



CROWN PASTORAL LAND ACT 1998
BEN NEVIS TENURE REVIEW
NOTICE OF PRELIMINARY PROPOSAL

NOTICE IS GIVEN under Section 43 of the Crown Pastoral Land Act (CPLA) 1998 by the Commissioner of Crown Lands that he has put a preliminary proposal for tenure review to Pioneer Generation Limited, as lessee of Ben Nevis.

Legal description of land concerned:

Pastoral lease land:

Part Section 1, Section 15 and Section 18 Block I Nevis Survey District, Section 6 and Section 13A Section 32 and Section 35 Block III Nevis Survey District, Section 16 Block XIII Nevis Survey District, Part Run 345A, Run 345B Nevis Survey District being all the land contained in Instrument of title OTA2/1215 (Otago Land Registry) comprising 14,560.7589 hectares more or less.

Unused Crown land:

Crown land adjacent to Part Run 345A and situated in Block III, Nevis Survey District comprising 8 hectares approximately.

General description of proposal:

- (1) 8 ha (approximately) to be designated as land to be restored to or retained in full Crown ownership and control under Section 35(2)(a)(i) Crown Pastoral Land Act (CPLA) 1998, as conservation area.
- (2) 52 ha (approximately) to be designated as land to be restored to or retained in full Crown ownership and control under Section 35(2)(a)(ii) CPLA, as Scenic Reserve.
- (3) 10,057 ha (approximately) to be designated as land to be restored to or retained in Crown control under Section 35(2)(b)(i) CPLA, as conservation area. This designation is subject to:

Qualified Designations:

- (a) An easement concession for farm management access purposes to be granted to the lessee under Section 36(1)(a) CPLA.
- (b) A grazing concession granted to the lessee under Section 36(1)(a) CPLA

- (c) A heli-skiing concession granted to the lessee under Section 36(1)(a) CPLA.
- (4) 4451 ha (approximately) to be designated as land to be disposed of by freehold disposal to the holder under Section 35(3) CPLA, subject to Part IVA Conservation Act 1987, Section 11 of the Crown Minerals Act 1991, and the following protective mechanism and qualified designations:

Protective Mechanism:

- (a) Conservation covenants over the entire proposed freehold land under Sections 40(1)(b), 40(2)(a) and 40(2)(b) of the CPLA for the purpose of protection of significant inherent values.

Qualified Designations:

- (a) Easements in gross to provide public foot, or on or accompanied by horses mountain bike and motor vehicle access and for conservation management access under Section 36(3)(b) CPLA.
- (b) Easements in gross to provide public foot, or on or accompanied by horses, or mountain bike, and for conservation management access under Section 36(3)(b) CPLA.
- (c) An easement to provide access for employees, agents, contractors, honorary rangers and invitees of the Otago Fish and Game Council for management purposes under Section 36 (3)(b) CPLA.

Further information including a copy of the plan, easement concessions, conservation and landscape covenants and easement documents, is available on request from the Commissioner's contractor at the following address:

Darroch Valuations
P O Box 215
DUNEDIN
Ph: (03) 479-3653
Fax: (03) 474-0389
Email: david.paterson@darrochvaluations.co.nz

Inspections:

Any person wishing to inspect the property is advised to contact the Commissioner's contractor in the first instance on phone number (03) 479-3653.

Submissions:

Any person or organisation may send a written submission on the above proposal to the Commissioner of Crown Lands, C/- Darroch Valuations at the above address.

All submissions are being collected and held by LINZ either directly or through its contractor.

Submitters should note that all written submissions may be made available, in full, by LINZ to its employees and contractor, the Department of Conservation and the public generally.

Statement from Commissioner of Crown Lands:

The Commissioner will not consider any submissions which discuss the possible future use of any part of the land for the generation of electricity from the Nevis River. The bed of the Nevis River is Crown land and not part of the proposal. The purpose of submissions is to allow interested parties an opportunity to comment on whether the proposal achieves the objects of Part 2 of the Crown Pastoral Land Act 1998. Any submissions, or parts of submissions, which discuss use of the Nevis River for hydro-electric development will be treated as invalid. D J Gullen Commissioner of Crown Lands.

Closing date of submissions:

Written submissions must be received by the Commissioner's contractor no later than 5pm Monday 30 November 2009.