

## **Crown Pastoral Land Tenure Review**

**Lease name : LOCHABER**

**Lease number : PT 061**

### **Due Diligence Report (including Status Report) - Part 1**

This report and attachments results from a pre-Tenure Review assessment of the pastoral lease for the purpose of confirming land available for Tenure Review and any issues, rights or obligations attaching to it. The information is gathered from files and other sources available to the LINZ contractor.

Part of the information relates to research on the status of the land, resulting in a Status Report that is signed off by a LINZ approving officer. The remainder of the information is not analysed for relevancy or possible action until required, and LINZ does not guarantee its accuracy or completeness as presented.

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

**December 05**

## Due Diligence Report

### DUE DILIGENCE REPORT CPL PRE TENURE REVIEW ASSESSMENT STANDARD 6:

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File Ref: CON/50269/09/12696/A Report No: CH0104 Report Date: 22/11/2001

Office of Agent: Christchurch LINZ Case No: Date sent to LINZ: 22/11/2001  
TR 02/167

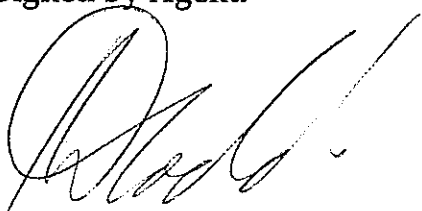
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#### RECOMMENDATIONS

1. That the Commissioner of Crown Lands or his delegate **note** this Due Diligence Report which has been prepared in accordance with the Pre Tenure Review Assessment Standard;
2. That the Commissioner of Crown Lands or his delegate **note** the following incomplete actions which require action by the Manager Crown Property Contracts *[or other party]*;
  - A Knight Frank interoffice memo by Ray Ward-Smith to Geoff Holgate raises the issue of the definition of the boundary between the Lochaber and Mt Peel pastoral leases. There was an exchange of land between the leases in 1967 with the intention that the boundary would be the summit of Mt Peel. However it is now clear that the final boundary is actually just east of Mt Peel. The memo raises the issue of a possible liability for the Crown in not locating the new boundary in the agreed position.
  - A radio repeater station was erected without consent on the top of Mt Peel around the end of 1979. The Mt Peel Radio Users Association put up the installation and they were requested to remove it in early 1980. There was a substantial amount of correspondence on this subject over the next two years. It was noted that in the middle of 1982 that there was still a large pole on the summit and the Association were again requested to remove it. The last correspondence on the file indicates that the association was still pursuing getting approval to the installation and that for this reason and the impracticality of removing it in winter they were not going to remove the aerial at that time. There is no indication on the file that the aerial was ever removed from the top of Mount Peel.
  - There are several huts on the property that may not belong to the holder. These are all in the Mt Peel stream catchment and are shown on the topo plan as Bottom Mt Peel hut and Top Mt Peel huts.

- There may also be some encroachment onto the property associated with the walking track to the summit of Little Mt Peel.

Signed by Agent:



Name: MICHAEL JOHN TODD

*Noted*  
~~Approved/Declined~~ (pursuant to a delegation from the Commissioner of Crown Lands) by:



Name: GRANT KASPER WEBLEY

Date of decision: 29 / 11 / 01

**1. Details of lease:**

**Lease Name:** Lochaber  
**Location:** Tara Haoa Range, Northeast of Fairlie.  
**Lessee:** PJ & JE Harrison  
**Tenure:** Pastoral Lease  
**Term:** 33 years from 1 July 1989  
**Annual Rent:** [REDACTED]  
**Rental Value:** [REDACTED]  
**Date of Next Review:** 1 July 2011  
**Land Registry Folio Ref:** CB529/65  
**Legal Description:** Part Run 276, Blocks V, VI, IX, X, XI, XIV, XV, Mount Peel, III, IV, Four Peaks, III, Acland, I and III, Orari Survey Districts, Rural Section 42318, Block XIV, Mount Peel Survey District and Section 1, SO 16699.  
**Area:** 9937.0832 hectares

**2. File Search**

**Files held by Agent on behalf of LINZ:**

| File Reference | Volume | First Folio Number | Date | Last Folio Number | Date |
|----------------|--------|--------------------|------|-------------------|------|
| N/A            |        |                    |      |                   |      |

**Other relevant files held by LINZ:**

| File Reference       | Volume | First Folio Number | Date       | Last Folio Number | Date       |
|----------------------|--------|--------------------|------------|-------------------|------------|
| Pt/061-SCH-01        | 1      | 207                | 12/09/1953 | 322               | 17/05/1967 |
| Pt/061-SCH-02        | 2      | 323                | 12/06/1967 | 471               | 29/11/1978 |
| Pt/061-SCH-03        | 3      | 471                | 03/01/1979 | -                 | 21/09/1987 |
| Pt/061-SCH-04        | 4      | -                  | Sept 1987  | -                 | Oct 1993   |
| Pt/061-SCH-05        | 5      | -                  | Oct 1993   | -                 | June 2000  |
| CON/50213/09/12696/A | -      | -                  | June 2000  | -                 | Present    |

**3. Summary of lease document:**

**Terms of lease**

Pastoral lease under the Land Act 1948 issued for 33 years from 1 July 1956. The lease has a base stock limit of 6050 sheep. The current personal exemption to this limit is 8000 sheep (3000 breeding ewes), 300 cattle (100 breeding cows) and 300 deer.

The lease was varied by memorandum registered 23 June 1961, by adding the requirement that the Commissioner's consent be obtained to any transfer of shares in the shareholding company.

3900 acres was surrendered from the lease in 1967 and added to the adjoining Mt Peel pastoral lease. This surrender was registered against the title 9 November 1967.

Surrender of 190 acres registered 10 September 1969.

Certificate of alteration registered 11 May 1978 changing the area of the land within the lease to 9935.0325 hectares as the result redefinition from topographical mapping.

The lease was renewed for a further period of 33 years from 1 July 1989 (by renewal and variation registered 24 November 1989). The lease was varied at this stage by changing the covenant to pay rent and the rental value in the lease.

The lease was varied 17 May 1993 by the lessor reserving unto herself an easement in gross in favour of NZ Police to operate and maintain a radio repeater site and access. Variation was registered 17 September 1993.

Certificate of alteration registered 20 February 2001 incorporating Section 1, SO 16699 into the lease and increasing the area of the land within the lease to 9937.0832 hectares.

### Area adjustments

There have been a number of transactions affecting the area of the lease. However the latest certificate of alteration registered correctly records the area of the lease.

### Registered interests

- |        |  |
|--------|--|
| 554028 | Variation of lease registered 23 June 1961.<br><i>Variation requiring Commissioner's consent to the transfer of shares in a lessee company.</i>        |
| 724567 | Partial surrender of lease registered 9 November 1967.<br><i>3900 acres surrendered from the lease and incorporated into 'Mt Peel' pastoral lease.</i> |
| 740236 | Certificate of alteration registered 28 June 1968.<br><i>50 acres incorporated into the lease.</i>   |

- 766622 Land Improvement Agreement registered 13 November 1968.  
*Recording the terms and conditions of an agreement entered into by the lessee and the South Canterbury Catchment Board for the development of parts of the lease.*
- 775716 Partial surrender of lease registered 10 September 1969.  
*190 acres surrendered and incorporated into the adjoining Peel Forest Park.*
- 176241.1 Certificate of alteration registered 11 May 1978.  
*Reducing the area of the lease to 9935.0325 hectares after redefinition using the latest topographical maps.*
- 649714.1 Gazette notice registered 31 October 1986.  
*Road realignment taking land for road from the lease (3738 m<sup>2</sup>) and incorporating stopped road (9368m<sup>2</sup>) into the lease.*
- 834049.1 Variation of Lease registered 24 October 1989.  
*Renewing the lease for a further term of 33 years and varying it by replacing the covenant to pay rent.*
- A117989.4 Mortgage registered 15 June 1994.  
*First mortgage to the Bank of New Zealand*
- 5025183.1 Departmental dealing registered 20 February 2001.  
*Identifying the title as 'Register Only'*
- 5019856.1 Certificate of alteration registered 20 February 2001.  
*Incorporating section 1, SO 16699 into the lease and increasing the area of the land in the lease to 9937.0832 hectares.*

#### **Unregistered interests**

The only unregistered agreement on the lease is a recreation permit in favour of the holders for three years from 1 January 2000 allowing the holders to run a free-range safari hunting operation on the leased land.

There are no other unregistered interests recorded on the file.

#### **4. Summarise any Government programmes approved for the lease:**

A land Improvement Agreement is registered against the lease, which provides for the holder to undertake works to improve the land and subsidies to be paid to the holder by the South Canterbury Catchment Board on satisfactory completion of the works. The term of the agreement is from 31 March 1969 until eight years after completion of the works.

## **5. Summary of Land Status Report:**

CB529/65 contains no clause that it is subject to Section 58 of the land Act 1948 however SO 11748 contains a notation that all Runs are subject to Section 58 along all rivers and streams in excess of 3 metres in width.

*This is not a tenure review issue.*

The Land Improvement Agreement (No. 766622.1 registered in 1969) secured works involving aerial topdressing, conservation fencing, internal and boundary cattle-proof fencing, cultivation and fencing materials. Amendments to the plan followed in 1969 and 1971. The original term of the LIA was for eight years from the completion of the works. The uncompleted work from the first programme was consolidated into a second five year programme adopted in 1982. It is probable that the works are completed and that being the case Environment Canterbury (Canterbury Regional Council) may now be in a position to discharge the LIA.

Whilst a further Soil Conservation plan was mooted in 1987 there is no indication on the file that this was ever adopted.

*This is not a tenure review issue. The LIA is registered and therefore the agreement of Environment Canterbury to the tenure review outcomes will have to be sought by the holder regardless of whether or not the LIA should have been discharged.*

The attached supporting topographic map shows that the existing fenced common boundaries in the western sector (with Dry Creek pastoral lease) and the north-eastern and eastern sectors with the Stew Point/Coal Creek and Mt Peel pastoral leases respectively do not correlate with the legal boundaries.

## **6. Review of topographical and cadastral data:**

As noted above the topo – cadastral map shows that there are discrepancies between the fenced and legal boundaries in the north western and northeastern regions of the lease.

There are several huts shown on the lease. Some of these huts are named on the topo plan which may indicate that they are not station huts and do not belong to the holder.

There is a popular walking track through the Peel Forest Park to the top of Little Mt Peel, which is the boundary between the park and the lease. A shelter has been built at the end of the track. It is possible that the shelter and part of the track may encroach onto the lease.

## **7. Details of any neighbouring Crown or conservation land**

The lease adjoins the Peel Forest Park in the east and in the southeast adjoins a small area of Crown Land which is shown on SO Plan 3240 as 'road reserve'. There is also a thin strip of Crown land (10.8987 hectares approximately) running from the northern boundary to the Rangitata Gorge Road. This is shown on SO Plan 4940 as 'pack track reserve'.

## **8. Summarise any uncompleted actions or potential liabilities:**

- A Knight Frank interoffice memo by Ray Ward-Smith to Geoff Holgate raises the issue of the definition of the boundary between the Lochaber and Mt Peel pastoral leases. There was an exchange of land between the leases in 1967 with the intention that the boundary would be the summit of Mt Peel. However it is now clear that the final boundary is actually just east of Mt Peel. The memo raises the issue of a possible liability for the Crown in not locating the new boundary in the agreed position.
- A radio repeater station was erected without consent on the top of Mt Peel around the end of 1979. The Mt Peel Radio Users Association put up the installation and they were requested to remove it in early 1980. There was a substantial amount of correspondence on this subject over the next two years. It was noted that in the middle of 1982 that there was still a large pole on the summit and the Association were again requested to remove it. The last correspondence on the file indicates that the association was still pursuing getting approval to the installation and that for this reason and the impracticality of removing it in winter they were not going to remove the aerial at that time. There is no indication on the file that there aerial was ever removed from the top of Mount Peel.
- There are several huts on the property that may not belong to the holder. These are all in the Mt Peel stream catchment and are shown on the topo plan as Bottom Mt Peel hut and Top Mt Peel huts.

## **Appendices**

Appendix 1 – Correspondence relating to the exchange of land with Mt Peel Station

Appendix 2 – Correspondence relating to the Unauthorised Radio Repeater on Mt Peel summit

Appendix 3 – Land Status Check and Plan.

**Appendix 1 – Correspondence relating to the exchange of land with Mt  
Peel Station**



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## INTEROFFICE MEMO

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**DATE:** 14 JULY 1997  
**TO:** GEOFF HOLGATE  
**CC:**  
**FROM:** RAY WARD-SMITH  
**SUBJECT:** PT 061 - POLICE REPEATER SITE : MOUNT PEEL

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I was just in the process of invoicing Police for the work we did on registering the documentation for the Police Repeater site on Mount Peel, contained within Lochaber pastoral lease when I had a concern that the peak of Mount Peel may in fact be in the Mount Peel pastoral lease. Communication from Police to you dated 5 June 1997 re repeater sites is the reference for this surfacing again. In 1967 there was a Memorandum of Agreement between the then lessees of Lochaber Station and Mount Peel Station to transfer some 3,400 acres of land in the eastern catchment from Lochaber pastoral lease to the Mount Peel pastoral lease. The diagram attached clearly shows a line including the summit of Mount Peel in that exchange of land. The submission to the CCL being Case No 67/253 signed on 31 July 1967 clearly states "*the Aclands are keen to acquire the land because of added grazing, it will contain the summit of Mount Peel and ...*"

In the agreement between the parties, it says "*(the said area being subject to final definition by the Commissioner of Crown Lands).*"

On plan SO 18345 which was prepared by Works Consultancy to define the Police transmitter site shows the boundary between the runs traversing Trig H Mount Peel with the site of the summit of Mount Peel to the west a few metres. The transmitter aerial pole indicated just to the south of the site marked as the summit of Mount Peel, which is west of Trig H is therefore in Lochaber as the legal boundary is drawn.

At the time I believe it was expedient and prudent to use the trig as the defining point and possibly no great thought was given to it being exact for the subdivision and transfer, however the intent was clear and it now appears that the actual summit of Mount Peel is still in the Lochaber run and the deal by Police was done with those lessees whereas there was a clear intent in 1967 that the summit of Mount Peel should be in the Mount Peel pastoral lease. It raises the issue of liability and negligence on behalf of the then Department of Lands and Survey in not accurately defining the intended boundary between the two properties and not including the summit of Mount Peel in the Mount Peel pastoral lease as intended

I raise the matter for your information and you may wish to advise the Commissioner of Crown Lands who we assume would give some instruction if required.

R A Ward-Smith

A handwritten signature in black ink, appearing to read "R A Ward-Smith", written over a horizontal line.

s:\g-ldr\wp\wardsmir\R7329

EJB

62-649

P 61

-----  
Private Bag,  
CHRISTCHURCH.

5 October 1967

The Manager,  
State Advances Corporation,  
Private Bag,  
CHRISTCHURCH.

A.C. BEATTIE : PARTIAL SURRENDER

... Would you please arrange for the Corporation's consent to be affixed to the enclosed document.

Mr Beattie has entered into an agreement with Mt Peel Station to sell an area of 3900 acres of his lease for a consideration of [REDACTED]. There will be no reduction in the rental value or annual rent of the lease.

The Pastoral Lands Officer reports that the area is reasonable grazing land and that the acquisition of the land by Mt Peel Station Ltd. will enable them to contain the summit of Mt Peel within their lease and eradicate the old gorse which is, at present, on their land.

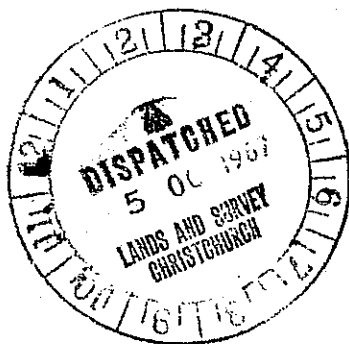
Mr Beattie's reasons for transferring are that the area has been grazed by the purchaser for years.

An early reply would be appreciated.

N.S. COAD  
Commissioner of Crown Lands

Per: 

Encl:



**Appendix 2 – Correspondence relating to the Unauthorised Radio  
Repeater on Mt Peel summit**

21 JUN 1982


**MOUNT  
COOK LINE**

CHRISTCHURCH

 47 Riccarton Road, Private Bag, Christchurch, New Zealand.  
 Telephone 482-099, Telegrams: "Motorist", Telex NZ 4297.

18 June, 1982.

 Mr P.L. Savage  
 for Commissioner of Crown Lands,  
 Department of Lands & Survey,  
 Private Bag,  
CHRISTCHURCH
ATTENTION MR P.L. SAVAGE

Dear Mr Savage,

RADIO TELEPHONE REPEATER STATION: BIG MOUNT PEEL

I am writing on behalf of the Secretary to the Mount Peel Radio Telephone Users Association, and refer to my telephone call to you yesterday (16) and confirm my comments as follows.

1. Approval to erect the aerial pole on Mount Peel was given by given by Sir John Ackland as run holder of the area effected.
2. We are still considering alternatives to achieve the necessary service sought by members, and therefore negotiations between the Association and the Post Office are continuing.
3. Removal of the aerial would be impractacle by the date you specify (16 July, 1982) because of the snow conditions prevailing through until the thraw following this winter.
4. Your letter will be considered at a meeting of the Association at an early date, and the Secretary will communicate further with you, following such meeting.
5. I thank you for your attentive hearing, and understanding of the circumstances to which I have referred.

Yours faithfully,

 R.S. King,  
 for L.J. CAIN  
 SECRETARY RADIO TELEPHONE USERS ASSOC.,  
 P O Box 444,  
ASHBURTON

 = ~~DFOV~~

 LJA ✓  
 noted.  
 B/u for reply  
 to 544-bond.

545

P 61

NW

r Savage

799 760

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 Private Bag  
 CHRISTCHURCH

21 June 1982

Mr ~~R.S. King~~  
 Mt Cook Line Ltd  
 Private Bag  
 CHRISTCHURCH

Dear Mr King

RADIO REPEATER STATION : BIG MT PEEL

I refer to our recent telephone conversation of 16 June 1982 in which you advised that your association is still pursuing an application to establish a repeater station with New Zealand Post Office.

As an indication that your association is genuine in its endeavour to obtain a permit therefore, and to guarantee removal of the remaining structure in the event of a permit not being granted, you are requested to arrange for a bond of [REDACTED] to be secured. It is suggested that this amount be lodged with a solicitor and held in trust account. The bond will be refunded if a permit is granted or removal of the pole and concrete is completed by your association. Please note that acknowledgement of this letter stating your association's intention is required by 15 July next.

Yours faithfully

*PLS 21/6*  
 P.L. Savage  
 for Commissioner of Crown Lands

*Seen & OK'd by DFO  
 & D/SOL. C.*

SFO  
 TIMARU

Above copy for your information.

*PLS 21/6*  
 P.L. Savage  
 for Commissioner of Crown Lands

File: P61

\*\*\* NOTE FOR FILE \*\*\*

*DFW*

RADIO REPEATER STATION : BIG MT PEEL

A Mr King of Mt Cook Group Ltd (Ph. 482-099) telephoned on behalf of Mr Cain (now no longer Secretary) of Mt Peel Radio Users Association to say that the "issue is still not dead" and that the Association is still in the process of negotiating with the Post Office. As a consequence the Association would prefer not to have to remove the remaining equipment and that both its members and this department would find it difficult to remove it by 16 July when snow conditions would be a hindrance. I said we would need written advice in the meantime of the Association's reasons for not complying with the Commissioner's directive to remove the mast and concrete by the deadline given.

*PA 17/6*  
P.L. Savage  
Land Admin.

CHRISTCHURCH

16 June 1982

SFO  
TIMARU

Above copy for your information/records.

*PA 17/6*  
P.L. Savage  
for Commissioner of Crown Lands

*L/a.*  
So that this matter does not stale-  
mate I suggest we obtain a bond  
of say \$500 from the Mt Cook group  
in evidence of bona fide that they  
are genuine in their endeavour to  
either obtain permit from P.O. or  
removal of the offending material.  
Bond to be refunded if permit  
obtained or removal of pole & concrete.

*DFW.*  
17/6.

JL

799 760

-----  
Private Bag  
CHRISTCHURCH

1 June 1982

Mr L.J. Cain  
Secretary  
Mount Peel Radio Users Association  
C/- Messrs Chilton, Ross & Company  
Chartered Accountants  
P.O. Box 444  
~~ASHBURTON~~

Dear Mr Cain

RADIO TELEPHONE REPEATER STATION : BIG MOUNT PEEL

I refer to my original advice that your Association's application to install a radio telephone repeater on Big Mt Peel was declined and subsequent letters requesting that the equipment be removed. A pole set in a concrete base still remains and unless steps are taken to dismantel it soon this department will have to arrange removal at your Association's expense.

Please note therefore that if the pole and concrete are not removed and the site restored by 16 July 1982 then I will arrange for the work to be done, the cost of which will be debited to your Association. You will appreciate that the works were originally carried out without my consent and I consider that I have no alternative but to take the action outlined above. The Land Act 1948 provides that I may sue for and recover the money due to the Crown for use and occupation in respect of any Crown land and for injury or damage done to any Crown land by wrongful entry or occupation.

Yours faithfully

*PLS 1/6*  
P.L. Savage  
for Commissioner of Crown Lands

≥ seen + OK'd by DFO. ✓

Senior Field Officer  
TIMARU

Above copy for your information.

Field Officer W.J. Kalis' report of 5 April 1982 refers.

*PLA 1/6*  
P.L. Savage  
for Commissioner of Crown Lands

Subject:

Department: .....

File No: .....

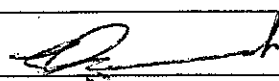
Date: .....

To—

Folio 538 refers.

When writing to the Mount Pool Radio Users Assoc you should include the following:

If the restoration work is not completed by (specify a date giving say 6 weeks) then I will arrange for the work to be done at your expense. You will appreciate that the works were carried out without my consent & I consider that I have no alternative but to take the action outlined above. The Land Act 1948 provides that I may sue for a recovery money due to the Crown for use or occupation in respect of any Crown land & for injury or damage done to any Crown land by wrongful entry or occupation.



28/5

|                    |     |
|--------------------|-----|
| L. & S. Department | 14A |
| 13 APR 1982        |     |
| CHRISTCHURCH       |     |

DEPARTMENT OF LANDS AND SURVEY

JOB NO. 98/82

OUR FILE: P. 61

YOUR FILE: P. 61

From L & S TIMARU

Date: 5 April 1982

To CCL CHRISTCHURCH

CHRISTCHURCH Ref: ~~557~~ Ours/Yours of 23-3-82

Person to consult: P.L. Savage

*J.P.S.*  
*L.P.A.*  
*D/SOK*

SUBJECT: RADIO TELEPHONE REPEATER : BIG MOUNT PEEL

See fol 534 etc.,

While I was at Mt Peel Station on Thursday 1 April 1982 with Mr John Acland, Mr Brian Molloy and David Massam, we visited the top of Big Mount Peel and had a discussion over the radio telephone repeater station pole.

This repeater station was put up by Mr Hood of Ashburton, a local contractor, 2 years ago. As far as I know its removal was requested. All the equipment has been removed except the pole which is 30 - 40 cm in diameter and approx. 6 - 8 m high and is set in concrete (concrete was cracked).

Our group came up with the following recommendations.

That only if a group is involved with search and rescue operations could the pole stay on Mt Peel but it must be resited to an adjacent saddle so that it is not visible from the countryside.

If this is not the case, then the original owner, Mr Hood, should remove the pole from its present site as well as the other bits and pieces, and restore the site to its original state.

*W. J. Kalis*  
 W.J. Kalis  
 Field Officer

*Departmental policy discussed with F/O since this was with. An anticipated there are not sufficient grounds to ~~rescind~~ support recommended made. Original contract should be worth the advising that if pole and concrete is not removed, this will be averaged by the Department at their expense. D/S may need to be consulted to ensure the form is correct to enforce collection of roads*

*Z/A.*

*W. J. Kalis*  
 SFO  
 8/4/82

*agree with F/O*

CB

536

P. 61

CHRISTCHURCH

23 March 1982

SFO, TIMARU

RADIOTELEPHONE REPEATER STATION : BIG MOUNT PEEL

Further to my memorandum of 9 February 1982 asking you to check and confirm whether the association has taken steps to remove the remainder of its installation from Big Mount Peel, Could you please advise if you have been able to ascertain anything.

*PL* 23/3  
P.L. Savage  
for Commissioner of Crown Lands

P 61

CHRISTCHURCH

9 February 1982

The Senior Field Officer, TIMARU

RADIO TELEPHONE REPEATER STATION : BIG MOUNT PEEL

I refer to my minute to you of 19 November 1981 subsequent to Mt Peel Radio Users Association's second application being declined and asking them to remove the mast etc.

It would be appreciated if you could please advise whether the Association has made any effort to comply with the requirement and keep the situation under review accordingly.

*020 9/2*  
P.L. Savage  
for Commissioner of Crown Lands

P.51

r Savage

JL

799 760

Private Bag  
CHRISTCHURCH

19 November 1981

Mr L.J. Cain  
Secretary  
Mount Peel Radio Users Association  
C/- Messrs Chilton Ross & Company  
Chartered Accountants  
P.O. Box 444  
ASHBURTON

see 7499 etc.

Dear Mr Cain

RADIO TELEPHONE REPEATER STATION : BIG MOUNT PEEL

Referring to our earlier correspondence I understand the New Zealand Post Office has declined your latest application to establish a radio telephone repeater station on Big Mount Peel. As before therefore, it is requested that your Association take immediate steps to remove the mast as well as remaining guy wires from the site and restore it to its original condition.

Yours faithfully

E.J. Davies  
Commissioner of Crown Lands

seen & OK'd by CCL

Per *ED 19/11*  
The Secretary  
Nature Conservation Council  
P.O. Box 12-200  
WELLINGTON NORTH

Your Ref: 44/8/80

Above copy for your information.

E.J. Davies  
Commissioner of Crown Lands

Per *ED 19/11*

~~Director-General~~ of Lands  
~~HEAD OFFICE~~

Your Ref: 26/24996

Copy for your information and thank you for your minute of  
13 November 1981.

E.J. Davies  
Commissioner of Crown Lands

Per *PW 19/11*

SFO  
TIMARU

... Copy for your information. Also attached is a copy of the  
New Zealand Post Office's reply.

E.J. Davies  
Commissioner of Crown Lands

Per *PW 19/11*

Encl.

(101)

26/24996

532

Telecommunications Division  
(Radio)  
Post Office Headquarters  
WELLINGTON

|                |
|----------------|
| LANDS & SURVEY |
| CHRISTCHURCH   |
| 15 NOV 1981    |
| RECEIVED       |



Telephone 738 444 Ex 683  
Telex NZ3530 KJM:WR

POHQ 39/9939

P 61

11 November 1981

*VP  
Ext. Dept. to  
CCU Chch.*

*A. Del.*

*PP  
LMAW*

The Director-General,  
Department of Lands and Survey,  
Head Office,  
Private Bag,  
WELLINGTON.

MOUNT PEEL RADIOTELEPHONE USERS ASSOCIATION: BIG  
MOUNT PEEL SITE

Please refer to your memorandum 26/24996 of 16 October  
about a recent application by the above association to  
establish a radio station on Mount Peel.

The application from the association has been considered  
from a radio frequency management point of view and has  
been declined. For your information a copy of a recent  
letter to the Secretary of the Mount Peel Radiotelephone  
... Users Association is attached.

*H. W. Duncan*  
(H. W. DUNCAN)

for Director of Telecommunication Operations.

Encl.

To

The Commissioner of Crown Lands,  
Christchurch  
For your information and action.

Director-General  
*Pauline*  
13/11/81

|                |
|----------------|
| LANDS & SURVEY |
| 12 NOV 1981    |
| RECEIVED       |

RECEIVED 1981

Telecommunications Division  
Post Office Headquarters  
WELLINGTON

POHQ 39/9939

Telephone 738 444 Ex 684  
Telex NZ3530 HWD:RB

2 November 1981

~~The Secretary,  
Mt Peel Radiotelephone  
User Association,  
P.O. Box 444,  
ASHBURTON.~~

Dear Sir,

I am now able to reply to your letter of 10 July and subsequent correspondence regarding your application for the establishment of a land mobile radiotelephone station at Mt Peel.

In considering your application, the Post Office has been required to take into account such factors as the stated coverage requirements of your individual members, the availability of service from other stations, the affects that the establishment of a station at such an altitude will have from a frequency reuse point of view, as well the financial impact that such a station would have on other established stations serving the same general area because of the natural attraction that a single wide area station would have.

In examining the claimed coverage requirements (where these were adequately defined) in relation to service provided by existing stations, it is clear that the only areas not adequately covered are the Upper Rangitata and Ashburton rivers and the Upper Rakaia/Lake Coleridge areas. Only two members of your Association have specifically stated a requirement for coverage in these areas. These are South Canterbury Catchment Board and Strathallan County Council.

2.

POHQ 39/9939, 2.11.81

In this context coverage maps forwarded in support of your application are not borne out by Post Office measurements made at the time your site testing station was operational. The claimed coverage in some regions is overstated, particularly in those areas previously mentioned which are not already covered by an existing service.

Specifically, Post Office tests from Mt Peel show virtually no coverage in the Upper Rakaia/Coleridge area and only marginal coverage in the southern half of the South Rangitata. In the Mackenzie Country towards Omarama coverage is marginal to the extent that it would not be included on a Post Office coverage map. This area is better covered from the Post Office service at Mt Rollesby. In addition, coverage is shown to be weak in the Cave/Albury area and the South Waitaki river area.

The coverage deficiency in the Upper Rangitata could be met by a station in the Gawlor Downs area with directive antennae as appropriate.

The coverage objectives of Mt Cook Landlines and Mt Cook Freightlines while not generally stated, appear to extend from Christchurch to Queenstown. However, over about two-thirds of this route, from Christchurch via Timaru, through to Upper Lake Pukaki and just north of Omarama, service is already available through the Post Office stations at Marleys Hill, Mt Studholme and Mt Rollesby. The remaining distance of their route is not covered by Post Office stations, but in any case neither would it be covered by Mt Peel. Indeed only isolated coverage from high spots through the Lindis Pass is possible from Mt Peel and this service would be better from Mt Rollesby because of that station being sited closer to the area of usage.

It may be that if coverage is indeed required from Christchurch through to Queenstown this user could give serious consideration to installing a private medium/high frequency service to cover the more remote parts of the route.

3.

POHQ 39/9939, 2.11.81

I note also that Mt Cook Landlines make reference to extraneous noises because of other channel users and would point out that the other users are present on the channel by express invitation of Mt Cook Landlines. The problem is, therefore, of their own making. Nevertheless, it could be simply alleviated by the installation of one of the several readily available proprietary tone calling systems.

In the case of Mt Cook Freightlines, their problems of vehicles not being on the correct channel at the right time is a problem of system management. The replacement of a set of channels by a single one has the effect of providing wide marginal coverage with consequent dead spots instead of intensive area coverage, and could be expected to increase the incidence of message repeats with resultant channel congestion.

As part of the statement of claim reference is also made of a need for a station at Mt Peel to enhance civil defence communications. However, Post Office experience with the civil defence organisation has been that their requirements are best served by switched channel operation using more than one channel which provides the necessary diversity as well as avoiding the problems of a single high level station accessible in emergencies by helicopter or on foot, with resultant extended outages. All Post Office stations in the area have good access with mains and stand-by power. In any case civil defence communications requirements within a region are the responsibility of the regional or united council for the region and there does not appear to be any documented evidence of their support for a station at Mt Peel.

As has already been pointed out the establishment of a station at Mt Peel would, because of its high altitude, impose severe limitations on the reuse of any channel allocated. This is an extremely important consideration in view of the current high demand for land mobile channels in the severely limited radio frequency spectrum. Furthermore, if it were possible to allocate a channel for a station at Mt Peel it would in all probability be a channel from the A band which would necessitate a complete re-equipping on the part of your members and would have high cost considerations for them.

4.

POHQ 39/9939, 2.11.81

In the circumstances, therefore, I must again decline your application for the establishment of a wide area station at Mt Peel, but would reiterate that the Post Office would not object to the establishment of a station with coverage restricted to those areas not already served by existing stations. That is, in the Upper Rangitata and Rakaiia areas.

Yours faithfully,

R.c.w

(R. C. WILLIAMS)  
Acting Director of Telecommunication Operations.

P. 61

26/24996

CHRISTCHURCH

21 October 1981

~~The Director General of Lands, HEAD OFFICE~~

RADIOTELEPHONE REPEATER SITE : BIG MT PEEL

... In reply to your minuted memorandum of 16 October 1981, please find attached copies of the particular correspondence as requested.

E.J. Davies  
Commissioner of Crown Lands

Per: *PLA 23/10*

Encl

SFO  
TIMARU

... The attached copy of Head Office minute refers - for your information/ records.

E.J. Davies  
Commissioner of Crown Lands

Per: *PLA 23/10*

Encl

JA

26/24996  
POHQ 39/9939

P Arcus

|                |
|----------------|
| OFFICE SURVEY  |
| COMMUNICATIONS |
| 20 OCT 1981    |
| RECEIVED       |

16 October 1981

*WPA*

Director of Telecommunications Operations  
 Telecommunications Division (Radio)  
 Post Office Headquarters  
 WELLINGTON

VHF STATION : BIG MT PEEL

Further to my letter of 19 November 1980 concerning the Mt Peel Radio-telephone Users Association's request to establish a radio station on Mt Peel. You will recall that this request was declined by you.

The Association advised the Commissioner of Crown Lands Christchurch on 6 July 1981 that they intend to pursue this matter. The Commissioner has however heard nothing further since he received the Association's letter. I would be grateful if you would advise me whether you have received another application and if so, the likely outcome. I would take this opportunity to mention again as stated in my letter of 19 November 1980, the concern of the department on the environmental aspects of this matter, and also the department's desire to be involved in initial planning stages for applications such as these.

P H C Lucas  
 Director-General

per

~~Nature Conservation Council  
 P O Box 12200  
 WELLINGTON~~

Copy for your information. I will keep you informed on this matter.

Director-General

per

HEAD OFFICE  
 TO CCL CHRISTCHURCH Your Ref P61

Thank you for your memo of 7 October 1981. Please send me a copy of your letter of 12 May 1981 to the Association and also a copy of the Association's letter of 3 June 1981 to the NCC.

RS

P61

26/21,996

CHRISTCHURCH

7 October 1981

~~Director-General of Lands~~ HEAD OFFICE

RADIO TELEPHONE REPEATER SITE : BIG MT PEEL

- ... With reference to the attached copy of the letter from the Mt Peel Radio Telephone Users Association advising its intention to reapply for a VHF site, nothing further on which has been heard, I would be grateful if you could ascertain from the Director of Telecommunication Operations, Post Office Headquarters, if a second application is being, or is likely to be, considered.

E.J. Davies  
Commissioner of Crown Lands

Per

*PDA 7/10*

enc

SFO  
TIMARU

Above copy for your information.

E.J. Davies  
Commissioner of Crown Lands

Per

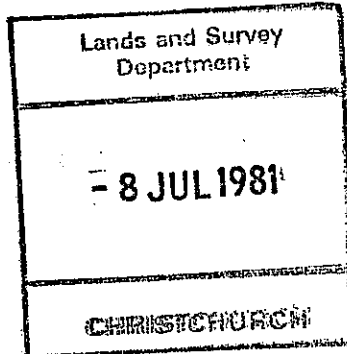
*PDA 7/10*

MOUNT PEEL RADIO TELEPHONE USERS ASSOCIATION

C/- Messrs Chilton, Ross & Co  
Chartered Accountants  
P O Box 444  
Ashburton

6 July 1981

The Commissioner of Crown Lands  
Private Bag  
Christchurch



*CCL*  
*RED*  
*LMA*  
*PJA*  
*noted*

ATTENTION Mr Savage

Dear Sir

Radio Telephone Repeater Station: Big Mt Peel

I refer to your P6 of 12 May 1981 and my interim acknowledgement of 19 May 1981 regarding the above.

The text of your letter was discussed at a meeting of the members of the Association on 29 June 1981 and I was directed to advise you of the position as it is at this time in respect of the aerial installed on Big Mt Peel.

1. The Association intends to pursue its application for a permanent repeater site on Mt Peel and therefore removal of the mast at this time would be premature at least.
2. The only material left on the site is the guy wires which are attached to the structure and some cable also a fixture to the structure. As a matter of interest at the time of removal of the transmitter it was necessary for our technicians to remove approximately 8 feet of snow coverage and it was also reported that an aerial inspection by a member specifically to check on the debris left indicated that this was not obvious.

I can again assure you, as we have the Secretary to the Nature Conservation Council, that the members of the Mt Peel Radio Users Association are conscious of the environmental aspects of any structural installation and I enclose herewith copy of correspondence dated 03 June to the Secretary which confirms our attitude to the environment.

Yours faithfully

*L J Cain*

pp. L J Cain  
Secretary

*✓ Refer to NCC and NZPO.*  
*Deal the outcome of the application.*  
*✓ Advise S/O (T).*

*D*  
*9/7*

MOUNT PEEL RADIO USERS' ASSOCIATIONP O Box 444  
ASHBURTON

03 June 1981

The Secretary  
Nature Conservation Council  
P O Box 12200  
Wellington

Dear Sir

RADIO REPEATER SITE ON MT PEEL

In reply to your letter of 21 August 1980 the matters you raise have been considered by the Mt Peel Radio Users' Association.

The Association sympathises with your aims and went to some lengths to minimise the visual impact of the temporary mast erected on Big Mt Peel. Attempts were made by members and other interested parties to see the mast from the Blandswood Mt Peel Station and Orari Basin sides of the mountain and from the air but no sighting was made. The Association includes some keen trampers, and their experience would indicate that the mast would only be visible from its immediate proximity, as the common routes of approach are from the North East ridge of the mountain through Mt Peel Station or via the summit ridge from Little Mt Peel. The mast was positioned such as to be only visible once the peak of Mt Peel was reached. It was reported that your representative failed to locate the site even after directions were given; confirming the minimal visual impact. Considering this, the Association finds it difficult to understand why your representative refused our offer of a flight in to view the site.

Our membership includes local bodies responsible for flood control and matters of public safety, indeed the Civil Defence Director for Aorangi Region has indicated his interest in access to the wider area of reliable coverage as an enlargement of his present inadequate service through the Users' Association repeaters on Mt Peel. The enlarged coverage would also be invaluable for rescue operations of climbers, trampers, hunters and other recreational users in the foot hills and gorge areas currently not serviced by radio telephone.

As to your final sentence, your comment "only a marginal improvement" etc, is a gross understatement of the situation as our tests confirm. We are in contact with the New Zealand Post Office with regard to coverage from their installations and consider that they are better able to comment on these matters.

Yours faithfully

PP L J Cain

P.61

JL

r Savage

799 760

Private Bag  
CHRISTCHURCH

22 May 1981

~~The Secretary  
Mount Peel Radio Telephone User Assn  
P.O. Box 444  
ASHBURTON~~

Dear Mr Cain

RADIO TELEPHONE REPEATER STATION : BIG MOUNT PEEL

I acknowledge your letter dated 19 May and note that your Association will be discussing my letter at its next meeting on 29 June.

Yours faithfully

E.J. Davies  
Commissioner of Crown Lands

Per *PJA 22/5*

SFO  
TIMARU

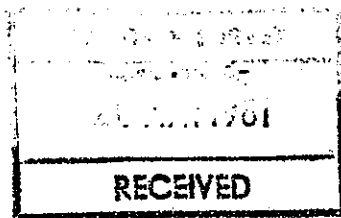
... Above copy for your information together with a copy of the reply from the Association.

E.J. Davies  
Commissioner of Crown Lands

Per *PJA 22/5*

MOUNT PEEL RADIO TELEPHONE USER ASSOCIATION

Telephone  
89-089 ASHBURTON.



P.O. Box 444  
ASHBURTON.

19 May 1981

The Commissioner of Crown Lands,  
Department of Lands and Survey,  
Private Bag,  
CHRISTCHURCH.

*Handwritten mark*

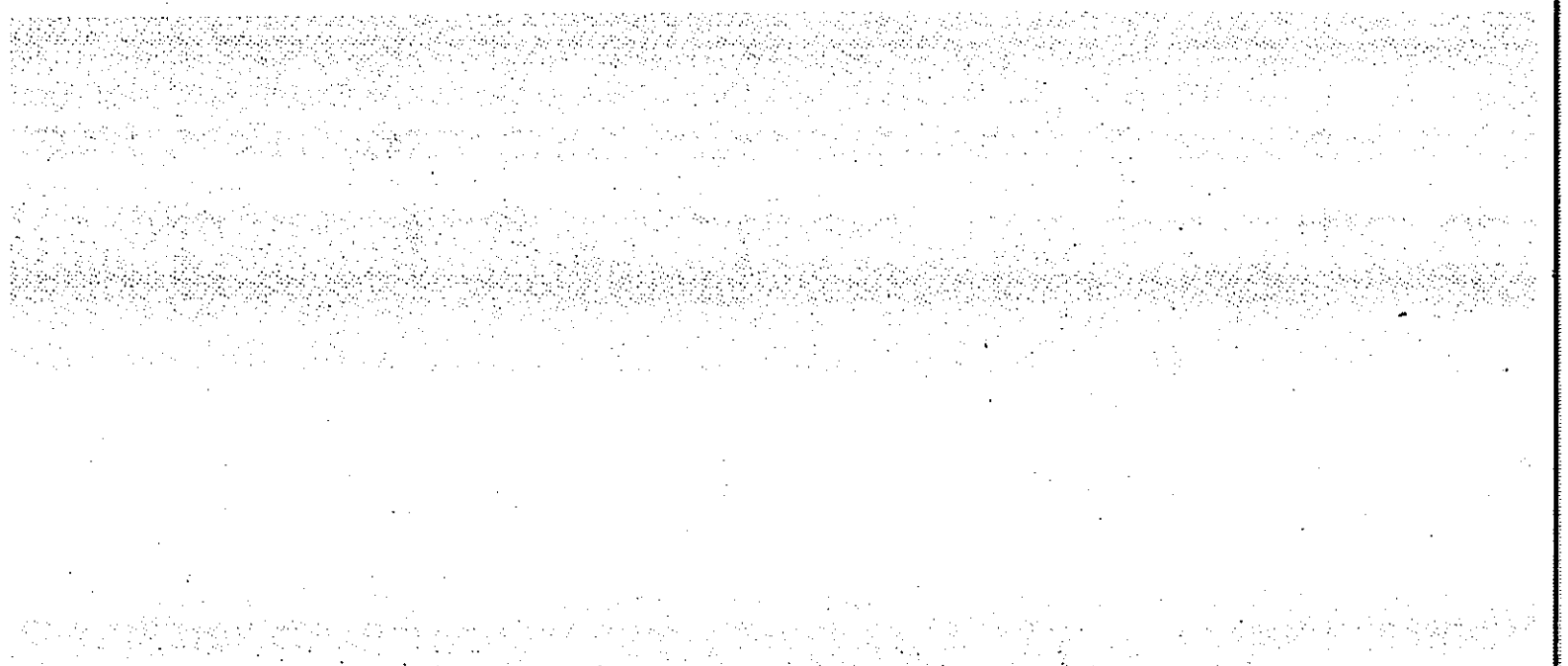
Dear Sir,

Your Reference F 61  
RADIO TELEPHONE REPEATER STATION - MOUNT PEEL

I acknowledge your letter dated 12th May 1981, and advise that this will be presented to, and discussed at the next meeting of the Association, which will be held on the 29th of June.

Yours faithfully,  
MOUNT PEEL RADIO TELEPHONE USER ASSOCIATION

.....  
L.J. Cain  
SECRETARY.



520.

P 61

r Savage

NY

799 760

Private Bag  
CHRISTCHURCH

12 May 1981

~~Mr L.J. Cain  
Secretary  
Mount Peel Radio Users Association  
C/- Messrs Chilton Ross & Company  
Chartered Accountants  
P.O. Box 444  
ASHEBURTON~~

Dear Mr Cain


RADIO TELEPHONE REPEATER STATION : BIG MOUNT PEEL

Further to my letter of 18 December 1980, an inspection of the transmitter site carried out last month revealed that while the equipment box has been taken out, the mast is still in place and there is a good deal of debris strewn about in the form of bits of wire, metal, alkathene pipe, etc. Therefore it would be appreciated if you could please arrange for the remaining installations to be dismantled, and all materials completely removed from the area.

I trust that the work will be completed without delay and your co-operation in restoring the site as far as possible is sought.

P2A.

Yours faithfully

  
E.J. Davies  
Commissioner of Crown Lands

JS

516

P.61

CHRISTCHURCH

24 February 1981

SFO, TIMARU

RADIO TELEPHONE REPEATER STATION : BIG MOUNT PEEL

I refer to my minute to you of 18 December 1980. If not already done so could you please arrange to check on whether the installations have been removed as requested and advise me accordingly.

E.J. Davies  
Commissioner of Crown Lands

Per

*PD 24/2*

P 61

r Savage

NY

799 760

---

 Private Bag  
 CHRISTCHURCH

18 December 1980

~~Mr J. Kane~~  
~~Secretary~~  
~~Mount Peel Radio Users Association~~  
~~C/- Messrs Hilton Ross & Company~~  
~~Chartered Accountants~~  
~~P.O. Box 444~~  
~~ASHBURTON~~

Dear Mr Kane

RADIO TELEPHONE REPEATER STATION : BIG MOUNT PEEL

With reference to our earlier discussions and correspondence I have recently received advice that the Nature Conservation Council is opposed to the establishment of a VHF Station on Big Mount Peel and that the New Zealand Post Office has subsequently declined to approve your Association's application for a licence.

As a consequence, therefore, if your Association has not already done so, it would be appreciated if you could please arrange for the immediate removal of the installations - radio telephone repeater and tower, as previously requested.

Yours faithfully

B.J. Davies  
 Commissioner of Crown Lands

Per

*P. D. 19/12*

*Seen by CCL ✓*

~~SFO~~  
~~PRIMARY~~

Attention : Ranger Gould & SFO Washbourn

Above copy for your information. It would be appreciated if you could please keep this under review and report on progress with removal of the installations as well as restoration of the site.

E.J. Davies  
Commissioner of Crown Lands

Per *P2D 19/12*

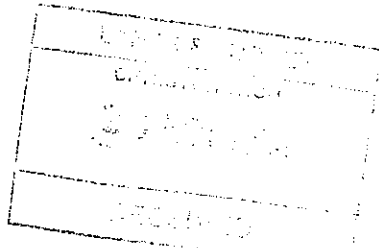
RAD  
OFFICE

Copy for your information.

E.J. Davies  
Commissioner of Crown Lands

Per *P2D 19/12*

2.



*Ceh*

*[Signature]*

*[Signature]*  
(1)

As I mentioned in my memorandum of 20 October the department is required to obtain the consent of the Nature Conservation Council to such proposals. You will have also noted that in this case the Commissioner of Crown Lands, Christchurch requested the Physics and Engineering Laboratory of DSIR to investigate the application with a view to suggesting an alternative site - a further requirement which has been laid down.

To implement this procedure it is essential that the department is approached in the initial planning stages and that those bodies in any way connected with the planning and installation of radio and television translators or transmitters, UHF or VHF stations, power pylons and power lines navigational aides or any similar installations should be aware of the department's requirements.

Accordingly the Department would welcome the cooperation of the Post Office where proposals are submitted for approval to site a radio service on Crown areas.

Thank you for your assistance in this matter.

N S Coad  
Director-General

per

HEAD OFFICE  
CCL, CHRISTCHURCH

THIS  
COPY  
TO →

Your Ref. P61.

Copy for your information together with a copy of the reply and enclosures I received from the Post Office.

I would confirm that you should write again to the Association reiterating the contents of your letter to them dated 18 February in that the Association is to make arrangements if they have not already done so for the immediate removal of the radio telephone repeater station and tower installations on the summit of Big Mount Peel.

Director-General  
per

*Cehaw*

*Write to Association, that we have been advised of Nature Conservation Council opposition and that P.O. have declined the application. In light of this, if the Assoc has not already done so they are to remove the installations forthwith. Copy to 35041 with view to keep work record & report progress.*

*11/2*

26/24996

19 November 1980

Director of Telecommunication Operations  
Telecommunications Division (Radio)  
Post Office Headquarters  
WELLINGTON

V H F STATION : BIG MT PEEL

Thank you for your memorandum of 6 November 1980 and enclosures.

I was interested and pleased to hear that the Post Office has now declined the Mt Peel Radiotelephone Users Association's request to establish a radio station on Big Mt Peel. I also note that the Post Office is to look into how best the coverage needs of those members of the Association in areas not currently served can be met. In the circumstances it would seem the request by the Association to site a new station in this area is no longer appropriate and this will be welcomed by the department and others concerned with environmental matters.

As you can appreciate this department has a vital role to play with respect to environmental matters where Crown land is involved. To this end the Department takes a direct interest in the procedures relating to the provision of sites for television and broadcasting installations on Crown land, reserves etc. In 1966 it was decided that the following restrictions should be imposed to any approvals to such installations on Crown areas.

- (1) Structures to be not visible against the skyline if at all possible.
- (2) No rare plant communities to be disturbed and removal of bush to be kept to an absolute minimum.
- (3) Landscaping or masking of buildings to be required.
- (4) Telephone and power lines to be underground.
- (5) Access to installations not to unduly interfere with scenic values.
- (6) Building and installations to blend as far as possible with natural surroundings.

96  
12-7-80  
A(T)  
26/24996

Post Office Headquarters  
Wellington, N.Z.

Telecommunications Division  
(Radio)



Telephone 738 444 Ex 685  
Telex NZ3530 JWC:WR

POHQ 39/9939

6 November 1980

The Director-General,  
Department of Lands and Survey,  
Private Bag,  
WELLINGTON 1.

26/24996

VHF STATION: BIG MT PEEL

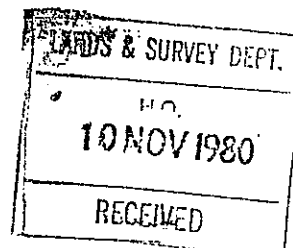
I refer to memorandum 26/24/996 of 20 October 1980 seeking information about a proposed radio station to be located at Mt Peel.

Subsequent to application from the Mt Peel Radiotelephone Users Association in July 1979, the Post Office approved "the establishment of a temporary station at Mt Peel for site testing purposes only, on the understanding that approval to conduct tests does not signify approval, implied or otherwise, for the establishment of a land mobile service from that site". There were other technical conditions also imposed.

When the results of the test transmissions were known the applicant was informed that the only area not covered by existing services was the Rangitata Gorge pocket and that a low level alternative site should be investigated to provide supplementary coverage for the Rangitata Gorge.

The Association again sought approval to site a station on Mt Peel and this request was declined on 14 October 1980. ... Copies of correspondence are attached for your information.

Any application made to the Post Office to establish radio stations are technically examined from a radio frequency usage viewpoint and having regard to the ministerially approved land mobile policy as covered in Part 2 of the enclosed pamphlet RT 1. The responsibility for obtaining ...



2.

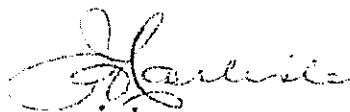
POHQ 39/9939, 6.11.80

access to whatever site is proposed has always been considered to be one for the applicant to arrange.

In general the Post Office does not favour the use of high level sites for land mobile radiotelephone service base stations and in any case would not approve the establishment of any new service in an area already served by a station, either privately or Post Office operated.

However, if you wish the Post Office would be happy to co-operate and make it a prerequisite that your Department's approval must be obtained before any request to use a site for a radio service is considered by the Post Office unless of course your interest is only in regard to Crown Land.

Your further comments would be appreciated.



for Director of Telecommunication Operations.

Encls.

JK

26/24996

20 October 1980

Mr J Carlisle  
Principal  
Radio Tele-communications Division  
New Zealand Post Office  
Headquarters  
WELLINGTON

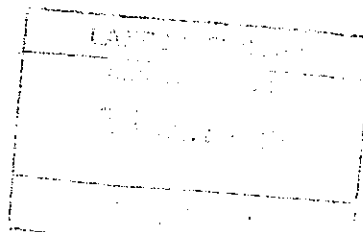
Dear Sir

VHF STATION : BIG MOUNT PEEL

Formal application was made in March this year to the Commissioner of Crown Lands Christchurch by the Mount Peel Radio Telephone Users Association seeking approval to the siting of a radio repeater station already erected on Big Mount Peel, South Canterbury. The purpose of the station as submitted by the Association is to provide its members with communication services over an area from Christchurch to Oamaru particularly the Rangitata Gorge, this I understand being the only area in South Canterbury not presently covered by regular Post Office or private installations.

This department is particularly concerned that the Association late last year arranged for the erection of the radio telephone repeater station and tower installations on the summit of Big Mount Peel which is Crown land held on pastoral lease without having first obtained the department's permission. Furthermore the siting of such hilltop installations must take account of environmental considerations and to this end it is a prerequisite to the Department's permission being given that the Nature Conservation Council investigate the placing of such structures on Crown land, having regard to the skyline or visual qualities of the landscape.

As a result of extensive investigation by departmental field staff it is considered that the installation is an undesirable addition to the Big Mount Peel landscape and should not be permanently established on this site. The Nature Conservation Council shares this view and opposes the application. Although I believe the Postmaster General has apparently granted an initial licence I have been informed that the engineers at the Post Office in Timaru also object to the installation of this



2

station on Big Mount Peel on technical grounds and servicing difficulties.

I understand your division has been examining the application and would be able to confirm that there are alternative sites available for a VHF Station that would cover the Rangitata Gorge. The Commissioner of Crown Lands, Christchurch has approached the Physics and Engineering Laboratory DSIR on this matter but they have insufficient information available to them at present to form a valid opinion on possible alternative sites. Apparently the advantage of the Big Mount Peel site is that operators can use one frequency to cover a large area whilst a low level alternative to cover just the gorge would necessitate the transferring from one repeater to another.

I would be grateful for any information you can let me have as to alternative less environmentally sensitive sites for a VHF Station.

N S Coad  
Director-General

Per

HEAD OFFICE

TO CCL CHRISTCHURCH

Your Ref P 61.

Copy for your information and further to your memo of 6 October 1980. I shall be in touch again when I have heard from NZPO.

N S Coad  
Director-General

Per

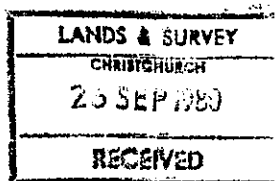
**— DSIR**

DEPARTMENT OF SCIENTIFIC AND INDUSTRIAL RESEARCH



Reference:

PEL 117/1/-

**PHYSICS AND  
ENGINEERING  
LABORATORY**Private Bag,  
Lower Hutt, New Zealand.Telephone: 666 919  
Cables and telegrams: PHYSICAL  
Telex: PHYSICS N.Z. 3814

24 September 1980

Commissioner of Crown Lands  
Dept of Lands & Survey  
District Office  
Private Bag  
CHRISTCHURCH

Attention: Mr P L Savage

VHF Station : Big Mount PeelYour memo ref P61 of 16 September 1980 refers.

The information we have available to us at present is insufficient for us to form a valid opinion on possible alternative sites. We need to know, preferably outlined on a map, the target areas which are not covered by the present NZ Post Office services.

I have been in touch with appropriate staff in the Nature Conservation Council and the NZ Post Office, and am aware of the possible difficulties in obtaining such precise information from the Mt. Peel Radio-Telephone User association, but without it any suggestions we might make regarding alternative sites could be completely irrelevant to the actual requirements of the association and therefore a futile exercise on our part.

(G McK Allcock)  
for Director

503 ~~503~~

TELEPHONE:

72

Nature Conservation Council

BOX 12 200, WELLINGTON NORTH

NEW ZEALAND

Our ref:

Your ref:

P61

21 August 1980

Mr L J Cain  
The Secretary  
Mt Peel Radio - Telephone User Association  
PO Box 444  
ASHBURTON

CCL  
copy sent to SFO  
see 504  
4 DG.HO. [Signature]

Dear Mr Cain

RADIO REPEATER SITE ON BIG MT PEEL

Further to recent discussions with your President, Mr D Hood, I must advise that this Council opposes the application to establish a VHF station on Big Mt Peel. The Council has endeavoured to minimise the number of hilltop installations as it believes the hills of New Zealand have a special quality being visually important and often valued also for historical, geological or other reasons. The Council accepts that this particular installation would only be visually intrusive to trampers in the area but the Peel Range is a valuable recreation area in the South Canterbury district and the Council believes that this range should be kept free of man-made installations. In addition, the proposed installation would provide a degree of overlap with installations at Mt Studholme, Mt Alford, and Mt Rollesby and would provide only marginal improvement in coverage for the headwaters of the Rangitata River area.

Yours sincerely

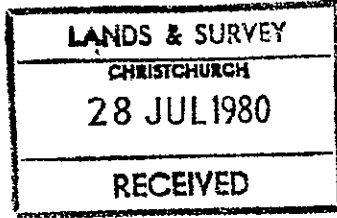
K A Hoskin  
Secretary

The Commissioner of Crown Lands  
Department of Lands and Survey  
Private Bag  
CHRISTCHURCH

Copy for your information.

[Signature]  
K A Hoskin  
Secretary

CHRISTCHURCH



28 July 1980

District Ranger  
OFFICE

*D/Ranger  
MA*

ILLEGAL RADIO TRANSMITTER MAST : BIG MT PEEL

South Canterbury Ranger Staff have reported to me that a private tele-communications mast has recently been established on the summit of Mt Peel. A telephone pole and other equipment was flown in by helicopter. The land is Crown owned run-holder country, but it appears that neither the department nor Mr Mark Acland, the run-holder have been approached.

Two points are at issue here. Firstly, the installation has gone in without the appropriate authority, and should be challenged on this point. Secondly, the installation should possibly be challenged on aesthetic grounds. In other circumstances the department has opposed hilltop installations on scenic and visually significant sites.

I request that you have discussions on this matter with the Commissioner and the District Field Officer to determine if any action should be taken.

I await your further instructions on this matter.

*B.E. Arnold*

B.E. Arnold  
Senior Ranger

≥ *Senr Rgr*

*Refer folios 482, 484,  
488, 489, + 493.*

*SFO Timaru is handling  
this job - under control.*

*P20 C/A.*

*Noted. B.E. 5/9/80*

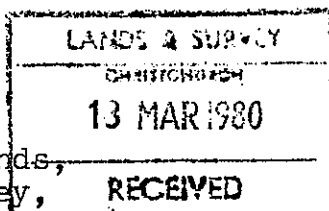
*LMW*

*→ Where is this mast sited  
in relation to the Trig  
Station? If it is obstructing  
a ray to a Trig Station it will  
have to be shifted. *Jim**

MOUNT PEEL RADIO-TELEPHONE USER ASSOCIATION

Telephone 89089  
ASHBURTON

P.O. Box 444  
ASHBURTON.



17 March 1980

The Commissioner of Crown Lands,  
 Department of Lands and Survey,  
 Private Bag,  
CHRISTCHURCH.

Your Ref: L & S P61

Dear Sir,

Please accept this as an application from the Association to establish a V.H.F. radio repeater site on the summit of big Mt Peel.

The site will provide radio communication from the Association's members, over an area from Christchurch to Oamaru.

The members, who are comprised of transport, tourism, contracting and construction firms, plus the Strathallan County Council, and the South Canterbury Catchment Board, will be totally dependent on this system, to provide communication in difficult areas, not presently covered by regular Post Office services.

A test channel has, with the agreement of the Director of Telecommunication, P.O. Wellington, been installed on the summit, and is currently operating. Permission for this was sought and obtained from the run-holder at Mt Peel.

If this was incorrect procedure, please accept the Association's apologies.

Environmental aspects of any site have been given careful consideration. The only pole involved, would be a standard telephone pole, 12" in diameter and 30 ft. high. This is totally invisible from the ground (indeed it is invisible 1,000 ft. below the summit).

7 Photographs are included, taken from a helicopter 500 ft. below the summit.

The actual radio equipment is housed in a niche in the rock 15' below the summit on the western side of Mt Peel, where it is totally invisible.

The maximum size of any structure, erected in the future, would be a small hut, 8' x 5' x 6', which would be located where the existing equipment is at present.

Should you require any further information regarding this application, please contact the undersigned.

Thanking you in anticipation,

Yours faithfully,  
MOUNT PEEL RADIO TELEPHONE USERS ASSOCIATION

*L.J. Cain*  
L.J. Cain

**Appendix 3 – Land Status Check and Plan.**

**OPUS INTERNATIONAL CONSULTANTS LIMITED**  
**CHRISTCHURCH OFFICE**

APPENDIX A1

Project Number 6NL.12696.TR

This report has been prepared on the instruction of Land information New Zealand in terms of **Contract No. 50269 (as yet undated)** and is undertaken for the purposes of the Crown Pastoral Land Act 1998.

|  |                 |
|--|-----------------|
| <b>LAND STATUS REPORT for Lochaber Tenure Review</b> | LIPS Ref: 12696 |
| Property 1 of 3                                      |                 |

|                                    |  |
|------------------------------------|--|
| <b>Land District</b>               | Canterbury.  |
| <b>Legal Description</b>           | Part Run 276 situated in Blocks V VI IX X XI XIV and XV Mount Peel, III and IV Four Peaks, III Acland and I and III Orari Survey Districts, Rural Section 42318, situated in Block XIV, Mount Peel Survey District and Section 1, S.O. 16699.  |
| <b>Area</b>                        | 9937.0832 hectares.  |
| <b>Status</b>                      | Crown land subject to the Land Act 1948.   |
| <b>Instrument of title / lease</b> | Pastoral Lease CL CB529/65 pursuant to Section 66 and registered under Section 83 of the Land Act 1948 as varied by Memorandum of Renewal 834049.1.  |
| <b>Encumbrances</b>                | Subject to:<br>1) Part IVA of the Conservation Act 1987, upon disposition.<br>2) No 766622 Land Improvement Agreement under the Soil Conservation and Rivers Control Act 1941.<br>3) A071691.1 Memorandum of Variation of Conditions reserving, pursuant to Section 60 of the Land Act 1948 as an easement in gross forever, to Her Majesty the Queen the right to operate and maintain a radio repeater station in favour of the New Zealand Police over that part of the lease marked "A" on S.O. 18345. |
| <b>Mineral Ownership</b>           | The Mines and Minerals are owned by the Crown because the land has for the most part never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under the 1848 Kemp Deed of Purchase.  |
| <b>Statute</b>                     | Land Act 1948 and Crown Pastoral Land Act 1998.  |

|                                 |                  |
|---------------------------------|------------------|
| <b>Data Correct as at</b>       | 9 November 2001. |
| <b>[Certification Attached]</b> | Yes.             |

|  |  |
|--|--|
| <b>Prepared by<br/>Crown Accredited Supplier</b> | Don McGregor, McGregor Property Services Limited, Christchurch<br>for and on behalf of Opus International Consultants Limited. |
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**NOTES: This information does not affect the status of the land but is identified as possible requiring further investigation at the due diligence stage: See Crown Pastoral Standard 6**

- 1) Please note Reports 2 of 3 and 3 of 3 attached. The latter is not within the periphery of the lease however there could be unique circumstances for consideration in Tenure Review hence it's inclusion.
- 2) L CB529/65 contains no clause that the lease is subject to Section 58 of the Land Act 1948 however SO 11748 contains a notation that all Runs are subject to Section 58 along all rivers and streams in excess of 3 metres in width.
- 3) The Land Improvement Agreement (No 766622.1) registered in 1969) secured works involving aerial topdressing, conservation fencing, internal and boundary cattle-proof fencing, cultivation and fencing materials. Amendments to the Plan followed in 1969 and 1971. The original term of the LIA Agreement was for eight years from completion of the works. The uncompleted work from the first programme was consolidated into a second five year programme adopted in 1982. It is probable the works are completed and that being the case Environment Canterbury (Canterbury Regional Council) may now be in a position to discharge the LIA.

Whilst a further Soil Conservation plan was mooted in 1987 there is no indication on file that this was ever adopted.

- 4) The attached supporting topographical map shows that the existing fenced common boundaries in the western sector (with Dry Creek Pastoral lease) and the north eastern and eastern sectors with the Stew Point/Coal Creek and Mt Peel Pastoral leases respectively do not correlate with the legal boundaries.