

Heretaunga Tamatea Claims Settlement Act 2018 registration guideline

LINZG 20770

11 September 2018



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NOTE:

This Specific Guideline should be read in conjunction with the *Treaty Claims Settlement Acts general guideline – LINZG20701*

Revision History

Date	Version	Revision	Author	Description
11 September 2018	1			

1 Background

1.1 Introduction

A Treaty Settlement is an agreement between the Crown and a Māori claimant group to settle that claimant group's historical claims against the Crown. The process of settling claims is led by the Office of Treaty Settlements (OTS), and results in an Act for each settlement.

Summary of this settlement can be found in the Deed of Settlement Summary <https://www.govt.nz/treaty-settlement-documents/heretaunga-tamatea/> .

Heretaunga Tamatea is an Iwi whose area of interest spans from the East Coast of the North Island (near Napier in the North), and the Tūtaekuri River near Pōrongahau (near Cape Turnagain) in the South.

In February 2011 the Crown recognised the mandate of He Toa Takitini to represent Heretaunga Tamatea in negotiating a comprehensive historical Treaty settlement. The Crown and He Toa Takitini signed Terms of Negotiation in December 2011 which agreed the scope, objectives and general procedures for the negotiations. An Agreement in Principle was signed in June 2014.

The Heretaunga Tamatea Deed of Settlement was signed on 26 September 2015 and a Deed to Amend was signed on 16 February 2017, with a second Deed to Amend signed on 13 June 2017.

Further information can be found on the OTS website, <https://www.govt.nz/organisations/office-of-treaty-settlements/> under the tab 'Find out about the Treaty Settlement Process'.

1.2 Purpose, scope and use

Treaty settlements have a range of common elements. A *Treaty Claims Settlement Acts General Guideline (General Guideline)* is available to ensure that applications received by Land Information New Zealand (LINZ) under the *Specific Acts* are dealt with correctly (see LINZG20701).

A *Specific Guideline* is developed for each *Specific Act*.

This *Specific Guideline* covers the Heretaunga Tamatea Claims Settlement Act 2018 (the Act). It contains detailed information about that settlement and is designed to be read in conjunction with the *General Guideline*. A summary of the provisions that relate to the initial vesting of *Cultural Redress Properties* and the transfer of *Commercial Redress Properties* are set out in **Tables 1 and 2**.

A glossary of terms used in this guideline is attached. When used, a glossary term appears in *italics*. In some cases, *Specific Guidelines* may also contain more detailed explanations in relation to the same terms (for example *Cultural Redress Properties*).

References to the Act are in **bold text**.

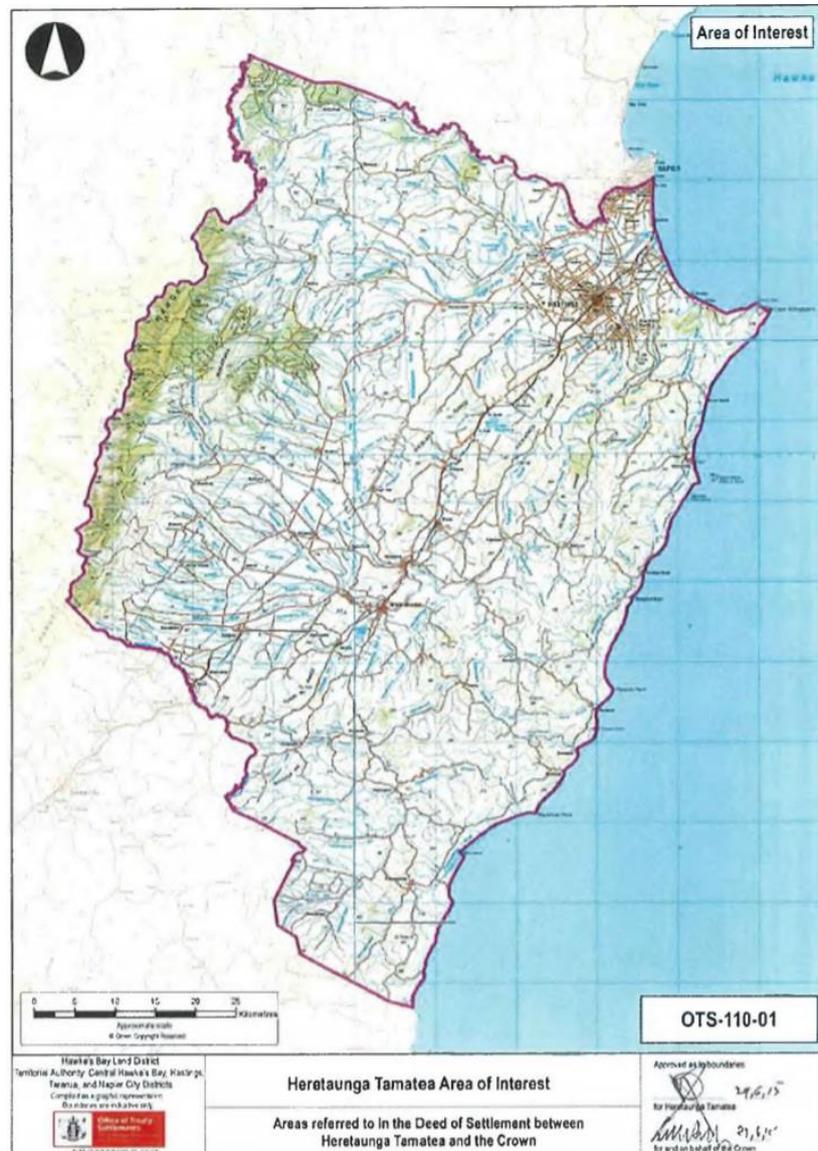
You will need to refer to the following resources:

- the Heretaunga Tamatea Claims Settlement Act 2018
<http://www.legislation.govt.nz/Heretaunga>
- the *Deed* (including Schedules) relating to the *Specific Act*
- <https://www.govt.nz/treaty-settlement-documents/heretaunga-tamatea/>
- *Treaty Claims Settlement Acts General Guideline LINZG20701*
- Customer Services Technical Circular 2013.T06 – Registration of Treaty Claims Settlement Dealings

The *General Guideline* applies to a *Specific Act*, unless a *Specific Guideline* states otherwise.

The Registrar-General of Land (RGL) has issued this guideline for employees of LINZ with delegated authority to exercise registration functions under the Land Transfer Act 1952.

1.3 Map of area of interest



Source: Heretaunga Tamatea Deed of Settlement Schedule: Attachments

2 Landonline settings to prevent auto-registration

The *General Guideline* applies.

Where a *Specific Act* prohibits certain transactions with land, memorials of the prohibitions will be put on the computer register (CR) for the land as outlined in this guideline.

It is important to ensure the Landonline setting that prohibits these transactions is set against those memorials. This mitigates the risk of auto-registration of the prohibited transaction.

At the end of processing any application relating to the Act, you must check whether it includes a memorial of one of the following restrictions:

s73 Restrictions on subsequent transfers of reserve land

s76 Prohibitions on mortgages or charges

s120 *Right of First Refusal* (RFR) Memorial

If one of these memorials applies, make sure the landonline setting prohibiting registration is set.

3 Removing resumptive memorials

The *General Guideline* applies.

Section **18(1)** describes the properties with resumptive memorials that can be removed on receipt of a certificate issued under **s18**.

4 Cultural Redress Properties - Initial vesting

The *General Guideline* applies, and specific detail is set out in **Table 1**.

Please note: properties to be administered as reserves

Section 58 Lake Hatumu Property:

Is declared a reserve and classified as a recreation reserve subject to section 17 of the Reserves Act 1977.

Section 61 Pūriumu Lake Property:

Is declared a reserve and classified as a recreation reserve subject to section 17 of the Reserves Act 1977.

5 Cultural Redress Properties – Delayed vesting and gifting back of properties

This Act includes properties that will be vested on a delayed vesting date (as defined in section 78(7)). On the seventh day after the delayed vesting date (gifting back vesting date), these properties will vest in the Crown as a gifting back

to the Crown by the trustees for the people of New Zealand (**Subpart 5 of Part 1 Sections 78 and 79**).

- ss78(1) & 79(1)** Sections apply to (a) Cape Kidnappers Gannet Protection Reserve; and (b) Cape Kidnappers Nature Reserve (defined in s78(7))
- s79(2)** The fee simple estate vests in the Trustees on the vesting date.
- s79(3)** On the seventh day after the vesting date, the fee simple estate vests in the Crown as a gifting back by the trustees.
- ss79(4)** a gifting back property remains a reserve under the Reserves Act 1977, and
- (b)** any enactment, instrument, or interest that applied to a gifting back property immediately before the vesting date, continues to apply to it, and
 - (d)** the Crown retains all liability for a gifting-back property.
- ss 79(5)** The vestings are not affected by Part 4A of the Conservation Act 1987, section 10 or 11 of the Crown Minerals Act 1991, or section 11 or Part 10 of the Resource Management Act 1991, or any other enactment.

Statutory Action

The vesting set out in ss78 and 79 must be recorded in the spatial database against the land described in ss78(1) & 78(7) of the Act.

Note: There is no specific direction in the Act for the issue of a computer register for this land. But should a computer register be requested outside of the treaty settlement legislation, the effect of sections 78 & 79 will need to be considered as part of this process.

6 Cultural Redress Properties - Ongoing restrictions

The *General Guideline* applies, and specific detail is set out in **Table 1**. Please note:

s69(1) sections 24(2A), 24A, and 24AA of the Conservation Act 1987 do not apply to the disposition of a cultural redress property.

s69(4) specifies that if the reserve status of a *Cultural Redress Reserve Property* is revoked, the property is no longer exempt from s24 (except (2A)) of the Conservation Act 1987.

s73 specifies the restrictions on subsequent transfers of *Cultural Redress Reserve Properties*.

s76 specifies that reserve land is not to be mortgaged.

7 Cultural Redress Properties - Subsequent dealings

The *General Guideline* applies, and suitable memorials are set out in [Table 1](#). Please also note:

- s69(4)** revocation of reserve status – marginal strip exemption no longer applies
- s70(1)** Conservation Act 1987 and other memorials to be recorded on CFR for reserve properties
- s70(3)(a) & (b)** removal of notification where revocation of reserve status for all or part of the Pūrimu Lake property
- s70(4)(b)(i) & (ii)** removal of notification where revocation of reserve status for all or part of the Lake Hatuma property
- s72** Application of other enactments to cultural redress properties
- s72** Application of other (further) enactments to reserve properties
- s73(2), s74 or s75** restrictions on transfers of reserves
- s74** transfers of reserves to new administering body
- s75** transfers of reserves to new trustees
- s76** Reserve land must not be mortgaged

Section 73 Subsequent transfer of reserve land

The fee simple of the Lake Hatuma property and the Pūrimu Lake property may only be transferred in accordance with sections 74 or 75.

Section 74 Transfer of reserve land to new administering body

- (a) a written transfer application must be made to the Minister of Conservation;
- (b) if the prospective owners are competent to comply with the Reserves Act 1977 and to perform the duties of an administering body under that Act, the Minister of Conservation must give written consent;
- (c) on receipt of:
 - (i) either:
 - (a) if the Pūrimu Lake reserve land is to transfer to a Pūrimu Lake entity and the Hawke’s Bay Fish and Game Council remains the administering body of the reserve land, a transfer instrument to transfer the fee simple estate in that land to the new owners; or
 - (b) in any other case, a transfer instrument to transfer the fee simple estate in the reserve land to the 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; and

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- (ii) the written consent of the Minister of Conservation to the transfer of the reserve land; and
 - (iii) the written consent of the administering body of the reserve land, if the trustees are not the administering body; and
 - (iv) any other document required for the registration of the transfer;

the *RGL* must register the new owners as registered proprietors.

Section 75 Transfer of reserve land to trustees of existing administering body if trustees change

The fee simple may be transferred if:

- a) the transferors are or were the *trustees* of a trust; and
- b) 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; and
- c) the transfer is accompanied by a certificate by the transferees, or their solicitor, verifying that (a) and (b) apply.

8 Commercial Redress - Initial transfer

The provisions of the *General Guideline* apply, and suitable memorials are set out in **Table 2**. Please also note:

Licensed Land is included in the settlement – **ss80-81, 84, 87, s89, ss92-93**

Deferred Selection Properties are included in the settlement – refer **ss80-83**,

Covenants for the later creation of CRs are provided for – refer **s85**

Application of other Enactments is dealt with in **s86**

9 Commercial Redress - Other property-related rights

9.1 Rights of first refusal

There is 1 property described on **p. 50** of the **Deed of Settlement Schedule: Attachments** <https://www.govt.nz/dmsdocument/6099.pdf>

The provisions of the *General Guideline* apply.

9.2 Ongoing restrictions

An RFR memorial prevents the registration of any subsequent disposal such as a transfer (see s97 for a definition of disposal in relation to RFR land), unless there is an exemption in the *Specific Act*, or the RFR memorial has been removed.

Note:

- s81** Crown may transfer the fee simple estate in the licensed land and deferred selection properties and required where given notice to cancel resumptive memorials
- s82** Minister of Conservation may grant easements in relation to licensed land
- s83** Computer freehold registers for deferred selection properties
- s84** Computer freehold register for licensed land subject to single Crown forestry licence
- s86** Application of other enactments to the transfer of the fee simple estate in licensed land or a deferred selection property
- s96** Right of access to protected sites to be recorded on computer freehold registers
- s97** defines **dispose of**, in relation *RFR Land*
- s98** defines *RFR Land*
- s99** restrictions on disposal of *RFR Land*
- ss105 to 107** deal with authorised disposals, where the land remains *RFR Land*
- ss108 to 114** deal with authorised disposals, where the land may cease to be *RFR Land*
- s120** Chief Executive (CE) certificate for recording *RRF*, used in *RFR* memorial
- s121** CE Certificate that *RFR Land* transferred or vested, triggers *RGL* to remove *RFR* memorial
- s122** CE Certificate *RFR* period ends, triggers *RGL* to remove memorial

9.3 Right of Access

The provisions of the *General Guideline* apply.

Please note:

Sections 94 and 95 provide for the right of access to protected sites and licensed lands.

Section 96 requires the right of access to be included in the transfer of the Licensed Land to the Trustees. It provides that on transfer to the Trustees of any licensed land:

1. The transfer instrument must include a statement that the land is subject to a right of access to any protected sites on the land.
2. The *RGL* must, upon registration of the transfer, record on the computer freehold register for the land that the land is subject to a right of access to protected sites on the land.

Glossary

Use of this Glossary – For terms that are not defined in the *General Guideline* or this guideline, refer to the *Specific Act*. Please note, the *Specific Act* may have several "interpretation" sections, these are referenced below.

Defined terms: terms used in this guideline which are explained in either this guideline and/or the *General Guideline*, are indicated by italics. They may repeat terms used in the glossary to the *General Guideline*, to provide a more detailed explanation eg *Cultural Redress Properties* below lists the relevant properties in relation to the Heretaunga Tamatea Claims Settlement Act 2018.

Defined terms – in interpretation sections 12, 21, 35, 50, 54, 80 and 97

Commercial Redress includes:

Commercial Redress Properties s80, which comprise:

- **Licensed Land s80**, being:

That properties called Gwavas and Kaweka and described as licensed land in Part 3 of the Deed of Settlement Schedule: Property Redress (being pages 4-5 of that document) <https://www.govt.nz/dmsdocument/6105.pdf>

- **Deferred Selection Properties s80**, being:

Those properties set out in Part 4 of the Deed of Settlement Schedule: Property Redress (being page 6 of that document), <https://www.govt.nz/dmsdocument/6105.pdf> for which the requirements for transfer under the deed of settlement have been satisfied.

Right of First Refusal (RFR): Subpart 4 of Part 3 ss97-125.

RFR Land: Land subject to an RFR.

Cultural Redress Properties - Three properties (Blackhead Property, Omaha property and Pārimahu Beech property) defined in s54 and described in Schedule 5.

Cultural Redress Reserve Properties – Two properties (Lake Hatuma property and Pūrimu Lake property defined in s54 and described in Schedule 5.

Deferred Section Properties – are listed in Part 4 (table) to the Heretaunga Tamatea Deed of Settlement schedule : property redress

Vesting and Gifting Back of Properties – Two properties (Cape Kidnappers Gannet Protection Reserve and Cape Kidnappers Nature Reserve defined in s78(7) and set out below:

Cape Kidnappers Gannet Protection Reserve means Section 3 Block III Kidnapper Survey District (as shown on OTS-110-38) to the extent that it is not within the coastal marine area

Cape Kidnappers Nature Reserve means the following (as shown on OTS-110-39) to the extent that they are not within the coastal marine area:

- (a) Section 2 Block III Kidnapper Survey District; and

(b) the areas described in the first schedule of Gazette notice 435893.1 (Hawke's Bay Land District) as islands or rocks forming part of the area known as Black Reef

Representative Entity – the *Trustees*, and as defined in s12

Settlement date, s12– 22 August 2018

Specific Act – Heretaunga Tamatea Claims Settlement Act 2018

Trustees – trustees of Heretaunga Tamatea Settlement Trust

Table 1: Summary of registration provisions - Cultural Redress

Trigger: an application to vest s68(3) if existing CR, or s68(5) if no existing CR	Type of Property:	Authorised Person:	Conditions	Existing Interests	Status changes, Estate that vests, owner, and statutory restrictions	Application of other Statutory Provisions - initial vesting
Blackhead property (and see Schedule 5 for legal description)	Cultural Redress	Chief Executive of LINZ and Director-General of Conservation s68(8)(b)	None	See Schedule 5 and refer to application. Note: Some interests in Schedule 5 may be <u>unregistered</u> – only register those that are registrable and referred to in the application	The part of the Blackhead property that is a conservation area under the Conservation Act 1987 ceases to be a conservation area s55(1) Fee Simple estate vests in the Trustees s55(2)	<u>Conservation Act 1987</u> <i>Subject to Part 4A of the Conservation Act 1987 (s 70(1)(c))</i> <u>Crown Minerals Act 1991</u> <i>Subject to section 11 of the Crown Minerals Act 1991 (s 71(1)(a))</i> Note: <u>Local Government Act 1974</u> Section 348 of the Local Government Act 1974 does not apply (s 71(2)) <u>Resource Management Act 1991</u> Section 11 and Part 10 of the Resource Management Act 1991 do not apply (s 71(4))
Omahu property s56 (and see Schedule 5 for legal description)	Cultural Redress	Director-General of Conservation s68(8)(c)	None	See Schedule 5 and refer to application. Note: Some interests in Schedule 5 may be <u>unregistered</u> – only register those that are registrable and referred to in the application	The Omahu property ceases to be a conservation area under the Conservation Act 1987 s56(1) Fee Simple estate vests in the Trustees s56(2)	<u>Conservation Act 1987</u> <i>Subject to Part 4A of the Conservation Act 1987 (s 70(1)(c))</i> <u>Crown Minerals Act 1991</u> <i>Subject to section 11 of the Crown Minerals Act 1991 (s 71(1)(a))</i> Note: <u>Local Government Act 1974</u> Section 348 of the Local Government Act 1974 does not apply (s 71(2)) <u>Resource Management Act 1991</u> Section 11 and Part 10 of the Resource Management Act 1991 do not apply (s 71(4))

Trigger: an application to vest s68(3) if existing CR, or s68(5) if no existing CR	Type of Property:	Authorised Person:	Conditions	Existing Interests	Status changes, Estate that vests, owner, and statutory restrictions	Application of other Statutory Provisions - initial vesting
Parimāhu Beach property s57 (and see Schedule 5 for legal description)	Cultural Redress	Chief Executive of LINZ s68(8)(a)	None	See Schedule 5 and refer to application. Subject to a deed of easement for a right of way in gross in favour of the Central Hawke's Bay District Council held in computer interest register 734504. Note: Some interests in Schedule 5 may be unregistered – only register those that are registrable and referred to in the application	Fee Simple estate vests in the Trustees s57	<u>Conservation Act 1987</u> <i>Subject to Part 4A of the Conservation Act 1987, but that the marginal strip is reduced to a width of 3 metres s70(1)(b)</i> <u>Crown Minerals Act 1991</u> <i>Subject to section 11 of the Crown Minerals Act 1991(s 71(1)(a))</i> Note: <u>Local Government Act 1974</u> Section 348 of the Local Government Act 1974 does not apply (s 71(2)) <u>Resource Management Act 1991</u> Section 11 and Part 10 of the Resource Management Act 1991 do not apply (s 71(4))
Lake Hatuma property s58 (and see Schedule 5 for legal description)	Cultural Redress Reserve	Director-General of Conservation S68(8)(c)	If the property remains a reserve but the joint management body is no longer the administering body, the DG must apply in writing to the RGL to remove from the computer freehold register for the property the notification that the property is subject to section 66 s70(4) Subsequent transfer may only be done in accordance with ss 74 or 75 (s73(2)). Land not to be mortgaged s76	See Schedule 5 and refer to application. Note: Some interests in Schedule 5 may be unregistered – only register those that are registrable and referred to in the application	Ceases to be a conservation area under the Conservation Act 1987 s58(1) Fee Simple estate vests in the Trustees s58(2) Declared a reserve and classified as a recreation reserve subject to section 17 of the Reserves Act 1977 s58(3) Joint management body to be treated as registered proprietor for purposes of registering any interest s66(2)	<u>Conservation Act 1987</u> <i>Subject to Part 4A of the Conservation Act 1987 but s24 does not apply s70(1)(1)(i)</i> <i>The land is subject to sections 66, 69(4) and 73 (s70(1)(a))</i> <u>Crown Minerals Act 1991</u> <i>Subject to section 11 of the Crown Minerals Act 1991(s 71(1)(a))</i> Note: <u>Local Government Act 1974</u> Section 348 of the Local Government Act 1974 does not apply (s 71(2)) <u>Resource Management Act 1991</u> Section 11 and Part 10 of the Resource Management Act 1991 do not apply (s 71(4))

Trigger: an application to vest s68(3) if existing CR, or s68(5) if no existing CR	Type of Property:	Authorised Person:	Conditions	Existing Interests	Status changes, Estate that vests, owner, and statutory restrictions	Application of other Statutory Provisions - initial vesting
<p>Pūrimu Lake property s61 (and see Schedule 5 for legal description)</p>	<p>Cultural Redress Reserve</p>	<p>Director-General of Conservation S68(8)(c)</p>		<p>None</p>	<p>The reservation of the part of the Pūrimu Lake property (with recorded name Pūrimu Lake) that is a recreation reserve subject to the Reserves Act 1977 is revoked s61(1)</p> <p>The part that is a conservation area under the Conservation Act 1987 ceases to be a conservation area s61(2)</p> <p>The Pūrimu Lake property is declared a reserve and classified as a recreation reserve subject to section 17 of the Reserves Act 1977 s61(4)</p>	<p><u>Conservation Act 1987</u></p> <p><i>Subject to Part 4A of the Conservation Act 1987 but s24 does not apply s 70(1)(a)(i)</i></p> <p>The land is subject to sections 69(4) and 73 (s70(1)(a)(i) and (ii)(A))</p> <p><u>Crown Minerals Act 1991</u></p> <p><i>Subject to section 11 of the Crown Minerals Act 1991(s 71(1)(a))</i></p> <p><u>Note:</u></p> <p><u>Local Government Act 1974</u> Section 348 of the Local Government Act 1974 does not apply (s 71(2))</p> <p><u>Resource Management Act 1991</u> Section 11 and Part 10 of the Resource Management Act 1991 do not apply (s 71(4))</p>
<p>Cape Kidnappers s78 refer s78 for legal description</p>	<p>Reserve s79(4)</p>	<p>Minster of Conservation</p>	<p>Delayed vesting – to be notified to Minister of Conservation within 5 years of settlement date (refer sections 78-79 for notice and registration requirements requirements).</p>		<p>Delayed vesting and gifting back: 'Vesting date' to be determined by trustees and no later than 5 years from settlement date s78</p> <p>Gifting back to Crown on 7th day after 'vesting date' s79</p>	<p><u>Reserves Act 1977</u></p> <p><i>Property remains a reserve under the Reserves Act 1977 as if vestings had not occurred s79(4)(a)</i></p> <p><u>Other enactments</u></p> <p>Any enactment, instrument, or interest that applied to the property immediately before the vesting date continues to apply to it s79(4)(b)</p> <p>s79(5) provides: The vestings are not affected by— (a) Part 4A of the Conservation Act 1987; or (b) section 10 or 11 of the Crown Minerals Act 1991; or (c) section 11 or Part 10 of the Resource Management Act 1991; or (d) any other enactment relating to the land.</p>

Table 2: Summary of registration provisions - Commercial Redress

Trigger:	Property	Redress Type	Authorised Person	Conditions	Application of other Statutory Provisions –initial vesting
<p>Transfer of Deferred Selection and Commercial Redress Properties (Licensed Land)</p> <p>Transfer: where existing CR s81</p> <p>or</p> <p>Application: to create CR where no existing CR, or where the property is not all of the land contained in a computer freehold register – for Deferred Selection Properties s83(3)</p> <p>or</p> <p>Application: to create CR where no existing CR - for Licensed Land with single Crown forestry licence s84</p>	<p>Described in part 4 of the property redress schedule (https://www.govt.nz/dmsdocument/6105.pdf)</p>	<p>Deferred Selection Property</p>	<p>CE of the land holding agency s83(5) and see 4th column headed “land Holding Agency” of the property redress schedule – Part 4</p>	<p>Registration subject to any survey necessary to create a CFR s83(4)</p>	<p><u>Conservation Act 1987 s86(2)</u></p> <p><i>Subject to part 4A of the Conservation Act 1987 (but sections 24(2A), 24A and 24AA of that Act do not apply)</i></p> <p><u>Crown Minerals Act 1991 s 86(3)</u></p> <p><i>Subject to section 11 Crown Minerals Act 1991</i></p> <p><u>Note:</u></p> <p><u>The Local Government Act 1974</u> The permission of council under s348 Local Government Act 1974 is not required s86(4)</p> <p><u>Resource Management Act 1991</u> <u>Section 11</u> and <u>Part 10</u> of the Resource Management Act 1991 do not apply to the transfer s86(5)</p>
<p>or</p> <p>Application: register covenant for later transfer as Computer Interest Register – Deferred Selection Properties and Licensed Land s85</p>	<p>Described in part 3 of the property redress schedule(https://www.govt.nz/dmsdocument/6105.pdf)</p>	<p>Licensed Land</p>	<p>CE of the land holding agency s81(1) and see 6th column headed “land Holding Agency” of the property redress schedule - Part 3</p>	<p>Registration subject to any survey necessary to create a CFR s84(3)</p> <p>Transfer must include a statement that the land is subject to a right of access to any protected sites on the land s96(2)</p> <p>Memorial to be entered on the relevant CFR for the land -</p> <p><i>Subject to a right of access to protected sites on the land.</i> s96(3)</p>	<p><u>Conservation Act 1987 s86(2)</u></p> <p><i>Subject to part 4A of the Conservation Act 1987 (but sections 24(2A), 24A and 24AA of that Act do not apply)</i></p> <p><u>Crown Minerals Act 1991 s 86(3)</u></p> <p><i>Subject to section 11 Crown Minerals Act 1991</i></p> <p><u>Note:</u></p> <p><u>The Local Government Act 1974</u> The permission of council under s348 Local Government Act 1974 is not required s86(4)</p> <p><u>Resource Management Act 1991</u> <u>Section 11</u> and <u>Part 10</u> of the Resource Management Act 1991 do not apply to the transfer s86(5)</p> <p><u>Ongoing Restrictions:</u> <u>If licensed land entity transfers any part - see s92 regarding application of ss11 and Part 10 of Resource Management Act 1991 and s348 of Local Government Act 1974.</u> <u>If any part of the licensed land is transferred to the Crown – see s93.</u></p>

Right of First refusal			
Trigger for noting RFR memorial	Trigger for removal RFR memorial	Property	Memorial for noting RFR
CE certificate (if existing CR at Settlement Date) s120(1)(a) or CE certificate (if CR created after Settlement Date) s120(1)(b) or CE certificate (if land in CR becomes RFR after Settlement Date) s120(1)(c)	Notice (when RFR land transferred or vested) s121 or Notice (RFR period ends) s122	Defined in Part 3 of attachments schedule, land which on settlement date is vested or held in fee simple by the Crown and any land obtained in exchange for a disposal of RFR land under s111(1)(c) or 112 Refer p. 58 of the Deed of Settlement Schedule: Attachments https://www.govt.nz/dmsdocument/6099.pdf	<i>[certificate identifier] Certificate under section 121 of the Heretaunga Tamatea Claims Settlement Act 2018 that the within land is RFR land as defined in section 98 and is subject to Subpart 4 of Part 3 of the Act (which restricts disposal, including leasing, of the land) [date and time]</i> Ensure the "prevents registration" flag is set against this memorial