

Crown Pastoral Land Review of Other Crown Land

Property name: MT IDA

Preliminary Proposal - Part 1

A Preliminary Proposal is advertised for public submissions as per Section 43 of the Crown Pastoral Land Act 1998.

The report attached is released under the Official Information Act 1982.

May

06

PROPOSAL FOR REVIEW OF CROWN LAND
Under Part 3 of the Crown Pastoral Land Act 1998

Date:

Commissioner of Crown Lands:

C/o DTZ New Zealand Limited,
PO Box 27
Alexandra

Attention: Ken Taylor

The Land

Legal Description: Part Run 362B and Run 362C Mount Buster Survey District.

Area: 8401.2739 hectares more or less

Certificate of Title/Unique Identifier: Not applicable

Currently Subject to:

Pastoral Occupation Licence: OT 8486 (Mount Ida Syndicate)

Expiry Date: 30 June 2004

Summary of Designations

Under this Proposal, the Land is designated as follows:

- (a) Upon the expiry of the Pastoral Occupation Licence or the registration of the Final Plan (whichever is the later), the Crown Land (shown marked in pink on the Plan) is to be retained in full Crown ownership and control as set out in Schedule One.

1 The Plan

2 Registration of Documents

- 2.1 The Commissioner will lodge all documents necessary to give effect to this Proposal (including, without limitation any easement, covenant, discharge of mortgage, and/or duplicate copy of the Pastoral Occupation Licence).

3 Improvements

- 3.1 The improvements which currently belong to the holder of the Pastoral Occupation Licence specified in Schedule One shall remain upon the Crown Land.
- 3.2 The Commissioner shall pay compensation to the holder of the Pastoral Occupation Licence in respect of such improvements in accordance with the Act.

4 Survey

- 4.1 All areas of the Land forming part of this Proposal and delineated on the Plan are approximate and subject to preparation of the Final Plan. The measurements and boundaries of the areas may therefore alter on the Final Plan.

5 Vesting of Crown Land

- 5.1 The Crown Land will vest in the Crown on the expiry of the Pastoral Occupation Licence or the registration of the Final Plan (whichever is the later).

6 No Representations or Warranties by the Commissioner

- 6.1 Without limitation, the Commissioner does not warrant the accuracy of any matter in this Proposal or in any notice, or any correspondence or other information provided by the Commissioner or by any agent, contractor or employee of the Commissioner.

7 Costs

- 7.1 The Commissioner will meet the costs of the survey (if any) of the Land, including all designation areas, and the Final Plan.

8 Interpretation

8.1 Definitions

In this Proposal unless the context otherwise requires:

Act means the Crown Pastoral Land Act 1998;

Commissioner means the Commissioner of Crown Lands appointed under section 24AA of the Land Act 1948;

Crown Land means the land (including any improvements) set out in Schedule One;

Final Plan means the final plan for the Land prepared and submitted by the Commissioner to the Surveyor-General under sections 90 and 62(4)(c) and (d) of the Act;

Improvements has the meaning attributed in section 2 of the Act;

Land means the land subject to the Review described on the front page of this Proposal;

Pastoral Occupation Licence means the pastoral occupation licence described on the front page of this Proposal and includes any other licence granted in renewal thereof or substitution therefor;

Plan means the plan of the Land showing all designations on page 2 of this Proposal;

Review means the review of the Land being undertaken by the Commissioner under Part 3 of the Act.

Surveyor-General means the Surveyor-General appointed under section 5 of the Cadastral Survey Act 2002;

8.2 Construction of certain references

In this Proposal, unless inconsistent with the context:

- (a) a reference to a certificate of title includes a reference to a computer register;
- (b) words importing a gender include all genders;
- (c) reference to a statute includes reference to all enactments that amend or are passed in substitution for the relevant statute and to all regulations relating to that statute;
- (d) words in the singular include the plural and vice versa;
- (e) reference to a person means an individual, a body corporate, an association of persons (whether corporate or not), a trust or a state or agency of a state (in each case, whether or not having separate legal personality);
- (f) references to sections, clauses, sub-clauses, parts, annexures, attachments, appendices, schedules, paragraphs and sub-paragraphs are references to such as they appear in this Proposal and form part of this Proposal;
- (g) headings are included for ease of reference only and will not affect the construction or interpretation of this Proposal;
- (h) references to obligations includes reference to covenants, undertakings, warranties and, generally, obligations or liabilities of any nature properly arising whether directly or indirectly, under or in respect of the relevant contract, agreement or arrangement;
- (i) all references to times are references to times in New Zealand;
- (j) if the Holder comprises more than one person, each of those person's obligations, as Holder, will be both joint and several.

Schedule One: Provisions relating to the Schedule One Land

1 Details of Designation

- 1.1 Under this Proposal the land shown marked in pink on the Plan, being 8401.2739 hectares (approximately) is designated as land to be restored to or retained in full Crown ownership and control as conservation area.

2 Schedule One Improvements to remain on the Crown Land

- 2.1 Boundary fencing (as to a one-half share)
- 2.2 Four huts known as Tailings Hut (GR919910), Inder's Castle (GR853918), Wire Yards Hut (GR821914), and Chimney Gully Hut (GR877953)
- 2.3 Stock bridge (GR916923)

Execution Section

SIGNED for and on behalf of the
Commissioner of Crown Lands
by **Paul Alexander Jackson**
pursuant to a delegation
in the presence of:

Witness

Occupation

Address