

Ngāi Tai ki Tāmaki Claims Settlement Act 2018 registration guideline

LINZG 20761

26 September 2018



Contents

1	Background	3
1.1	Introduction.....	3
1.2	Purpose, scope and use.....	3
1.3	Map of area of interest.....	5
2	Landonline settings to prevent auto-registration	6
3	Removing resumptive memorials	6
4	Cultural Redress Properties - Initial Vesting	6
5	Cultural Redress Properties - Ongoing restrictions.....	7
6	Cultural Redress Properties - Subsequent dealings	7
7	Commercial Redress- Initial transfer.....	8
8	Commercial Redress - Other property-related rights.....	8
8.1	Rights of first refusal	8
8.2	Ongoing restrictions.....	9
9	Vesting of certain Crown owned minerals and related matters.....	9
9.1	Application	9
9.2	Vesting of Minerals	10
9.3	Notation.....	10
	Glossary	10
	Table 1: Summary of registration provisions - Cultural Redress	12
	Table 2: Summary of registration provisions - Commercial Redress	26

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

Date	Version	Revision	Author	Description
26 September 2018				

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/ngai-tai-ki-tamaki/ngai-tai-ki-tamaki-deed-of-settlement-summary-7-nov-2015/>

"According to their oral traditions, Ngāi Tai ki Tāmaki have maintained customary interests and ahi kā in Tāmaki, Hauraki, and Tīkapa Moana (Hauraki Gulf) since time immemorial.

Before te Tiriti o Waitangi was signed, Ngāi Tai ki Tāmaki rangatira, alongside rangatira of other iwi, were involved in land transactions in Tāmaki and the inner-Gulf islands. Ngāi Tai ki Tāmaki consider that their tūpuna did not intend to permanently alienate their ancestral lands through transactions in the late 1830s. Rather, Ngāi Tai ki Tāmaki view those transactions as attempts by their tūpuna to foster ongoing, mutually beneficial relationships with Europeans.

The Deed of Settlement was signed on 7 November 2015; a Deed to amend the Deed of Settlement was signed on 27 June 2016; a Second Deed to amend the Deed of Settlement was signed on 28 July 2017; and a Third Deed to amend the Deed of Settlement was signed on 28 June 2018.

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):

https://www.linz.govt.nz/system/files_force/media/regulatory-documents/linzg20701_treaty_claims_settlement_acts_general_guideline.pdf?download=1

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

This *Specific Guideline* covers the Ngāi Tai ki Tāmaki 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**.

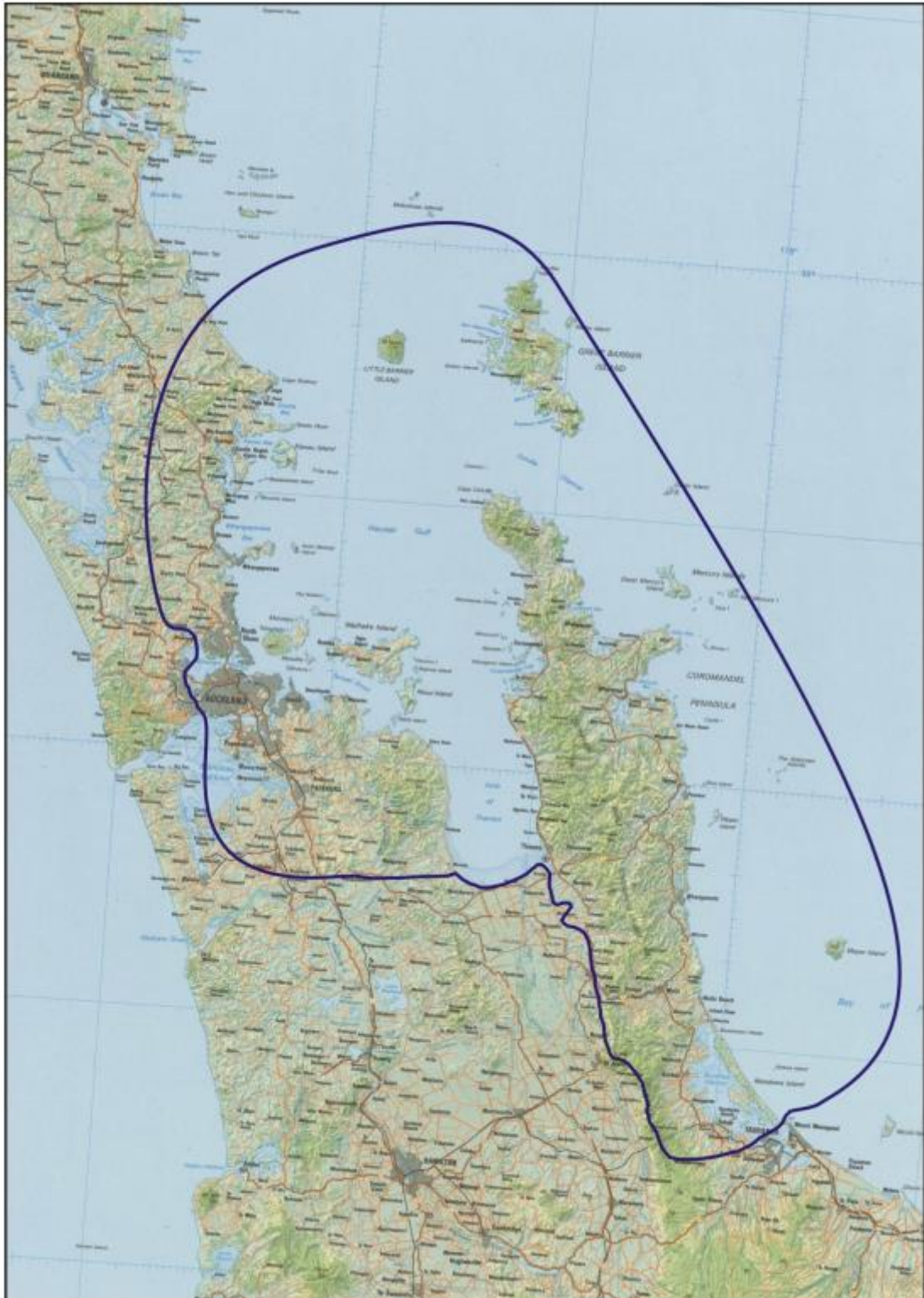
You will need to refer to the following resources:

- the Ngāi Tai ki Tāmaki Claims Settlement Act 2018:
<http://www.legislation.govt.nz/act/public/2018/0018/latest/DLM7396013.html?src=qs>
- the *Deed* (and *Amendments and Schedules*) relating to the *Specific Act*:
<https://www.govt.nz/treaty-settlement-documents/ngai-tai-ki-tamaki/>
- *Treaty Claims Settlement Acts General Guideline LINZG20701*:
<https://www.linz.govt.nz/regulatory/20701>
- 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: Ngāi Tai ki Tāmaki 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 record of title 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 the following restrictions:

section 65 Restrictions on subsequent transfers of reserve land

section 68 Prohibitions on mortgages or charges of reserve land

section 112 Restrictions on disposal of RFR land

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

3 Removing resumptive memorials

The *General Guideline* applies.

Section 17 describes the properties with resumptive memorial that can be removed on receipt of a certificate issued under **s18**.

Section 99(3) requires the chief executive of the land holding agency, which transfers a **transfer property** (other than a commercial redress property), which is subject to a resumptive memorial recorded under any enactment listed in [section 17\(2\)](#), to give written notice to the chief executive of LINZ of the date of transfer for the purpose of cancelling the resumptive memorial.

4 Cultural Redress Properties - Initial Vesting

The *General Guideline* applies, and specific detail is set out in [Table 1](#). Please note:

ss23 and 24: Two properties are vested in fee simple – Mangemangeroa and Te Wairoa.

ss58(3) and 59(1)(b) Te Wairoa: The marginal strip reserved by [section 24](#) of the Conservation Act 1987 from the vesting is reduced to a width of 10 metres.

ss25-52 Thirteen properties listed in sections are to be vested as reserves.

s31: Hūnua Falls property (a reserve property):

Is to be vested in ¼ undivided shares in:

- (a) the *trustees*;
- (b) an entity that represents the members of Ngaati Whanaunga for the purposes of the vesting;
- (c) an entity that represents the members of Ngati Koheriki for the purposes of the vesting; and
- (d) the trustees of the Ngati Tamaoho Settlement Trust.

s31

The vesting of the Hūnua Falls property will be the settlement date of the last settlement enacted. Only **this Act** and the Ngāti Tamaoho Claims Settlement Act 2018 have been passed at the time of publishing this guideline.

s53 Maungarei A property:

Vested in Māori reservation

5 Cultural Redress Properties - Ongoing restrictions

The *General Guideline* applies, and specific detail is set out in [Table 1](#). Please note:

s65(2) specifies restrictions on subsequent transfers of *Cultural Redress Reserve Properties*:

- the fee simple estate in Hukunui, Hūnua Falls property, Ororopupu, and Te Tauroa - they may be transferred only in accordance with [section 67](#) (Transfer of reserve land if trustees change)
- the fee simple estate in the reserve land in any other property may be transferred only in accordance with [section 66](#) (*Transfer of reserve land to new administering body*) or [67](#) (*Transfer of reserve land if trustees change*)

s68 specifies that reserve land must not be mortgaged or charged.

6 Cultural Redress Properties - Subsequent dealings

The *General Guideline* applies, where suitable memorials are set out. See also [Table 1](#).

s58(4) revocation of reserve status – marginal strip exemption that applied on original vesting no longer applies

s59(3) & (4) removal of notification where revocation of reserve status

s65 Restrictions on subsequent transfer of reserve land relating to various properties

s66 Transfer of reserve land to new administering body

s67	Transfer of reserve land if change in trustees of existing trust
s109	Minerals notation

7 Commercial Redress- Initial transfer

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

s98 Interpretation which defines:

Commercial Redress Property

Deferred Selection Property

Right-to-purchase property as defined by **s98** and transferred pursuant to **s99**

Transfer property (which includes all or any of *the commercial property, a commercial redress property, a deferred selection property* and *the right-to-purchase property*).

Shared Transfer properties are included – **s101**

s102 Covenants for the later creation of CRs provided for

s103 Application of other Enactments

s99(1)(b) A Joint Deferred Purchase of the Papakura Property is included in the settlement

S105(3) and (5) Reduction of Marginal Strip if lease ends - If the lease referred to in section 104(1)(c) ends, the marginal strip reserved by [section 24](#) of the Conservation Act 1987 from the transfer of the Torpedo Bay property is reduced to a width of between 6 and 10 metres as shown on SO 485026

ss107-109 (subpart 2 of Part 3) and section 9 of this guideline - Special provisions regarding vesting of Crown owned minerals

8 Commercial Redress - Other property-related rights

8.1 Rights of first refusal

Section 111 of the Act says that *RFR land* means:

(a) any land excluded from the definition of commercial redress property in [section 98](#) by paragraph (c) of that definition; there is no paragraph (c) in that definition; and

(b) any land that has ceased to be a deferred selection property under clause 6.19.1 (page 63) of the *deed of settlement* on or before the settlement date; and

(c) any land obtained in exchange for a disposal of RFR land under [section 124\(1\)\(c\)](#) or [125](#).

At the time of drafting this guideline, there is no evidence of any *RFR land* at the *settlement date*. See ss129 and 130 regarding notices to LINZ of land becoming RFR land. If there is any RFR land, the provisions Subpart 3 of Part 3 of the Act and the *General Guideline* apply.

8.2 Ongoing restrictions

An RFR memorial prevents the registration of any subsequent disposal such as a transfer (see s110 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:

- s99** Crown may transfer fee simple estates in transfer properties and where required give notice to cancel resumptive memorials
- s101** Records of Title for shared transfer properties
- s102** Covenant for later creation of record of title
- s103** Application of other enactments to transfer of fee simple in transfer property
- s104** Transfer of properties subject to leases
- s105** Requirements if transfer property subject to lease and lease terminates
- s110** defines **dispose of**, in relation to *RFR land*
- s111** defines *RFR land*
- s112** restrictions on disposal of *RFR Land*
- ss118-120** deal with authorised disposals, where the land remains *RFR Land*
- s121-127** deal with authorised disposals, where the land may cease to be *RFR Land*
- s134** CE Certificate for recording *RFR*, used in *RFR memorial*
- s135** CE Certificate that *RFR Land* transferred or vested, triggers *RGL* to remove *RFR memorial*
- s136** CE Certificate *RFR period ends*, triggers *RGL* to remove memorial

See [Table 2](#) for these provisions.

9 Vesting of certain Crown owned minerals and related matters

9.1 Application

ss62 and 63 Subpart 2 of Part 3 applies to:

-
- (a) the land vested in the *trustees* under **subpart 1 of Part 2 (the Cultural redress properties)**;
 - (b) land transferred to the trustees under **section 99 (the transfer properties)**; and
 - (c) land transferred to the *trustees* or an RFR holder under a contract formed under **section 117 (Formation of contract) s107**.

9.2 Vesting of Minerals

Despite [section 11](#) of the Crown Minerals Act 1991, when the land referred to in the previous paragraph is vested in or transferred to the *trustees*, any Crown owned minerals in that land vest or transfer with, and form part of, the land. **s108(1)**

The vesting of minerals is subject to other lawful rights to subsurface minerals and any mineral interests or rights to which any person other than the Crown was entitled under the [Land Transfer Act 1952](#) or [2017](#) or any other Act, before the commencement of **this Act**, whether or not such interests or rights are recorded on the record of title for the land.

9.3 Notation

A written application lodged under [section 57](#) in respect of a *cultural redress property*, or a transfer instrument lodged in respect of a *transfer property*, or the disposal of an RFR property, must include a request to the RGL to record on any record of title for the land that the land is subject to [section 108](#) of the *Ngāi Tai ki Tāmaki Claims Settlement Act 2018*. (See section 109(2))

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.

See interpretation sections 12 (Interpretation); 22 (Interpretation - *Cultural redress properties*); 98 (Interpretation - Commercial redress); 107 (Application and interpretation - Vesting of certain Crown owned minerals and related matters); 110 (Interpretation - Right of first refusal over RFR land); and 111 (Meaning of RFR land).

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 e.g. *Cultural Redress Properties* below lists the relevant properties in relation to the Ngāi Tai ki Tāmaki Claims Settlement Act 2018.

Commercial Redress:

Commercial Property: means Torpedo Bay property

Commercial Redress Properties: there are 2 - **Clevedon School site (land only)**, and **Maraetai Beach School site (land only)** – see **subpart A of Part 3 of the Property Redress Schedule**.

Note: subpart B of Part 3 of the Property Redress Schedule also includes: A **Potential Commercial Redress Property** – Part 6-10 Homestead Drive, Mt Wellington

Cultural Redress Properties: these properties are defined in **s22** and described in **Table 1**.

Deferred Selection Properties:

there are 3 properties with a 2 year deferred selection period (**Mcleans College site (land only)**, **Glenn Innes Police station (land only)** and **Manukau Area Community Probation Centre**; and

one with a 5 year deferred selection period (**Musick Point property**) (see **Subparts A and B of Part 4 of the Property Redress Schedule**); and

Papakura property (as defined by **s98** and transferred pursuant to **s99**).

Representative Entity – the *Trustees* and any person (including any trustee) acting for or on behalf of the collective group referred to in [section 13\(1\)\(a\)](#); 1 or more members of Ngāi Tai ki Tāmaki; or 1 or more of the whānau, hapū, or groups referred to in [section 13\(1\)\(c\)](#).

RFR Land: Land subject to an RFR, as defined in **s111**.

Right of First Refusal (RFR): as defined in **Part 3 – Subpart 3 – ss110 and 111**.

Right-to-purchase Property as defined by **s98** and transferred pursuant to **s99**: Part 6-10 Homestead Drive, Mt Wellington

Shared Redress – a type of commercial redress property – see s101

Settlement date – 26 September 2018

Specific Act – Ngāi Tai ki Tāmaki Claims Settlement Act 2018

Transfer property - means any or all of the following, **as defined in s98**:

- (a) the commercial property:
- (b) a commercial redress property:
- (c) a deferred selection property:
- (d) the right-to-purchase property.

Trustees – trustees of Ngāi Tai ki Tāmaki Trust

Table 1: Summary of registration provisions - Cultural Redress

Trigger: an application to vest s57(3) if existing CR, or 57(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
Mangemangeroa s23 (see Schedule 1 for legal description)	Cultural Redress (Fee simple)	Director-General of Conservation s57(9)(c)	A written application must include a request to the RGL to record on any record of title for the land that the land is subject to section 108 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018. s109(2)	None	Ceases to be a conservation area under the Conservation Act 1987 s23(1) Vests in fee simple in trustees s23(2)	<u>Conservation Act 1987</u> <i>Subject to Part 4A of the Conservation Act 1987 s59(1)(d)</i> <u>Crown Minerals Act 1991</u> <i>Subject to section 108 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 (Crown owned minerals form part of the land) ss108 and 109</i>
Te Wairoa s24 (see Schedule 1 for legal description)	Cultural Redress (Fee simple)	Director-General of Conservation s57(9)(c)	A written application must include a request to the RGL to record on any record of title for the land that the land is subject to section 108 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018. s109(2)	None	Ceases to be a conservation area under the Conservation Act 1987 s24(1) Vests in fee simple in trustees s24(2)	<u>Conservation Act 1987</u> <i>Subject to Part 4A of the Conservation Act 1987 but the marginal strip is reduced to a width of 10 metres 59(1)(b)</i> <u>Crown Minerals Act 1991</u> <i>Subject to section 108 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 (Crown owned minerals form part of the land) 108 and 109</i>

Trigger: an application to vest s57(3) if existing CR, or 57(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>Hihiorapa Urupā s25</p> <p>(see Schedule 1 for legal description)</p>	<p>Cultural Redress Property</p> <p>(to be administered as reserve)</p>	<p>Director-General of Conservation s57(9)(c)</p>	<p>A written application must include a request to the RGL to record on any record of title for the land that the land is subject to section 108 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018. s109(2)</p>		<p>The parts of Hihiorapa Urupā that are a scenic reserve subject to the <u>Reserves Act 1977</u> is revoked – s25(1)</p> <p>Fee simple vests in Trustees s25(2)</p> <p>Declared a reserve and classified as a scenic reserve for the purposes specified in <u>section 19(1)(a)</u> of the Reserves Act 1977, s25(3)</p> <p>Restrictions on transfer of reserve – s65 (subsequent transfer of reserve land), further restrictions in s66 (transfer of reserve land to new administering body) and s67 (Transfer of reserve land if trustees change)</p> <p><i>Subject to sections 58(4) and 65 and 66 Ngai Tai ki Tamaki Claims Settlement Act 2018 s59(1)(a)(ii)</i></p> <p>Ensure the “prevents registration” flag is set against this memorial.</p> <p><i>Subject to section 68 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 (which prohibits reserve land from being mortgaged or charged for security) s68</i></p> <p>Ensure the “prevents registration” flag is set against this memorial.</p>	<p>Conservation Act 1987/restrictions on transfer</p> <p><i>Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply (s58(1)(a))</i></p> <p>If the reservation as reserve for all or part of the property is revoked, the vesting is no longer exempt from s24 (s58(4))</p> <p><i>Subject to <u>sections 58(4)</u> (revocation of reservation) and <u>65</u> (Subsequent transfer of reserved land) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018, s59(1)(a)(ii)</i></p> <p>Ensure the “prevents registration” flag is set against this memorial.</p> <p>If the reservation of all or part of the property is revoked, the Director-General of Conservation must apply in writing to the RGL to remove from the record of title for all or part of the property the notations that <u>section 24</u> of the <i>Conservation Act 1987</i> does not apply to the property and that the property is no longer subject to <u>sections 58(4)</u> (revocation of reservation) and <u>65</u> (Subsequent transfer of reserved land) of the <i>Ngāi Tai ki Tāmaki Claims Settlement Act 2018</i></p> <p>Suitable memorials:</p> <p><i>Application under section 59(3)(a) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 revoking the reserve status of the within land</i></p> <p><i>Subject to Part 4A of the Conservation Act 1987</i></p> <p>Cancel the notation:</p> <p><i>Subject to <u>sections 58(4)</u> (revocation of reservation) and <u>65</u> (Subsequent transfer of reserved land) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018</i></p> <p>Crown Minerals Act 1991</p> <p><i>Subject to <u>section 108</u> of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 ss60(1) 108 and 109</i></p>

Trigger: an application to vest s57(3) if existing CR, or 57(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>Hukunui s.28 (see Schedule 1 for legal description)</p>	<p>Cultural Redress Property (to be administered as reserve)</p>	<p>Director-General of Conservation s57(9)(c)</p>	<p>A written application must include a request to the RGL to record on any record of title for the land that the land is subject to section 108 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018. s109(2)</p> <p>The Minister of Conservation must provide the <i>trustees</i> with a registrable easement – s28(5)</p> <p>The easement is registrable – s28(6)(b) and (c)</p> <p>Pre-conditions to revocation of reserve and vesting and other actions in s28(1) to s28(8), set out in s28(9)</p>	<p>See Schedule 1 and refer to application.</p> <p>Note: Some interests in Schedule 1 are unregistered – only register those that are registrable and referred in the application.</p>	<p>The reservation of Hukunui (being part of Motutapu Island Recreation Reserve) as a recreation reserve is revoked, s28(1).</p> <p>Fee simple vests in <i>Trustees</i> s28 (2)</p> <p>Hukunui is declared a reserve and classified as a historic reserve subject to section 18 of the Reserves Act 1977 – s28(3)(a) and 28(4)</p> <p>Restrictions on transfer of reserve – s65 (subsequent transfer of reserve land), further restrictions in s66 (transfer of reserve land to new administering body) and s67 (Transfer of reserve land if trustees change) <i>Subject to sections 58(4) and 65 and 66 Ngāi Tai ki Tāmaki Claims Settlement Act 2018 s59(1)(a)(ii)</i></p> <p>Ensure the “prevents registration” flag is set against this memorial.</p> <p><i>Subject to section 68 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 (which prohibits reserve land from being mortgaged or charged for security) s68</i></p> <p>Ensure the “prevents registration” flag is set against this memorial.</p>	<p>Conservation Act 1987/restrictions on transfer</p> <p><i>Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply (s59(1)(1)(i))</i></p> <p>If the reservation as reserve for all or part of the property is revoked, the vesting is no longer exempt from s24 (s58(4))</p> <p><i>Subject to sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 s59(1)(a)(ii)</i></p> <p>Ensure the “prevents registration” flag is set against this memorial.</p> <p>If the reservation of all or part of the property is revoked, the Director-General of Conservation must apply in writing to the RGL to remove from the record of title for all or part of the property the notations that section 24 of the Conservation Act 1987 does not apply to the property and that the property is no longer subject to sections property and that the property is no longer subject to sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018</p> <p>Suitable memorials:</p> <p><i>Application under section 59(4)(a) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 revoking the reserve status of the within land</i></p> <p><i>Subject to Part 4A of the Conservation Act 1987</i></p> <p>Cancel the notation:</p> <p><i>Subject to sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018</i></p> <p>Crown Minerals Act 1991</p> <p><i>Subject to section 108 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 ss60(1) 108 and 109</i></p>
<p>Hūnua Falls property</p>	<p>Cultural Redress</p>	<p>Director-General of Conservation s57(9)(c)</p>	<p>A written application must include a request to the RGL to record on any record of title for the land that the land is subject to section 108 of the Ngāi</p>		<p>The reservation of the Hūnua Falls property as a scenic reserve subject to the Reserves Act 1977 is revoked – s31(2)</p>	<p>Conservation Act 1987/restrictions on transfer/dealing with interests</p> <p><i>Subject to Part 4A of the Conservation Act 1987 but</i></p>

Trigger: an application to vest s57(3) if existing CR, or 57(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>(see Schedule 1 for legal description)</p> <p>BUT recording on record of title, or creation of record of title (s.57(3) and (5)) do not apply (s.57(2) and (4)) because this property jointly vests and only an undivided quarter share of the fee simple vests in the trustees</p> <p>Trigger is s57(6)</p>	<p>Property (to be administered as reserve)</p>		<p>Tai ki Tāmaki Claims Settlement Act 2018. s109(2)</p> <p>Sections 31 to 36 take effect on the latest of:</p> <p>(a) the settlement date;</p> <p>(b) the settlement date under Ngāti Koheriki settlement legislation;</p> <p>(c) the settlement date under Ngāti Tamaoho settlement legislation;</p> <p>(d) the settlement date under Ngaati Whanaunga settlement legislation.</p> <p>The Ngāti Koheriki and Ngaati Whanaunga settlements have yet to be enacted at the date of publication of this guideline.</p>		<p>Fee simple vests as undivided quarter shares in the following as tenants in common:</p> <p>(a) a share vests in the trustees under this paragraph; and</p> <p>(b) a share vests in the Ngāti Koheriki entity under the Ngāti Koheriki settlement legislation; and</p> <p>(c) a share vests in the trustees of the C Settlement Trust under the Ngāti Tamaoho settlement legislation; and</p> <p>(d) a share vests in the Ngaati Whanaunga entity under Ngaati Whanaunga settlement legislation – s31(3)</p> <p>Hūnua Falls property is declared a reserve and classified as a scenic reserve (s31(4))</p> <p>The Crown, the trustees, and the other persons in whom the property is jointly vested may in writing agree a date later than the usual 24 months after vesting for the creation of the record of title s57(8)(b)(ii)</p> <p><i>Restrictions on transfer of reserve – s65 (subsequent transfer of reserve land), further restrictions in s66 (transfer of reserve land to new administering body) and s67 (Transfer of reserve land if trustees change)</i></p> <p><i>Subject to sections 58(4) and 65 and 66 Ngāi Tai ki Tāmaki Claims Settlement Act 2018 s59(1)(a)(ii)</i></p> <p>Ensure the "prevents</p>	<p><i>section 24 of that Act does not apply s59(1)(c)(i)</i></p> <p>If the reservation as reserve for all or part of the property is revoked, the vesting is no longer exempt from s24 (s59(4))</p> <p><i>Subject to sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land) Ngāi Tai ki Tamaki Claims Settlement Act 2018 s59(1)(a)(ii)</i></p> <p>Ensure the "prevents registration" flag is set against this memorial.</p> <p>Where applicable: <i>Subject to s55(3) (Any interest dealt with as if administering body were the registered proprietor) – see reference to such memorial in s59(4)(a)(ii)</i></p> <p>If the reservation of all or part of the property is revoked the Director-General of Conservation must apply in writing to the RGL to remove from the record of title for all or part of the property the notations that <i>section 24 of the Conservation Act 1987 does not apply to the property and that the property is no longer subject to sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018</i></p> <p>Suitable memorials:</p> <p><i>Application under section 59(4)(a) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 revoking the reserve status of the within land</i></p> <p><i>Subject to Part 4A of the Conservation Act 1987</i></p> <p>(ii) the property is subject to <u>sections 58(4) and 65</u>;</p> <p>Cancel the notation:</p> <p><i>Subject to sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land) and s55(3) where applicable (Any interest dealt with as if administering body were the registered proprietor) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018</i></p> <p>Crown Minerals Act 1991</p> <p><i>Subject to section 108 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 ss60(1) 108 and 109</i></p>

Trigger: an application to vest s57(3) if existing CR, or 57(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>registration" flag is set against this memorial.</p> <p><i>Subject to section 68 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 (which prohibits reserve land from being mortgaged or charged for security) s68</i></p> <p>Ensure the "prevents registration" flag is set against this memorial.</p>	
<p>Alternate Trigger: receipt of a copy of a <i>Gazette Notice</i> under s36</p> <p>Hūnua Falls reserve land s36</p> <p>(see s33(1) for description)</p>		The trustees	<p>Section 34 provides for the Minister of Conservation to agree that the Auckland Council should no longer be the administering body.</p> <p>If the Minister does so, a joint management body is to be established, in accordance with s35.</p> <p>Section 55(1) says while the reserve land is administered by the joint management body appointed under section 35:</p> <p style="padding-left: 40px;">if the Hūnua Falls property is affected by an interest in land at the time the joint management body is declared to be the administering body under section 34(7), the interest applies as if the body were the grantor, or the grantee, as the case may be, of the interest in respect of the reserve land s55(2); and</p> <p>Any interest in land that affects the reserve land must be dealt with for the purposes of registration as if the administering body were the registered proprietor of the reserve land s55(3).</p>		<p>If section 55(1) applies, the trustees must provide the RGL with a copy of the <i>Gazette</i> notice published under section 34(7) as soon as is reasonably practicable after publication s36(1)</p> <p>On receiving a copy of the <i>Gazette</i> notice, the RGL must note on any record of title created under section 57, or derived from a record of title created under that section, for the Hūnua Falls reserve land, that the land is subject to section 55(3) s36(2).</p>	N/A

<p>Motukaraka s37</p> <p>(see Schedule 1 for legal description)</p>	<p>Cultural Redress Property</p> <p>(to be administered as reserve)</p>	<p>Director-General of Conservation s57(9)(c)</p>	<p>A written application must include a request to the RGL to record on any record of title for the land that the land is subject to section 108 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018. s109(2)</p>		<p>The reservation of Motukaraka as a recreation reserve subject to the Reserves Act 1977 is revoked, and accordingly Motukaraka ceases to be part of the Hauraki Gulf Marine Park s37(1)</p> <p>The fee simple estate in Motukaraka vests in the trustees s37(1) Motukaraka is declared a reserve and classified as a recreation reserve s37(3)(a)</p> <p>Restrictions on transfer of reserve – s65 (subsequent transfer of reserve land), further restrictions in s66 (transfer of reserve land to new administering body) and s67 (Transfer of reserve land if trustees change)</p> <p><i>Subject to sections 58(4) and 65 and 66 Ngāi Tai ki Tāmaki Claims Settlement Act 2018 s59(1)(a)(ii)</i></p> <p>Ensure the “prevents registration” flag is set against this memorial.</p> <p><i>Subject to section 68 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 (which prohibits reserve land from being mortgaged or charged for security) s68</i></p> <p>Ensure the “prevents registration” flag is set against both memorials above.</p>	<p>Conservation Act 1987/restrictions on transfer/dealing with interests</p> <p><i>Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply s59(1)(a)(i)</i></p> <p>If the reservation as reserve for all or part of the property is revoked, the vesting is no longer exempt from s24 (s58(4))</p> <p><i>Subject to sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land) Ngāi Tai ki Tāmaki Claims Settlement Act 2018 s59(1)(a)(ii)</i></p> <p>Ensure the “prevents registration” flag is set against this memorial.</p> <p>If the reservation of all or part of the property is revoked the Director-General of Conservation must apply in writing to the RGL to remove from the record of title for all or part of the property the notations that section 24 of the Conservation Act 1987 does not apply to the property and that the property is no longer subject to sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018</p> <p>Suitable memorials:</p> <p><i>Application under section 59(4)(a) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 revoking the reserve status of the within land</i></p> <p><i>Subject to Part 4A of the Conservation Act 1987</i></p> <p>(ii) the property is subject to sections 58(4) and 65;</p> <p>Cancel the notation:</p> <p><i>Subject to sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018</i></p> <p>Crown Minerals Act 1991</p> <p><i>Subject to section 108 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 ss60(1) 108 and 109</i></p>
<p>Ororopupu s38</p> <p>(see Schedule 1</p>	<p>Cultural Redress Property</p> <p>(to be</p>	<p>Director-General of Conservation s57(9)(c)</p>	<p>A written application must include a request to the RGL to record on any record of title for the land that the land is subject to section 108 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018. s109(2)</p>	<p>See Schedule 1 for remaining interests, all of which are unregistered</p>	<p>The reservation of Ororopupu as a recreation reserve is revoked s38(1)</p> <p>The fee simple estate in Ororopupu vests in the trustees s38(2)</p>	<p>Conservation Act 1987</p> <p><i>Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply s59(1)(a)(i)</i></p> <p>If the reservation as reserve for all or part of the property is revoked, the vesting is no longer exempt from s24</p>

for legal description)	administered as reserve)				<p>Ororopupu is declared a reserve and classified as a recreation reserve, named Ororopupu Recreation Reserve</p> <p>Restrictions on transfer of reserve – see memorial above reference to s65 (subsequent transfer of reserve land), further restrictions in s66 (transfer of reserve land to new administering body) and s67 (Transfer of reserve land if trustees change)</p> <p><i>Subject to sections 58(4) and 65 and 66 Ngāi Tai ki Tāmaki Claims Settlement Act 2018 s59(1)(a)(ii)</i></p> <p>Ensure the “prevents registration” flag is set against this memorial.</p> <p><i>Subject to section 68 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 (which prohibits reserve land from being mortgaged or charged for security) s68</i></p> <p>Ensure the “prevents registration” flag is set against both memorials above.</p>	<p>(s58(4))</p> <p><i>Subject to sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land) Ngai Tai ki Tamaki Claims Settlement Act 2018 s59(1)(a)(ii)</i></p> <p>Ensure the “prevents registration” flag is set against this memorial.</p> <p>If the reservation of all or part of the property is revoked the Director-General of Conservation must apply in writing to the RGL to remove from the record of title for all or part of the property the notations that <u>section 24</u> of the Conservation Act 1987 does not apply to the property and that the property is no longer subject to <u>sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018</u></p> <p>Suitable memorials:</p> <p><i>Application under section 59(3)(a) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 revoking the reserve status of the within land</i></p> <p><i>Subject to Part 4A of the Conservation Act 1987</i></p> <p>(ii) the property is subject to sections 58(4) and 65;</p> <p>Cancel the notation:</p> <p><i>Subject to sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018</i></p> <p>Crown Minerals Act 1991</p> <p><i>Subject to section 108 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 ss60(1) 108 and 109</i></p>
<p>Tai Rawhiti s41</p> <p>(see Schedule 1 for legal description)</p>	<p>Cultural Redress Property</p> <p>(to be administered as reserve)</p>	<p>Director-General of Conservation s57(9)(c)</p>	<p>A written application must include a request to the RGL to record on any record of title for the land that the land is subject to section 108 of the Ngai Tai ki Tamaki Claims Settlement Act 2018. s109(2)</p>	<p>See Schedule 1 for remaining interests, all of which are registrable</p>	<p>The reservation of Tai Rawhiti (being Tai Rawhiti Scenic Reserve) as a scenic reserve subject to the Reserves Act 1977 is revoked s41(1)</p> <p>The fee simple estate in Tai Rawhiti vests in the trustees s41(2)</p> <p>Tai Rawhiti is declared a reserve and classified as a scenic reserve, named Tai Rawhiti Scenic Reserve, for the purposes specified in section 19(1)(a) of the Reserves Act 1977 41(3) and (4)</p>	<p>Conservation Act 1987</p> <p><i>Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply s59(1)(a)(i)</i></p> <p>If the reservation as reserve for all or part of the property is revoked, the vesting is no longer exempt from s24 (s58(4))</p> <p><i>Subject to sections 58(4) and 65 Ngāi Tai ki Tāmaki Claims Settlement Act 2018 s59(1)(a)(ii)</i></p> <p>Ensure the “prevents registration” flag is set against this memorial.</p> <p>If the reservation of all or part of the property is</p>

					<p>Restrictions on transfer of reserve – see memorial above reference to s65 (subsequent transfer of reserve land), further restrictions in s66 (transfer of reserve land to new administering body) and s67 (Transfer of reserve land if trustees change)</p> <p><i>Subject to sections 58(4) and 65 and 66 Ngai Tai ki Tamaki Claims Settlement Act 2018 s59(1)(a)(ii)</i></p> <p>Ensure the “prevents registration” flag is set against this memorial.</p> <p><i>Subject to section 68 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 (which prohibits reserve land from being mortgaged or charged for security) s68</i></p> <p>Ensure the “prevents registration” flag is set against this memorial.</p>	<p>revoked the Director-General of Conservation must apply in writing to the RGL to remove from the record of title for all or part of the property the notations that section 24 of the Conservation Act 1987 does not apply to the property and that the property is no longer subject to property and that the property is no longer subject to sections 58(4) (<i>revocation of reservation</i>) and 65 (<i>Subsequent transfer of reserved land</i>) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018</p> <p>Suitable memorials:</p> <p><i>Application under section 59(3)(a) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 revoking the reserve status of the within land</i></p> <p>(ii) the property is subject to <u>sections 58(4)</u> and <u>65</u>;</p> <p>Cancel the notation:</p> <p><i>Subject to sections 58(4) (revocation of reservation)e and 65 (Subsequent transfer of reserved land) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018</i></p> <p><u>Crown Minerals Act 1991</u></p> <p><i>Subject to <u>section 108</u> of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 ss60(1) 108 and 109</i></p>
--	--	--	--	--	--	--

<p>Te Matuku-Ngāi Tai s42</p> <p>(see Schedule 1 for legal description)</p>	<p>Cultural Redress Property</p> <p>(to be administered as reserve)</p>	<p>Director-General of Conservation s57(9)(c)</p>	<p>A written application must include a request to the RGL to record on any record of title for the land that the land is subject to section 108 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018. s109(2)</p>		<p>The reservation of Te Matuku-Ngāi Tai as a scenic reserve is revoked s42(1)</p> <p>The fee simple estate in Te Matuku-Ngāi Tai vests in the trustees s42(2)</p> <p>Te Matuku-Ngāi Tai is declared a reserve and classified as a scenic reserve s42(3)</p> <p>Restrictions on transfer of reserve – s65 (subsequent transfer of reserve land), further restrictions in s66 (transfer of reserve land to new administering body) and s67 (Transfer of reserve land if trustees change)</p> <p><i>Subject to sections 58(4) and 65 and 66 Ngāi Tai ki Tāmaki Claims Settlement Act 2018 s59(1)(a)(ii)</i></p> <p>Ensure the “prevents registration” flag is set against this memorial.</p> <p><i>Subject to section 68 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 (which prohibits reserve land from being mortgaged or charged for security) s68</i></p> <p>Ensure the “prevents registration” flag is set against this memorial.</p>	<p>Conservation Act 1987</p> <p><i>Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply s59(1)(a)(i)</i></p> <p>If the reservation as reserve for all or part of the property is revoked, the vesting is no longer exempt from s24 (s58(4))</p> <p>If the reservation of all or part of the property is revoked the Director-General of Conservation must apply in writing to the RGL to remove from the record of title for all or part of the property the notations that <u>section 24</u> of the Conservation Act 1987 does not apply to the property and that the property is no longer subject to property and that the property is no longer subject to sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018</p> <p>Suitable memorials:</p> <p><i>Application under section 59(3)(a) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 revoking the reserve status of the within land</i></p> <p><i>Subject to Part 4A of the Conservation Act 1987</i></p> <p>(ii) the property is subject to <u>sections 58(4) and 65</u>;</p> <p>Cancel the notation:</p> <p><i>Subject to <u>sections 58(4)</u> (revocation of reservation) and <u>65</u> (Subsequent transfer of reserved land) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018</i></p> <p>Crown Minerals Act 1991</p> <p><i>Subject to <u>section 108</u> of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 ss60(1) 108 and 109</i></p>
--	---	--	---	--	--	--

<p>Te Naupata s43</p> <p>(see Schedule 1 for legal description)</p>	<p>Cultural Redress Property</p> <p>(to be administered as reserve)</p>	<p>Director-General of Conservation s57(9)(c)</p>	<p>A written application must include a request to the RGL to record on any record of title for the land that the land is subject to section 108 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018. s109(2)</p>		<p>The reservation of Te Naupata as a recreation reserve subject to the Reserves Act 1977 is revoked s43(1)</p> <p>The fee simple estate in Te Naupata vests in the trustees s43(2)</p> <p>Te Naupata is declared a reserve and classified as a recreation reserve subject to section 17 of the Reserves Act 1977 s43(3)</p> <p>Restrictions on transfer of reserve – s65 (subsequent transfer of reserve land), further restrictions in s66 (transfer of reserve land to new administering body) and s67 (Transfer of reserve land if trustees change)</p> <p><i>Subject to sections 58(4) and 65 and 66 Ngāi Tai ki Tāmaki Claims Settlement Act 2018 s59(1)(a)(ii)</i></p> <p>Ensure the “prevents registration” flag is set against this memorial.</p> <p><i>Subject to section 68 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 (which prohibits reserve land from being mortgaged or charged for security) s68</i></p> <p>Ensure the “prevents registration” flag is set against this memorial.</p>	<p>Conservation Act 1987</p> <p><i>Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply s59(1)(a)(i)</i></p> <p>If the reservation of all or part of the property is revoked the vesting is no longer exempt from s24 (s58(4))</p> <p>If the reservation of all or part of the property is revoked the Director-General of Conservation must apply in writing to the RGL to remove from the record of title for all or part of the property the notations that section 24 of the Conservation Act 1987 does not apply to the property and that the property is no longer subject to property and that the property is no longer subject to sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018</p> <p>Suitable memorials:</p> <p><i>Application under section 59(3)(a) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 revoking the reserve status of the within land</i></p> <p><i>Subject to Part 4A of the Conservation Act 1987</i></p> <p>(ii) the property is subject to sections 58(4) and 65;</p> <p>Cancel the notation:</p> <p><i>Subject to sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018</i></p> <p>Crown Minerals Act 1991</p> <p><i>Subject to section 108 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 ss60(1) 108 and 109</i></p>
<p>Te Rae-o-Kahu Pā s44</p> <p>(see Schedule 1 for legal description)</p>	<p>Cultural Redress Property</p> <p>(to be administered as reserve)</p>	<p>Director-General of Conservation s57(9)(c)</p>	<p>A written application must include a request to the RGL to record on any record of title for the land that the land is subject to section 108 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018. s109(2)</p>	<p>See Schedule 1 for remaining interests, all of which are unregistered</p>	<p>The reservation of Te Rae-o-Kahu Pā as a recreation reserve is revoked s44(1)</p> <p>The fee simple estate in Te Rae-o-Kahu Pā vests in the trustees s44(2)</p> <p>Te Rae-o-Kahu Pā is declared a reserve and classified as a historic reserves 44(3)</p> <p>Restrictions on transfer of reserve –</p>	<p>Conservation Act 1987</p> <p><i>Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply s59(1)(a)(i)</i></p> <p>If the reservation of all or part of the property is revoked the vesting is no longer exempt from s24 (s58(4))</p> <p>If the reservation of all or part of the property is revoked the Director-General of Conservation must apply in writing to the RGL to remove from the</p>

					<p>see memorial above reference to s65 (subsequent transfer of reserve land), further restrictions in s66 (transfer of reserve land to new administering body) and s67 (Transfer of reserve land if trustees change)</p> <p><i>Subject to sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land) Ngāi Tai ki Tāmaki Claims Settlement Act 2018</i> s59(1)(a)(ii)</p> <p>Ensure the “prevents registration” flag is set against this memorial.</p> <p><i>Subject to section 68 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 (which prohibits reserve land from being mortgaged or charged for security) s68</i></p> <p>Ensure the “prevents registration” flag is set against this memorial.</p>	<p>record of title for all or part of the property the notations that section 24 of the Conservation Act 1987 does not apply to the property and that the property is no longer subject to property and that the property is no longer subject to sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018</p> <p>Suitable memorials:</p> <p><i>Application under section 59(3)(a) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 revoking the reserve status of the within land</i></p> <p><i>Subject to Part 4A of the Conservation Act 1987</i></p> <p>(ii) the property is subject to sections 58(4) and 65;</p> <p>Cancel the notation:</p> <p><i>Subject to sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018</i></p> <p>Crown Minerals Act 1991</p> <p><i>subject to section 108 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018</i> ss60(1) 108 and 109</p>
<p>Te Tauroa s47</p> <p>(see Schedule 1 for legal description)</p>	<p>Cultural Redress Property</p> <p>(to be administered as reserve)</p>	<p>Director-General of Conservation s57(9)(c)</p>	<p>A written application must include a request to the RGL to record on any record of title for the land that the land is subject to section 108 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018. s109(2)</p> <p>A precondition to the reservation and vesting (s47(1) to s47(5)) is the trustees providing the Crown with a registrable easement for a right to convey water on s47(6)</p>	<p>See Schedule 1 for remaining interests, most of which are unregistered</p>	<p>The reservation of Te Tauroa as a recreation reserve is revoked s47(1)</p> <p>The fee simple estate in Te Tauroa vests in the trustees s47(2)</p> <p>Te Tauroa is declared a reserve and classified as a recreation reserve, s47(3)</p> <p>Restrictions on transfer of reserve – see memorial above reference to s65 (subsequent transfer of reserve land), further restrictions in s66 (transfer of reserve land to new administering body) and s67 (Transfer of reserve land if trustees change)</p> <p><i>Subject to sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land) Ngāi Tai ki Tāmaki Claims Settlement Act 2018</i> s59(1)(a)(ii)</p> <p>Ensure the “prevents registration” flag is set against this memorial.</p>	<p>Conservation Act 1987</p> <p><i>Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply</i> s59(1)(a)(i)</p> <p>If the reservation of all or part of the property is revoked the vesting is no longer exempt from s24 (s58(4))</p> <p>If the reservation of all or part of the property is revoked the Director-General of Conservation must apply in writing to the RGL to remove from the record of title for all or part of the property the notations that section 24 of the Conservation Act 1987 does not apply to the property and that the property is no longer subject to property and that the property is no longer subject to sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018</p> <p>Suitable memorials:</p> <p><i>Application under section 59(3)(a) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 revoking the reserve status of the within land</i></p>

					<p>Subject to section 68 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 (which prohibits reserve land from being mortgaged or charged for security) s68</p> <p>Ensure the “prevents registration” flag is set against this memorial.</p>	<p>Subject to Part 4A of the Conservation Act 1987</p> <p>(ii) the property is subject to <u>sections 58(4) and 65</u>;</p> <p>Cancel the notation:</p> <p>Subject to <u>sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land)</u> of the Crown Minerals Act 1991</p> <p>Subject to <u>section 108</u> of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 ss60(1) 108 and 109</p>
<p>Te Waiarohia Pā s50</p> <p>(see Schedule 1 for legal description)</p>	<p>Cultural Redress Property</p> <p>(to be administered as reserve)</p>	<p>Chief Executive of LINZ s57(9)(a)</p>	<p>A written application must include a request to the RGL to record on any record of title for the land that the land is subject to section 108 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018. s109(2)</p>	<p>See Schedule 1 for remaining interests, all of which are registrable</p>	<p>The fee simple estate in Te Waiarohia Pā vests in the trustees s50(1)</p> <p>Te Waiarohia Pā is declared a reserve and classified as a historic reserve, named Te Waiarohia Pā Historic Reserve, subject to <u>section 18</u> of the Reserves Act 1977 s50(2) and (3)</p> <p><u>Section 41(1)</u> of the Reserves Act 1977 does not apply until the date that is not later than 5 years after the expiry of the lease set out in part 10 of the documents schedule.</p> <p>Restrictions on transfer of reserve – see memorial above reference to s65 (subsequent transfer of reserve land), further restrictions in s66 (transfer of reserve land to new administering body) and s67 (Transfer of reserve land if trustees change)</p> <p>Subject to <u>sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land)</u> Ngāi Tai ki Tāmaki Claims Settlement Act 2018 s59(1)(a)(ii)</p> <p>Ensure the “prevents registration” flag is set against this memorial.</p> <p>Subject to section 68 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 (which prohibits reserve land from being mortgaged or charged for security) s68</p> <p>Ensure the “prevents registration” flag is set against this memorial.</p>	<p><u>Conservation Act 1987</u></p> <p>Subject to Part 4A of the Conservation Act 1987 but <u>section 24 of that Act does not apply s59(1)(a)(i)</u></p> <p>If the reservation of all or part of the property is revoked the vesting is no longer exempt from s24 (s58(4))</p> <p>If the reservation of all or part of the property is revoked the Director-General of Conservation must apply in writing to the RGL to remove from the record of title for all or part of the property the notations that <u>section 24</u> of the Conservation Act 1987 does not apply to the property and that the property is no longer subject to <u>sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land)</u> of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018</p> <p>Suitable memorials:</p> <p>Application under <u>section 59(3)(a)</u> of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 revoking the reserve status of the within land</p> <p>Subject to Part 4A of the Conservation Act 1987</p> <p>(ii) the property is subject to <u>sections 58(4) and 65</u>;</p> <p>Cancel the notation:</p> <p>Subject to <u>sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land)</u> of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018</p> <p>Crown Minerals Act 1991</p> <p>Subject to <u>section 108</u> of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 ss60(1) 108 and 109</p>

<p>Totara s51</p> <p>(see Schedule 1 for legal description)</p>	<p>Cultural Redress Property</p> <p>(to be administered as reserve)</p>	<p>Director-General of Conservation s57(9)(c)</p>	<p>A written application must include a request to the RGL to record on any record of title for the land that the land is subject to section 108 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018. s109(2)</p>		<p>Totara ceases to be a conservation area under the Conservation Act 1987 s52(1)</p> <p>The fee simple estate in Totara vests in the trustees s52(2)</p> <p>Restrictions on transfer of reserve – see memorial above reference to s65 (subsequent transfer of reserve land), further restrictions in s66 (transfer of reserve land to new administering body) and s67 (Transfer of reserve land if trustees change)</p> <p><i>Subject to sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land) Ngāi Tai ki Tāmaki Claims Settlement Act 2018 s59(1)(a)(ii)</i></p> <p>Ensure the “prevents registration” flag is set against this memorial.</p> <p><i>Subject to section 68 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 (which prohibits reserve land from being mortgaged or charged for security) s68</i></p> <p>Ensure the “prevents registration” flag is set against this memorial.</p>	<p>Conservation Act 1987</p> <p><i>Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply s59(1)(a)(i)</i></p> <p>If the reservation of all or part of the property is revoked the vesting is no longer exempt from s24 (s58(4))</p> <p>If the reservation of all or part of the property is revoked the Director-General of Conservation must apply in writing to the RGL to remove from the record of title for all or part of the property the notations that section 24 of the Conservation Act 1987 does not apply to the property and that the property is no longer subject to property and that the property is no longer subject to sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018</p> <p>Suitable memorials:</p> <p><i>Application under section 59(3)(a) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 revoking the reserve status of the within land</i></p> <p><i>Subject to Part 4A of the Conservation Act 1987</i></p> <p>(ii) the property is subject to sections 58(4) and 65;</p> <p>Cancel the notation:</p> <p><i>Subject to sections 58(4) (revocation of reservation)e and 65 (Subsequent transfer of reserved land) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018</i></p> <p>Crown Minerals Act 1991</p> <p><i>Subject to section 108 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 ss60(1) 108 and 109</i></p>
<p>Waikopua s52</p> <p>(see Schedule 1 for legal description)</p>	<p>Cultural Redress Property</p> <p>(to be administered as reserve)</p>	<p>Director-General of Conservation s57(9)(c)</p>	<p>A written application must include a request to the RGL to record on any record of title for the land that the land is subject to section 108 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018. s109(2)</p>		<p>Waikopua ceases to be a conservation area s52(1)</p> <p>The fee simple estate in Waikopua vests in the trustees s52(2)</p> <p>Waikopua is declared a reserve and classified as a local purpose reserve, for the purposes of wetland management s52(3)</p>	<p>Conservation Act 1987</p> <p><i>Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply s59(1)(a)(i)</i></p> <p>If the reservation of all or part of the property is revoked the vesting is no longer exempt from s24 (s58(4))</p> <p>If the reservation of all or part of the property is</p>

					<p><i>Subject to sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land) Ngāi Tai ki Tāmaki Claims Settlement Act 2018 s59(1)(a)(ii)</i></p> <p>Ensure the “prevents registration” flag is set against this memorial.</p> <p><i>Subject to section 68 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 (which prohibits reserve land from being mortgaged or charged for security) s68</i></p> <p>Ensure the “prevents registration” flag is set against this memorial.</p>	<p>revoked the Director-General of Conservation must apply in writing to the RGL to remove from the record of title for all or part of the property the notations that section 24 of the Conservation Act 1987 does not apply to the property and that the property is no longer subject to property and that the property is no longer subject to sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018</p> <p>Suitable memorials:</p> <p><i>Application under section 59(3)(a) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 revoking the reserve status of the within land</i></p> <p><i>Subject to Part 4A of the Conservation Act 1987</i></p> <p>(ii) the property is subject to sections 58(4) and 65;</p> <p>Cancel the notation:</p> <p><i>Subject to sections 58(4) (revocation of reservation) and 65 (Subsequent transfer of reserved land) of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018</i></p> <p>Crown Minerals Act 1991</p> <p><i>Subject to section 108 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 ss60(1) 108 and 109</i></p>
<p>Maungarei A s53</p> <p>(see Schedule 1 for legal description)</p>	<p>Cultural Redress Property vested in fee simple to be held as a Māori reservation</p>	<p>Chief Executive of the Ministry of Justice s57(9)(b)</p>	<p>A person authorised by the chief executive of the Ministry of Justice must grant a registrable easement for a right of way, a pedestrian right of way, and a right of way and right to park vehicles on the terms and conditions set out in part 11 of the documents schedule (page 123) s53(4)</p> <p>A written application must include a request to the RGL to record on any record of title for the land that the land is subject to section 108 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018. s109(2)</p>	<p>See Schedule 1 for remaining interests.</p>	<p>The fee simple estate in Maungarei A vests in the trustees s53(1)</p> <p>Maungarei A is set apart as a Māori reservation, as if it were set apart under section 338(1) of Te Ture Whenua Maori Act 1993,—</p> <p>(a) for the purposes of a place of cultural and historical interest to Ngāi Tai ki Tāmaki; and</p> <p>(b) to be held for the benefit of Ngāi Tai ki Tāmaki s53(2)</p>	<p>Conservation Act 1987</p> <p><i>Subject to Part 4A of the Conservation Act 1982 (59(1)(d))</i></p> <p>Crown Minerals Act 1991</p> <p><i>Subject to section 108 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 ss60(1) 108 and 109</i></p>

Table 2: Summary of registration provisions - Commercial Redress

Trigger:	Property	Redress Type	Authorised Person	Conditions
<p>Application: to create a record of title for transfer properties that are not shared redress s100</p> <p>If the transfer is for a property subject to lease back, it must include a statement that the land is to become subject to section 105 (Requirements if lease terminates or expires) s104</p> <p>The transfer is a disposition for the purposes of Part 4A of the Conservation Act 1987, but sections 24(2A), 24A, and 24AA of that Act do not apply to the disposition: s103(2)</p> <p>Memorial: <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>Crown owned minerals in the land vest or transfer with, and form part of, the land and, if a share in land is vested in or transferred to the trustees, the trustees own a share in any Crown owned minerals in that land in the same proportion as that in which they own the land s108(1) and (2)</p> <p>Application: create a record of title in the name of the Crown for each undivided specified share of the fee simple estate in the Papakura property s101</p> <p>or</p> <p>Application: register covenant for later transfer as record of title s102</p>	Clevedon School site (land only)	Commercial Redress Property (Right to purchase property) – subject to leaseback to the Crown	Chief Executive of the Ministry of Education	
	Maraetai Beach School site (land only)	Commercial Redress Property (Right to purchase property) – subject to leaseback to the Crown	Chief Executive of the Ministry of Education	
	Torpedo Bay Property	Commercial Property - subject to leaseback to the Crown	Chief of the New Zealand Defence Force	If the lease (or a renewal of that lease) terminates or expires without being renewed. The marginal strip reserved by section 24 of the Conservation Act 1987 from the transfer of the Torpedo Bay property is reduced to a width of between 6 and 10 metres as shown on SO 485026 s105(3)
	Part 6-10 Homestead Drive, Mt Wellington	Potential Commercial Redress Property	Chief Executive of the Ministry of Justice (Office of Treaty Settlements)	
	Macleans College site (land only)	Deferred Selection Property (with a Two Year Deferred Selection Period) – subject to leaseback to the Crown	Chief Executive of the Ministry of Education	
	Glen Innes Police Station (land only)	Deferred Selection Property (with a Two Year Deferred Selection Period) – subject to leaseback to the Crown	Commissioner of Police	
	Manukau Area Community Probation Centre	Deferred Selection Property (with a Two Year Deferred Selection Period) – subject to leaseback to the Crown	Chief Executive of the Department of Corrections	
	Musick Point property	Deferred Selection Property (with a Five Year Deferred Selection Period) – subject to leaseback to the Crown	Chief Executive of LINZ	
Papakura property	Deferred Selection Property	Chief of the New Zealand Defence Force	The transfer of the fee simple estate in the Papakura property is to the Trustees and/or the trustees of the Ngāti Tamaoho Settlement Trust s99(1)(b) and (4)	

Right of First refusal		
Trigger for noting RFR memorial:	Property	Memorial for noting RFR
<p>The Chief Executive of LINZ must issue to the RGL one or more certificates that specify the legal descriptions of, and identify the records of title for any,—</p> <p>(a) RFR land for which there is a record of title on the settlement date; and</p> <p>(b) RFR land for which a record of title is first created after the settlement date; and</p> <p>(c) land for which there is a record of title that becomes RFR land after the settlement date s134(1)</p> <p>As soon as reasonably practicable after receiving a certificate, the RGL must record on each record of title for the RFR land identified in the certificate that the land is—</p> <p>(a) RFR land, as defined in section 111; and</p> <p>(b) subject to subpart 3 of Part 3 of the Act (which restricts disposal, including leasing, of the land) s134(5)</p>	<p>Defined in s111(1)</p>	<p><i>[certificate identifier] Certificate under section 134 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 that the within land is RFR land as defined in section 111 and is subject to Subpart 3 of Part 3 of the Act (which restricts disposal, including leasing, of the land) [date and time]</i></p> <p>Ensure the “prevents registration” flag is set against this memorial</p>
Trigger for Removal of RFR memorial	Action by RGL	
<p>CE Certificate to RGL under section 135, (before registration of the transfer or vesting of land) by CE to RGL</p>	<p>Immediately before registering the transfer or vesting of land described in the certificate, remove from the record of title identified in the certificate any RFR notation (s135(3))</p>	
<p>CE Certificate to RGL under s136 (when RFR period ends)</p>	<p>As soon as is reasonably practicable after receiving a certificate, remove any RFR notation from any record of title identified in the certificate s136(3).</p>	