

Crown Pastoral Land Tenure Review

Lease name : EREWHON

Lease number : PC 142

Due Diligence Report (including Status Report) - Part 2

This report and attachments results from a pre-Tenure Review assessment of the pastoral lease for the purpose of confirming land available for Tenure Review and any issues, rights or obligations attaching to it. The information is gathered from files and other sources available to the LINZ contractor.

Part of the information relates to research on the status of the land, resulting in a Status Report that is signed off by a LINZ approving officer. The remainder of the information is not analysed for relevancy or possible action until required, and LINZ does not guarantee its accuracy or completeness as presented.

The report attached is released under the Official Information Act 1982.

April 09

LAND SETTLEMENT BOARD

HEAD OFFICE COMMITTEE

RENEWAL OF PASTORAL LEASE

FILES: H.O. 8/8/130
D.O. P16

CASE NO: 84/ 22 . CANTERBURY LAND DISTRICT

LESSEE

ALASDAIR WILLIAM URQUHART and COLIN FREDERICK URQUHART

LAND HELD IN LEASE

Runs 111 and 112 "Erewhon" and part Run 114 "Mt Potts" Rural Section 8178 situated in Havelock, Clyde, Ramsay, Heron, Potts and Tripp Survey Districts.

Area: 23383.7 hectares.

LOCATION

In the headwaters of the Rangitata River, 56.3 kilometres west of Mt Somers via Lake Clearwater, South Canterbury.

PARTICULARS OF TENURE

Tenure: Pastoral Lease
Term: 33 years from 1 July 1951
Expires: 30 June 1984
Annual Rental: \$640
Stock Limit in Lease: 7700 sheep

Present Stock Limit:

Following the incorporation of Mt Potts, Run 114 in 1957 the then Commissioner of Crown Lands confirmed a limitation of 7700 and the past practice of allowing Urquhart the liberty of discretion over the stock numbers carried until such time as this power is withdrawn. It was intended that this privilege should not be extended to a new lessee following transfer of the run. In 1978 the run was transferred to Urquhart's two sons with Chief Pastoral Lands Officer Grogan recommending that the existing limitation be transferred to the two sons. The present situation thus allows the Urquhart brothers to carry whatever stock numbers they wish.

Stock wintered 1983:

<u>C.F. Urquhart</u>		<u>A.W. Urquhart</u>	
<u>Stud sheep</u>		<u>Stud sheep</u>	
Ewe hoggets	150	Ewe hoggets	22
Ram hoggets	150	Ram hoggets	34
Two tooth ewes	150	Two tooth ewes	20
Mixed age ewes	400	Mixed age ewes	62
Rams	75		
<u>Flock sheep</u>		<u>Flock sheep</u>	
Ewe hoggets	670	Ewe hoggets	352
Dry stock	2015	Wether hoggets	348
Mixed age ewes	1313	Two tooth ewes	320
		Wethers	1703
		Mixed age ewes	1320
		Others	80
	<hr/> 4923		<hr/> 4261

...

Cattle

Breeding cows	34
Bulls	6
	<hr/>
	40

Cattle

Heifer calves	15
Heifers	15
Breeding cows	110
	<hr/>
	135

C.F. & A.W. Urquhart

Red deer	350 in total
Thar	1 in total

Total stock carried on Erewhon and Mt Potts is:

9184 sheep including 3265 breeding ewes
180 cattle including 144 breeding cows
350 red deer
1 thar

CROWN IMPROVEMENTS

Nil.

OTHER LAND HELD

Freehold : A.W. and C.F. Urquhart, 8.9 hectares
Special Lease S156 : Erewhon Park Ltd, 32.6657 hectares

FIELD OFFICER'S REPORT (Field Officer T. Hood)

The property is approximately triangular in shape, being bounded on the south-west side by the Rangitata and Havelock Rivers and on the eastern side by the Potts River. Arbitrary legal boundaries occur on the north-west edge.

The property is divided by the Clyde and Lawrence Rivers to form three distinct blocks within the property.

Approximately 1490 hectares of river flats are scattered along the main rivers, altitude varying from 523 m to 769 m a.s.l. An extensive area of approximately 2430 hectares of gently to strongly rolling glacial till and fan occurs in the southern corner of the property adjacent to the Potts River. Another area of approximately 400 hectares of fans and downs are found near the Erewhon homestead at the junction of the Clyde and Havelock Rivers. The remainder of the property (83%) is dominantly of steep slope of diverse aspect, with small areas of moderately steep and very steep. Most slopes below 1385 m a.s.l. are strongly dissected by water courses.

Altitude varies from 523 m to a maximum of 2446 m with many peaks over 2153 m a.s.l. 70% of the existing run area is over 923 m while 40% is above 1385 m a.s.l.

Annual precipitation is high with rainfall averages in excess of 2500 mm per annum. Much of the precipitation over 1230 m a.s.l. is snow which may lie from May to November. Periodic falls of snow also lie over the lower portions of the property for extended periods. The run lacks winter country.

Variation to the basic stock limitation

Field officer recommends that the basic stock limitation be confirmed as 7700 sheep and that a personal limitation, taking into account the sheep, cattle, deer and thar wintered over 1983, be implemented as follows:

9220 sheep including not more than 3300 breeding ewes
200 cattle including not more than 150 breeding cows
350 red deer
1 thar

Given the acceptance of the basic limitation as 7700 sheep:- see comments under present stock limit above, the areas being suggested for surrender do not provide quantifiable grazing. Thus there is no need to adjust the basic stock limitation from 7700 sheep.

Boundary adjustments

(a) Run plan -

The South Canterbury Catchment Board carried out a detailed land classification survey of the property in January 1969. Land use classification maps and an accompanying report were produced but no run plan was ever drawn up.

(b) Land unsuitable for grazing (15 340 hectares approximately) -

19% of Erewhon is Class VII and 58% Class VIII land. Approximately 40% of the Class VII land would benefit from retirement or at least temporary retirement (to allow the condition of the grasslands to improve). With the exception of several high basins which offer good summer and early autumn grazing, all the Class VIII land is either unstable, open scree, scrub or rock. Considering the unsuitability for continued grazing of the above Class VII and VIII land these areas should ideally be surrendered from the pastoral lease. Permit grazing over the summer could be made available for the high basins considered suitable for limited grazing.

The proposed boundary (allowing for surrender of the above areas) becomes a line varying between 900 m and 1100 m a.s.l. approximately. Fencing along this line would be generally impractical, due to topography and expense. Although stock would undoubtedly move outside the proposed lease area it is still desirable to have the above areas surrendered from pastoral lease. Following surrender the above areas would become unoccupied Crown land subject to a Crown land management plan.

Areas to be protected

(a) Wetlands (approximately 100 hectares) -

Protection of the streams, stream banks and a 20 metre berm, for the streams flowing through the Rangitata River flats below Craig Phillips and adjacent to the Mt Potts homestead area. Protection is necessary to maintain stream bank stability and water quality should cultivation be carried out on the adjoining land. Protection would be best achieved by way of a conservation covenant to prevent drainage and cultivation within 20 metres of any stream bed.

(b) Access -

A walking easement to be created over an existing track leading from the Erewhon homestead, across the paddocks behind the homestead, through a sandy gully planted out in trees and down to the Clyde River. This route is at present used freely by pedestrian shooters gaining access to the Clyde and Lawrence Rivers. The track follows closely a legal road closed in 1974.

(c) Section 58 reservation -

This is required along the Potts, Rangitata, Havelock, Clyde and Lawrence Rivers. All to be a minimum of 20 metres in width. The purpose of this reservation is to protect public access along the river berm and to prohibit this berm from sale, should reclassification and freeholding take place.

General

Erewhon Park Limited (A.W. Urquhart and C.F. Urquhart are shareholders) operates a tourist and ski-ing enterprise utilising 32.6657 hectares surrounding the Mt Potts homestead (held on Special Lease S156) and Erewhon Skifield (operated under a recreation permit). Since A.A. Urquhart's death, this enterprise has been managed by his widow, who now proposes to sell it. As Mrs Urquhart wishes to remain living on Erewhon in her present home (located on S156) negotiations are currently under way to subdivide out of S156 and incorporate into P16, that area (Lot 1, 2.8257 hectares) containing her house. Legal access to be maintained by creation of an easement through S156. In addition a further area of approximately 1.5 hectares will be subdivided from Lot 2 and incorporated into P16. This is to include within P16 the present access to A.W. Urquhart's house. Neither the subdivision and incorporation of the above areas or the sale and transfer to another concern, of Erewhon Park Ltd's interest in S156 and Erewhon Skifield, will have any effect on the farming enterprise.

Lessees' comments on lease renewal proposals

The Urquharts are against the surrender of the Class VIII land for the reason that both would lose their balance of summer wether grazing. They stated that permit grazing on an annual basis would be unacceptable as they would have no guarantee over the permanency of grazing. Both agreed with the proposal for an easement allowing walking access from the Erewhon homestead to the Clyde River and are prepared to covenant the streams and associated 20 metre berms in the Rangitata River below Craig Phillips and adjacent to the Mt Potts homestead area.

With respect to stock limitations, the Urquharts will accept a basic limitation of 7700 sheep and a personal limitation based on the present stock carried (i.e. see present stock and variation to basic stock limitation above).

In addition Colin Urquhart raised the possibility of an exchange of approximately 130 hectares of pastoral lease for approximately 120 hectares of forestry (all within the Clyde River). Erewhon's stock presently graze the forestry area but do not graze the pastoral lease area. A verbal approach over this matter has been made by the Urquharts to B. Jenson (New Zealand Forest Service, Geraldine) but until a formal approach is made no further action will be taken by New Zealand Forest Service.

Field Officer's Recommendations

Field Officer Hood recommends the lease over "Erewhon" be renewed for a further term subject to the following conditions:-

- (i) The stock limit shown in the lease document be shown as follows:-
not more than 7700 sheep.
- (ii) Surrender from the run of that area of Class VII & VIII land containing some 15340 hectares approximately and situated above the 900-1100 m a.s.l. contour.
- (iii) Protection by way of conservation covenant for the streams, stream banks and a 20 m berm along each side of those streams flowing through the Rangitata River flats below Craig Phillips and adjacent to the Mt Potts homestead.

- (iv) Creation of an easement over the existing walking track running from the Erewhon homestead to the Clyde River allowing walking (foot) access only.
- (v) A strip of land 20 m wide be reserved along both sides of the Potts, Rangitata, Havelock, Clyde and Lawrence Rivers.

LAND USE CAPABILITY

<u>Class</u>	<u>Area (ha)</u>	<u>% of Total Area</u>
IV	701.6	3
VI	4676.7	20
VII	4442.9	19
VIII	13562.5	58
	<hr/> 23383.7 ha	<hr/> 100%

SENIOR FIELD OFFICER'S COMMENTS (W. Chalmers)

Recommendation (ii) cannot be implemented because lessees have not agreed. Area covered by recommendation (iii) will need accurate definition on the ground and a formal agreement drawn up.

DISTRICT FIELD OFFICER'S COMMENTS (D. Webster)

I agree with the objectives outlined by field officer in his report and most of his recommendations.

The absence of an effective stock limitation is an irregularity which is overdue for correction. To have coped without one for 30 odd years with no apparent detrimental effect underlines the necessity for such a restriction. While the family is well respected for their high country interest, the discretionary stocking allowed in the past should not be interpreted as a general precedent.

Although it is desirable for much of the high country to be retired this should not be attempted without lessees' concurrence. In this regard I do not support field officer's recommendation (ii). Field officer has correctly indicated the extent of land likely to be excluded should reclassification and freeholding be proceeded with. It is my view that lessees will opt to continue with a pastoral lease over the entire property rather than become involved with grazing permits and so on.

I agree with the other recommendations and in addition recommend that the Commissioner of Crown Lands negotiate a transfer of the forested portion of the pastoral lease to New Zealand Forest Service in return for the non-forested area presently within the pastoral lease. This latter proposal is a commonsense one and should be accomplished without too much difficulty.

CHIEF PASTORAL LANDS OFFICER'S COMMENTS (B. Card)

I agree with DFO Webster's comments and the recommendations, and comment as follows.

It is unlikely in this case that the lessees will agree to surrender any land from their pastoral lease. This lease encompasses large areas of land not used for pastoral production and is close to the Main Divide. This lease although a difficult property has been well managed by the Urquhart family for many years. The "arrangement", over the personal stock limitation is both an anomaly and mistake and reflects a laxity in the management of these lands. A lease such as this needs not only a personal stock limitation but also block stock limits on the more sensitive areas which are monitored by the Range Management staff. If the land which has been identified as desirable for surrender remains in the lease the areas that are grazed

within this area should have block stock limits negotiated for them.

COMMISSIONER OF CROWN LANDS' COMMENTS

I agree with the DFO's comments. In terms of board policy, the Class VII and VIII lands cannot be excluded from the renewal lease without the consent of the lessees. At the same time, however, the opportunity should be taken, as suggested by CPLO to set block stock limits on the more sensitive areas as part of the personal stock limitation approvals. The opportunity must also be taken to regularise the latter by terminating the lessees' discretion.

The Chief Surveyor has made it clear that the Section 58 strips along the Potts, Rangitata, Havelock, Clyde and Lawrence Rivers cannot be given effect to until such time as an opportunity is given for these areas to be adequately defined by survey. These proposals must therefore be implemented on an opportunity basis, covered in the meantime by a general Section 58 provision being carried down on to the new lease.

The Conservator of Forests has recently informed me of a suggestion by the lessees involving the exchange of parts of the lease for an area of State forest. This proposal is substantially the same as that referred to by the field officer but involves an additional area of lease. This proposal will be followed up in consultation with the lessees and the Conservator. It cannot be effected in terms of the renewal because further negotiations will be required as well probably as adjustments to the valuations.

The legalisation of the Hakatere-Potts Road referred to by the Chief Surveyor will need to be taken up with the local authority in the first instance as strictly it is the council's responsibility. The survey of the Erewhon homestead access has been completed.

The Chief Surveyor's suggestion for the resumption of other legal roads that "do not go anywhere" should be further considered but in the context of negotiating effective alternative public access rights.

ROLL VALUATION - 1980

Valuation Ref: 24480/474

Improvements	\$285,000
Land Value	\$320,000
Capital Value	\$605,000

Date of Valuation: 1/10/80

SPECIAL VALUATION - 1983

Valuation Department for renewal 23/2/83 [Details attached - Appendix A]

Value of Improvements	\$ 732,000
Land exclusive of improvements	\$ 323,000
Capital Value	\$1,055,000

See p. 359
p. 869.

CHIEF SURVEYOR'S COMMENTS (G. Wilson)

A plan compilation will be necessary to redefine the part appellations following road closing and taking. Survey should be carried out to define the formed road into Erewhon homestead. Legal Hakatere-Potts Road is over 500 m away from the road formation. The opportunity should also be taken to resume or close unformed legal roads which do not go anywhere. If land is to be retired as recommended a better boundary will have to be determined than the 900 to 1100 m a.s.l. contour line. The Section 58 clause needs to be brought down on the new lease. If an easement (ROW) for walking access is to be created, survey definition will be required. Survey will also be required for subdivision of Special Lease S156 if/when it proceeds. In addition a plan compilation may be required for the portion of pastoral run to become State

forest. The State forest area to be exchanged is defined as Reserve 3324 with an area so it can be included in the Washing Up Bill in due course and incorporated into the new pastoral lease.

PHOTOS

Photo of the run enclosed (please return).

PLANS

An illustrative plan of the run is also attached.

RECOMMENDATIONS

(1) That pursuant to Section 51 Land Act 1948 the classification of the land in the above run be confirmed as pastoral.

(2) That pursuant to Section 131 Land Act 1948 the values for renewal purposes be fixed as follows:-

(a) Value of improvements	\$732,000
(b) Value of improvements included in Rental Value	Nil
(c) Value of land exclusive of improvements	\$323,000

See p 85
& p 86

(3) That the lease be renewed pursuant to Section 66 Land Act 1948 subject to the following conditions/provisions:-

(a) The annual rent for the first 11 years of the new lease based on 1½% of 2(c) above be fixed at - \$4,845, the rental after the initial period to be 2½% (less one-ninth rebate) of the then LEI and lease to be subject to 11 yearly reviews of rent.

(b) The stock limit to be shown in the lease document be set as follows: not more than 7700 sheep. *(including not more than 500 breeding ewes)*

See p 85
& p 86

(4) That the Commissioner of Crown Lands be authorised to pursue negotiations and initiate action as appropriate, to effect the following:-

- Surrender of the forested portion of the pastoral run for the non-forested area of State forest by way of exchange with New Zealand Forest Service (both areas being in the vicinity of the Clyde River).
- Protection from development by way of conservation covenant for the streams, stream banks, and a 20 m berm along each side of those streams flowing through the Rangitata River flats below Craig Phillips and adjacent to the Mt Potts homestead.
- An easement to be created over the existing walking track running from the Brewhon homestead to the Clyde River allowing public walking or pedestrian access only.

(5) That a general Section 58 Land Act 1948 provision for the exclusion of land alongside all rivers and streams, be included in the renewal lease.

(6) That a personal limitation based on present stock numbers be implemented including block stock limits to be determined by the Commissioner for the more sensitive areas, following consultation with the lessees.

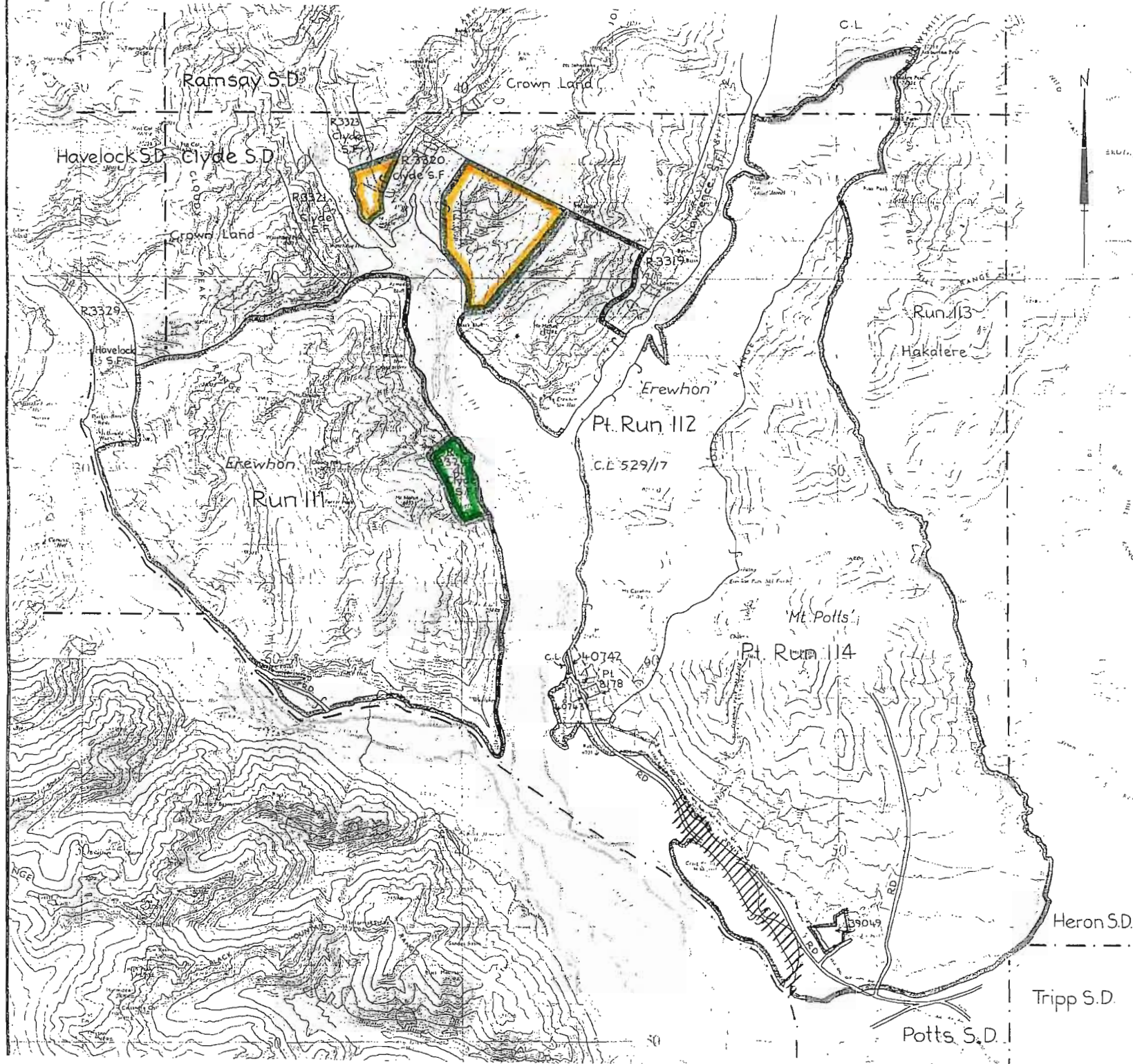
(7) That the local authority be informed that the Hakatere-Potts Road formation is not on the legal line and requested to take appropriate legalisation action.

(8) That the resumption of unformed legal roads be further examined.

DECISION

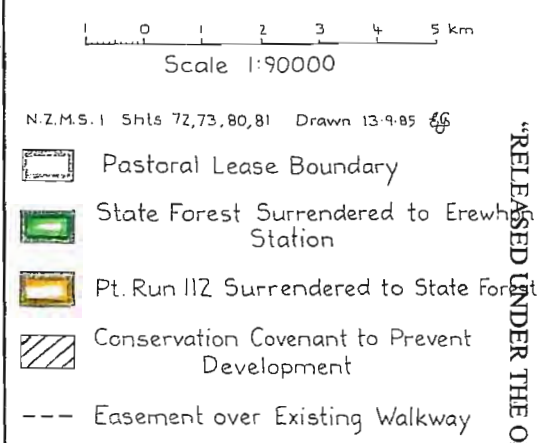
HEAD OFFICE COMMITTEE
21 FEB 1984
APPROVED

see memo of 22/2/84 about
of possible walking reserve



R.S.'s 40742, 40743,
Pt. R.S. 8178, Run 111 &
Pt. Runs 112 & 114

Situated in Ramsay, Havelock,
Clyde, Heron, Potts & Tripp S.D.'s
Ashburton County
Canterbury Land District.



"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

r Webster

799 760

Private Bag
CHRISTCHURCH

Bju Lia

10 September 1985

Messrs C.F. and A.W. Urquhart
Erewhon Station
P.O. Box
MT SOMERS

10/2/86.
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Dear Sirs

RENEWAL OF PASTORAL LEASE - RUN 111 AND PART RUN 112 (EREWHON)
PART RUN 114 (MT POTTS), RURAL SECTIONS 40742, 40743 AND PARTS
RURAL SECTION 8178 SITUATED IN RAMSEY, HAVELOCK, CLYDE, HERON,
POTTS AND TRIPP SURVEY DISTRICTS - AREA 23383.7763 HECTARES

As you know your pastoral lease over the above land expired on 30 June 1984. I am pleased to say I can now inform you that the Land Settlement Board has pursuant to Section 66 of the Land Act 1948 approved the renewal of your lease for a further term of 33 years from 1 July 1984.

The values for renewal, determined by the board pursuant to Section 131 of the Land Act 1948 have been fixed as follows:

(a) Value of Improvements	\$677,000
(b) Value of Improvements included in Rental Value	Nil
(c) Value of Land Exclusive of Improvements	\$323,000

The yearly rent for the first 11 years of the new lease is based on 1½% of (c) which is \$4,845.00 and the yearly rent after the initial period will be calculated at 2½% (less one-ninth rebate) of the then LEI and the lease is issued subject to 11 yearly reviews of rent.

The stock limit to be shown in the lease document has been set as:

Not more than 7700 sheep (inc. not more than 3000 br. ewes)

The board has directed me to inform you of the interest of the board and of the department in acquiring or protecting certain areas of your leased area that have been identified as requiring protection, and to indicate to you a desire to negotiate with you in this respect. This is seen as a

...

post-renewal situation and it follows that if agreement was reached as to an area to be surrendered from your lease or otherwise protected (perhaps by way of a conservation covenant) this would naturally be subject to appropriate adjustments to the rental value and stock limitation.

The items in which the board/department are interested are:

- ...
- (1) Surrender of the forested portion of the pastoral run for the non-forested area of State Forest, as shown on the attached plan, by way of exchange with the New Zealand Forest Service (both areas being in the vicinity of the Clyde River).
 - (2) Protection from development by way of conservation covenant for the streams, stream banks and a 20 metre berm along each side of those streams flowing through the Rangitata flats below Craig Phillips and adjacent to the Mt Potts homestead, as shown on the attached plan.
 - (3) An easement over the existing walking track running from the Erewhon homestead to the Clyde River allowing public walking or pedestrian access only, as shown on the attached plan.

A further condition of renewal will be that a personal stock limitation based on present stock numbers be implemented, including block stock limits to be determined by me for the more sensitive areas, following consultation with yourselves.

One of my officers will be approaching you in due course to pursue these matters, and at the same time will want to discuss with you the protection of any areas identified in the FNA programme, as well as (in terms of the recent review of policy) the surrender of such areas as are not suitable for sustained grazing.

A general provision will be included in the new pastoral lease to the effect that pursuant to Section 58 Land Act 1948 a strip of land not less than 20 metres in width along both banks of all streams and rivers which have an average width of not less than 3 metres be excluded from the lease. This provision was of course in your expired lease.

In the meantime as I informed you in my letter of 28 May 1984 the increased rental on your new lease will not commence until 1 March 1985. Although the term of your new lease will commence from 1 July 1984, the existing annual rental will apply until 28 February 1985. Any rental paid beyond this date at the old rate will be credited towards the new rental.

- ...
- Finally full details of the renewal values are set out in the enclosed notices. Section 132(1) of the Act requires that you notify me within six months of receipt of this letter as to which of the options set out in the attached notice you elect to pursue.

Yours faithfully



D.D. Webster
for Commissioner of Crown Lands

Encl.

3.

The/Conservator of Forests
New Zealand Forest Service
P/O. Bpx 25/022
Victoria /
/CHRISTCHURCH

Copy referred for your information. You will see that the exchange involving State Forest must be carried out as a post-renewal matter and I am sorry if you have been misled by earlier correspondence on this. The exchange could not be effected at renewal because of the statutory requirement for notification of renewal values and delays caused as a result of difficulties in statutory interpretation arising from the "Mains" case.

D.D. Webster
for Commissioner of Crown Lands

CPLO
OFFICE

Copy for your information.

D.D. Webster
for Commissioner of Crown Lands

File: P 16

909
—

CHRISTCHURCH

12 January 1987



①
DFO
L/A.

CCL
OFFICE

RENEWAL OF PASTORAL LEASE : RUN 111 AND PART RUN 112 (EREWHON),
PT RUN 114 (MT POTTS)

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Instruction

Negotiate with the lessees to either protect or surrender the following areas.

- (1) Surrender of the forested portion of the pastoral run for the non-forested area of State forest, as shown on the plan under folio 875, by way of exchange with the New Zealand Forest Service (both areas being in the vicinity of the Clyde River).
- (2) Protection from development by way of conservation covenant for the streams, stream banks and a 20 metre berm along each side of those streams flowing through the Rangitata flats below Craig Phillips and adjacent to the Mt Potts homestead, refer plan under folio 875.
- (3) An easement over the existing walking track running from the Erewhon homestead to the Clyde River allowing public walking or pedestrian access only, refer to plan under folio 875.

can be
done by
way of
clause
new pastoral
lease.

Report

The land exchange (1) has already been agreed to by Colin and Alisdair Urquhart (see letter on folio 890).

I contacted Mr Charles Hardy, MAF Freshwater Fisheries Division, to ascertain the values of the streams (2) known as Deep Creek. He informed me that a report on the areas was being prepared by Sally Davis and Mike Munman (MAF). I requested that a copy of this report be sent to the department. Mr Hardy stated that the stream was an important habitat for the native alpine galaxid (*Galaxias paucispondylus*) but considered that Mr Brian Strange, Ashburton Acclimatisation Society would be best qualified to give an opinion as to the area's value for salmon spawning. Mr Strange considers Deep Creek has been the second most important salmon spawning area on the Rangitata River, with the most important stream being on the Mesopotamia side. However, with the completion of the Erewhon flood protection works, Deep Creek's susceptibility to flood damage has been considerably reduced so that the Mt Potts streams are now of equal importance to those on Mesopotamia. The swamp adjacent to Deep Creek is also a valuable habitat for birds especially ducks.

- 2 -

The wildlife values of the swamp and stream have been considerably enhanced by the flood protection works constructed partly at the lessees' expense. Although an unintended consequence of the work, this factor should be considered if further protection (e.g. retirement from cattle grazing) is discussed in future.

I called on the Urquharts at Mt Potts on 9 January 1987 and found them to be fairly sympathetic to the establishment of the covenant and also the walking easement. I informed them of the values alluded to by Messrs Strange and Hardy. The lessees have no intention of carrying out any drainage, as they value the area's summer grazing potential. They are aware that cattle grazing can be detrimental to the quality of salmon spawning streams and I am hopeful that if occasional reminders are given stressing the natural values of the wetland and streams and a reasonable compensation offered, retirement of the area from cattle grazing could be accomplished if the need is justified. The conservation covenant is a useful step towards this possible end. The lessees commented that the area shaded purple on the map (folio 875) does not correspond to a 20 metre berm. They agreed to a covenant over the length of the stream shown on the map but the width is to be 20m from the stream banks rather than the area shaded purple.

The lessees did not consider it necessary to mark the walking easement from Erewhon to the Clyde River with posts etc. There is no formed walking track although the easiest route has been shown in blue on the map (folio 875).

Recommendations

... That the agreements (1), (2) and (3) be formalized, following the wording of the attached agreement signed at Mt Potts on 9 January 1987 closely.

T. McClurg
Field Officer

Enc

T McClurg
13.1.87.

W J Chish SFO
26/1/87.

Signed at Mt Potts Homestead
9 January 1987

We, the lessees, agree to the protection by way of conservation covenant for those, stream banks and a 20 metre berm along each side of those streams (shaded purple on plan under folio 875) flowing through the Rangitoto flats below Craig Phillips and adjacent to Mt Potts Homestead. The conservation covenant will ^{only} prohibit drainage or cultivation within 20m of the streams above.

C. F. Vagstad
C. F. Vagstad.

We, the lessees, agree to the creation of an easement over the walking route from the Enewton Homestead to the Clyde River allowing public walking or pedestrian access only, refer to plan under folio 875 (route marked blue).

C. F. Vagstad
C. F. Vagstad.

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Erwin Station
Mt. Somers
5-6-86

The Commissioner of Crown Lands
Dept of Lands & Survey
Private Bag
Christchurch.

Lands and Survey Department
10 APR 1986
CHRISTCHURCH

7A

ready done to 11

Dear Sir,

Referring to your letter of 10th Sept 85
Ref P16, in which an exchange of
land situated in the Clyde valley
was mentioned. (See 11 on page 2). file 876).

I am quite prepared to exchange
the area of land, marked in blue
on the map, for the area of
state forest, marked in green on the
map, providing there are no costs
for which I will be liable
incurred in the exchange process.

If there are any difficulties
arise from the exchange & I can
possibly be of assistance please let

10 VLS 1887

Christine
Report M's
for Renewal of
Lease and
Request DFO.
to initiate
Port renewal
negotiations
collaborated in
the letter renewal
letter.
On the meantime
acknowledged
the letter
and advised
we will call
and discuss
in due course
M's.
10/4/86.

Already done by 11/4

me knows.

I would also like to apply
 to over-sow & topdress some country,
 and also bulldoze some fence lines
 & track. The track is an extension
 to the one I already have going out
 of the Clyde river towards the Havelock.
 I wish to extend it down to the
 Havelock. The fencing and oversowing
 are in the same area mostly.

Yours faithfully,

G. F. Urquhart
Per A. W. & C. F. Urquhart.

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 CONTRACTOR FOR PURPOSES ASSOCIATED

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Note for File. P16.

Mr Colin Wroughton called in on 25 January, seeking information on the following matters:

1. When would their lease be renewed! The lease expired on 30 June 1984 and their election was received by us on 30 Jan 1986.
An Action Sheet "for accounting purposes only" was released on 8.4.86 (p. 889A)
Renewal documents were sent to the Wroughtons for execution on 22.9.87 and a request made for fees \$99.
The documents were returned following reminder 15.3.88 and on checking it has been discovered that the \$99 fees were paid on 26.4.87. (See attached.)

J. Fitzharding
Johes.



The registration of the renewal should now be carried out as a matter of priority.

2. Exchange of land with NZFS (Now DOC). When was this to be given effect to! WITH CONTRACT 50 ONLY.
NOT TO BE FURTHER COPIED, REPRODUCED OR DISTRIBUTED WITHOUT THE PERMISSION OF LINZ.
The background to this is covered at p. 100.
818, 823, 833A, 840, 855, 857, 860, 875, 876, 890, 899, 905 & 909.

It seems that everyone was agreed that the exchange should proceed but I don't see any comment about

- (i) survey requirements
- (ii) equality of value and consequential adjustments to rental (if any)
- (iii) adjustments to stock limitation (if any)

S. Banford ⇒ This matter should be tidied up as quickly as possible.
Suggest comparing discussions with DOC.

3. The Wroughtons are thinking of partitioning the two parts of the lease which are farmed independently by them.
I advised them to apply indicating the boundary they wish to adopt. There could be survey implications.

Print immediately

DUE DILIGENCE

EREWHON

SUPPORTING FILE SUMMARY

File Summary – [Erewhon]

FOLIO	DATE	TO	FROM	DETAILS
Pc / 016 – SCH – 01 (22/07/1943 – 01/02/1955) - (Folios 1 – 180)				
86	28/06/1949	-	-	Runs 111, 112 Stronchrubie (Now Erewhon) Pastoral Occupation Licence transfer from T S Johnstone to A A Urquhart approved by Lands Board . Licence extended by 4 years under R& OLD Act 1946 – Expired 28/02/1951. ACTION COMPLETE
128	11/08/1950	-	-	LSB Case 1861 approved a Pastoral Lease in favour of A A Urquhart over Runs 111, 112 Erewhon – Area 35,500 acres. AR – \$400. Stock limitation 5,505 dry sheep. On 14/12/1950 CCL advises Lessee of LSB approval. (f.130) and lessee accepts on 23/04/1951 (f 143). Lessee accepts terms of new lease. [New lease P.16 issued 01/03/1951 and registered as CL529/17. ACTION COMPLETE
166	15/01/1953	-	-	NZ Gazette 1953 p18 – Authorising A A Urquhart to use water for the purpose of generating electricity from unnamed stream shown on plan S.H.D 227 held in State Hydro electric Dept in Wellington. Duration of licence – 31/03/1973. TERM EXPIRED - FUNCTIONS NOW WITH REGIONAL AUTHORITIES

File Summary – [Erewhon]

FOLIO	DATE	TO	FROM	DETAILS
175	16/11/1954	DG	CCL	<p>Last 4 miles of access road impassable. Consideration of possible deviation. Ministry of Works and Ashburton County Council seeking Crown support for funding.</p> <p>CCL letter to Lessee (f.178) of 19/01/1955 consideration to rent adjustment.</p> <p>LSB considering the amalgamation of Mt Potts and Erewhon.</p> <p>District Commissioner of Works approached the Comm. of Works re NRB subsidising restoration of access road.</p> <p>Copy of DCW letter to Ashburton County Council advised NRB loath to depart from the flood damage formula. Agreed to provide some assistance. (f.186). Vol.2.</p> <p>ACTION COMPLETED</p>
Pc / 016 – SCH – 02 (02/02/1955 – 23/09/1969) (Folios 181 – 395)				
201	29/04/1957	-	-	<p>LSB Case 5352 on 08/05/1957 (f.208) LSB approved the incorporation of Mt Potts into Erewhon as at 01/07/1957 increasing the area by 26500 acres to 62000 acres, AR by \$240 to \$640 and stock limitation by 2000 sheep.</p> <p>[Certificate of Alteration 465068 incorporating Mt Potts registered 27/08/1957].</p> <p>ACTION COMPLETE</p>

File Summary – [Erewhon]

FOLIO	DATE	TO	FROM	DETAILS
On 314/323	03/09/1964	-	-	<p>LSB Case No. 7210 of 6/11/1963 approved the partial surrender of 100 acres - now RS 39049 out of Erewhon (subject to survey) to enable the issue of a Special Lease over that area for tourist accommodation S156) in exchange for transfer of RS 8178 (20 acres) of freehold (CT 198/137) and without payment of equality.</p> <p>Change of Appellation 649999 of Part Run 114 to RS 39049 (80 acres 2 roods 35 perches registered 09/04/01965 – SO 10337 (approved 17/07/1964).</p> <p>Partial Surrender 666076 registered 11/08/1965 records the partial surrender of RS 39049.</p> <p>RS 8178 was transferred to the Crown by Transfer 660075 on 11/08/1965 and Certificate of Alteration 660077 of even date incorporated it into the lease.</p> <p>ACTION COMPLETED</p>
331	28/06/66	CCL	DGL	<p>Minister requested investigation into legal access to the Lawrence River as result of Canterbury Mountain Club representations.</p> <p>Longstanding impasse between New Zealand Deerstalkers Assn and Federated Mountain Clubs and the Crown over access across Erewhon from homestead area to the Clyde River</p> <p>Following consultations with above groups, Catchment Board, Ashburton County Council and lessee Minister of Lands on 8 October 1971 advised parties he favoured nominated Route 3 (f506).</p>

File Summary – [Erewhon]

FOLIO	DATE	TO	FROM	DETAILS
				<p>NZDA subsequently renegued indicating didn't favour Route 3 but Council proceeded with legalisation action. Survey completed - SO 11789 – (approved 3 March 1972).</p> <p>Minister of Lands approved road closing 26 June 1974.</p> <p>Ombudsman involved and subsequently Petitioned to the Lands and Agriculture Select Committee of Parliament. Cabinet on 12 July 1976 decided that the Crown should press on with legalisation of Route 3 (f 706).</p> <p>NZ Gazette 1976 p2185 (GN 103146.1 registered 26/10/1976) proclaiming Pt Run 112 (2acres 3 roods 08.9 p) as road and incorporating (5acres 20 p) of closed road (subsequently RS's 40472 and 40473) into the Pastoral lease.</p> <p>ACTION COMPLETED</p>
365	08/03/1968	CCL	Kennedy and Morton,Sols	<p>Advised that Ashburton College propose to erect accommodation on lease near Erewhon Park Limited Special lease area.</p> <p>On 13 March 1968 Lessee provides support for College plans (f.367).</p> <p>Sublease document returned to Sols and requested to forward application forms for sublease and executed Sublease Agt (f 381).</p> <p>Reminder to solicitors 30 July 1969 (f388) following publicity on intention to proceed. College Solicitors say Sublease to proceed. (f.394).</p>

File Summary – [Erewhon]

FOLIO	DATE	TO	FROM	DETAILS
				NO FURTHER SUBLEASE ACTION ON FILE - UNKNOWN AS TO WHETHER OR NOT PART LEASE UTILISED BY COLLEGE (MT POTTS SUBDIVISION)

Pc / 016 – SCH – 03 (06/10/1969 – 26/07/1971) (Folios 396 – 499)

402	22/01/1970	-	-	<p>Advice of new redefinition plans and requirement to incorporate hut site prior to registration of certificate of alteration in accordance with new plans.</p> <p>Pt Run 111 (hut site) incorporated into lease by Certificate of Alteration 806331 registered 21/08/1970 records new lease area as above.</p> <p>ACTION COMPLETED</p>
411	02/03/01970	-	-	<p>Alteration redefinition by new Topographical mapping (SO 11331 and adjoining SO 11026 and 11076) area reduced to 57,780 acres.</p> <p>[Registration 806332 Certificate of Alteration registered 21/08/1970 records new lease area as above.]</p> <p>ACTION COMPLETED</p>

File Summary – [Erewhon]

FOLIO	DATE	TO	FROM	DETAILS
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Pc / 016 – SCH – 04 (16/08/1971 – 20/12/1973) (Folios 500 – 653)

No relevant uncompleted actions

Pc / 016 – SCH – 05 (14/02/1974 – 17/10/1979) (Folios 654 – 735)

657	26/02/1974	CCL	FO	<p>Concern about regularising existing skifield (and road access) and airstrip developments that had been overlooked.</p> <p>LSB (HOC) Case No 1982/232 of 29/10/1982 approved issue of a Recreation permit to Erewhon Park Limited over the skifield and access for a 9 year period from 1 July 1981 with right of renewal for a further 9 years and at the A.R. of \$360 for the first 3 years (f 796). Lessee advised of approval 04/11/1982 (f797) and permit issued (expired 30/06/1999).</p> <p>New Recreation permit issued to Mt Potts Station Limited under Sec 66A Land Act 1948 for period of 3 years10 months from 1 March 2000 (expiring 31 December 2003) at the annual fee of \$1000.</p> <p>ACTION COMPLETED – (RELEVANT TO MT POTTS SUBDIVISION ONLY)</p>
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File Summary – [Erewhon]

FOLIO	DATE	TO	FROM	DETAILS
720	20/09/1978	CCL	PGG Ltd Trust Manager	<p>Application to Transfer from A A Urquhart to his sons A W and C F Urquhart.</p> <p>CCL Case No 1978/48 approved of 08/02/1979 (f.724) approved transfer and lessee's solicitors advised on 15/02/1979</p> <p>[Transfer 228037/2 to A W and C F Urquhart as tenants in common in equal shares registered 25/05/1979]</p> <p>ACTION COMPLETED</p>

Pc / 016 – SCH – 06 (24/10/19794 – 01/02/1989) (Folios 736 – 926)

818	21/12/1983	CCL	NZForest Service	Advice that lessee suggested an exchange – Part unforested Clyde SF (R 3324) for forested lease area.
823	22/02/1984	CCL	DG	<p>LSB (HOC)Case No.84/22 of 21/02/1984 as amended by Case No 1985/129 of 5 July 1985 (f 869) approved lease renewal (Value of Lessee Impts \$677,000 LEI \$323,000 AR \$4845)</p> <p>Approval also given to negotiations proceeding for :</p> <ol style="list-style-type: none"> 1) Surrender of part Run for R3324 by exchange with Forest Service. 2) Conservation covenant over parts of Rangitata River flats below Craig Phillips Island. 3) Easement to be created over the walking track from the Erewhon Homestead to the Clyde River for pedestrian access only.

File Summary – [Erewhon]

FOLIO	DATE	TO	FROM	DETAILS
				<p>Identified requirement for Council to legalise the Hakatere –Mt Potts Rd through the lease and for examination of roads to be resumed to the Crown.</p> <p>CCL advised NZFS that exchange proposal approved in principle and field report confirms lessee in agreement with concept of exchange (f 833A), to be dealt with in conjunction with renewal.</p> <p>Lessee advised of terms of renewal lease (f876) and accepts renewal (f.887)</p> <p>Memorandum of Renewal registered as 808974.1 on 8 June 1989.</p> <p>EXCHANGE AND OTHER AGREEMENTS NOT RESOLVED PRIOR TO RENEWAL - LEASE RENEWAL COMPLETED</p>
842A-844	September / October 1984	-	-	<p>Alteration action sheet and Certificate of Alteration drafted relative to Incorporation of Rural Sections 41595 and 41596 (to be surrendered from Special lease (S156)) – Areas 3.8520 ha (SO 15985 – approved 1 November 1983) and ROW Easements to be created.</p> <p>Subdivision approved by CCL Case No 82/ 573 dated 2 November 1982 and lessees surveyor advised of approvals. Documentation to effect the surrender was referred to the lessees for execution but this was delayed until sale in 1995 whereupon the surrender /incorporation proposals became irrelevant to the subsequent lessees.</p> <p>The question of access to the Power house and Water supply from the Pastoral lease to the Special lease area was also traversed (f 872) and the solicitors advised that they may wish to prepare Easements for those services for</p>

File Summary – [Erewhon]

FOLIO	DATE	TO	FROM	DETAILS
				<p>registration with the proposed incorporation.</p> <p>This situation may need to be legalised if the future status and /or ownership differs.</p> <p>SURRENDER / INCORPORATION AND ROW EASEMENT ACTION INCOMPLETE – NOW IRRELEVANT BECAUSE OF CHANGE IN LESSEE. POSSIBLE REQUIREMENT FOR POWER AND WATER SUPPLY EASEMENT.</p> <p>(RELEVANT TO MT POTTS SUBDIVISION)</p>
860	15/11/84	Conservator Forests	CCL	<p>On request for update advised exchange agreed in principle but held up pending renewal issues (Mains case).</p>
861	06/04/01985	Minister of Lands	CCL	<p>Submission recommending transfer of unformed legal road (Area A on SO 16113 – 2.4140ha) to Crown for incorporation into Pastoral lease.</p> <p>Ministerial approval obtained 21 May 1985 and Transfer to Crown affected by N.Z. Gazette 1985 p 5488 (f 885). New Appellation subsequently allocated to Area A (RS 42168).</p> <p>ROAD TRANSFER COMPLETED BUT AREA STILL NOT INCORPORATED INTO THE LEASE.</p> <p>(RELEVANT TO MT POTTS SUBDIVISION)</p>

File Summary – [Erewhon]

FOLIO	DATE	TO	FROM	DETAILS
890	10/04/1986	CCL	Lessee	Following acceptance of renewal values advised prepared to proceed with exchange at the Crowns cost.
909	12/01/1987	CCL	-	<p>Field report received relating to outcome of negotiations on Land exchange with NZFS (already agreed to by lessee) and Conservation covenant and an Easement over the walking track from the Erewhon Homestead to the Clyde River allowing pedestrian access only.</p> <p>Lessees written agreement to a 20 m wide covenant (covered by Section 58 strip clause) and the access easement obtained 9 January 1987.</p> <p>EXCHANGE AND ACCESS EASEMENT ISSUES INCOMPLETE HOWEVER LEASE SUBSEQUENTLY TRANSFERRED THEREFORE THESE ISSUES TO BE RENEGOTIATED IF THEY ARE TO PROCEED.</p> <p>(ISSUES RELEVANT TO EREWHON SUBDIVISION)</p>
925	27/01/1989	-	-	CCL File note records concerns about action on agreed exchange proposals. Many issues still to be resolved and suggested should be tidied up prior to impending partition of the lease

File Summary – [Erewhon]

FOLIO	DATE	TO	FROM	DETAILS
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Pc / 016 – SCH – 07 (21/04/1989-26/02/1991 (Folios 927-996)

927	21/04/1989	-	-	<p>Urquhart brothers applied to subdivide the Pastoral lease.</p> <p>SO 18222 (approved 21 November 1989) redefined Run 358 for subdivision purposes to Sections 1-10, SO 18222. New appellations registered as 842453.1 on 8 December 1989.</p> <p>Landcorp approved subdivision and transfer of Erewhon on 27 April 1990 (f973) with two new leases to issue (dealt with by surrender of lease and issue of substitute subdivisional leases) as follows:</p> <p>Erewhon – to C F Urquhart – Sections 1-4 SO 18222 and Run 111 (13691 ha) and Mt Potts – to A W Urquhart – Sections 5-10 SO 18222 (9692 ha) for the balance term and on basis of apportioned rental and stock limitation.</p> <p>Lease surrendered by 919781.2 on 11 February 1991.</p> <p>New leases registered as CL 34A/710 and CL 34A/711 respectively.</p> <p>ACTION COMPLETED</p>
966	9 April 1990	DOC	Landcorp	<p>Following earlier discussions with Telecom indicated that a building is to be erected in the deer farm area to house Telecom equipment with 10m pole and small aerial and solar panel. An underground cable would be pulled into the</p>

File Summary – [Erewhon]

FOLIO	DATE	TO	FROM	DETAILS
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				<p>lease buildings as part of a telephone upgrade in the Ashburton Gorge area enabling removal of pole lines.</p> <p>Indicated no consent required and treated only as minimal earth disturbance issue.</p> <p>On 9 April 1990 (f967) Telecom applied for permission to lay cable from the radio site to the houses in the valley.</p> <p>Landcorp approved the work subject to conditions on 20 April 1990 (f 968).</p> <p>ACTION MAY BE REQUIRED TO FORMALISE THE BUILDING AND ASSOCATED CABLING BY GRANT OF EASEMENT TO TELECOM</p> <p>(RELEVANT TO MT POTTS SUBDIVISION)</p>
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Pc / 142 – SCH – 01 (Feb 1991-24/02/1995) - (Folios 1-80)				
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7	03/09/1990	DOC	Landcorp	<p>Advice that lessee enquiring as to progress and sought an indication from DOC of action to be undertaken to complete exchange.</p> <p>On 24 January 1991 DOC advised that intends to do field assessment but not a high priority and could be some time away (f 12).</p>
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File Summary – [Erewhon]

FOLIO	DATE	TO	FROM	DETAILS
				LESSEES SUBSEQUENTLY TRANSFERRED – AGREEMENTS MAY HAVE TO BE RENEGOTIATED WITH NEW LESSEES
46	18/04/1994	DOSLI	Landcorp	<p>Application to transfer half interest in lease to wife L E Urquhart</p> <p>Transfer approved 06/05/1994 (f 48).</p> <p>[Transfer registered A113710/1 on 23/05/1994]</p> <p>ACTION COMPLETED</p>
63	28/09/1994	Landcorp	LINZ	<p>CCL Case 95/117 of 28 /09/1994 approved rent review valuations.</p> <p>Lessees advised of values 20 /09/1994 (f64) and accepted same on 14/02/1994 (under f.74).</p> <p>ADMINISTRATIVE ACTION COMPLETED</p>
67	13/10/1994	Landcorp	D J O'Rourke Solicitor	<p>Application to Transfer by D Stewart and S Taylor made to CCL 15/12/1994.</p> <p>CCL approved transfer to Stronechrubie Ltd (Stewart and Taylor interest) and advised solicitors on 26 January 1995 (f.81)</p> <p>[Transfer to Stronechrubie Ltd registered on 15/09/1995 - Document No. A194510/3.]</p> <p>ACTION COMPLETED</p>

File Summary – [Erewhon]

FOLIO	DATE	TO	FROM	DETAILS
101	24/08/1995	Landcorp	D J O'Rourke Solicitor	<p>Application received to transfer shares in Stronechrubie Ltd from S Taylor to D Stewart.</p> <p>CCL approved transfer of shares by Case No 96/36 on 24 August 1995</p> <p>ADMINISTRATIVE ACTION ONLY – COMPLETED</p>
145	28/07/1997	KF	D J O'Rourke	<p>Application from Lessee for RP for Safari Hunting.</p> <p>CCL Case No. 98/205 on 30/03/1998 approved Recreation permit for safari hunting purposes for a term of 3 years from 1 April 1998 (expiring 31 March 2001) at the minimum fee of \$200 plus 2.5% of gross revenue.</p> <p>Permit executed 27 March 1998 and lessee advised of approval 1 April 1998 (fl65).</p> <p>LEASE SUBSEQUENTLY TRANSFERRED</p>
<p>Pc / 142 – SCH –0 3 (06/05/1998 – 30/06/2000) (Folio 167 – Folio numbers not continued)</p>				
170	24/03/1998	KF	Gascogine Wicks Solicitors	<p>Application to transfer to C J and C M Drummond as – Erewhon Partnership Limited.</p> <p>CCL Case No. 98/235 of 28/05/1998 approved transfer. Lessee advised of</p>

File Summary – [Erewhon]

FOLIO	DATE	TO	FROM	DETAILS
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				<p>approval to transfer 28 May 1998.</p> <p>A361398.2 Transfer to Erewhon Partnership Limited registered 22 July 1998.</p> <p>ACTION COMPLETED</p>
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<p>CON 50213/09/12784/A/ZNO (01/07/2000 - Current)</p> <p>No relevant folios</p>				
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