

## Crown Lands Management Act 2016

### 7.16 Ownership of improvements when holding ends

- (1) This section applies if a holding ends because it is forfeited, surrendered, terminated or ceases to have force for any other reason.
- (2) Except as provided by this section or the terms and conditions of a holding over land, the end of the holding results in all improvements to the land becoming the property of the Crown. Also, no compensation is payable for the improvements.
- (3) The Minister may, within 2 years after the holding ends, require the former holder:
  - (a) to remove any improvement made or owned by the former holder or a previous holder, and
  - (b) to make good any damage done to the land because of the removal of the improvement (including damage to other improvements that were not required to be removed).
- (4) If an improvement is removed by the former holder when required by the Minister, the Crown ceases to have (and is taken never to have had) any right to the improvements.
- (5) If a former holder does not comply with a requirement of the Minister to remove an improvement, the Minister may direct any government sector employees, contractors or other agents to enter the land and remove the improvement.
- (6) A person directed under subsection (5) to enter land and remove an improvement is authorised to enter the land, at any reasonable time, to remove the improvement.
- (7) Subsection (6) does not authorise a person to enter any part of a structure used only for residential purposes except with the consent of the occupier of the structure.
- (8) The Minister may recover the cost of removing an improvement and making good any damage to the land (including to other improvements) from the former holder in any court of competent jurisdiction as a debt due by that person to the Crown.
- (9) In this section:  
***improvements*** to land includes structures in or on the land.