

Request for the Granting of a Recreation Permit over Crown Pastoral Land

Section 66A Land Act 1948 & section 18 Crown Pastoral Land Act 1998

When applying for a recreation permit over Crown pastoral land, you are required to submit the following documents, and complete all details on the form below.

1. Plan showing the location of the activity/ies proposed.
2. Signed consent/s of lessees/licencees
3. Draft recreation permit (see below for required content)
4. Application fee (see LINZ website for details)

NOTE: Please submit one application for each recreation permit that you are requesting.

For further information refer to LINZS45002 at <http://www.linz.govt.nz>

Please print clearly.

Please return via post to:

Crown Property Christchurch
Land Information New Zealand
Private Bag 4721
CHRISTCHURCH 8140

Or via email to: pastoral@linz.govt.nz

Details of the Applicant

Name :

Address :

Telephone :

Mobile :

Fax :

Email :

Signature of applicant :

Date :

Details of the Land

Please complete this section separately for each lease/licence.

Name of lease / licence :

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Name of registered lessee / licensee :

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Physical address of lease / licence :

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Legal description :

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Title reference :

Details of the Proposed Recreation Permit

Has consent of each lessee / licensee been obtained? YES / NO

If yes, please provide copies of the signed consent/s.

Provide details of the proposed activities :

What is the proposed term for the recreation permit?

What is the proposed start date of the permit?

What is the frequency of the proposed operation? (if not year round specify months to operate)

What are the minimum and maximum numbers of anticipated customers per activity?

What is the duration of each activity/trip?

What fees are proposed to be charged to customers for each activity?

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Provide details, including ownership, of proposed or existing structures / facilities to be used in the course of the proposed activity/ies :

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Provide an assessment of the potential impact of the proposed recreation permit (if granted) on the inherent values of the lease/licence land :

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Provide an assessment of the potential impact of the proposed recreation permit (if granted) on the current use of the land :

Describe any potential adverse effects :

How will these adverse effects be reduced or ameliorated?

Describe the qualifications/experience held to undertake the activity/ies :

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Provide details of public liability insurance held :

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Provide any other relevant information that should be considered with this application :

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Please identify all required resource consents or permits :

Have you provided the following?

1. Plan showing the location of the activity/ies proposed.
2. Signed consent/s of lessees/licencees
3. Draft recreation permit (see below for required content)
4. Application fee (see LINZ website for details)

Content of the Proposed Recreation Permit

The table below sets out the suggested clauses required by the Commissioner of Crown Lands for inclusion in a legal document setting out the terms of a recreation permit.

Suggested clauses	Information required
1. Parties	(a) Grantor: the Commissioner of Crown Lands, under the Land Act 1948 (b) Grantee: [name, address, occupation. If the grantee is a body corporate, a statement of occupation is not required.]
2. Background	(a) State the proposed activity. (b) State that the grantor has agreed to grant the recreation permit on the terms and conditions stated in this document.
3. Terms and Definitions	Define all terms necessary for the understanding of the recreation permit.
4. Rights granted	(a) Specify the rights granted by the recreation permit. (b) State that the recreation permit is not, and does not create, any interest in the land on which the permit applies.
5. Consideration	State the amount payable to the Commissioner of Crown Lands for granting the rights set out in the recreation permit, including any provisions for review of that amount.
6. Obligations on the person granted the permit	State that the grantee must observe the obligations imposed by the permit. The following are examples of such obligations: (a) All users of the recreation permit must remain on constructed tracks. (b) Only vehicles of a type permitted by the grantor are allowed on the land. (c) If the user of the recreation permit causes any damage or disturbance to the surface of the land as a result of activities allowed by the recreation permit, it must be restored to its former condition. (d) The grantee must maintain and repair any tracks, fences, gates, drains, buildings or other structures. (e) The grantee may only carry out the activities allowed in the recreation permit. (f) The grantee must comply with statutes and regulations.
7. Structures	This section must specify what structures may be constructed on the land.
8. Costs	A statement to the following effect must be included: 'The grantee will bear all costs for the preparation of the permit, and all costs that arise from any act or omission by them.'

9. Indemnity	A statement to the following effect must be included: 'The grantee hereby indemnifies the owner or lessee of the land against any loss, claim, damage, costs, expense, liability, or proceeding suffered or incurred at any time in connection with this permit or as a direct result of the exercise of rights by the person granted the permit, or any breach by that person of their obligations, undertakings or warranties under this permit.'
10. Exclusion of grantor's liability	A statement to the following effect must be included: 'The grantor holds no liability in contract, tort, or otherwise in relation to any aspect of this permit. This exclusion of liability extends to consequential loss, anything arising directly or indirectly from the deed, and any activity of the grantor on the grantor's land.'
11. Termination	There must be a clause providing the grantor with the option to terminate the permit by giving a stated period of notice.
12. Registration	A statement to the following effect must be included: 'This permit may not be registered against the computer register of the land.'
13. Disputes	There must be a clause which provides for resolution of any dispute. This clause must refer to the opportunity to apply for a rehearing under section 17 of the Land Act 1948.
14. Notices	A provision setting how notices are to be given between the parties to the easement, including notice period, and form of service or delivery
15. Any other clauses	Under this heading, list any other clauses required by the Commissioner of Crown Lands.
16. Attestation clause	This must provide for: (a) the signature of the Commissioner of Crown Lands and a witness, and (b) the grantee and a witness. (execution by grantee to be in accordance with s 9 of the Property Law Act 2007).
17. For pastoral land only, consent of the lessee or licensee	(a) Include the following text: '[full name of lessee or licensee], together with [its/his/her] successors and assigns consents to the issue of a recreation permit to [name of grantee] by the Commissioner of Crown Lands under section 66A of the Land Act 1948 on the terms of the accompanying recreation permit.' (b) Provide an area for the lessee or licensee to execute the document, in accordance with the Property Law Act 2007.