

Crown Pastoral Land Tenure Review

Lease name : EREWHON

Lease number : PC 142

Due Diligence Report (including Status Report) - Part 3

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

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LAND STATUS REPORT

for
Tenure Review

EREWHON

Prepared by Don McGregor, McGregor Property Services Limited
for and on behalf of Q.V.Valuations

April 2002

10/11/02

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PROPERTY 1 OF 2

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

- SO Plans (Additional)
- Extract of CLR
- Extracts of Allocation maps
- DOC Consultation
- Information supporting Mineral investigation
- Other information

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

PROPERTY 2 OF 2

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

**PROPERTY 1 OF 2
LAND STATUS REPORT**

**APPENDIX A – LAND STATUS REPORT
(and supporting plans)**

**Q.V. VALUATIONS
CHRISTCHURCH OFFICE**

APPENDIX A1

Project No: QVV:358

This report has been prepared on the instruction of Land information New Zealand in terms of **Contract No. 50272 (as yet undated)** and is undertaken for the purposes of the Crown Pastoral Land Act 1998.

LAND STATUS REPORT for Erewhon Tenure Review	LIPS Ref: 12784
Property 1 of 2	

Land District	Canterbury.
Legal Description	Run 111 and Sections 1, 2, 3 and 4, S.O. 18222 situated in Blocks XI and XII Ramsay, I II III IV V VI VII IX X XI XIII and XIV Clyde and II, Havelock Survey Districts.
Area	13575.3587 hectares.
Status	Crown land subject to the Land Act 1948.
Instrument of title / lease	Computer Freehold Register (Pastoral Lease) CB34A/710 pursuant to Section 66 and registered under Section 83 of the Land Act 1948.
Encumbrances	Subject to: 1) Part IVA of the Conservation Act 1987, upon disposition. 2) The reservation to the lessor of all coal existing on or under the surface of the land, pursuant to Section 8 of the Coal Mines Amendment Act 1950, and subject also to the reservation to the lessor of the power to grant coal mining rights over the land under Part I of the Coal Mines Act 1925.
Mineral Ownership	For the most part the Mines and Minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under the 1848 Kemp Deed of Purchase. However insofar as the underlying Rural Section 8178 , acquired by HMQ subject to the Land Act 1848 in 1965 (as a condition of granting a Special Lease to the lessee for tourist accommodation purposes) is concerned the Crown is at liberty to invoke the standard Crown Mineral restrictions on disposition of the land.
Statute	Land Act 1948 and Crown Pastoral Land Act 1998.

Data Correct as at	30 April 2002.
[Certification Attached]	Yes

Prepared by Crown Accredited Supplier	Don McGregor, McGregor Property Services Limited, Christchurch for and on behalf of Q.V. Valuations.
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NOTES: This information does not affect the status of the land but was identified as possible requiring further investigation at the due diligence stage: See Crown Pastoral Standard 6

- 1) Please note additional Reports of land within the periphery of the lease.
- 2) Computer Freehold Register (Pastoral Lease) CB34A/710 contains a notation that the lease is subject to Section 58 of the Land Act 1948 as does SO's 11076, 11331, 17172 and 18222 applying in respect of all rivers and streams in excess of 3 metres in width. **However such strips are 'notional' only pending disposition of the land.**
- 3) The attached topographical shows that the current formation of the Hakatere – Mt Potts Road deviates from the legal road line and legalisation is still outstanding.

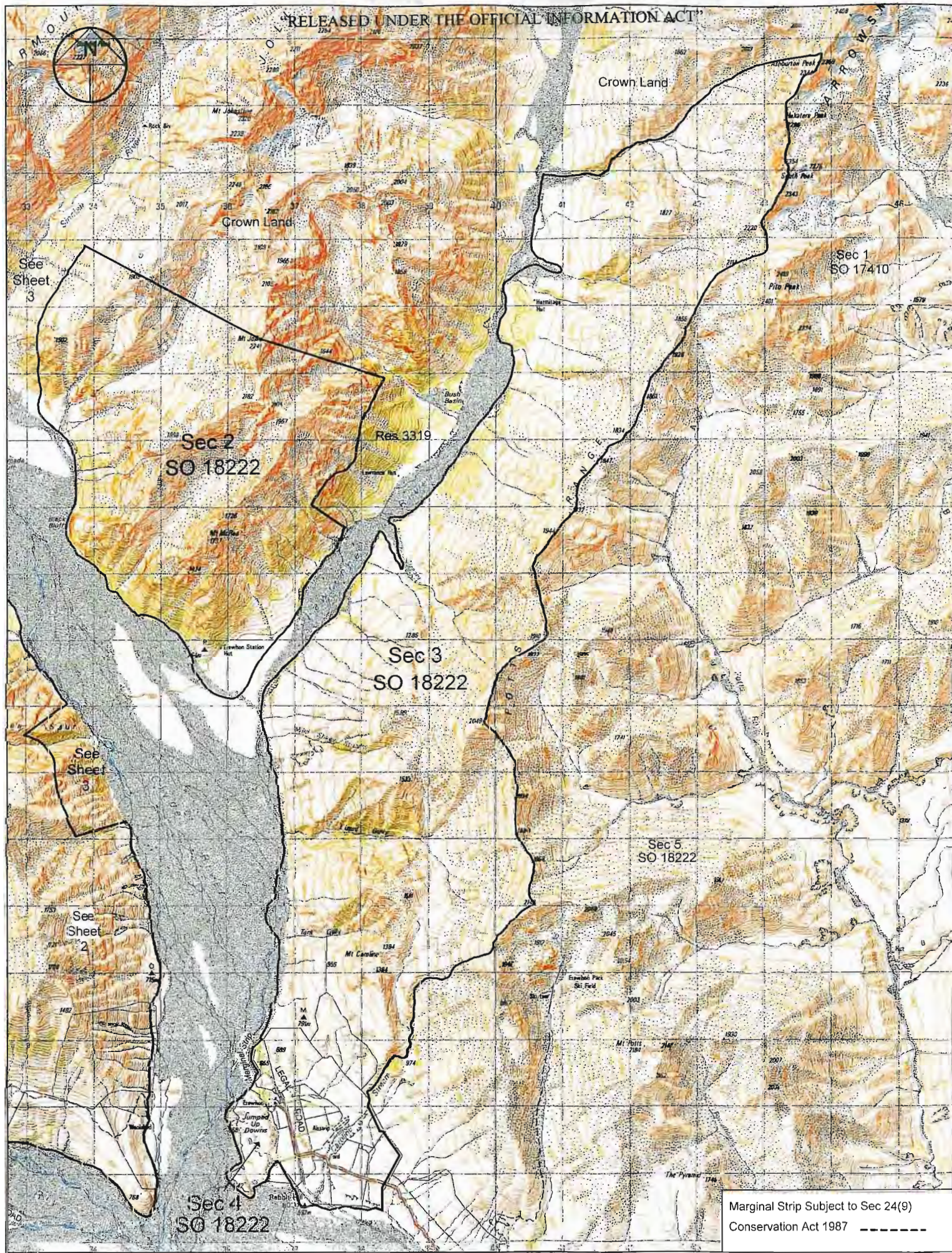
LAND STATUS REPORT for Erewhon Tenure Review	LIPS Ref 12784
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If Crown land – Check Irrigation Maps	Searched – Not applicable.
Mining Maps	Searched – Not applicable.
If Road a) Is it created on a Block Plan – Section 43(1)(d) Transit NZ 1989 b) By Proclamation c) Gazette Ref:	a) SO Plans 11076, 11331, 11789, 17172 and 18222 denoted Roads coloured burnt sienna as legal by Section 110A of the Public Works Act 1928. Refer also Topo Plans 3G and 12 G. b) GN 103146. c) N.Z. Gazette 1976 p2185 (S.O. 11789).
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	a) No current DOC concessions exist within the lease boundaries. The only DOC interests are in the Marginal Strips existing and those yet to be defined. No concessions are administered by DTZ New Zealand Limited. b) Part 9 of the Ngai Tahu Claims Settlement Act 1998, upon disposition. The adjacent Rangitata River is recorded as a Statutory Acknowledgement in Schedule 55 (S.O. 19851) of the Ngai Tahu Claims Settlement Act 1998. c) For the most part the Mines and Minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under the 1848 Kemp Deed of Purchase. The underlying Rural Section 8178 comprised in CT CB198/137 transferred to Her Majesty the Queen subject to the Land Act 1948 by T660075 dated 11 August 1965 as a condition of proposals by the Crown to consolidate administration of the land. While the original title (CT CB198/137) was issued in 1902 the first Public Works legislation the land was not acquired for a public work under a public Works Act in 1965 but as Crown land subject to the Land Act 1848 for general settlement. Therefore the Crown in the circumstances is at liberty to invoke the standard Crown Mineral restrictions on disposition of the land
d) Other Info	d) Not applicable.

VNZ Ref – if known	VR 24480/47400.
Crov. Grant Maps	Not applicable.
Subject Land Marginal Strip: a) Type [Sec 24(9) or Sec 58] b) Date Created c) Plan Reference	a) Refer to Notes above. b) Not applicable. c) Not applicable.

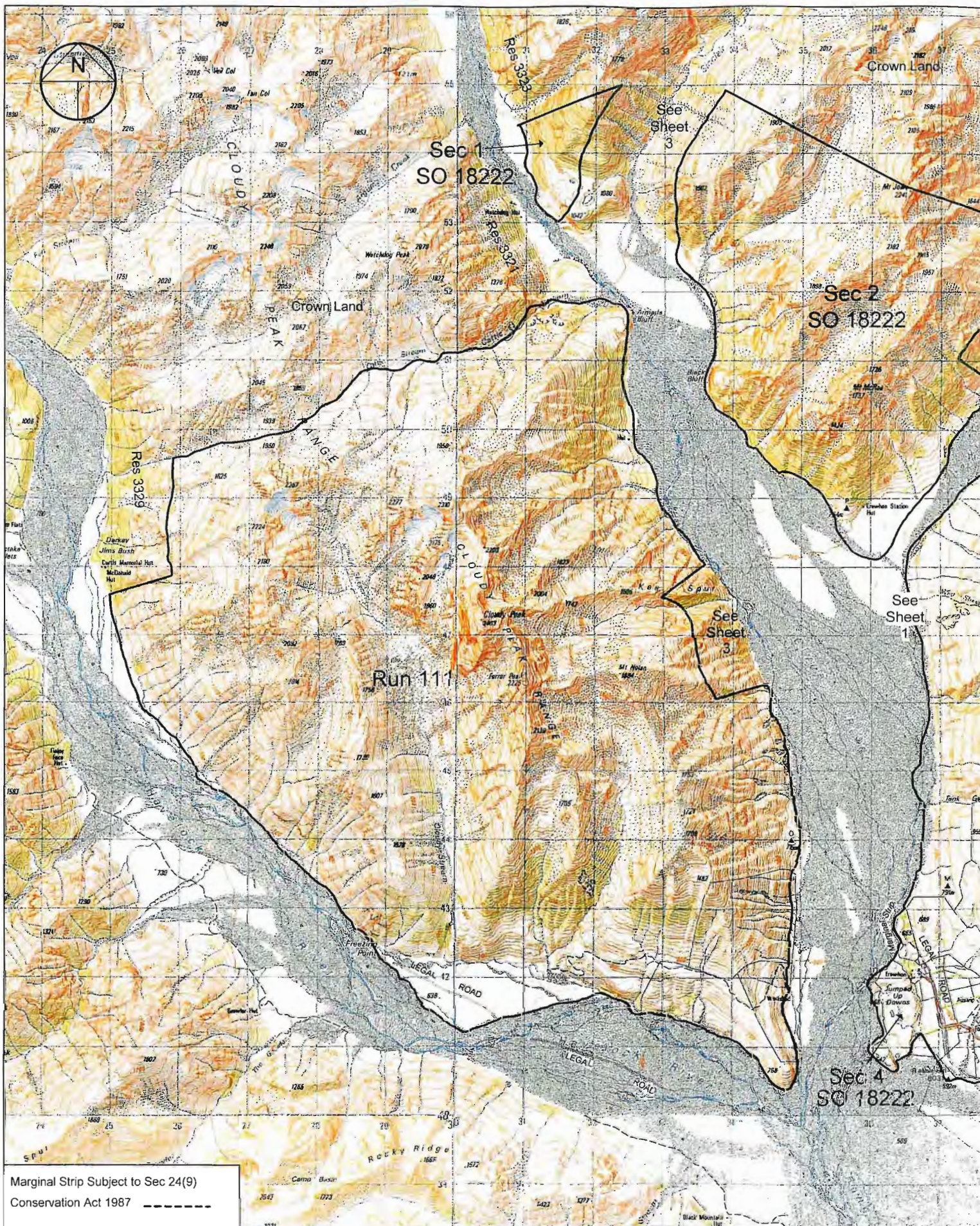
LAND STATUS REPORT for Erewhon Tenure Review		LIPS Ref: 12784
Property 1 of 2		
Research Data: <u>Some Items may not be applicable</u>		
SDI Print Obtained	Yes.	
NZMS 261 Ref	I35/J35.	
Local Authority	Ashburton District Council.	
Crown Acquisition Map	Kemp Deed of Purchase.	
SO Plans	<p>SO 11076 - Plan of Macauley - including Pt Run 114 "Mt Potts" (Approved 6 August 1968).</p> <p>SO 11331 - Plan of Godley including Pt Run 114 "Mt Potts" (Approved 19 January 1970).</p> <p>SO's 17061 – SOE Allocation plan.</p> <p>SO's 17112 and 17113 – DOC Allocation plans.</p> <p>SO 17172 - Plan of Run 358 - formerly Pt Run 114 - (Approved 3 July 1987).</p> <p>SO 18222 - Plan of Sections 1-10 (formerly Part Run 358) (Approved 21 November 1989).</p> <p>SO 19851 - Plan of Deed of Acknowledgement over the Rangitata River in terms of the Ngai Tahu Claims Settlement Act 1998.</p>	
Gazette Notices	<p>N.Z. Gazette 1976 p. 2185 (GN 103146.1) declared 2 acres 0 roods and 23 perches of the lease to be road and the closure and incorporation of 5 acres 20 perches into the lease – S.O. 11789.</p>	
Lease Ref	Computer Freehold Register (Pastoral Lease) CB34A/711 pursuant to Section 66 and registered under Section 83 of the Land Act 1948.	
Legalisation Cards	Searched. SO 11789 shows parts of the lease (formerly Pt R.S. 8138 and Run 112) taken for road and Road closed incorporated into the lease by N.Z.Gazette 1976 p2185 (GN 103146.1).	
CLR	Confirms Pastoral Lease tenure.	
Allocation Maps (if applicable)	<p>Searched. No SOE Allocations are within the periphery of the lease.</p> <p>Reserve 3324 is part of DOC Allocation D*J35*8 (SO 17112) being stewardship land pursuant to Section 62 of the Conservation Act 1987.</p> <p>Adjoining lands are also allocated to DOC as stewardship land:</p> <ul style="list-style-type: none"> • D*I35*1 and 4 (S.O. 17104) – Crown land and Reserves 3326-3329 and R.S. 40458. • D*J35*7 (S.O. 17112) – Reserves 3318 and 3319. • D*J35*8 and 11 (S.O. 17112) – Reserves 3320-3324 and Crown land <p>Extracts of Allocation Maps attached.</p>	





Marginal Strip Subject to Sec 24(9)
Conservation Act 1987

Version	1	2	3	4	5
Canterbury Land District					
Topographic Map 260 - I35, J35					
				Sheet 1 of 3	
				Date 22/03/02	



Marginal Strip Subject to Sec 24(9)
Conservation Act 1987

Erewhon

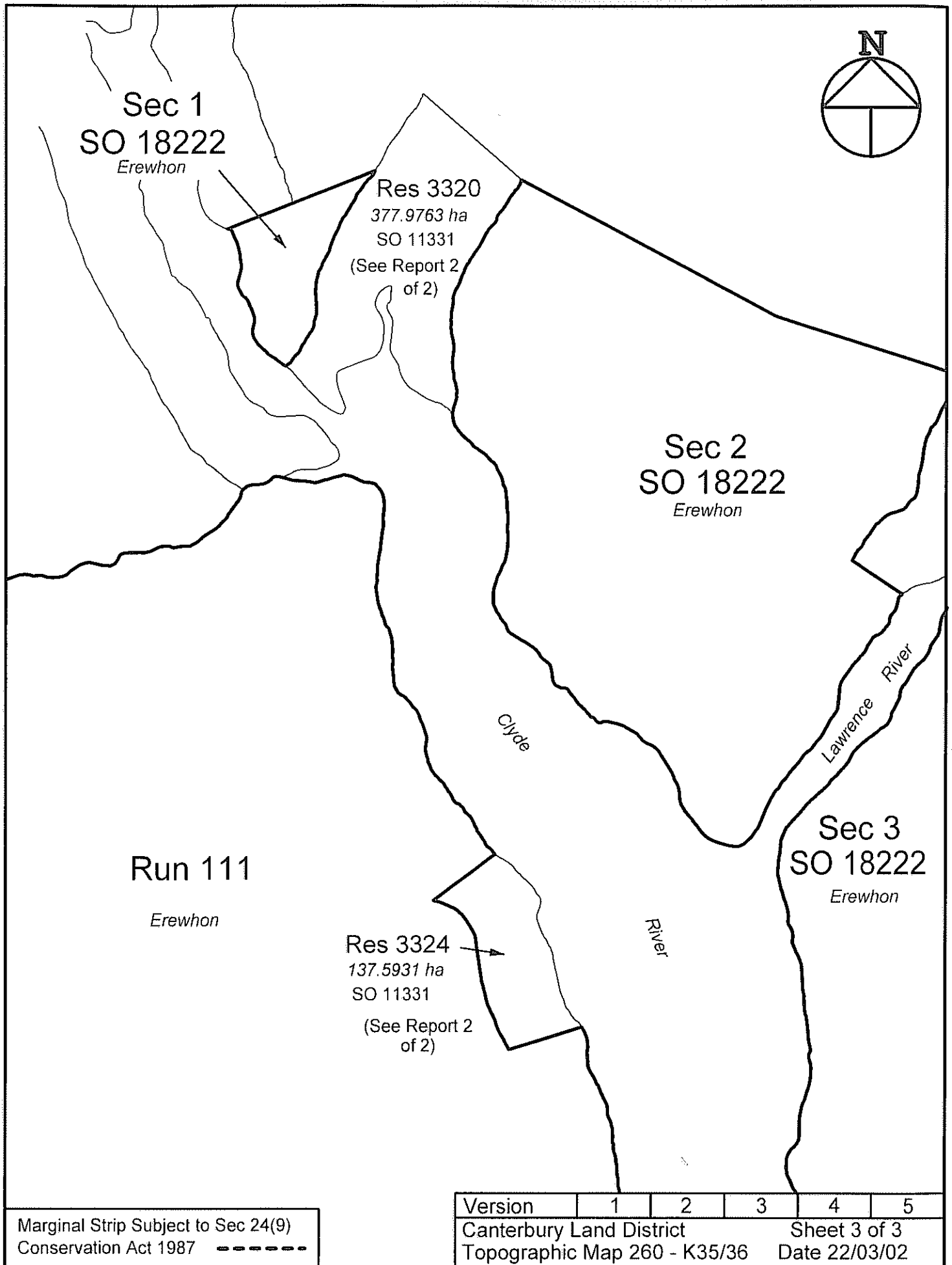
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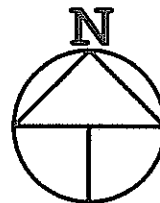
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REGISTERED SURVEYORS

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Version	1	2	3	4	5
Canterbury Land District					
Topographic Map 260 - I35, J35					
				Sheet 2 of 3	
				Date 22/03/02	



SO Plans (Additional)



Sec 1
SO 18222
Erewhon

Res 3320
377.9763 ha
SO 11331
(See Report 2
of 2)

Sec 2
SO 18222
Erewhon

Run 111
Erewhon

Res 3324
137.5931 ha
SO 11331
(See Report 2
of 2)

Sec 3
SO 18222
Erewhon

Clyde

River

Lawrence River

Marginal Strip Subject to Sec 24(9)
Conservation Act 1987 - - - - -

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Canterbury Land District					
Topographic Map 260 - K35/36					
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Date 22/03/02					



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