

Crown Pastoral Land Tenure Review

Lease name : BREAST HILL

Lease number : PO 216

Due Diligence Report (including Status Report) - Part 4

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.

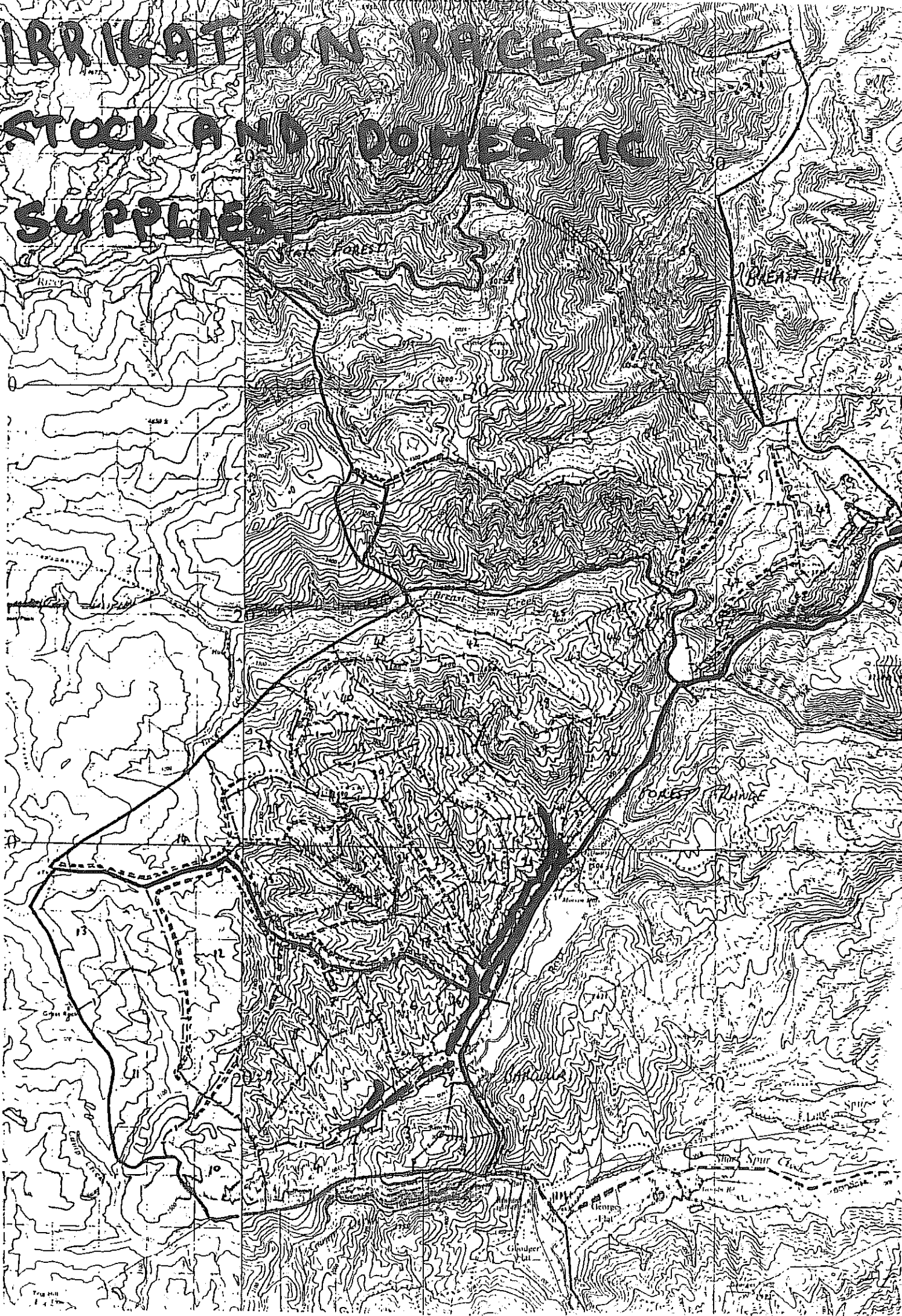
Part of the information relates to research on the status of the land, resulting in a Status Report that is signed off by a LINZ approving officer. The remainder of the information is not analysed for relevancy or possible action until required, and LINZ does not guarantee its accuracy or completeness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

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

April 09

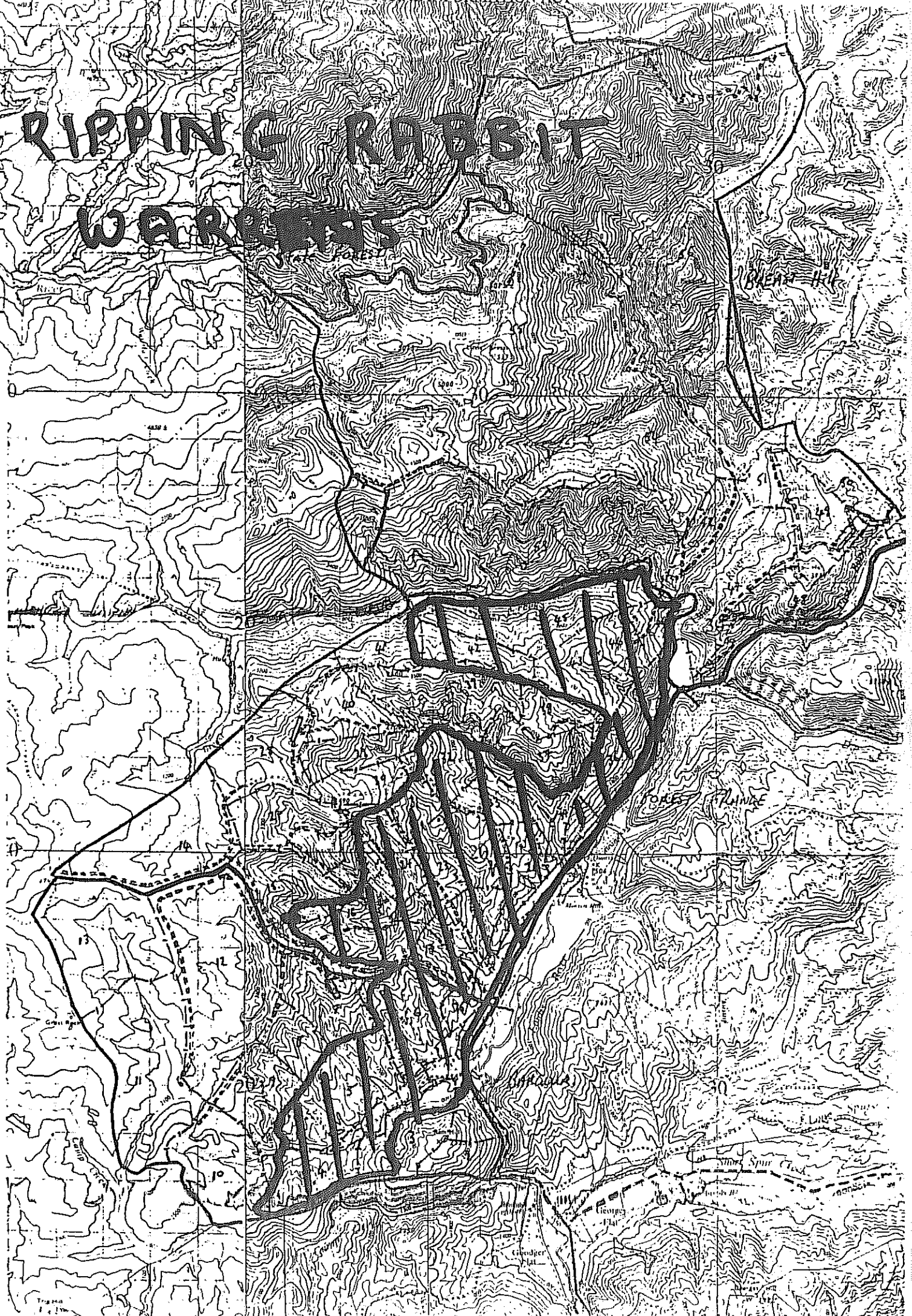
IRRIGATION CANALS STOCK AND DOMESTIC SUPPLIES

84-01-148



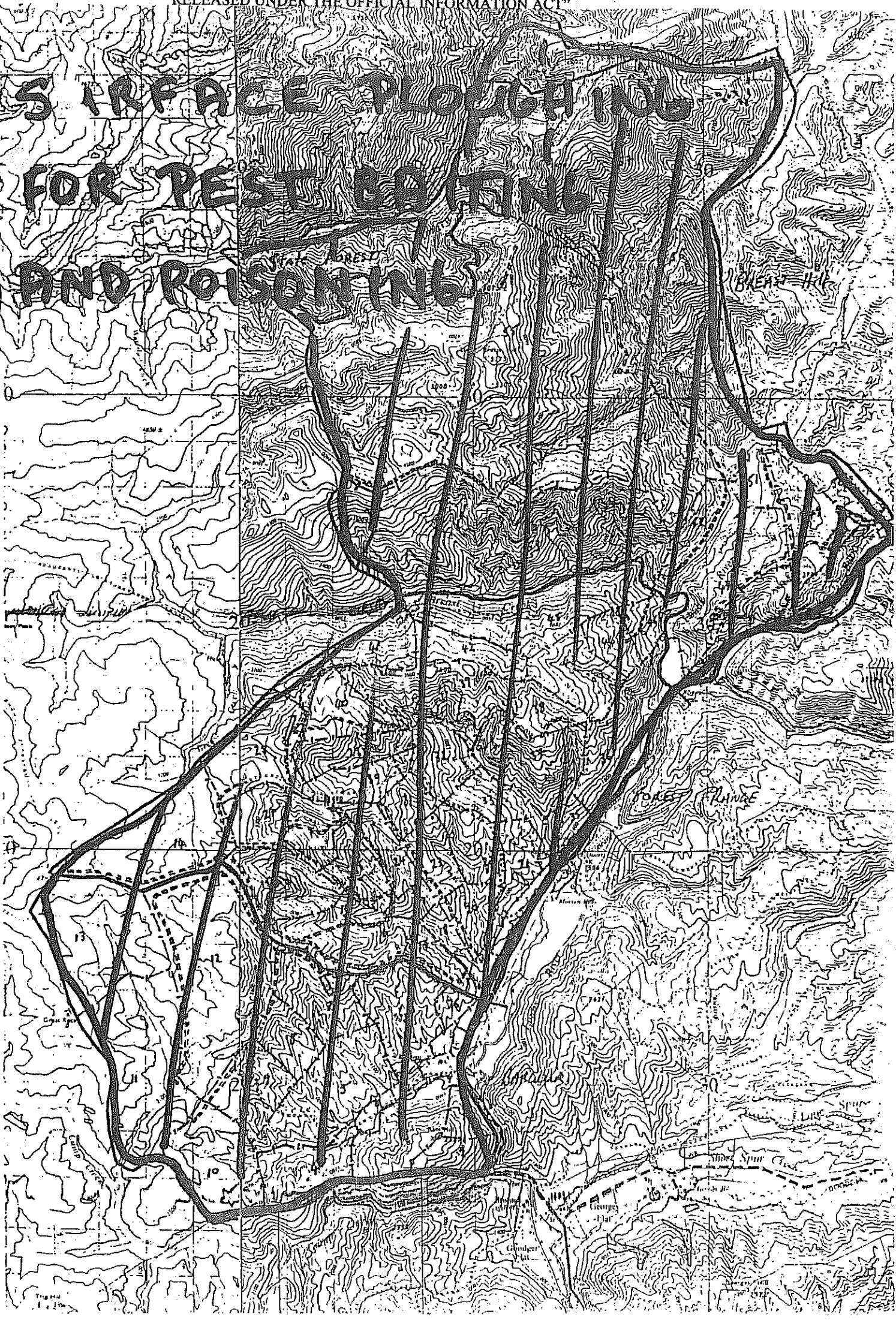
RIPPING G RABBIT WARRENTS

UNUTIC FOR CENSENTS 12-10-98



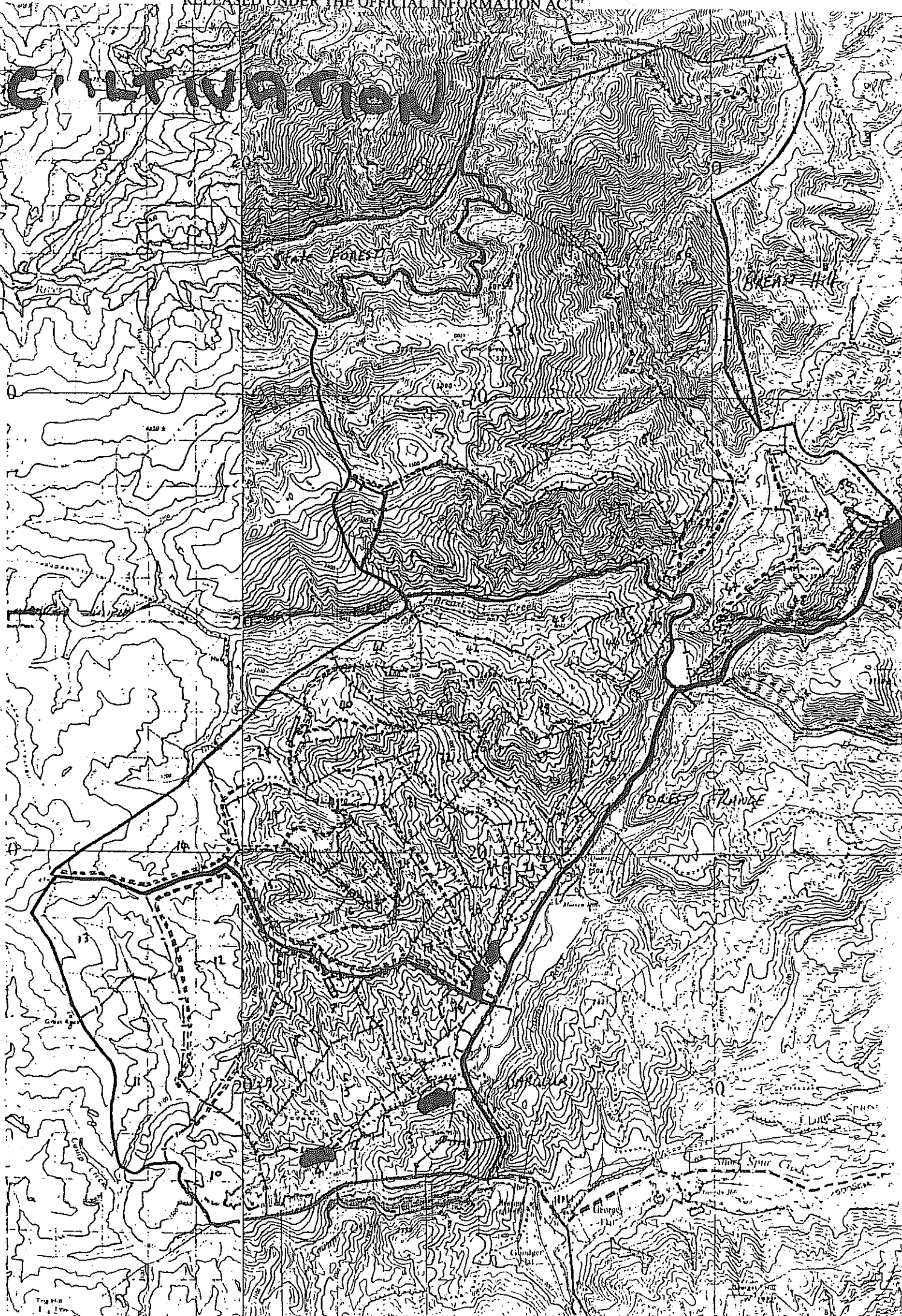
SURFACE THROUGHING FOR PESTICIDE TREATMENT AND POISONING

UPDATES FOR CONSENTS 12-10-98 ~~1986~~

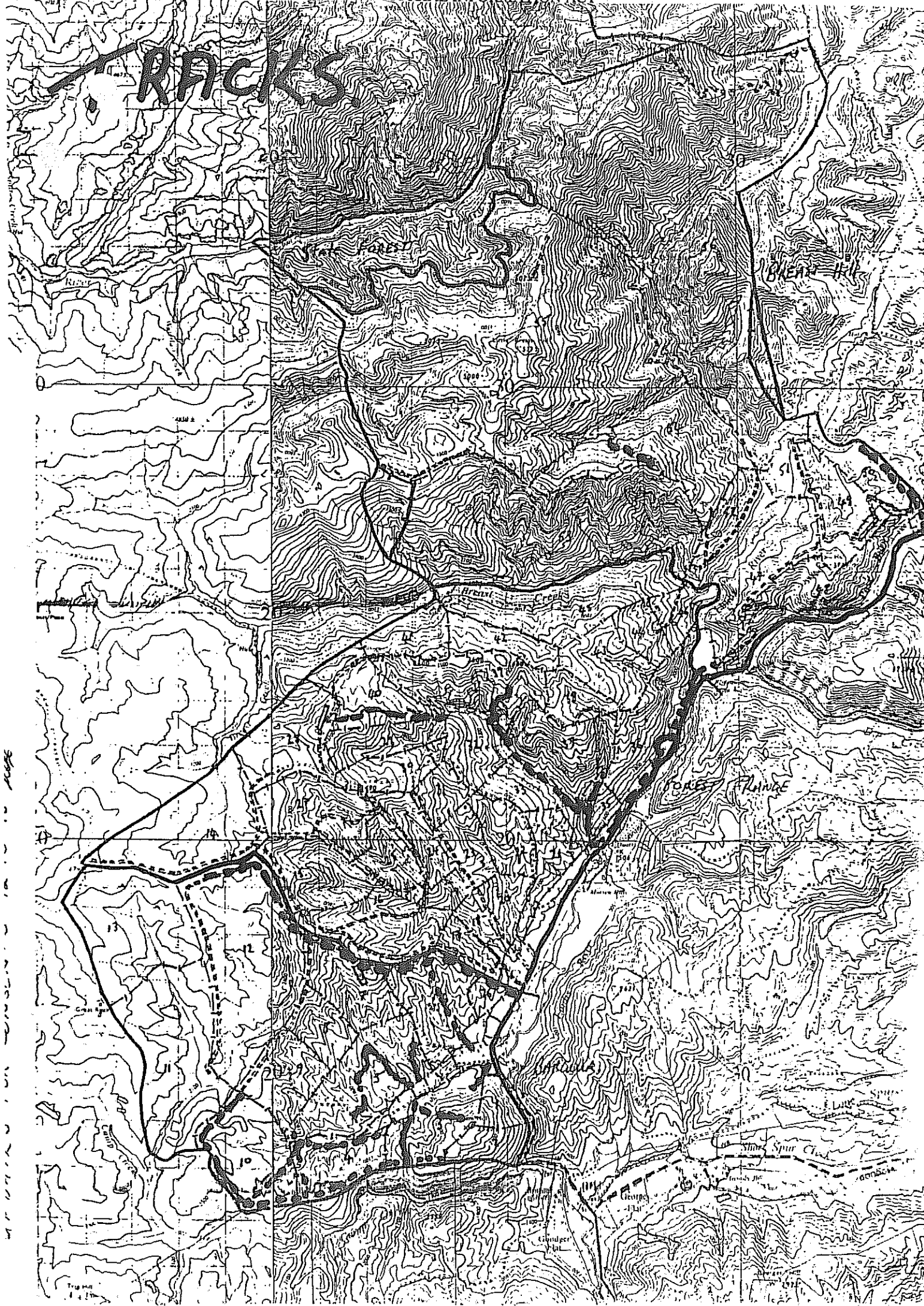


CULTIVATION

UPDATES FOR COMMENTS. 12-10-98 1888



TRAILS



Blair Hill

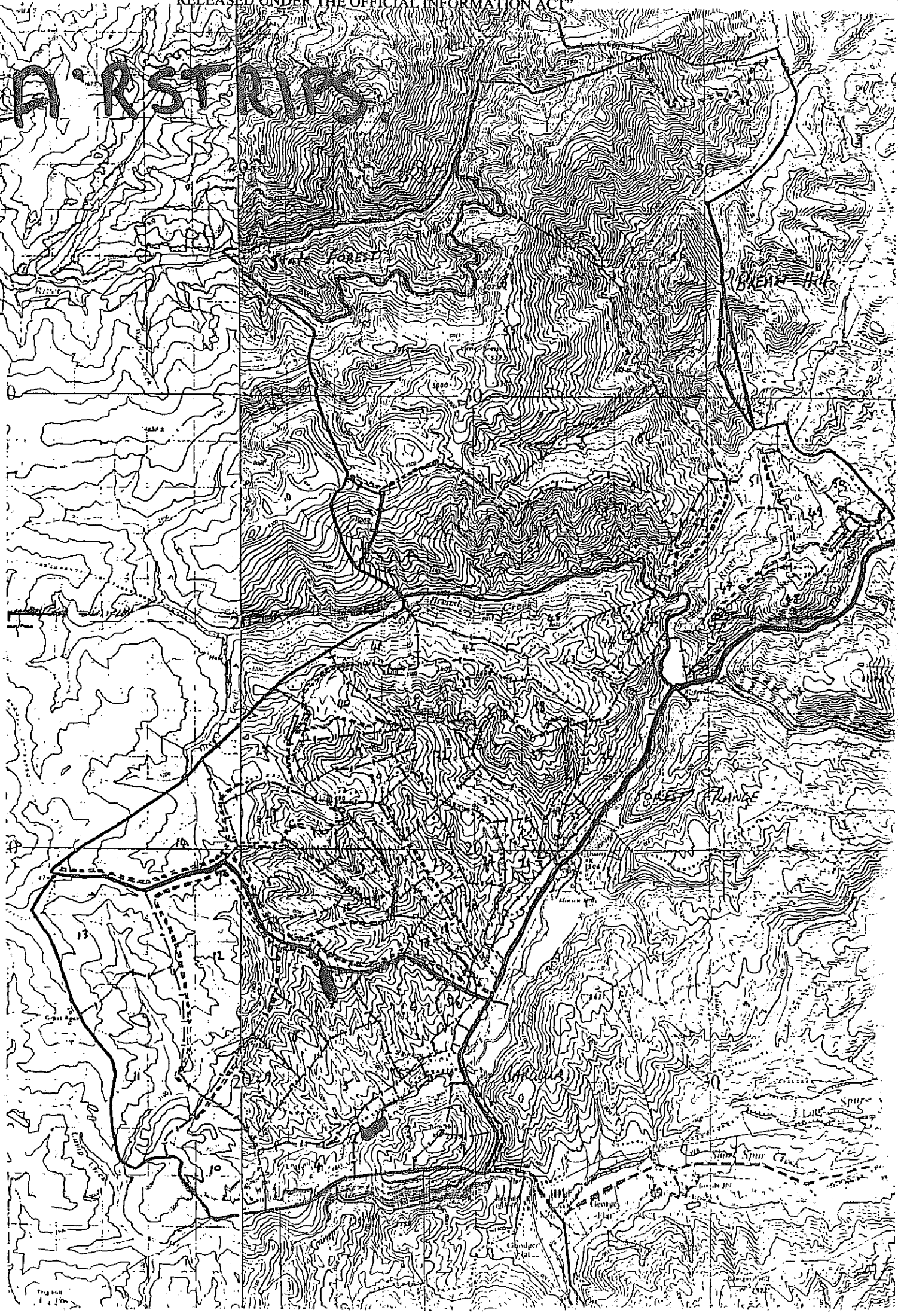
Crested Butte

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Scale 1:50,000

A RST RIPS

12-10-45 KJA



From: Grant Webley
To: Barry Dench
Date: Wednesday, 1 May 2002 01:59
Subject: Contract 50272

Hi Barry

This is to acknowledge the receipt of the Status Reports for Breast Hill and Loch Linnhe and the Sign Off Report for Robrosa.

I have approved under delegation the Sign Off Report for Robrosa.

Cheers
Grant



CON/50272/09/12510/A-ZNO

30 April 2002

Log: 9953

The Contract Administrator
Crown Property Management
Land Information New Zealand
Private Bag 4721
CHRISTCHURCH

Attention Grant Webley

Dear Sir

PRE TENURE REVIEW: CONTRACT 50272

Enclosed is one copy of the Land Status Check for Breast Hill pastoral lease.

We have provided the second copy to Department of Conservation.

Yours faithfully
Q V Valuations

A handwritten signature in cursive script, appearing to read 'Barry Dench'.

Barry Dench
Team Leader for Tenure Review

Copy to Tony Perrett
Department of Conservation
P O Box 5244
Dunedin

Copy for your retention

PASTORAL LEASE
LAND TENURE
REVIEW

LAND STATUS
CHECK

BREAST HILL

ABERCROMBIE AND ASSOCIATES LIMITED

PROPERTY MANAGERS AND CONSULTANTS

P O BOX 5056
MORAY PLACE
DUNEDIN

PHONE (03) 471 9496
FACSIMILE (03) 471 9455
EMAIL office@abercrombie.co.nz

C:\DATA\CONSULT\CLIENT\QVNZ\CONTRACT2002mk2\CS Status Cert Breast Hill.wpd

This report has been prepared on the instructions of Crown Property Management, Land Information New Zealand, and is undertaken for the purposes of the Crown Pastoral Leases Act 1998.

LAND STATUS REPORT	Breast Hill	P 216	[LIPS Ref. 12510]
Property	1	of	1

Land District	Otago
Legal Description	Part Run 235A, Run 780 and Part Run 233
Area	9047.9510 hectares
Status	Crown Land subject to Pastoral Lease P 216
Instrument of Lease	Reg Vol 386/122 registered in Land Transfer Office but not under Land Transfer Act
Encumbrances	Part of Run 235A declared as Provisional State Forest by Gazette 1920 page 2837, State Forest by Section 4, Forest Amendment Act 1973 [Part of indicative area 31 on SO 13900] and classified as Open Indigenous State Forest by Gazette 1978 page 3288.
Mineral Ownership	Crown [see comment below]
Statute	Land Act 1948, Crown Pastoral Land Act 1998

Data Correct as at:	12 March 2002
Accredited Supplier certification	As attached

Prepared by	David J Abercrombie
Crown Accredited Supplier	Abercrombie & Associates Ltd

Certified correct as to status:

M H Warburton

Chief Surveyor
Land Information New Zealand, Dunedin

2 / *4* / 2002

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

The actual area shown on the registered lease excludes the portion of state forest [Part area 31 on SO 13900] as it is not actually deemed pasturage land by a former Chief Surveyor. Notwithstanding the lessee having possibly accepted the position, there is no known record of compensation having been paid to the lessee for the dispossession.

There has been various conflicts between the lessee and CCL over the desirability of protecting areas of high inherent values of an ecological, indigenous vegetation and landscape nature verses a preference for making the land better for farming purposes.

Resulting from the need to protect areas with high conservation values as well as delays in receiving decisions for farming practices the lessees solicitor contends there is a financial loss to the lessees in excess of \$20 000.

Consent has been given by CCL to transfer of the lease to Forest Range Limited.

Research Data: Some items may not be applicable

SDI Print obtained	Yes <i>[See attached]</i>
NZMS 261 Ref	G 39
Local Authority	Central Otago District Council
Crown Acquisition Map	Yes To determine agreement for purchase from Ngai Tahu
SO Plan	NE Run Roll 1880, 2294, 2690, 2691, 13900 <i>[See evidence attached]</i>
Relevant Gazette Notices	Gazette 1920 page 2837 [declaration of land as Provisional State Forest]. Gazette 1978 page 3288 [Classifying land as Open Indigenous State Forest]. <i>[See evidence attached]</i>
CT Reference / Lease Reference	Pastoral Lease P 216, Reg Vol 386/122. Lease renewed by 5008386.1. NOTE: For history of land see below. <i>[See evidence attached]</i>
Legislation Cards	Nil reference
CLR	Yes <i>[See evidence attached]</i>
Allocation Maps [if applicable]	Not applicable
QVNZ Reference	28411/17700 29082/19600
Crown Grant Maps	Yes - There are no references for the subject property

Research - continued

If Crown land - Check Irrigation Maps.	Yes There are no references for the subject property
Mining Maps	Yes There are no references for the subject property
<p>Other Relevant Information</p> <p>a) Concessions - Advice from DoC</p> <p>b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998</p> <p>c) Mineral Ownership</p> <p>d) Other Info</p>	<p>a) Nil. Incidentally, DoC has made reference to marginal strip existing along part of Lindis River but there is no known LINZ record establishing such a status [cf NE Run Roll 1880 and DCDB]. It has therefore not been recognised. <i>[See evidence attached from DoC]</i></p> <p>b) Only on divestment of freehold or a lease of fifty years or greater by LINZ as a Crown Body</p> <p>c) Mines and Minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition from Ngai Tahu by way of the Kemp Purchase.</p>

History of ownership:

Purchased from Ngai Tahu by the Kemp Purchase of 1848.

No record of crown grants having been made for any of the land.

Run 235A

Selected for lease and Pastoral Licence 1364 was granted as at 1 March 1910 [no registration].

On expiry of PL 1364, Pastoral Licence 1928 was granted as at 1 March 1938 as recorded in register volume OT337/125 [area of 20525 acres - 8306.1728 hectares by title metric conversion].

On expiry of PL 1928, Pastoral Lease P 216 was granted as at 1 July 1959 as recorded in register volume OT386/122 [area of 20525 acres - 8306.1728 hectares by title metric conversion].

Part Run 233

Selected for lease and Pastoral Licence 1562 was granted as at 1 March 1918 as recorded in register volume OT335/61.

On expiry of PL 1562, Pastoral Lease P 20 was granted as at 1 July 1953 as recorded in register volume OT338/37.

By 710086/2 Part of Run 233 was surrendered [area of 230 hectares - see plan on instrument].

Run 780

Formerly described as Part Run 235B.

Selected for lease and Pastoral Licence 1862 was granted as at 1 March 1929 as recorded in register volume OT337/60.

On expiry of PL 1862, Pastoral Lease P 292 was granted as at 1 July 1964 as recorded in register volume OT1C/1066.

By Certificate of Alteration 350900 the land was described as Run 780 [area of 1680 acres].

Land surrendered by 352765 [Note CT OT1C/1066 incorrectly describes land as Run 732].

Combined land

Part of Run 235A was included in the declaration as Provisional State Forest by Gazette 1920 page 2837, State Forest by Section 4, Forest Amendment Act 1973 [Part of indicative area 31 on SO 13900] and classified as Open Indigenous State Forest by Gazette 1978 page 3288. Because of the capability for continual modification to the lease boundary and having regard to the conditions of lease, this action is considered an encumbrance to the leased land rather than an alteration to the status and area.

By Certificate of Alteration 352758, Run 780 was incorporated in P 216 giving a total title area of 22185 acres [8977.9510 hectares by title metric conversion].

By 710086/1, Part Run 235A was surrendered [area of 160 hectares -see plan on instrument] leaving a balance area of 8817.9510 hectares.

By 710086/4, Part Run 233 was incorporated [area of 230 hectares - see plan on instrument] leaving a balance area of 9047.9510 hectares.

Status, description of land and area are now as indicated above.

ABERCROMBIE AND ASSOCIATES LIMITED

PROPERTY MANAGERS AND CONSULTANTS

P O BOX 5056
MORAY PLACE
DUNEDIN

PHONE (03) 471 9496
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12 March, 2002

REQUEST 46576 CERTIFIED DATA
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DocID: 110300916

The Chief Surveyor
Land Information New Zealand
Private Bag 1929
DUNEDIN

Dear Sir

PROPERTY STATUS REPORT: BREAST HILL OTAGO LAND DISTRICT

References - Client: LIPS 12510
- Accredited Supplier: 193/03/07

Please find enclosed:

- 1 In accordance with CCPO Crown Pastoral Land Standard 6 and OSG Standard 1999/5 Chief Surveyor Land Status Certifications, a status report for your consideration and decision.
- 2 Evidencing the result of the investigation for the land concerned and set out in appendix order copies of:
 - Appendix 1 A locality plan
 - Appendix 2 SDI print
 - Appendix 3 Relevant survey plans [excluding NE Run Roll 1880]
 - Appendix 4 Registered leases [current and historical]
 - Appendix 5 Relevant documents registered against the current pastoral lease and also historical records
 - Appendix 6 Copy of unregistered gazette notices and file records
 - Appendix 7 Extract from Crown Land Register
 - Appendix 8 Quotable Value New Zealand valuation record
 - Appendix 9 Advice from Department of Conservation
 - Appendix 10 Other relevant information [if any]

- 3 As required by Crown Property Management in specifications for complying with instructions on reporting for land status checks in terms of Crown Pastoral Land Standard 6 a certificate of authorisation.
- 4 A cheque at the amount of \$32.00, inclusive of GST, being the prescribed fee for your certification *[Please forward a receipt for this amount as soon as possible]*.

Could you please consider the enclosed status report and, if you concur, complete your certification and return the report to me. Because of the programme established by Crown Property Management, LINZ, it would be appreciated if this request could be treated as a matter of expediency.

Should any matter require clarification please do not hesitate to contact me any time at your convenience.

Thanking you in anticipation.

Yours faithfully

A handwritten signature in black ink, appearing to read 'David J Abercrombie', with a long horizontal flourish extending to the right.

David J Abercrombie

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CERTIFICATION

PRE TENURE REVIEW; LAND STATUS CHECK BREAST HILL

REFERENCE: LIPS 12510

1. David J Abercrombie [Nominated Person for Accredited Supplier - Abercrombie & Associates Limited] gives an assurance that:
 - a. I am authorised to undertake status checks by virtue of an agreement between Land Information New Zealand and Abercrombie & Associates Limited, and
 - b. I am authorised to undertake the status check in relation to a tenure review of the land concerned, and
 - c. The Land Status Report enclosed with this certificate is in order for signature.
2. The decision when made will comply with the following statutory requirements:

Crown Pastoral Land Act 1998
3. In giving this assurance David J Abercrombie undertakes that all relevant policy instructions, legal requirements, court judgements and any other matters have been taken into account and applied where appropriate.
[List all policy instructions, legal requirements, etc.]

Instructions issued by Crown Property Management, LINZ

CCPO, Crown Pastoral Land Standard 6
Paragraph 7.1
Appendix 3

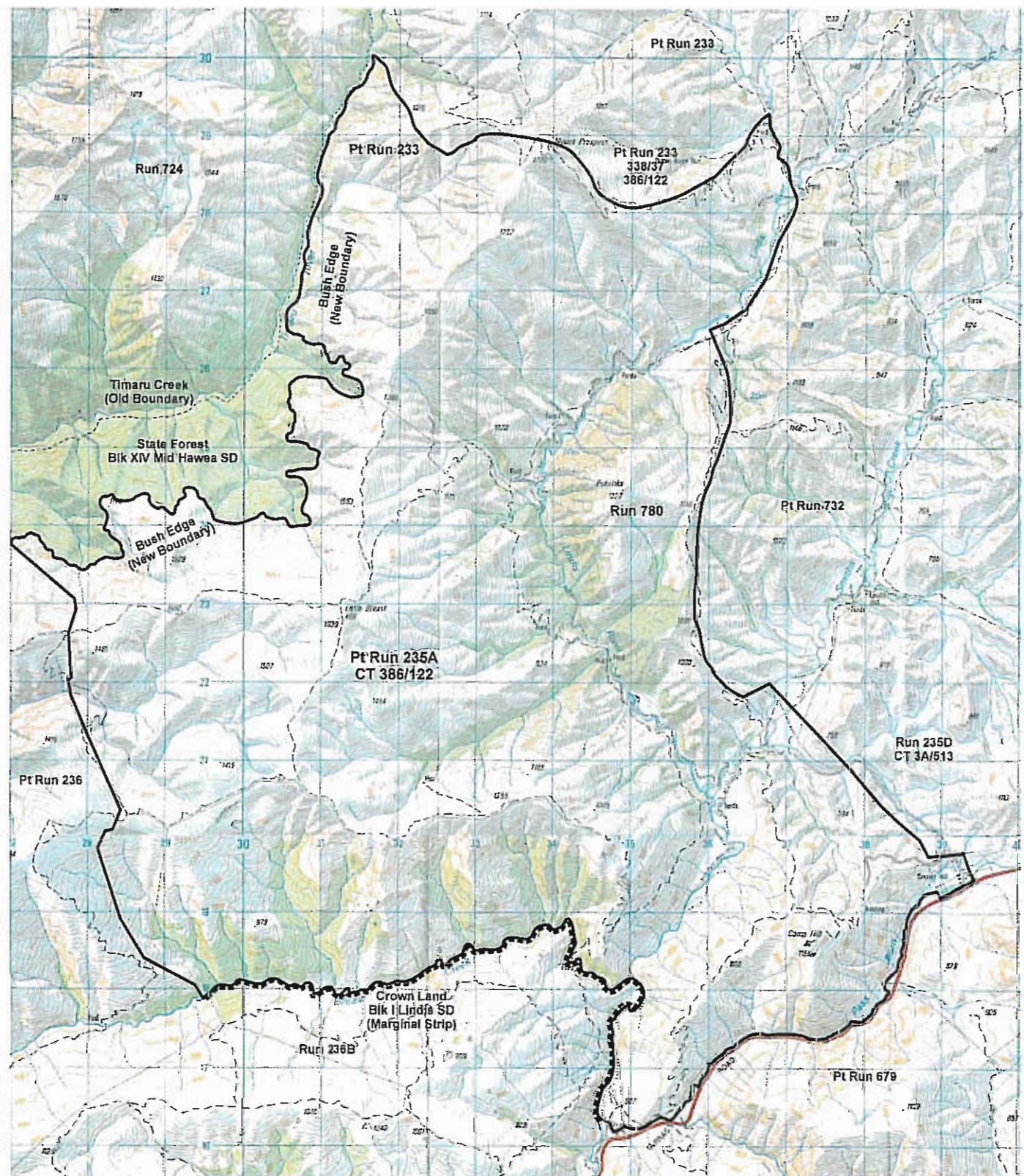


David J Abercrombie
Accredited Supplier

Date: 12 March 2002



BREAST HILL LINDIS VALLEY CENTRAL OTAGO



Part Sheet NZMS 260 Sheet G39 Lake Hawea and G40 Lindis

— PASTORAL LEASE BOUNDARY
 - - - CROWN LAND (Marginal Strip)



