

Land and Leasehold Estate Taken for the Functioning Indirectly of a Road—The Ōtaki to North of Levin Project, Wellington Land District

THE RT HON DAME CINDY KIRO GNZM, QSO

Governor-General

A Proclamation

Pursuant to section 26 of the Public Works Act 1981, I, the Right Honourable Dame Cindy Kiro, Governor-General of New Zealand, hereby declare:

- a. the land described in the First Schedule (“Land”) to be taken for the functioning indirectly of a road; and
- b. the leasehold estate (“Lease”) over the land described in the Second Schedule (“Lease Land”) to be taken for the functioning indirectly of a road on the terms and conditions set out in the Third Schedule

and vested in the Crown on the 14th day after the date of the publication of this Proclamation in the *New Zealand Gazette*.

Wellington Land District—Kapiti Coast District

First Schedule

Land

Area ha	Description
3.5444	Part Lot 1 DP 31303 (Record of Title WN8A/96); shown as Section 105 on SO Plan 610670.
0.6822	Part Lot 1 DP 555911 (Record of Title 969418); shown as Section 106 on SO Plan 610670.

Second Schedule

Lease Land

Area ha	Description
1.2701	Part Lot 1 DP 31303 (Record of Title WN8A/96); shown as Area 3A on SO Plan 610670.
0.5148	Part Lot 1 DP 31303 (Record of Title WN8A/96); shown as Area 4A on SO Plan 610670.
0.3279	Part Lot 1 DP 555911 (Record of Title 969418); shown as Area 5A on SO Plan 610670.
0.0329	Part Lot 1 DP 555911 (Record of Title 969418); shown as Area 6A on SO Plan 610670.

Third Schedule

Terms and Conditions for the Lease

Purpose for which the Lease is required:

The Lease is required to allow the Crown to occupy the Lease Land during the construction of the project. The Lease Land may be used for such purposes as construction offices, storage and laydown areas, access to construction sites and for such other purpose or purposes reasonably required for construction of the project.

Terms of the Lease:

1. Any reference to the Crown in this Lease includes its employees, engineers, assistants, consultants, contractors and authorised invitees.
2. The Lease shall commence on the 14th day after publication of a proclamation taking the Land and the Lease in the *New Zealand Gazette* and terminate on that date four years thereafter (“Term”).
3. The registered owner shall be entitled to receive a current market rent assessed by a registered valuer.
4. The Crown may, on the giving of written notice to the registered owner, extend the Term for two further periods of one year should the project not be completed by the expiry of the original Term.
5. Notwithstanding the Term created, the Crown may terminate the Lease at any time by giving the registered owner one month’s notice in writing.
6. The Crown shall have the right to occupy the Lease Land for the purpose stated above for the Term and for the

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avoidance of doubt such right shall include the right to enter and re-enter the Lease Land at all times, with or without such vehicles, machinery or materials for the purpose set out in the notice.

7. The Crown will have the right to remove any property or improvements located on the Lease Land.
8. The Crown shall erect and maintain temporary fencing for the period of construction of the project to provide adequate security to the balance of the property.
9. The Crown shall take all reasonable steps to minimise damage to the Lease Land arising from the Crown's occupation under the Lease and/or the execution of construction of the project.
10. The Crown shall at the expiration of the Term, or any extended period taken in accordance with the Lease, remove all debris arising from the Crown's occupation under the Lease together with any temporary fences, construction machinery, hardstands, and other improvements required to be erected by the Crown during the Lease. The Crown shall otherwise restore the Lease Land to a condition generally in keeping with the character of the Lease Land prior to entry taking into account works the Crown was authorised to undertake under the Lease. The Crown shall complete such work in a good and professional manner.
11. Clauses 4, 5, 6, 10, 11 and 12 of Part 2 and clause 13 of Part 3 of Schedule 3 of the Property Law Act 2007 are excluded from the Lease.

The Land and the Lease Land are located at 182 and 184 State Highway 1, Otaki.

Given under the hand of Her Excellency the Governor-General of New Zealand, and issued under the Seal of New Zealand this 19th day of March 2025.

HON CHRIS PENK, Minister for Land Information.

GOD SAVE THE KING!

(LINZ CPC/2020/21053)