

## **Crown Pastoral Land Tenure Review**

**Lease name : CORONET PEAK**

**Lease number : PO 195**

### **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.

**July**

**05**

## DUE DILIGENCE REPORT

### CPL PRE TENURE REVIEW ASSESSMENT STANDARD 6:

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|                     |                            |                   |                                      |
|---------------------|----------------------------|-------------------|--------------------------------------|
| File Ref:           | CON50268/09/ 12716 (Po195) | Report No: AT2111 | Report Date: 18 September 2002       |
| Contractor's Office | Alexandra                  | LINZ Case No:     | Date sent to LINZ: 19 September 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 of Crown Property Contracts.
  - 2.1 Telecom applied for the right to establish a transmitter site at Peats Paddock in the Shotover in 1988. Processing to surrender land was investigated but never concluded. The repeater site appears to have been established and functioned without formal approval. In 1994 they were requested to formalise this by an easement (*folio 597*). No easement has been registered on the lease in relation to this.
  - 2.2 The Ministry of works applied for an entry agreement across the lease to establish and maintain a river recorder on Crown Land in the Shotover in 1980 (*folio 446*). Daggs signed an entry agreement. The occupation of Crown land was granted (*folio 447*) but no easement to secure access was ever registered on the lease.
  - 2.3 A ice skating rink near Bush Creek at Arrowtown was identified as being on the lease in 1990 (*folio 559 - see Attachment 2*). The current use of the area and any occupation rights are unknown.
  - 2.4 The topographical map shows a "power house" on the lease on Church Hut Creek above the Branches Station. No file data was viewed related to this. This is known to be the power supply for the adjacent Branches Station homestead. No occupation agreement has been sighted.
  - 2.5 A rent review valuation (*to apply from 1 January 2002*) was carried out in 2000/1. The lessee elected to have the values fixed by the Land Valuation Tribunal. This has not yet been processed.

**Signed for DTZ New Zealand Limited:**



P R Diver:

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

\_\_\_\_\_  
Name:

Date of decision:

**1. Details of lease:**

|                                 |   |
|---------------------------------|---|
| <b>Lease Name:</b>              | Coronet Peak  |
| <b>Location:</b>                | The property is located 16km from Queenstown and 8km from Arrowtown. It comprises the mountain ranges of Coronet Peak and the Harris Mountains, which lie between the Shotover River to the west and the Arrow River to the east. The property is approximately 38km long by an average of 7 km wide. The property boundaries the old gold mining towns of Skippers in the Shotover and Macetown in the Arrow River and adjoins the Coronet Peak skifield. The homestead is located on an adjacent 184ha block of freehold land below the skifield. Queenstown is the local service center with Dunedin some three and one half-hours by road the nearest major center. |
| <b>Lessee:</b>                  | Coronet Peak Station Limited  |
| <b>Tenure:</b>                  | Pastoral lease under the Land Act 1948 and Crown Pastoral Land Act 1998. Pastoral Lease number 195  |
| <b>Term:</b>                    | 33 years from 1.1.1991 to 31.12. 2024.  |
| <b>Annual Rent:</b>             | \$21,937.50 (excluding GST with 0.25% rebate for prompt payment available) –Subject to LVT appeal.  |
| <b>Rental Value:</b>            | \$975,000.00-Subject to LVT Appeal.   |
| <b>Date of Next Review:</b>     | 1 January 2013  |
| <b>Land Registry Folio Ref:</b> | CIR OT A2/1228  |
| <b>Legal Description:</b>       | Run 26, part Run 27 and part Run 34 situated in Shotover, Skippers Creek, Soho and Polnoon Survey Districts.  |
| <b>Area:</b>                    | 22,211.1843 hectares  |

## 2. File Search:

*Files held by LINZ Christchurch.*

| <i>File Reference</i> | <i>Volume</i> | <i>First Folio</i> | <i>Date</i> | <i>Last Folio</i> | <i>Date</i> |
|-----------------------|---------------|--------------------|-------------|-------------------|-------------|
| PR 1853               | 1             | 1                  | 16/6/1910   | 164               | 1.12.1931   |
| PR 1853               | 2             | 1                  | 1/3/1932    | 190               | 4/12/1940   |
| PR 1853               | 3             | 191                | 11/12/1940  | 220               | 17/3/1959   |
| Po/195-SDN-01         | 1             | 221                | 24/3/1959   | 417               | 28/2/1978   |
| Po/195-SDN-02         | 2             | 418                | 21/2/1978   | 539               | 1/7/1988    |
| 7900-04-P195          | 1             | 1                  | Undated     | 20                | 17/12/1992  |

*Files held by contractor in Alexandra on behalf of LINZ:*

| <i>File Reference</i>           | <i>Volume</i> | <i>First Folio</i> | <i>Date</i> | <i>Last Folio</i> | <i>Date</i> |
|---------------------------------|---------------|--------------------|-------------|-------------------|-------------|
| Po195                           | 3             | 540                | 11/8/1988   | 631               | 31/3/1999   |
| Po195                           | 4             | 1                  | 1/7/1999    | 46                | 28/6/2000   |
| CON/50213/09/12716/<br>A-ZNO    | 1             | 1                  | 3/7/2000    | 75                | 29/3/2001   |
| CON/50213/09/12716/<br>A-ZNO-02 | 2             | 1                  | 27/2/2001   | 52                | 16/5/2002   |

With the exception of a very few missing folios the records are complete. Confidence is held that all important data has been searched.

Three pasturage licences (*No 1334 over Run 26 - 14 years from 1 March 1910, No 1335 over Run 27 - 14 years from 1 3 1910 and No 1574 over Run 34 - 6 years from 1 March 1918*) were run together in conjunction with freehold land as a unit for many years by a number of holders often in the name of two persons. Early file history shows the very marginal nature of the operations with the property changing hands four times between 1910 and 1924.

In 1920 the licences were taken over by David and Catherine Young.

In 1922 extension of the licences was granted to expire on the same date being 1 March 1931.

In 1925 the licences were transferred to J W and I M Mclean who continued to work the three runs together. This was transferred to the Mclean Brothers in 1926.

Prior to lease renewal the Land Settlement Board inspected the area with the aim of possible subdivision but it was found not suitable. The licences were surrendered early and a single licence (*PR1853*) issued for the three licences as well as the Macetown Commonage for a term of 35 years from 1 March 1929. It included a clause to allow residents of Macetown to have free grazing of two horses and two cows over the commonage

Some objection to the incorporation of the Commonage was received but it proceeded.

A 6 acre area occupied by Alexandra Peat was applied to be incorporated into the run in 1929 but it was found to be already included. The McLeans paid the widow of Peat for the cottage and sheds.

Rent default issues and rent remissions occupy the period of 1930 - 1935 as the property struggled to stay viable.

In 1934 W C Mclean sold his share of the partnership to E R Bremner.

In 1935 Skippers Limited was granted approval to erect and use electric lines over the licence.

The property had dire financial problems from 1935 - 1940 with rent defaults; applications for mortgage relief, and threats of forfeiture of the lease. A mortgagee sale was forced in 1940.

The lease was transferred to Douglas Howe, Alexandra Paterson and William Grieve.

This group also struggled and applied for rent remissions through to 1945.

Annual burning consents were granted to the group.

Grieve sold his one-third share to the other two partners in 1945.

The lease was sold to two brothers (*W & R Cotton*) in 1947.

A large fire started at Rapid Creek in the Shotover and burnt 7000 acres of summer country in 1948.

A group of 7 unoccupied freehold sections in Macetown were incorporated into the licence in 1949.

Mount Cook and Southern Lakes Tourist Company Limited applied to develop 50 acres on Coronet Peak for a skifield in 1949.

In 1950 a fire escaped from Coronet Peak Station and burnt some 4000 acres of the adjoining run held by Greenslade.

A boundary issue between F K May (*Block A - Wakatipu Farm Settlement*) and Run 27 arose in 1951 where some 5.1 acres of the Coronet Peak lease was fenced into Mays block. The area was surrendered from the licence to go to May (*folio 123*).

Permission was granted by the lessee and Land Settlement Board to construct a road and ski-hoist on Coronet Peak to Mount Cook and Southern Lakes Tourist Company Limited with conditions of gate shutting, liability for damage, and no exclusive rights in 1953.

In 1950 a series of burns on Coronet Peak Station got out of control and burnt some 3000 acres of the land including some trial planting areas on the skifield.

A 1502 acre area (*SO 11850 – folio 149*) for the Coronet Skifield was surrendered from the licence in 1954 with the Cotton Brothers granted a temporary tenancy for one year over the area. The Department of Tourism and Publicity administered the reserve created.

The lease was sold to two brothers (*William & Ronald Dagg*) in 1955.

A single subsidy 10 km soil conservation fence was erected in 1956 under the Otago Catchment Board assistance.

A pastoral lease (*P195*) was approved for 33 years from 1 January 1958 (*plus a broken period*) with a stock limitation of 7205 sheep (*including not more than 2970 breeding ewes*). The lease was issued in advance of the licence expiry date, justified by the various surrenders that were to occur. A ML over 195 acres and an additional 1973 acres in the Shotover was surrendered, both being transferred to the Branches Station. An additional condition was that Riverbank reserves were to be created on the Sheilburn, Shotover and Polnoon Rivers and Carmichael Creeks.

A clause to allow residents of Macetown to have free grazing of two horses and two cows over the commonage was included.

An area of 68-0-22 acres being Section 17 Block XVIII Shotover Survey District that had been occupied by the lessee for some time was incorporated into the lease as part of Run 27.

A personal stock exemption was granted on 1960 for 7500 dry sheep plus 10%. While run in conjunction with other leasehold and freehold no objection to 9000 sheep (*including not more than 800 breeding ewes and 50 cattle*).

2000 acres were accidentally burnt by a campfire in 1961.

The establishment of a cattle stop on the Coronet Peak Road was the subject of much correspondence in 1963 as the Tourism Department was reluctant to accept some responsibility for it.

A P J Taylor and P M Chandler applied for two separate areas for crib sites in 1963 but were told they were a part of the lease and lessee approval must first be obtained. This was not forthcoming.

A personal stock exemption for the lease was granted in 1965 for 9500 dry sheep and 50 cattle (*including not more than 35 breeding cows*).

Mr Buckley applied for a section 1 Block III town of Macetown in 1967 but was told it was a part of the lease and lessee approval must first be obtained. This was not forthcoming.

A Conservation Farm Plan Programme (*plus two additions*) involving cattleproofing (*120 chains*), recuperative spelling fence (*90 chains*), and 680 acres of offsite aerial oversowing and top dressing was undertaken between 1973 and 1980. All works were completed and the temporary grazing restrictions abided by. The desire to undertake further works lapsed and the programme was not continued.

A personal stock exemption was granted on 1969 for 10000 dry sheep plus 360 cattle (*including not more than 300 breeding cows*). While run in conjunction with 360 acres of freehold no objection to 10700 sheep and 475 cattle (*including not more than 400 breeding cows*).

Mr W A Hamilton applied for access over a section adjacent to the Arrow River to run a gold mining display in 1971. The venture was not supported by the Dagg and lapsed.

Access to a woolshed, dip and yards on Section 84 Block IV and Sections 27/29 Block XVII Shotover Survey District was surrendered when these were freeholded in 1972.

A personal stock exemption was granted on 1969 for 10000 dry sheep plus 360 cattle (*including not more than 300 breeding cows*). While run in conjunction with 397 acres of freehold no objection to 11600 sheep and 700 cattle (*including not more than 630 breeding cows*).

Approval was given for the Ministry of Works to establish stability planting trials on two areas of the lease in the Shotover Catchment in 1975.

Approval was given to Ryan Mining limited to construct a access track on the banks of the Shotover for mining access in 1976.

In 1977 133.5486 ha of land being the town of Macetown and surrounding area was surrendered from the lease for a Historic Reserve (*map - folio 391*).

An un-sighted agreement between R & W Dagg and R P Monk (*Mount Soho Station*) was signed in 1 July 1977 in relation to a boundary grazing agreement (*folio 409*). However the signatories fell out and the agreement was not finalised.

In 1978 each Dagg brother transferred one half of their shares to separate family trusts.

The Ministry of Works applied for an entry agreement across the lease to establish and maintain a river recorder in the Shotover in 1980 (*folio 446*). This was granted (*folio 447*) but no easement ever registered on the lease. Dagg signed an entry agreement (*folio 471*).

Mr W R Dennison applied for the lease of a mining hut formally held by J Hamilton on Hays Creek in the Arrow. He was informed the lessee consent was required. Documents were prepared but lessee consent was withdrawn and the application was withdrawn.

The Queenstown District historical Society applied to lease a mining hut on Strohle's Flat. They were informed the lessee consent was required and no further action resulted.



The Dagg partnership was dissolved in 1980 and ownership transferred to J W & B R Dagg son of W H Dagg.

An application to mill a small area of Oregon trees in the Shotover was received in 1983 but not initially approved.

Concern at wilding tree spread in the district lead to a gang of workers being engaged to work on the lease in 1985.

An Official Information request was received from B J Mason in 1986 and responded to.

A personal stock exemption was granted on 1969 for 10000 dry sheep plus 360 cattle (*including not more than 300 breeding cows*). While run in conjunction with 287 ha of freehold no objection to 11600 sheep (*including not more than 1300 breeding ewes*) and 700 cattle (*including not more than 630 breeding cows*).

Prior to lease renewals renewed attempts were made to obtain agreement on the boundary issue between Coronet Peak, Mount Soho and Glencoe Stations.

Telecom applied for the right to establish a transmitter site at Peats Paddock in the Shotover. Lessee approval was obtained and surrender of land was to be investigated (*folio 541*).

An ice skating rink near Bush Creek was identified as being on the lease in 1990 (*folio 559*).

The offer of lease renewal was made in 1991 without any resolution to the boundary adjustments. The lease was renewed for 33 years from 1 January 1991 at LEI of \$340,000 and rental of \$5,100 with no changes in conditions. The actual memorial registered stated the date as 1 December 1990 but was corrected by a later certificate of alteration.

In 1991 Brian Dagg transferred his share to J W Dagg leaving him as the sole lessee.

The marginal Strips were defined in 1992 (*folio 577*).

Routine burning applications and minor tracking proposals were approved 1991 - 1993.

The Arrow Irrigation Company applied for and was granted an easement for its Arrow Pipeline in 1993.

An application from D A Fowler to lease part (780 ha) of the lease for Wilderness Safari Park was received in 1993. This was supported by the lessee (*folio 590*) and processed towards surrender. It was eventually turned down (*folio 604*) and a special lease suggested. No follow up actions noted.

An access easement across the lease in favour of a 24 ha area (*CT 13C/641*) at the foot of the Coronet Face was granted in 1994 (*from the Crown to Brian and Dale Dagg*).

The Peats Paddock Telecom Repeater site in the Shotover was requested to be formalised by an easement in 1994 (*folio 597*).

TV3 applied to site a transmitter on German Hill above Arrowtown that had lessee approval but landscape objections were raised and after much negotiation and correspondence an alternative site on DoC land outside the lease was used.

Complaints re unauthorised mountain bike tours on the property in 1997 led to a reprimand letter.

The Department of Conservation applied to construct a footbridge over Bush Creek as part of their walking track but the application was deemed to be outside the authority of the CCL and lessee.

A Mr Simpson who held a recreation permit for guided mountain bike tours (*name of Gravity Action*) for five years from 1 July 1997 complained other operators were using the tracks illegally. Commercial operators were written to inviting them to apply for permits.

The Arrowtown Residents Association applied for access authority for their members to enter the lease and carry out maintenance work on the Arrow walking track. The CCL declined approval on the basis of he has no legal basis to do so. They were directed to discuss with DoC the possibility of establishing a walkway under Section 6 of the Walkways Act 1990.

The lease was transferred to Coronet Peak Station Limited in 1991 with a variation of lease registered to cover company liabilities and approval of share transfers. The property remained controlled by the Dagg family. The transfer of the existing personal stock exemption was also approved.

An easement across the lease to convey domestic water supply by Nicholas Hewton to CT 19C/118 was approved in 2000. This was to legalise a pipeline that had been in existence servicing a section in the adjacent to the Shotover River.

A easement in gross in favour of the Queenstown Lakes District Council over the lease was applied for and granted for the buried pipeline as part of the Arrowtown Sewerage Scheme in 2000.

A rent review valuation (*to apply from 1 January 2002*) was carried out in 2000 resulting in a rental offer of \$21,937.50 on a LEI of \$975,000. The lessee elected to have the values fixed by the Land Valuation Tribunal.

The lease was proposed to be sold to Coronet Peak Holdings Limited (*Mr Cleary principle shareholder*) in 2002. This was processed together with exemption from residency, and stock limitation exemption. The take over date for the transfer is 30 June 2003 and an extension for registration of transfer granted to three months after that date.

Two recreation permits existed being held by Gravity Action Mountain Bikes and Totally Tourism Limited and were deemed to be able to continue operations upon transfer.

The marginal strip file contains investigation sheets and shows eligible creeks as being A-B, C-D, E-F, V-W, G-H, I-J, K-A, L-M, N-O, P-F, Q-R, S-T, & U-V on SO 23813. See details of Neighbouring Crown or Conservation land for a full analysis of the marginal strips. The file notes that a legal road is omitted from the lease diagram (*folio 15*).

File search shows there are three recreation permits associated with this lease.

RP79 to Totally Tourism Limited for 6 years from 1 July 1999 for commercial heli-skiing and heli-boarding over the whole of the lease. This permit is operational.

RPo065 to R & A Simpson issued for 5 years from 1 July 1997 for guided mountain bike tours over the whole lease. This permit expired on 1 July 2002 and no renewal application is found on files so it can be assumed to be non-operational.

RPo084 to Arrowtown Lodge and Hiking Company Limited was proposed for 5 years from 1 December 2000. However files show the last correspondence requesting lessee consent on 24 April 2001 has not been responded to, so it must be assumed that the permit was never issued.

Another permit is currently under application for Peter Richie for guided walking tours.

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

#### ***Terms of lease:***

The commencement date of the pastoral lease on Crown files is in agreement with the Lease Document (OT A2/1228)

The lease was issued from 1 January 1958 under the Land Act 1948 for a term of 33 years and covered the split period from 1 December 1957 to 31 December 1957. The lease was renewed for a further 33 years commencing on 1 January 1991. The original memorandum (763313) noted the commencement date as 1 July 1991 (*this was corrected by CA 86312 to 1 January 1991*).

A non-standard condition exists on the lease.

Being:

"(i) That the residents of Macetown shall be allowed to graze two head of cattle and two horses free of charge on that part of Run 27 known as the Commonage area" (*this restriction has no effect as Macetown is now a historic reserve and has no residents*).

The legal description on the Computer Interest Register does not agree with the Status Check (*see Status Check Section of this report for details*).

#### ***Original Lease Stock Limit:***

7205 sheep (*including not more than 2970 breeding ewes*).

#### ***Personal Stock Exemption (18 April 2002):***

While run in conjunction with 184 ha of freehold land an overall limitation of 10500 sheep (*including not more than 300 breeding ewes*) and 350 cattle.

***Renewals and variations:***

- 763313 Memorandum renewing the term of the within lease registered on 14 September 1990 (*renewing the term for a further period of 33 years commencing on 1 July 1991 and fixing for the first 11 years the annual rent at \$5,100 calculated on a rental value of \$340,000.00*).
- 786312 Certificate of Alteration amending the effective date of the within lease to 1 July 1991 – 22 August 1991 (*self explanatory*).
- 5010518.1.1 Variation of lease – 13 October 2000 (*Variation requiring CCL approval for company share transfers and liability of company employees and breaches of covenants*).

***Area adjustments:***

|  | <i>Acres</i>         | <i>Roods</i> | <i>Perches</i> |        |
|--|----------------------|--------------|----------------|--------|
| Original lease area  | 55215                | 0            | 06             |        |
| Total metric   | 22344.7329 ha        |              |                |        |
| <i>Less surrender<br/>(Macetown and Historic<br/>reserve area)</i> | 133.5486 ha          |              |                | 489403 |
| <b>Total</b>   | <b>22211.1843 ha</b> |              |                |        |

The map area on the lease diagram is shown as 55216.0.06 acres whereas the correct area is 55.215.0.06. The metric conversion was done using the correct area so the effect of this error has been cancelled. This does not affect any other part of the document.

This area is in agreement with the Status Check but not with the Computer Interest Register cover sheet that has the area as 22344.7329 ha. Less Memorial 489403 to give a final area of 22211.1840. A 0.0003 ha discrepancy exists.

***Registered interests:***

***Mortgages:***

- 5010518.3 Mortgage to Rabobank New Zealand Limited – 13 October 2001

***Other Interests:***

- 833519 Granting easements in gross to convey water in favour of the Arrow irrigation company – 8 July 1993 (*easement for four pipeline areas from the Arrow River over Run 26*).

Deed of easement embodied in CT no 15C/615 – 19 October 1994 (*an access easement in favour of a freehold Section 25 Block XVII Shotover Survey District. This short easement is off the end of a legal road at the foot of the skifield face and was created to give access to the above land locked Crown section that was sold freehold*).

- 5010314.2 Deed of easement to convey water – 13 October 2000. Easement in favour of part Section 3 – 4, Block XI Shotover Survey District (*CT 19C/188*) to convey piped domestic water for a very short distance (*75 metres*) over part of Part Run 27. (*Self explanatory - no comment required*).
- 5113554.1 Right to drain sewage in gross in favour of the Queenstown lakes District Council – 23 November 2001. (*A right to establish and maintain 350 metres of buried sewage pipeline near Arrowtown across Run 26 - for a term of 50 years – no issues identified*).

No Conservation Farm Plan agreement is registered.

No Compensation Certificates are registered.

No Electricity Agreements are registered.

**4. Summarise any Government programmes for the lease:**

A 10 km soil conservation fence, under single subsidy assistance from the Otago Catchment Board, was erected in 1956.

A Conservation Farm Plan Programme (*plus two additions*) involving cattleproofing (*120 chains*), recuperative spelling fence (*90 chains*), and 680 acres of off-site aerial oversowing and top dressing was undertaken between 1973 and 1980. All works were completed and the temporary grazing restrictions abided by. The desire to undertake further works lapsed and the program was not continued. The plan contained no surrender of land or issues that would affect tenure review.

A legal agreement registered on the lease document (*Memorial 456380/2*) in 1976 but discharged in 1981.

The property was not part of the Rabbit and Land Management Programme.

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

Copy attached as Schedule A.

**5.1 The Pastoral Lease:**

The Land Status Report confirms the Crown Land Status under the Land Act 1948 and Crown Pastoral Land Act 1998 subject to PL registered as CIR OTA2/1228.

*It records five encumbrances on the lease being:*

- 833519 Granting easements in gross to convey water in favour of the Arrow Irrigation Company – 8 July 1993. (*Easement for four pipeline areas from the Arrow River over Run 26 - recognised in this report*).

Deed of easement embodied in CT No 15C/615 – 19 October 1994. *An access easement in favour of a freehold Section 25 Block XVII Shotover Survey District. This short easement is off the end of a legal road at the foot of the skifield face and was created to give access to the above land locked Crown section that was sold freehold (recognised in this report).*

5010314.2 Deed of easement to convey water – 13 October 2000. Easement in favour of part Section 3 - 4 Block XI Shotover Survey District (CT 19C/188) to convey piped domestic water for a very short distance (75 metres) over part of Part Run 27. *(Recognised in this report).*

5113554.1 Right to drain sewage in gross in favour of the Queenstown lakes District Council – 23 November 2001. *(A right to establish and maintain 350 metres of buried sewage pipeline near Arrowtown across Run 26 - for a term of 50 years. Recognised in this report).*

Subject to part IVA Conservation Act 1997.

All the above encumbrances are recognised in this report and commented on in Section 3 - Summary of Lease document.

The legal description is confirmed as that being used in this Due Diligence Report. This differs from the Computer Interest Register cover sheet *(see below - issues identified requiring possible future investigation at the Due Diligence stage).*

The Crown retains minerals ownership.

The area is confirmed as 22211.1843 ha. This differs from the Computer Interest Register cover sheet that records the area as 22344.7329 ha *(see below-Issues identified requiring possible future investigation at the Due Diligence stage).* A full reconciliation sheet of the lease area is included in the Status Check. A minor typo error is noted in the lease document map which has the area written as 55216 acres 2 perches instead of 55.215 acres 2 perches. This error is not repeated elsewhere in the report, was not used in the area additions and was not used in the metric conversions and thus had no effect.

The Status Check does not identify any recreation permits, DoC concessions or UCL land within the lease. DoC Christchurch identifies conservation lands forming enclaves into the lease being the Macetown Historic Reserve and the Coronet Recreation Reserve and numerous marginal strips adjoining the lease along the Shotover and Arrow Rivers. See Section 7 Details of Conservation land for further information on these areas.

This report agrees with this analysis but it is known a recreation permit is current on the lease.

No mining interest recorded on the lease. This report agrees with this.

***Issues identified requiring possible future investigation at the Due Diligence stage were:***

1. The area in OTA2/1228 of 22344.7329 hectares is incorrect and should read 22211.1843 hectares (*the Status Check neglects to account for Memorial 489403 which results in a final area of 22211.1843 ha, a 0.0003 ha discrepancy*).
2. The legal description as shown in OTA2/1228 is incorrect and should read Run 26, part Run 27 and part Run 34 situated in Shotover, Skippers Creek, Soho and Polnoon Survey Districts (*this report agrees with this finding*).

***Other Land:***

Nine other areas are reported on.

***Property 2 - OT 101/86:***

Section 32 and 86 Block XI Skippers Creek Survey District.

This 7.2540 ha area in the Skippers is held in fee simple by Arthur Borrell as executor. No issues identified.

***Property 3 - OT 59/68:***

Section 84 Block XI Skippers Creek Survey District.

This 4.225 ha area in the Skippers is held in fee simple by Arthur Borrell. No issues identified.

***Property 4 - OT 15A/112:***

Section 1 SO 23821.

This 1.7391 ha area in the Skippers is held in fee simple by J G Hohneck and others. No issues identified.

***Property 5 - OT 19C/188:***

Part Sections 3 and 4 Block XI Skippers Creek Survey District.

This 2.0441 ha area in the Skippers is held in fee simple by Nicholas Graham Newton. The only point of note is a water easement over part of the Coronet Peak lease (*Part Run 27 OT A2/1228*). No issues identified.

***Property 6 - OT 12B/688:***

Lot 1 DP 20161.

This 3179 sq.m. area in the Skippers is held in fee simple by Ronald Raymond Schieb. The minerals remain with the fee simple owner. No issues identified.

*Property 7- OT 12B/688:*

Lots 3 and 4 and part Lot 1 DP18856.

This 7.2006 ha area in the Skippers is held in fee simple by J G Hohneck and others. No issues identified.

*Property 8 - OT 10A/1534:*

Section 8 Block XI Shotover Survey District.

This 2.7240 ha area in the Skippers is held under special lease for 33 years commencing on 1 July 1998 by Branches Station Limited. No issues identified

*Property 9 - OT 10A/1404:*

Lots 1 DP19171.

This 4.0470 ha area in the Skippers is held in fee simple by Janelle Suzan Aston. This is subject to a right of way by an adjoining block of land held by Laurance Scheib and Catherine Anderson (*Lot 2 DP1971 - below*). The minerals remain with the fee simple owner. No issues identified

*Property 10 - OT 10A/1405:*

Lots 2 DP19171.

This 7.8924 ha area in the Skippers is held in fee simple by Laurance Scheib and Catherine Anderson. The minerals remain with the fee simple owner. This is subject to a easement to convey water in favour of a adjoining block of land held by Janelle Susan Ashton (*Lot 1 DP 1971 above*). No issues identified.

***Review of topographical and cadastral data***

***Topographical Map:***

The topographical map shows a diversion tunnel between a branch of the Shotover River and the Polnoon Burn on the far north western boundary of the lease. This tunnel diverted water for mining purposes. A "Power House" is marked on the lease at the Polnoon Burn/lease boundary. This is known to be the power supply for the adjacent Branches Station homestead.

In the Shotover catchment a disused water race is marked between Stockyard and Ironstone Creek. Another is marked between Stony and Sandhill Creeks. A third is marked from Maori Gully to Maori Point.

No water races are marked on the Arrow or Coronet Peak faces.



The formed, gravel, and unfenced Skippers Road enters the lease via the Skippers Saddle in Long Gully and travels the full length of the lease above the Shotover River to the Mount Aurum Bridge. The Branches Road continues up the valley to the Branches Flat and is also unfenced and gravel. The conditions of these roads is known to be fair to Mount Aurum and poor to the Branches Flat, with the notorious "Blue Slip" at Mount Aurum often a problem.

The only other formed road being that from Arrowtown to Macetown Road up the Arrow River is shown as a farm track status only. This is a good 4WD road but contains many fords and dangerous sections. The road is unfenced and is on the adjacent Glencoe Station for much of its lower portion.

No Internal farm access tracks are marked on the mountain country. These are restricted to very short sections off both the Skippers and Macetown roads.

A walkway is marked from Arrowtown to Macetown following Sawpit Gully over the tops to descend into Eight Mile Creek near Macetown. Two sub-branches descend Sawpit Gully and Hayes Creek to the Arrow River.

No National Grid power pylons, local supply electricity pylons or telephone lines are marked crossing the lease.

No transmission sites are marked within the lease boundary.

The great majority of the boundaries of the lease are unfenced. Natural boundaries (*rivers and range tops*) are used extensively. All the Boundaries in the Arrow catchment are unfenced and the Shotover Catchment has fencing only around the Branches Flat and around some of the freehold parcels that exist along the river terraces.

The Coronet peak Skifield is unfenced from the lease.

The Coronet Peak Face boundary with the freehold lower lands appears to be fenced on its correct legal line.

"Cabin Hut" is marked in Cabin Creek on the far northern boundary

"Peats Hut" at the mouth of Ballarat Creek in the Shotover is marked.

"Green Gate Huts" are marked in a tributary of Long Gully.

"Mount Soho homestead remains" is marked on the lease southeast of Macetown.

A number of stone huts, mining areas and mining batteries are marked especially above and below Macetown, Long Gully and near the Skippers.

No airstrips are identified within the lease boundary.

### *Cadastral Map:*

The Cadastral map shows a marginal strip adjoining the lease on the full length of the Arrow River that bounds the lease and within the lease a section of Eight Mile Creek and Bush Creek near Arrowtown that drains into the Arrow River.

A marginal strips is identified on the full length of the Polnoon Burn against the boundary in the upper Shotover catchment.

Marginal strips are identified on the boundary for the full length of the Shotover River on the lease boundary (*four sections*). Streams that drain into the Shotover within the lease that have marginal strips are Stockyard Creek, Stony Creek, Deep Creek and Long Gully Creek. (*NB one letter "M" Missing from Status Check topographical map*).

These are in agreement with that defined on SO 23813.

The Skippers and Branches roads appears to follow their correct legal line and appear to be the only formed legal roads within the lease.

The currently used road to give access to Macetown, following the Arrow River Gorge and passing through the lease in the upper section' is not a legal road. Only the short section from Eight Mile Creek to Macetown is legal road. The legal road connecting Arrowtown to Macetown enters the lease near Arrowtown and travels to Eight Mile Creek via Saw Pit Gully. No formed road exists, although a walkway is marked on the topographical maps following this route.

A short section of legal road is marked passing through the lease below the skifield road adjacent to Lot 6 DP 17464. No formed road is identified from the cadastral map although a "Dan O'Connell Track" is marked in the general vicinity of the legal line.

A legal road is marked from Maori Point in the Shotover ascending to the range tops and following the ridgeline northwards to drop down a ridge above the Gold Burn to Macetown. A sub-branch of this descends back down into the Shotover to meet the Branches Road at Strollers Flat. A crest line road also branches off this from Vanguard Peak to head south to eventually reach Arrowtown (*this section does not appear on the lease document map*). All the are paper roads and no tracks exist.

All the freehold sections in the Shotover encompassed or bounded by the lease appear to have legal road access.

The Proposed and Transitional Queenstown Lakes District Scheme Plans have two sites marked as protected features on the lease being:

- No 340 - Scholes Tunnel. This is located in Sawpit Gully near Arrowtown and is defined as Category 3 (*protection encouraged*).
- 
- No 309 - William Fox Memorial. This is located next to Arrowtown on the lease and is also defined as Category 3.

No issues that would affect the tenure review process were identified.

## **6. Details of neighbouring Crown or Conservation land:**

Marginal strips adjoin the lease on the full length of the Arrow River that bounders the lease. Within the lease marginal strips are on a section of Eight Mile Creek and Bush Creek near Arrowtown also drains into the Arrow River.

A marginal strips is identified on the full length of the Polnoon Burn against the boundary in the upper Shotover catchment.

Marginal strips are identified on the boundary full length of the Shotover River on the lease boundary (*four sections*). Streams that drain into the Shotover within the lease that have marginal strips are Stockyard Creek, Stony Creek, Deep Creek and Long Gully Creek. See Status Check topographical maps and Department of Conservation report for further details.

The only point of note is that the Arrow River passing through Macetown Historic Reserve does not appear to have a marginal strip in this area. This does not affect the lease.

No Crown land is within the lease but some significant reserves form enclaves.

The Macetown Historic Reserve (*F41128 - 144.7 ha*) around the old Macetown area in the Arrow Catchment.

The Coronet Peak Recreation Reserve (*F41123 - 596.1 ha*) covering the skifield and Coronet Peak faces.

Maori Point Reserve (*E41115 - 12.61 ha*) bounders the lease at Maori Point in the Shotover. This terrace area is registered as having historic and recreation values.

A large area of conservation lands bounders the lease in the Upper Arrow Catchment. This is known as the North Mototapu Conservation Area (*F41196 - 2602 ha*) and is quoted as having botanical and landscape values.

All the above are administered by the Department of Conservation with details shown in the Otago Conservation Land Inventory. The Department of Conservation submission in the Status Check contains a map showing the location of each. This map shows an area marked in Long Gully against the southern boundary of the lease (*E41196*), but this was identified as a conservation covenant from the tenure review of Mount Dewar.

No unoccupied Crown land was identified.

## **7. Summary of uncompleted actions or potential liabilities:**

- 7.1 Telecom applied for the right to establish a transmitter site at Peats Paddock in the Shotover in 1988. Processing to surrender land was investigated but never concluded. The repeater site appears to have been established and functioned without formal approval. In 1994 they were requested to formalise this by an easement (*folio 597*). No easement has been registered on the lease in relation to this.

- 7.2 The Ministry of works applied for an entry agreement across the lease to establish and maintain a river recorder on Crown land in the Shotover in 1980 (*folio 446*). Daggs signed an entry agreement. The occupation of Crown land was granted (*folio 447*) but no easement to secure access was ever registered on the lease.
- 7.3 A ice skating rink near Bush Creek at Arrowtown was identified as being on the lease in 1990 (*folio 559 - see Attachment 2*). The current use of the area and any occupation rights are unknown.
- 7.4 The topographical map shows a "power house" on the lease on Church Hut Creek above the Branches Station. No file data was viewed related to this. This is know to be the power supply for the adjacent Branches Station homestead. No occupancy agreement has been sighted.
- 7.5 A rent review valuation (*to apply from January 2002*) was carried out in 2000/1. The lessee elected to have the values fixed by the Land valuation Tribunal. This has not yet been processed.

***The following issues are brought to your attention to note only:***

- The area in CIR OTA2/1228 of 22211.1840 ha is incorrect and should read 22211.1843 ha.
- The legal description as shown in CIR OTA2/1228 is incorrect and should read Run 26, part Run 27 and part Run 34 situated in Shotover, Skippers Creek, Soho and Polnoon Survey Districts (*identified by Status Check*).
- The map area on the lease diagram is shown as 55216. 0. 06 whereas the correct area is 55215.0. 06. The metric conversion was done using the correct area so the effect of this error has been cancelled. This does not affect any other part of the document.
- The currently used road to give access to Macetown following the Arrow River Gorge and passing through the lease in the upper section is not a legal road. Only the short section from Eight Mile Creek to Macetown is legal. Public usage of this road is high.
- The property is under sale agreement to Coronet Peak Holdings Limited, with transfer approved, the take over date being 30 June 2003.
- One recreation permit (RP79) exists affecting the whole of the lease, being held by Totally Tourism Limited for heliskiing and heliboarding for 6 years from 1 July 1999.
- Another for guided walking tours by Peter Richie is currently under application.

- An un-sighted agreement between R & W Dagg and R P Monk (*Mount Soho Station*) was signed in 1 July 1977 in relation to a boundary grazing agreement (*folio 409*). However this was not finalised. Prior to lease renewals renewed attempts were made to obtain agreement on the boundary issue between Coronet Peak, Mount Soho and Glencoe Stations with no result. From files the exact nature of the proposed changes are unclear but it is obvious that the issues have caused disagreement between the neighbours for many years.
- A legal road (Vanguard Peak to Arrowtown) is omitted from the lease diagram
- A non-standard condition exists on the lease being:

"(i) That the residents of Macetown shall be allowed to graze two head of cattle and two horses free of charge on that part of Run 27 known as the Commonage area"

This restriction has no effect as Macetown is now a historic reserve and has no residents.

***ATTACHMENTS:***

- Schedule A. - Status Check.
- Attachment 1 - Recent Copy of Lease Document CIR OT A2/1228
- Attachment 2 - Ice skating rink (*folio 559*).

## **SCHEDULE A:**

Status Check.

## DTZ NEW ZEALAND

This land status report has been prepared on the instruction of Land Information New Zealand in terms of the contract number 50268 dated September 2001 and is undertaken for the purposes of the Crown Pastoral Land Act 1998.

|  |          |           |           |                  |
|--|----------|-----------|-----------|------------------|
| <b>LAND STATUS REPORT for CORONET PEAK</b> |          |           |           | [LIPS ref.12716] |
| <b>Property</b>                            | <b>1</b> | <b>of</b> | <b>10</b> |                  |

|                            |  |
|----------------------------|--|
| <b>Land District</b>       | Otago  |
| <b>Legal Description</b>   | Run 26, part Run 27 and part Run 34 situated in Shotover, Skippers Creek, Soho and Polnoon Survey Districts.   |
| <b>Area</b>                | 22,211.1843 hectares.  |
| <b>Status</b>              | Crown Land subject to The Land Act 1948.   |
| <b>Instrument of Lease</b> | Balance CIR OT A2/1228.  |
| <b>Encumbrances</b>        | Transfer 833519 granting Easements in Gross to convey Water to Arrowtown Irrigation Co Ltd.<br>Deed of Easement embodied in CT No. 15C/615.(ROW)<br>Deed of Easement No. 5010314.2 to convey Water.<br>Transfer No. 5113554.1.(Right to Drain Scwege in Gross).<br>Subject to Part IVA of Conservation Act 1987. |
| <b>Mineral Ownership</b>   | Minerals remain with the Crown, as the land has never been alienated since its acquisition for settlement purposes from the former Maori owners under The Kemp Deed of Purchase (1848).  |
| <b>Statute</b>             | Land Act 1948 and Crown Pastoral Land Act 1998.  |

|                                 |              |
|---------------------------------|--------------|
| <b>Date Correct as at</b>       | 31 July 2002 |
| <b>[Certification Attached]</b> | Yes          |

|                               |                 |
|-------------------------------|-----------------|
| <b>Prepared by</b>            | Murray Bradley  |
| <b>Crown Accredited Agent</b> | DTZ New Zealand |

Approved.

Grant Kasper Webley  
Land Information New Zealand, Dunedin

Date 6 / 8 / 2002

### CORONET PEAK RESEARCH - Property 1 of 10

|  |  |
|--|--|
| <b>Notes :</b> 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 | <p>(1) The area in CT No. OT A2/1228 of 22,344.7329 hectares is incorrect and should read 22,211.1843 hectares. (Please refer to the attached reconciliation).</p> <p>(2) The legal description as shown on CT No. OT A2/1228 is incorrect and should read as follows:<br/>Run 26, part Run 27 and part Run 34 situated in Shotover, Skippers Creek, Soho and Polnoon Survey Districts.<br/>NB : The areas of land within the Town of Macetown were excluded from the lease by Surrender Doc 489403 in</p> |
|--|--|

1977. See plan attached to surrender Document.



**CORONET PEAK PASTORAL LEASE**  
**RECONCILIATION OF AREA IN LEASE**

|   | Acres:   | Roods | Perches | Hectares    |
|---|----------|-------|---------|-------------|
| Runs 26 and 34 and Part Run 27<br>CT No 337/51. (1. 3.1929)   | 58,980   | .     | .       |             |
| Less, Surrender No. X13550 (27.8.1951)  | 5        | .     | 16      |             |
|   | 58,974   | 3     | .24     |             |
| Plus, Certificate No. X13551<br>Incorporating Section 6 Block III<br>Town of Macetown into the lease<br>(27. 8.1951)  |          | 1     |         |             |
|   | 58,975 . | 0     | .24     |             |
| Less, Surrender No X 16058 as to<br>part Run 27 SO 11850 (1. 7.1954)  | 1,502 .  | 0 .   | 0       |             |
|   | 57,473 . | 0 .   | 24      | 23,258.5586 |
| CT No. 337/51 cancelled and new CT No.<br>424/19 issued for Run 26, part Runs<br>27 and 34 Shotover, Skippers Creek, Soho and<br>Polnoon Survey Districts and all Block I<br>Sections 1-3 inclusive, Block II, Sections 1,<br>6, 7, 9 and 10, Block III, all Block IV,<br>Sections 4 to 7 inclusive, 10, 13 and 14<br>Block V, all Blocks VI, VIII IX, X, XI,<br>XII, XIII and all unsectionalized areas, Town<br>of Macetown. (9. 5.1961). | 55,215 . | 0 .   | 6       | 22,344.7329 |
| CT No.424/19 cancelled and new<br>CT No A2/1228 issued (9. 5.1961)  |          |       |         |             |
| Less, Surrender No. 489403 of Part<br>Run 27, Block XII Skippers Creek<br>and Soho Survey Districts Sections 1-6,<br>Block I, Sections 1-3, Block II, Sections 1, 6, 7,<br>9 and 10, Block III, Sections 1-6, Block IV, Sections  |          |       |         |             |

4-7, 10, 13 and 14, Block V, Sections 1-4, Block IX,  
Section 1-10, Block X, Sections 1-9, Block XII, Sections  
1-9, Block XIII, Sections 1-10, Block XI, Sections 1-15,  
Block VIII, Sections 1-6, Block VI Town of Macetown,  
Mining Reserve adjoining Blocks II, III, IV, IX, X and XII  
and adjacent to Block I and VIII and Crown Land adjacent  
To Blocks V, VI, VII, VIII, XI, XIII and adjacent to Block  
I, Town of Macetown.

133.5486

---

22,211.1843

### **AREA AS RECORDED IN PRESENT LEASE**

Run 26, Part Run 27, Part Run 34 Block I  
Town of Macetown, Section 1, Section 2  
and Section 3 Block II Town of Macetown,  
Section 1, Section 6, Section 7, Section 9 and  
Section 10 Block III Town of Macetown, Block  
IV Town of Macetown, Section 4, Section 5 and  
Section 6, Section 7, Section 10, Section 13 and  
Section 14 Block V Town of Macetown, Block VI,  
Block VIII, Block IX, Block X, Block XI, Block XII  
and Block XIII Town of Macetown and all

unsectionalized areas in the Town of Macetown. CT No. OTA2/1228

9.5.1961

Area in OT A2/1228 : 22,344.7329 hectares  
Area as per reconciliation : 22,211.1843 hectares

The area in CT No. OT A2/1228 of 22,344.7329 hectares is incorrect and should read  
22,211.1843 hectares.

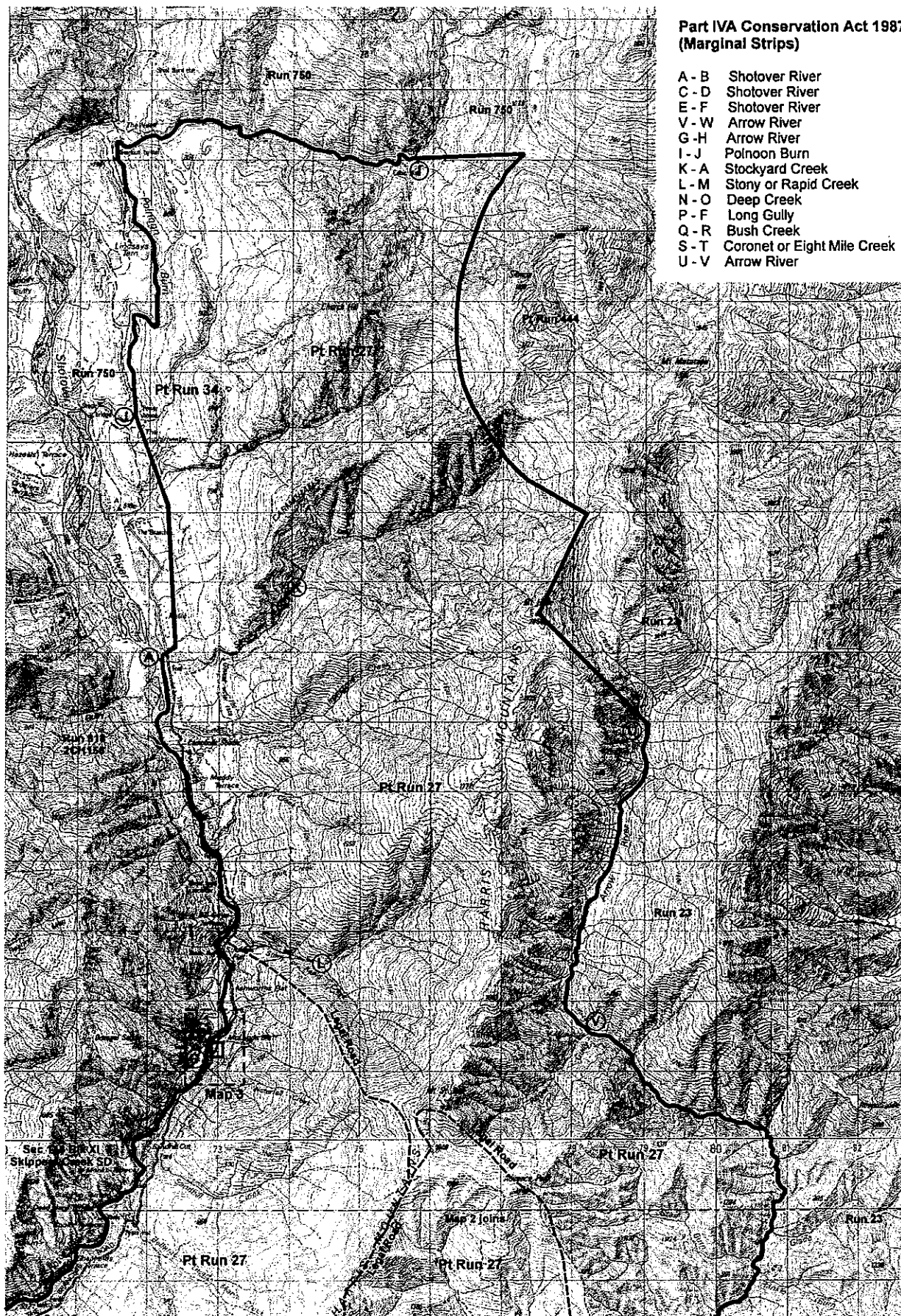
The area of 55,216 acres, 6 perches shown on the diagram sheet of OT A2/1228 is incorrect  
and should read 55,215 acres, 6 perches. However, the metric conversion was not effected,  
as it was based on the correct area of 55,215 acres and 6 perches.

### **LEGAL DESCRIPTION**

The legal description as shown on CT No. A2/1228 is incorrect and should read as follows:

Run 26, part Run 27 and part Run 34 situated in Shotover, Skippers Creek, Soho and  
Polnoon Survey Districts.

"RELEASED UNDER THE OFFICIAL INFORMATION **Map 1**  
**CORONET PEAK PASTORAL LEASE (CT - A2/1228)**  
**QUEENSTOWN - CENTRAL OTAGO**



**Part IVA Conservation Act 1987  
(Marginal Strips)**

- A - B Shotover River
- C - D Shotover River
- E - F Shotover River
- V - W Arrow River
- G - H Arrow River
- I - J Polnoon Burn
- K - A Stockyard Creek
- L - M Stony or Rapid Creek
- N - O Deep Creek
- P - F Long Gully
- Q - R Bush Creek
- S - T Coronet or Eight Mile Creek
- U - V Arrow River

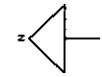
Part Sheet NZMS 260 Sheets F40 Wanaka, F41 Arrowtown

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**PASTORAL LEASE BOUNDARY**  
[Subject to Part IV, Sections 24(3) and 24(9)  
of Conservation Act 1987.]  
Legal Road

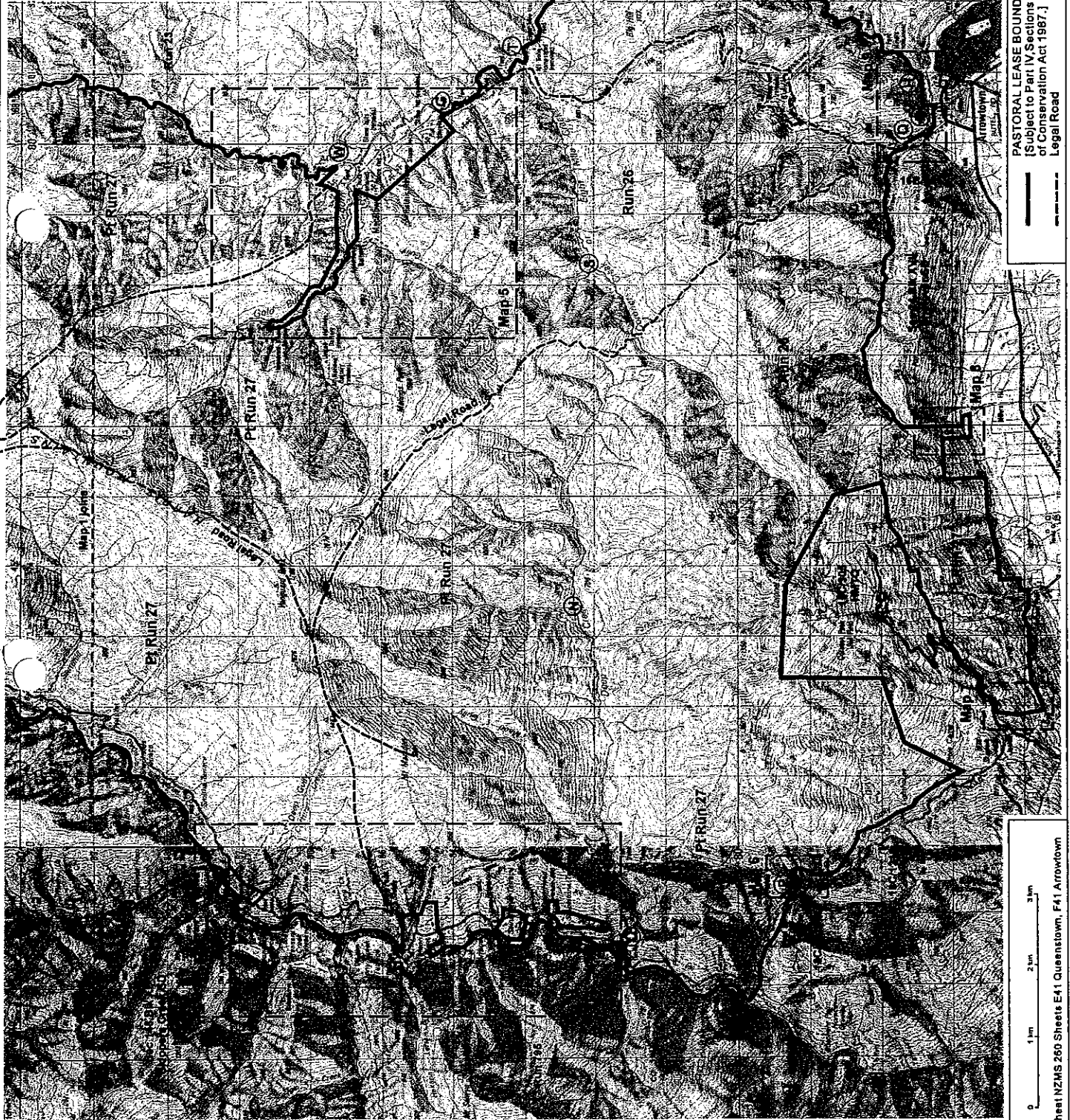
**DTZ** John McMeeking  
DTZ Mapping, Dunedin  
03 474 0511  
18.09.2002



**Map 2**  
**CORONET PEAK**  
**PASTORAL LEASE**  
**(CT - A2/1228)**  
**QUEENSTOWN**  
**CENTRAL OTAGO**

**Part IVA Conservation Act 1987**  
**(Marginal Strips)**

- A - B Shotover River
- C - D Shotover River
- E - F Shotover River
- V - W Arrow River
- G - H Arrow River
- I - J Polnoon Burn
- K - A Stockyard Creek
- L - M Stony or Rapid Creek
- N - O Deep Creek
- P - F Long Gully
- Q - R Bush Creek
- S - T Coronet or Eight Mile Creek
- U - V Arrow River



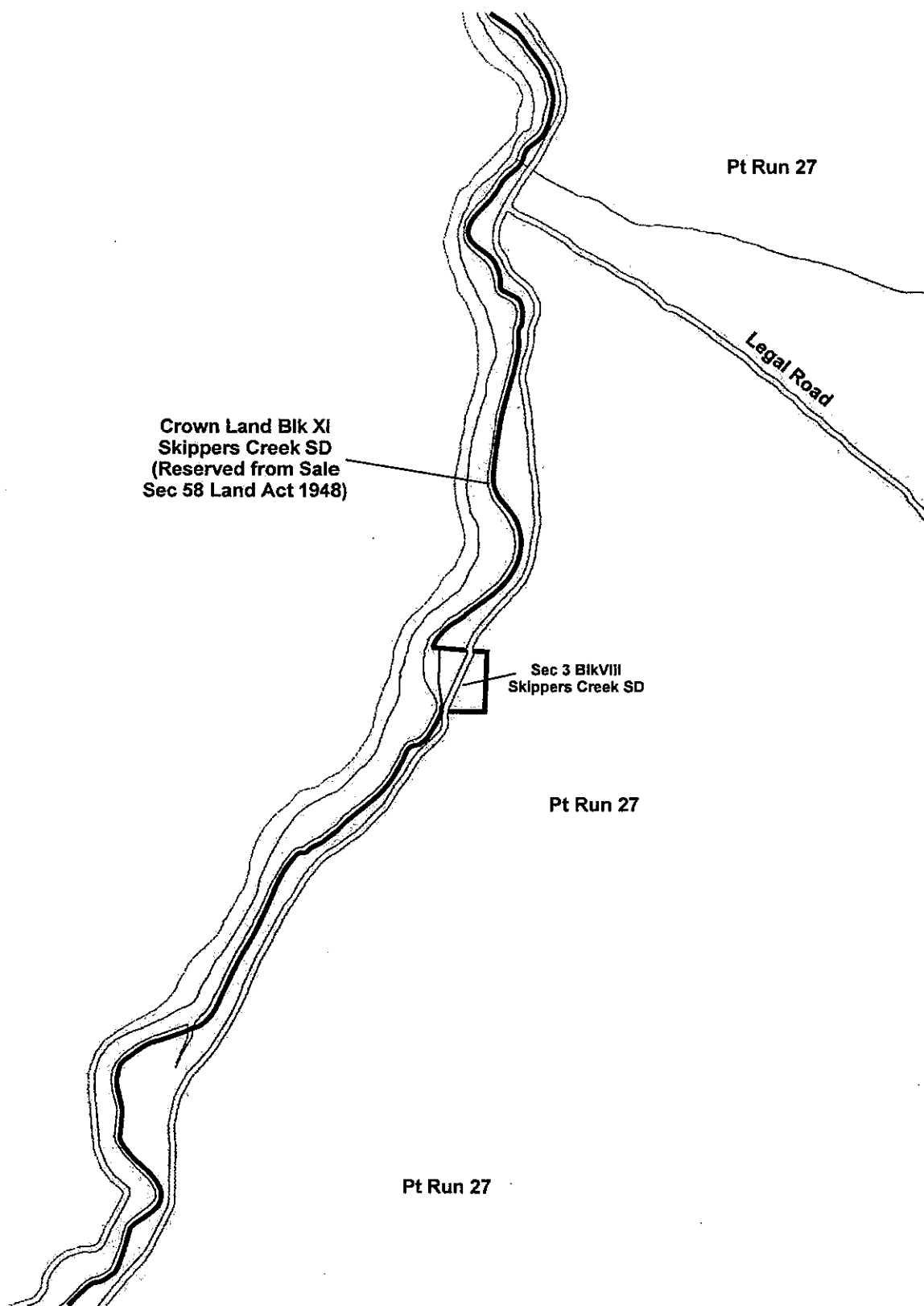
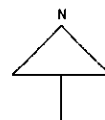
**DTI** John McMeeking  
 03 174 0571  
 16.07.2002

**PASTORAL LEASE BOUNDARY**  
 [Subject to Part IV Sections 24(3) and 24(9)  
 of Conservation Act 1987.]

Legal Road

Part Sheet NZMS 260 Sheets E41 Queenstown, F41 Arrowtown

**Map 3**  
**CORONET PEAK PASTORAL LEASE**  
**CT A2/1228**  
**QUEENSTOWN - CENTRAL OTAGO**



Cadastral Information from LINZ Core Record System (CRS). Crown Copyright Reserved

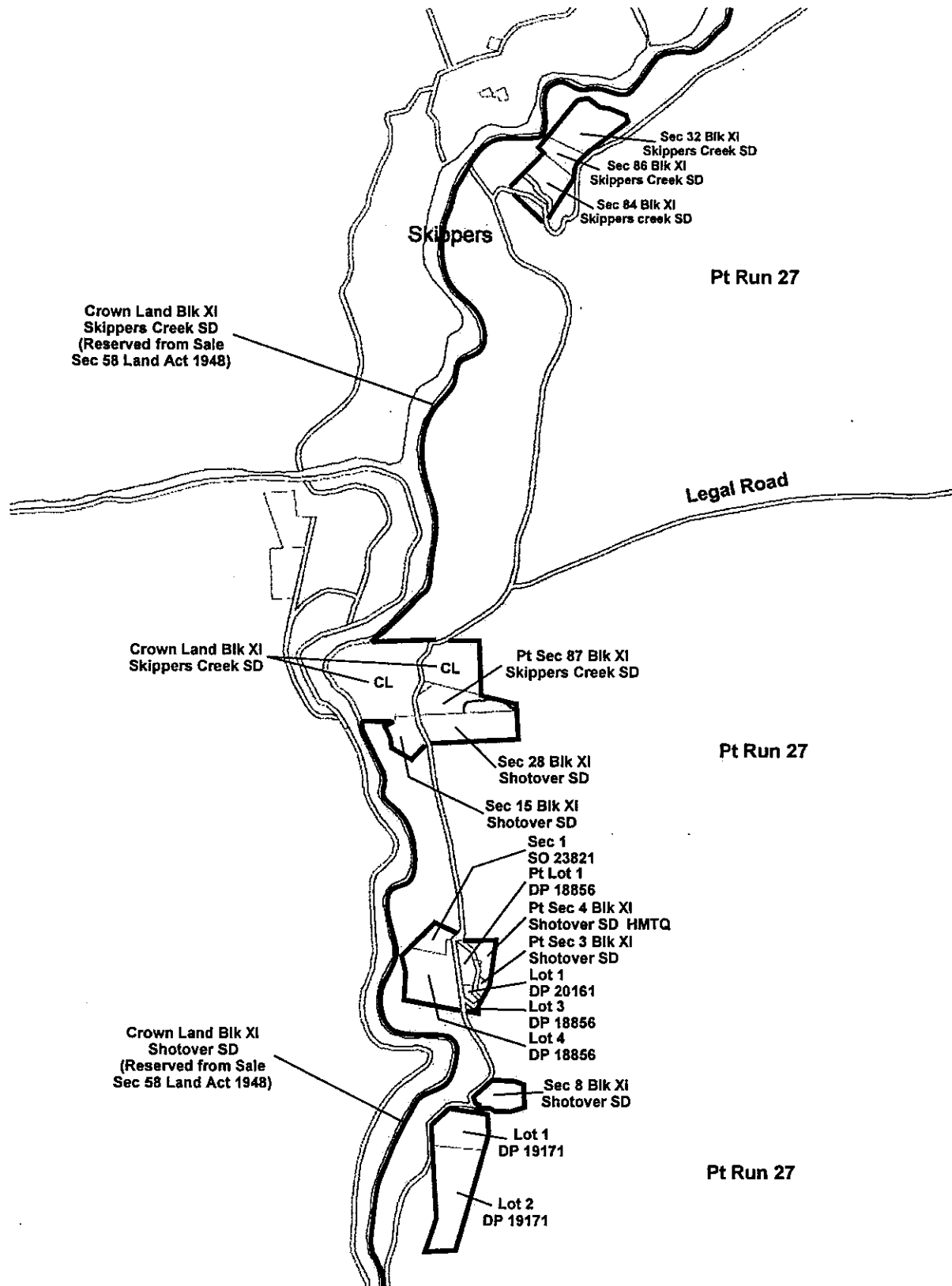
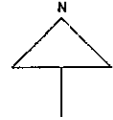
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**PASTORAL LEASE BOUNDARY**  
[Subject to Part IV, Sections 24(3) and 24(9)  
of Conservation Act 1987.]



John McMecking  
DTZ Mapping, Dunedin  
03 474 0571  
16.07.2002

**Map 4**  
**CORONET PEAK PASTORAL LEASE**  
**CT A2/1228**  
**QUEENSTOWN - CENTRAL OTAGO**



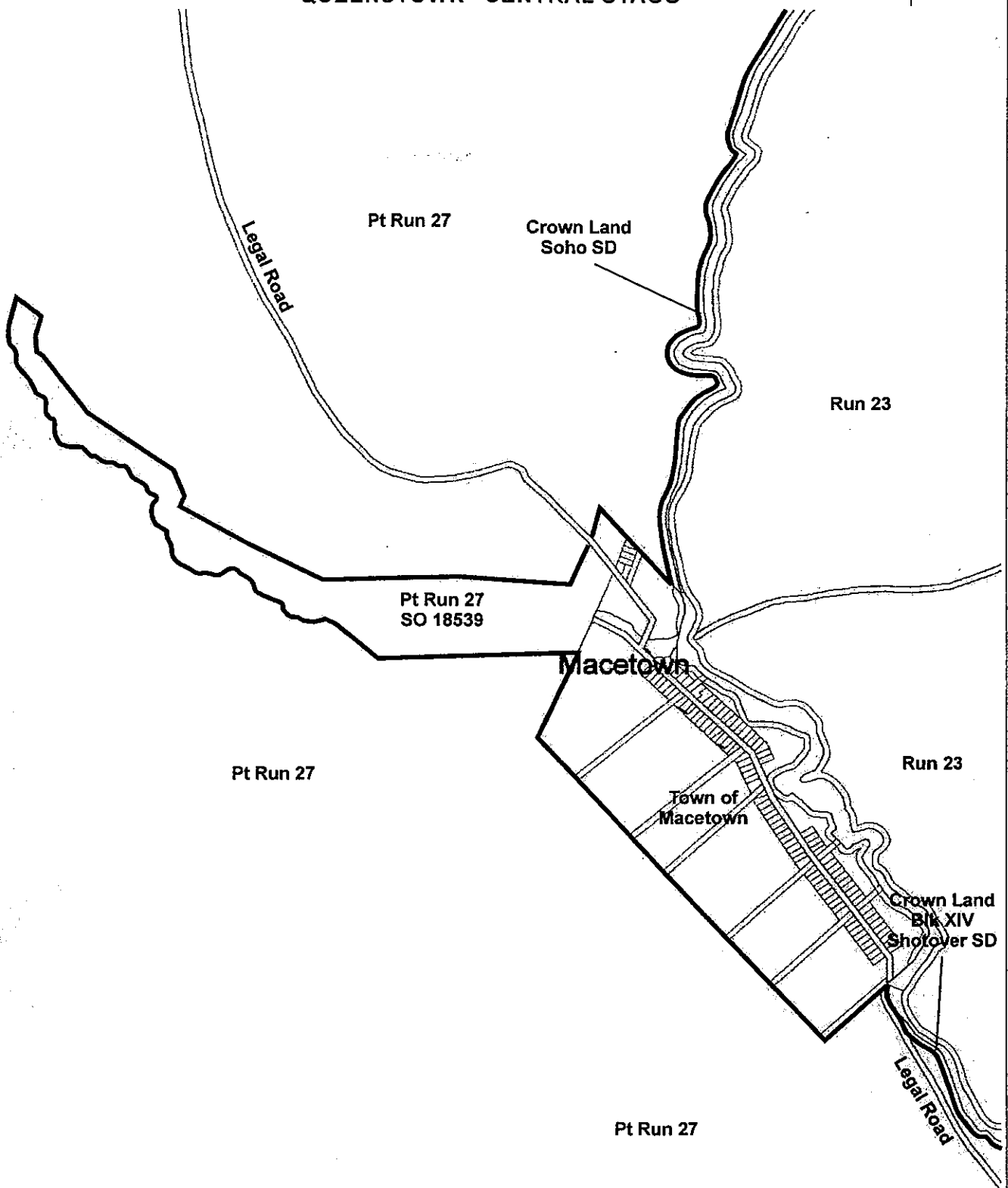
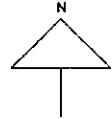
Cadastral Information from LINZ Core Record System (CRS). Crown Copyright Reserved

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 Scale - 1:27,500

**PASTORAL LEASE BOUNDARY**  
 [Subject to Part IV, Sections 24(3) and 24(9)  
 of Conservation Act 1987.]

**DTZ** John McMecking  
 DTZ Mapping, Dunedin  
 03 474 0571  
 31.07.2002

**Map 5**  
**CORONET PEAK PASTORAL LEASE**  
**CT A2/1228**  
**QUEENSTOWN - CENTRAL OTAGO**



Cadastral Information from LINZ Core Record System (CRS). Crown Copyright Reserved

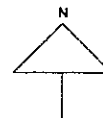
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**PASTORAL LEASE BOUNDARY**  
[Subject to Part IV, Sections 24(3) and 24(9)  
of Conservation Act 1987.]

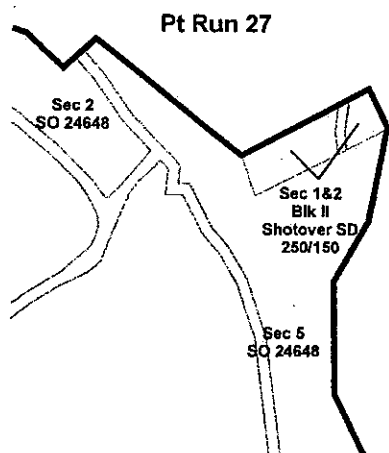
**DTZ** John McMecking  
DTZ Mapping, Dunedin  
03 474 0571  
16.07.2002



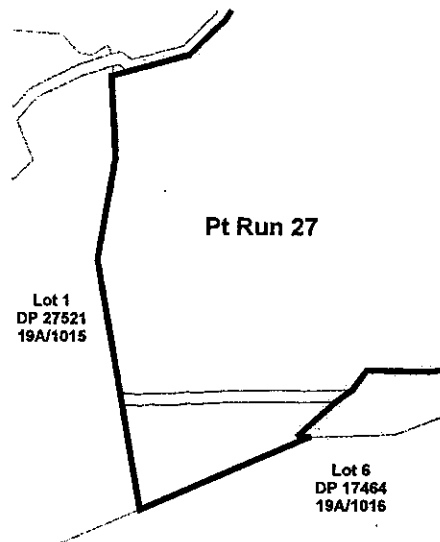
**Map 6 - 9**  
**CORONET PEAK PASTORAL LEASE**  
**CT A2/1228**  
**QUEENSTOWN - CENTRAL OTAGO**



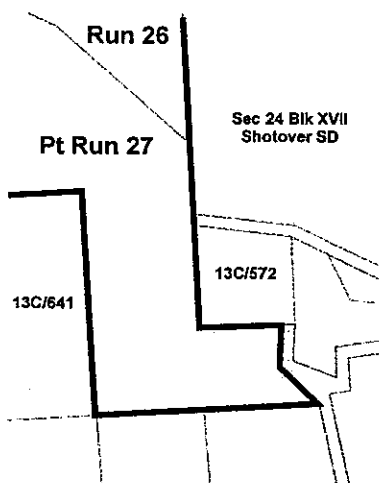
**Map 6**



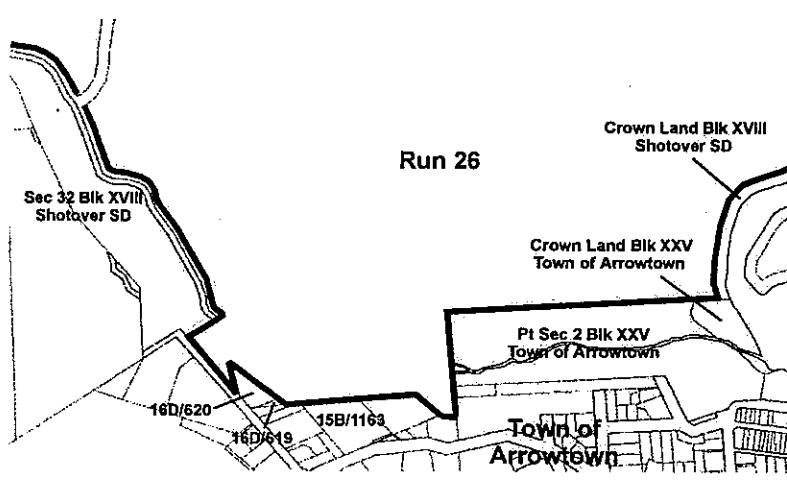
**Map 7**



**Map 8**



**Map 9**



Note: Maps are not to scale

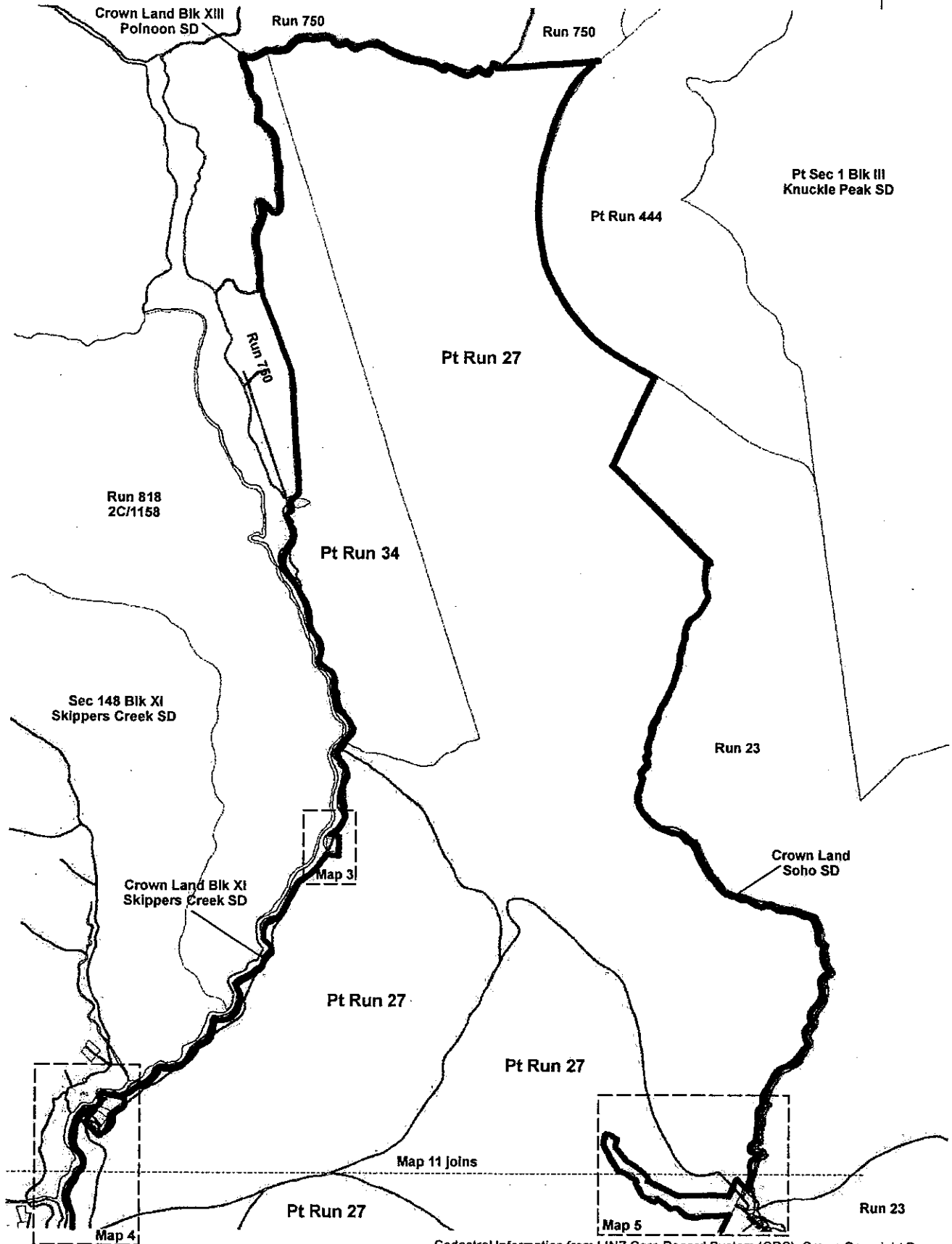
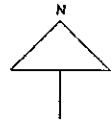
Cadastral Information from LINZ Core Record System (CRS).  
 Crown Copyright Reserved

**PASTORAL LEASE BOUNDARY**  
 [Subject to Part IV, Sections 24(3) and 24(9)  
 of Conservation Act 1987.]

**DTZ** John McMecking  
 DTZ Mapping, Dunedin  
 03 474 0571  
 16.07.2002



**Map 10 Cadastral**  
**CORONET PEAK PASTORAL LEASE**  
**A2/1228**  
**QUEENSTOWN - CENTRAL OTAGO**

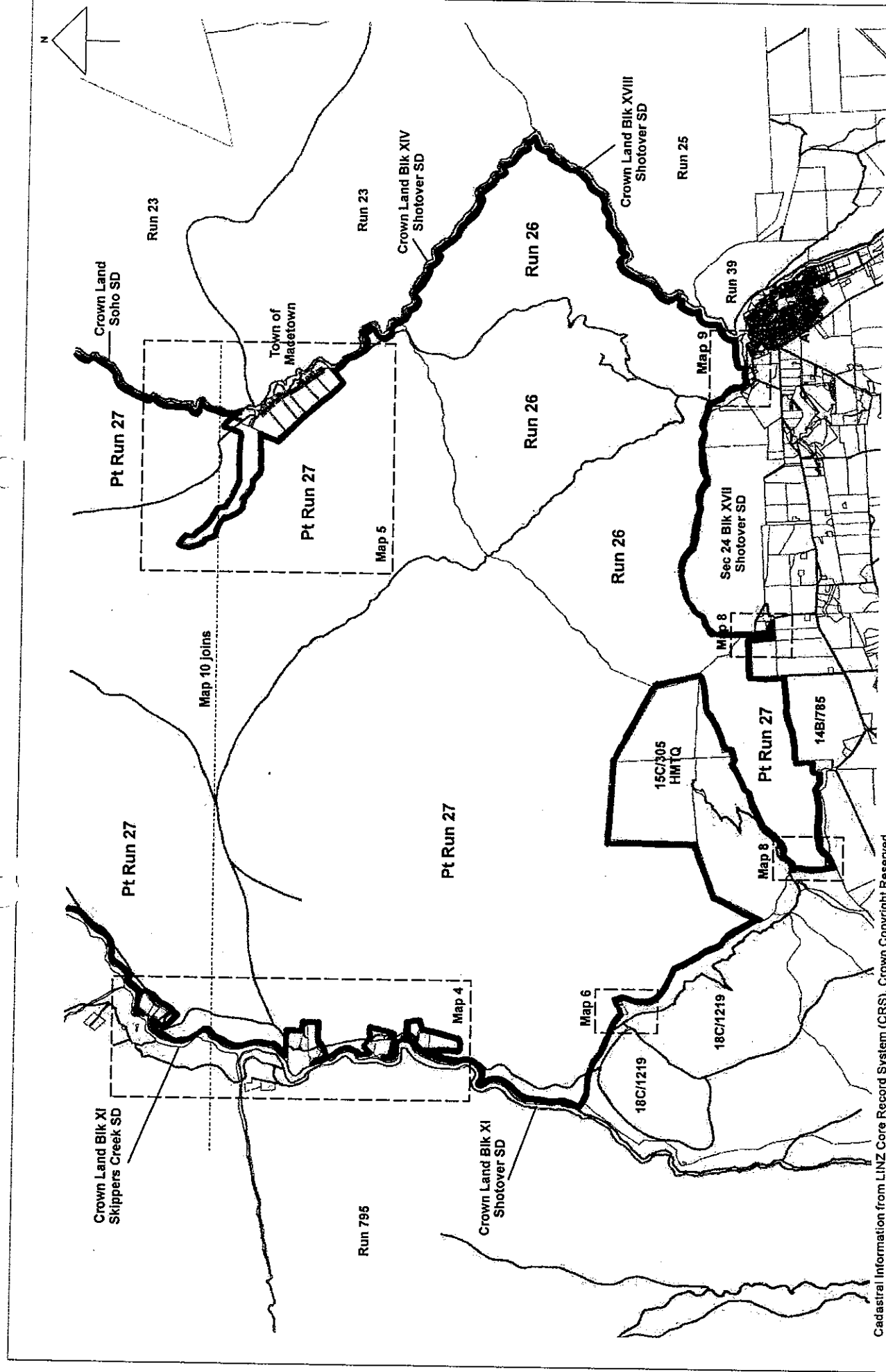


Cadastral Information from LINZ Core Record System (CRS). Crown Copyright Reserved

0 1 km 2 km 3 km 4 km 5 km

**PASTORAL LEASE BOUNDARY**  
[Subject to Part IV, Sections 24(3) and 24(9)  
of Conservation Act 1987.]

**DTZ** John McMecking  
DTZ Mapping, Dunedin  
03 474 0571  
16.07.2002



**Map 11 Cadastral**  
**CORONET PEAK PASTORAL LEASE**  
**A2/1228**  
**QUEENSTOWN - CENTRAL OTAGO**

**PASTORAL LEASE BOUNDARY**  
 [Subject to Part IV Sections 24(3) and 24(9) of Conservation Act 1987.]



Cadastral Information from LINZ Core Record System (CRS). Crown Copyright Reserved

**DTZ**  
 John McMeeking  
 DTZ Mapping, Dunedin  
 03 474 0571  
 16.07.2002

|   |          |           |           |  |
|---|----------|-----------|-----------|--|
| <b>LAND STATUS REPORT for CORONET PEAK</b>                    |          |           |           | <i>[LIPS ref.12716]</i>  |
| <b>Property</b>   | <b>1</b> | <b>of</b> | <b>10</b> |  |
| <b>Research Data: <i>Some Items may be not applicable</i></b> |          |           |           |  |
| <b>Property</b>   | <b>1</b> | <b>of</b> | <b>10</b> |  |
| SDI Print Obtained  |          |           |           | Yes  |
| NZMS 261 Ref  |          |           |           | E41, F40 and F41.  |
| Local Authority   |          |           |           | Queenstown Lakes District Council.   |
| Crown Acquisition Map   |          |           |           | Kemp Deed of Purchase.   |
| SO Plan   |          |           |           | <p>SO 6606 (1877) - Defines part Run 26 Shotover Survey District.</p> <p>SO 11746 (1953) - Defines land to be taken, being part Run 27 Block XVI Shotover Survey District.</p> <p>SO11850 (1953) - Defines land taken for a recreation reserve.</p> <p>SO13501 (1964) - Defines plan of Part Run 27 Block XVI Shotover Survey District.</p> <p>SO13616 (1965) - Defines plan of Run 737 being formerly part Run 27.</p> <p>SO13845 (1966) - Defines Runs 749 and 750.</p> <p>SO 14537 (1878) - Defines land in Town of Macetown.</p> <p>SO 14538(1878) - Defines land in Town of Macetown.</p> <p>SO18539 (1976) - Defines part Runs 27.</p> <p>SO18612 (1977) - Defines Section 1 Block XVI Shotover Survey District.</p> <p>19599 ((1980) - Defines plan of Mining Application No. 32454.</p> <p>SO20216 - (1982) - Defines plan of part Mining Application No. 32/1317.</p> <p>SO20941 (1984) - Defines Mining Licence Application Nos 32/1900 and 32/1740.</p> <p>SO21055 (1984) - Defines road to be stopped.</p> <p>S0 23813(1992) - Defines Run 26 and part Runs 27 &amp; 34 and Marginal Strips.</p> |
| Relevant Gazette Notices                                      |          |           |           | Proc 5864 ( Closed Road Adjoining)<br>GN 470180(Closed Road adjoining)   |
| CT Ref / Lease Ref  |          |           |           | Balance CIR OT A2/1228.  |
| Legalisation Cards  |          |           |           | Please refer to the attachments to this report.  |
| CLR   |          |           |           | <p>The Crown Land Register records the following:</p> <p>Run 26 Not Used.</p> <p>Run 27 Not Used.</p> <p>Run 34 Not Used.</p> <p>Section 1-4, Block II, Sections 1-10, Block III, Sections 1-6, Block IV, Sections 1-14, Block V, Sections 1-6 Block VI, Sections 1-15, Block VIII, Sections 1-4, Block IX, Sections 1-10, Block X, Sections 1-10, Block XI, Sections 1-9, Block XII, Sections 1-9, Block XIII.</p>  |

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|  | <p>SO Plan Nos 14537, 14538, 18612, 18539.<br/>Area: 144.8545 hectares.</p> <p>Gazette Notice: 1979/1978: Reserved for historic purposes.<br/>1979/1382: Taken for a reserve<br/>1980/812: Classified as a reserve</p> |
| Allocation Maps (if applicable)  | A check of the SOE/DOC/UCL Allocation Maps and schedules revealed no allocations within the boundaries of the lease.   |
| VNZ Ref - if known<br><br>Crown Grant Maps   | <p>29073/001 and 29072/146.</p> <p>The Crown Grant Maps for the Town of Macetown, Shotover, Skippers Creek, Soho and Polnoon Survey Districts did not identify Runs 26, 27 and 34.</p>                                 |
| <b>If subject land Marginal Strip:</b><br><br>(a) Type [Sec 24(9) or Sec 58]<br><br>(b) Date Created<br><br>(c) Plan Reference | <p>(a) Section 24(9) of The Conservation Act 1987.</p> <p>(b) 1 January 1991</p> <p>(c) SO 23813. (Please refer to the attached plan).</p>   |

|  |          |           |           |                         |
|--|----------|-----------|-----------|-------------------------|
| <b>LAND STATUS REPORT for CORONET PEAK</b> |          |           |           | <b>[LIPS ref.12716]</b> |
| <b>Property</b>                            | <b>1</b> | <b>of</b> | <b>10</b> |                         |

**Research – continued**

|   |          |           |           |   |
|---|----------|-----------|-----------|---|
| <b>Property</b>   | <b>1</b> | <b>Of</b> | <b>10</b> |   |
| <b>If Crown land - Check Irrigation Maps.</b>                             |          |           |           | N/A   |
| <b>Mining Maps</b>  |          |           |           | There are currently no granted permits or applications for permits within the boundaries of the pastoral lease in the National Mining Index. However, there are several permit for alluvial gold purposes over the riverbeds adjoining the area.  |
| <b>If Road</b>  |          |           |           |   |
| a) Is it created on a Block Plan - Section 43(1)(d) Transit NZ Act 1989   |          |           |           | (a) Crown Grant and Section 110A Public Works Act 1928.   |
| b) By Proc  |          |           |           | (b) N/A.  |
| c) Plan No  |          |           |           | (c) SO Plan Nos 13616,13845 and 21055   |
| <b>Other Relevant Information</b>   |          |           |           |   |
| a) Concessions - Advice from DOC or Knight Frank.                         |          |           |           | (a) The attached DOC plan illustrates numerous areas of public conservation land forming an enclave into or adjoining the lease. In particular, the Macetown Historic Reserve (F41128), which adjoins the lease, is a significant piece of public conservation land. There are a number of recreation/tourism concessions over this land.<br><br>Conservation unit F41123 which adjoins the lease to the south is the Coronet Peak Recreation Reserve. There are a number of concessions over this land. However, they do not affect this lease.<br><br>Numerous marginal strips adjoin or form an enclave into the lease. These are well shown on the attached plan. |
| b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998. |          |           |           | (b) Subject to Part 9 of The Ngai Tahu Claims Settlement Act 1998.  |
| c) Mineral Ownership  |          |           |           | (c) Coal and minerals are owned by the Crown because the land has never been alienated since its acquisition for settlement purposes from the former Maori owners under the Kemp Deed of Purchase (1848).<br><br>Contained in (provide evidence) : CT No 337/51 being the earliest lease issued after the establishment of Runs in the Otago Land District.   |
| (d) Other Information   |          |           |           | (1)The area in CT No OT A2/1228 of 22,344.7329  |

|  |   |
|--|---|
|  | is incorrect and should read 22,211.1843 hectares<br>(Please refer to the attached reconciliation).<br>(2)The legal description as shown on CT No. OT<br>A2/1228 is incorrect and should read as follows:<br>Run 26, part Run 27 and part Run 34 situated in<br>Shotover, Skippers Creek, Soho and Polnoon<br>Survey Districts. |
|  |   |

## DTZ NEW ZEALAND

This land status report has been prepared on the instruction of Land Information New Zealand in terms of the contract number 50268 dated September 2001 and is undertaken for the purposes of the Crown Pastoral Land Act 1998.

|  |          |           |           |                         |
|--|----------|-----------|-----------|-------------------------|
| <b>LAND STATUS REPORT for CORONET PEAK</b> |          |           |           | <b>[LIPS ref.12716]</b> |
| <b>Property</b>                            | <b>2</b> | <b>of</b> | <b>10</b> |                         |

|                     |  |
|---------------------|--|
| Land District       | Otago  |
| Legal Description   | Sections 32 and 86 Block XI Skippers Creek Survey District.  |
| Area                | 7.2540 hectares.   |
| Status              | Fee Simple.  |
| Instrument of lease | All OT 101/86.   |
| Encumbrances        | NIL.   |
| Mineral Ownership   | The Certificate issued in lieu of a grant under CT No 101/86 pursuant to The Lands Act 1885 to Mr T Hardy on 4 September 1894 did not make any reference to excluding coal and minerals. Also the Land Act of 1892 did not reserve minerals to the Crown. Therefore, the minerals were included in CT No. 101/86 and remain with the fee simple owner. |
| Statute             | Land Transfer Act 1952.  |

|                          |              |
|--------------------------|--------------|
| Data Correct as at       | 31 July 2002 |
| [Certification Attached] | Yes          |

|                        |                 |
|------------------------|-----------------|
| Prepared by            | Murray Bradley  |
| Crown Accredited Agent | DTZ New Zealand |

### CORONET PEAK RESEARCH - Property 2 of 10

|   |          |
|---|----------|
| 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 | NIL. N/A |
|---|----------|

|   |   |           |           |                         |
|---|---|-----------|-----------|-------------------------|
| <b>LAND STATUS REPORT for CORONET PEAK</b>                    |   |           |           | <b>[LIPS ref.12716]</b> |
| <b>Property</b>   | <b>2</b>  | <b>of</b> | <b>10</b> |                         |
| <b>Research Data: <u>Some Items may be not applicable</u></b> |   |           |           |                         |
| <b>Property</b>   | <b>2</b>  | <b>of</b> | <b>10</b> |                         |
| SDI Print Obtained  | Yes   |           |           |                         |
| NZMS 261 Ref  | E41.  |           |           |                         |
| Local Authority   | Queenstown Lakes District Council.  |           |           |                         |
| Crown Acquisition Map   | Kemp Deed of Purchase.  |           |           |                         |
| SO Plan   | SO 6925 (1876) defines Sections 32 and 86, Block XI Skippers Creek Survey District. |           |           |                         |
| Relevant Gazette Notices                                      | N/A   |           |           |                         |
| CT Ref / Lease Ref  | All OT 101/86.  |           |           |                         |
| Legalisation Cards  | N/A.  |           |           |                         |
| CLR   | N/A   |           |           |                         |
| Allocation Maps (if applicable)                               | N/A   |           |           |                         |
| VNZ Ref - if known  | N/A   |           |           |                         |
| Crown Grant Maps  | N/A   |           |           |                         |
| <b>If subject land Marginal Strip:</b>                        |   |           |           |                         |
| (a) Type [Sec 24(9) or Sec 58]                                | (a) N/A   |           |           |                         |
| (b) Date Created  | (b) N/A   |           |           |                         |
| (c) Plan Reference  | (c) N/A   |           |           |                         |



|  |          |           |           |                  |
|--|----------|-----------|-----------|------------------|
| <b>LAND STATUS REPORT for CORONET PEAK</b> |          |           |           | [LIPS ref.12716] |
| <b>Property</b>                            | <b>2</b> | <b>of</b> | <b>10</b> |                  |

**Research -- continued**

|   |          |           |           |   |
|---|----------|-----------|-----------|---|
| <b>Property</b>   | <b>2</b> | <b>Of</b> | <b>10</b> |   |
| If Crown land - Check Irrigation Maps.                                    |          |           |           | N/A   |
| Mining Maps   |          |           |           | N/A   |
| <b>If Road</b>  |          |           |           |   |
| a) Is it created on a Block Plan - Section 43(1)(d) Transit NZ Act 1989   |          |           |           | (a) Crown Grant and Section 110A Public Works Act 1928.   |
| b) By Proc  |          |           |           | (b) N/A.  |
| c) Plan No  |          |           |           | (c) N/A.  |
| <b>Other Relevant Information</b>   |          |           |           |   |
| a) Concessions - Advice from DOC or Knight Frank.                         |          |           |           | (a) N/A.  |
| b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998. |          |           |           | (b) N/A.  |
| c) Mineral Ownership  |          |           |           | (c) The certificate issued in lieu of a grant under CT No. 101/86 pursuant to The Lands Act 1885 to Mr T Hardy on 4 September 1894, did not make any reference to excluding coal and minerals. Also the Land Act of 1892 did not reserve minerals to the Crown. Therefore, the minerals were included in CT No. 101/86 and remain with the fee simple owners. |
|   |          |           |           | Contained in (provide evidence)<br>CT 101/86 (September 1894)   |
| (d) Other Information   |          |           |           | NIL.  |