

Crown Pastoral Land Tenure Review

Lease name : Dalrachney Station

Lease number : PO 292

Due diligence report (including status report)

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.

Copied October 2002

**DUE DILIGENCE REPORT
TO THE
COMMISSIONER OF CROWN LANDS**

KF: Po292/1 **LINZ REF:** **CASE NO:**
Lease Name Dalrachney *Lessee:* Dalrachney Station (1982) Limited

Location:

Dalrachney Station is located 22 kms from the township of Omarama alongside State Highway 8. The homestead is located at the bottom of the Lindis Pass on the Canterbury side. The property extends from the state highway westward to the Lindis River and contains most of the catchment of Smith's Creek and the easterly faces of Longslip Creek.

Date of this Report:

30 October 1999

Lease Details:

Land Tenure: Pastoral lease under Section 66 of the Land Act 1948. Lease No Po292.

Legal Description: Part Run 732 Blocks III and IV Lindis Survey District, Block VI Ahuriri Survey District and Longslip Survey District and Section 2 Block VI Ahuriri Survey District being all the land contained in Instrument of Title Crown Lease 1C/1066 and Certificate of Title 155/13 (*Otago Registry*).

(See Summary of lease section for situation of CT 155/13)

Area: 7965.6291 hectares

Term: 33 years from 1 July 1997 to 30 July 2030

Rental Value: \$300,000

Annual Rent: \$4500 (*plus GST*)

Date of Next Review: 30 June 2008

Lease Stock Limit: 4200 Sheep including not more than 1,100 breeding ewes.
50 Breeding cows

Personal Stock Limit: 7600 Wethers
 120 Cattle including not more than 50 breeding cows.
 50 Deer

Block Limits: None

Land Status Report Summary:

A Land Status Report prepared by approved person attached. We note that the boundaries plotted on the Status Check maps are different from the current fenced boundaries in a number of areas. Some of these may impact on tenure review.

Summary of Features from Topographical and Cadastral Data:

- No transmitter sites are shown as present.
- National Grid Power transmission lines cross the property for a very short distance along the flats adjacent to the Lindis Pass State Highway near the actual pass, and near the homestead.
- No marginal strips are shown as existing along any of the major waterways on the property (*Longslip and Smiths Creeks*). See file search section for further details.
- The majority of the property is boundary fenced except along the upper Lindis Pass State Highway on the Pass Block and the surrendered Scenic Reserve at the top of the Pass. Stock still have access to the Scenic Reserve and highway.
- The lease has only one major legal road affecting it, being the Lindis Pass State Highway (*SH 8*). This is a major public route being tar sealed and double fenced along its lower section, but as mentioned above, is unfenced near the pass summit.
- No paper roads are shown on any other section of the lease.
- Within the lease no historic sites are shown.
- The Proposed District Plan of the Waitaki District Council has no sites marked or issues that would affect the tenure review process.

Summary of Lease Document:

The legal description, base stock limit and commencement date of the pastoral lease on Crown records held by Knight Frank are in agreement with the lease document CL 1C/1066 (*Otago Registry*).

The situation of the status of CT 155/13 containing section 2 Block VI Ahuriri Survey District (*originally pre-emptive right D - application 6957 changed by appellation*) is complex.

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At lease renewal in 1963 the Land Settlement Board determined:

"That pursuant to Section 125 (3) Land Act 1948, Run 235B Ahuriri, Longslip and Lindis Survey Districts and pre-emptive right D of Run 235 be determined as pastoral land suitable for disposal on pastoral lease." (Folio 289 Volume III).

A file alteration sheet (Folio 308 Volume III) shows the incorporation of this into the new description and area of the lease. The map of CL 1C/1066 also shows it included. A search of CT 155/13 however shows that this Certificate of Title was never cancelled and it is shown as separate title on the current Cadastral map. It also is subject to the Ngai Tahu Claims Settlement Act 1998.

It appears that the land has two overlapping instruments of title or alternatively the original incorporation into CL 1C/1066 was not finalised.

The boundary of the lease as contained in the lease document and the Status Check map shows a variance in many areas from the actual fenced boundaries that exist. Significant differences along the boundary with Mount Thomas and on the boundary of the Lindis River exist. The small reserve (Section 1 Block XVI Longslip Survey District) is currently fenced into the property. (See attachment 8 map for known variations of boundary).

No special covenants exists on the lease.

The title has two Memorials related to boundary adjustments. A change occurred between Breast Hill Station in the area of Puketika where Dalrachney surrendered 1680 acres to give a better boundary and 190 ha was surrendered for Scenic Reserve at the top of the Lindis Pass.

No roading alterations of State Highway 8 along Longslip Creek have been registered to date. (From files however it is known that alterations are currently being undertaken that will result in a Compensation Certificate being registered).

Noteworthy entries include:

CL 1C/1066:

350900 Part of the within Run is now known as Run 780 Block II Lindis Survey District and Longslip Survey District.

352765 Surrendered as to part (1680 acres) being Run 732 Block II Lindis Survey.

District and Longslip Survey District.-13March 1970. (Boundary adjustment Breast Hill - NB the reference to Run 732 is a documentation error as at surrender the run number had been changed to Run 780 by 350900 as above).

Part Run 732 Block III Lindis survey District is now known as section 1 Block III Lindis Survey District (198.71 ha) - 3 March 1975.

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- 448818 Surrendered (*the part hatched in black*) as to the part Sections 1 and 2 Block III Lindis Survey District herein.(190.81 ha) - 23 October 1975 (*Lindis Pass Scenic Reserve*).
- 58711/1 Memorandum of Variation of the within lease varying the terms, covenants and conditions of the within lease, - 3 December 1982 (*Variation controlling share transfers, residence on the lease, and liability of shareholders and managers*).
- 587111/2 Transfer to Dalrachney Station (1982) Limited - 3 February 1982.
- 947011.1 Variation and extension of the term of the within lease to 1 July 2030 - 29 April 1998. (*Renewal with no additional covenant conditions*).

CT 155/3:

This instrument of title contained eight separate pre-emptive right parcels of fee simple estate held by the Crown associated with eight separate runs. Seven were incorporated into pastoral licences and their Certificate of Titles cancelled. The pre-emptive right (P R D - application 6957) associated with Dalrachney is the only remaining un-cancelled Certificate of Title.

Relevant entries are:

Pre emotive Right D (*application 6957*) herein is now known as Section 2 Block VI Ahuriri Survey District (*4.6539 hectares*) - see appellation 649736/2.

921357.1 subject to Part 9 of the Ngai Tahu Claims Settlement Act 1998 (*which provides for certain disposals relating to land to which this Certificate of Title relates to be offered for purchase or lease to Te Runanga o Ngai Tahu in certain circumstances*) - 28 January 1999.

No mining or prospecting permits, access easements, compensation certificates, or farm plan legal agreements exist on the lease document.

Details of any Neighbouring Crown or Conservation Land:

Smiths Creek and Longslip Creek are not identified as having a marginal strip. (*See file search section for further details.*)

A small reserve (*Section 1 Block XVI Longslip Survey District - 2.1575 ha*) alongside the state highway 2 km south of the homestead is held by the Department of Conservation but is currently fenced into the lease. No identified specified use was found for this reserve area, but some file references suggest it may have been taken for a roadside rest purposes. A similar area opposite the homestead adjacent to Longslip Creek is currently maintained for this purpose.

The Lindis Pass Scenic Reserve bounds the lease near the summit of the pass. Part of this reserve (*190.81 ha*) was surrendered from the Dalrachney lease in 1975. The reserve is unfenced and stock graze the area. A long history exists related to stock on the state highway, desirability of fencing and landscape issues.

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The property was assessed under the Protected Natural Areas Programme but none of identified RAP areas (3) have any legal status.

No other Crown land or conservation reserves are known to exist.

File Search:

The property records (*both those held by Knight Frank Alexandra and LINZ Dunedin and Christchurch*) have been searched and all folios recorded by volume, folio number, date, content summary, and categorised into four general categories (*title related/unimproved data/conservation/lease administration*). Hard copy of these are held on Crown files held by Knight Frank Alexandra (*See Attachment 2 for details*).

The first two volumes of files containing 190 folios pre 1941 were not available for search. With the exception of some folio numbering jumps (*date sequences are continuous*) and a very few missing folios the balance of the records are complete. Confidence is held that all important data has been searched.

The property was run by the Aubrey family members since 1942 and companies controlled by them since 1957. Most file data is related to company issues of running the property in conjunction with other runs (*Glencairn, Berwin*), approval of managers, residence on the property and stock transfer between them. No significant issues have been identified. In 1982 the family association of companies was split up and lease transferred to the current owner W J Aubrey (*Rick*) under Dalrachney Station (1982) Limited.

Notable aspects from the search include:

Marginal Strips:

At lease renewal in 1961 a full investigation was undertaken into marginal s requirements on the property. From initially recommending reserves on parts of Smiths Creek and East branch of the Lindis River (*often referred to as Lindis Burn*), it was eventually concluded that none were required (*see folios 294 and 295*). No response could be found on file to a later request to the Chief Surveyor at lease renewal in 1995 for marginal strip requirements (*Folio 643*). ***This is a uncompleted action.***

The section of land transferred to Breast Hill at Puketika is shown on the Cadastral map as having a marginal strip along the Lindis Burn, but it does not enter the lease area.

Boundary Adjustments:

At lease renewal in 1961 some minor boundary adjustments were made with Morven Hills Station at the top of the Lindis Pass and closed road sections incorporated. A surrender of 1680 acres of land to Breast Hill Station in the area of Puketika to give a better boundary was completed in 1970. See summary of lease document section for confusion about the actual boundary against the Lindis River.

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Lindis Pass Scenic Reserve:

190.81 ha was surrendered out of the lease to form part of the Lindis Pass Scenic Reserve in 1975. Approval was granted by the Land Settlement Board at the same time to lease back the land (*under Section 29 Reserves and Domains Act 1953*) for a period of 5 years with no cultivation, burning, tree planting or oversowing restrictions (*Folio 385*). This was not issued and the omission noted in 1982 when DoC was asked if the licence should be issued. They requested it not be issued pending completion of the PNA survey (*Folio 470*). No evidence on file can be found that the licence was ever issued and the reserve area continues to be grazed as part of the Pass Block. The reserve is unfenced from the Pass Block and despite much correspondence and debate about stock having access to the highway and the undesirability from landscape impact of a fence, remains so. *This is deemed to be an uncompleted action.*

Landscape Preservation - Compensation:

Resulting from an application from the lessee to oversow and top dress the Pass Block in 1984 lengthy negotiations were undertaken to prevent this to protect landscape values. Surrender of the area and releasing back with non-development clauses plus compensation payment was proposed. Mainly valuation issues were argued over the next three years. The Land Settlement Board finally withdrew from negotiations in 1986 leaving its final offer on the table. An approach was made by DoC in 1993 along similar lines to protect the area but nothing appears to have eventuated.

No further progress was made but it appears the oversowing was never undertaken.

Unauthorised Tracking:

Two unauthorised sections of tracking were established (*Top Bush 1982 and Top Forks Block 1986*). These were investigated and reprimand letters sent.

Road Realignment:

CCL approval has been recently given (*9 August 1999*) for Transit New Zealand to realign the state highway in two sections affecting the lease. The work is currently being undertaken. A Compensation Certificate against the Instrument of Title is expected to be registered.

Official Information Requests:

This property has been the subject to a request from B Mason (*Federated Mountain Clubs*). No omissions of response were identified.

Two uncompleted actions have been identified.

Government Approved Programmes Approved for Lease:

One Waitaki Catchment Commission Run Plan has been carried out on the lease (*1983 - 1986*) involving three erosion control fences. The legal agreement for this programme was never registered on the instrument of title. Little change in grazing management appears to have been adopted. No retirement of land was involved.

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No implications are seen for tenure review.

The property was not involved in the Rabbit and Land Management Programme.

Uncompleted Actions and Potential Liabilities to the Commissioner:

The following have been identified.

- (1) The cancellation of CT 155/33 (*originally pre-emptive right D - application 6957*) after incorporation into CL 1C/1066 at 1964 renewal was not carried out or conversely the incorporation was not completed correctly. Action regarding this needs to be completed by Land Information New Zealand. CT 155/33 has a Ngai Tahu Claims Settlement memorial registered against it that will have to be removed. *A draft letter to the District Land Registrar is attached.*
- (2) From file a Compensation Agreement under the Public Works Amendment Act is about to be registered on the Instrument of Title for current road alterations. The implications of this were identified at the time an Transit New Zealand were asked to complete all public works actions by 1 July 2000. *A copy of letter sent appended.*
- (3) No reply from a request to the Chief Surveyor for marginal s requirements on the property made on 1 May 1995 has been received. *Knight Frank will again write seeking clarification of requirements.*
- (4) A Land Settlement Board condition of surrender of the Lindis Pass Reserve from the lease in 1975 was the issue of a 5 year grazing licence under Section 29 Reserves and Domains Act 1953. This was never been done but the lessee has continued to graze the area for the past 24 years (*without rent*). No right of renewal was included in the original proposal so the issue is not considered relevant and should not affect tenure review.
- (5) The position of fence lines in relation to legal boundaries show a wide variation in many areas. Important differences, that could affect tenure review, exist along the full boundary with Mount Thomas and along the Lindis River. Verification of correct boundaries by a surveyor appears warranted. (*See attachment 8 map for areas of known variation*).
- (6) Memorial 352765 on the lease is incorrect and should be amended to avoid further confusion. It should at least be brought in line with the surrender Document (*ie, described as "part Run 732 Block II Lindis Survey District*) even though a new appellation as Run 780 had been registered prior. (*A draft letter to the District Land Registrar is attached*).

Of the above issues only the cancellation of CT 155/33 and the definition of the legal boundaries have the potential to interfere with tenure review or have liability to the Commissioner.

We are satisfied that we have fulfilled our duty of reasonable care, using the information we have available, to inform the Commissioner of all incomplete action and potential liabilities concerning the above named lease. No inspection of the lease has been undertaken.

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Signed for Knight Frank (NZ) Limited

P. R. Davis
 Consultant 15 / 11 / 99

[Signature]
 Manager 15 / 11 / 99

Approved/Declined

 Commissioner of Crown Lands / /

ATTACHMENT 1:

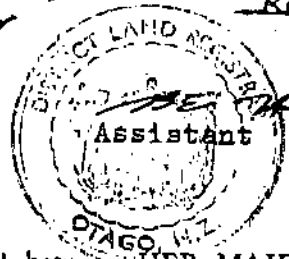
- (1) Recent title search for each tile considered.
- (2) Full list of information sources considered.
- (3) Land Status Check report from qualified person.
- (4) Memorials of Variation of Lease (58711/1 and 947011.1).
- (5) Incorporation of PRD into CL 1066/1 action sheet (folio 308).
- (6) Marginal strip investigation (folios 294, 295, 643).
- (7) Lindis Pass Reserve - grazing licence background (folio 387, 470).
- (8) Correspondence re road alignment (folio 682).
- (9) Map showing boundary deviations.
- (10) Memorandum of Partial Surrender (352765).
- (11) Draft Letter to District Land Registrar.

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IC 1066

REGISTERED IN THE LAND REGISTER ACT 1948 NOT UNDER THE LAND TRANSFER ACT.

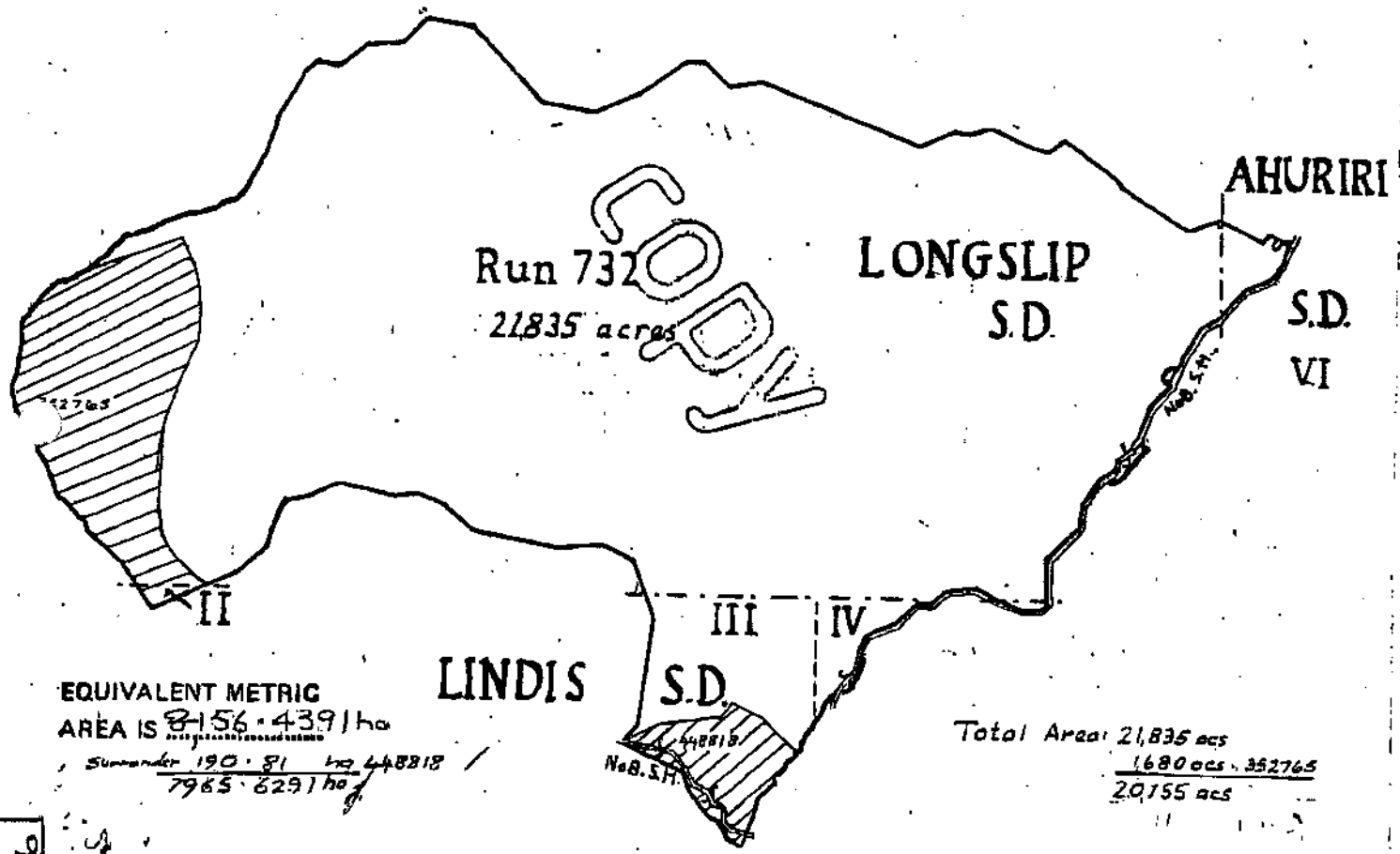
Pastoral Lease under the Land Act 1948



Assistant Land Registrar

This Deed, made the 1st day of March 1964 between HER MAJESTY THE QUEEN (hereinafter referred to as "the Lessor") of the one part, and DALRACHNEY STATION LIMITED a duly incorporated company having its registered office at Oamaru

(hereinafter referred to as "the Lessee"), of the other part: WITNESSETH that, in consideration of the rent hereinafter reserved, and of the covenants, conditions, and agreements herein contained and implied, and on the part of the Lessee to be paid, observed, and performed, the Lessor doth hereby demise and lease unto the lessee, all that parcel of land containing by estimation 21,835 acres more or less, situated in the Land District of Otago, and being Run 732, Blocks II, III, IV, Lindis Survey District, Block V, Ahuriri Survey District and Longslip Survey District as the same is more particularly delineated with bold black lines on the plan hereon; together with the rights,



EQUIVALENT METRIC AREA IS 8156.4391 ha
Sum of 190.81 ha 448818
7965.6291 ha

Total Area: 21,835 acs
1680 acs 352765
20155 acs

Scale: 100 chains to an inch.

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S.O. 13487

No. IC 1066

casements, and appurtenances thereto belonging. TO HOLD the said premises intended to be hereby demised unto the Lessee for the term of 33 years, commencing on the 1st day of July 1964, together with the period between the date of this lease and the aforesaid 1st day of July 1964, YIELDING an annuity therefor unto the Department of Lands and Survey at Dunedin the annual rent of £ 260 : 0 : 0 payable without deduction by half-yearly payments in advance on the 1st day of January and the 1st day of July in each and every year during the said term. AND also paying in respect of the improvements specified in the Schedule hereto the sum of £ _____ by a deposit of £ _____ (which has already been paid) and thereafter by half-yearly instalments of £ _____ on the 1st day of January and the 1st day of July in each and every year.

26.10.99

AND the Lessee doth hereby covenant with the Lessor as follows:

1. THAT without derogating from or restricting the covenants contained and implied in this lease and on the part of the Lessee to be performed or complied with the Lessee will not at any time during the said term depasture on the land hereby demised more than 4,200 sheep which number shall not include more than 1,000 breeding ewes nor more than ~~with which number shall not include more than~~ 50 breeding cows PROVIDED HOWEVER that the Lessee may with the prior written consent of the Land Settlement Board carry such additional stock on such terms and conditions as may therein be specified subject nevertheless to the right of the Land Settlement Board to revoke or vary such consent at any time.
2. That the Lessee will at all times farm the land hereby demised in a manner to promote soil conservation and prevent erosion and will comply with the provisions of the Soil Conservation and Rivers Control Act 1941.

AND it is hereby agreed and declared by and between the Lessor and Lessee:

THAT pursuant to the provisions of the Noxious Animals Act 1956 officers and employees of the New Zealand Forest Service and other authorised persons shall at all times have a right of ingress, egress and regress over the land comprised in this lease for the purpose of determining whether such land or any adjoining land is infested with deer, wild goats, wild pigs, opossums or other animals which the said Service is charged with the duty of exterminating or controlling, or for the purpose of destroying any such animals: Provided that such officers, employees and other authorised persons in the performance of the said duties shall at all times avoid undue disturbance of the Lessee's stock.

AND it is hereby declared and agreed that these presents are intended to take effect as a Pastoral Lease of pastoral land under section 66 of the Land Act 1948, and the provisions of the said Act and of the regulations made thereunder applicable to such leases shall be binding in all respects upon the parties hereto in the same manner as if such provisions had been fully set out herein.

COPY

SCHEDULE OF IMPROVEMENTS BELONGING TO THE CROWN

Nil

Assistant

In witness whereof the Commissioner of Crown Lands for the said Land District, on behalf of the Lessor, has hereunto set his hand, and these presents have also been signed by the said Lessee.

Assistant

Signed by the said Commissioner on behalf of the Lessor, in the presence of—

Witness: E. H. Torrick
 Occupation: Work Lands & Survey Dept.
 Address: Dunedin.

[Signature]
 Assistant Commissioner of Crown Lands.

Signed by the above-named Lessee, in the presence of—

Witness: _____
 Occupation: _____
 Address: _____

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421871 Electricity Agreement under Electricity Agreement Act 1948 - 21.12.1980 at 2.27 pm

587111/3 Mortgage to the Rural Banking and Finance Corporation of New Zealand - 21.12.1982 at 2.27 pm

[Handwritten signature]
A.L.R.

DISCHARGED
587111/4 Mortgage to the Rural Banking and Finance Corporation of New Zealand - 3.12.1982 at 2.27 pm
[Handwritten signature]
A.L.R.

35090 Part of the within lease is now known as Run 780 Block II, Survey District and Longslip Survey District. 26.10.99

610382 Variation of Mortgage 587111/3 - 27.2.1984 at 11.09 am
[Handwritten signature]
A.L.R.

352765 Surrendered as to part (1680 acres) being Run 732 Block II Lindis Survey District and Longslip Survey District. 13.3.1970 at 9.34 am

628104 Variation of Mortgage 587111/3 - 21.12.1984 at 11.41 am
[Handwritten signature]
A.L.R.

Part run 732 Block III Lindis District is now known as Section 1 Block III Lindis District (198.77ha) 3.3.1970 at 1.53 pm
See New Appellation 437147

67970/7. Variation of Mortgage 587111/3 - 27.1.1988 at 10.10 am
[Handwritten signature]
A.L.R.

448818 Surrendered as to Sections 1 & 2 Block III Lindis Survey District (498.74ha) - 23.10.1975 at 11.05 am
(190-81ha)

734642/2 Mortgage to Wrightson Farmers Finance Limited - 11.1.1986 at 9.42am
[Handwritten signature]
A.L.R.

DISCHARGED
11.1.1986
[Handwritten signature]
A.L.R.

534186 Mortgage to The Rural Banking and Finance Corporation of New Zealand - 8.5.1980 at 11.05 am
[Handwritten signature]
A.L.R.

881905 Variation of Mortgage 734642/2 - 11.5.1995 at 9.25am
[Handwritten signature]
A.L.R.

551104/1 Mortgage to Australian Mutual Provident Society - 18.3.1981 at 10.36 am
[Handwritten signature]
A.L.R.

932310/2 Mortgage to ASB Bank Limited - 1.7.1997 at 9.00am
[Handwritten signature]
A.L.R.

551104/2 Memorandum of Priority ranking mortgage 551104/1 as a first mortgage and mortgage 534186 as a second mortgage - 18.3.1981 at 10.36am
[Handwritten signature]
A.L.R.

947011.1 Variation and extension of the term of the within lease to the 1.7.2030 29.4.1998 at 1.30
[Handwritten signature]
A.L.R.

563422 Statutory Land Charge pursuant to Section 26 of the Rural Housing Act 1981 - 10.1.1981 at 11.5 am
[Handwritten signature]
A.L.R.

DISCHARGE OF MORTGAGE
10.1.1981
[Handwritten signature]
A.L.R.

587111/1 Memorandum of variation of within lease varying the terms covenants and conditions of within lease - 3.12.1982 at 2.27 pm
[Handwritten signature]
A.L.R.

587111/2 Transfer to Dalrathney Station (1982) Limited - 3.2.1982 at 2.27 pm
[Handwritten signature]
A.L.R.

147066
PIL
CCT
18 AUG 1964
10-25
1:5
Abstract No. 257

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The Common Seal of DeWachney Station Limited was hereunto affixed
in the presence of:

26. 10. 99



W. J. G. G. G. Director
W. J. G. G. G. Secretary

SECRET

COPY

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Form B

155/13

Reference: Vol. 155 folio 13
Transfer No.

Register-book
Vol. 155, folio 13

CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT.

This Certificate, dated the twenty first day of August one thousand nine hundred and twelve, under the hand and seal of the District Land Registrar of the Land Registration District of Waikato His Majesty being then the Governor

in regard of an estate in fee-simple (subject to such reservations, restrictions, covenants, easements, liens, and incumbrances as are notified by memorial order written or intimated herein, subject also to any existing rights of the Crown to take and lay off lands under the provisions of any Act of the General Assembly of New Zealand) in the land hereinafter described, of the same is defined by the plan hereunto heretofore sent to be the several measurements a little more or less, that is to say: All that parcel of land containing 68,998.99 acres, being the whole of the land contained in the sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 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Pre-emptive Rights on
Runs Nos 235, 236, 237 & 238

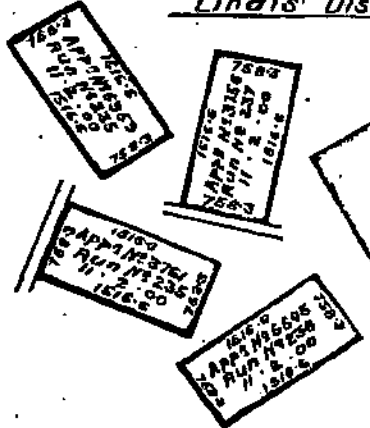
Ahuriri Dist.

EQUIVALENT METRIC
AREA IS 68.9989 ha

4-6539 ha
(649736/2)



Lindis Dist.



App No 3760

Run No 235

32.0.00

THIS REPRODUCTION (ON A REDUCED SCALE)
CERTIFIED TO BE A TRUE COPY OF THE
ORIGINAL REGISTER FOR THE PURPOSES OF
SECTION 155A LAND TRANSFER ACT 1952.

Pre-emptive Right D (Application 6957)
herein is now known as Section
Block VI Ahuriri Survey District
(4 6539 hectares)
See Re-Appellation 649736/2

Lower Havelock Dist.

Wakefield Dist.



Scale 10 chains to an Inch

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

26.10.99

BALANCE REMAINING
AREA: 4:6529 ha
DESCRIPTION: Sec 2 Blk VI
Murici SD

961357.1 Subject to Part 9 of the Ngai Tahu Claims Settlement Act 1998 (which provides for certain disposals relating to land to which this Certificate of Title relates to be offered for purchase or lease to Te Runanga o Ngai Tahu in certain circumstances)
28.1.1999 at 9.38

[Signature]
for DLR

COPY

Pre-emptive Right (Application 3761) herein is now known as part Run 679 and included in Pastoral Licence 338/22

Pre-emptive Right (Application 3759) herein is now known as part Run 820 and included in Pastoral Lease 338/74

Pre-emptive Right (Application 6959) herein is now known as part Run 675 and included in Pastoral Lease 338/71

Pre-emptive Right (Application 5505) herein is now known as part Section 3 Block XIII Lindis Survey District and included in Pastoral Licence 338/100

COPY

Pre-emptive Right (Application 3760) herein is now known as part Run 235A and included in Pastoral Lease 386/122 and part Run 235D and included in Pastoral Lease 3A/513

Pre-emptive Right (Application 27C) herein is now known as part Section 29 Block II Wakefield Survey District and included in Renewable lease 167/72

Pre-emptive Right (Application 3756) herein is now known as part Run 675 and included in Pastoral Lease 338/71

Pursuant to Section 42 Land Act 1948 the within Certificate of Title is cancelled as to Pre-emptive Rights in Applications 3761, 3759, 6859, 5505, 3760, 27C and 3756

[Signature]
for RGL

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OFFICIAL INFORMATION ACT

ATTACHMENT 2:

List of Information Sources Considered

(1) Instrument and Certificate of Title:

Instrument of Title CL 1C/1066 - (*Otago Registry*)
Certificate Of Title 155/13 (*Otago Registry*) pre-emptive Right D

(2) Crown files for Pastoral lease Po292:

Held by Knight Frank Alexandra

Volume 3 (*opened 24 March 1941 Folios 190 - 325, last entry 19 November 1965.*)
Volume 4 (*opened 6 December 1969 Folios 326 - 492 last entry 9 November 1982.*)
Volume 5 (*opened 22 November 1982 Folios 493 - 598 last entry 17 March 1987.*)
Volume 6 (*opened 30 October 1987 Folios 599 - 686 last entry 14 October 1999.*)

LINZ Christchurch

CPLO411/12554 (*opened 1 March 1997 Folios 1 - 10 last entry 13 October 1998.*)

LINZ Dunedin

5200/D14/D03/DNO (*opened 28 February 1997 Folios 1 - 6 last entry 11 April 1996.*)

(3) Cadastral Maps:

NZMS 261 G39 Lake Hawea
G40 Lindis

(4) Topographical Maps:

NZMS 260 G39 Lake Hawea
G40 Lindis

(5) Department of Conservation Reserve Maps held in Twizel

(6) Proposed District Plan - Waitaki District Council

L. 8 - B. 3

MEMORANDUM OF VARIATION OF LEASE/LICENCE

IN THE MATTER of the Land Transfer Act 1952 and the Land Act 1948 and
IN THE MATTER of Lease/License No. P 292
registered in Volume IC, folio 1066,
Otago Land Registry, from Her Majesty the Queen to DALRACHNEY STATION LIMITED
a company incorporated under the Companies Act 1955 and having its registered office at Oamaru

The covenants conditions and restrictions contained or implied in the above-mentioned Lease/License registered in Volume IC, folio 1066 Otago Land registry, are hereby varied as follows:

1. That should the lessee/licensee with the consent of the Land Settlement Board, transfer, sublet or otherwise dispose of his interest in the land affected by the said lease/license or any part thereof to a company incorporated under the Companies Act 1955, then the following provisions shall apply:
 - (a) The provisions of section 89 of the Land Act 1948, shall apply to all transfers and other dispositions of shares in such company as if such shares were interests in the said land and no share or shares in such company shall be transferred or otherwise disposed of by any shareholder without the consent of the Land Settlement Board.
 - (b) The provisions of the Land Act 1948, with regard to residence shall continue to be applicable to the said lease/license notwithstanding the transfer or other disposition to such company provided however that such provisions shall be deemed to be complied with by such company only if and when there resides on the said land a person who manages the land on behalf of such company and who has been approved in writing for that purpose by the Land Settlement Board.
 - (c) A breach by the company or by any shareholder of all or any of the provisions of subclauses (a) and (b) hereof shall be deemed to be a breach of the covenants conditions and restrictions contained in the said lease/license entitling the lessor/licensee to exercise all or any of the powers conferred upon her by the said lease/license in such circumstances.

2. Save as hereby expressly varied all the covenants conditions and restrictions contained or implied in the said Memorandum of Lease/License shall remain in full force.

~~I, the lessee/licensee of the premises hereinunto subscribed their names this~~ _____ day of _____

Dated the 18 day of November 1982

SIGNED by the Assistant Commissioner of Crown Lands for the Land District of Otago

acting for and on behalf of Her Majesty the Queen in the presence of:

J.R. Gleave
Assistant Commissioner of Crown Lands.

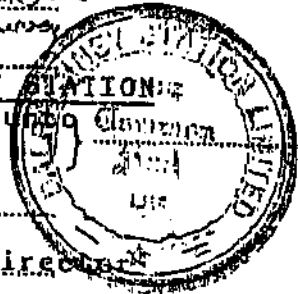
Witness: _____

Occupation: Clerk Department of Lands

Address: Dunedin

THE COMMON SEAL OF DALRACHNEY STATION LIMITED

Witnessed by the said LIMITED was hereunto subscribed and affixed in the presence of:



Witness: _____

Occupation: Director

Address: _____ Director

~~Correct for the purposes of the Land Transfer Act.~~

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Assistant Commissioner of Crown Lands.

CERTIFICATE OF ALTERATION

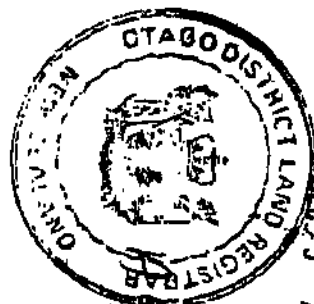
HER MAJESTY THE QUEEN { Lessor.
Licensor.

..... { Lessee.
Licensee.

Particulars entered in the Register on the date and at the time recorded below.

District Land Registrar of the
Assistant

District of



RELEASED UNDER THE
ACCESS TO INFORMATION ACT

RECEIVED
FEB 27 2 27 PM '82
DISC. 14/1066
START

5871111

**MEMORANDUM OF RENEWAL AND VARIATION
OF PASTORAL LEASE**

IN THE MATTER of the Land Act 1948

AND

IN THE MATTER of Pastoral Lease No P292 registered in
Volume 1C Folio 1066 Otago District
Land Registry from **HER MAJESTY
THE QUEEN** to **DALRACHNEY
STATION (1982) LIMITED**

- (1) Pursuant to Section 170 of the Land Act 1948 the term of the abovementioned lease registered in Volume 1C Folio 1066 Otago Land Registry is renewed for a term of 33 years commencing on the 1st day of July 1997. The covenant to pay rent and the rental value contained in the lease is hereby varied by deleting the said covenant and substituting the following:

Yielding and paying therefore for the first 11 years of the said term unto the Commissioner of Crown Lands (or his Agent) the annual rent of \$4,500.00 plus GST calculated on a rental value of \$300,000.00 payable without demand by equal half yearly payments in advance on the first day of January and the first day of July in each and every year during the said period of 11 years and for the next two successive periods of 11 years of the said term a rent determined in respect of each of those periods in the manner provided in Section 132A of the Land Act 1948.

Save as hereby expressly varied all the covenants conditions and restrictions contained or implied in the said Memorandum of Lease shall remain in full force.

UNDER THE
INFORMATION ACT

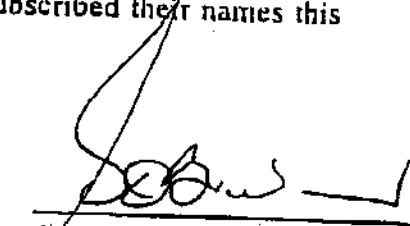
RM

ALC/PH

[Signature]

IN WITNESS WHEREOF the parties have hereunto subscribed their names this
22nd day of July 1997

SIGNED for and on behalf of HER MAJESTY)
THE QUEEN by the Commissioner of Crown)
Lands in the presence of:)




Commissioner of Crown Lands

S. D. BROWN
COMMISSIONER OF CROWN LANDS
LAND INFORMATION NZ.
WELLINGTON

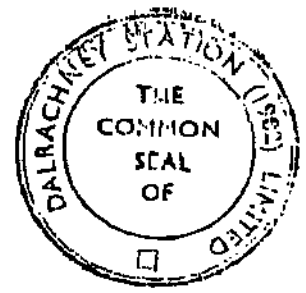
Witness: 

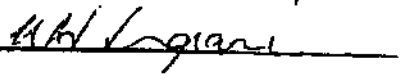
Occupation: LYNETTE PORTER
TEAM MEMBER
Address: NATIONAL OFFICE,
LAND INFORMATION NZ.
WELLINGTON

EXECUTED by **DALRACHNEY STATION**)
(1982) LIMITED by affixing its common)
seal in the presence of:)



RICHARD JOHN AUBREY
Governor
Director



Witness 

Director/Secretary

NOELINE HAZEL INGRAM
Oamaru
Legal Executive

**MEMORANDUM OF RENEWAL OF
PASTORAL LEASE**

Particulars entered in the
Register as shown herein on the date
and at the time stamped below.

HER MAJESTY THE QUEEN Lessor

District/Assistant Land Registrar
of Otago

**DALRACHNEY STATION
(1982) LIMITED** Lessee

FILE COPY

1.30 22 APR 93

9 47 04 11

PARTICULARS ENTERED IN REGISTER



KNIGHT FRANK (NZ) LIMITED
ALEXANDRA

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

ALTERATION in Area and Description of Pastoral Lease

Less... sec: Dalrathney Station Ltd.

Prev Description of Land: Part Run 235b, Part Run 679, Preemptive Right "D" of Run 235b and Closed Road Block II, III, IV Lindis S.D. Block VI Ahuriri S.D. and Longslip S.D.

Area: ~~21835~~ 21833 - 3 - 0

Rating Authorities: Waitaki & Vincent Counties

Full Details of Alteration

New Description

Run 732 Blocks II, III, IV Lindis S.D., Block VI Ahuriri S.D. and Longslip S.D.

Area: 21835 aacs.

S.O. 13487.

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

Reason and Authority for Alteration

Area recalculated on compiled Plan.

New Run number allocated to facilitate further action
see L.S.B. approval folio: 289.

J 13 No. _____

Prepared by: [Signature] 15/5/64. Checked by: [Signature] 15/5/64

ACTION REQUIRED:

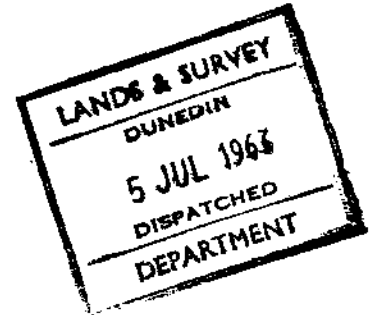
LEASES SEC.:	ACCOUNTS DIV.:	TITLES SEC.:	RECORDS SEC.:
G. 13	Ledgers:	Documents:	File
C.L. Regr.	C./register:	Insurance:	Index

PR. 1862

C.C.L. Dunedin.

5 July 1963

P.L.O. Siewwright, Timaru.



DALRACHNEY STATION LTD

I refer to previous correspondence.

Recently I requested the Chief Surveyor to calculate the areas which will be lost by providing for Riverbank Reserves as recommended in your report.

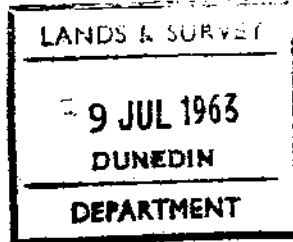
The Chief Surveyor submits, however, that from his knowledge of the locality the average width of the streams would probably be less than 10 feet. Also he submits that it may possibly not be in the public's interest to provide for Riverbank Reserves as the streams would hardly be fishing streams and to lay off the 1 chain strips may simply be a nuisance to lessee in creating a fire risk and stock disturbances should the public have rights to access. The other point the Chief Surveyor raised was that no immediate practical purpose would be served if reserves were provided over some portions of the recommended streams as the public at present would have no access to get on to the reserves.

Your comments on these points would be appreciated. If in fact the streams have an average width of more than 10 feet it is necessary for me to obtain the consent of the Minister to waive the provision of the reserve *should you consider such reserves unnecessary*

C.K. Eville
Commissioner of Crown Lands

Per: *[Signature]*

*BM of
27/7/63
IRT*



TIMARU.

3th July, 1963.

The Commissioner of Crown Lands,
DUNEDIN.

DALRACHNEY STATION LTD.

I refer to yours of 5th July, 1963.

My comments on the points you request are:

(1) AVERAGE WIDTH OF STREAMS:

My assessment of this is by eye only and the Chief Surveyor could well be right that the average width be less than 10'. However, I would query this on the Lindis Burn (not the others I mention) I have not been through the gorge between Dalrachney and Brest Hill, but I think from memory there is a debatable average width of 10' and more upstream from the gorge.

(2) PUBLIC INTEREST:

I agree unconditionally with the Chief Surveyor here (I'm not a fisherman). Further to this a chain strip through a gorge such as this could be hard to define.

(3) I agree with the Chief Surveyor's third point of no immediate practical purpose in reserves without access.

CONCLUSION:

Your staff and the Chief Surveyor's staff may be more familiar than I with the Lindis Burn Main stream which is the only one I would say was an average of 10' in width beyond the gorge. The others I mentioned could well be not 10' in average width.

Thus the only one I question is the Lindis Burn main stream which I rode along for a stretch over 5 years ago and again saw from a ridge in July 1962.

Stock disturbance could be a big factor along these streams; also fire risk.

I do not know if there are reserves lower down the Lindis Burn.

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OFFICIAL INFORMATION ACT

*copy sent to
C.C.*

H. M. D. Cameron
Pastoral Lands Officer.

EXPIRES
9 JUL 1963

*We will not worry about reserves.
Sense should issue over whole area.
No need to advise H.O.*

NB

*Sm
1/7/63*

Ref: P292

1 May 1995

The District Manager/Chief Surveyor
Department of Survey & Land Information
Box 896
DUNEDIN

Dear Sir

MARGINAL STRIPS ON PASTORAL LEASE RENEWAL

I wish to advise that the following pastoral lease expires on 30 June 1997.

LEASE NUMBER:	P292
LEASE NAME:	Dalrachney
LESSEE:	Dalrachney Station (1982) Ltd
TITLE REF:	1C/1066
LEGAL DESCRIPTION:	Part Run 732, Block IV Lindis Survey District, Block VI Ahuriri and Longlip Survey District and Run 780 Block II Lindis Survey District.

As we intend effecting the renewal by memorandum could you please advise this office at your early convenience of any requirements regards marginal strips. Could you please also advise of any other title requirements which you believe should be attended to at this time.

Yours faithfully



for Manager, Alexandra

REPLY TO:

Manager
Landcorp
Box 27
ALEXANDRA

Dear Sir

MARGINAL STRIPS - P292

Marginal Strips are required, details attached.
Marginal Strips are not required.

Other title work is required, details attached.
No other title work is required.

for District Manager/Chief Surveyor
/ /

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OFFICIAL INFORMATION ACT

8/96, P.29

Stewart

70.650

896,

DUNEDIN.

10 January 1974

Mr. W. J. Aubrey,
Dalrathney Station Ltd.,
OMARAMA.

Dear Mr. Aubrey,

PROPOSED RESERVE : LINDIS PASS

I refer to my letter of 9 February 1973 regarding the surrender of approximately 140 hectares (340 acres) from your Pastoral Lease. The Minister of Lands has now formally approved the reservation of this area together with a similar area of Mervin Hills. Formal approval has also been given to the surrendering of the area from your Pastoral Lease. The area will be surrendered subject to a reduction in the Annual Rental of \$12 and the stock limitation in the lease being reduced by 100 sheep. Your personal stock limitation, which will include grazing the area surrendered, will not change.

Approval has been given pursuant to Section 29 Reserves and Domains Act 1953 to the area surrendered being leased back to you for a term of five years from 1 January 1974 at an annual rental of \$5. The lease will be subject to the conditions that no cultivation, no planting or oversowing and no burning will be permitted on this area.

Would you please now advise that you accept the surrender and new lease on the above conditions.

Yours faithfully,

E. J. Davies
Commissioner of Crown Lands

per:




P292

13/69.

Chief Ranger

In the early 1970s approval was given to surrender approx 140 ha from pastoral lease 292 and this land was subsequently reserved as part of the Kintla Pass Biome Reserve. At the same time approval was given to lease the land back to the leasee (now R.S. Aubrey-Dobson Pty Ltd) for a term of 5 years from 1/1/74. Annual rent \$5. Lease subject to no cultivation, no planting or over-sowing and no burning will be permitted.

Unfortunately issue of the licence was overlooked and this situation should be rectified. Before any further action is taken however would you please confirm that a licence should be issued. Provided you agree I will ask the ASAO to cover the rental.

Relevant folios 390, 387 and 385 of D 292
203 and 103 of 13/69.

JCS

26/3/82

~~W.P.P.P.P.~~ At this stage I do not favour issuing of a grazing licence over this reserve. Refer my report of 27/4/82 on 3/721. I consider DSIR should be requested to comment on grazing, whether useful as a management tool or not, if it is, to what degree, how frequently etc. Please ask DSIR to supply a report ASAP in such a manner that it can be part of the proposed biological survey report referred to in 3/721.

Refer folio 479.

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OFFICIAL INFORMATION ACT

Perrett
JR

28/4/82



Our Ref: **Po292**

30 August 1999

The Manager
Montgomery Watson
P O Box 4
DUNEDIN

LAND RESOURCES DIVISION

Knight Frank House
41 - 43 Tarbert Street, Alexandra
Telephone: (03) 448 6935
Facsimile: (03) 448 9099

ATTENTION: SIMON BEALE

Dear Sir

RE: DALRACHNEY REALIGNMENT

I wish to advise that the Commissioner of Crown Lands has approved the consent applications for the above works being considered as a Non-Notified Application.

This approval is subject to:


- (1) All Public Works Act actions being completed by 1 July 2000.
- (2) The contractors taking all necessary measures to prevent new weed species being introduced to the construction site, and that Transit monitor the site for 10 years after construction and control any introduced weeds identified.
- (3) A Compensation Certificate is to be registered against the leases.

The Commissioner has advised that the consent of Crown Property Clearances is required to the statutory process.

I attach a Certificate for the Resource Consent applications.

Please contact me if you require further information.

Yours faithfully
KNIGHT FRANK (NZ) LIMITED


K R Taylor
Manager, Alexandra

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OFFICIAL INFORMATION ACT

cc The Property Group, P O Box 923, DUNEDIN Attention: Doug Miller

Corporate Offices

Auckland
Wellington
Christchurch

13 Offices Nationwide

International

Australia
Belgium
Botswana
China
France
Germany

Hong Kong
India
Italy
Japan
Malawi
Monaco

Nigeria
Portugal
Singapore
South Africa
Spain
Sweden

Tanzania
The Netherlands
United Kingdom
United States
of America
Zimbabwe

Postal Address:

P O Box 27, Alexandra

Knight Frank (NZ) Limited
(An LPL Group Company)

INTERNATIONAL PROPERTY CONSULTANTS

FENCED BOUNDARY VARIATIONS

MARCH 1991

Variation between

OPUS/TERRESTRIAL MAPS

and file as to whether

River or Ridge is

Legal Boundary

"Kongslip"



See Sheet 2 of 6
Report 10 of 8

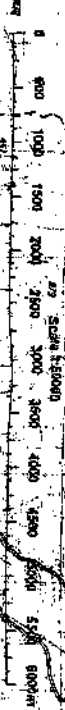
FENCED
BOUNDARY
by Hun 732
Report 10 of 8

See Sheet 4 of 6

See Sheet 2 of 6
Report 10 of 8

See Sheet 5 of 6

Mamam Hills



Dairachney Station

Vertical	1	2	3	4	5
Diago Land District					
NZMS 260 G99 & G40					
Sheet 3 of 6					
Date 14/4/1991					

UNDER THE
INFORMATION ACT

DECLARATION OF PARTIAL SURRENDER

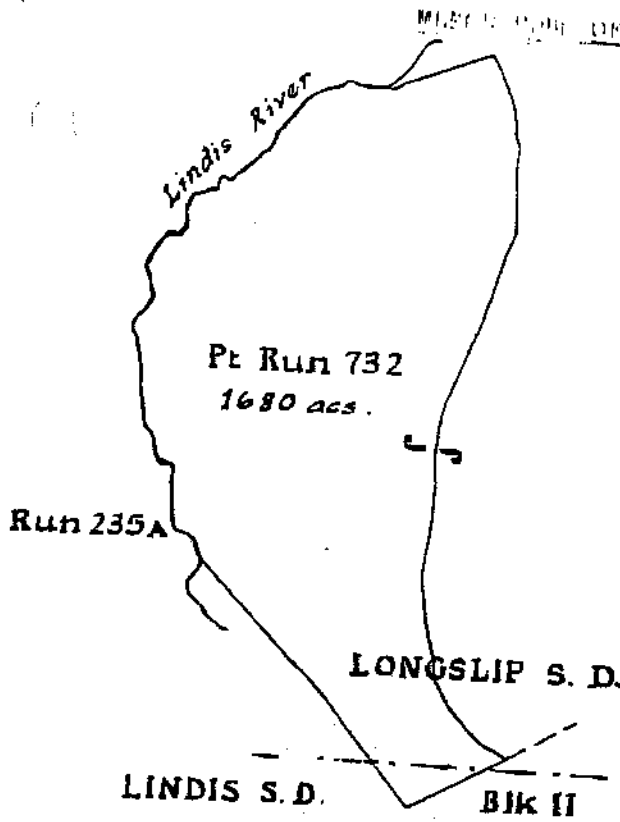
IN THE MATTER of the Land Transfer Act 1952

AND

IN THE MATTER of the Land Act 1948 and its Amendments

AND

IN THE MATTER of Pastoral Lease No. P292 under the Land Act 1948 of ALL that piece of land situated in the Otago Land District, containing 21,835 acres, more or less, being Run 732, Blocks II, III, and IV Lindis Survey District and Block VI, Ahuriri and Longslip Survey Districts and being the whole of land comprised and described in the aforesaid Pastoral Lease recorded in Register Book, Volume IC, Folio 1066.



Scale: 50 chains to an inch
S.O. 16802.

DALRACRNEY STATION LIMITED, a duly incorporated company having its registered office at Oamaru the lessee under the abovementioned Lease DOES HEREBY SURRENDER in terms of Section 145 of the Land Act 1948 all its estate and interest as such lessee in all that piece of land containing 1680 acres, being part Run 732, Block II, Lindis Survey District, and Longslip Survey District as the same is more particularly delineated by the plan drawn hereon and thereon coloured red in outline in consideration of the Annual Rental under the said lease being reduced to \$483 per annum as from the 15th day of October 1969, and subject to the stock limitation being altered to 4000 sheep (including not more than 1100 breeding ewes) and 40 breeding cows. AND AGREE AND DECLARE THAT all and singular the covenants conditions and agreements of the recited lease expressed and/or implied shall continue in force in respect of the residue of the land henceforth comprised therein as fully and effectually as if such residue of the said land above had originally been comprised therein, and the annual rental originally thereby covenanted to be paid had been only the said sum of \$483 and as if the stock limitation of such residue of the said land had originally been fixed at 4000 sheep (including not more

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1100 breeding ewes) and 40 breeding cows. ALL HEREBY HEREBY AGREE
AND DECLARE that the said surrender shall take effect from the
thirteenth day of October 1969.

THE COMMON SEAL of DALRACHNEY STATION

LIMITED was herewith affixed in the

presence of:

M. J. Bulvey
C. M. M. M. M.



HEREBY ACCEPTED for and on behalf of the said Station
Lessor:

SIGNED by the Commissioner of Crown Lands for the Otago Land District
in the presence of:

Witness: *A. K. Halliday*
Occupation: *Chk. Lands and Survey Dept*
Address: *Dunedin*

[Signature]
Assistant Commissioner of Crown Lands

CORRECT for the purposes of the Land Transfer Act

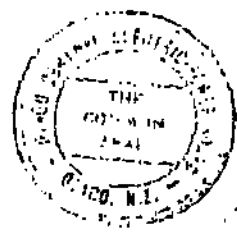
[Signature]
Assistant Commissioner of Crown Lands

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9
17

The Otago Central Electric Power Board the holder of Electricity Agreement Number X21871 DOES HEREBY CONSENT to the aforesaid surrender BUT WITHOUT PREJUDICE to its rights powers and remedies otherwise under or in respect of the said Electricity Agreement or the remainder of the land therein described.

The Common Seal of the Otago Central Electric Power Board was hereto affixed this 26th day of May 1970 in the presence of:



..... Member
..... Secretary

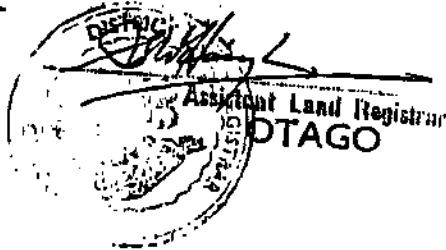
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352765

DEEDS ENTERED IN THE REGISTER
VOL. 1C FOLIO 1066

13 MARCH 1970

AT 9:34 O'CLOCK.

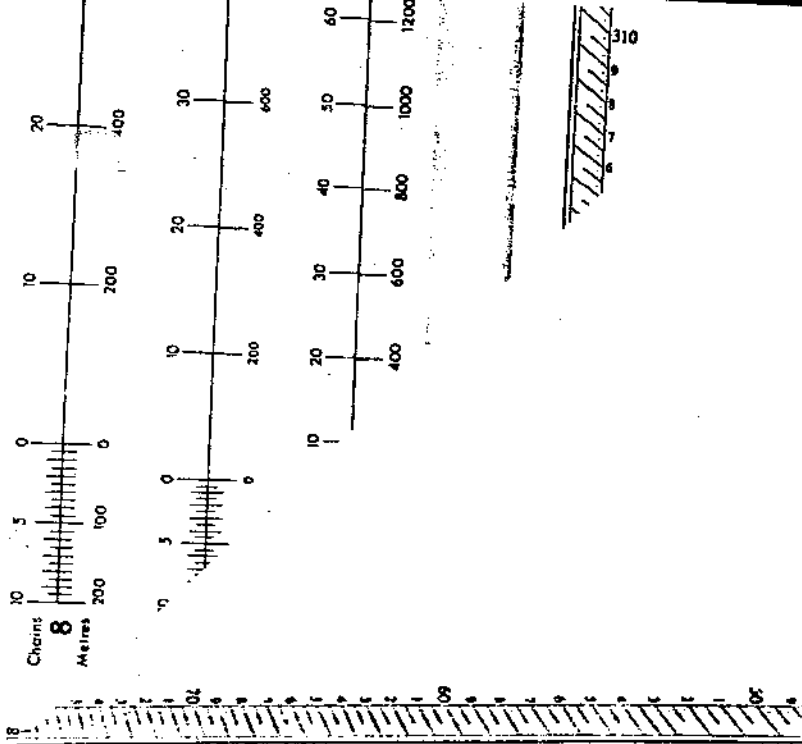


1c/1066

Not Registered under Land Transfer
Act—Registered under Section 83,
Land Act, 1948

1211	DEEDS
Volume:	Pt Surrender
Item:	CCW
	13 MARCH 70
Time:	934
Form:	3
Abstract No.	195

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DRAFT LETTER

Our Ref: Po292

15 November 1999

District Land Registrar
Land Information New Zealand
Private Bag 1929
DUNEDIN

Dear Sir

**RE: CORRECTIONS CROWN LEASE 1C/1066 AND CERTIFICATE OF TITLE
155/33**

As part of the tenure review process for Dalrachney Station we are required to investigate all matters related to the legal title. During this process we have identified two matters that we feel require alteration.

- (1) Memorial 352765 on the CL 1C/10676 is incorrect and should be amended. Reference to Run 732 is a documentation error as at surrender the run number had been changed to Run 780 by a prior Memorial (350900) listed before it.
- (2) According to our files at lease renewal in 1964 a pre-emptive right contained in CT 155/33 was amalgamated into the new lease CL 1C/1066.

The cancellation of the relevant title on CT 155/33 (*being pre-emptive right D - application 6957 - changed by appellation to Section 2 Block VI Ahuriri Survey District*) appears not to have been carried out. Conversely the incorporation of this title into CL 1C/1066 may not have been completed.

Your attention is drawn to what appears to be a dual Instrument of Title.

Yours faithfully

P R Diver
for Manager, Alexandra
KNIGHT FRANK (NZ) LIMITED

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**OPUS INTERNATIONAL CONSULTANTS LIMITED
DUNEDIN OFFICE**

Project number NLI 02 01 055YD



This report has been prepared on the instruction of Land Information New Zealand and is undertaken for the purposes of the Crown Pastoral Land Act 1998.

LAND STATUS REPORT for Dalrachney Station
Property 1 of 3

Land District	Otago
Legal Description	Part Run 732 Blocks II,III,IV, Lindis Survey District, Block VI Ahuriri Survey District and Longslip Survey Districts, and Section 2 Block VI Ahuriri Survey District.
Area	7965.6291 ha.
Status	Crown Land under the Land Act 1948 subject to Pastoral Lease P 292
Instrument of title / lease	C.L. 1C/1066 & CT 155/13 See Report 3 of 3
Encumbrances	None found
Mineral Ownership	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 1848 Kemp Purchase.
Statute	Land Act 1948 & Crown Pastoral Land Act 1998.

Data Correct as at	14/4/99
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Prepared by	John Kirk <i>[Signature]</i>
Crown Accredited Agent	Opus International Consultants Ltd, Dunedin

Certified correct as to status

[Signature]

Max Haydn Warburton
Chief Surveyor
Land Information New Zealand, Dunedin.

11/9/1999

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Notes This information does not affect the status of the land but was identified as may be requiring further investigation at due diligence stage. See Pastoral Standard 6.

1. A field inspection may be required to ascertain if Smiths Creek and Longslip Creek shown on SO 13487 could be subject to Section 24 of the Conservation Act 1987. This aspect may have been satisfied when this lease was renewed in 1997 however I have found no evidence of this. File indicates that the District Manager / Chief Surveyor DOSLI on 1 May 1995 was requested to assess the requirements for Marginal Strips, there is on evidence on file or plan details to indicating that this request has been replied to.

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Research Data: Some Items may be not applicable

Property	1	of	3
SDI Plan Obtained	Yes		
NZMS 261 Ref	G39		
Local Authority	Central Otago District & Waitaki District		
Crown Acquisition Map	Kemp Purchase		
SO Plan	<p>SO 13487 :- Plan of Run 732</p> <p>SO 16902 :- Plan of Run 780 surrendered from Pastoral Lease (surrender Doc. 352765)</p> <p>SO's 2679 & 2691 Plan of Lindis road.</p> <p>SO 16273 :- Plan of Section 2 ,Block IV Ahuriri Survey District.</p> <p>SO 18047 :- Plan of Lindis Pass Scenic Reserve, Section 1, Block III, Lindis Survey District . (Surrendered Doc. 448818)</p>		
Relevant Gazette Notices	Lindis Pass Scenic Reserve By Gaz.1979 p.2756 adjoining this Pastoral Lease		
CT Ref / Lease Ref	<p>CL 1C/1066</p> <p>Prior ref : Formerly contained in Pastoral Lease P.292 (CL 337/60) being part Runs 235B, 679 P.R.D of Run 235B and Closed Road situated in Blocks II,III,IV Lindis , Block VI , Ahuriri and Longslip Survey Districts.</p>		
Legalisation Cards	Legalisation card for SO 18047 not relevant to this report (for adjoining Scenic Reserve)		
Plan Index	SO 17613 is a plan re-defining Mid Hawea State Forest. This forest was adjoining Run 732 as shown on SO 13487 before the area of Run 780 was surrendered from this Pastoral Lease (surrender Doc. 352765 defined on SO 16902)		
CLR	Confirms Pastoral Status.		
Allocation Maps (if applicable)	<p>Checked No allocations to SOE's & Other SOE's</p> <p>Allocation to DOC See report 2 of 3 attached</p>		
VNZ Ref - if known	N/A		
Crown Grant Maps	N/A		

If Subject land Marginal Strip :

a) Type [Sec 24(9) or Sec 58]

b) Date Created

c) Plan Reference

a) See notes page 1. SO 13487 shows Smiths Creek and Longslip Creek as a topographical feature.

b)

c)

Research - continued

Property	1	of	3	
If Crown land - Check Irrigation Maps.				N/A
Mining Maps				No lodged Mining / Exploration or Prospecting Licences.
If Road a) Is it created on a Block Plan - Section 43(1)(d) Transit NZ Act 1989 b) By Proc				a) SO Plan b) Proc Plan c) Gazette Ref

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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

a)

b) Section 2, Block IV, Ahuriri Survey District (CT 155/13) is subject to Part 9 of the Ngai Tahu Claims Settlement Act 1998 (right of first refusal)

c) Either

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 1848 Kemp Purchase.

Contained in [provide evidence].

d)

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**OPUS INTERNATIONAL CONSULTANTS LIMITED
DUNEDIN OFFICE**

Project number NLI 0201 05YD



This report has been prepared on the instruction of Land Information New Zealand and is undertaken for the purposes of the Crown Pastoral Land Act 1998.

LAND STATUS REPORT for Dalrachney Station
Property 2 of 3

Land District	Otago
Legal Description	Section 1, Block XVI, Longslip Survey District SD
Area	2.1575 ha
Status	Stewardship Land held under Section 62 of the Conservation Act 1987. Confirmed by DOC 10 June 1999.
Instrument of title / lease	Not held under any instrument or document.
Encumbrances	None known.
Mineral Ownership	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 Kemp Purchase of 1848.
Statute	Conservation Act 1987.

Data Correct as at	15 April 1999
--------------------	---------------

Prepared by	John Kirk <i>[Signature]</i>
Crown Accredited Agent	Opus International Consultants Ltd, Dunedin

Certified correct as to status

[Signature]
Max Haydn Warburton
Chief Surveyor
Land Information New Zealand, Dunedin.

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11 9 /1999

Notes This information does not affect the status of the land but was identified as may be requiring further investigation at due diligence stage. See Pastoral Standard 6.

The land was allocated to Department of Conservation as D*G39 *02*C0 [Con Unit G39/001]

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Research Data: Some Items may be not applicable

Property 2 of 3	
SDIP: Obtained	Yes
NZMS 261 Ref	G39
Local Authority	Waitaki District
Crown Acquisition Map	Kemp
SO Plan	SO 1387 being a plan of Section 1 Block XVI Longslip SD. (1915)
Relevant Gazette Notices	N/A
OT Ref / Lease Ref	Nothing in LTO
Legalisation Cards	SO 1387 no card.
Plan Index	Not Searched
CLR	L.O.371 Map Camping Reserve Allocate to DOC Note in CLR :- Maintained as a roadside picnic area by M.O.W . Do no dispose of.
Allocation Maps (if applicable)	DOC G39*2
VNZ Ref - if known	N/A
Crown Grant Maps	N/A
If Subject land Marginal Strip : a) Type [Sec 24(9) or Sec 58] b) Date Created c) Plan Reference	a) See report 1 of 3 b) c)

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Research - continued

Property	2	of	3	
If Crown land - Check Irrigation Maps.				N/A
Mining Maps				Not subject to any mining interest [G39]
<p>If Road</p> <p>a) Is it created on a Block Plan - Section 43(1)(d) Transit NZ Act 1989</p> <p>b) By Proc</p>				<p>a) SO Plan</p> <p>b) Proc Plan</p> <p>c) Gazette Ref</p>
<p>Other Relevant Information</p> <p>a) Concessions - Advice from DOC or Knight Frank.</p> <p>b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998</p> <p>c) Mineral Ownership</p> <p>d) Other Info</p>				<p>a)</p> <p>b)</p> <p>c) Either</p> <p><input type="checkbox"/> 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 Purchase.</p> <p><input type="checkbox"/> Contained in [provide evidence].</p> <p style="text-align: right;">RELEASED UNDER THE OFFICIAL INFORMATION ACT</p>

**OPUS INTERNATIONAL CONSULTANTS LIMITED
DUNEDIN OFFICE**

Project number NLI 02 01 055YD



This report has been prepared on the instruction of Land Information New Zealand and is undertaken for the purposes of the Crown Pastoral Land Act 1998.

LAND STATUS REPORT for Dalrachney Station

Property 3 of 3

Land District	Otago
Legal Description	Section 2, Block VI, Ahuriri Survey District. (formerly part Run 732, and Pre-emptive Right D (Application 6957) prior to part Run 732.
Area	4.6539 ha. (11 acres 2 roods 00 perches)
Status	Crown Land subject to a Pastoral Lease under the Land Act 1948
Instrument of title / lease	CT 155/13 Certificate of title (in the name of the Crown) CL 1C/1066 Pastoral Lease (Lessor Dalrachney Station (1982) Limited)
Encumbrances	Subject to Part 9 of the Ngai Tahu Claims Settlement Act 1998 (right of first refusal)
Mineral Ownership	The mines and minerals are Crown Owned. The mines and minerals were contained in CT 155/13 as the original grant did not reserve these to the Crown. They were however transferred to the Crown when it acquired the land by Transfer under the provisions of a prior Land Act . The acquisition of the land by the Crown was not for a public work within the definition of the Public Works Act 1981. Therefore the transfer of land was of the full fee simple rights including the mines and minerals.
Statute	Land Act 1948 & Crown Pastoral Land Act 1998.

Data Correct as at 15/4/1999

Prepared by John Kirk
Crown Accredited Agent Opus International Consultants Ltd, Dunedin

Certified correct as to status

Max Haydn Warburton
Max Haydn Warburton
Chief Surveyor
Land Information New Zealand, Dunedin.
/ / 9 / 1999

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Notes – This information does not affect the status of the land but was identical. It may be requiring further investigation at due diligence stage. See Pastoral Standard 6.

This land is no longer known as PRD of Run 235, in 1964 it became Run 732 (SO 13487), and in 1985 became Section 2, Block VI, Ahuriri Survey District (SO 16273 & 16274 working plan). The last change of appellation has been recorded on the freehold title for PRD (CT 155/13) but it has not been registered on Pastoral Lease (CL 1C/1066).
History :- PRD was first granted to John McLean along with two other PR's in 1868. They were conveyed several times before an application was made to bring the land from the Deeds system to the Land Transfer system.
The first land transfer title (CT 155/13 current) was issued in the name of His Majesty the King, this appears to have resulted from an exchange of land for other land.

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Research Data: Some Items may be not applicable

Property	3	of	3
SDIPs Obtained	Yes		
NZMS 261 Ref	G39		
Local Authority	Waitaki District		
Crown Acquisition Map	Kemp Purchase		
SO Plan	SO 16273 :- Plan of Section 2, Block VI, Ahuriri Survey District. SO 16274 :- Working plan of section 2, Block VI, Ahuriri Survey District.		
Relevant Gazette Notices	N/A		
CT Ref / Lease Ref	CT 155/13 Fee simple estate CL 1C/1066 Pastoral Lease		
Legalisation Cards	None found		
Plan Index	Records SO plans 16273 & 16274 working plan		
CLR	CLR Records the disposal Book 2A/38-8300 title 155/13 Crown Grant Index :- Grant No. 8300 Date 24/10/1868 Application No. RO.29 F 191 Name John McLean Description Application 6957 Run 235 Interior SD Area 11a-2r-00p		
Allocation Maps (if applicable)	Checked No allocations to SOE's DOC & Other SOE's		
VNZ Ref - if known	N/A		
Crown Grant Maps	Working plan SO 16274 states Application of Crown Grant to John McLean.		

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If Subject land Marginal Strip :	
a) Type [Sec 24(9) or Sec 58]	a) See report 1 of 3
b) Date Created	b)
c) Plan Reference	c)

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Research - continued

Property	of	
If Crown land - Check Irrigation Maps.		N/A
Mining Maps		No lodged Mining / Exploration or Prospecting Licences.
If Road a) Is it created on a Block Plan - Section 43(1)(d) Transit NZ Act 1989 b) By Proc		a) SO Plan N/A b) Proc Plan c) Gazette Ref

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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

a)

b) Subject to Part 9 of the Ngai Tahu Claims Settlement Act 1998 (right of first refusal)

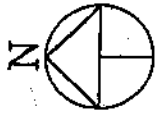
c) Either See **Mineral Ownership** above

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 Kemp Purchase.

Contained in [provide evidence].

d)

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OMARAMA - LINDIS PASS ROAD

STATE HIGHWAY No 8

Sec 1 Bik XVI
LONGSLIP SD

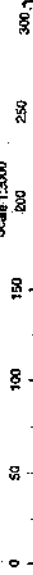
LEGAL ROAD

Pt Run 732

Version	1	2	3	4	5
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NZMS 260 G39 & G40	Date 14/4/1999				

Dairachney Station

Scale 1:3000



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LINDIS PASS ROAD

STATE HIGHWAY No 8 OMARAMA

LEGAL ROAD

Sec 2 Bik VI
Ahuriri S D

Sec 2 Bik VI
Ahuriri S D

Longslip

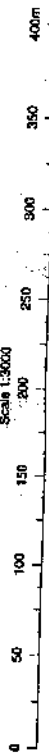
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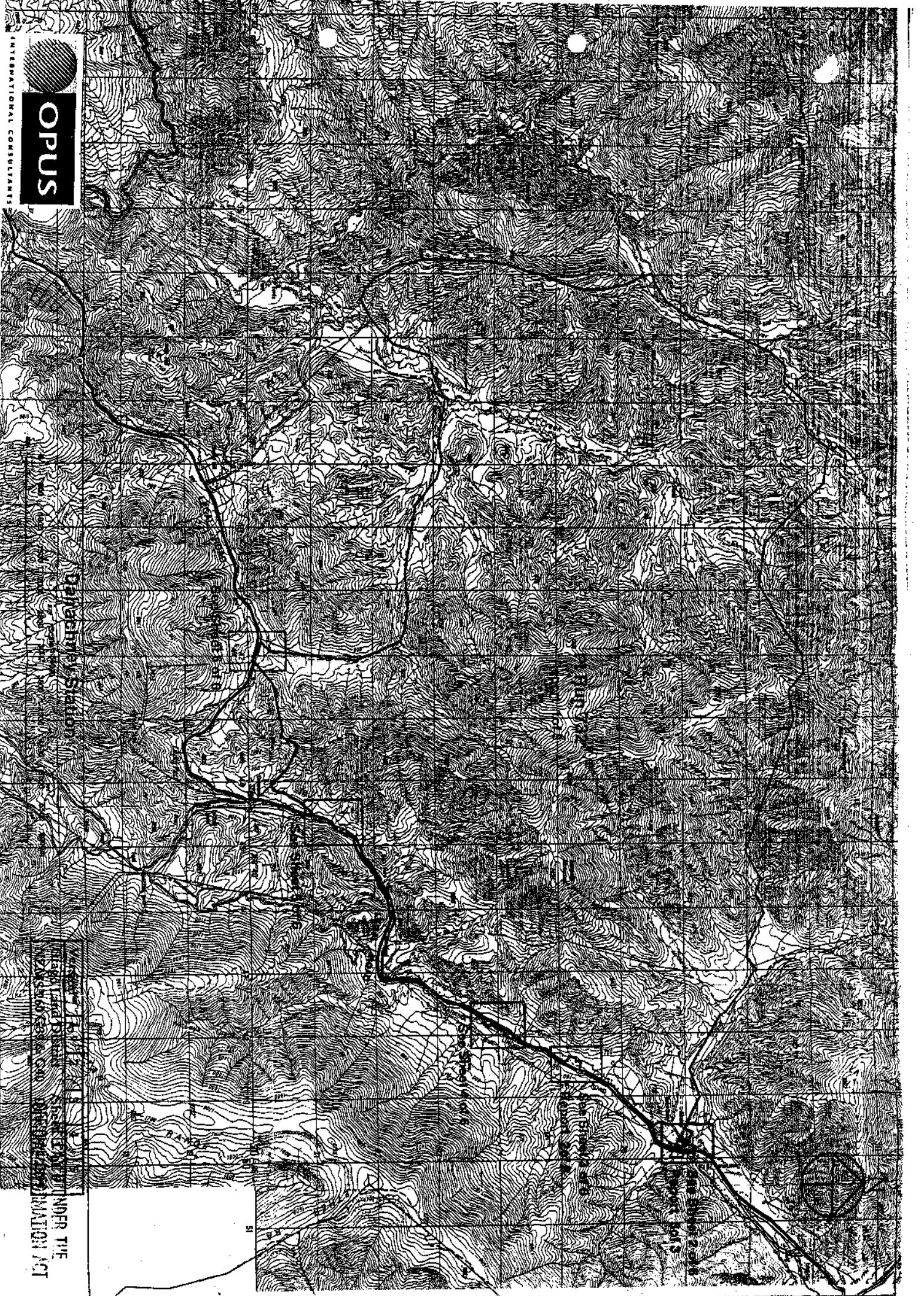
Pt Run 732

Version	1	2	3	4	5
Otago Land District	Sheet 2 of 6				
NZMS 260 G39 & G40	Date 14/4/1999				

Dairachney Station

Scale 1:3000





Valley Station

UNDER THE
NATION ACT

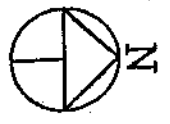
Pt Run 732

OMARAMA-LINDIS PASS ROAD (SH 8)

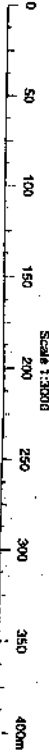
LEGAL ROAD

Pt Run 732

Longslip Creek



Dalrachney Station



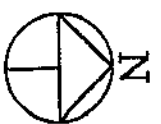
Version	1	2	3	4	5
Olago Land District	Sheet 4 of 6				
NZMS 260 G39 & G40	Date 14/4/1999				

Pt Run 732

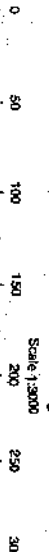
Pt Run 732

LEGAL ROAD

Longslip Creek

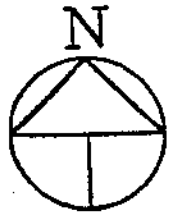


Dalrachney Station



Version	1	2	3	4	5
Olago Land District	Sheet 5 of 6				
NZMS 260 G39 & G40	Date 14/4/1999				

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Pt Run 732

STATE HIGHWAY No 8

OMARAMA

LINDIS PASS ROAD

Pt Run 732

LEGAL ROAD

Version	1	2	3	4	5
Otago Land District	Sheet				6 of 6
NZMS 260 G39 & G40	Date				14/4/1998

Dalrachney Station

Scale 1:3000

