

## **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:

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File Ref: CON/50269/09/12769/A Report No: CH0111 Report Date: 31/01/2002

Office of Agent: Christchurch LINZ Case No: TR 02/295 Date sent to LINZ: 31/01/2002

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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]*;

No uncompleted actions or potential liabilities were discovered.

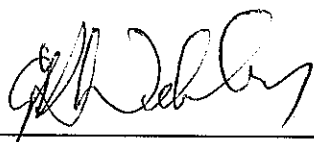
Signed by Agent:



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Mike Todd

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



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Name: GRANT KASPER WEBLEY

Date of decision: 11 / 2 / 02

**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:** \$ [REDACTED]  
**Rental Value:** \$ [REDACTED]  
**Date of Next Review:** 1 July 2002  
**Land Registry Folio Ref:** CB529/89  
**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	Jan 1970	317	Feb 1990
Pc/076-SCH-03	3	318	Feb 1990	-	Jun 2000
CON/50213/09/12769/A	-		Jul 2000	-	Present

\*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  
CHRISTCHURCH OFFICE**

APPENDIX A1

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.

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

<b>Land District</b>	Canterbury.
<b>Legal Description</b>	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.
<b>Area</b>	12181.0378 hectares.
<b>Status</b>	Crown land subject to the Land Act 1948.
<b>Instrument of title / lease</b>	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.
<b>Encumbrances</b>	Subject to Part IVA of the Conservation Act 1987.
<b>Mineral Ownership</b>	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.
<b>Statute</b>	Land Act 1948 and Crown Pastoral Land Act 1998.

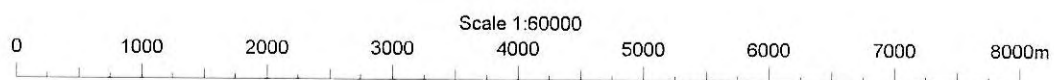
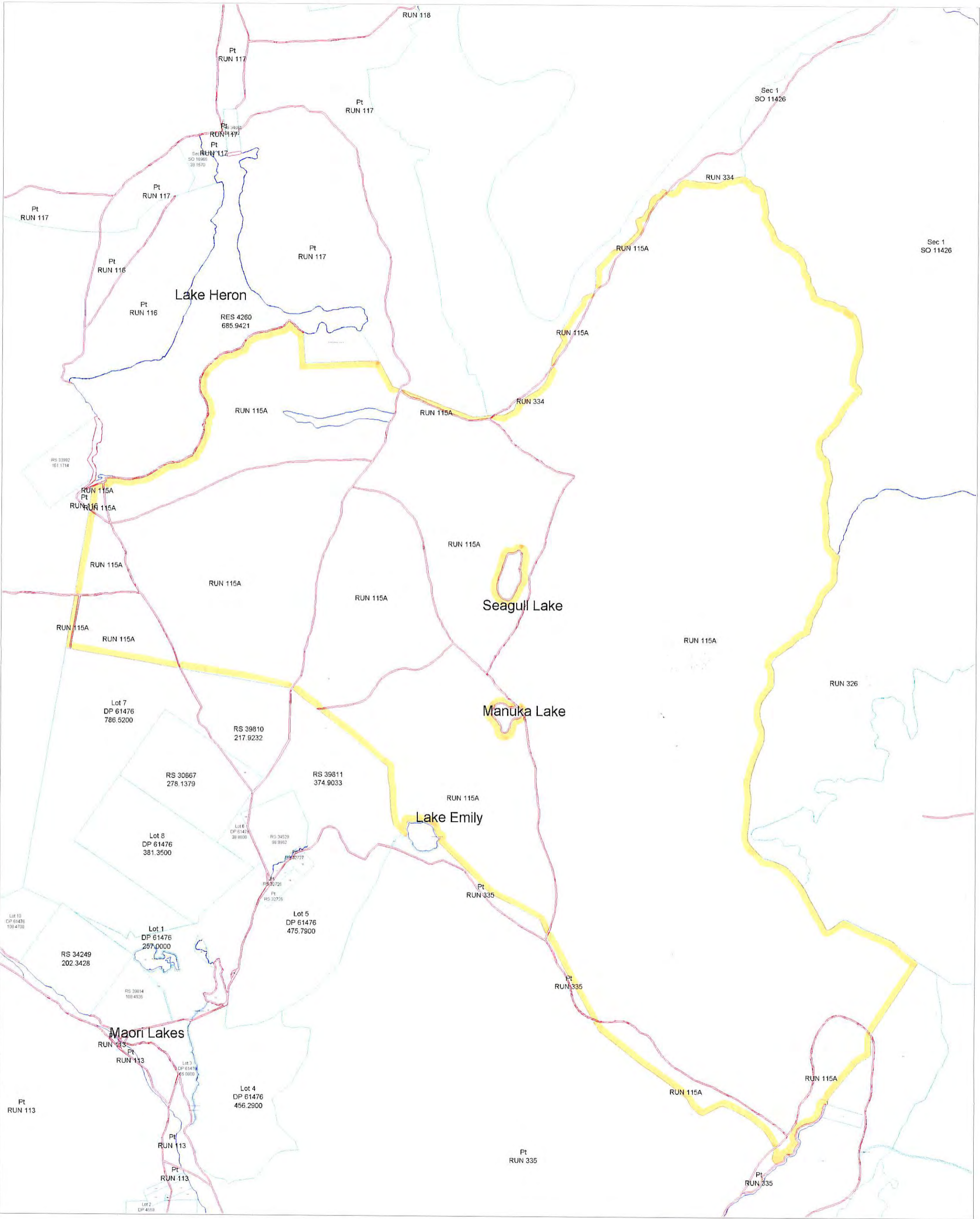
<b>Data Correct as at</b>	30 October 2001.
<b>[Certification Attached]</b>	Yes.

<b>Prepared by</b>	Don McGregor, McGregor Property Services Limited, Christchurch for and on behalf of Opus International Consultants Limited.
<b>Crown Accredited Supplier</b>	

<b>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</b>	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.
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<b>LAND STATUS REPORT for Clent Hills Tenure Review</b>		LIPS Ref: 12769
Property 1 of 2		
Research Data: <u>Some Items may not be applicable</u>		
SDI Print Obtained	Yes.	
NZMS 261 Ref	J 35,36 and K35,36.	
Local Authority	Ashburton District Council.	
Crown Acquisition Map	Kemp Deed of Purchase.	
SO Plans	<p><b>SO 5609</b> – Plan of Runs 115 and 115A (Approved 20 February 1920).</p> <p><b>SO 11026</b> – Topographical survey Plan of Runs in Lake Heron area (Approved 1968).</p> <p><b>SO 11388</b> - Topographical survey Plan of Runs in the Mt Somers area (Approved 17 June 1970).</p> <p><b>SO's 17112, 17113, 17121,17122</b> – DoC Allocation plans.</p> <p><b>SO 19025</b> – Plan of Waterways in 529/89 along which Section 24 of the Conservation Act 1987 applies.</p> <p><b>SO 19841</b> – Plan of O Tu Wharekai (Ashburton Lakes).</p>	
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)	<p>Searched. No DoC or SOE Allocations within the lease area.</p> <p>DoC Allocation Schedules and extract of DoC Allocation map J36 (S.O.17113) attached show adjoining allocations.</p> <p>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.</p>	
VNZ Ref – if known	VR 24480/48200.	
Crown Grant Maps	Not applicable.	
<b>Subject Land Marginal Strip:</b> <b>a) Type [Sec 24(9) or Sec 58]</b>  <b>b) Date Created</b>  <b>c) Plan Reference</b>	<p>a) <b>Section 24(9) Conservation Act 1987</b> – Both sides of the North and South Branches of the Swin Burn and the East and West Branches of the Stour River.</p> <p>b) 21 July 1993 (having applicability from renewal as at 1 July 1991).</p> <p>c) S.O. 19025.</p>	

<b>LAN<sup>TM</sup> STATUS REPORT for Clent Hills Tenure Review</b>		LIPS Ref 12769
<b>Property 1 of 2</b>		
If Crown land -- Check Irrigation Maps	Searched – Not applicable.	
Mining Maps	Searched – Not applicable.	
<b>If Road</b> a) Is it created on a Block Plan – Section 43(1)(d) Transit NZ 1989  b) By Proc	<p>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.</p> <p>b) Proc Plan Not applicable.</p> <p>c) Gazette Ref Not applicable.</p>	
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	<p>a) No current DOC concessions exist within the lease boundaries. The only DOC interests are in the Marginal Strips yet to be defined.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>d) Not applicable.</p>	



**Extract of CLR**

10 FEB 1987

Description: Runs 115A "Giant Hills"  
 Situated in: Harlem, Somers, and Cliford Survey District  
 S.O. Plan: \_\_\_\_\_  
 Local Authority: Arden County Council Area: 1251.0378 p<sup>2</sup>/ha

DETAILS OF LEASE OR LICENCE								
File	Selector	File	Date of Selection	Term		R.V. Price	A/Rent Instalment	Det. Exp.
				Years	From			
		P76	1.3.58	33	1.7.58	8000:00	400:00	3d6/91

DETAILS OF RESERVATIONS							
Purpose or Classification	Gazette		Administering Body	Vested		Control & Management	
	Year	Page		Year	Page	Year	Page

Valuation Ref: 24480 - 482 C.L./C.T./Deeds Ref: 529 / 89.

Name of Reserve/Locality: \_\_\_\_\_  
 Description: Run 115A "Giant Hills"

**Extracts of Allocation maps**



RELEASED UNDER THE OFFICIAL INFORMATION ACT

No.	DESCRIPTION	AREA	DEEMED OWNER	CATEG- ORY	AGREEMENT or COVENANT	CASE No
8	See Schedule 501104 Number 3					
9	Ran 11, 12, Pt 114 + 126 in Rangitikei <del>forewaters</del> (Recreation Permit only, part RP 34)			8		
10	Crown Land adj Rans 115 + 117 Blk VIII Haron S.O.	S.S.O. Subject to Survey	DOC	8	Parcel 9 Deleted and Parcel 11 description Amended <i>H. J. King</i> 7/4/88 Chief Surveyor	
11	Crown Land in Blks I, II, III, IV, V Owen S.O. Blks I, II, III, IV, V, VI Mathias S.O., Blks I, II, V, VI, IX, XIII, XIV, Whitcombe S.O. Blks I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII Ramsay S.O. Blks I, II, III, VI, VII, VIII Davie S.O., Blks I, II, III, IV, V Clyde S.O. I, II, III, V, VI Wilberforce S.O. Blks I, II Heron S.O., Blks I, II Tyndall S.O. Blks I, II Havelock S.O. Blks I, IV, V, VI, IX, X Torlesse S.O. (also covers Recreation Permits RP's 27, 28, 44 and part RP 34)	Subject to Survey	D.O.C	8		
12	See schedule for S.O. 17113 (Number 12)					

Parcel 12 deleted.  
*H. J. King* 22/6/87  
 Chief Surveyor

CHIEF SURVEYOR *H. J. King*

1 NOT USED

2 State Forest land allocation approved by the Special Ministerial Coordinating Committee on 16 November 1981

3 NOT USED

4 Crown land and State Forest land allocation approved by the Special Ministerial Coordinating Committee on 21 January 1987

5 NOT USED

6 State Forest land allocations approved by Cabinet following the Blakeley report on East Coast Forests.

7 Crown land and State Forest land allocation approved by the Special Ministerial Coordinating Committee on 21 March 1987

8 Crown land subject to Sections 46A, 67, 68 and 165 Land Act 1988 and Unalienated Crown land not previously accounted for, approved in accordance with the Special Ministerial Coordinating Committee decision of 29 March 1987.



