



# Ngāti Kuri Claims Settlement Act 2015 registration guideline

LINZG20752

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# Table of contents

Terms and definitions.....	4
General .....	4
Foreword.....	7
Introduction .....	7
Purpose .....	7
Scope.....	7
Intended use of guideline.....	7
References .....	7
1 Landonline settings to reflect statutory prohibitions on subsequent registration .....	8
Purpose .....	8
Trigger - Memorial of statutory restricting dealing .....	8
Action - Put Landonline setting that "prevents registration" against specified memorials .....	8
2 Part-Cancellation of Right of Way effective from Settlement Date .....	9
Trigger - receipt of a request to part cancel right of way created by Proc 11625 .....	9
Legislation .....	9
Action - Memorials .....	9
3 Removal of resumptive memorials .....	10
Trigger – receipt of s 18 (1) certificate .....	10
Execution by CE.....	10
Legislation .....	10
Action.....	11
4 Initial vesting of Cultural Redress Properties .....	12
Background - Vesting of all or specified shares .....	12
Joint ownership .....	12
Trigger - receipt of written application under s 48 .....	13
Action – .....	14
Preconditions to vesting.....	14
Where CFR - registration of trustees (subject to preconditions in table above).....	15
Where no CFR exists or CFR exists for part - creation of CFR (subject to preconditions in table above).....	16
Memorial formats - examples .....	17
Changes of status for Reserve Properties- upon vesting - revocation and re -conferring of reserve status; .....	19
and .....	19
ceasing of conservation area and conferring of reserve status under ss 31 to 38.....	19
Process for amending or removing memorials - Reserve Properties upon subsequent revocation of reserve status (not revocations within initial vesting process) s 50.....	19
Trigger - application under s 50(3) re: a revocation of a Reserve Property (other than a Jointly Vested Property).....	19
Action – Precondition to revocation .....	20
Memorials .....	20
Trigger - application re: Reserve Property that <i>is</i> a Jointly Vested Property .....	21
Action.....	21
Restrictions on transferring Reserve Land under ss 56 to 58.....	22
Conditions on transfer of Beach Sites (s 59).....	22
Transfer of Reserve Land to Administering Body (s 57).....	22
Trigger - receipt of documents for transfer of reserve land to new owners.....	23
Action - registration of new owners .....	23
Note - Continuation of "prevents registration" flag – eg prohibition against mortgage of Reserve Land under s 59 continues .....	23
5 Commercial Redress .....	24

Background – Vesting of all or specified shares.....	24
Joint ownership .....	24
Transfer of Te Paki Station (Other Commercial Redress Property) s 144.....	24
Authorised Person.....	25
Crown may transfer Properties ss 137 & 138.....	25
Covenant for later creation of CFR under s 142(1) .....	25
Trigger - application for CFR for:.....	25
Commercial Redress Property ( <i>except the Peninsula Block</i> ) .....	25
(see above re: covenant for the later creation of a the CFR).....	25
Action - create a CFR (except the Peninsula Block).....	26
Background.....	27
Trigger - application for CFR for the Peninsula Block with or without transfer.....	27
Action - application for CFR for the Peninsula Block with or without transfer .....	27
<b>6 Commercial Redress - Access to protected sites .....</b>	<b>30</b>
Right of access to protected sites under s 149 .....	30
Trigger Transfer of Peninsula Block .....	30
Action – notation of right of access on CFR.....	30
Memorial .....	30
<b>7 Commercial Redress - Right of first refusal (RFR) .....</b>	<b>31</b>
RFR Land - four <i>types</i> , and when land ceases to be RFR Land.....	31
RFR Date - beginning of relevant RFR Period [s 152] .....	31
Trigger .....	31
Action - memorials recording RFR land – s 176(5).....	31
Restrictions on disposal of RFR land .....	32
Meaning of "dispose of" in relation to RFR land .....	32
Trigger – notice to remove an RFR memorial when land being transferred or vested under this Act or certificate when RFR Period ends - (ss 177-178).....	33
<b>Table 1 - Description of Cultural Redress Properties: vesting, reserve status, interests and memorials .....</b>	<b>34</b>

## Terms and definitions

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### General

- (a) For the purposes of this guideline, the terms and definitions in the Ngāti Kuri Claims Settlement Act 2015 (Act) apply, unless stated otherwise. Refer to “interpretation” sections in ss 11 – 14, 22, 136, 152, and 153 of the Act for definitions of terms used in the sections relating to registration.
  - (b) Terms and abbreviations commonly used in this guideline are defined below.
  - (c) Any reference to a section in this guideline is a reference to that section of the Act.
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### Term/abbreviation Definition

Act	Ngāti Kuri Claims Settlement Act 2015
Attachments	See <a href="#">Ngāti Kuri Attachments Schedule</a>
Aupouri Forest	All the land described in CIR NA100A/1 (s 136) and subject to a Crown Forestry Licence. Defined in the Deed’s <b>Property Redress Schedule</b> .
Authorised Person	Defined in s48(11), or s 140(5), as the case may be.
Beach Site	Any or all of the cultural redress properties described as Beach Site A, Beach Site B, Beach Site C and Beach Site D
Chief Executive (CE)	Chief Executive of Land Information New Zealand
CFR	computer freehold register, as defined in s 2 of the Land Transfer Act 1952
Commercial Redress	Described in part 3 of the Act which has registration implications is: <ul style="list-style-type: none"><li>• <b>Commercial Redress Properties</b> (described in pp 6-10 of the <b>Property Redress Schedule</b> and pp 29-34 of the <b>Attachments Schedule</b>):<ul style="list-style-type: none"><li>– <b>Licensed Land</b> being the “Peninsula Block” (p6-8 Property Redress Schedule);</li><li>– <b>Other Commercial Redress Properties</b> (p9-10 Property Redress Schedule) 4 properties;</li></ul></li><li>• <b>Right of Access</b> (to protected sites and being over the <b>Peninsula block</b>) (see s 136, and ss 149-151); and</li><li>• <b>Right of First Refusal</b> (see pp29-32 of <b>Attachments Schedule</b> and subpart 4 of the Act).</li></ul> The boundaries are subject to survey.
Commercial Redress Property	<b>Licensed Land</b> , and <b>Other Commercial Redress</b> The boundaries are subject to survey. Defined in the Property Redress Schedule
Crown forestry licence	Crown forestry licence as defined in s 136.

Cultural forest land properties	<p>Defined in s 136, as the following properties:</p> <ul style="list-style-type: none"> <li>(a) Beach sites A, B, and C and Hukatere site B, as defined in s 22; and</li> <li>(b) Hukatere Pā, as defined in section 22 of the Te Aupouri Claims Settlement Act 2015; and</li> <li>(c) Hukatere site A, as defined in section 22 of the Ngāi Takoto Claims Settlement Act 2015 and</li> <li>(d) Hukatere site A, as defined in section 22 of the Te Rarawa Claims Settlement Act 2015</li> </ul>
Cultural Redress Property	<p>A property listed in s 22 and described in Schedule 1 of the Act (reproduced in <a href="#">Table 1</a>).</p> <p>The boundaries are subject to survey.</p> <p>For a general indication of the location of individual properties an internet search on the name and Ngāti Kuri's Area of Interest shown on p3 of the Deed's Attachments (see web link below), may assist.</p> <p><a href="http://nz01.terabyte.co.nz/ots/DocumentLibrary/NgatiKuriAttachments.pdf">http://nz01.terabyte.co.nz/ots/DocumentLibrary/NgatiKuriAttachments.pdf</a></p>
Deed	<p>The Ngāti Kuri deed of settlement on behalf of Ngāti Kuri dated 7<sup>th</sup> February 2014, see weblink below:</p> <p><a href="http://nz01.terabyte.co.nz/ots/DocumentLibrary/NgatiKuriDeedofSettlement.pdf">http://nz01.terabyte.co.nz/ots/DocumentLibrary/NgatiKuriDeedofSettlement.pdf</a></p>
Four Iwi	<p>The following four iwi, together with two other iwi are collectively referred to as Muriwhenua:</p> <p>Ngāti Kuri, Te Aupouri, Ngāi Takoto and Te Rarawa</p>
Jointly Vested Property	<p>Defined in s 22 and relates to those Cultural Redress Properties which vest in Specified Groups of Trustees as tenants in common. See <a href="#">Joint ownership</a> below.</p>
Licensed Land	<p>The <b>Peninsula Block</b> being a <b>Commercial Redress Property</b>..</p>
LINZ	<p>Land Information New Zealand</p>
Ngāti Kuri Attachments Schedule	<p><a href="http://nz01.terabyte.co.nz/ots/DocumentLibrary/NgatiKuriAttachments.pdf">http://nz01.terabyte.co.nz/ots/DocumentLibrary/NgatiKuriAttachments.pdf</a></p>
Ngāti Kuri Property Redress	<p><a href="http://nz01.terabyte.co.nz/ots/DocumentLibrary/NgatiKuriPropertyRedress.pdf">http://nz01.terabyte.co.nz/ots/DocumentLibrary/NgatiKuriPropertyRedress.pdf</a></p> <p>Also accessible via OTS' documents webpage for this settlement:</p> <p><a href="http://www.ots.govt.nz/">http://www.ots.govt.nz/</a></p>
Other Commercial Redress Properties	<p>The <b>Commercial Redress Properties</b> <i>other than</i> the <b>Licensed Land</b>.</p> <p>The boundaries are subject to survey.</p> <p>More detail in <b>Commercial Redress</b></p>
OTS documents webpage for this settlement	<p>On p2 of the Documents tab that appears on the top of this webpage:</p> <p><a href="http://www.ots.govt.nz/">http://www.ots.govt.nz/</a></p>
Peninsula Block	<p>Defined in s 136 being <i>part</i> of the Aupouri forest.</p> <p>The boundaries are subject to survey.</p> <p>It is <b>Licensed Land</b></p>

Property Redress Schedule	See <a href="#">Ngāti Kuri Property Redress Schedule</a>
Relevant Trustees	(a) Defined in s 136. (b) In relation to the Peninsula Block the Trustees of the Four Iwi.
Reserve Property	Each of the properties named in (h)-(o) of the definition of Cultural Redress Property in the Act (s 22).
Resumptive memorials	Memorials entered under any enactment referred to in s 17
RGL	Registrar-General of Land defined in s 4 of the Land Transfer Act 1952
Right of First Refusal (or RFR)	A right over many properties (defined in s 153) of first chance to acquire (or not) them.  Includes <i>Exclusive RFR Land, Shared RFR land and Balance RFR Land, and land obtained in exchange for a disposal of RFR land (ss 166(1)(c) or 167)</i>  More detail in <b>Commercial Redress</b> .
RMA	Resource Management Act 1991
School house site	A Cultural Redress property, called Te Hāpua School House site, as described in s 26 and p 28 of the Deed's Attachments.
settlement date	17 December 2015, being the date that is 60 working days after the date on which the Act comes into force.
Shared Redress	Commercial Redress Properties which transfer the trustees of the Four Iwi. The relevant property is the Peninsula Block.
Specified Groups of Trustees	used in Part 2 of the Act (Cultural Redress) in the subsections about vesting of the various Cultural Redress Properties, where they do not vest wholly in "the trustees", and means the various groups of trustees listed in each subsection (see ss 23, 35-38, 40 and 42). Different to Jointly Vested Properties. See <a href="#">Joint ownership</a> below.
Titles Advisor	Staff in LINZ's Survey and Title Operations team employed as a Titles Advisor.
Trustees	trustees from time to time of Te Manawa acting in their capacity as trustees of Te Manawa O Ngāti Kuri Trust as defined in s 12 of the Act.

# Foreword

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## Introduction

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

The Registrar-General of Land (RGL) has issued this guideline to ensure that applications received by Land Information New Zealand (LINZ) under the Act are dealt with correctly.

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## Scope

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

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## Intended use of guideline

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

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## References

- The following documents are necessary for the application of this guideline:
- Deed of Settlement for Ngāti Kuri dated 7th February 2014 (the Deed)
  - The 2015 treaty settlement Act for each of the Four Iwi (defined above).
  - Customer Services Technical Circular 2013.T06 - Registration of Treaty Claims Settlement Dealings.
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# 1 Landonline settings to reflect statutory prohibitions on subsequent registration

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## Purpose

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

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## Trigger -

Memorial of statutory restricting dealing

- (a) In relation to Cultural Redress Properties that are Reserve Properties Part 2 of the Act:
    - (i) prescribes processes that apply if the owners wish to transfer them at any time after the initial vesting (ss 56-58); and
    - (ii) prohibit owners of land from securing or mortgaging them (s 59).
  - (b) In relation to RFR Land, Subpart 4 of Part 3 of the Act prescribes a process for recording a right of first refusal against some land (s 176).
  - (c) Specific guidance on which land is affected, along with instructions about memorials that must be entered on the relevant CFRs, are in the sections on processing applications below..
  - (d) As noted above, the purpose of this section is to highlight that a Landonline setting that stops registration must be put against each of the relevant memorials for the statutory prohibitions referred to above.
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**Action -** Put Landonline setting that "prevents registration" against specified memorials

Where a computer register contains one or more of the following memorials:

'Subject to section 56 of the Ngāti Kuri Claims Settlement Act 2015';

'Subject to section 59 of Ngāti Kuri Claims Settlement Act 2015 (which prohibits reserve land from being mortgaged)'; or

'[*certificate identifier*] Certificate under section 176(1) of Ngāti Kuri Claims Settlement Act 2015 that the within land is RFR land as defined in section 153 of that Act and is subject to Subpart 4 of Part 3 of the Act (which restricts disposal, including leasing, of the land) [*date and time*]';

**then ensure the "prevents registration" flag has been set for each of the memorials.**

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## 2 Part-Cancellation of Right of Way effective from Settlement Date

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**Trigger** - receipt of a request to part cancel right of way created by Proc 11625

Receipt of a request from the RGL team to part cancel the right of Way created by Proclamation 11625.

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**Legislation**

Sections 34 and 144 take effect from commencement (Settlement Date), and state that:

- (d) the right of way created by Proclamation 11625, to the extent that it relates to Te Rerenga Wairua (described in Table 1 (p27). [s 34(9)] and Te Paki Station (described in Table 2 (p33). [s 144(8)], is cancelled. For further information about the description of this land, see the Deed's Attachments on the web link that follows, in conjunction with SO 469373:  
<http://nz01.terabyte.co.nz/ots/DocumentLibrary/NgatiKuriAttachments.pdf>; and
  - (e) the RGL must note the effect of subsections 34(8) and 144(7) without further enquiry [s 34(9) and s 144(9) respectively].
- 

**Action - Memorials**

- (a) Note the effect of subsections 34(8) and 144(7) without further enquiry.
  - (b) A suitable memorial for CFR 629523, and any other registered instruments relating to Te Rerenga Wairua and Te Paki Station upon which Proclamation 11625 is recorded (if any):  

'Partial Cancellation of the right of way easement created by Proclamation 11625. See subsections 34(8) and (9) and 144(7) and (8) of Ngāti Kuri Claims Settlement Act 2015'.
  - (c) **Note:** CFR 629523 includes both the Te Rerenga Wairua and Te Paki Station properties, which benefit from and are subject to the easement respectively, along with other land to which the easement relates.
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### 3 Removal of resumptive memorials

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

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

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**Legislation**      (a) Section 17 provides that certain legislative provisions do not apply to  
(i) a Cultural Redress Property, or  
(ii) a Commercial Redress Property, or  
(iii) exclusive RFR land or shared RFR land (on and from each of their relevant RFR dates); or  
(iv) for the benefit of Ngāti Kuri or a representative entity.  
(b) Section 17(2) lists the legislative provisions as:  
(i) Part 3 of the Crown Forest Assets Act 1989;  
(ii) Sections 211 to 213 of the Education Act 1989;  
(iii) Part 3 of the New Zealand Railways Corporation Restructuring Act 1990;  
(iv) Sections 27A to 27C of the State Owned Enterprises Act 1986; and  
(v) Sections 8A to 8HJ of the Treaty of Waitangi Act 1975.

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

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## Removal of resumptive memorials, continued

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### Action

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

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

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

*"Part [insert Part of the Relevant Act] of [the relevant Act mentioned in s 17(2)] does not apply".*

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## 4 Initial vesting of Cultural Redress Properties

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

- (a) Cultural Redress Properties are defined and listed in s 22 of the Act. See also [Table 1](#).
  - (b) Either:
    - (i) all of a Cultural Redress Property vests in the Trustees;
    - (ii) or:
      - (A) a specified undivided share; or
      - (B) in relation to a Jointly Vested Property (s 22), an equal undivided share;vests in the Trustees as tenants in common with the Specified Groups of Trustees.
- [see [Joint ownership](#) below and Subpart 1 of Part 2 of the Act] (see ss 23, 35-38, 40 and 42).
- 

### **Joint ownership**

- (a) This Act is one of four that record the settlement of treaty claims for the Four Iwi.
  - (b) Under this Act, “Jointly Vested Properties”, are the only *Cultural Redress Properties* that vest in joint owners (as tenants in common – see ss 23, 35-38, 40 and 42). Some of the Commercial Redress also vests jointly as tenants in common (eg the Peninsula Block), but that is separately explained in the relevant section of this guideline.
  - (c) The joint owners of the Jointly Vested Property are the “Specified Groups of Trustees” – that term is used (but not defined) in the Act (see ss 23, 35-38, 40 and 42); to assist it has been defined in this guideline.
  - (d) For example, ss 48(8) contains the registration process for recording the vesting in the Trustees (of Ngāti Kuri) of an equal undivided share in a Jointly Vested Property. The Trustees are authorised to apply for a CFR for their equal undivided share (ss 48(8)).
  - (e) The vesting of a specified share of a Cultural Redress Property in the trustees of another Te Hiku o Te Ika iwi occur under the Act relevant to that iwi.
  - (f) The applications and registration processes for recording the vesting of undivided specified shares in other iwi (including the creation of CFRs) under the Act relevant to that iwi may or may not have already occurred.
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## Initial vesting of Cultural Redress Properties, *continued*

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**Trigger** - receipt of written application under s 48

- (a) Receipt of a written application under s 48(5), (7) or (8) by an Authorised Person to register the Trustees as proprietors of all (or a share of) the fee simple estate.
- (b) Section 48(11) defines Authorised Person as a person authorised by—
  - (i) the CE, for the Waihopo Lake property.
  - (ii) the Secretary for Education, for Te Hāpua School site B.
  - (iii) the Secretary for Justice, for:
    - Murimotu Island;
    - Te Rerenga Wairua;
    - Mai i Waikanae ki Waikoropūpūnoa;
    - Mai i Hukatere ki Waimahuru; and
    - Mai i Ngāpae ki Waimoho.
  - (iv) the Director-General of Conservation for all other Cultural Redress Properties.

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## Initial vesting of Cultural Redress Properties, *continued*

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

Preconditions to vesting

<b>Cultural Redress Property</b>	<b>Precondition to be satisfied before vesting takes effect</b>	<b>Refer to</b>
<b><i>Murimotu Island</i></b>	The Specified Groups of Trustees in s 23(3) have provided Maritime New Zealand with a registrable lease.	s 23(4)
<b><i>The Pines Block</i></b>	The Trustees have provided the Crown with a registrable right of way easement.	s 24(3)
<b><i>Te Hāpua School Site B described in Part 1 of Schedule 1</i></b>	The beneficial interest in Te Hāpua School House site is <b>not</b> relinquished; and: <ul style="list-style-type: none"> <li>the Trustees have provided the Crown with a registrable lease s 2, and</li> <li>registrable easements, if any, have been entered into.</li> </ul>	ss 26(3), ss 25(3)(a) & ss 25(3)(b).
<b><i>Te Hāpua School site B described in Part 2 of Schedule 1</i></b>	The beneficial interest in Te Hāpua School House site is <u>relinquished</u> ; and <ul style="list-style-type: none"> <li>the Trustees have provided Crown with a registrable lease.</li> </ul>	ss 26(2), ss 25(3)(a)
<b><i>Tirirangi Urupā</i></b>	The Trustees have provided the Crown with a registrable easement.	s 27(3)
<b><i>Mokaikai Pā</i></b>	The Trustees have provided the Crown with a registrable covenant to be treated as a conservation covenant for the purposes of s 77 of the Reserves Act 1977 and s 27 of the Conservation Act 1987.	s 28(3).
<b><i>Wairoa Pā</i></b>	The Trustees have provided the Crown with a registrable covenant to be treated as a conservation covenant for the purposes of s 77 of the Reserves Act 1977 and s 27 of the Conservation Act 1987.	s 29(3).
<b><i>Wharekawa Pā</i></b>	The Trustees have provided the Crown with a registrable covenant to be treated as a conservation covenant for the purposes of s 77 of the Reserves Act 1977 and s 27 of the Conservation Act 1987.	s 30(3).
<b><i>Kapowairua</i></b>	The Trustees have provided the Crown with a registrable right of way and easement .	s 31(7)(a) and (b)
<b><i>Mokaikai</i></b>	The Trustees have provided the Crown with a registrable right of way easement. <b>Note:</b> The Minister of Conservation must also provide the Trustees with an easement (s 32(5)), if it is not included in the dealing, it should be queried with the lodging party. If it is still not provided the matter should be referred to a Titles Advisor.	s 32(7).
<b><i>Te Raumanuka</i></b>	The Trustees have provided the Crown with a registrable easement.	s 33(5).
<b><i>Te Rerenga Wairua</i></b>	The Right of Way easement is cancelled (ss 34(8) and (9), and Part 2 of this Guideline).	ss 34(8) and (9)

	<p>The Trustees have provided:</p> <ul style="list-style-type: none"> <li>• the Minister of Conservation with a registrable right of way easement;</li> <li>• Maritime New Zealand with a registrable right of way easement and a registrable lease.</li> </ul>	
<b>Bed of Lake Ngākeketo</b>	The Trustees have provided the Crown with a registrable covenant to be treated as a conservation covenant for the purposes of s 77 of the Reserves Act 1977 and s 27 of the Conservation Act 1987.	s 40(3)

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

**Where CFR -** registration of trustees (subject to preconditions in table [above](#))

Provided the preconditions above have been satisfied (where applicable), then upon receipt of an application by an Authorised Person under s 48(3):

- (a) Where the Cultural Redress Property is all the land in a CFR:
- (i) register the Trustees as the proprietors of:
    - (A) all; or
    - (B) in the case of a Jointly Vested Property, an equal undivided share; or
    - (C) in the case of a Cultural Redress Property that vests jointly with Specified Groups of Trustees, the relevant share;
of the fee simple; and
  - (ii) make any entry and do all things necessary to give effect to Part 2 of subpart 1 the Act and part 8 of the Deed (see Guidance Notes below) (s 48(3)(b)). Also refer to [Table 1](#).
- (b) Standard registration fees apply.

**Note: see guidance notes below.**

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## Initial vesting of Cultural Redress Properties, continued

**Where no CFR exists or CFR exists for part - creation of CFR (subject to preconditions in table above)**

- (a) Where the Cultural Redress Property is not all of the land in a CFR or no CFR exists for it, and subject to the completion of any necessary survey and provided the preconditions [above](#) have been satisfied (where applicable):
- (i) create one or more CFRs as requested in the application, (or, in the case of the Kapowairua property, two CFRs s48(7)) in the name of the Trustees as the proprietors of:
    - (A) all; or
    - (B) in the case of a Jointly Vested Property, an equal undivided ¼ share as tenants in common; or
    - (C) in the case of a Cultural Redress Property that vests jointly with Specified Groups of Trustees, the relevant share as tenants in common;

of the fee simple; and
  - (ii) enter any interests described in the Application (see Guidance Notes below and [Table 1](#)) [ss 48(3)(b), 48(7)(b) and 48(8)(b)].
- (b) Standard registration fees apply.

**Note: see guidance notes below.**

Guidance Notes	
Note:	Action
<b>Schedule 1 of the Act may include unregistered instruments.</b>	<u>Only</u> the interests referred to in the application are required to be entered on the CFR.
<b>Memorial format examples</b>	See detailed guidance below for Memorial formats - examples
<b>Creating and revoking reserve status</b>	See <a href="#">below</a> for detailed guidance.
<b>Resumptive memorials shown on a prior CFR</b>	These <u>must be</u> brought down onto the new CFRs; they cannot be noted as 'cancelled' until a Certificate by the CE authorising the removal of the memorials under s 18(1) is lodged for registration. [s 18 (4)(b)]
<b>Council right of way consent</b> under s 348 of the Local Government	This is <u>not</u> required for the creation of rights of way to fulfil the terms of <b>the Deed</b> (s 51(2)).
<b>Subdivision approval</b>	This is <u>not</u> required for vestings of the fee simple in Cultural Redress Properties, because they are not subject to section 11 and Part 10 of the RMA (s 51(4)).

*continued on next page*



## Initial vesting of Cultural Redress Properties, *continued*

### Memorial formats - examples

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

*'[registration number] Application under section 48 ([insert subsection]) of the Ngāti Kuri Claims Settlement Act 2015 vesting the within land in [names of the trustees] [date and time]'.*

- (b) Examples of other suitable memorial formats for other matters that must also be recorded on CFRs (under ss 50, 51, 54, 56 and 59) are in the table below:

**Note: Ensure the "prevents registration" flag is set for any ss 56 and 59 memorials.**

**Note:** For descriptions of the actual properties that fall within the types of properties referred to below, see [Table 1](#) (at the back of this guideline). And to see and understand the boundaries of individual properties, see also the Attachments in conjunction with SO 469373.

Type of Cultural Redress Property:	Example of memorial format:	Refer to:
<p>For Reserve Properties (s 22(h)-(o)), <b>except</b> Jointly Vested Properties (s 22(a) and (l)-(o)) – <b>only s 22(h)-(k) reserve properties</b> qualify:</p> <p>being:</p> <p><i>Properties vested in fee simple to be administered as reserves:</i></p> <p>Kapowairua (s 22(h)); Mokaikai (s 22(i)); Te Raumanuka (s 22(j)); and Te Rerenga Wairua (s 22(k)).</p>	<p>'Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply'</p> <p>'Subject to sections 49(4) and 56 (which prevents reserve land being transferred except in accordance with s58 of the Ngāti Kuri Claims Settlement Act 2015) of the Ngāti Kuri Claims Settlement Act 2015 '</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p> <p>'Subject to section 59 of the Ngāti Kuri Claims Settlement Act 2015' (which prohibits reserve land from being mortgaged or charged for security)</p> <p><b>Ensure the 'prevents registration' flag has been set for the s 56 and 59 memorials.</b></p>	<p>s 50(1)(a) and ss 48(2) &amp; (3)</p>
<p>For Reserve Properties (s 22(h)-(o)) <b>that are</b> Jointly Vested Properties (s 22(a) and (l)-(o)) – <b>only the Beach Sites s 22(l)-(o)</b> are both:</p> <p>being:</p> <p><i>Properties vested in fee simple to be administered as reserves:</i></p> <p>Mai i Waikanae ki Waikoropūpūnoa (<b>Beach site A</b>) (s 22(l)); Mai i Hukatere ki Waimahuru</p>	<p>'Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply''</p> <p>'Subject to sections 45(4), 49(4) and 56 (which prevents reserve land being transferred except in accordance with s58 of the Ngāti Kuri Claims Settlement Act 2015) of the Ngāti Kuri Claims Settlement Act 2015 '</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p>	<p>ss 50(1)(b)* and s 48(7) &amp; 45(1)</p>

<p>(<b>Beach site B</b>) (s 22(m));  Mai i Ngāpae ki Waimoho (<b>Beach site C</b>) (s 22(n)); and  Mai i Waimimiha ki Ngāpae (<b>Beach site D</b>) (s 22(o)).</p> <p>*s50(1)(b) is explicitly limited to a "jointly vested property to which s48(7) applies and s48(7) <u>only applies</u> to Kapowairua (see s48(6)). However, s50(1)(b) is the <i>only</i> subsection in s50(1) Matters to be recorded on computer freehold register to require a s45(4) memorial. s45(4)(1) applies s45 to each of <b>the Beach sites</b> whilst they have an administering body that is treated as if the property were vested in it, hence the inclusion of the Beach sites here.</p>	<p>'Subject to section 59 of the Ngāti Kuri Claims Settlement Act 2015' (which prohibits reserve land from being mortgaged or charged for security)</p> <p><b>Ensure the 'prevents registration' flag has been set for the s 56 and 59 memorial</b></p>	
<p>For bed of Lake Ngākeketo and Waihopo Lake property</p> <p>being:</p> <p><i>Lake and lakebed properties vested in fee simple:</i></p> <p>bed of Lake Ngākeketo (s 22(p)); and  Waihopo Lake property (s 22(q)).</p>	<p>'Subject to section 50(1)(c) of the Ngāti Kuri Claims Settlement Act 2015' (which which specifically excludes Part 4A of the Conservation Act 1987 from applying to the within land)</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p>	s 50(1)(c)
<p>For any other Cultural Redress Properties:</p> <p>being:</p> <p><i>Properties vested in fee simple:</i>  Murimotu Island (s 22(a)) (which is a Reserve Property and a Jointly Vested Property);  The Pines Block (s 22(b));  Te Hāpua School site B (s 22(c));  Tirirangi Urupā (s 22(d));</p> <p><i>Properties vested in fee simple subject to conservation covenant</i>  Mokaikai Pā (s 22(e))  Wairoa Pā (s 22(f))  Wharekawa Pā (s 22(g))</p>	<p>'Subject to Part 4A of the Conservation Act 1987'</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p>	s 50(1)(d) and ss 48(2) & (3)

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## Initial vesting of Cultural Redress Properties, *continued*

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

revocation and re -  
conferring of  
reserve status;

and

ceasing of  
conservation area  
and conferring of  
reserve status  
under ss 31 to 38

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

## Dealings **subsequent** to initial vesting – removal of memorials on Reserve Properties upon revocations of status (not revocations within initial vesting process)

### Process for amending or removing memorials -

Reserve Properties  
upon subsequent  
revocation of  
reserve status (not  
revocations within  
initial vesting  
process) s 50

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

### Trigger -

application under  
**s 50(3)** re: a  
revocation of a  
Reserve Property  
(other than a  
Jointly Vested  
Property)

An application from the Director-General of Conservation under s 50(3) to remove the memorials listed below from all or part of the CFR of a Reserve Property **other than a Jointly Vested Property**:

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

'Subject to section 49(4) and 56 of the Ngāti Kuri Claims Settlement Act 2015'.

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## Dealings **subsequent** to initial vesting – removal of memorials on Reserve Properties upon revocations of status (not revocations within initial vesting process), continued

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**Action** –  
Precondition to  
revocation

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

**Memorials**

- (a) Where the application relates to **all** of the land in the CFR:
- (i) the approved format for the memorial on the historic view of the CFR which must record the cancellation is:
- '[application identifier] Application under section 50(3) of Ngāti Kuri Claims Settlement Act 2015 revoking the reserve status of the within land [date and time]'*
- and** the following notifications must be modified accordingly
- from the memorial *'Subject to Part 4A of the Conservation Act 1977 but section 24 of that Act does not apply'* delete the words *"but section 24 of that act does not apply"*; and
- delete the memorial *'Subject to sections 49(4) and 56 of the Ngāti Kuri Claims Settlement Act 2015'*; and
- delete the memorial *'Subject to section 59 of Ngāti Kuri Claims Settlement Act 2015 (which prohibits reserve land from being mortgaged or charged for security)'*.
- (ii) The "prevents registration" flag for the ss 56 and 59 must be removed.
- (iii) Standard registration fees apply.
- (b) Where the application relates to **part** of the land in the CFR, the following memorials must be modified accordingly:
- (i) The approved format for the memorial on the historic view of the CFR which must record the cancellation is:
- '[application identifier] Application under section 50(3) of the Ngāti Kuri Claims Settlement Act 2015 revoking the reserve status as to part of the within land [date and time]'*
- and** the following notifications must be modified accordingly:
- add the words "Part of the within land is" to the beginning of the memorial *'Subject to Part 4A of the Conservation Act 1977 but section 24 of that Act does not apply'*, and
- add the words "Part of the within land is" at the beginning of the memorial *'Subject to section 49(4) and 56 of the Ngāti Kuri Claims Settlement Act 2015'*, and
- add the words "Part of the within land is" at the beginning of the memorial *'Subject to section 59 of Ngāti Kuri Claims Settlement Act 2015 (which prohibits reserve land from*

being mortgaged or charged for security)'.

- (ii) **Do not remove** the "prevents registration" flag for the ss 56 and 59 memorials.
  - (iii) Standard registration fees apply.
- 

**Trigger -**  
application re:  
Reserve Property  
that **is** a Jointly  
Vested Property

An application from the Director-General of Conservation under s 50(4) to remove the memorials listed below from all or part of the CFR of a Reserve Property **that is a Jointly Vested Property:**

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

Subject to section 45(4), 49(4) and 56 of the Ngāti Kuri Claims Settlement Act 2015.

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**Action**

The actions are the same as those referred to in (i) above for a "**Reserve Property other than a Jointly Vested Property**", except:

- (a) that the memorial on the historic view should refer to s 50(3) (rather than s 50(4)); and
  - (b) references to 'Subject to section 49(4) and 56 of the Ngāti Kuri Claims Settlement Act 2015' should be read as if it included s 45(4) as well.
  - (c) **Do not remove** the "prevents registration" flag for the ss 56 and 59 memorials.
  - (d) Standard registration fees apply.
-

## Dealings **subsequent** to initial vesting - Transfer of Cultural Redress Properties that are Reserve Land

### **Restrictions on transferring Reserve Land under ss 56 to 58**

- (a) The fee simple in any land which remains a reserve after vesting under this Act may only be transferred in accordance with:
  - (i) ss 57 and 58 (in relation to Kapowairua, Mokaikai, Te Raumanuk; and Te Rerenga Wairua) [s 56(3)]
  - (ii) section 58 (in relation to the Beach sites) [s 56(2), as the Beach sites are also Jointly vested Properties].
- (b) These provisions enable:
  - (i) In relation to Reserve Land (other than the Beach Sites) and as described in (a)(i) above:
    - (A) transfers to Administering Bodies (which are defined in the Act by reference to the definition in the s 2(1) of the Reserves Act 1977) [ss 56, 57, & 58]; it envisages the transferees will be 1 or more persons;
    - (B) transfers to reflect a change in trustees of an existing trust [ss 56 & 57(b)].
  - (ii) In relation to Beach Sites:
    - (A) transfers to reflect a change in trustees of an existing trust [s 58(2)].
- (c) If there is any doubt whether ss 57 or 58 apply the matter should be escalated to a Titles Advisor for resolution.

### **Conditions on transfer of Beach Sites (s 59)**

Under s 56(2) (which applies s 58), the fee simple in a Beach site may only be transferred if:

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

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

To effect a transfer to an Administering Body, under s 57(1), the registered proprietors of the Reserve Land may apply in writing to the Minister of Conservation for consent to transfer the fee simple estate in the Reserve Land to one or more persons (the new owners).

*continued on next page*

## Dealings subsequent to initial vesting - Transfer of Cultural Redress Properties that are Reserve Land, continued

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**Trigger** - receipt of documents for transfer of reserve land to new owners

Receipt by the RGL (ss 57(3) and s58) of:

- (a) In the case of a transfer to a new administering body under s57:
    - (i) a transfer instrument to transfer the fee simple estate in Reserve Land to new owners, including a notification that the new owners are to hold the Reserve Land for the same reserve purposes as those for which it was held by the administering body immediately before the transfer (s57(4)(a)); and
    - (ii) the written consent of the Minister of Conservation to the transfer of the reserve land (s57(4)(b)); and
    - (iii) any other document required for the registration of the transfer instrument (s57(4)(c)).
  - (b) In the case of a transfer to reflect a change in trustees under s58 the registered proprietor of reserve land may transfer the fee simple estate in the reserve land if:
    - (i) The transferors of the reserve land are or were the trustees of a trust (s58(a)); and
    - (ii) The transferees are the trustees of the same trust, after any new trustee has been appointed to the trust or any transferor has ceased to be a trustee of the trust (s 58(b)); andthe instrument to transfer the reserve land is accompanied by a certificate given by the transferees, or the transferees' solicitor, verifying that ss 58(a) and 58(b) apply (s 58(c)).
- 

**Action** - registration of new owners

- (a) Upon receipt of the documents required by s 57 or 58 (see above), the RGL must register the new owners as the proprietors of the fee simple estate in the reserve land (s 57(3) or s58).
- (b) Standard registration fees apply.
- (c) In the case of:
  - (i) a transfer under s 57, a transfer that complies with s 57 need not comply with any other requirements [s 57(6)]
  - (ii) a transfer under s 58, the transfer must be accompanied by a certificate referred to in the trigger section above.

**Note** - **Continuation of "prevents registration" flag** - eg prohibition against mortgage of Reserve Land under s 59 continues

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

## 5 Commercial Redress

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

- (a) Commercial Redress Properties are:
  - (i) included in the Act's Commercial Redress (s 22);
  - (ii) defined in s 136; and
  - (iii) described in p6-11 of the Deed's Property Redress Schedule.

- (b) The boundaries are subject to survey.

For a general indication of the location of individual properties an internet search on the name, and Ngati Kuri's Area of Interest shown on p4 of the Deed's [Attachment Schedule](#), may assist.

- (c) Rights of first refusal to acquire RFR Land are also included in the Act's Commercial Redress and defined in subpart 4 of part 3 of the Act. [ss 152-181].
- 

### **Joint ownership**

- (a) This Act is one of four that record the settlement of treaty claims for four Te Hiku o Te Ika iwi - the other ones are NgāiTakoto Claims Settlement Act, Te Aupouri Claims Settlement Act 2015, and Te Rarawa Claims Settlement Act 2015.

- (b) Under this Act, the Trustees take some Commercial Redress jointly (as tenants in common in the shares against the relevant property) with other "Relevant Trustees".

- (c) The applications and registration processes for recording the vesting of undivided specified shares in other iwi (including the creation of CFRs) under the Act relevant to that iwi may or may not have already occurred.
- 

### Transfer of **Te** **Paki Station** (Other Commercial Redress Property) **s 144**

- (a) The reservation of Te Paki Station (being part of Te Paki Recreation Reserve) as a recreation reserve subject to the Reserves Act 1977 is revoked.

- (b) The transfer is subject to:

- (i) the Trustees providing the Crown with a registrable covenant (to be treated as a conservation covenant for the purposes of section 77 of the Reserves Act 1977) in relation to Te Paki Station on the terms and conditions set out in part 5.1 of the documents schedule;

- (c) The right of way easement created by Proclamation 11625 (North Auckland Land District) is cancelled to the extent that it relates to Te Paki Station; and

- (i) The Registrar-General must note the effect of subsection (7) on Proclamation 11625.

### **s 144**



## Commercial Redress, continued

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### Authorised Person

Section 140(5) defines "Authorised Person" (in relation to commercial redress) as the chief executive of the land holding agency for the relevant property; these are specified for each property in the tables referred above.

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### Crown may transfer Properties ss 137 & 138

To give effect to part 9 of Deed the Crown may transfer all (or in the case of the Peninsula Block an undivided share) of the fee simple in a Commercial Redress Property to the Trustees [ss 137 & 138].

If a transfer is lodged for registration pursuant to s 137 it must contain a statement that it is authorised under s 137.

### Covenant for later creation of CFR under s 142(1)

CFRs will need to be issued for Commercial Redress Properties transferred from the Crown to the Trustees (ss 140 to 141).

There are also special provisions for the Transfers of:

- (d) the Peninsula Block (**s 140**, and **Subpart 2 of Part 3, ss 145-148**); and
- (e) the transfer of Te Paki Station (**ss 144**): and
- (f) properties for which the Ministry of Education is the land holding agency and which are subject to a lease back to the Crown (**ss 25**);

as outlined in the above section of this guideline.

---

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

Under **s 142** the Authorised Person may lodge a covenant for the later creation of a CFR for a Commercial Redress Property; in this situation a computer interest registered must be created and the covenant registered s 1.

---

## Transfer of Commercial Redress Properties

### Trigger - application for CFR for:

A written application under **s 140(3)** by an Authorised Person to create a CFR for a Commercial Redress Property (other than the Peninsula Block), accompanied by a transfer to the Trustees stating it is authorised under **s 137**.

### Commercial Redress Property (except the Peninsula Block)

The relevant properties are described in the definitions section of this guideline.

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

---

## Commercial Redress *continued*

**Action** - create a CFR (except the Peninsula Block)

- (a) Upon receipt of an application and transfer described above; and
- (b) provided no CFR exists for all of the property (or a CFR exists for only part of the property (**s 140(2)**); and
- (c) in the case of a transfer of Te Paki Station, provided the following statutory requirements are satisfied:

Commercial Redress Property	Statutory requirement
<b>Te Paki Station</b>	<p>The Trustees provide the Crown with a registrable covenant as described in s 144(5)*.</p> <p>The revocation of the reserve status (s 144(3) &amp; (4)).</p> <p>The cancellation of the Right of Way easement (s 144(7) and (8), and Part 2 of this Guideline).</p>
<p>* whilst the requirement to provide a registrable covenant is not explicitly specified in s 144 as a precondition for the transfer, if it is not included in the dealing it should be queried with the lodging party (not rejected). If it is still not provided the matter should be referred to a Titles Advisor for resolution.</p>	

- (d) the RGL must:
  - (i) subject to completion of any necessary survey, create a CFR for the fee simple in the name of the Crown *without any statement of purpose* (**s 140(3)(c)**); and
  - (ii) record any interests described in the application (**s 140(3)**); and
  - (iii) register the transfer to the Trustees; and
  - (iv) record the following memorials on the CFR (**s 143**):
    - 'Subject to Part 4A of the Conservation Act 1987 (but section 24(2A), 24A and 24AA of that Act does not apply)'
    - 'Subject to section 11 of the Crown Minerals Act 1991'
- (e) Standard registration fees apply.

**Note: See guidance notes below**

*continued on next page*

### Transfer of Peninsula Block

#### Background

The Peninsula Block is the only *Commercial* Redress Property which the Deed provides for the trustees of the Four Iwi to own jointly, as tenants in common in equal shares.

[\*Te Rūnanga Nui are the trustees in the Te Aupouri Claims Settlement Act 2015].

**Note:** It ceases to be Crown forest land on the registration of the transfer of the fee simple estate to the trustees (145(1))

**Note:** Nothing can be registered or noted that would be consistent with the Crown Forest Assets Act 1989, but inconsistent with Subpart 2 of Part 3 of the Act or Part 9 of the Deed or part 4 of the Property Redress Schedule (s 145(2)).

**Note:** See guidance notes below.

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#### Trigger - application for CFR for the Peninsula Block with or without transfer

A written application under s 141(2) by an Authorised Person to create a CFR for either the whole or an undivided share of the fee simple of the Peninsula Block; with or without a transfer of the fee simple:

- (a) As to the whole, to the *joint owners* as explained [above](#); or
  - (b) as to an undivided share to *the Trustees*;
- as tenants in common.
- 

#### Action - application for CFR for the Peninsula Block with or without transfer

- (a) Upon receipt of an application un s 141(2):
  - (b) Provided any accompanying transfer of the Peninsula Block:
    - (i) includes a statement that the land is subject to a right of access to any protected sites on that under [s 151(2)];
    - (ii) and, where it relates to the Trustees share only, is to the Trustees; or to
    - (iii) where it relates to the whole of the property, it is to the Relevant Trustees (as applicable) as tenants in common in equal shares.
- 

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## Transfer of Peninsula Block, continued

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- (c) The RGL must:
  - (i) subject to completion of any necessary survey, create a CFR for the whole or undivided share of the fee simple (as applicable) in *the name of the Crown* without any statement of purpose (s 141(2)(a) and (c) and 141(3)); and
  - (ii) record any interests described in the application (s 141(2)(b)); and
- (d) where a transfer (in accordance with ss 137 and 138) is also lodged, either:
  - (i) in the case of a transfer of the whole to the *joint owners* as explained [above](#), register the transfer of the fee simple to them in equal undivided shares; or
  - (ii) in the case of a transfer of an undivided share to the *Trustees* as explained above, register the transfer of the undivided share in the fee simple to them; and
- (e) record the following memorials on the CFR (s 143):
  - 'Subject to Part 4A of the Conservation Act 1987 (but section 24(2A), 24A and 24AA of that Act does not apply)'
  - 'Subject to section 11 of the Crown Minerals Act 1991'
  - 'Subject to section 151 of the Ngāti Kuri Claims Settlement Act 2015 (provides a right of access over the within land)'
- (f) Standard registration fees apply.

**Note: see guidance notes below.**

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## Commercial redress – Initial transfers, continued

<b>Guidance Notes</b>	
<b>Note:</b>	<b>Action</b>
<b>The Deed</b>	Parts 3 and 4 of the property redress schedule and Part 10 of the Deed deal with matters that are covered in the Act relating to the vesting of Commercial Redress Property. There is nothing in those Parts that requires the RGL to do anything more than is required under the Act
<b>Separate title for undivided share</b>	A separate title for the Trustees' equal undivided share may be issued.(s 141 and s 137-8)
<b>Schedule 1 of the Act may include unregistered instruments.</b>	<u>Only</u> the interests referred to in the application are required to be entered on the CFR (s 140(3)(b))
<b>Memorial format examples</b>	See detailed guidance above for Memorial formats - examples.
<b>Revoking and creating Reserve status</b>	See detailed guidance <a href="#">above</a> .
<b>Council right of way consent</b> under s 348 of the Local Government	This is <u>not</u> required for the creation of rights of way to fulfil the terms of <b>the Deed</b> (s 143(4)).
<b>Subdivision approval</b>	This is <u>not</u> required for the transfer of the fee simple in Commercial Redress Properties, because they are not subject to section 11 and Part 10 of the RMA (s 143(5)).

## 6 Commercial Redress - Access to protected sites

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### **Right of access to protected sites under s 149**

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

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### **Trigger Transfer of Peninsula Block**

The transfer of Peninsula Block to the trustees must include a statement that the land is subject to a right of access to any protected sites on that under [s 151(2)]

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### **Action – notation of right of access on CFR**

Upon registration of the transfer of Peninsula Block under s 151 the RGL must make a notation on the CFR that the land is subject to the right of access [s 151(3)].

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### **Memorial**

A suitable memorial would be:

'[*part of*] the within land is subject to a right of access under section 151 of the Ngāti Kuri Claims Settlement Act 2015. See application [*registration number*] [*date and time*]'

## 7 Commercial Redress - Right of first refusal (RFR)

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

- (a) The Act describes four types of RFR Land: "exclusive RFR Land", "shared RFR Land", "balance RFR Land" or land obtained in exchange [s 153]. They are described in p 29-32 of the Attachments to the Deed.
  - (b) Land ceases to be RFR Land in the circumstances described in s 174 and 178, with applications to remove the RFR memorial governed by ss 177 and 178. **Note:** any instruments that dispose of RFR Land which are lodged for registration on a computer register containing an RFR memorial, on the basis that the land has ceased to be RFR Land, **must** be accompanied by a s 177 Certificate (see [below](#)).
- 

**RFR Date** - beginning of relevant RFR Period [s 152]

The provisions of this subpart take effect from the RFR Date s 1 for the relevant RFR Land, which is the settlement date [s 152 "RFR Period" defined and commencement date described – all settlement dates were the same]. s 1

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### Initial Noting of RFR on Computer Register

**Trigger**

Receipt of a s 176(1) CE certificate which states it is issued under s 176 and specifies a computer register for:

- (a) RFR land for which a computer register exists on, or is first created after, the relevant RFR Date for the land; or
  - (b) land (for which a computer register exists), that becomes RFR land after the settlement date [see RFR Date - beginning of relevant RFR Period [s 152]above].
- 

**Action** - memorials recording RFR land – s 176(5)

- (a) As soon as reasonably practicable after receiving a s 176 certificate the RGL must add the following memorial to the current view of the computer register identified in the s 176 certificate:

'[*certificate identifier*] Certificate under section 176(1) of the Ngāti Kuri Settlement Act 2015 that the within land is RFR land as defined in section 152 and is subject to Subpart 4 of Part 3 of the Act (which restricts disposal, including leasing, of the land) [*date and time*]'

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

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

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### Restrictions on disposal of RFR land

- (a) RFR Land cannot be "disposed" (see [below](#) for meaning), unless:
- (i) it falls within and exemptions specified in s 154(1)(a) – (d), or
  - (ii) it ceases to be RFR land (see section [below](#)).

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

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

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

- (b) **Example of an exemption:** Transfers of RFR land without a preceding s 177 or 178 certificate can be accepted if the transferee is the Crown or a Crown Body (as defined in s 152). As noted above, the application must be referred to a Titles Advisor for approval.

**Note:** After *some* exempted disposals under s 154(1), the land remains RFR Land and the memorial remains on the computer register.

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### Meaning of "dispose of" in relation to RFR land

Section 152 defines "dispose of" (in relation to RFR land)

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



## Subsequent removal of RFR memorial

**Trigger –**  
notice to  
remove an RFR  
memorial  
when land  
being  
transferred or  
vested under  
this Act or  
certificate  
when RFR  
Period ends -  
**(ss 177-178)**

Receipt of a notice or certificate (together with the relevant transfer or vesting application) from the CE under ss 177(1) and 178(1) respectively, for the removal of a s 176 memorial from a computer register upon either: land ceasing to be RFR land prior to RFR land being transferred or vested; or when the RFR Period ends.

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### Action

- (a) The RGL must remove the RFR memorial upon receipt from the CE of:
    - (i) in relation to land to be disposed of, a notice containing the information in s 177(1)(a)-(d); or
    - (ii) in relation to land for which the RFR period has ended, a notice containing the information in s 178(1)(a)-(b).
  - (b) As soon as reasonably practicable after receiving such a notice, the RGL must record the following memorial on the historic view of the register:

*'[certificate identifier] Certificate under section [insert relevant section] of Ngāti Kuri Claims Settlement Act 2015 removing [memorial identifier] entered under section [177 or 180 as applicable] [date and time]'.*
  - (c) The standard registration fee is payable.
  - (d) The "prevents registration" flag should be removed in relation to the s 176 memorial.
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## Table 1 - Description of Cultural Redress Properties: vesting, reserve status, interests and memorials

For the boundaries of individual properties see the Deed's Attachments on the web link that follows (a "general indication" on satellite images), and SO 469373 - <http://nz01.terabyte.co.nz/ots/DocumentLibrary/NgatiKuriAttachments.pdf>.

Property Name & Description	Vesting & Status	Existing Interests and Covenants that must be recorded	Spatial statutory action	Memorials to be recorded (as specified in the Act and application to vest)
<i>North Auckland Land District— Far North District</i>				
<b>Murimotu Island</b> 8.8500 hectares, more or less, being Sections 1 and 2 SO 457794. All computer freehold register <b>NA138A/291</b> .	<b>"Jointly Vested Property"</b> Vests as undivided half shares in the Specified Groups of Trustees set out in s 23(3) as tenants in common Refer to commentary on jointly vested properties at page 9 <b>No reserve status</b>	<b>Existing Interests</b> Subject to a lease to Maritime New Zealand referred to in <a href="#">section 23(4)</a> .	N/A.	Subject to Part 4A of the Conservation Act 1987 Subject to section 11 of the Crown Minerals Act 1991.
<b>The Pines Block</b> 320.9287 hectares, more or less, being Allotments 14, 15, and 16 Parish of Muriwhenua. <b>Part computer interest register 629523</b> .	Vests in the Trustees in fee simple <b>No reserve status</b>	<b>Existing Interests</b> Subject to the right of way easement in gross referred to in <a href="#">section 24(3)</a> (affects Allotment 16 Parish of Muriwhenua).	N/A	Subject to Part 4A of the Conservation Act 1987. Subject to section 11 of the Crown Minerals Act 1991.
<b>Te Hāpua School site B</b> 0.9814 hectares, approximately, being Part Pakohu 2A. Part <i>Gazette</i> notice A581504. Subject to survey. 0.1788 hectares, approximately, being Part Pakohu 2B2M2. <b>Part Gazette notice B418045.1</b> . Subject to survey.	Vests in the Trustees in fee simple <b>No reserve status</b>	<b>Existing Interests</b> Subject to the lease referred to in <a href="#">section 25(3)(a)</a> . Subject to, or together with, the easements referred to in <a href="#">section 25(3)(b)</a> , if any.	N/A	Subject to Part 4A of the Conservation Act 1987. Subject to section 11 of the Crown Minerals Act 1991.
<b>Tirirangi Urupā</b> 3.5905 hectares, more or less, being Section 18 SO 469373. <b>Part computer interest register 629523</b>	Vests in the Trustees in fee simple <b>No reserve status</b>	<b>Existing Interests</b> Subject to the easement for a right to convey water referred to in <a href="#">section 27(3)</a> .	Revoked reserve status.	'Subject to Part 4A of the Conservation Act 1987' 'Subject to section 11 of the Crown Minerals Act 1991'
<b>Mokaikai Pā</b> 6.2695 hectares, more or less, being	Vests in the Trustees in fee simple	<b>Existing Interests</b> Subject to the conservation	Revoked reserve status	'Subject to Part 4A of the Conservation Act 1987'

Section 4 SO 470881. <b>Part computer freehold registers NA738/244</b> (½ share), <b>NA2108/28</b> (¾ share), and <b>NA1A/1450</b> (⅛ share).	<b>No reserve status</b>	covenant referred to in <u>section 28(3)</u> .		'Subject to section 11 of the Crown Minerals Act 1991'
<b>Wairoa Pā</b> 2.4030 hectares, more or less, being Section 3 SO 470881. <b>Part computer freehold registers NA738/244</b> (½ share), <b>NA2108/28</b> (¾ share), and <b>NA1A/1450</b> (⅛ share).	Vests in the Trustees in fee simple <b>No reserve status</b>	<b>Existing Interests</b> Subject to the conservation covenant referred to in <u>section 29(3)</u> .	Revoked reserve status	'Subject to Part 4A of the Conservation Act 1987' 'Subject to section 11 of the Crown Minerals Act 1991'
<b>Wharekawa Pā</b> 2.1150 hectares, more or less, being Section 2 SO 470881. <b>Part computer freehold registers NA738/244</b> (½ share), <b>NA2108/28</b> (¾ share), and <b>NA1A/1450</b> (⅛ share).	Vests in the Trustees in fee simple <b>No reserve status</b>	<b>Existing Interests</b> Subject to the conservation covenant referred to in <u>section 30(3)</u> .	Revoked reserve status	'Subject to Part 4A of the Conservation Act 1987' 'Subject to section 11 of the Crown Minerals Act 1991'
<b>Kapowairua</b> 230.5050 hectares, more or less, being Sections 15, 16, 19, 20, and 21 SO 469373. <b>Part computer interest register 629523.</b> 78.9200 hectares, more or less, being Section 17 SO 469373. <b>Part computer interest register 629523</b>	Vests in the Trustees in fee simple The parts of Kapowairua that are Sections 15, 16, 19, 20, and 21 SO 469373 are <b>declared a reserve and classified as a recreation reserve*</b> subject to <u>section 17</u> of the Reserves Act 1977. The part of Kapowairua that is Section 17 SO 469373 is <b>declared a reserve and classified as a scenic reserve*</b> for the purposes specified in <u>section 19(1)(a)</u> of the Reserves Act 1977.  *two titles issue – see page 16 in guideline.	<b>Existing Interests</b> Subject to being a recreation reserve, as referred to in <u>section 31(3)</u> (affects Sections 15, 16, 19, 20, and 21 SO 469373). Subject to the right of way easement in gross referred to in <u>section 31(7)(a)</u> (affects Section 15 SO 496373). Subject to the easement for a right to convey water referred to in <u>section 31(7)(b)</u> (affects Section 15 SO 469373). Subject to being a scenic reserve, as referred to in section 31(5) (affects Section 17 SO 469373).	Revoked reserve status  Declared reserve	'Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply' 'Subject to section 11 of the Crown Minerals Act 1991' 'subject to sections 45(4) 49(4) and 56 of the Ngāti Kuri Claims Settlement Act 2014' 'Subject to section 59 of the Ngāti Kuri claims settlement Act 2015 (which prohibits mortgaging reserve land.)' '[memorial reflecting reserve status – see 2 <sup>nd</sup> column]' <b>Note:</b> the memorials relating to ss56 and 59 of Ngāti Kuri Claims Settlement Act 2015, require the 'prevents registration' flag to be set. <b>Note:</b> the reserve purpose must also be captured in the "purpose" field.
<b>Mokaikai</b> 2938.0000 hectares, more or less, being Section 1 SO 470881. <b>Part computer freehold registers</b>	Vests in the Trustees in fee simple <b>Declared a reserve and classified as a scenic reserve</b>	<b>Existing Interests</b> Subject to being a scenic reserve, as referred to in <u>section 32(3)</u> .	Revoked reserve status  Declared reserve	Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply' 'Subject to section 11 of the Crown Minerals

<p><b>NA738/244</b> (½ share), <b>NA2108/28</b> (¾ share), and <b>NA1A/1450</b> (¼ share), and Part <i>Gazette</i> notice B322652.2.</p>	<p>for the purposes of <u>section 19(1)(a)</u> of the Reserves Act 1977</p>	<p>Subject to the right of way easement in gross referred to in <u>section 32(7)</u>. Together with the right of way easement referred to in <u>section 32(5)</u>.</p>		<p>Act 1991' 'subject to sections 49(4) and 56 of the Ngāti Kuri Claims Settlement Act 2015 ' 'Subject to section 59 of the Ngāti Kuri claims settlement Act 2015 (which prohibits mortgaging reserve land.) '[memorial reflecting reserve status – see 2<sup>nd</sup> column]' <b>Note:</b> the memorials relating to ss56 and 59 of Ngāti Kuri Claims Settlement Act 2015 require the 'prevents registration' flag to be set. <b>Note:</b> the reserve purpose must also be captured in the "purpose" field.</p>
<p><b>Te Raumanuka</b> 71.9800 hectares, more or less, being Section 3 SO 470882. <b>Part Proclamation B342446.1.</b></p>	<p>Vests in the Trustees in fee simple <b>Declared a reserve and classified as a historic reserve</b> subject to <u>section 18</u> of the Reserves Act 1977 (s 33)</p>	<p><b>Existing Interests</b> Subject to being a historic reserve, as referred to in <u>section 33(3)</u>. Subject to the right of way easement in gross referred to in <u>section 33(5)</u>.</p>	<p>Declared reserve</p>	<p>Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply' 'Subject to section 11 of the Crown Minerals Act 1991' 'subject to sections 49(4) and 56 of the Ngāti Kuri Claims Settlement Act 2015 ' 'Subject to section 59 of the Ngāti Kuri claims settlement Act 2015 (which prohibits mortgaging reserve land.) '[memorial reflecting reserve status – see 2<sup>nd</sup> column]' <b>Note:</b> the memorials relating to ss56 and 59 of Ngāti Kuri Claims Settlement Act 2015 require the 'prevents registration' flag to be set. <b>Note:</b> the reserve purpose must also be captured in the "purpose" field.</p>
<p><b>Te Rerenga Wairua</b> 78.6600 hectares, more or less, being Section 1 SO 469373. <b>Part computer interest register 629523 and Part Gazette notice B196031.1.</b></p>	<p>Vests in the Trustees in fee simple <b>declared a reserve and classified as a historic reserve</b> subject to <u>section 18</u> of the Reserves Act 1977. ( s34)</p>	<p><b>Existing Interests</b> Subject to being a historic reserve, as referred to in <u>section 34(3)</u>. Subject to the right of way easement in gross referred to in <u>section 34(5)(a)</u>. Subject to the right of way easement in gross referred to in <u>section 34(5)(b)</u>. Subject to the lease referred to in <u>section 34(5)(c)</u>.</p>	<p>Declared reserve</p>	<p>Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply' 'Subject to section 11 of the Crown Minerals Act 1991' 'subject to sections 49(4) and 56 of the Ngāti Kuri Claims Settlement Act 2015 ' 'Subject to section 59 of the Ngāti Kuri claims settlement Act 2015 (which prohibits mortgaging reserve land.) '[memorial reflecting reserve status – see 2<sup>nd</sup> column]' <b>Note:</b> the memorials relating to ss56 and 59</p>

				of Ngāti Kuri Claims Settlement Act 2015 require the 'prevents registration' flag to be set. <b>Note:</b> the reserve purpose must also be captured in the "purpose" field.
<p><b>Mai i Waikanae ki Waikoropūpūnoa [Beach site A – s 22]</b> 18.7500 hectares, more or less, being Section 2 SO 470146. <b>Part Gazette notice C195138.1.</b></p>	<p><b>"Jointly Vested Property"</b> Vests as to undivided quarter shares in the Specified Groups of Trustees as tenants in common as follows: (a) a share vests in the Trustees under section 35; and (b) a share vests in the trustees of the Te Rūnanga Nui o Te Aupouri Trust under section 35 of the Te Aupouri Claims Settlement Act 2015; and (c) a share vests in the trustees of Te Rūnanga o Ngāi Takoto under section 26 of the Ngāi Takoto Claims Settlement Act 2015; and (d) a share vests in the trustees of Te Rūnanga o Te Rarawa under <u>section 46</u> of the Te Rarawa Claims Settlement Act 2015.</p> <p>Beach site A is <b>declared a reserve and classified as a scenic reserve</b> for the purposes specified in <u>section 19(1)(a)</u> of the Reserves Act 1977 Refer to commentary on jointly vested properties at page <a href="#">12</a>.</p>	<p><b>Existing Interests</b> Subject to being a scenic reserve, as referred to in <u>section 35(4)</u>. Subject to the protective covenant certificate C626733.1. Subject to Crown forestry licence registered as C312828.1F and held in computer interest register NA100A/1. Together with a right of way easement created by D592406A.2. Subject to a notice pursuant to <u>section 195(2)</u> of the Climate Change Response Act 2002 registered as Instrument 9109779.1.</p>	Declared reserve	<p>'Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply' 'Subject to section 11 of the Crown Minerals Act 1991' 'subject to sections 45(4) 49(4) and 56 of the Ngāti Kuri Claims Settlement Act 2014' 'Subject to section 59 of the Ngāti Kuri claims settlement Act 2015 (which prohibits mortgaging reserve land.)' '[memorial reflecting reserve status – see 2<sup>nd</sup> column]'</p> <p><b>Note:</b> the memorials relating to ss56 and 59 of Ngāti Kuri Claims Settlement Act 2015, require the 'prevents registration' flag to be set. <b>Note:</b> the reserve purpose must also be captured in the "purpose" field.</p>
<p><b>Mai i Hukatere ki Waimahuru [Beach site B – s 22]</b> 80.8425 hectares, more or less, being Sections 8, 9, and 10 SO 469833. <b>Part Gazette notice B342446.1 and Part Gazette 1966, p 1435.</b></p>	<p><b>"Jointly Vested Property"</b> The fee simple estate in Beach site B vests as to undivided quarter shares in the Specified Groups of Trustees as tenants in common as follows: (a) a share vests in the Trustees under section 36; and (b) a share vests in the trustees of the Te Rūnanga Nui o Te Aupouri Trust under section 36 of the Te Aupouri Claims</p>	<p><b>Existing Interests</b> Subject to being a scenic reserve, as referred to in <u>section 36(4)</u>. Subject to the protective covenant certificate C626733.1. Subject to Crown Forestry licence registered as C312828.1F and held in computer interest register NA100A/1. Together with a right of way</p>	Declared reserve	<p>'Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply' 'Subject to section 11 of the Crown Minerals Act 1991' 'subject to sections 45(4) 49(4) and 56 of the Ngāti Kuri Claims Settlement Act 2014' 'Subject to section 59 of the Ngāti Kuri claims settlement Act 2015 (which prohibits mortgaging reserve land.)' '[memorial reflecting reserve status – see 2<sup>nd</sup> column]'</p>

	<p>Settlement Act 2015; and</p> <p>(c) a share vests in the trustees of Te Rūnanga o NgāiTakoto under section 27 of the NgāiTakoto Claims Settlement Act 2015; and</p> <p>(d) a share vests in the trustees of Te Rūnanga o Te Rarawa under section 47 of the Te Rarawa Claims Settlement Act 2015.</p> <p>Beach site B is <b>declared a reserve and classified as a scenic reserve</b> for the purposes specified in <u>section 19(1)(a)</u> of the Reserves Act 1977.</p> <p>Refer to commentary on jointly vested properties at page 12.</p>	<p>easement created by D145215.1 (affects the part formerly Lot 1 DP 136868).</p> <p>Subject to a Notice pursuant to <u>section 195(2)</u> of the Climate Change Response Act 2002 registered as Instrument 9109779.1 (affects the parts formerly Part Lot 1 DP 136869, Part Lot 1 DP 136868, and Part Lot 1 DP 137713).</p>		<p><b>Note:</b> the memorials relating to ss56 and 59 of Ngāti Kuri Claims Settlement Act 2015, require the 'prevents registration' flag to be set.</p> <p><b>Note:</b> the reserve purpose must also be captured in the "purpose" field.</p>
<p><b>Mai i Ngāpae ki Waimoho [Beach site C – s 22]</b></p> <p>44.2385 hectares, more or less, being Sections 1, 2, 3, and 4 SO 469833.</p> <p><b>Part Gazette 1966, p 1435</b></p>	<p><b>"Jointly Vested Property"</b></p> <p>The fee simple estate in Beach site C vests as to undivided quarter shares in the Specified Groups of Trustees as tenants in common as follows:</p> <p>(a) a share vests in the Trustees under section; 37 and</p> <p>(b) a share vests in the trustees of the Te Rūnanga Nui o Te Aupouri Trust under section 37 of the Te Aupouri Claims Settlement Act 2015; and</p> <p>(c) a share vests in the trustees of Te Rūnanga o NgāiTakoto under section 28 of the NgāiTakoto Claims Settlement Act 2015; and</p> <p>(d) a share vests in the trustees of Te Rūnanga o Te Rarawa under <u>section 48</u> of the Te Rarawa Claims Settlement Act 2015.</p> <p>Beach site C is <b>declared a reserve and classified as a scenic reserve</b> for the purposes specified in <u>section 19(1)(a)</u> of the Reserves Act 1977</p> <p>Refer to commentary on jointly</p>	<p><b>Existing interests</b></p> <p>Subject to being a scenic reserve, as referred to in <u>section 37(4)</u>.</p> <p>Subject to the protective covenant certificate C626733.1.</p> <p>Subject to Crown Forestry licence registered as C312828.1F and held in computer interest register NA100A/1.</p> <p>Subject to a Notice pursuant to <u>section 195(2)</u> of the Climate Change Response Act 2002 registered as Instrument 9109779.1.</p> <p>Subject to a notice pursuant to <u>section 91</u> of the Government Roothing Powers Act 1989 created by Instrument D538881.1 (affects the part formerly Lot 1 DP 137714).</p>	<p>Declared reserve</p>	<p>'Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply'</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p> <p>'subject to sections 45(4) 49(4) and 56 of the Ngāti Kuri Claims Settlement Act 2014'</p> <p>'Subject to section 59 of the Ngāti Kuri claims settlement Act 2015 (which prohibits mortgaging reserve land.)</p> <p>'[memorial reflecting reserve status – see 2<sup>nd</sup> column]'</p> <p><b>Note:</b> the memorials relating to ss56 and 59 of Ngāti Kuri Claims Settlement Act 2015, require the 'prevents registration' flag to be set.</p> <p><b>Note:</b> the reserve purpose must also be captured in the "purpose" field.</p>

	vested properties at page 12.			
<p><b>Mai i Waimimiha ki Ngāpae</b>  <b>[Beach site D – s 22]</b>  72.1300 hectares, more or less,  being Section 1 SO 469396</p>	<p><b>“Jointly Vested Property”</b>  The fee simple estate in Beach site D vests as to undivided quarter shares in the Specified Groups of Trustees as tenants in common as follows:</p> <p>(a) a share vests in the Trustees under section 38; and</p> <p>(b) a share vests in the trustees of the Te Rūnanga Nui o Te Aupouri Trust under section 38 of the Te Aupouri Claims Settlement Act 2015; and</p> <p>(c) a share vests in the trustees of Te Rūnanga o NgāiTakoto under section 29 of the NgāiTakoto Claims Settlement Act 2015; and</p> <p>(d) a share vests in the trustees of Te Rūnanga o Te Rarawa under <u>section 49</u> of the Te Rarawa Claims Settlement Act 2015.</p> <p>Beach site D is <b>declared a reserve and classified as a scenic reserve</b> for the purposes specified in <u>section 19(1)(a)</u> of the Reserves Act 1977.</p> <p>Refer to commentary on jointly vested properties at page 12.</p>	<p><b>Existing Interests</b>  Subject to being a scenic reserve, as referred to in <u>section 38(3)</u>.</p>	<p>Declared reserve</p>	<p>'Subject to Part 4A of the Conservation Act 1987 but section 24 of that Act does not apply'</p> <p>'Subject to section 11 of the Crown Minerals Act 1991'</p> <p>'subject to sections 45(4) 49(4) and 56 of the Ngāti Kuri Claims Settlement Act 2014'</p> <p>'Subject to section 59 of the Ngāti Kuri claims settlement Act 2015 (which prohibits mortgaging reserve land.)</p> <p>'[memorial reflecting reserve status – see 2<sup>nd</sup> column]'</p> <p><b>Note:</b> the memorials relating to ss56 and 59 of Ngāti Kuri Claims Settlement Act 2015, require the 'prevents registration' flag to be set.</p> <p><b>Note:</b> the reserve purpose must also be captured in the “purpose” field.</p>
<p><b>Bed of Lake Ngākeketo</b>  11.5100 hectares, more or less,  being Section 6 SO 469373.  <b>Part computer interest register 629523.</b></p>	<p><b>“Jointly Vested Property”</b>  The fee simple estate in the bed of Lake Ngākeketo vests as to undivided half shares in the Specified Groups of Trustees as tenants in common as follows:</p> <p>(a) a share vests in the Trustees under section 40; and</p> <p>(b) a share vests in the trustees of the Te Rūnanga Nui o Te Aupouri Trust under section 41 of the Te Aupouri Claims Settlement Act 2015.</p> <p>The Crown stratum above the bed of Lake Ngākeketo <b>continues to</b></p>	<p><b>Existing Interests</b>  Subject to the conservation covenant referred to in <u>section 40(3)</u>.</p>	<p>Stratum estate above the bed of Lake Ngākeketo is declared a reserve</p>	<p>'Subject to section 11 of the Crown Minerals Act 1991'</p> <p>Subject to s 50(1)© of the Ngāti Kuri Claims Settlement Act 2015 (which specifically excludes Part 4A of the Conservation act 1987 from applying to the within land)</p> <p>'[memorial reflecting reserve status – see 2<sup>nd</sup> column]'</p> <p><b>Note</b> Part 4A of the Conservation Act 1987' does not apply</p> <p><b>Note:</b> the reserve purpose must also be captured in the “purpose” field.</p>

	<p><b>be a reserve and continues to be classified as a recreation reserve</b> subject to <a href="#">section 17</a> of the Reserves Act 1977 (s 41)</p> <p>Refer to commentary on jointly vested properties at page <a href="#">12</a>.</p>			
<p><b>Waihopo Lake property</b> 20.4600 hectares, more or less, being Section 1 SO 68594. <b>Part Proclamation B342446.1.</b></p>	<p><b>"Jointly Vested Property"</b> The fee simple estate in the Waihopo Lake property vests as to undivided half shares in the Specified Groups of Trustees as tenants in common as follows:</p> <p>(a) a share vests in the Trustees under <a href="#">section 42</a>; and</p> <p>(b) a share vests in the trustees of the Te Rūnanga Nui o Te Aupouri Trust under <a href="#">section 42</a> of the Te Aupouri Claims Settlement Act 2015.</p> <p>Refer to commentary on jointly vested properties at page <a href="#">12</a>.</p> <p><b>No reserve status</b></p>		N/A	<p>'Subject to section 11 of the Crown Minerals Act 1991'</p> <p>Subject to s 50(1)© of the Ngāti Kuri Claims Settlement Act 2015 (which specifically excludes Part 4A of the Conservation act 1987 from applying to the within land)</p> <p><b>Note</b> Part 4A of the Conservation Act 1987' does not apply</p>
<p>Alternative description of <b>Te Hāpua School site B</b> (s 26) 1.2014 hectares, more or less, being Pakohu 2A. <b>Part Gazette notice A581504.</b> 0.1788 hectares, approximately, being Part Pakohu 2B2M2. <b>Part Gazette notice B418045.1.</b> Subject to survey. As shown on OTS-088-26 together with the land labelled "A", "B", and "C" on OTS-088-41.</p>	<p>Vests in the Trustees in fee simple</p> <p><b>No reserve status</b></p>	<p><b>Existing Interests</b> Subject to the lease referred to in <a href="#">section 25(3)(a)</a>.</p>	N/A	<p>Subject to Part 4A of the Conservation Act 1987.</p> <p>Subject to section 11 of the Crown Minerals Act 1991.</p>