

# Ngāti Pūkenga Claims Settlement Act 2017 registration guideline

**LINZG 20767**

**12 September 2017**



# Contents

<b>1</b>	<b>Background .....</b>	<b>3</b>
1.1	Introduction .....	3
1.2	Purpose, scope and use .....	3
1.3	Map of area of interest .....	5
<b>2</b>	<b>Landonline settings to prevent auto-registration.....</b>	<b>6</b>
<b>3</b>	<b>Removing resumptive memorials.....</b>	<b>6</b>
<b>4</b>	<b>Cultural Redress Properties - Initial Vesting.....</b>	<b>6</b>
<b>5</b>	<b>Cultural Redress Properties - Ongoing restrictions .....</b>	<b>7</b>
<b>6</b>	<b>Cultural Redress Properties - Subsequent dealings .....</b>	<b>8</b>
<b>7</b>	<b>Commercial Redress- Initial transfer .....</b>	<b>8</b>
<b>8</b>	<b>Commercial Redress - Other property-related rights .....</b>	<b>9</b>
8.1	Rights of first refusal .....	9
8.2	Ongoing restrictions .....	9
	<b>Glossary .....</b>	<b>10</b>
	<b>Table 1: Summary of registration provisions - Cultural Redress.....</b>	<b>11</b>
	<b>Table 2: Summary of registration provisions - Cultural Redress.....</b>	<b>16</b>

**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/ngati-pukenga/ngati-pukenga-deed-of-settlement-summary-7-apr-2013/>

Ngāti Pūkenga are today dispersed through four small and scattered kāinga located in Tauranga, Maketu, Whangārei and Hauraki.

On 25 January 2010, the Crown recognised the mandate of Te Au Maoro o Ngāti Pūkenga Charitable Trust to represent Ngāti Pūkenga in negotiating a comprehensive historical Treaty settlement.

The Crown signed Terms of Negotiation with Ngāti Pūkenga on 25 January 2010. On 22 August 2012, the Crown and Ngāti Pūkenga negotiated a Statement of Position and Intent which formed the basis for this settlement.

On 23 November 2012, Ngāti Pūkenga and the Crown initialled a Deed of Settlement. The deed was then ratified by the people of Ngāti Pūkenga and signed on 7 April 2013.

Further information can be found on the OTS website, <https://www.govt.nz/treaty-settlement-documents/ngati-pukenga/>.

## 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 Ngāti Pūkenga 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**.

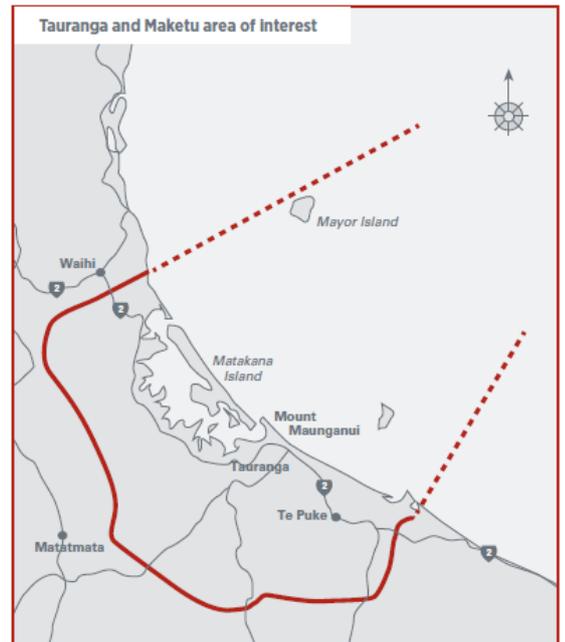
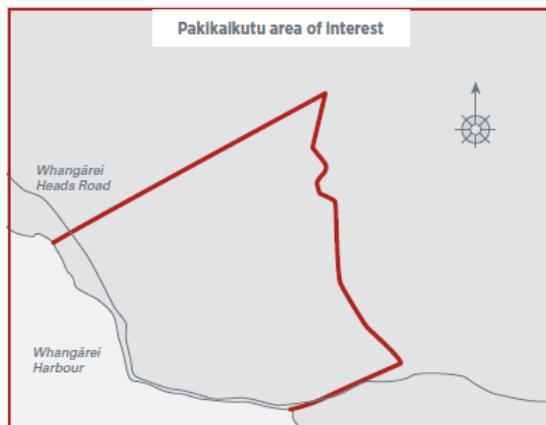
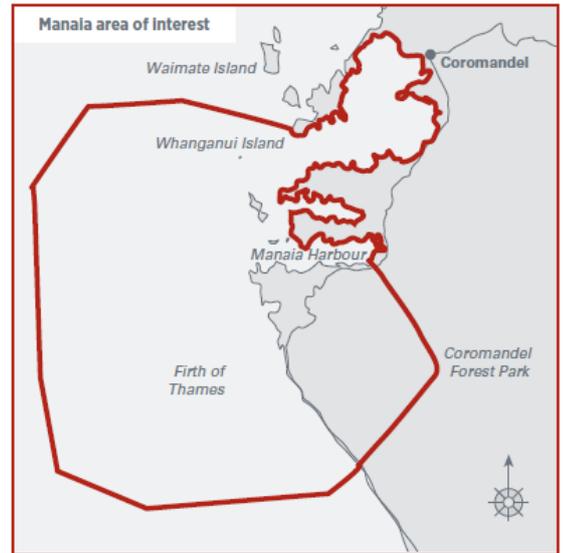
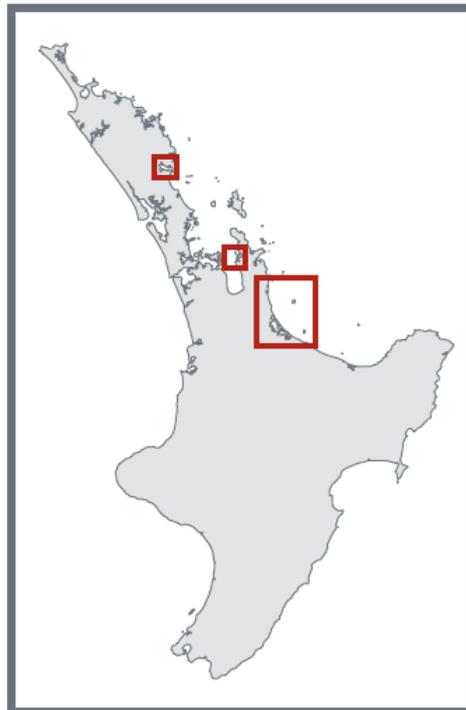
You will need to refer to the following resources:

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- the Ngāti Pūkenga Claims Settlement Act 2017  
<http://www.legislation.govt.nz/act/public/2017/0039/24.0/DLM6745613.html>
  - the *Deed* (including Schedules) relating to the *Specific Act*  
<https://www.govt.nz/treaty-settlement-documents/ngati-pukenga/>
  - *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: Ngāti Pūkenga Deed of Settlement summary 7 April 2013)

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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 of the following restrictions:

<b>sections 57 and 70</b>	Restrictions on subsequent transfers
<b>sections 60 and 79</b>	Prohibitions on mortgages or charges
<b>section 110</b>	<i>Right of First Refusal</i> (RFR) Memorial

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

## 3 Removing resumptive memorials

The *General Guideline* applies.

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

## 4 Cultural Redress Properties - Initial Vesting

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

**Liens Block:** ceases to be a conservation area and vests in the Trustees. The RGL must issue a CFR on application by an authorised person (**s50(5)**).

**Ōtūkōpiri:** ceases to be a conservation area and vests in the Trustees. The parts of Ōtūkōpiri shown as Sections 2, 3 and 4 SO 483376 are declared a reserve and classified as a recreation reserve subject to s17 of the Reserves Act 1977. The RGL must issue a CFR on application by an authorised person (**s50(5)**). The existing lease of the property (lease 9979180.1 in CIR SA23D/203) is varied so that it only applies to part of the property (Section 1 SO 483376) and the RGL must note the variation accordingly (**s44(6)**).

**Pae ki Hauraki:** ceases to be part of Coromandel Forest Park and a conservation area and vests in the Trustees provided that the Trustees have provided the Crown with a registrable covenant on the terms and conditions set out in part 6 of the documents schedule. The covenant is to be treated as a conservation covenant for the purposes of s77 of the Reserves Act 1977 and s27 of the Conservation Act 1987. The RGL must issue a CFR on application by an authorised person (**s50(5)**).

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**Te Tihi o Hauturu:** Upon the latest of the settlement dates under the Act, the Ngati Maru settlement legislation, and the Ngati Tamatera settlement legislation, Te Tihi o Hauturu ceases to be part of Coromandel Forest Park and a conservation area and vests in undivided one-third shares in the Trustees, the trustees for Ngāti Maru, and the trustees for Ngāti Tamaterā. The property will vest only if all of the Trustees have provided the Crown with a registrable covenant on the terms and conditions set out in part 7 of the documents schedule. The covenant is to be treated as a conservation covenant for the purposes of s77 of the Reserves Act 1977 and s27 of the Conservation Act 1987. The RGL must issue a CFR on application by an authorised person (**s50(5)**).

**Ōtanewainuku and Pūwhenua:** Subpart 4 of Part 2 (**ss65 -81**) provides for the joint vesting of 2 properties in the trustees of each settlement trust for 6 iwi, including Ngāti Pūkenga. The properties will be administered as reserves by a joint management body appointed by the new owners. The subpart takes effect by Order in Council. The RGL must create a CFR for each 1/6 share of the fee simple of a joint cultural redress property upon application by an authorised person (**s74(2)**).

## 5 Cultural Redress Properties - Ongoing restrictions

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

**Sections 57** and **70** specify the restrictions on subsequent transfers of reserve properties and joint cultural redress properties respectively.

**Sections 60** and **79** specify the prohibitions on mortgages or charges over the reserve properties and joint cultural redress reserve properties respectively.

Please note that **s52** provides for the following matters to be recorded on the CFRs for the Cultural Redress Properties:

- For the Reserve Property, that the land is subject to Part 4A of the Conservation Act 1987 but that s24 of that Act does not apply, and that the land is subject to **s51(3)** and **s57**
- for the part of Ōtūkōpiri shown as Section 1 SO 483376 (see **section 44(5)**), that the land is subject to Part 4A of the Conservation Act 1987.
- for any other cultural redress property, that the land is subject to Part 4A of the Conservation Act 1987.

**Section 52(3)** specifies that if the reservation of the Reserve Property is revoked, the RGL must comply with an application by the Director-General of Conservation to remove from the CFR for the property the notifications that s24 of the Conservation Act does not apply and that the property is subject to **s51(3)** and **57** for all or part of that property as the case may be.

**Section 64** provides that a written application lodged under **s50** must include a request to the RGL to record on any CFR for Liens Block, Pae ki Hauraki and Te Tihi o Hauturu that the land is subject to **s63** of the Act (certain minerals no longer to be reserved to the Crown).

**Section 76(1)** provides that the RGL must record on the CFR for a joint cultural redress property that the land is subject to Part 4A of the Conservation Act 1987

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but that s24 of that Act does not apply, and that the land is subject to **s70, s72(3)** and **s75(2)**.

**Section 76(3)** specifies that if the reservation of a joint cultural redress property is revoked, the RGL must comply with an application by the Director-General of Conservation to remove from the CFR for the property the notifications that s24 of the Conservation Act does not apply and that the property is subject to **sections 70, 72(3) and 75(2)** for all or part of that property as the case may be.

## 6 Cultural Redress Properties - Subsequent dealings

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

**Section 51(3) and 75(2):** revocation of conservation area status – marginal strip exemption no longer applies.

**Section 52(3)(a) and s76(3)(a):** removal of notifications where revocation of conservation area status for all property.

**Section 52(3)(b) and s76(3)(b):** removal of notifications where revocation of conservation area status for part of property.

**Section 57(2) and s70:** restrictions on transfers the reserve properties and joint cultural redress properties.

## 7 Commercial Redress - Initial transfer

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

**Commercial Redress Property** means the property described as 447-479 Welcome Bay Road, Tauranga, in part 3 of the Property Redress Schedule.

**Section 84** provides that where the Commercial Redress property is not all of the land in a CFR or there is no CFR, the RGL must, upon written application by an authorised person, create a CFR for the fee simple estate in the name of the Crown (**s84(3)**) and record on the CFR any interests that are registered, notified or notifiable and that are described in the application, but must omit any statement of purpose from the CFR.

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

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

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## 8 Commercial Redress - Other property-related rights

### 8.1 Rights of first refusal

The RFR Land consists of two properties, described in part 2A of the Attachments Schedule inserted in the Deed of Settlement by a Deed to Amend dated 20 October 2014. The provisions of the *General Guideline* apply. Those properties are:

- (a) Tauranga Intermediate, Eighteenth Avenue, Tauranga, Legal Description: 4.3514 hectares, more or less, being Part Allotments 25, 26 and 27 Suburbs of Tauranga and Part Lot 2 DP 35258. Balance Proclamation S110844; 1.4308 hectares, more or less being Allotments 143 and 144 Suburbs of Tauranga. All Gazette Notice H066339.
- (b) Army Centre, Eleventh Avenue, Devonport Road, Legal Description: 0.4767 hectares, more or less, being Parts Lot 12 DP 969. All Gazette Notice H222491.

### 8.2 Ongoing restrictions

An RFR memorial prevents the registration of any subsequent disposal such as a transfer, unless there is an exemption in the Specific Act, or the RFR memorial has been removed.

Note:

**s87** defines **dispose of** in relation to RFR Land.

**s88** defines RFR Land.

**s89** lists restrictions on disposal of RFR land.

**ss95-97** deal with authorised disposals, where the land remains RFR land.

**ss98-104** deal with authorised disposals, where the land may cease to be RFR land.

**ss106-108** provide for notices to be given to LINZ of land becoming, or ceasing to be, RFR land.

**s110** provides for Chief Executive (CE) certificates requiring the RGL to record on relevant CFRs that land is RFR Land.

**s111** provides for CE certificates that RFR land is to be transferred or vested, requiring the RGL to remove the RFR notification.

**s112** provides for CE certificates that the RFR period has ended, requiring the RGL to remove the RFR notification.

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## 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 Ngāti Pūkenga Claims Settlement Act 2017.

**Defined terms** – in **Interpretation** sections **11, 42, 65, 82** and **87**.

**Commercial Redress Property (s82)** means the property described as 447–479 Welcome Bay Road, Tauranga in part 3 of the property redress schedule.

**Computer Register (CR)** (including Computer Freehold Register and Computer Interest Register) refers to the title for estates and interests in land. Note that **s11(2)** of the Act provides that a reference in the Act to Record of Title is a reference to a Computer Freehold Register, Computer Interest Register or Certificate of Title. This covers the transition from the Land Transfer Act 1952 to the Land Transfer Act 2017.

**Cultural Redress Property (s42)** means each of Liens Block, Ōtūkōpiri, Pae ki Hauraki and Te Tihi o Hauturu.

**Deed of Settlement** means the deed of settlement dated 7 April 2013.

**Representative Entity** means the *Trustees*.

**Reserve Property** means Sections 2, 3 and 4 SO 483376.

**RFR** means the RFR provided for by subpart 2 of Part 3 (**ss87-115**)

**RFR Land** means the land described in Part 2A of the attachments (see 8.1 above) that, on the settlement date, is vested in the Crown, or is held in fee simple by the Crown; and any land obtained in exchange for a disposal of RFR land under **s101(1)(c)** or **102**.

**RFR period** means the period of 174 years on and from the settlement date.

**Settlement date (s11)** means the date that is 20 working days after the date on which the Act comes into force.

**Specific Act** means Ngāti Pūkenga Claims Settlement Act 2017.

**Trustees** means the trustees of Te Tāwharau o Ngāti Pūkenga Trust.

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

<b>Trigger:</b> an application to vest <b>s50(3)</b> if existing CR, or <b>s50(5)</b> if no existing CR; for Te Tihi o Hauturu <b>s50(6)</b> ; for Ōtanewainuku and Pūwhenua <b>s74(2)</b>	<b>Type of Property:</b>	<b>Authorised Person:</b>	<b>Conditions</b>	<b>Existing Interests</b>	<b>Status changes, Estate that vests, owner, and statutory restrictions</b>	<b>Application of other Statutory Provisions - initial vesting</b>
<b>Liens Block s43</b> (and see <a href="#">Schedule 2</a> for legal description)	Cultural Redress Property – vested in fee simple	A person authorised by the Director-General of Conservation <b>s50(10)</b>			Ceases to be a conservation area under the Conservation Act 1987 <b>s43(1)</b>  Fee Simple vests in Trustees <b>s43(2)</b>	<u>Conservation Act 1987</u>  <i>Subject to Part 4A of the Conservation Act 1987</i>  <u>Crown Minerals Act 1991</u>  A written application lodged under <b>s50</b> must include a request to the RGL to record on the CFR that the land is subject to <b>s63</b> of the Act. Suitable memorial: <i>Subject to section 63 of the Ngāti Pūkenga Claims Settlement Act 2017</i>

<b>Trigger:</b> an application to vest <b>s50(3)</b> if existing CR, or <b>s50(5)</b> if no existing CR; for Te Tihi o Hauturu <b>s50(6)</b> ; for Ōtanewainuku and Pūwhenua <b>s74(2)</b>	<b>Type of Property:</b>	<b>Authorised Person:</b>	<b>Conditions</b>	<b>Existing Interests</b>	<b>Status changes, Estate that vests, owner, and statutory restrictions</b>	<b>Application of other Statutory Provisions - initial vesting</b>
<b>Ōtūkōpiri s44</b> (and see <a href="#">Schedule 2</a> for legal description)	Cultural Redress Property – vested in fee simple with Reserve Property to be administered as reserve	A person authorised by the Director-General of Conservation <b>s50(10)</b>		<p>See <a href="#">Schedule 2</a> and refer to application.</p> <p><b>Note:</b> Some interests in Schedule 2 may be unregistered – only register those that are registrable and referred in the application</p> <p>Subject to a lease to Tauranga District group Riding for the Disabled Association Incorporated in CFR SA23D/203 as varied by <b>s44(5)</b> so that the area subject to the lease is only the part of Ōtūkōpiri that is Section 1 SO 483376. The RGL must note the variation accordingly (<b>s44(6)</b>).</p>	<p>Ceases to be a conservation area under the Conservation Act 1987 <b>s44(1)</b></p> <p>Fee simple vests in Trustees <b>s44(2)</b></p> <p>Parts of Otukopiri that are Sections 2, 3 and 4 SO 483376 (“Reserve Property”) declared reserve, classified as recreation reserve subject to section 17 of the Reserves Act 1977 <b>s44(3)</b></p> <p>In relation to the Reserve Property only:</p> <p><i>Subject to <b>s51(3)</b> and <b>s57</b> of the Ngāti Pūkenga Claims Settlement Act 2017 <b>s52(1)(ii)</b></i>  <b>Ensure the “prevents registration” flag is set against this memorial</b></p> <p><i>Subject to <b>s60</b> of the Ngāti Pūkenga Claims Settlement Act 2017 (which prohibits reserve land from being mortgaged or charged for security).</i>  <b>Ensure the “prevents registration” flag is set against this memorial</b></p>	<p><u>Conservation Act 1987</u></p> <p>For the Reserve Property:  <i>Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply</i></p> <p>For Section 1 SO 483376:  <i>Subject to Part 4A of the Conservation Act 1987</i></p> <p>If the reservation of the Reserve Property 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>

<b>Trigger:</b> an application to vest <b>s50(3)</b> if existing CR, or <b>s50(5)</b> if no existing CR; for Te Tihi o Hauturu <b>s50(6)</b> ; for Ōtanewainuku and Pūwhenua <b>s74(2)</b>	<b>Type of Property:</b>	<b>Authorised Person:</b>	<b>Conditions</b>	<b>Existing Interests</b>	<b>Status changes, Estate that vests, owner, and statutory restrictions</b>	<b>Application of other Statutory Provisions - initial vesting</b>
<b>Pae ki Hauraki s46</b> (and see <a href="#">Schedule 2</a> for legal description)	Cultural Redress Property – vested in fee simple subject to conservation covenant	A person authorised by the Director-General of Conservation <b>s50(10)</b>	<b>Section 46(1) and (2)</b> do not take effect until the trustees have provided the Crown with a registrable conservation covenant in relation to Pae ki Hauraki on the terms and conditions set out in part 6 of the documents schedule <b>(s46(3))</b>	See <a href="#">Schedule 2</a> and refer to application.  <b>Note:</b> Some interests in Schedule 2 may be unregistered – only register those that are registrable and referred in the application	Ceases to be part of Coromandel Forest Park and a conservation area under the Conservation Act 1987 <b>s46(1)</b>  Fee Simple vests in Trustees <b>s46(2)</b>	<u><a href="#">Conservation Act 1987</a></u> <i>Subject to Part 4A of the Conservation Act 1987</i>  <u><a href="#">Crown Minerals Act 1991</a></u>  A written application lodged under <b>s50</b> must include a request to the RGL to record on the CFR that the land is subject to <b>s63</b> of the Act.  Suitable memorial:  <i>Subject to section 63 of the Ngāti Pūkenga Claims Settlement Act 2017</i>
<b>Te Tihi o Hauturu s47</b> (and see <a href="#">Schedule 2</a> for legal description)	Cultural Redress Property - Jointly vested in fee simple subject to conservation covenant	A person authorised by the Director-General of Conservation <b>s50(10)</b>	<b>Section 47(2) and (3)</b> do not take effect until the trustees referred to in <b>s47(3)</b> have jointly provided the Crown with a registrable conservation covenant in relation to Te Tihi o Hauturu on the terms and conditions set out in part 7 of the documents schedule <b>(s47(4))</b>	See <a href="#">Schedule 2</a> and refer to application.  <b>Note:</b> Some interests in Schedule 2 may be unregistered – only register those that are registrable and referred in the application	Ceases to be part of Coromandel Forest Park and a conservation area under the Conservation Act 1987 <b>s47(2)</b>  Fee simple vests in 1/3 shares in the Trustees, the trustees of the Ngati Maru Runanga Trust, and the trustees of the Ngati Tamatera Treaty Settlement Trust <b>s47(3)</b> .	As above for Pae ki Hauraki

<b>Trigger:</b> an application to vest <b>s50(3)</b> if existing CR, or <b>s50(5)</b> if no existing CR; for Te Tihi o Hauturu <b>s50(6)</b> ; for Ōtanewainuku and Pūwhenua <b>s74(2)</b>	<b>Type of Property:</b>	<b>Authorised Person:</b>	<b>Conditions</b>	<b>Existing Interests</b>	<b>Status changes, Estate that vests, owner, and statutory restrictions</b>	<b>Application of other Statutory Provisions - initial vesting</b>
<b>Ōtanewainuku s67</b>	Cultural redress property - Jointly vested in fee simple to be administered as reserves	A person authorised by the Director-General of Conservation <b>s74(5)</b>	<b>S67(1) to (5)</b> do not take effect until the trustees of the various trusts have provided the Crown with a registrable easement in gross for a right of way over Ōtanewainuku on the terms and conditions set out in part 5 of the documents schedule.	See Schedule 3 and refer to application.  Note: Some interests in Schedule 3 may be unregistered – only register those that are registrable and referred in the application	Ceases to be a conservation area under the Conservation Act 1987 <b>S67(1)</b>  Fee simple vests in 1/6 shares in the Trustees, the trustees of the Ngā Hapū o Ngāti Ranginui Settlement Trust; the Ngāi Te Rangi Settlement Trust; the Tapuika Iwi Authority Trust; Te Kapu o Waitaha; and the Te Tāhuhu o Tawakeheimoa Trust respectively <b>S67(2)</b>  Declared reserve, classified as scenic reserve for the purposes specified in section 19(1)(a) of the Reserves Act 1977 <b>S67(3)</b>  <i>Subject to sections 70, 72(3) and 75(2) of the Ngāti Pūkenga Claims Settlement Act 2017</i> <b>S76(1)(b)</b> <b>Ensure the “prevents registration” flag is set against this memorial</b>  <i>Subject to section 79 of the Ngāti Pūkenga Claims Settlement Act 2017 (which prohibits reserve land from being mortgaged or charged for security).</i> <b>S79</b> <b>Ensure the “prevents registration” flag is set against this memorial</b>	<u>Conservation Act 1987</u>  <i>Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply</i> 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:  <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>Trigger:</b> an application to vest <b>s50(3)</b> if existing CR, or <b>s50(5)</b> if no existing CR; for Te Tihi o Hauturu <b>s50(6)</b> ; for Ōtanewainuku and Pūwhenua <b>s74(2)</b>	<b>Type of Property:</b>	<b>Authorised Person:</b>	<b>Conditions</b>	<b>Existing Interests</b>	<b>Status changes, Estate that vests, owner, and statutory restrictions</b>	<b>Application of other Statutory Provisions - initial vesting</b>
<b>Pūwhenua s68</b>	Cultural redress property - Jointly vested in fee simple to be administered as reserves	A person authorised by the Director-General of Conservation <b>s74(5)</b>		See Schedule 3 and refer to application.  Note: Some interests in Schedule 3 may be unregistered – only register those that are registrable and referred in the application	Ceases to be a conservation area under the Conservation Act 1987 <b>s68(1)</b>  Fee simple vests in 1/6 shares in the Trustees, the trustees of the Ngā Hapū o Ngāti Ranginui Settlement Trust; the Ngāi Te Rangi Settlement Trust; the Tapuika Iwi Authority Trust; Te Kapu o Waitaha; and the Te Tāhuhu o Tawakeheimoa Trust respectively <b>s68(2)</b>  Declared reserve, classified as scenic reserve for the purposes specified in section 19(1)(a) of the Reserves Act 1977 <b>s68(3)</b>  <i>Subject to sections 70, 72(3) and 75(2) of the Ngāti Pūkenga Claims Settlement Act 2017</i> <b>s76(1)(b)</b> <b>Ensure the “prevents registration” flag is set against this memorial</b>  <i>Subject to s79 of the Ngāti Pūkenga Claims Settlement Act 2017 (which prohibits reserve land from being mortgaged or charged for security).</i> <b>s79</b> <b>Ensure the “prevents registration” flag is set against this memorial</b>	<u>Conservation Act 1987</u> <i>Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply</i>  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:  <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>

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

Trigger	Property	Redress Type	Authorised Person	Conditions	Application of other Statutory Provisions – initial vesting
<p><b>Transfer:</b> where existing CR <b>s83</b></p> <p>or</p> <p><b>Application:</b> to create CR where no existing CR – for Commercial Redress Property <b>s84(3)</b></p> <p>or</p> <p><b>Application:</b> register covenant for later transfer as Computer Interest Register <b>s85</b></p>	<p>447-479 Welcome Bay Road <b>s82</b></p>	Commercial Redress Property	A Person authorised by the chief executive of the Ministry of Justice <b>s84(5)</b>	None	<p><u>Conservation Act 1987</u></p> <p><i>Subject to Part 4A of the Conservation Act 1987 (but sections 24(2A), 24A and 24AA of that Act do not apply)</i></p> <p><u>Crown Minerals Act 1991</u></p> <p><i>Subject to section 11 of the Crown Minerals Act 1991</i></p>

Right of First refusal		
Trigger for noting RFR memorial:	Property	Memorial for noting RFR
<p>CE certificate <b>s110(1)</b> issued as soon as reasonably practicable after the settlement date for land in an existing CFR (<b>s110(2)(a)</b>) or after receiving notice under <b>s106</b> for land in a CFR to be created after settlement date or if land becomes RFR land after settlement date.</p>	<p>Defined in Part 2A of attachments schedule, which on settlement date is: vested or held in fee simple by the Crown <b>s88(1)</b></p>	<p><i>[certificate identifier] Certificate under section 110 of the Ngāti Pūkenga Claims Settlement Act 2017 that the within land is RFR land as defined in section 88 and is subject to Subpart 2 of Part 3 of the Act (which restricts disposal, including leasing, of the land) [date and time]</i></p> <p><b>Ensure the “prevents registration” flag is set against this memorial</b></p>
<p><b>Trigger for removal RFR memorial:</b></p> <p>Notice (when land transferred or vested) <b>s111</b> or Notice (when RFR period ends) <b>s112</b></p>		