

Crown Pastoral Land Tenure Review

Lease name : BREAST HILL

Lease number : PO 216

Due Diligence Report (including Status Report) - Part 6

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

Uruti State Forest, situated in the Clifton County;
 Tongaporutu State Forest, situated in the Clifton County;
 Mangakara State Forest, situated in the Clifton County;
 Makino State Forest, part situated in the Clifton County,
 part in the Stratford County;
 Matirangi State Forest, situated in the Stratford County;
 Waitiri State Forest, situated in the Stratford County;
 Mount Humphries State Forest, situated in the Stratford
 County;
 Moki State Forest, part situated in the Clifton County,
 part in the Stratford County;
 Mangaehu State Forest, situated in the Stratford County;
 Omoana State Forest, situated in the Eltham County;
 Tarere State Forest, part situated in the Patea County, part
 in the Hawera County;
 Waitotara State Forest, part situated in the Patea County,
 part in the Stratford County;
 Rimunui State Forest, situated in the Patea County;
 Otumokuru State Forest, situated in the Patea County;
 Kapara State Forest, situated in the Patea County;
 Nukuhau State Forest, situated in the Patea County;
 Papanui State Forest, situated in the Rangitikei County;
 and
 Puketoi State Forest, part situated in the Eketahuna
 County, part in the Akitio County;
 Tarata State Forest, situated in the Inglewood County.
 Dated at Wellington this 29th day of November 1978.

VENN YOUNG, Minister of Forests.

(F.S. 9/0/15)

State Forests Set Apart as Open Indigenous State Forests

PURSUANT to section 63D of the Forests Act 1949, (as substituted by section 19 of the Forests Amendment Act 1976) I, Venn Spearman Young, Minister of Forests, hereby set apart the following State forests in the Auckland Conservancy of the New Zealand Forest Service as open indigenous State forests for the purpose of public recreation from the date of publication hereof, PROVIDED that all or part of any such open indigenous State Forest may be closed by the Conservator of Forests for the Auckland Conservancy in times of danger from fire or forest operations, such closures and their durations to be notified by advertisement in at least one daily newspaper circulating in the locality of the forest concerned and/or by signposts erected alongside the forest or part of forest being closed:

Herekino State Forest, situated in the Mangonui County;
 Maungataniwha State Forest, situated in the Mangonui
 County;
 Raetea State Forest, part situated in the Mangonui County,
 part in the Hokianga County;
 Waima State Forest, situated in the Hokianga County;
 Mataraua State Forest, part situated in the Hokianga
 County, part in the Bay of Islands County, part in the
 Hobson County;
 Houto State Forest, situated in the Hobson County;
 Tangihua State Forest, situated in the Hobson County;
 Marlborough State Forest, situated in the Hobson County;
 Kaihu State Forest, part situated in the Hobson County,
 part in the Whangarei County;
 Motatau State Forest, situated in the Whangarei County;
 The Dome State Forest, situated in the Rodney County;
 Mangatawhiri State Forest, situated in the Franklin
 County;
 Mataitai State Forest, situated in the Manukau City;
 Wharepuhunga State Forest, situated in the Otorohanga
 County;
 Hauturu State Forest, part situated in the Otorohanga
 County, part in the Waitomo County;
 Waitomo State Forest, situated in the Waitomo County;
 Huikomako State Forest, situated in the Waitomo County;
 Raepahu State Forest, situated in the Waitomo County;
 Taumatotara State Forest, situated in the Waitomo
 County;
 Mahoe State Forest, situated in the Waitomo County; and
 Moeatoa State Forest, situated in the Waitomo County.
 Dated at Wellington this 29th day of November 1978.

VENN YOUNG, Minister of Forests.

(F.S. 9/0/15)

State Forests Set Apart as Open Indigenous State Forests

PURSUANT to section 63D of the Forests Act 1949, (as substituted by section 19 of the Forests Amendment Act 1976) I, Venn Spearman Young, Minister of Forests, hereby set apart the following State forests in the Westland Conservancy of the New Zealand Forest Service as open indigenous State forests for the purpose of public recreation from the date of publication hereof, PROVIDED that all or part of any such open indigenous State Forest may be closed by the Conservator of Forests for the Westland Conservancy in times of danger from fire or forest operations, such closures and their durations to be notified by advertisement in at least one daily newspaper circulating in the locality of the forest concerned and/or by signposts erected alongside the forest or part of forest being closed:

Tutaekuri State Forest, situated in the Grey County;
 Pohaturoa State Forest, situated in the Grey County;
 Waiheke State Forest, situated in the Grey County;
 Cascade State Forest, situated in the Westland County;
 Arawata State Forest, situated in the Westland County;
 Mataketake State Forest, situated in the Westland County;
 Paringa State Forest, situated in the Westland County;
 Ohinemaka State Forest, situated in the Westland County;
 Bruce Bay State Forest, situated in the Westland County;
 Makawhio State Forest, situated in the Westland County;
 Karangarua State Forest, situated in the Westland County;
 Waikukupa State Forest, situated in the Westland County;
 Poerua State Forest, situated in the Westland County;
 Waitaha State Forest, situated in the Westland County;
 Kowhitirangi State Forest, situated in the Westland County;
 Toaroha State Forest, situated in the Westland County;
 Kawhaka State Forest, situated in the Westland County;
 Wainihinihi State Forest, situated in the Westland County;
 Taipo State Forest, situated in the Westland County;
 Turnbull State Forest, situated in the Westland County;
 Hunts Beach State Forest, situated in the Westland County;
 Okuku State Forest, situated in the Westland County;
 Mount Herman State Forest, situated in the Westland
 County; and
 Kakapohahi State Forest, situated in the Westland County.
 Dated at Wellington this 29th day of November 1978.

VENN YOUNG, Minister of Forests.

(F.S. 9/0/15)

Consent to the Generation of Electricity by John David Bradshaw and Phillippa Edith Bradshaw at Canvastown by the Use of Water

PURSUANT to the Electricity Act 1968, the Minister of Energy hereby consents to the generation of electricity by John David Bradshaw and Phillippa Edith Bradshaw, of Canvastown, by the use of water, subject to the following conditions.

CONDITIONS

1. The conditions directed by the Water Power Regulations 1934 to be implied in every licence to use water for the purpose of generating or storing electricity shall be deemed to be conditions of this consent as if it were such a licence.
2. This consent is subject to compliance with the Water Power Regulations 1934, the Electrical Supply Regulations 1976, the Electrical Wiring Regulations 1976, the Radio Interference Regulations 1958, and all regulations hereafter made in amendment of, or in substitution for any of those regulations, as if in the case of the Water Power Regulations 1934 it were a licence under the Public Works Act 1928 to use water for the purpose of generating electricity as well as a consent under the Electricity Act 1968 to generate electricity by the use of water.
3. The generation of electricity by the use of water pursuant to this consent shall be carried out by means of the works described in the Schedule hereto.
4. This consent shall, unless it is sooner lawfully determined, continue in force until the 31st day of March 1999.
5. This consent is subject to compliance with the Water and Soil Act 1967.
6. For the purpose of assessing the rental or annual sum payable in respect of this consent, the maximum generating capacity of the plant at the date of this consent is 1 kW.

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P 216

R C Petre
770 650

896
DUNEDIN

14 April 1983

5/3/83
Def. O. your note folio 317
replies.

Mr R Emmerson
"Breast Hill Station"
Private Bag
Lindis Road
TARRAS

Dear Mr Emmerson

Following a visit to you by the Fields Director, Mr T D McKenzie, and the District Field Officer Mr D J Sawyer on 25 March 1983, Mr Sawyer has asked me to confirm the status of the forest along the Banks of Timaru Creek, adjacent to your lease.

At the request of Mr J H Nevin, Field Officer, Alexandra, I wrote to you on 19 August 1980. Apparently you did not receive this letter, ... I therefore enclose a copy with a copy of the gazette notice declaring the land in question to be Provisional State Forest. As explained, Section 4 Forest Amendment Act 1973, declared all Provisional State Forest to be State Forest.

In view of the doubt expressed by you and the note written by Mr Roly Martin, District Ranger N.Z.F.S. Queenstown on 16 July 1980, I have rechecked my records and am firmly of the opinion that the area is State Forest subject to the Forests Act 1949, and thus excluded from your lease.

I trust this answers your queries.

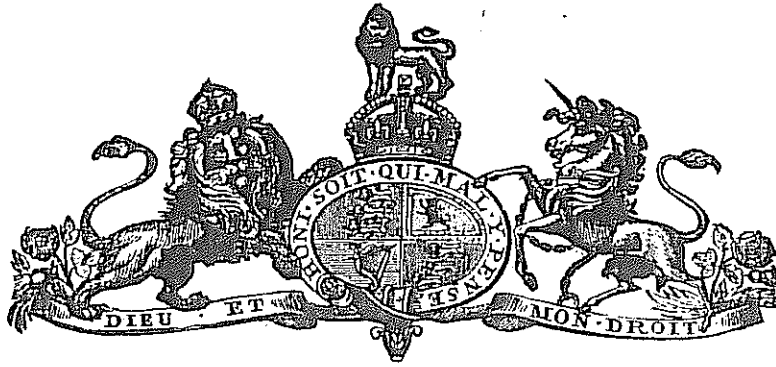
Yours faithfully

R
R C Petre
Chief Surveyor
12/4/83.
enc

enc must be sent to ...
accepts the correct position
before you submit the lease
diagram

Ref to D.F.O Request. Folio 317
② Your request Folio 325 this letter
answers it.
③ To enclosed lease document held in
D.T. office I would think it sufficient
to register a document around my
avagran. P.L's are not subject to
L.T Act or therefore are not guaranteed
folios. see the

R.C.P.



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THE NEW ZEALAND GAZETTE.

Published by Authority.

WELLINGTON, THURSDAY, OCTOBER 14, 1920.

Lands set apart as Provisional State Forests.

[P. S.] JELlicoe, Governor-General.
A PROCLAMATION.

BY virtue and in exercise of the powers and authorities conferred upon me by section thirty-four of the War Legislation and Statute Law Amendment Act, 1918, and section two of the State Forests Amendment Act, 1919, I, John Rushworth, Viscount Jellicoe, Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, do hereby set apart the national-endowment lands described in the Schedule hereto as and for provisional State forests.

SCHEDULE.

TARANAKI LAND DISTRICT.

That area of land in the Taranaki Land District, containing by admeasurement 815 acres, more or less, being Section 1 of Block II, Waro Survey District. As the same is delineated on plan No. 86, in green, deposited in the Head Office, Department of Forestry, at Wellington, and thereon bordered green.

WESTLAND LAND DISTRICT.

All that area of land in Blocks I and II, Temiko Survey District, and Blocks IX and XIII, Waiwhero Survey District, in the Westland Land District, being Reserve 1591, containing by admeasurement 7,980 acres, more or less. Commencing at the south-western corner of Section 7, Block IX, Waiwhero Survey District, and proceeding along the southern boundaries of that section and Section 3201 to the western boundary of Section 2652; thence along the said western boundary to a road reserve; thence along the western side of said road reserve to a point in line with the south-western corner of Section 2998; thence across the said road and along the southern boundary of the said Section 2998, a distance of 2400 links; thence due south to the northern boundary of Block XIII of the said district; thence along its northern, eastern, and southern boundaries to the eastern boundary of land set apart for the purposes of the Coal-mines Act, 1895; thence by the last-mentioned land to and across the Waiwhero-niwha Creek; thence by the right bank of the said creek to the eastern boundary of the Nelson-Grey coalfields area; thence along the boundary of that area to the eastern side of the main North Road; thence along the said side of that road by Section 2987 to its north-eastern corner; thence across Maukurunui Creek by Section 2988 to its northernmost corner; thence by a right line to the south-western corner of Section 2, Block IX, Waiwhero Survey District; thence by that section and section 1 to the northernmost corner of the latter section in Block IX aforesaid; and thence

by a right line to the point of commencement. As the same is delineated on sheet 47, roll plan 450, deposited in the Head Office, Department of Forestry, at Wellington, and thereon bordered green.

All that area of land in the Westland Land District, situate in Blocks XIV and XV, Waiwhero Survey District, and Blocks II and III, Mawheranui Survey District, being Reserve 1592, and containing 10,000 acres, more or less. Bounded as follows: Commencing at the north-west corner of Block XIV, Waiwhero Survey District; thence due east along the northern boundary of said Block XIV to the north-east corner of said Block XIV; thence due south along the western boundary of said Block XIV for a distance of 8000 links; thence due east to Moonlight Creek; thence generally in a southerly direction, following along the right bank of said Moonlight Creek, to Section 3304, Block XV, Waiwhero Survey District; thence generally in a southerly direction, following along the northern, western, and southern boundaries of aforesaid Section 3304, right bank of Moonlight Creek, western and southern boundaries of Section 5, Block XV, Waiwhero Survey District, western boundary of Section 2, Block XV, Waiwhero Survey District, northern and western boundaries of Section 2943, Block III, Mawheranui Survey District, to the south-western corner of aforesaid Section 2943; thence in a south-westerly direction to the south-eastern corner of Section 2, Block II, Mawheranui Survey District; thence in a north-westerly direction along the north-eastern boundary of aforesaid Section 2 to its most northerly point; thence in a south-western direction to a point on the western boundary of Block II, Mawheranui Survey District, in line with the north-western boundaries of aforesaid Section 2 and Section 1, Block II, Mawheranui Survey District; thence due north along the western boundaries of Block II, Mawheranui, and Block XIV, Waiwhero Survey Districts, to point of commencement. As the same is delineated on sheet 47, roll plan 450, deposited in the Head Office, Department of Forestry, at Wellington, and thereon bordered green.

All that area of land in the Westland Land District, situate in Blocks XIII, XIV, and XV, Ahaura Survey District, and Blocks I, II, and III, Kopara Survey District, being Reserve 1702, and containing 15,500 acres, more or less. Bounded as follows: Commencing at the south-eastern corner of Section 1, Block XIII, Ahaura Survey District, and proceeding along its eastern boundary to the north-eastern corner; thence due north to the right bank of Nelson Creek; thence due east to the eastern boundary of Block XV, Ahaura Survey District; thence due south along the eastern boundaries of that block and Block III, Kopara Survey District, for a distance of 300 chains; thence due west to the eastern boundary of Block II of the said Kopara Survey District; thence in a westerly direction by a right

Office, Department of Forestry, at Wellington, and thereon bordered green.

All that area of land in Block XIV, Arnott Survey District, in the Westland Land District, being Reserve 1656, containing by admeasurement 3,100 acres, more or less. Commencing at the north-western corner of the said block XIV, Arnott Survey District, and proceeding along the northern boundary of that block to its north-eastern corner; thence along the eastern boundary of the said block, 12,400 links; thence due east to the western boundary of the said block; and thence along the said western boundary to the point of commencement. As the same is delineated on sheet 31, roll plan 450, deposited in the Head Office, Department of Forestry, at Wellington, and thereon bordered green.

All that area of land in Block XVI, Hapuka Survey District, in the Westland Land District, being Reserve 1657, containing by admeasurement 1,850 acres, more or less. Commencing at the most southerly corner of Reserve 366, and proceeding along its south-eastern and north-eastern boundaries, the latter produced to the sea-coast; thence along the sea-coast to the eastern boundary of the said Block XVI; thence along the said eastern boundary to the southern boundary of the said block; thence along the said southern boundary to the south-western shore of the Waitoto Lagoon, and along the said shore to the south-western boundary of the said Reserve 366; and thence along the said reserve boundary to the point of commencement. As the same is delineated on sheet 31, roll plan 450, deposited in the Head Office, Department of Forestry, at Wellington, and thereon bordered green.

All that area of land in Blocks IX, X, XIII, and XIV, Gorge River Survey District, in the Westland Land District, being Reserve 1698, containing by admeasurement 6,500 acres, more or less. Commencing at the north-western corner of Block IX, Gorge River Survey District, and proceeding along the northern boundary of that block to its north-eastern corner, and along the northern boundary of Block X of the said survey district for 1000 links; thence due south to the southern boundary of Block XIV, and along that boundary and the southern boundary of Blocks XIII and IX to the sea-coast; and thence along the sea-coast to the western boundary of Block IX, Gorge River Survey District, and along that block boundary to the point of commencement. As the same is delineated on sheet 66, roll plan 450, deposited in the Head Office, Department of Forestry, at Wellington, and thereon bordered green.

All that area of land in the Westland Land District, situate in Block XII, Okarito Survey District, being Reserve 1700, containing by admeasurement 300 acres, more or less, and comprising all the islands in the Okarito River between Canoe Point and the eastern shore of the Okarito Lagoon. As the same is delineated on sheet 43, roll plan 450, deposited in the Head Office, Department of Forestry, at Wellington, and thereon bordered green.

OTAGO LAND DISTRICT.

All those parcels of bush-clad land in the Otago Land District, containing by admeasurement 12,280 acres, more or less, situate in Runs 335a, 335b, 335c, and 433, and being numbered 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, and 31 on sheets 17 and 17A, roll plan 450, deposited in the Head Office, Department of Forestry, at Wellington, and thereon bordered green.

SOUTHLAND LAND DISTRICT.

All that parcel of land in the Southland Land District, containing by estimation 6,400 acres, more or less, being parts of Mavora, Black Hill, and Snowdon Survey Districts, and bounded commencing at a point on the south boundary of Block XIV, Mavora Survey District aforesaid, 25 chains west of Trig. A; thence in a northerly direction along the bush-edge into Block X; thence westerly across the Oreti River; thence southerly along the bush-edge across the southern boundary of Mavora Survey District aforesaid; thence westerly and again northerly along the bush-edge aforesaid, through Blocks XIII and IX, to the eastern shore of Lake North Mavora; thence southerly along the said eastern shore to the bush-edge, again southerly along the bush-edge to Lake South Mavora; thence south-westerly along the east shore of said Lake South Mavora and the Mararoa River to the bush-edge in Block VI, Snowdon Survey District; and thence north-easterly along the bush-edge to the point of commencement. As the same is delineated on plans 91 and 91A, in green, deposited in the Head Office, Department of Forestry, at Wellington, and thereon bordered green.

Also all that parcel of land in the Southland Land District, containing 2,182 acres, more or less, being parts of Black Hill, Lincoln, Snowdon, and Burwood Survey Districts, and bounded commencing at a point on the north boundary of Burwood

Survey District 40 chains west of the north-east corner of the said Burwood Survey District; thence northerly, easterly, southerly, and again easterly, following the bush-edge through part of Block I, Snowdon Survey District; thence continuing along the bush-edge north-easterly through Block VII, Lincoln Survey District; thence in a generally northerly direction through Block I and about 20 chains into Block VIII, Black Hill District; thence southerly along the bush-edge aforesaid, crossing the south boundary of Black Hill Survey District 110 chains east of Trig. 1 (Bald Hill); thence continuing in a south-westerly direction along the bush-edge to the west boundary of Lincoln Survey District; and thence westerly and again northerly along the bush-edge aforesaid to the point of commencement. As the same is delineated on plan 91, in green, deposited in the Head Office, Department of Forestry, at Wellington, and thereon bordered green.

Also all that area of land in the Southland Land District, containing by estimation 2,304 acres, more or less, being part of Blocks II, III, and VII, Black Hill Survey District, and bounded commencing at a point on the north boundary of Block II, Black Hill Survey District aforesaid, 70 chains west of Trig. C (Smooth Peak); thence in a generally south-easterly, easterly, northerly, and again southerly and south-westerly direction along the bush-edge, through part of Blocks II and III across the Ashton Burn; thence continuing along the bush-edge in a generally northerly direction, across Pretty Hill, Block VII; thence in a south-westerly direction along the bush-edge aforesaid to the point of commencement. As the same is delineated on plan 91, in green, deposited in the Head Office, Department of Forestry, at Wellington, and thereon bordered green.

Also all that area of land in the Southland Land District, containing 2,496 acres, more or less, being parts of Block II, Black Hill Survey District, and Blocks VI and VII, Lincoln Survey District, and bounded commencing at a point on the north boundary of Lincoln Survey District 40 chains east of the north-west corner of Block VI, Lincoln Survey District; thence in a generally south-westerly direction along the bush-edge, through Blocks VI and VII, Lincoln Survey District aforesaid, to a point east of Lincoln Hill; thence continuing along the said bush-edge north-westerly, and again north-easterly about 70 chains into Black Hill Survey District; and thence continuing south-easterly along the bush-edge aforesaid to the point of commencement. As the same is delineated on plan 91, in green, deposited in the Head Office, Department of Forestry, at Wellington, and thereon bordered green.

Also all that area of land in the Southland Land District, containing 6,592 acres, more or less, being part of Blocks I, II, III, IV, and V, Lincoln Survey District, and bounded commencing at a point on the south-eastern boundary of Lincoln Survey District about 20 chains from the south corner of Block III, Lincoln Survey District aforesaid; thence following the bush-edge south-westerly, and then north-westerly past Windy Hill to a point about one mile south-west of G.S. Station (Lincoln Hill); thence easterly, southerly, again easterly, and northerly into Block IV; thence south-easterly all along the bush-edge to the aforesaid south-eastern boundary of Lincoln District; and thence south-westerly along the said south-eastern boundary to the point of commencement. As the same is delineated on plan 91, in green, deposited in the Head Office, Department of Forestry, at Wellington, and thereon bordered green.

Also all those parcels of bush-clad land in the Southland Land District, containing by admeasurement 4,480 acres, more or less, situate in Blocks II, III, IV, V, VIII, IX, XIV, and XV, Von Survey District. As the same is delineated on sheet 28, roll plan 450, deposited in the Head Office, Department of Forestry, at Wellington, and thereon coloured green.

Also all that parcel of bush-clad land in the Southland Land District, containing by admeasurement 30,000 acres, more or less, situate in Blocks XIII, XIV, XV, XVI, XVII, XVIII, XIX, XXX, XXXI, XXXII, XXXIII, XXXV, XXXVI, and XXXVII, Eyre Survey District. As the same is delineated on sheet 29, roll plan 450, deposited in the Head Office, Department of Forestry, at Wellington, and thereon coloured green.

Given under the hand of His Excellency the Governor-General of the Dominion of New Zealand; and issued under the Seal of that Dominion, at the Government House at Wellington, this 11th day of October, 1920.

F. H. D. BELL,

Commissioner of State Forests.

Approved in Council.

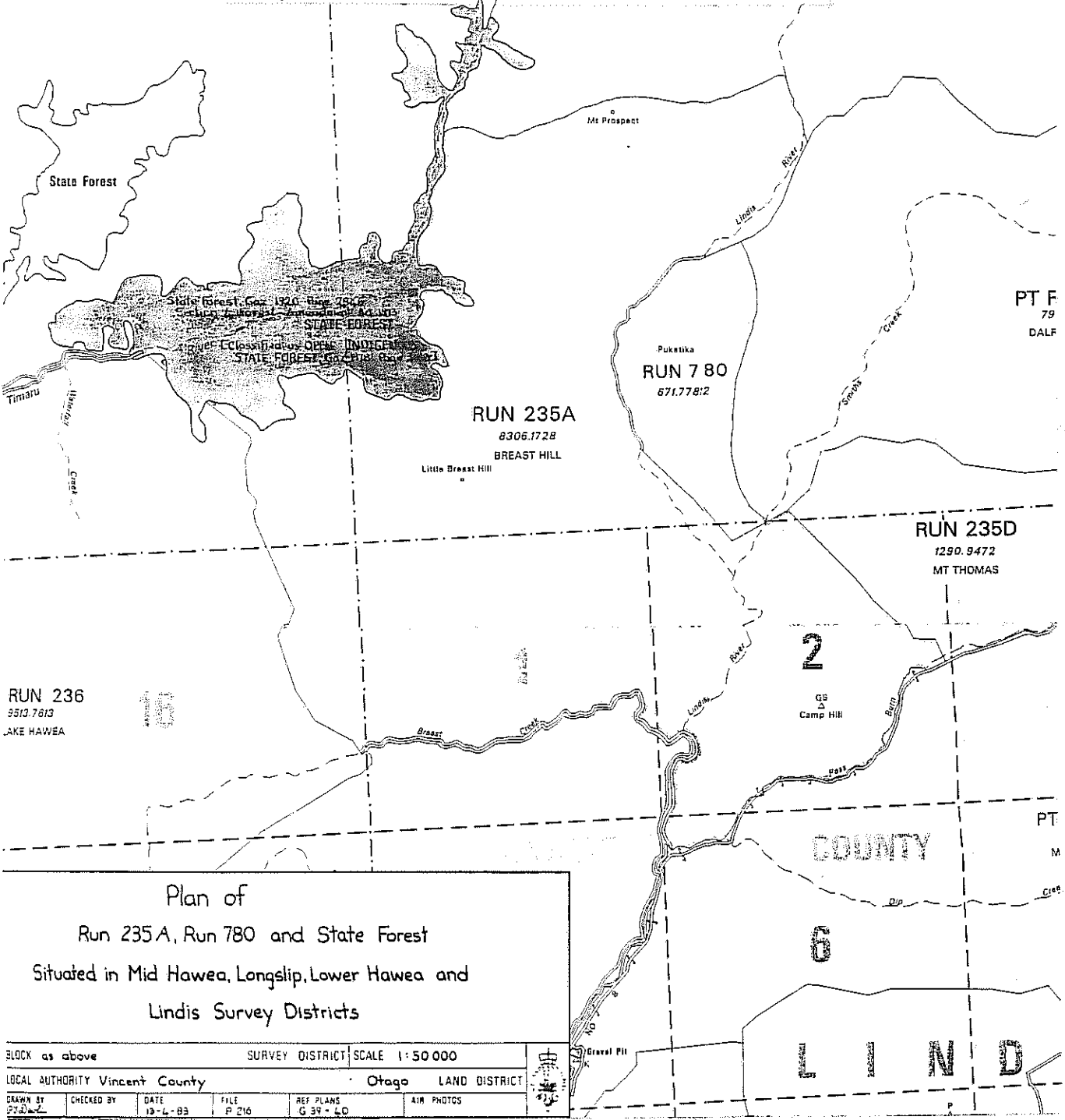
F. D. THOMSON,

Clerk of the Executive Council.

GOD SAVE THE KING!

3354's
now 235A
See Card
Index.

Maungatika



Plan of
Run 235A, Run 780 and State Forest
Situating in Mid Hawea, Longslip, Lower Hawea and
Lindis Survey Districts

BLOCK as above		SURVEY DISTRICT		SCALE 1:50 000	
LOCAL AUTHORITY Vincent County		Otago		LAND DISTRICT	
DRAWN BY P.D.L.	CHECKED BY	DATE 13-4-83	FILE P 216	REF PLANS G 39-40	AIR PHOTOS



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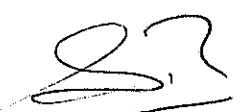
EQ. - re folios 310-324 inclusive.

We need to confirm once and for all that the Timari Creek bush (true left bank) is in fact State Forest. Folio 295 is an authoritative statement that this is the case but the lessee doesn't accept this and quotes his lease as evidence of his ~~claim~~^{right} of tenure to the bush. Mr Emmerson also claims never to have seen the CS's letter of 19.8.80.

If it is State Forest we should be doing something to change the lease or record the fact on the DL's copy of the document.

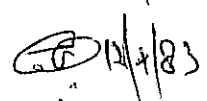


Re referred 295.



cel 7/4/83

Doesn't your plan again confirm that the area adjacent to the Timari River is factually & legally Permanent State Forest.



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14/4/83

"Breast Hill" - R. S. Emmons : State Forest - P.N. Boundary

I refer to your letter to Mr Emmons of 19 August 1980 (see folio 295).

On 25 March 1983 the Fields Director (T.D. Macneaney) and myself had occasion to call on Mr Emmons at his property. Amongst other things the question of ownership of the native bush area adjacent to Gimara Creek was raised. Mr Emmons is still clearly of the opinion that the area is included in his P.N. and showed me a copy of a letter from NZFS confirming same - see copy attached to this memo. I found Mr Emmons a copy of your letter to him (see folio 295) and he is quite adamant he never received it.

As there is presently considerable confusion in respect to the ownership of this area I would very much appreciate it if you would kindly write (again to Mr Emmons) explaining the position.

J. Sany
Dfo
28/3/83

Ab Mo 47

Illustrative map Dun. 235 A a State Forest
(2 copies)

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16 July 1980

6/7/73

QUEENSTOWN OFFICE

HAWEA OFFICE

STATE FOREST 73 TIMARU CRK

Please note that all Forest on T/L Bank of Timaru Creek is not State Forest, (our maps show that this area is), as per attached map.

This has been a mistake by the Lands and Survey Dept on their NZMS261 sheet G39 Lake Hawea. All other areas are correct.

Please ensure that the following are complied with:-

1. All present permits for opossuming and hunting in the Timaru Crk are;- copies of permit numbers plus hunters or operators name be sent to:-

Mr Russell Emmerson,
"Breast Hill Stn",
Private Bag,
Lindis Rd,
TARRAS

ph 833 TARRAS

These permittees are requested to contact Mr Emmerson A.S.A.P of their intentions.

2. Copies of all future permits to be forwarded to Mr Emmerson.
3. All permittees are required to contact Mr Emmerson and state their intentions before they hunt or operate in S.F. areas of Timaru Crk. This is to be noted in the conditions of their permits.

They are also to comply with any reasonable conditions that Mr Emmerson gives where domestic stock may be affected by poisoning operators or hunting activities.

Please note that Mr Emmerson is not worried about operators within State Forest, but wants to discuss with and keep tabs on any hunters or operators near his lease.

tabs

Roly Martin
ROLY MARTIN
DISTRICT RANGER
LAKES

Copy Mr EMMERSON

295

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file: P216 Vol 4 7thF

our ref. P. 216

r Jack

770 650

19 August 1980

896
Dunedin

Mr R Emmerson
Forest Range
TARRAS

Dear Mr Emmerson

With reference to your discussion with Field Officer J H Mevin, I have to advise that the areas of bush adjacent to the Timaru River are in fact State Forest land and NOT in your Pastoral Lease P 216 (CL 386/122).

In 1920 (Gazette 1920 No 85 page 2846 (2837)) several areas described as "All those parcels of bush-clad land in the Otago Land District, containing by admeasurement 12,280 acres more or less, situate in Run 335A..." etc, were set apart as Provisional State Forest and identified by various numbered parcels shown on "sheets 17 and 17A, roll plan 450, deposited in the Head Office, Department of Forestry at Wellington". The specific parcel in question numbered 31 on sheet 17 (a copy held in this office as SO 13900) is shown to be on both sides of Timaru River. The authority for the above proclamation was the State Forest Act 1908 and subsequent amendments by Section 34(3) War Legislation and Statute Law Amendment Act 1918 and by Section 2(1) State Forest Amendment Act 1919.

Provisional State Forest has subsequently been declared Permanent State Forest pursuant to Section 4, Forest Amendment Act 1973, and then where appropriate to "Open Indigenous State Forest for the purpose of Public Recreation" by Gazette 1978 page 3288. Therefore the status of that area of bush-clad land between Run 235A and Run 724 and intersected by Timaru River and known as part of Havea State Forest is:

STATE FOREST, GAZ 1920 PAGE 2846
SECTION 4 FOREST AMENDMENT ACT 1973
(Classified as OPEN INDIGENOUS STATE FOREST, GAZ 1978 PAGE 3288)

It should be mentioned that a Pastoral lease or licence over pastoral lands (ie Crown land or formerly National Endowment Land) pursuant to the Land Act 1948, entitles the lessee/licensee to PASTURAGE ONLY. Refer to sections 51(d), 62(b) and 66(1) of that Act. It is also significant to note that at the time the areas of bush-clad land were proclaimed State Forest, the pastoral lease you now hold was formerly held as Pastoral Licence No 1364 and subject to the Land Act 1908. (The Pastoral Licence was replaced by the present Pastoral Lease on 1 March 1959). It would be appropriate to quote the relevant Section 234(1) of that Act:

"(1) A pasturage lease or licence shall entitle the holder thereof to the exclusive right of pasturage over the lands specified therein, but shall give no right to the soil, or timber, or minerals, and shall immediately determine over any land which may be leased, licensed, purchased, granted, or reserved under this or any other Act."

The most recent register copy of Pastoral Licence No 1364 (CL 337/125 dated September 1938) shows an area of bush along Timaru River. The current Pastoral Lease (CL 386/122) is incorrect as to the diagram as it does not show the area of bush. However, it is the accepted interpretation of the Statutes as outlined above that the lessee/licensee is "entitled to all that area of pasturage contained by admeasurement ... stated area ... more or less, and being ... description ... within the boundaries as the same is more particularly delineated in the plan drawn hereon". Conversely, that which is not pasturage is not within the lease/licence and especially those areas more particularly proclaimed for other purposes. On lease/licence documents there is always provision by the usage of the words "more or less", for any difference between the stated area and the actual area of pasturage available on the ground for the given parcel of land described.

I trust the above information will clarify the situation. I will advise NZ Forest Service, Queenstown and Field Officer Nevin at our Alexandra Office by forwarding them a copy of this letter. Enclosed is a cadastral plan showing the boundaries of your pastoral lease.

Yours faithfully

R C Petre
Chief Surveyor


NZ Forest Service
Box 202
QUEENSTOWN

Copy for your information

R C Petre
Chief Surveyor

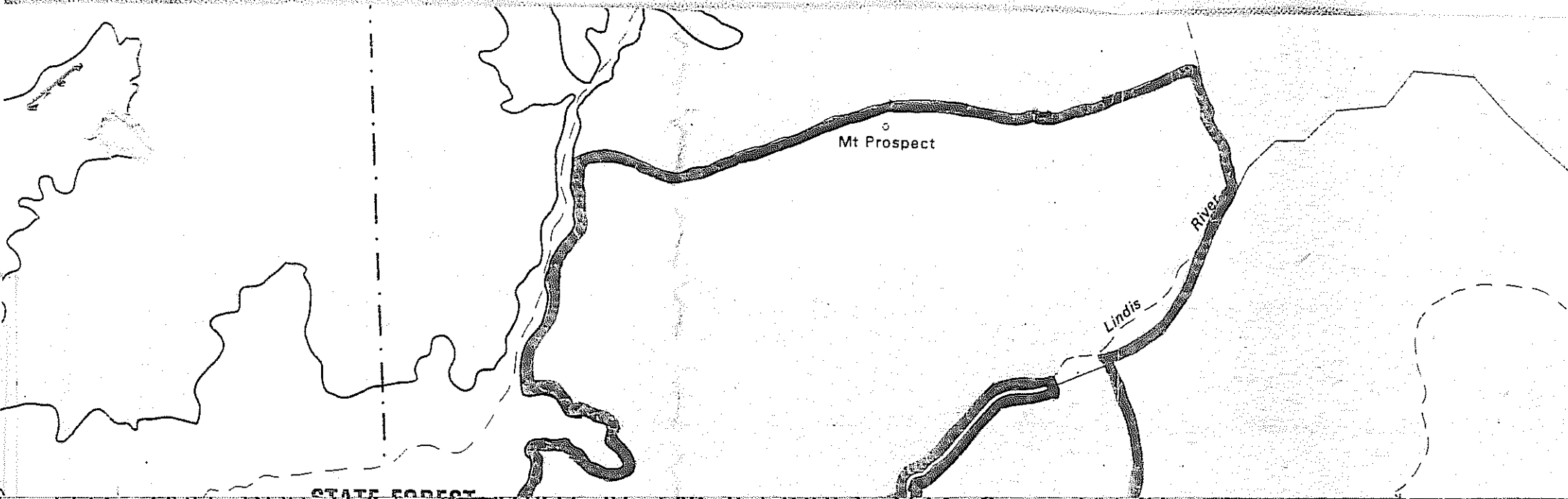
ADFO
ALEXANDRA

Copy for your information.


R C Petre
Chief Surveyor

19/8/80

RELEASED UNDER THE OFFICIAL INFORMATION ACT



S.D. and Non STATE FOREST situated in District of Otago

Longslip S.D. and State Forest

WRONG - Read the above letter
7/6/83
Total Area 8977.9510ha

FROM
SEE ABOVE

BLOCK	AS	ABOVE	SURVEY DISTRICT	SCALE 1:50,000
LOCAL AUTHORITY	VINCENT	COUNTY	OTAGO LAND DISTRICT	
PREPARED	CHECKED BY	DATE	FILE	REF PLANS
MCKONE		JULY '80	P216	AIR PHOTOS



DESCRIPTION: Part Run 235A Longship, Lialis Mul Hanea and Lower Hanea Survey District and 3/6/122

Part Run 233 situated in Longship Survey District and Run 720 Block II Lialis and

S.O. PLAN: AREA: Ha/m² 9027.9510 ha approx

Gazette		S. Plan or File	Class.	Date of Disposal	Price/R.V.	Ann. Rent -or- Instalment	Term (Years from)	Tenure/ Lease No.	SELECTOR
Year	Page								
			P	1/3/59		\$220.00	33: 1/7/59	P216	RSTJ Emerson (1/2)

FREEHOLD TITLE				RESERVATIONS							
	No.	Vol.	Folio	Gazette		PURPOSE	Vested		Control Vested		IN WHOM VESTED
				Year	Page		Year	Page	Year	Page	
C.O.P. - -											
Warrant - -											
C.C.L.'s Cert.											
C/Grant - -											

DESCRIPTION: Part Run 235A

Run 235A - 671.7180 ha

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Master Details

Qpid: 1445612 **Val.Ref.:** 28411 / 17700

Situation:	0 SHWAY 8 TARRAS	Property Name:	
Territorial Authority:	69 Central Otago District	Category:	PRAX Pastoral-R
Date Revised:	01/09/2001	Nature of Imp.:	OI FG OBS
No. of Extensions:	0	Plan:	001
Objections:	No	Subdivisions:	No
		Consents:	

Valuations	Capital	Land	Improvements
Rating Valuation:	1100000	950000	150000
Special Rating Valuation:	0	0	
Special Rating Revision Valuation:			
Revision Valuation:			

Owner/Occupier Details

Type	Name	Address
Owner1	Land Information New Zealand	C/o Knight Frank (Nz) Ltd P O Box 27 Alexandra 9
Occupier	R S Emmerson Trust	C/o Mr R S Emmerson Private Bag Tarras 9190

Complete Owner/Occupier Details.

Certificate of Titles: 11 / 386 / 122

Legal Descriptions: P216 PT RUNS 233 235A RUN 780 HAWEA LINDIS LONGSLIP MID HAWEA SDS - BREAST HILL

Land Area: 7167.9510Ha

TORAS

Code:32100

Tenure	Ownership	Rateability	Apportionment
Clearly Leased	Company (not Crown owned)	Rateable	NOT APPLICABLE

Land Use Data

Zone:	1A	Use:	Store sheep
Units:	1	Sub:	0
Car Parks:	0	Maori Land:	

Age:

Wall Cond.:		Roof Cond.:	
Wall Const.:		Roof Const.:	
Site:	390	Floor Area:	390
Land Area:	7167.9510Ha		

MAS Appraisal Data

CSI	Lot Position	Contour	Landscaping
View	View Scope	House Type	Modernisation
EYB	Main	Total	Fdn
	0	0	
			Deck
			LDY
			Ols
			Acc
			Drv
			UMR
			0

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Master Details

Qpid: 1466632 **Val.Ref.:** 29082 / 19600

Situation:	0 TIMARU CREEK Road	Property Name:	
Territorial Authority:	70 Queenstown Lakes District	Category:	PGAX Pastoral-G
Date Revised:	01/09/1999	Nature of Imp.:	FG
No. of Extensions:	0	Plan:	01

Objections:	No	Subdivisions:	No	Consents:	
--------------------	----	----------------------	----	------------------	--

Valuations	Capital	Land	Improvements
Rating Valuation:	60000	55000	5000
Special Rating Valuation:	0	0	
Special Rating Revision Valuation:			
Revision Valuation:			

Owner/Occupier Details

Type	Name	Address
Owner1	Land Information New Zealand	C/o Knight Frank (Nz) Ltd P O Box 27 Alexandra 9
Occupier	R S Emmerson Trust	C/o R S Emmerson Private Bag Tarras 9190

Complete Owner/Occupier Details.

Certificate of Titles: 11 / 386 / 122
Legal Descriptions: P216 PT RUNS 233 235A HAWEA LONGSLIP SDS - BAL 28411/177 - BREAST H
Land Area: 1880.0000Ha

TORAS

Code:32100
Tenure **Ownership** **Rateability** **Apportionment**
 Clearly Leased Company (not Crown owned) Rateable NOT APPLICABLE

Land Use Data

Zone:	1A	Use:	Store sheep
Units:	1	Sub:	0
Car Parks:	0	Maori Land:	

Age:		Roof Cond.:	
Wall Cond.:		Roof Const.:	
Site:	0	Floor Area:	0
Land Area:	1880.0000Ha		

MAS Appraisal Data

CSI	Lot Position	Contour	Landscaping
View	View Scope	House Type	Modernisation
EYB	Main Total Fdn	Deck LDY Ols Acc	Drv UMR
	0 0		0

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Department of Conservation
Te Papa Atawhai

Our ref: P216

13 February 2002

Abercrombie and Associates
Property Consultants
Box 5056
DUNEDIN

Dear Sir

TENURE REVIEW: BREAST HILL

I refer to your letter of 31 January 2002.

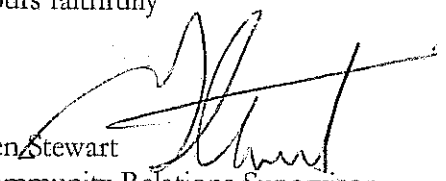
The attached plan shows an area of marginal strip recorded as conservation unit G39057 within the pastoral lease. This is a fixed strip. There is no recorded concession over this land.

It is interesting that the strip is landlocked and the marginal strip does not extend to the north or south even though the river is likely to be a qualifying waterway. This appears to be due to the incorporation of the land with the marginal strip laid off into a lease which did not have a marginal strip laid off. It appears also that the LINZ plans and land descriptions are different to the lease document. The lease document still refers to Run 233A, Run 780 and part Run 233 whereas the LINZ records now show all this land as Run 233A.

Our attached plan also shows a fixed marginal strip (con unit G40053) adjoining the southern boundary of the lease and conservation land (con unit G39063) adjoining the western boundary.




As the department has not always received advice from LINZ when marginal strips are created the department is not able with certainty to say whether there are any other marginal strips affecting this property.

Yours faithfully

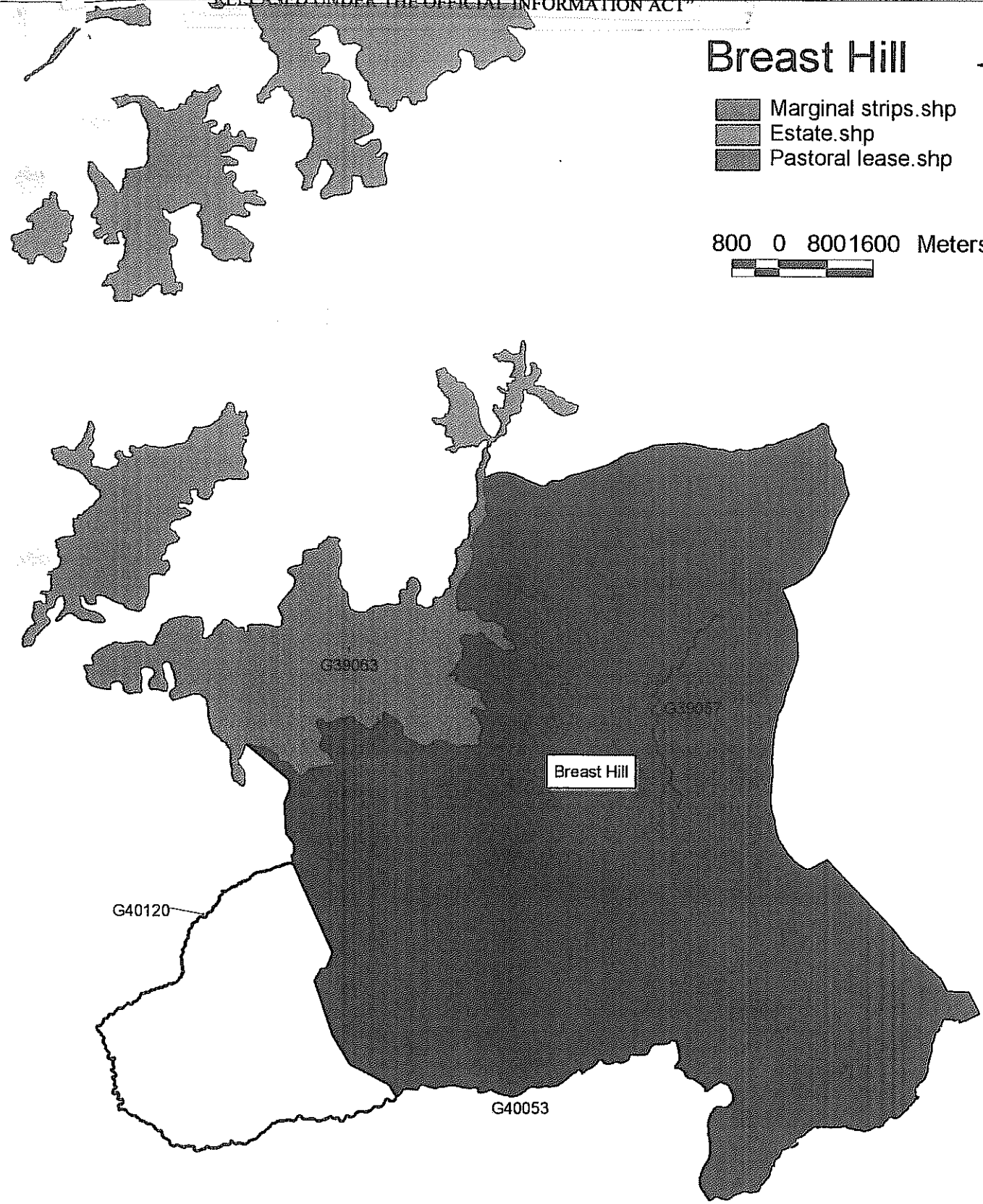

Ken Stewart
Community Relations Supervisor
For Conservator

Breast Hill



-  Marginal strips.shp
-  Estate.shp
-  Pastoral lease.shp

800 0 800 1600 Meters



David Abercrombie

From: <kstewart@doc.govt.nz>
To: <david@abercrombie.co.nz>
Sent: Friday, 8 March 2002 14:44
Subject: RE: Land Tenure Review - Breast Hill P216

Dave

We take our info from the LINZ records. All I can say without undertaking detailed research is that it was pre Conservation Act marginal strips provisions and it therefore a fixed strip.

ken

-----Original Message-----

From: David Abercrombie [mailto:david@abercrombie.co.nz]
Sent: Friday, 8 March 2002 08:54
To: Ken Stewart
Subject: Land Tenure Review - Breast Hill P216

Your letter of 13 February refers to a marginal strip recorded as G39057.

The SO plans for the area are really lousy if they exist. Do your records indicate the authority for creating the marginal strip and if so Could you let me know.

Regards

Attention:

This e-mail (and attachments) is confidential and may be legally privileged.

12/03/2002

Land Information Property System (LIPS)

File Edit Property Contract Leases/Budgets Budget Maint E-Mail's Search Window Help

Desktop

Property Details - Property 12510 BREAST HILL

General More Contracts Valuation Accounting Liability Risk Disposal Interest Photo Events

Identifier	Type	Other Party	Commencement Date	Expiry Date	Rental/Fees	
12510/01	Pastoral	RS & J EMMERSON	01/07/1992	30/06/2025	\$1950.00	Adj Change Delete

Save Print Budget New Project Disposal Details Acquisition Details Close

Leased properties

Start GroupWise - Mailbox Land Information Pro... Microsoft Word - Docume... 01:28

Land Information Property System (LIPS)

File Edit Property Contract Leases/Interests Budget Maint E-Maps Zoning Window Help

Desktop

Interest: 12510 BREAST HILL

Interests (Leases, Easements etc)

Identifier:	12510/01	Rental:	\$1,350.00
Other Party:	RS & J EMMERSON	Address:	Forest Range
Type / Purpose:	Pastoral Lease		Private Bag, Tarras
Term:	33 YEARS	Phone:	
Commencement Date:	01/07/1992	Fax:	
Expiry Date:	30/06/2025	Yes <input type="checkbox"/> Is the Interest current	
Contingent Events:		Add a new Event e.g. Fee Review, Interest Renewal <input type="button" value="New Event"/>	
Conditions:			
Notes:	KF File Ref: Po 216		

Save Close

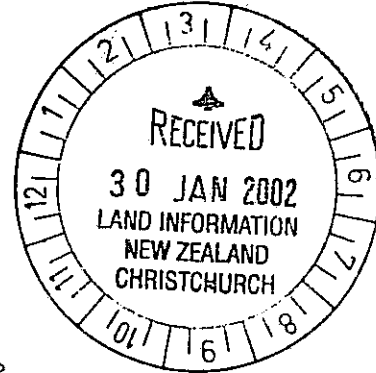
The unique identification number. If no number is allocated use the property ID number eg. 13786/1

Start GroupWise - Mailbox Land Information Pro... Microsoft Word - Docume... 01:29



29 January 2002

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



Attention: Mr G Webley

Log 9008

Dear Sir

RE: CONTRACT 50272 PRE-TENURE REVIEW PROJECT PLANS

Please find enclosed the standard 6 plans for the additional 24 pre-tenure review assessments added to contract 50272.

These have been drawn up to meet not only the requirements of Standard 6 and also as a planning tool to establish timelines for planning and reporting purposes.

Both of our sub-contractors have advised their concurrence with the timelines.

Please contact me if you wish to discuss this further.

Yours faithfully
QV Valuations

Barry Dench
TEAM LEADER FOR TENURE REVIEW

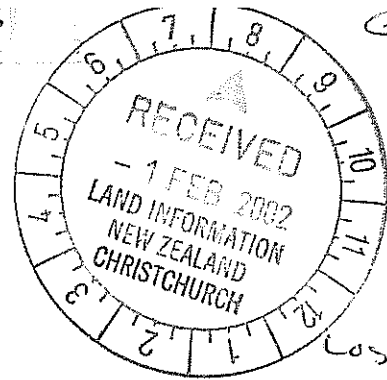
From: Grant Webley
To: Barry Dench
Date: Friday, 1 February 2002 11:00
Subject: Contract 50272

Hi Barry

I have approved under delegation the following Pre Tenure Review Project Plans:-

The Poplars	12743
St James	12751
Mt Algidus	12752
Mt Olympus	12755
Manuka Pont	12758
Mt White	12762
Winterslow	12773
Erewhon	12784
Lower Cascade	12632
Awapiri Station	12634
Cambrian Hills	12446
The Forks	12457
Motatapu	12478
The Beeches II	12506
Waipiata Synd	12508
Forest Range	12509
Breast Hill	12510
Loch Linnhe	12515
Mt Aspiring	12516
Craigroy	12517
Deep Creek	12437
Lowburn Valley	12532
Long Gully	12444
Sandy Point	12590

Regards
Grant



**PROJECT PLAN 1 of 5
PRE REVIEW
Po 216, Breast Hill Pastoral Lease**

This is the first project plan for Breast Hill Pastoral Lease.

On completion the pre tenure review assessment and implementing the steps set out in this project plan, four more project plans will be required:

TR 02 | 291

- One for commencing tenure review for the lease
- One for the preparation of a draft preliminary proposal;
- One for the preparation of a substantive proposal;
- One for the implementation of the substantive proposal (if accepted).

Introduction and purpose

1. This project plan sets out time frames, responsibilities and steps to be taken in completing a pre-tenure review assessment.

Who will implement plan

2. Steps in this project plan will be carried out by a number of parties including the Commissioner, Land Information New Zealand officials, and Agents.

In carrying out this plan, the responsible parties will conform to the Pre-Tenure Review Assessment Standard.

Project outcome

3. On completion of this project, the Commissioner will have sufficient information relating to Breast Hill Pastoral Lease to consider further action.

Appendix

4. The Steps to be carried out for this project are set in the attached Appendix. Time Frames are stated, and the party responsible for each step is identified.

Sign off for milestones

5. The following milestones in the project plan require sign off:
 - Approval of the Project Plan by the Commissioner
 - Completion of the due diligence report by the Agent
 - Completion of the land status check by the Agent
 - Completion of a scoping report by the Agent
 - Completion of all steps in the Project

This project plan is approved and is to be undertaken according to the accompanying Appendix.

Grant Kasper Webley
GRANT KASPER WEBLEY

for
Commissioner of Crown Lands 311 1102

	A	B	C	D	E	F	G	H	
1			PRE TENURE REVIEW PROJECT PLAN						
2	File:								
3	Lease Name:	Breast Hill							
4	LIPS ID:	12510							
5	PHASE	OUTCOME	ACTIVITES	STD	BY WHOM	COMPLETION	COMPLETED		
6						TARGET	Date	Folio	Verified
7	1. Project Planning	Project plan approved	1.1 CCL instructs Agent to prepare a project plan	5.2.1	CCL				
8		By Commissioner	1.2 Plan is drafted	5.2.1	Agent	22-Jan-02			
9			1.3 Agent consults with any other agents	5.2.2	Agent	25-Jan-02			
10			undertaking activities in the draft plan						
11			1.4 Plan forwarded to CCL	5.2.1	Agent	28-Jan-02			
12			1.5 Plan approved by Commissioner	5.3	CCL	4-Feb-02			
13	2. Due Diligence	A due diligence	2.1 Search of Crown files held by agent to	6.4	Agent	12-Feb-02			
14	Report	report is submitted to	identify uncompleted action and contingent						
15		the Commissioner in	liabilities						
16		accordance with	2.2 Search of other records identified by CCL to	6.4	Agent	17-Feb-02			
17			identify uncompleted actions and contingent						
18			liabilities						
19			2.3 Agent seeks CCL consent to a property	6.3.3	Agent	NA			
20			inspection if this is considered necessary						
21			2.4 CCL instructs Agent regards property	6.3.3	CCL	NA			
22			inspection						
23			2.5 Property inspection undertaken in accordance	6.3.3	Agent	NA			
24			with CCL instructions						
25			2.6 Report in accordance with standard	6.4	Agent	28-Mar-02			
26	3. Land Status	A status check is	3.1 Instruction from LINZ accompanied by file	7.2	CCL				
27	Report	completed in	information related to land status						
28		compliance with	3.2 Search of Crown survey and other records to	7.3	Agent	7-Feb-02			
29		LINZ standard	verify status						
30			3.3 Report to Agent on Land Status		Agent	14-Mar-02			
31	4. Scoping Report	Potential Crown interests	4.1 Identify land that may be included in a review	8.1	CCL	31-Mar-02			
32		in undertaking a review	4.2 Review of known information relating to	8.4.2	Agent	5-Apr-02			
33		and time and financial	significant inherent values						
34		commitments relative to	4.3 Describe possible land tenure outcome	8.4.3	Agent	10-Apr-02			
35		the individual review are	incorporating all known elements of the area of						
36		identified in accordance	land						
37		with the relevant standard	4.4 Report in accordance with standard	8.2	Agent	18-Apr-02			
38	5. Sign Off	The pre-tenure review	5.1 The Agent reports to the CCL that the actions	5.5	Agent	25-Apr-02			

	A	B	C	D	E	F	G	H	
1			PRE TENURE REVIEW PROJECT PLAN						
2	File:								
3	Lease Name:	Breast Hill							
4	LIPS ID:	12510							
5	PHASE	OUTCOME	ACTIVITES	STD	BY WHOM	COMPLETION	COMPLETED		
6						TARGET	Date	Folio	Verified
39		project plan has been	required in this project are completed and forwards						
40		completed and the requisite	the project plan and report for sign off by the CCL						
41		information has been	5.2 Receives report from Agent	5.5	CCL	28-Apr-02			
42		obtained or provided for	5.3 Approves report or	6.6	CCL	16-May-02			
43		the Commissioner to make	Request further information or action	6.6	CCL				
44		the decisions required in	5.4 Approve report for future reference in making	5.5	CCL				
45		Sections 21 to 32 of the	decisions required by sections 21 to 32 of the CLP						
46		Act.	Act and advise Agent of date of receipt of report						
47			and approval						
48			5.5 CCL to instruct Agent to commence drafting	5.1	CCL	22-May-02			
49			project plan for commencement of tenure review						
50			5.6 Agent updates file copy of project plan	5.5	Agent	25-Apr-02			