

# **Rangitāne Tū Mai Rā (Wairarapa Tamaki nui-ā-Rua) Claims Settlement Act 2017 registration guideline**

**LINZG 20768**

**10 October 2017**



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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

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# 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/rangitane-o-wairarapa-and-rangitane-tamaki-nui-a-rua/rangitane-o-wairarapa-and-rangitane-o/>

Rangitāne Tū Mai Rā Wairarapa Tamaki nui-ā-Rua (Rāngitāne) is an Iwi whose area of interest spans from north of Dannevirke to Mākaramu (near Porangahau), down to Cape Palliser, and encompasses the wider Wairarapa and Tamaki nui-ā-Rua regions.

In October 2011 the Crown recognised the mandate of the Rangitāne Settlement Negotiations Trust to represent Rangitāne in negotiating a comprehensive historical Treaty settlement. The Trust and the Crown signed Terms of Negotiation in August 2012. An Agreement in Principle was signed in March 2014.

On 11 May 2016, Rangitāne and the Crown initialled a Deed of Settlement. The Deed was ratified and then signed on 6 August 2016.

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 Rangitāne Tū Mai Rā (Wairarapa Tamaki nui-ā-Rua) Claims Settlement Act 2017 (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**.

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You will need to refer to the following resources:

- the Rangitāne Tū Mai Rā (Wairarapa Tamaki nui-ā-Rua) Claims Settlement Act 2017  
<http://www.legislation.govt.nz/act/public/2017/0038/latest/DLM6929717.html?src=qs>
- the *Deed* (including Schedules) relating to the *Specific Act*  
<https://www.govt.nz/treaty-settlement-documents/rangitane-o-wairarapa-and-rangitane-tamaki-nui-a-rua/>
- *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: Rangitāne o Wairarapa and Rangitāne o Tamaki Nui-ā-Rua Deed of Settlement Schedule: Attachments

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## 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 the following restrictions:

**s79** Restrictions on subsequent transfers of reserve land

**s82** Prohibitions on mortgages or charges

**s121** *Right of First Refusal* (RFR) Memorial

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

## 3 Removing resumptive memorials

The *General Guideline* applies.

Section **18(1)(a) & (b)** describe the properties with resumptive memorials that can be removed on receipt of a certificate issued under **s18(2)**.

## 4 Cultural Redress Properties - Initial Vesting

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

## 5 Cultural Redress Properties – Vesting and gifting back of properties

This Act includes properties that will be initially vested on the vesting date. On the seventh day after the 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 7 of Part 2 Sections 84 and 85**).

**ss84(1) and 85(1)** The fee simple estate vests in the Trustees on the vesting date.

**ss84(2) and 85(2)** On the seventh day after the vesting date, the fee simple estate vests in the Crown.

**ss84(3) and 85(3)(a)** a gifting back property remains a reserve under the Reserves Act 1977, and

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- (b) any enactment, instrument, or interest that applied to a gifting back property immediately before the vesting date, including a lease of the Mount Bruce National Wildlife Centre Reserve to the Pukaha Mount Bruce Board, continues to apply to that property, and
- (d) the Crown retains all liability for a gifting-back property.

**ss84(4) and 85(4)** 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 ss84 and 85 must be recorded in the spatial database against the land described in ss84(5) & 85(5) 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 84 & 85 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:

**s73(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.

**s79** specifies the restrictions on subsequent transfers of *Cultural Redress Reserve Properties*.

**s82** 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:

- s74(3)** revocation of reserve status – marginal strip exemption no longer applies
- s74(3)(a)** removal of notification where revocation of reserve status for all property
- s74(3)(b)** removal of notification where revocation of reserve status for part of property
- s79(2), s80 or s81** restrictions on transfers of reserves

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<b>s80</b>	transfers of reserves to new administering body
<b>s81</b>	transfers of reserves to new trustees

## 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 – **ss89, s92-93**

**Deferred Selection Properties** are included in the settlement – refer **s87-88**

**Covenants for the later creation of CRs** are provided for – refer **s90**

**Application of other Enactments** is dealt with in **s91**

## 9 Commercial Redress - Other property-related rights

### 9.1 Rights of first refusal

There are 19 properties described on **pp. 34-37** of the **Deed of Settlement Schedule: Attachments** <https://www.govt.nz/dmsdocument/6562.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 s98 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:

<b>s98</b>	defines <b>dispose of</b> , in relation <i>RFR Land</i>
<b>s99</b>	defines <i>RFR Land</i>
<b>s100</b>	restrictions on disposal of <i>RFR Land</i>
<b>ss106 to 108</b>	deal with authorised disposals, where the land remains <i>RFR Land</i>
<b>ss109 to 115</b>	deal with authorised disposals, where the land may cease to be <i>RFR Land</i>
<b>s121</b>	Chief Executive (CE) certificate for recording <i>RFR</i> , used in <i>RFR</i> memorial
<b>s122</b>	CE Certificate that <i>RFR Land</i> transferred or vested, triggers <i>RGL</i> to remove <i>RFR</i> memorial
<b>s123</b>	CE Certificate <i>RFR</i> period ends, triggers <i>RGL</i> to remove memorial



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## 9.3 Right of Access

The provisions of the *General Guideline* apply. Note:

Sections 95 and 96 provide for the right of access to protected sites and licensed lands.

Section 97 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 Rangitāne Tū Mai Rā (Wairarapa Tamaki nui-ā-Rua) Claims Settlement Act 2017.

**Defined terms** – in interpretation sections 12, 27, 61, 86, 98 and 99

**Commercial Redress** includes:

**Commercial Redress Properties s86**, which comprise:

- **Commercial Redress Properties** being:

Those properties set out in Part 3 of the Deed of Settlement Schedule: Property Redress (being pages 6-7 of that document),  
<https://www.govt.nz/dmsdocument/6568.pdf> for which the requirements for transfer under the deed of settlement have been satisfied.

- **Licensed Land s86**, being:

That property described as licensed land set out in Part 3 of the Deed of Settlement Schedule: Property Redress (being page 5 of that document)  
<https://www.govt.nz/dmsdocument/6568.pdf>

**Deferred Selection Properties s86**, being:

Those properties set out in Part 4 of the Deed of Settlement Schedule: Property Redress (being pages 8-9 of that document),

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<https://www.govt.nz/dmsdocument/6568.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 ss98-126.

**RFR Land:** Land subject to an RFR.

**Cultural Redress Properties** - These properties are defined in s61(a) to (e) and described in Schedule 3. Five properties, two of which vest subject to easements in gross.

**Cultural Redress Reserve Properties** - These properties are defined in s61(f) to (h) and described in Schedule 3. One property vests subject to an easement in gross.

### **Vesting and Gifting Back of Properties**

**Vesting and Gifting Back of Properties** – These properties are defined in s84(5) and s85(5) as set out below:

Pukaha/Mount Bruce National Wildlife Centre Reserve **s84(5)** means 57.3192 ha being Section 1 SO 32447 and Section 1 SO 37485 (Wellington Land District), as shown on deeds plan OTS-204-26.

Pukaha/Mount Bruce Scenic Reserve **s85(5)** means 891.4896 ha being Section 16 Block I Kopuaranga Survey District, Sections 38 and 39 and Part Section 7 Block XIV Tararua Survey District, Sections 28 and 27 and Part Section 6 Block IV Mikimiki Survey District, and Section 174 Block XIII Mangaone Survey District (Wellington Land District), as shown on deeds plan OTS-204-26

**Representative Entity** – the *Trustees*

**Settlement date, s12**– 10 October 2017

**Specific Act** – Rangitāne Tū Mai Rā (Wairarapa Tamaki nui-ā-Rua) Claims Settlement Act 2017

**Trustees** – trustees of Rangitāne Tū Mai Rā Trust

**Vesting date, s84(6)** – For the purposes of ss84 and 85 means the first 1 May that falls after the *settlement date*.

**Table 1: Summary of registration provisions - Cultural Redress**

Trigger: an application to vest <b>s72(3)</b> if existing CR, or <b>s72(5)</b> 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
<b>Te Taumata property s62</b> (and see <a href="#">Schedule 3</a> for legal description)	Cultural Redress	Chief Executive of LINZ <b>s72(8)(a)</b>	<b>None</b>	See <a href="#">Schedule 3</a> and refer to application. <b>Note:</b> Some interests in Schedule 3 may be unregistered – only register those that are registrable and referred to in the application	Fee Simple estate vests in the Trustees <b>s62</b>	<u>Conservation Act 1987</u> <i>Subject to Part 4A of the Conservation Act 1987</i> <u>Crown Minerals Act 1991</u> <i>Subject to section 11 of the Crown Minerals Act 1991</i>
<b>Hāmua property s63</b> (and see <a href="#">Schedule 3</a> for legal description)	Cultural Redress	2 persons who make a joint application, with 1 person authorised by the Chief Executive of the Ministry of Justice and the other person authorised by the Director-General of Conservation <b>s72(8)(c)</b>	The Trustees must first provide the Tararua District Council with a registrable easement in gross for a right to access and maintain a monument on the terms and conditions set out in part 8 of the documents schedule <b>s63(4)</b>	See <a href="#">Schedule 3</a> and refer to application. <b>Note:</b> Some interests in Schedule 3 may be unregistered – only register those that are registrable and referred to in the application	The part that is recreation reserve subject to the Reserves Act 1977 is revoked <b>s63(1)</b>  The part comprising former Section 157 Block XIV Mangahao Survey District, vests in the Crown as Crown land subject to the land Act 1948 <b>s63(2)</b>  Fee Simple estate vests in the Trustees <b>s63(3)</b>	<u>Conservation Act 1987</u> <i>Subject to Part 4A of the Conservation Act 1987</i> <u>Crown Minerals Act 1991</u> <i>Subject to section 11 of the Crown Minerals Act 1991</i>
<b>Kumeti Road property s64</b> (and see <a href="#">Schedule 3</a> for legal description)	Cultural Redress	A person authorised by the Director-General of Conservation <b>s72(8)(d)</b>	The Minister of Conservation must provide the trustees with a registrable easement for a right of way on the terms and conditions set out in part 8 of the documents schedule <b>s64(3)</b>	See <a href="#">Schedule 3</a> and refer to application. <b>Note:</b> Some interests in Schedule 3 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 <b>s64(1)</b>  Fee Simple estate vests in the Trustees <b>s64(2)</b>	<u>Conservation Act 1987</u> <i>Subject to Part 4A of the Conservation Act 1987</i> <u>Crown Minerals Act 1991</u> <i>Subject to section 11 of the Crown Minerals Act 1991</i>
<b>Rongokaha property s65</b> (and see <a href="#">Schedule 3</a> for legal description)	Cultural Redress	A person authorised by the Director-General of Conservation <b>s72(8)(d)</b>	The Minister of Conservation must provide the Wellington Regional Council with a registrable easement in gross for a right to install, access, and operate an environmental monitoring station on the terms and conditions set out in part 8 of the documents schedule <b>s65(4)</b>	See <a href="#">Schedule 3</a> and refer to application. <b>Note:</b> Some interests in Schedule 3 may be unregistered – only register those that are registrable and referred to in the application	The part that is recreation reserve subject to the Reserves Act 1977 (being Bruce Road Recreation Reserve) is revoked <b>s65(1)</b>  The part that is a conservation area under the Conservation Act 1987 ceases to be a conservation area <b>s65(2)</b>  Fee Simple estate vests in the Trustees <b>s65(3)</b>	<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 5 metres s74(1)(b) &amp; 73(3)</i> <u>Crown Minerals Act 1991</u> <i>Subject to section 11 of the Crown Minerals Act 1991</i>

Trigger: an application to vest <b>s72(3)</b> if existing CR, or <b>s72(5)</b> 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
<b>Wi Waka property s66</b> (and see <a href="#">Schedule 3</a> for legal description)	Cultural Redress	A person authorised by the Chief Executive of the Ministry of Justice <b>s72(8)(b)</b>		None	<p>Section 1 SO 506789 vests in the Tararua District Council <b>s66(1)</b></p> <p>The road comprised as Sections 2,3, and 4 SO Plan 506789 is stopped <b>s66(2)</b></p> <p>The part of the Wi Waka property comprising Sections 2 and 4 SO 506789 vests in the Crown as Crown land subject to the Land Act 1948 <b>s66(3)</b></p> <p>Sections 1 and 3 SO 506789 are declared a reserve and classified as a local purpose reserve for the purpose of a cemetery, subject to section 23 of the Reserves Act 1977 <b>s66(4)</b></p> <p>Fee Simple estate in the Wi Waka property (being sections 2, 4, and 5 SO 506789 – as defined in Schedule 3 of the Act) vests in the Trustees <b>s66(5)</b></p>	<p><u>Conservation Act 1987</u></p> <p><i>Subject to Part 4A of the Conservation Act 1987</i></p> <p><u>Crown Minerals Act 1991</u></p> <p><i>Subject to section 10 and 11 of the Crown Minerals Act 1991</i></p> <p><u>Resource Management Act 1991</u></p> <p>The vesting of Section 1 SO 506789 in Tararua Council does not limit section 10 or 11 Crown Minerals Act 1991; or affect other rights to subsurface minerals.</p> <p>Section 11 and Part 10 do not apply to:</p> <p>The vesting of Section 1 SO 506789 in the Tararua Council, or the creation of 1 computer freehold register for Sections 1 and 3 SO 506789 in the name of Tararua District Council; <u>Or</u></p> <p>Any matter incidental to, or required for the purpose of, the vesting or the creation of the computer freehold register.</p>

Trigger: an application to vest <b>s72(3)</b> if existing CR, or <b>s72(5)</b> 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
<b>Māharahara Peak property s67</b> (and see <a href="#">Schedule 3</a> for legal description)	Cultural Redress Reserve property	A person authorised by the Director-General of Conservation <b>s72(8)(d)</b>	<p>Only takes effect if met:</p> <p>The Trustee provides the Crown with a registrable easement in gross for a right of way on the terms and conditions set out in part 8 of the documents schedule <b>s67(5)</b></p> <p>Despite the provisions of the Reserves Act 1977, the easement –</p> <p>(a) is enforceable in accordance with its terms; and</p> <p>(b) is to be treated as having been granted in accordance with the Reserves Act 1977 <b>s67(6)</b></p>	<p>See <a href="#">Schedule 3</a> and refer to application.</p> <p><b>Note:</b> Some interests in Schedule 3 may be unregistered – only register those that are registrable and referred in the application</p>	<p>Ceases to be part of the park and a conservation area under the Conservation Act 1987 <b>s67(1)</b></p> <p>Fee Simple vests in Trustees <b>s67(2)</b></p> <p>Declared reserve, classified as a scenic reserve subject to s19(1)(a) of the Reserves Act 1977 <b>s67(3)</b></p> <p>Subject to s73(4) of the Rangitāne Tū Mai Rā (Wairarapa Tamaki nui-ā-Rua) Claims Settlement Act 2017 <b>s74(1)(a)(ii)</b></p> <p>Subject to s79 of the Rangitāne Tū Mai Rā (Wairarapa Tamaki nui-ā-Rua) Claims Settlement Act 2017</p> <p><b>Ensure the “prevents registration” flag is set against this memorial</b></p> <p>Subject to s82 of the Rangitāne Tū Mai Rā (Wairarapa Tamaki nui-ā-Rua) Claims Settlement Act 2017 (which prohibits Reserve Land from being mortgaged).</p> <p><b>Ensure the “prevents registration” flag is set against memorial</b></p>	<p><u>Conservation Act 1987</u></p> <p><i>Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply <b>s74(1)(a)(ii)</b></i></p> <p>If the reservation under this Act is revoked for all or part prior to vesting, the vesting is no longer exempt from s24 (except subsection (2A)). Suitable memorial:</p> <p><i>Subject to Part 4A of the Conservation Act 1987.</i></p> <p><u>Crown Minerals Act 1991</u></p> <p><i>Subject to section 11 of the Crown Minerals Act 1991</i></p> <p><u>Reserves Act 1977</u></p> <p><i>Subject to the Reserves Act 1977</i></p> <p><u>Local Government Act 1974</u></p> <p>The permission of a council under s348 Local Government Act 1948 is not required for laying out, forming, granting, or reserving a private road, private way, or right of way required to fulfil the terms of the deed of settlement in relation to a cultural redress property <b>s75(2)</b></p>

Trigger: an application to vest <b>s72(3)</b> if existing CR, or <b>s72(5)</b> 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
<b>Matanginui Peak property s68</b> (and see <a href="#">Schedule 3</a> for legal description)	Cultural Redress Reserve property	A person authorised by the Director-General of Conservation <b>s72(8)(d)</b>	<p>Only takes effect if met:</p> <p>The Trustees provide the Crown with a registrable easement in gross for a right of way on the terms and conditions set out in part 8 of the documents schedule <b>s68(5)</b></p> <p>Despite the provisions of the Reserves Act 1977, the easement –</p> <p>(a) is enforceable in accordance with its terms; and</p> <p>(b) is to be treated as having been granted in accordance with the Reserves Act 1977 <b>s68(6)</b></p>	<p>See <a href="#">Schedule 3</a> and refer to application.</p> <p><b>Note:</b> Some interests in Schedule 3 may be unregistered – only register those that are registrable and referred in the application</p>	<p>Ceases to be part of the park and a conservation area under the Conservation Act 1987 <b>s68(1)</b></p> <p>Fee Simple vests in the trustees <b>s68(2)</b></p> <p>The property is declared a reserve, classified as a scenic reserve subject to s19(1)(a) of the Reserves Act 1977 <b>s68(3)</b></p> <p>Subject to s73(4) of the Rangitāne Tū Mai Rā (Wairarapa Tamaki nui-ā-Rua) Claims Settlement Act 2017 <b>s74(1)(a)(ii)</b></p> <p>Subject to s79 of the Rangitāne Tū Mai Rā (Wairarapa Tamaki nui-ā-Rua) Claims Settlement Act 2017</p> <p><b>Ensure the “prevents registration” flag is set against this memorial</b></p> <p>Subject to s82 of the Rangitāne Tū Mai Rā (Wairarapa Tamaki nui-ā-Rua) Claims Settlement Act 2017 (which prohibits Reserve Land from being mortgaged).</p> <p><b>Ensure the “prevents registration” flag is set against memorial</b></p>	<p><u>Conservation Act 1987</u></p> <p><i>Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply <b>s74(1)(a)(i)</b></i></p> <p>If the reservation under this Act is revoked for all or part prior to vesting, the vesting is no longer exempt from s24 (except subsection (2A)). Suitable memorial:</p> <p><i>Subject to Part 4A of the Conservation Act 1987.</i></p> <p><u>Crown Minerals Act 1991</u></p> <p><i>Subject to section 11 of the Crown Minerals Act 1991</i></p> <p>Reserves Act 1977</p> <p><i>Subject to the Reserves Act 1977</i></p> <p><u>Local Government Act 1974</u></p> <p>The permission of a council under s348 Local Government Act 1948 is not required for laying out, forming, granting, or reserving a private road, private way, or right of way required to fulfil the terms of the deed of settlement in relation to a cultural redress property. <b>s75(2)</b></p>

Trigger: an application to vest <b>s72(3)</b> if existing CR, or <b>s72(5)</b> 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
<b>Te Punanga property s69</b> (and see <a href="#">Schedule 3</a> for legal description)	Cultural Redress Reserve property	A person authorised by the Director-General of Conservation <b>s72(8)(d)</b>	Only takes effect if met:  The Minister of Conservation must provide the trustees with a registrable easement for a right of way on the terms and conditions set out in part 8 of the documents schedule <b>s69(7)</b>	See <a href="#">Schedule 3</a> and refer to application. <b>Note:</b> Some interests in Schedule 3 may be unregistered – only register those that are registrable and referred in the application	<p>The part that is a conservation area ceases to be part of the Park and a conservation area <b>s69(1)</b></p> <p>The road comprising Section 1 SO Plan 507270 is stopped and vests in the Crown as Crown land subject to the Land Act 1948 <b>s69(2) &amp; (3)</b></p> <p>Fee simple estate vests in Trustees <b>s69(4)</b></p> <p>Declared reserve, classified as a recreation reserve subject to section 17 of the Reserves Act 1977 <b>s69(5)</b></p> <p>Subject to s73(4) of the Rangitāne Tū Mai Rā (Wairarapa Tamaki nui-ā-Rua) Claims Settlement Act 2017 <b>s74(1)(a)(ii)</b></p> <p>Subject to s79 of the Rangitāne Tū Mai Rā (Wairarapa Tamaki nui-ā-Rua) Claims Settlement Act 2017</p> <p><b>Ensure the “prevents registration” flag is set against this memorial</b></p> <p>Subject to s82 of the Rangitāne Tū Mai Rā (Wairarapa Tamaki nui-ā-Rua) Claims Settlement Act 2017 (which prohibits Reserve Land from being mortgaged). <b>Ensure the “prevents registration” flag is set against memorial</b></p>	<p><u>Conservation Act 1987</u></p> <p><i>Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply <b>s74(1)(a)(ii)</b></i></p> <p>If the reservation under this Act is revoked for all or part prior to vesting, the vesting is no longer exempt from s24 (except subsection (2A)). Suitable memorial:</p> <p><i>Subject to Part 4A of the Conservation Act 1987.</i></p> <p><u>Crown Minerals Act 1991</u></p> <p><i>Subject to section 11 of the Crown Minerals Act 1991</i></p> <p>Reserves Act 1977</p> <p><i>Subject to the Reserves Act 1977</i></p> <p><u>Local Government Act 1974</u></p> <p>The permission of a council under s348 Local Government Act 1948 is not required for laying out, forming, granting, or reserving a private road, private way, or right of way required to fulfil the terms of the deed of settlement in relation to a cultural redress property. <b>s75(2)</b></p>



**Table 2: Summary of registration provisions - Commercial Redress**

Trigger:	Property	Redress Type	Authorised Person	Conditions	Application of other Statutory Provisions – initial vesting
<b>Transfer of Deferred Selection and commercial redress properties</b>  <b>Transfer:</b> where existing CR <b>s87</b>  or  <b>Application:</b> to create CR where no existing CR, or where the property is not all of the land contained in a computer freehold register – for Commercial Redress Property (other than Licensed Land) and Deferred Selection Property <b>s88(2)</b>  or  <b>Application:</b> to create CR where no existing CR - for Licensed Land <b>s89</b>  or  <b>Application:</b> register covenant for later transfer as Computer Interest Register <b>s90</b>	Described in part 3 of the property redress schedule	<b>Deferred Selection Property</b>	CE of the land holding agency <b>s88(5)</b> and see 4 <sup>th</sup> column headed “land Holding Agency” of the property redress schedule	None	<u>Conservation Act 1987</u>  <i>Subject to part 4A of the Conservation Act 1987 (but sections 24(2A), 24A and 24AA of that Act do not apply)</i>  <u>Crown Minerals Act 1991</u>  Subject to section 11 Crown Minerals Act 1991
	Described in part 3 of the property redress schedule	<b>Other Commercial Redress properties</b>	CE of the land holding agency <b>s88(5)</b> and see 4 <sup>th</sup> column headed “land Holding Agency” of the property redress schedule ie CE of LINZ	None	<u>Conservation Act 1987</u>  <i>Subject to part 4A of the Conservation Act 1987 (but sections 24(2A), 24A and 24AA of that Act do not apply)</i>  <u>Crown Minerals Act 1991</u>  Subject to section 11 Crown Minerals Act 1991
	<b>Part Ngaumu Forest</b>	<b>Licensed Land</b> (refer to <a href="#">Subpart 2 of Part 3 Commercial Redress and Part 3 of Property Redress Schedule</a> )	CE of the land holding agency <b>s88(5)</b> and see 4 <sup>th</sup> column headed “land Holding Agency” of the property redress schedule ie CE of Ministry of Justice (Office of Treaty Settlements)	Transfer must include a statement that the land is subject to a right of access to any protected sites on the land <b>s97(2)</b>  Memorial to be entered on the relevant CFR for the land -  <i>Subject to a right of access to protected sites on the land. <b>s97(3)</b></i>	<u>Conservation Act 1987</u>  <i>Subject to part 4A of the Conservation Act 1987 (but sections 24(2A), 24A and 24AA of that Act do not apply)</i>  <u>Crown Minerals Act 1991</u>  Subject to section 11 Crown Minerals Act 1991  <u>The Local Government Act 1974</u>  The permission of council under s348 Local Government Act 1974 is not required <b>s91(4)</b>



Right of First refusal		
Trigger for noting RFR memorial:	Property	Memorial for noting RFR
CE certificate (if existing CR at Settlement Date) <b>s121(1)(a)</b>  or  Notice (if CR created after Settlement Date) <b>s121(1)(b)</b>  or  Notice (if land in CR becomes RFR after Settlement Date) <b>s121(1)(c)</b>	Defined in Part 6 of attachments schedule, 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 <b>s112(1)(c) or 113</b>	<i>[certificate identifier] Certificate under section 121 of the Rangitāne Tū Mai Rā (Wairarapa Tamaki nui-ā-Rua) Claims Settlement Act 2017 that the within land is RFR land as defined in section 99 and is subject to Subpart 4 of Part 3 of the Act (which restricts disposal, including leasing, of the land) [date and time]</i>  <b>Ensure the “prevents registration” flag is set against this memorial</b>
Trigger for removal RFR memorial:		
Notice (when land transferred or vested) <b>s122 or</b> Notice (RFR period ends) <b>s123</b>		