

Crown Pastoral Land Tenure Review

Lease name : BEN LEDI

Lease number : PO 199

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.

June

06

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

BEN LEDI PASTORAL LEASE

File Ref: CON/50239/09/12497/A Report No: DN0012 Report Date: 15/1/2001
Office of Agent: Dunedin LINZ Case No: Date sent to LINZ: 16/1/2001

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** there are no incomplete actions.

Signed by Opus:



M Brown
Consultant



D Payton
Contract Manager

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

Name:

Date of decision: / /

1. Details of lease:

Lease Name: BEN LEDI

Location: On the east side of the Kakanui Ranges accessible from Danseys Pass Road approximately 25 kilometres southwest of Duntroon.

Lessee: IH & MC Anderson & TB McCone

Tenure: Pastoral Lease subject to Section 66 of the Land Act 1948 and registered under Section 83 of the Land Act 1948

Term: 33 years from 1 July 1991 (expires 30 June 2024)

Annual Rent: \$5 700.00

Rental Value: \$380 000

Date of Next Rent Review: 30 June 2002

Land Registry Folio Ref: 386/128

Legal Description: Section 2, Block X, Section 2, Block XI, Domet Survey District, part Section 1 Block I, Section 1 and part Section 2, Block II, part Section 1, Block VIII, Kakanui Survey District, Section 1, Block XIV, Kyeburn Survey District.

Area: 5398.5065 hectares

2. File Search**Files held by Agent (Knight Frank (NZ) Limited) on behalf of LINZ:**

File Reference	Volume	From	To
PO199	3	27/7/1982	30/6/2000
PO199	4	1/7/2000	-

Files held by Agent (Opus International Consultants) on behalf of LINZ:

File Reference	CON/50239/09/12497/A-ZNO
Volume	1
First Folio Number	1
Date	1 November 2000
Last Folio Number	-
Date	Current (Comprises extracts of tenure review files).

Other relevant files held by LINZ:

File Reference	Volume	From	To
P199	1	1936	1961
P199	2	1961	1982

3. Summary of lease document:**Terms of lease**

Stock Limitation in Lease
4455 Sheep (1320 ewes)

Commencement Date

1 July 1991

Special Provisions

There are no special provisions in the lease

Parts of the lease are subject to the provisions of marginal strips pursuant to the Conservation Act 1987.

Area adjustments

There are no area discrepancies

Registered interests

There are no registered interests on the property

Unregistered interests

There are no known unregistered interests on the property

4. Summarise any Government programmes approved for the lease:

There are no Government programmes approved for the lease.

5. Summary of Land Status Report:

A Land Status Report was undertaken by Opus International Consultants Limited on 24 November 2000. This confirms the status of the land as Crown Land under the Land Act 1948, pursuant to section 66 of the Land Act 1948, and registered under section 83 of the Land Act 1948.

A copy of the Land Status Report is attached, labelled **Appendix 1**

6. Review of topographical and cadastral data:

A review of the topographical and cadastral plans attached to the Land Status Report reveals there are no communication sites, long distance transmission lines, airstrips, or treatment sites on the property.

A possible local authority power supply runs along Danseys Pass Road, then crosses Section 2 Block XI Domet Survey District to Duthie Road.

The topographical map shows the presence of part an "Old water race" in the southeast corner of Part Section 1 Block VIII Kakanui Survey District, and the "remains of old water race" in the northwest corner of Section 2 Block XI Domet SD. There is no indication that these old water races still carry water, and given that the area was extensively mined for gold around the turn of the century, it is probable that these water races are have been decommissioned.

7. Details of any neighbouring Crown or conservation land

	<i>Legal Description</i>	<i>Status</i>	<i>Owner</i>
<i>Northwest</i>	Run 510	Pastoral Lease	NT & MA Hore
<i>Northeast</i>	Not Applicable		
<i>Southeast</i>	Part Sec 2 Block II, Sec 1 Block VII, Sec 2 Block VIII Kakanui SD, and Sec 2 Block XIV Kyeburn SD	Pastoral Lease	Pisgah Downs Limited
<i>Southwest</i>	Not Applicable		

8. Summarise any uncompleted actions or potential liabilities:

There are no items requiring summary as incomplete actions or potential liabilities.

**OPUS INTERNATIONAL CONSULTANTS LIMITED
DUNEDIN OFFICE**

10

Project Number 6NL497.TR / 016YD



This report has been prepared on the instruction of Land Information New Zealand in terms of Contract No: 50239 dated 1 November 2000 and is undertaken for the purposes of the Crown Pastoral Land Act 1998.

LAND STATUS REPORT for Ben Ledi Tenure				LIPS Ref 12497
Review				
Property	1	of	1	

Land District	Otago
Legal Description	Section 2, Block X, Section 2, Block XI, Domet Survey District, part Section 1, Block I, Section 1 and part Section 2, Block II, part Section 1, Block VIII, Kakanui Survey District, Section 1, Block XIII, Section 1, Block XIV. Kyeburn Survey District.
Area	5398.5065 hectares
Status	Crown Land under the Land Act 1948 subject to Pastoral Lease P.199 under Section 66, of the Land Act 1948 and registered under Section 83 of the Land Act 1948
Instrument of title / lease	C.L. 368/128
Encumbrances	None
Mineral Ownership	Mines and Minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under the 1848 Kemp Purchase.
Statute	Land Act 1948 & Crown Pastoral Land Act 1998

Data Correct as at	24/11/2000
[Certification Attached]	

Prepared by	John Kirk <i>[Signature]</i>
Crown Accredited Agent	Opus International Consultants Ltd, Dunedin

LAND STATUS REPORT for Ben Ledi Tenure Review				LIPS Ref 12497	
Property	1	of	1		

Certification

Pursuant to Section 11(1)(l) of the Survey Act 1986 and acting under delegated authority of the Surveyor-General pursuant to Section 11(2) of that Act, I hereby certify that the land described above is Crown Land under the Land Act 1948 subject to Pastoral Lease CL 368/128.



Max Haydn Warburton
Chief Surveyor
Land Information New Zealand, Dunedin.

21 / 12 / 2000

Notes : This information does not affect the status of the land but was identified as possibly requiring further investigation at the due diligence stage : See Crown Pastoral Standard 6 paragraph 6.

LAND STATUS REPORT for Ben Ledi Tenure Review				LIPS Ref 12497
Property	1	of	1	

Research Data: Some Items may be not applicable

SDI Print Obtained	Yes
NZMS 261 Ref	141
Local Authority	Waitaki District Council
Crown Acquisition Map	Kemp Purchase
SO Plan	<p>SO 705-Topo plan of Kakanui SD [May 1882]</p> <p>SO 698-Plan of Survey Control</p> <p>SO 699- Plan of Survey Control</p> <p>SO 407- Plan of Survey Control</p> <p>SO 1063- Plan of Section's 1-9, Block XVI, Maerewhenua SD [Feb 1892] this plan defines adjoining land</p> <p>SO 1065- Plan showing subdivision of Runs 134,300 & 301 Maerewhenua, Domet, Kyeburn & Kakanui District (March 1892).</p> <p>SO 4067- Plan of Section 1, Blk XI, Domet SD [Feb 1892]</p> <p>SO 4068- Plan for mining purposes</p> <p>SO 5586-Plan of Topo of area 1891</p> <p>SO 20553-Plan of Section 7, Block XV, Maerewhenua S.D. this plan defines adjoining land.[Sept 1983]</p>
Relevant Gazette Notices	Nothing found
CT Ref / Lease Ref	<p>CL 368/128 [Live]</p> <p>CL 259/180 previous reference</p>
Plan Index	Viewed
Legalisation Cards	<p>SO 1065- states that the sections in this lease are subject to the provisions of marginal strips pursuant to s.24 Conservation Act 1987.</p> <p>SO 20553- no actions shown</p>
CLR	<p>Section 2, Block X, Section 2, Block XI. Domet Survey District, part Section 1, Block I. Section 1 and part Section 2, Block II, part Section 1, Block VIII, Kakanui Survey District, Section 1,</p>

LAND STATUS REPORT for Ben Ledi Tenure Review			LIPS Ref 12497
Property	1	of	1

	Block XIII, Section 1, Block XIV, Kyeburn Survey District. Card supports this land is held under Pastoral Lease P199
Allocation Maps (if applicable)	LIPS maps- searched no land found DOC allocations- no allocations within or adjoining this lease Other SOEs-nothing found
VNZ Ref - if known	26060 48800
Crown Grant Maps	Nothing found
If Subject land Marginal Strip : a) Type [Sec 24(9) or Sec 58] b) Date Created c) Plan Reference	a) 24 (9) & 24(F) b) 1-7-1991 c) A-B-C-D-E, F-D, I-J-K on SO 1065

LAND STATUS REPORT for Ben Ledi Tenure Review				LIPS Ref 12497
Property	1	of	1	

Research - continued

If Crown land - Check Irrigation Maps.	Sighted nothing found
Mining Maps	141.39/057 registered as-9D/519-expired 29/5/93
If Road a) Is it created on a Block Plan - Section 43(1)(d) Transit NZ Act 1989 b) By Proc	a) SO Plan 1065 legal sec 43(1)(d) Transit NZ Act 1989 b) Proc Plan not applicable c) Gazette Ref not applicable
Other Relevant Information a) Concessions - Advice from DOC or Knight Frank. b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998 c) Mineral Ownership d) Other Info	a) The Department of Conservation has been consulted and no Conservation area status land has been identified within the boundary of this property. b) N/A c) Either <input type="checkbox"/> Mines and Minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under 1848 Kemp Purchase. <input type="checkbox"/> Contained in [provide evidence]. d)



**COMPUTER INTEREST REGISTER
UNDER LAND TRANSFER ACT 1952**



Search Copy

R. W. Muir
Registrar-General
of Land

Identifier OT386/128
Land Registration District Otago
Date Registered 16 November 1959 02:20 pm

Prior References

OT259/180

Type	Lease under s83 Land Act 1948	Term	Thirty-three years commencing on the first day of July 1958 and renewed for a further period of 33 years commencing on 1.7.1991
Area	5398.5065 hectares more or less		

Legal Description Section 2 Block X Domet Survey District, Section 2 Block XI Domet Survey District, Part Section 1 Block I Kakanui Survey District, Section 1 and Part Section 2 Block II Kakanui Survey District, Part Section 1 Block VIII Kakanui Survey District, Section 1 Block XIII Kyeburn Survey District and Section 1 Block XIV Kyeburn Survey District

Proprietors

Ian Hamish Anderson, Margaret Catherine Anderson and Thomas Bryan McCone

Interests

778251 Renewal of Lease for a further period of 33 years commencing on 1.7.1991 and fixing for the first 11 years the annual rent at \$5,700.00 calculated on a rental value of \$380,000.00 - 2.5.1991 at 9.51 am

Identifier

OT386/128

