

# Crown Pastoral Land Tenure Review

Lease name: CLENT HILLS

Lease number: PC 076

# 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.

September

06

#### **CLENT HILLS**

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

File Ref: CON/50269/09/12769/A Report No: CH0111

Report Date: 31/01/2002

Office of Agent: Christchurch LINZ Case No:

Date sent to LINZ: 31/01/2002

#### RECOMMENDATIONS

- That the Commissioner of Crown Lands or his delegate note this Due 1. 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];

No uncompleted actions or potential liabilities were discovered.

Signed by Agent:

Mike Todd

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

Name:

**GRANT KASPER WEBLEY** 

Date of decision: // / 2 /07

#### 1. Details of lease:

Lease Name:

Clent Hills

Location:

Lake Heron, Mid Canterbury

Lessee:

Clent Hills Station Ltd

Tenure:

Pastoral Lease

Term:

33 Years

**Annual Rent:** 

Rental Value:

Date of Next Review: Land Registry Folio Ref: CB529/89

1 July 2002

**Legal Description:** 

Run 115A situated in Blocks I & II Alford,

VIII, XI, XII, XV, and XVI, Heron and V, VI. IX, X, XIII, and XIV, Somers Survey

Districts.

Area:

12,181.0378 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
Pc/076-SCH-01	1	168	Jun 1927	168*	Dec 1969
Pc/076-SCH-02	2	169	Ian 1970	317	Feb 1990
Pc/076-SCH-03	3	318	Feb 1990	-	
CON/50213/09/1	2769/A	_	Tul 2000		Jun 2000
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<sup>\*</sup>It appears that this file is an amalgamation of several files hence the first and last folios being the same number.

#### 3. Summary of lease document:

#### Terms of lease

Pastoral lease under the Land Act 1948 issued for 33 years from 1 July 1958 (renewed for a further 33 years 1 July 1991).

The lease has a base stock limit of 4950 sheep. The current holders exemption from the limit is 8000 sheep including not more than 3200 breeding ewes and 130 cattle including not more than 70 breeding cows.

The lease was varied by certificate of alteration registered 12 October 1982, which added the requirement to get CCL consent to the transfer of shares in the lessee company.

The lease was renewed for a further term of 33 years from 1 July 1991 by memorandum of renewal registered 28 July 1994 which also varied the lease by deleting the covenant to pay rent and inserting a replacement clause.

#### Area adjustments

There have been no area adjustments affecting this lease and the area of the lease as recorded in computer interest register CB529/89 is correct.

#### Registered interests

405160.1 Certificate of Alteration registered 12 October 1982.

Added the requirement for CCL consent to the transfer of shares in the lessee company.

A125954.1 Variation and renewal of Lease registered 28 July 1994.

Renewed the lease for a further term and varied it by substituting the covenant to pay rent with a new clause.

#### Unregistered interests

The only known unregistered interest in the property is a recreation permit in favour of Mt Hutt Helicopters Ltd. This is for heliskiing and expires 30 June 2004. The operational area of the permit is limited to the Taylor Range in the north east of the property.

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

There are no approved programmes for the property.

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

The supporting topographical map shows that the existing fenced boundaries (with the adjoining 'Borrosa' pastoral lease in the south-western sector of the lease) do not correlate with the legal boundaries.

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

Other than the discrepancies between fenced and legal boundaries noted above the only other feature of interest revealed by this data is the large number of unformed legal roads that cross the lower country of this lease.

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

The property is subject to section 24 Conservation Act 1987 and therefore has marginal strips on all qualifying waterways however these are not defined. Other adjoining conservation lands are Lake Heron Nature reserve and stewardship land along with Glenariffe and Winterslow stewardship land. There is also Mount Somers retirement land that is presently Crown Land yet to be transferred to DoC.

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

No uncompleted actions or potential liabilities were discovered in this process.

**Appendices** 

Appendix 1 – Status Check and Plan

# Appendix 1 – Status Check and Plan

## **CONTENTS**

## PROPERTY 1 OF 2

# Appendix A – Land Status Report (and Supporting plans).

- Extract of CLR
- Extracts of Allocation maps
- DOC Consultation
- Information supporting Mineral investigation
- Other information

Appendix B – Land Status Report (Certified by Chief Surveyor).

## PROPERTY 2 OF 2

Appendix A – Land Status Report (and Supporting plans).

PROPERTY 1 of 2

Appendix A - Land Status Report (and supporting plans)

# OPUS INTERNATIONAL CONSULTANTS LIMITED CHRJCTCHURCH OFFICE

#### Project Number 6NL.12769.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.

LAND STATUS REPORT for Clent Hills Tenure Review	LIPS Ref: 12769
Property 1 of 2	

Land District	Canterbury.
Legal Description	Run 115A situated in Blocks I and II Alford, VIII XI XII XV and XVI Heron and V VI IX X XIII and XIV Somers Survey Districts.
Area	12181.0378 hectares.
Status	Crown land subject to the Land Act 1948.
Instrument of title / lease	Pastoral Lease CL CB529/89 pursuant to Section 66 and registered under Section 83 of the Land Act 1948 as varied by Memorandum of Renewal A125954.1.
Encumbrances	Subject to Part IVA of the Conservation Act 1987.
Mineral Ownership	The 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 Deed of Purchase.
Statute	Land Act 1948 and Crown Pastoral Land Act 1998.

Data Correct as at	30 October 2001.
[Certification Attached]	Yes.

Prepared by
Crown Accredited Supplier

Don McGregor, McGregor Property Services Limited, Christchurch
for and on behalf of Opus International Consultants Limited.

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

The attached supporting topographical map shows that the existing fenced boundaries (with the adjoining "Barossa" Pastoral Lease in the south-western sector of the lease) do not correlate with the legal boundaries.

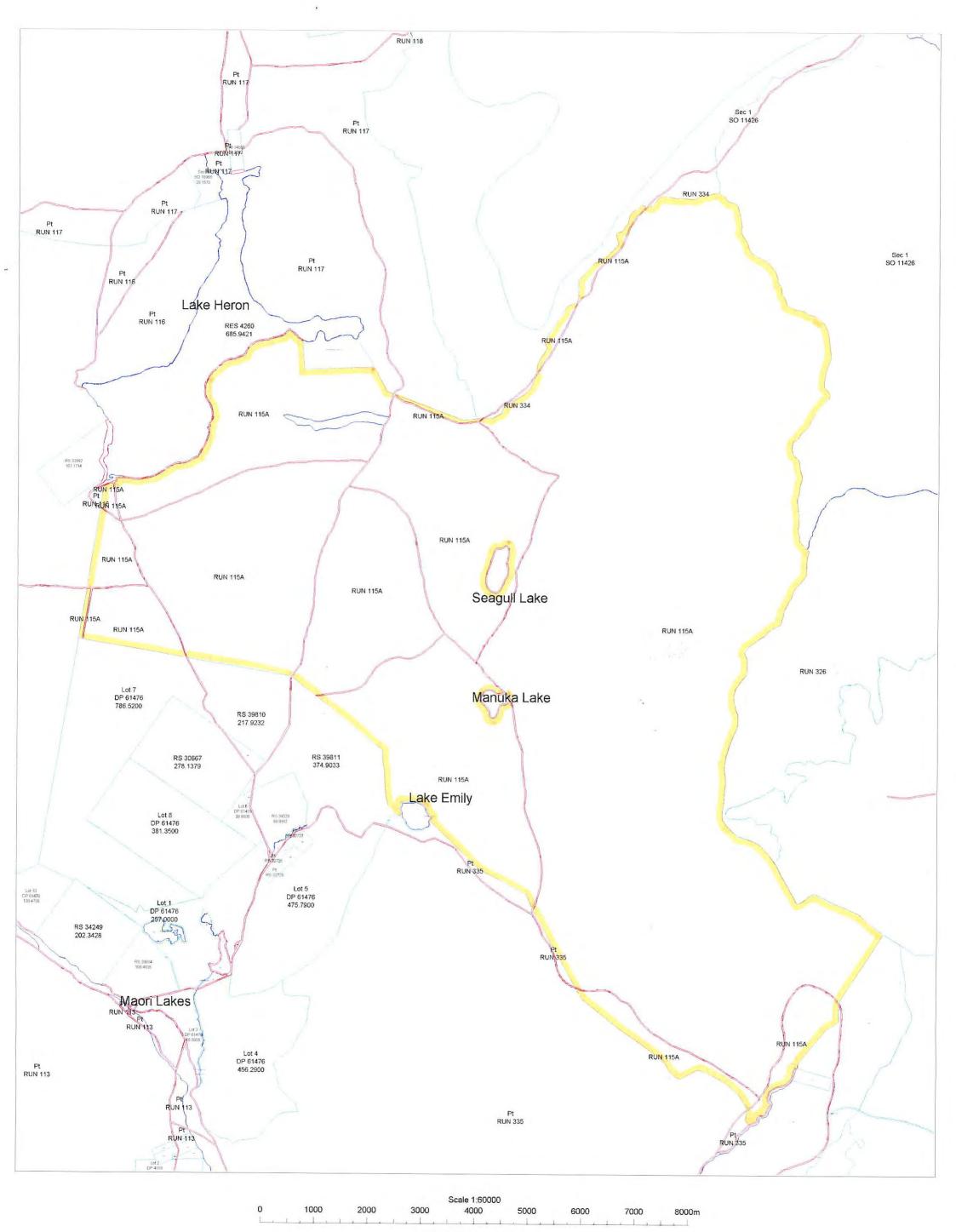
LAND STATUS REPORT for Clent Hills Tenure Review	LIPS Ref: 12769
Propercy 1 of 2	

Research Data: Some Items may not be applicable

SDI Print Obtained	Yes.
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NZMS 261 Ref	J 35,36 and K35,36.
Local Authority	Ashburton District Council.
Crown Acquisition Map	Kemp Deed of Purchase.
SO Plans	SO 5609 - Plan of Runs 115 and 115A (Approved 20 February 1920).
	SO 11026 - Topographical survey Plan of Runs in Lake Heron area (Approved 1968).
,	SO 11388 - Topographical survey Plan of Runs in the Mt Somers area (Approved 17 June 1970).
	SO's 17112, 17113, 17121,17122 – DoC Allocation plans.
	SO 19025 – Plan of Waterways in 529/89 along which Section 24 of the Conservation Act 1987 applies.
	SO 19841 - Plan of O Tu Wharekai (Ashburton Lakes).
Gazette Notices	Not applicable.
Lease Ref	CL CB529/89 pursuant to Section 66 and registered under Section 83 of the Land Act 1948 as varied by Memorandum of Renewal A125954.1.
Legalisation Cards	Searched. Not applicable.
CLR	Confirms Pastoral Lease tenure.
Allocation Maps (if applicable)	Searched. No DoC or SOE Allocations within the lease area.
	DoC Allocation Schedules and extract of DoC Allocation map J36 (S.O.17113) attached show adjoining allocations.
	DoC Allocation J36-10 relates to 55 ha approx abutting Lake Heron (See report 2 or 2) and J36-16 relates to access to Lake Emily.
VNZ Ref – if known	VR 24480/48200.
Crown Grant Maps	Not applicable.
Subject Land Marginal Strip: a) Type [Sec 24(9) or Sec 58] b) Date Created	a) Section 24(9) Conservation Act 1987 – Both sides of the North and South Branches of the Swin Burn and the East and West Branches of the Stour River.
c) Plan Reference	b) 21 July 1993 (having applicability from renewal as at 1 July 1991).
C) I IAH NOICICHCE	c) S.O. 19025.

LANT STATUS REPORT for Clent Hills Tenure Review	LIPS Ref 12769
Property 1 of 2	

If Crown land — Check Irrigation Maps	Searched – Not applicable.									
Mining Maps	Searched – Not applicable.									
If Road  a) Is it created on a Block Plan – Section 43(1)(d) Transit NZ 1989	a) SO's 5609, 11026 and 11388. SO's 11026 and 11388 denote that Roads coloured burnt sienna are legal by Section 110A of the Public Works Act 1928 and as shown on Topo Plans 7G, 13G and 14G.									
b) By Proc	b) Proc Plan Not applicable.									
	c) Gazette Ref Not applicable.									
Other relevant information a) Concessions – Advice from DOC or Knight Frank.	a) No current DOC concessions exist within the lease boundaries. The only DOC interests are in the Marginal Strips yet to be defined.									
	Knight Frank administers a recreation permit to Mount Hutt Helicopters Limited over adjoining lands for a term of 2 years from 01/07/2001 (expires 30/06/2003) at the annual fee of 5% of gross revenue.									
b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998	b) Searched. The adjacent Lakes Heron and Emily are part of the Ashburton Lakes (o Tu Wharekai) Statutory Acknowledgement in Schedule 46 (S.O. 19841) of the Ngai Tahu Claims Settlement Act 1998.									
c) Mineral Ownership	c) 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 Deed of Purchase.									
d) Other Info	d) Not applicable.									



RUN 115A - CLENT HILLS
TERRALINK INTERNATIONAL 2001 - CRS Survey and Title Data as at 04.08.2001Valuation Data as at 06.08.2001Geodetic data as at 11.10.97
Cadastral Information from LINZ Core Record System (CRS). CROWN COPYRIGHT RESERVED.

**Extract of CLR** 

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**Extracts of Allocation maps** 

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Sheet 3

NZMS 281

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CONSERVATION ACT 1987

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CONSERVATION ACT 1987

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	Background Notes	Retired area. Part Run 110A 'Mesopotamia'	Retired area. Part Run 17	Mt Dobson area. Retired. Part Run 259 'Cloudy Peaks'	For wildlife reserve		Kirkliston Crown Land Management Area	Kirkliston Crown Land Management Area	Access to Lake Emily
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