<b>Separate title for undivided share</b>	A separate title for the Trustees' equal undivided share may be issued (s164-5, 169)
<b>The properties that are Commercial Redress and listed in the Tables in the Deed's Property Schedule may include unregistered instruments.</b>	<u>Only</u> the interests referred to in the application are required to be entered on the CFR (s167-9)
<b>Memorial format examples</b>	See detailed guidance above for Memorial formats - examples.
<b>Creating and revoking reserve status</b>	See detailed guidance <a href="#">above</a> .
<b>Council right of way consent</b> under s 348 of the Local Government	This is <u>not</u> required for the creation of rights of way to fulfil the terms of <b>the Deed</b> (s 171(4)).
<b>Subdivision approval</b>	This is <u>not</u> required for the transfer of the fee simple in Commercial Redress Properties, because they are not subject to section 11 and Part 10 of the RMA (s 171(5)).

## 5 Access to protected sites

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**Right of access to protected sites under s 181** The owner of land on which a protected site is situated and any person holding an interest or right to occupancy to the land must allow Maori for whom the protected land has special spiritual cultural or historical significance to have access across the land to each protected site

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**Trigger Transfer of Peninsula Block or Takahue Block** The transfer of Peninsula Block or the Takahue Block to the trustees must include a statement that the land is subject to a right of access to any protected sites on that under [s 181(2)]

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**Action – notation of right of access on CFR** Upon registration of the transfer of Peninsula Block or Takahue Block under s 181 the RGL must make a notation on the CFR that the land is subject to the right of access [s 181(3)].

**Memorial** A suitable memorial would be:  
  
'[*part of*] the within land is subject to a right of access under section 181 of the Te Rarawa Claims Settlement Act 2015. See application [*registration number*] [*date and time*]'

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## 6 Right of first refusal (RFR)

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**RFR Land:** four types, and when land ceases to be RFR Land

- (a) The Act describes four types of RFR Land: "exclusive RFR Land", "shared RFR Land", "Balance RFR Land" or land obtained in exchange [s 184]. They are described in p47-76 of the Attachments to the Deed
- (b) Land ceases to be RFR Land in the circumstances described in s207 and 208, with applications to remove the RFR memorial governed by those sections.

**Note:** any instruments that dispose of RFR Land which are lodged for registration on a computer register containing an RFR memorial on the basis that it has ceased to be RFR Land, **must** be accompanied by a s 208 Certificate (see [below](#)).

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**RFR Date -** beginning of relevant RFR Period [s182]

The provisions of this subpart take effect from the RFR Date for the relevant RFR Land, which is the settlement date [s182 "RFR Period" defined and commencement date described- all settlement dates were the same].

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## Initial Noting of RFR on Computer Register

**Trigger**

Receipt of a s 206(1) CE certificate which states it is issued under s 206 and specifies a computer register for:

- (a) RFR land for which a computer register exists on, or is first created after, the relevant RFR Date for the land; or
  - (b) land (for which a computer register exists), that becomes RFR land after the Settlement Date [see RFR Date above].
- 

**Action -** memorials recording RFR land - s 206(5)

- (a) As soon as reasonably practicable after receiving a s 206 certificate the RGL must add the following memorial to the current view of the computer register identified in the s 178 certificate:

'[*certificate identifier*] Certificate under section 206 of the Te Rarawa Claims Settlement Act 2015 that the within land is RFR land as defined in section 183 of that Act and is subject to Subpart 4 of Part 3 of the Act (which restricts disposal, including leasing, of the land) [*date and time*]'

- (b) The standard registration fee is payable.
  - (c) **Ensure the "prevents registration" flag is set.**
-

## Ongoing restrictions on disposal of land that has an RFR memorial

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### Restrictions on disposal of RFR land

RFR Land cannot be “disposed” (see [below](#) for meaning), unless:

- (a) it falls within and exemptions specified in s184(1)(a) – (d), or
- (b) it ceases to be RFR land (see section [below](#)).

**Note:** An application to dispose of land containing an RFR memorial where either:

- (A) *an exemption to disposal is claimed, or*
- (B) *it is not accompanied by a certificate of the type described above for the removal of the memorial;*

**must** be referred to a Titles Advisor for approval.

- (c) **Example of an exemption:** Transfers or leases over 50 years of RFR land without a preceding s 207 or 208 certificate can be accepted if the transferee is the Crown or a Crown Body (as defined in s 182). As noted above, the application must be referred to a Titles Advisor for approval.

**Note:** After *some* exempted disposals under s184(1), the land remains RFR Land and the memorial remains on the computer register

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### Meaning of “dispose of” in relation to RFR land:

Section 182 defines “dispose of” in relation to RFR land

- (a) as:
    - (i) to transfer or vest the fee simple estate in the land; or
    - (ii) to grant a lease of the land for a term that is, or will be (if any rights of renewal or extension are exercised under the lease), 50 years or longer;
  - (b) but to avoid doubt, does not include—
    - (i) to mortgage, or give a security interest in, the land; or
    - (ii) to grant an easement over the land; or
    - (iii) to consent to an assignment of a lease, or to a sublease, of the land; or
    - (iv) to remove an improvement, fixture, or fitting from the land.
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### Restrictions on disposal of RFR Land

Section 184 prohibits restrictions on the disposal of RFR land – refer s 182 for definition of “dispose of”, which is referred to in the 206 memorial (referred to above) (see s 206(5)(b)).

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## Subsequent removal of RFR memorial

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**Trigger -**  
notice to  
remove an RFR  
memorial  
when land  
being  
transferred or  
vested under  
this Act or  
certificate  
when RFR  
Period ends -  
**(ss 179-180)**

Receipt of a notice or certificate (together with the relevant transfer or vesting application) from the CE under ss 207(1) and 208(1) respectively, for the removal of a s 206 memorial from a computer register upon either: land ceasing to be RFR land prior to RFR land being transferred or vested; or when the RFR Period ends.

---

**Action**

- (a) The RGL must remove the RFR memorial upon receipt from the CE of:
- (i) in relation to land to be disposed of, a notice containing the information in s207(1)(a)-(d); or
  - (ii) in relation to land for which the RFR period has ended, a certificate containing the information in s208(1)(a)-(b).
- (b) As soon as reasonably practicable after receiving such a certificate, the RGL must record the following memorial on the historic view of the register:
- '[certificate identifier] Certificate under section [ ] of Te Rarawa Claims Settlement Act 2015 removing [memorial identifier] entered under section [207 or 208 as applicable] [date and time]'.*
- (c) The standard registration fee is payable.
- (d) The "prevents registration" flag should be removed in relation to the s 206 memorial.
-



## Table 1 - Description of Cultural redress properties, vesting, reserve status, interests and memorials

For the boundaries of individual properties see the Deed's Attachments on the web link that follows (a "general indication" on satellite images). [http://nz01.terabyte.co.nz/ots/DocumentLibrary/TeRarawa\\_Property\\_AttachSched.pdf](http://nz01.terabyte.co.nz/ots/DocumentLibrary/TeRarawa_Property_AttachSched.pdf).

Property Name & Description <i>North Auckland Land District— Far North District</i>	Vesting & status	Existing Interests and Covenants that must be recorded	Spatial statutory action	Memorials to be recorded (as specified in the Act, and the application to vest)
<b>Hukatere site B</b> 2.0061 hectares, more or less, being Section 7 SO 469833. Part <i>Gazette</i> 1966, p 1435.	Ceases to be Crown forest land. Fee simple vests in the Trustees. <b>No reserve status.</b> <b>s23</b>	<b>Existing Interests</b> Subject to Crown Forestry Licence registered as C312828.1F and held in computer interest register NA100A/1. Subject to a Notice pursuant to section 195(2) of the Climate Change Response Act 2002 registered as Instrument 9109779.1. Subject to the protective covenant certificate C626733.1.	Crown Forest Land ceases (if applicable)	'Subject to Part 4A of the Conservation Act 1987' 'Subject to section 11 of the Crown Minerals Act 1991'
<b>Mangamuka Road property, Mangamuka</b> 1.7192 hectares, more or less, being Lot 71A DP 7197 and Sections 3 and 4 SO 449320. Balance computer freehold register NA427/213	Fee simple vests in the Trustees. <b>No reserve status.</b> <b>s24</b>		N/A	'Subject to Part 4A of the Conservation Act 1987' 'Subject to section 11 of the Crown Minerals Act 1991'
<b>Mangamuka Road property, Tūtekēhua</b> 1.0067 hectares, more or less, being Lot 70A DP 7197. All computer freehold register 59067.	Fee simple vests in the Trustees. <b>No reserve status.</b> <b>s25</b>	<b>Existing Interests</b> Subject to right of way easements created by Transfers 5370533.3 and 5370533.4.	N/A	'Subject to Part 4A of the Conservation Act 1987' 'Subject to section 11 of the Crown Minerals Act 1991'

<p><b>Mapere</b></p> <p>14.1434 hectares, more or less, being Sections 1, 2, and 3 SO 471338. Part <i>Gazette</i> notice B495888.4</p>	<p>Reservation as a recreation reserve subject to the Reserves Act 1977 is revoked.</p> <p>Fee simple vests in the Trustees.</p> <p><b>No reserve status</b></p> <p><b>s26</b></p>		<p>Reserve status revoked.</p>	<p>'Subject to Part 4A of the Conservation Act 1987 <b>but the marginal strip is reduced to a width of 3 metres in Section 3 SO 471338'</b></p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p>
<p><b>Motukaraka site A</b></p> <p>0.4100 hectares, more or less, being Lot 1 DP 136481. All computer freehold register NA80B/950.</p> <p>8.9637 hectares, more or less, being Lot 3 DP 136481. All computer freehold register NA80B/951.</p> <p>6.8736 hectares, more or less, being Lot 4 DP 136481. All computer freehold register NA80B/952.</p> <p>9.8617 hectares, more or less, being Section 40 Block X Mangamuka Survey District. All computer freehold register 568127.</p>	<p>Fee simple estate vests in the Crown as Crown land subject to the <b>Land Act 1948</b>;</p> <p>and then:</p> <p>The fee simple estate vests in the Trustees.</p> <p><b>No reserve status</b></p> <p><b>s27</b></p>	<p><b>Existing Interests</b></p> <p>Subject to a right of way easement specified in Easement Certificate B722793.3 and subject to section 309(1)(a) of the Local Government Act 1974. (Affects computer freehold register NA80B/950.)</p> <p>Subject to section 8 of the Mining Act 1971. (Affects computer freehold registers NA80B/951 (as to part), NA80B/952, and 568127.)</p> <p>Subject to section 5 of the Coal Mines Act 1979. (Affects computer freehold registers NA80B/951 (as to part), NA80B/952, and 568127.)</p> <p>Subject to a Notice pursuant to section 195(2) of the Climate Change Response Act 2002 registered as Instrument 9205537.1 (affects computer freehold register 568127).</p>	<p>N/A.</p>	<p>'Subject to Part 4A of the Conservation Act 1987'</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p>
<p><b>Part former Awanui (Kaitaia) Riverbed</b></p> <p>0.6832 hectares, more or less, being Section 1 SO 459527.</p>	<p>The fee simple estate vests in the Trustees.</p> <p><b>No reserve status</b></p> <p><b>s28</b></p>		<p>N/A.</p>	<p>'Subject to Part 4A of the Conservation Act 1987'</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p>

<p><b>Pukepoto School property</b></p> <p>Subject to the alternative description (see <b>s30</b>):</p> <p>4.6781 hectares, approximately, being Part Waipapa Block. Part Proclamation A5472. Subject to survey.</p> <p>As shown on OTS-074-42.</p>	<p>Subject to the precondition (requiring the Trustees to provide a registrable lease to the Crown), the fee simple estate vests in the Trustees.</p> <p><b>No reserve status</b></p> <p><b>ss29 &amp; 30</b></p>	<p><b>Existing Interests</b></p> <p>Subject to the lease referred to in section 29(3).</p>	<p>N/A</p>	<p>Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply'</p> <p>'Subject to sections 60(5) (of the Te Rarawa Claims Settlement Act 2015) of the Te Rarawa Claims Settlement Act 2015 '</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p>
<p><b>Rotokakahi property</b></p> <p>2.8230 hectares, more or less, being Section 2 SO 473025. Part <i>Gazette</i> 1982, p 337</p>	<p>Reservation as a local purpose reserve subject to the Reserves Act 1977 is revoked.</p> <p>The fee simple estate vests in the Trustees.</p> <p><b>No reserve status</b></p> <p><b>s31</b></p>	<p><b>Existing Interests</b></p> <p>Subject to an unregistered lease to Pawarenga Community Trust (dated 1 February 2012).</p>	<p>Reserve status revoked.</p>	<p>'Subject to Part 4A of the Conservation Act 1987'</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p>
<p><b>Tauroa Point site B</b></p> <p>79.0000 hectares, more or less, being Section 1 SO 471344.</p>	<p>Ceases to be a conservation area under the Conservation Act 1987.</p> <p>The fee simple estate vests in the Trustees.</p> <p><b>No reserve status</b></p> <p><b>s32</b></p>	<p><b>Existing Interests</b></p> <p>Subject to an unregistered research and collection permit NO-19715-FLO to Museum of New Zealand Te Papa Tongarewa (dated 22 February 2007).</p>	<p>Conservation area ceases (if applicable).</p>	<p>'Subject to Part 4A of the Conservation Act 1987'</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p>
<p><b>Tauroa Point site C</b></p> <p>7.3290 hectares, more or less, being Section 3 SO 471344. Part Transfer 559864.4.</p>	<p>Ceases to be a conservation area under the Conservation Act 1987.</p> <p>The fee simple estate vests in the Trustees.</p> <p><b>No reserve status</b></p> <p><b>s33</b></p>	<p><b>Existing Interests</b></p> <p>Subject to an unregistered research and collection permit NO-19715-FLO to Museum of New Zealand Te Papa Tongarewa (dated 22 February 2007).</p>	<p>Conservation area ceases (if applicable).</p>	<p>'Subject to Part 4A of the Conservation Act 1987'</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p>

<p><b>Te Oneroa a Tōhē–Clarke Road property</b></p> <p>5.1580 hectares, more or less, being Section 1 SO 472395.</p>	<p>Ceases to be a conservation area under the Conservation Act 1987.</p> <p>The fee simple estate vests in the Trustees.</p> <p><b>No reserve status</b></p> <p><b>s34</b></p>		<p>Conservation area ceases (if applicable).</p>	<p>'Subject to Part 4A of the Conservation Act 1987'</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p>
<p><b>12 Waiotehue Road</b></p> <p>2.0588 hectares, more or less, being Section 3A Block XV Takahue Survey District. All <i>Gazette</i> 1876, p 253.</p>	<p>The fee simple estate vests in the Trustees.</p> <p><b>No reserve status</b></p> <p><b>s35</b></p>	<p><b>Existing Interests</b></p> <p>Subject to an unregistered Periodic Tenancy under the Residential Tenancies Act 1986.</p>	<p>N/A</p>	<p>'Subject to Part 4A of the Conservation Act 1987'</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p>
<p><b>Whangape property</b></p> <p>0.1385 hectares, more or less, being Lot 2 DP 154514. All computer freehold register NA93D/162.</p> <p>0.7490 hectares, more or less, being Lot 3 DP 154514. All computer freehold register NA93D/163.</p>	<p>Reservation as a local purpose reserve subject to the Reserves Act 1977 is revoked.</p> <p>The fee simple estate vests in the Crown as Crown land subject to the Land Act 1948.</p> <p>The fee simple estate vests in the trustees.</p> <p><b>No reserve status</b></p> <p><b>s36</b></p>		<p>Reserve status revoked.</p>	<p>'Subject to Part 4A of the Conservation Act 1987 <b>but the marginal strip is reduced to a width of 3 metres'</b></p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p>
<p><b>Whangape Road property</b></p> <p>0.0985 hectares, more or less, being Section 4 SO 377810.</p>	<p>Subject to the precondition (requiring the Trustees to provide a registrable easement to the Far North District Council), the fee simple estate vests in the Trustees.</p> <p><b>No reserve status</b></p> <p><b>s37</b></p>	<p><b>Existing Interests</b></p> <p>Subject to the right of way easement in gross referred to in section 37(2).</p>	<p>N/A</p>	<p>'Subject to Part 4A of the Conservation Act 1987 <b>but the marginal strip is reduced to a width of 3 metres'</b></p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p>

<b>Properties vested in fee simple to be administered as reserves</b>				
<p><b>Awanui River property</b></p> <p>1.7155 hectares, more or less, being Sections 103 and 104 Block V Takahue Survey District. All <i>Gazette</i> notice C218192.1.</p>	<p>Reservation as a scenic reserve subject to the Reserves Act 1977 is revoked.</p> <p>Fee simple vests in the Trustees.</p> <p><b>Declared a reserve and classified as a scenic reserve</b> for the purposes specified in <u>section 19(1)(a)</u> of the Reserves Act 1977.</p> <p><b>s38</b></p>	<p><b>Existing Interests</b></p> <p>Subject to being a scenic reserve, as referred to in section 38(3).</p>	<p>Reserve status revoked.Declared a reserve.</p>	<p>'Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply'</p> <p>'Subject to sections 60(4), and 70 (which prevents reserve land being transferred except in accordance with s72 of the Te Rarawa Claims Settlement Act 2015) of the Te Rarawa Claims Settlement Act 2015 '</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p> <p>'Subject to section 73 of the Te Rarawa Claims Settlement Act 2015 (which prohibits reserve land from being mortgaged or charged for security)'</p> <p><b>Ensure the 'prevents registration' flag has been set for the s70 and s73 memorials</b></p>
<p><b>Epakauri site A</b></p> <p>397.4000 hectares, more or less, being Section 2 SO 471339. Part <i>Gazette</i> notice B157083.1.</p>	<p>Ceases to be a conservation area under the Conservation Act 1987.</p> <p>Fee simple estate vests in the Trustees.</p> <p><b>Declared a reserve and classified as a local purpose reserve, for the purposes of iwi and hapū development and conservation</b>, subject to <u>section 23</u> of the Reserves Act 1977.</p> <p><b>s39</b></p>	<p><b>Existing Interests</b></p> <p>Subject to being a local purpose (wind farm activities) reserve, as referred to in section 39(3).</p>	<p>Conservation area ceases (if applicable).</p> <p>Declared a reserve.</p>	<p>'Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply'</p> <p>'Subject to sections 60(4), and 70 (which prevents reserve land being transferred except in accordance with s72 of the Te Rarawa Claims Settlement Act 2015) of the Te Rarawa Claims Settlement Act 2015 '</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p> <p>'Subject to section 73 of the Te Rarawa Claims Settlement Act 2015 (which prohibits reserve land from being mortgaged or charged for security)'</p> <p><b>Ensure the 'prevents registration' flag has been set for the s70 and s73 memorials</b></p>
<p><b>Epakauri site B</b></p> <p>245.5000 hectares, more or less, being Section 1 SO 471339. Part <i>Gazette</i> notice B157083.1.</p>	<p>Ceases to be a conservation area under the Conservation Act 1987.</p> <p>Fee simple estate vests in the Trustees.</p> <p><b>Declared a reserve and classified as a scenic reserve</b> for the purposes specified in section</p>	<p><b>Existing Interests</b></p> <p>Subject to being a scenic reserve, as referred to in section 40(3).</p>	<p>Conservation area ceases (if applicable).</p> <p>Declared a reserve.</p>	<p>'Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply'</p> <p>'Subject to sections 60(4), and 70 (which prevents reserve land being transferred except in accordance with s72 of the Te Rarawa Claims Settlement Act 2015) of the Te Rarawa Claims Settlement Act 2015 '</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p> <p>'Subject to section 73 of the Te Rarawa Claims Settlement Act 2015 (which prohibits reserve land from</p>

	19(1)(a) of the Reserves Act 1977. <b>s40</b>			being mortgaged or charged for security)' <b>Ensure the 'prevents registration' flag has been set for the s70 and s73 memorials</b>
<b>Kaitaia Domain</b> 10.2900 hectares, more or less, being Section 2 SO 471334. Part <i>Gazette</i> 1917, p 2882. 2.1060 hectares, more or less, being Section 1 SO 471334. Part <i>Gazette</i> 1917, p 2882.	Reservation as a recreation reserve subject to the Reserves Act 1977 is revoked. Fee simple vests in the Trustees. The part of Kaitaia Domain that is Section 2 SO 471334 is <b>declared a reserve and classified as a recreation reserve</b> subject to <u>section 17</u> of the Reserves Act 1977. The part of Kaitaia Domain that is Section 1 SO 471334 is <b>declared a reserve and classified as a local purpose reserve, for the purposes of a marae site</b> , subject to <u>section 23</u> of the Reserves Act 1977 <b>s41</b>	<b>Existing Interests</b> Subject to being a recreation reserve, as referred to in section 41(3) (affects Section 2 SO 471334). Subject to being a local purpose (for marae site) reserve, as referred to in section 41(5) (affects Section 1 SO 471334).	Reserve status revoked. Declared a reserve.	'Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply' 'Subject to sections 60(4), and 70 (which prevents reserve land being transferred except in accordance with s72 of the Te Rarawa Claims Settlement Act 2015) of the Te Rarawa Claims Settlement Act 2015 ' 'Subject to section 11 of the Crown Minerals Act 1991' 'Subject to section 73 of the Te Rarawa Claims Settlement Act 2015 (which prohibits reserve land from being mortgaged or charged for security)' <b>Ensure the 'prevents registration' flag has been set for the s70 and s73 memorials</b>
<b>Rokokakahi War Memorial property</b> 0.7938 hectares, more or less, being Section 1 SO 473025. Part <i>Gazette</i> 1982, p 337	Reservation as a recreation reserve subject to the Reserves Act 1977 is revoked. Fee simple vests in the Trustees. <b>Declared a reserve and classified as a recreation reserve</b> subject to <u>section 17</u> of the Reserves Act 1977.	<b>Existing Interests</b> Subject to being a recreation reserve, as referred to in section 42(3).	Reserve status revoked. Declared a reserve.	'Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply' 'Subject to sections 60(4), and 70 (which prevents reserve land being transferred except in accordance with s72 of the Te Rarawa Claims Settlement Act 2015) of the Te Rarawa Claims Settlement Act 2015 ' 'Subject to section 11 of the Crown Minerals Act 1991' 'Subject to section 73 of the Te Rarawa Claims Settlement Act 2015 (which prohibits reserve land from being mortgaged or charged for security)' <b>Ensure the 'prevents registration' flag has been set for the s70 and s73 memorials</b>

	<b>s42</b>			
<p><b>Tauroa Point site A</b></p> <p>32.7200 hectares, more or less, being Section 2 SO 471344.</p>	<p>Ceases to be a conservation area under the Conservation Act 1987.</p> <p>Fee simple vests in the Trustees.</p> <p><b>Declared a reserve and classified as a historic reserve</b> subject to section 18 of the Reserves Act 1977.</p> <p><b>s43</b></p>	<p><b>Existing Interests</b></p> <p>Subject to being a historic reserve, as referred to in section 43(3).</p> <p>Subject to an unregistered research and collection permit NO-19715-FLO to Museum of New Zealand Te Papa Tongarewa (dated 22 February 2007).</p>	<p>Conservation area ceases (if applicable).</p> <p>Declared a reserve.</p>	<p>'Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply'</p> <p>'Subject to sections 60(4), and 70 (which prevents reserve land being transferred except in accordance with s72 of the Te Rarawa Claims Settlement Act 2015) of the Te Rarawa Claims Settlement Act 2015 '</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p> <p>'Subject to section 73 of the Te Rarawa Claims Settlement Act 2015 (which prohibits reserve land from being mortgaged or charged for security)'</p> <p><b>Ensure the 'prevents registration' flag has been set for the s70 and s73 memorials</b></p>
<p><b>Tauroa Point site D</b></p> <p>17.4600 hectares, more or less, being Section 6 SO 471344.</p>	<p>Ceases to be a conservation area under the Conservation Act 1987.</p> <p>Fee simple vests in the Trustees.</p> <p><b>Declared a reserve and classified as a recreation reserve</b> subject to <u>section 17</u> of the Reserves Act 1977.</p> <p><b>s44</b></p>	<p><b>Existing Interests</b></p> <p>Subject to being a recreation reserve, as referred to in section 44(3).</p>	<p>Conservation area ceases (if applicable).</p> <p>Declared a reserve</p>	<p>'Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply'</p> <p>'Subject to sections 60(4), and 70 (which prevents reserve land being transferred except in accordance with s72 of the Te Rarawa Claims Settlement Act 2015) of the Te Rarawa Claims Settlement Act 2015 '</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p> <p>'Subject to section 73 of the Te Rarawa Claims Settlement Act 2015 (which prohibits reserve land from being mortgaged or charged for security)'</p> <p><b>Ensure the 'prevents registration' flag has been set for the s70 and s73 memorials</b></p>
<p><b>Te Tāpairu Hirahira o Kahakaharoa</b></p> <p>424.2000 hectares, more or less, being Section 1 SO 491216.</p>	<p>Ceases to be a conservation area under the Conservation Act 1987.</p> <p>Fee simple vests in the Trustees.</p> <p><b>Declared a reserve and classified as a historic</b></p>	<p><b>Existing Interests</b></p> <p>Subject to being a historic reserve, as referred to in section 45(3).</p>	<p>Conservation area ceases (if applicable).</p> <p>Declared a reserve</p>	<p>'Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply'</p> <p>'Subject to sections 56(4), 60(4) and 70 (which prevents reserve land being transferred except in accordance with s72 of the Te Rarawa Claims Settlement Act 2015) of the Te Rarawa Claims Settlement Act 2015 '</p>

	<p><b>reserve</b> subject to section 18 of the Reserves Act 1977.</p> <p><b>s45</b></p>			<p>'Subject to section 11 of the Crown Minerals Act 1991'</p> <p>Subject to section 73 of the Te Rarawa Claims Settlement Act 2015 (which prohibits reserve land from being mortgaged or charged for security)'</p> <p><b>Ensure the 'prevents registration' flag has been set for the s70 and s73 memorials</b></p>
<p><b>Mai i Waikanae ki Waikoropūpūnoa</b></p> <p><b>(Beach site A)</b></p> <p>18.7500 hectares, more or less, being Section 2 SO 470146. Part <i>Gazette</i> notice C195138.1.</p>	<p><b>"Jointly Vested Property"</b></p> <p>Any part that is a conservation area under the <b>Conservation Act 1987</b> ceases to be a conservation area under that Act.</p> <p>Any part of that is Crown forest land under the <b>Crown Forest Assets Act 1989</b> ceases to be Crown forest land under that Act.</p> <p>Vests as to an undivided quarter share in the Trustees.</p> <p><b>Declared a reserve and classified as a scenic reserve</b> for the purposes specified in section <b>19(1)(a)</b> of the Reserves Act 1977.</p> <p><b>s46</b></p>	<p><b>Existing Interests</b></p> <p>Subject to being a scenic reserve, as referred to in section 46(4).</p> <p>Subject to the protective covenant certificate C626733.1.</p> <p>Subject to Crown forestry licence registered as C312828.1F and held in computer interest register NA100A/1.</p> <p>Together with a right of way easement created by D592406A.2.</p> <p>Subject to a Notice pursuant to section 195(2) of the Climate Change Response Act 2002 registered as Instrument 9109779.1.</p> <p>If the property is subject to a Crown forestry licence, as long as a Crown forestry licence applies, the provisions of the licence prevail despite—</p> <p>(a) the vesting of the Beach site as a scenic reserve subject to the Reserves Act 1977; and</p> <p>(b) administration by the joint management body established under section 68</p>	<p>Conservation area ceases (if applicable).</p> <p>Crown forest land ceases) if applicable.</p> <p>Declared a reserve.</p>	<p>'Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply'</p> <p>'Subject to sections 56(4), 60(4) and 70 (which prevents reserve land being transferred except in accordance with s72 of the Te Rarawa Claims Settlement Act 2015) of the Te Rarawa Claims Settlement Act 2015 '</p> <p>'Subject to section 73 of the Te Rarawa Claims Settlement Act 2015 (which prohibits reserve land from being mortgaged or charged for security)'</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p> <p><b>Ensure the 'prevents registration' flag has been set for the s70 and s73 memorials</b></p>



		<b>s50</b>		
<p><b>Mai i Hukatere ki Waimahuru (Beach site A)</b></p> <p>80.8425 hectares, more or less, being Sections 8, 9, and 10 SO 469833. Part <i>Gazette</i> notice B342446.1 and Part <i>Gazette</i> 1966, p 1435</p>	<p><b>"Jointly Vested Property"</b></p> <p>Any part that is a conservation area under the Conservation Act 1987 ceases to be a conservation area under that Act.</p> <p>Any part of that is Crown forest land under the Crown Forest Assets Act 1989 ceases to be Crown forest land under that Act.</p> <p>Vests as to an undivided quarter share in the Trustees.</p> <p><b>Declared a reserve and classified as a scenic reserve</b> for the purposes specified in section <u>19(1)(a)</u> of the Reserves Act 1977.</p> <p><b>s47</b></p>	<p><b>Existing Interests</b></p> <p>Subject to being a scenic reserve, as referred to in section 47(4).</p> <p>Subject to the protective covenant certificate C626733.1.</p> <p>Subject to Crown Forestry licence registered as C312828.1F and held in computer interest register NA100A/1.</p> <p>Together with a right of way easement created by D145215.1 (affects the part formerly Lot 1 DP 136868).</p> <p>Subject to a Notice pursuant to section 195(2) of the Climate Change Response Act 2002 registered as Instrument 9109779.1 (affects the parts formerly Part Lot 1 DP 136869, Part Lot 1 DP 136868, and Part Lot 1 DP 137713).</p> <p>If the property is subject to a Crown forestry licence, as long as a Crown forestry licence applies, the provisions of the licence prevail despite—</p> <p>(a) the vesting of the Beach site as a scenic reserve subject to the Reserves Act 1977; and</p> <p>(b) administration by the joint management body established under section 68</p>	<p>Conservation area ceases (if applicable).</p> <p>Crown forest land ceases) if applicable.</p> <p>Declared a reserve.</p>	<p>'Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply'</p> <p>'Subject to sections 56(4), 60(4) and 70 (which prevents reserve land being transferred except in accordance with s72 of the Te Rarawa Claims Settlement Act 2015) of the Te Rarawa Claims Settlement Act 2015 '</p> <p>'Subject to section 73 of the Te Rarawa Claims Settlement Act 2015 (which prohibits reserve land from being mortgaged or charged for security)'</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p> <p><b>Ensure the 'prevents registration' flag has been set for the s70 and s73 memorials</b></p>

		<b>s50</b>		
<p><b>Mai i Ngāpae ki Waimoho</b> <b>(Beach site C)</b></p> <p>44.2385 hectares, more or less, being Sections 1, 2, 3, and 4 SO 469833. Part <i>Gazette</i> 1966, p 1435.</p>	<p><b>"Jointly Vested Property"</b></p> <p>Any part that is a conservation area under the Conservation Act 1987 ceases to be a conservation area under that Act.</p> <p>Any part of that is Crown forest land under the Crown Forest Assets Act 1989 ceases to be Crown forest land under that Act.</p> <p>Vests as to an undivided quarter share in the Trustees.</p> <p><b>Declared a reserve and classified as a scenic reserve</b> for the purposes specified in section <u>19(1)(a)</u> of the Reserves Act 1977.</p> <p><b>s48</b></p>	<p><b>Existing Interests</b></p> <p>Subject to being a scenic reserve, as referred to in section 48(4).</p> <p>Subject to the protective covenant certificate C626733.1.</p> <p>Subject to Crown Forestry licence registered as C312828.1F and held in computer interest register NA100A/1.</p> <p>Subject to a notice pursuant to section 91 of the Government Roding Powers Act 1989 created by Instrument D538881.1 (affects the part formerly Lot 1 DP 137714).</p> <p>Subject to a Notice pursuant to section 195(2) of the Climate Change Response Act 2002 registered as Instrument 9109779.1.</p> <p>If the property is subject to a Crown forestry licence, as long as a Crown forestry licence applies, the provisions of the licence prevail despite—</p> <p>(a) the vesting of the Beach site as a scenic reserve subject to the Reserves Act 1977; and</p> <p>(b) administration by the joint management body established under section 68</p>	<p>Conservation area ceases (if applicable).</p> <p>Crown forest land ceases) if applicable.</p> <p>Declared a reserve.</p>	<p>'Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply'</p> <p>'Subject to sections 56(4), 60(4) and 70 (which prevents reserve land being transferred except in accordance with s72 of the Te Rarawa Claims Settlement Act 2015) of the Te Rarawa Claims Settlement Act 2015 '</p> <p>'Subject to section 73 of the Te Rarawa Claims Settlement Act 2015 (which prohibits reserve land from being mortgaged or charged for security)'</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p> <p><b>Ensure the 'prevents registration' flag has been set for the s70 and s73 memorials</b></p>

		<b>s50</b>		
<p><b>Mai i Waimimiha ki Ngāpae (Beach site D)</b></p> <p>72.1300 hectares, more or less, being Section 1 SO 469396.</p>	<p><b>"Jointly Vested Property"</b></p> <p>Any part that is a conservation area under the Conservation Act 1987 ceases to be a conservation area under that Act.</p> <p>Any part of that is Crown forest land under the Crown Forest Assets Act 1989 ceases to be Crown forest land under that Act.</p> <p>Vests as to an undivided quarter share in the Trustees.</p> <p><b>Declared a reserve and classified as a scenic reserve</b> for the purposes specified in section <u>19(1)(a)</u> of the Reserves Act 1977.</p> <p><b>s49</b></p>	<p><b>Existing Interests</b></p> <p>Subject to being a scenic reserve, as referred to in section 49(3).</p> <p>If the property is subject to a Crown forestry licence, as long as a Crown forestry licence applies, the provisions of the licence prevail despite—</p> <p>(a) the vesting of the Beach site as a scenic reserve subject to the Reserves Act 1977; and</p> <p>(b) administration by the joint management body established under section 68</p> <p><b>s50</b></p>	<p>Conservation area ceases (if applicable).</p> <p>Crown forest land ceases) if applicable.</p> <p>Declared a reserve.</p>	<p>'Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply'</p> <p>'Subject to sections 56(4), 60(4) and 70 (which prevents reserve land being transferred except in accordance with s72 of the Te Rarawa Claims Settlement Act 2015) of the Te Rarawa Claims Settlement Act 2015 '</p> <p>'Subject to section 73 of the Te Rarawa Claims Settlement Act 2015 (which prohibits reserve land from being mortgaged or charged for security)'</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p> <p><b>Ensure the 'prevents registration' flag has been set for the s70 and s73 memorials</b></p>
<b>Property vested in fee simple subject to conservation covenant</b>				
<p><b>Lake Tangonge site A</b></p> <p>25.3800 hectares, more or less, being Section 9 SO 472393</p>	<p><b>"Jointly Vested Property"</b></p> <p>Subject to the precondition (requiring the Trustees providing a registrable Covenant to the Crown):</p> <p>Ceases to be a conservation area under the Conservation Act 1987.</p>	<p><b>Existing Interests</b></p> <p>Subject to the conservation covenant referred to in section 51(3).</p> <p>Subject to a right of way easement created by Certificate C312160.2.</p> <p>Subject to a right to drain water easement created by Certificate C312160.2.</p>	<p>Conservation area ceases (if applicable).</p>	<p>'Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply'</p> <p>'Subject to sections 56(4), 60(4) and 70 (which prevents reserve land being transferred except in accordance with s72 of the Te Rarawa Claims Settlement Act 2015) of the Te Rarawa Claims Settlement Act 2015 '</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p> <p><b>Ensure the 'prevents registration' flag has been set for the s70 memorial</b></p>

	<p>An undivided half share of the fee simple (as tenants in common) vests in the Trustees.</p> <p><b>No reserve status.</b></p> <p><b>s51</b></p>			
<p><b>Lake Tangonge site B</b></p> <p>25.2850 hectares, more or less, being Section 10 SO 472393</p>	<p>Subject to the precondition (requiring the Trustees providing a registrable Covenant to the Crown):</p> <p>Ceases to be a conservation area under the Conservation Act 1987.</p> <p>The fee simple vests in the Trustees.</p> <p><b>No reserve status.</b></p> <p><b>s52</b></p>	<p><b>Existing Interests</b></p> <p>Subject to the conservation covenant referred to in section 52(3).</p> <p>Subject to a right of way easement created by Certificate C312160.2.</p> <p>Subject to a right to drain water easement created by Certificate C312160.2.</p>	<p>Conservation area ceases (if applicable).</p>	<p>'Subject to Part 4A of the Conservation Act 1987'</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p>
<p><b>Motukaraka site B</b></p> <p>14.3869 hectares, more or less, being Lot 2 DP 136481. All computer freehold register 568129.</p>	<p>Subject to the precondition (requiring the Trustees providing a registrable Covenant to the Crown):</p> <p>Reservation as a scenic reserve subject to the Reserves Act 1977 is revoked.</p> <p>The fee simple vests in the Trustees.</p> <p><b>No reserve status.</b></p> <p><b>s53</b></p>	<p><b>Existing Interests</b></p> <p>Subject to the conservation covenant referred to in section 53(4).</p>	<p>Reserve status revoked.</p>	<p>'Subject to Part 4A of the Conservation Act 1987'</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p>
<p><b>Tangonge property</b></p> <p>131.1420 hectares, more or less, being Sections 5 and 6 SO 472393. Part computer freehold register</p>	<p><b>"Jointly Vested Property"</b></p> <p>Subject to the precondition (requiring</p>	<p><b>Existing Interests</b></p> <p>Subject to the conservation covenant referred to in section 54(2)(a).</p>	<p>N/A</p>	<p>'Subject to Part 4A of the Conservation Act 1987'</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p>

NA99C/561.	<p>the Trustees and the trustees of Te Rūnanga o Ngāi Takoto providing:</p> <p>(a) a registrable Covenant to the Crown; and</p> <p>(b) a registrable right of way to the trustees of Te Rūnanga o Te Rarawa.</p> <p>An undivided half share of the fee simple (as tenants in common) vests in the Trustees.</p> <p><b>No reserve status</b></p> <p><b>s54</b></p>	<p>Subject to the right of way easement referred to in section 54(2)(b).</p> <p>Subject to section 3 of the Petroleum Act 1937.</p> <p>Subject to section 8 of the Atomic Energy Act 1945.</p> <p>Subject to section 3 of the Geothermal Energy Act 1953.</p> <p>Subject to sections 6 and 8 of the Mining Act 1971.</p> <p>Subject to sections 5 and 261 of the Coal Mines Act 1979.</p> <p>Together with a right to drain water easement created by Certificate C312160.2.</p> <p>Together with a right of way easement created by Certificate C312160.2.</p> <p>Subject to 7821071.1 Open space covenant pursuant to section 22 of the Queen Elizabeth the Second National Trust Act 1977.</p>		
<b>Part 2 Alternative description for Pukepoto School property</b>				
<p><b>Pukepoto School property</b></p> <p>4.7981 hectares, approximately, being Part Waipapa Block. Part Proclamation A5472. Subject to survey</p>		<p><b>Existing Interests</b></p> <p>Subject to the lease referred to in section 29(3)</p>	N/A	<p>Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply'</p> <p>'Subject to sections 60(5) (of the Te Rarawa Claims Settlement Act 2015) of the Te Rarawa Claims Settlement Act 2015 '</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p>